

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON THURSDAY, JANUARY 22, 2009**

A. CALL TO ORDER at 7:30 pm by Village Deputy Clerk Marcia Pollowy

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

Mayor	Margaret P. Fuller (Absent)
Clerk Deputy Clerk	Marcia Pollowy
Trustees	Mark Dobrzycki (Arrived 7:35pm.) Michael Gadzinski Arlene Jezierny Demetrios Mougolias Therese Schuepfer Lester Szlendak
Attorney	Neal Smith

In the absence of Mayor Fuller, Deputy Clerk Pollowy requested a nomination for a Temporary Chair for tonight's meeting. Trustee Schuepfer nominated Trustee Jezierny as acting chair, seconded by Trustee Szlendak; on a voice vote, all in favor.

D. PUBLIC COMMENT - Upon recognition to speak by the village president or acting chairperson, the person shall rise and state his or her name and address. An individual may speak for himself or herself or as a representative of a community group. No person shall speak longer than three minutes unless specifically authorized to do so by a majority vote of the board of trustees. The three minute time limit will be measured by a person selected by the village board. Thirty (30) minutes of meeting time will be the maximum time allowed for public comment. This according to Village Code, Section 2.12.090, Section D.

Kevin Shuttleworth, 6677 W. Montrose: I'd like to talk about trustee reports; I believe it should be focused on Harwood Heights, not outside programs. For a few examples, Trustee Gadzinski reports should be focused on Forestry and Recreation. If Trustee Gadzinski talks about meals on wheels that is a great program; in fact, my son helps package the meals with his school. Norridge and Harwood Heights Baseball is not a Harwood Heights program; yet Trustee Gadzinski will tell you to call, he'll give you a name and number to call during his trustee report. Harwood Heights used to be a Tree City, but Mr. Gadzinski for some reason has not continued the Tree City status for Harwood Heights. Why do we no longer have a Tree City status? Mr. Gadzinski supports Norridge and Harwood Heights Baseball, yet he forgets to forward information about WSSRA; WSSRA is a village sponsored organization for people with special needs. Mr. Gadzinski and Trustee Szlendak questioned if Harwood Heights should even pay for WSSRA; why do these trustees feel people with special needs should be left out. Why did Mr. Gadzinski omit to tell everyone about WSSRA's fundraiser of last weekend at the previous board meeting; yet Mr. Gadzinski is on the Board of Directors for WSSRA. I personally would like to see somebody who actually cares and has a real interest in WSSRA to be on their Board of Directors representing the Village of Harwood Heights. So tonight I would like to hear Mr. Gadzinski's report for Forestry and Recreation to reflex these issues and any other Harwood Heights issues. Possibly Mr. Gadzinski can talk about his volunteering and other interests outside of Harwood Heights in his trustee's comment section.

Roy Schmidt, 4336 N. Rutherford: I'd like to say I was a little bit surprised that when I made a comment about the ordinances that Trustee Schuepfer had put on the meeting last week, last meeting; I was probably more surprised in the fact that she ignored her own committee members in not presenting any information to them on what she was working on, asking them for any ideas, in fact disrespected the board I would say in not letting them know what she was up to. But to make it worse, when she was asked a question about it, she said "I don't want to go into the sparring;" now I looked up the dictionary and it says to argue. Now, in my 58-years, I think I do know what a question is and I believe the question was "what is the difference between the meeting of the whole and a board meeting; who attends the meeting of the whole or the board meeting?" I did not hear I don't agree with you, I did not hear no, I kept hearing a question. I don't know why it

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would be called sparring. But I guess if anybody asks a question of the trustee who decided to do it on her own, it becomes sparring.

I'd also like to make a comment that the recent President in his inaugural speech, one of the things he said was "the time has come to set aside childish things." I have to wonder if he was talking to Harwood Heights' board and if not, I would ask that the board look at the recent Lerner paper commentary, because it was mentioning the Harwood Heights board.

E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

Mayor's Report
Mayor Fuller

No Report - Absent

Information/Technology
Trustee Dobrzycki

I apologize for arriving late; I attended the Chamber event and had some difficulty getting out of the parking lot, I would request from you Madam Chair a deferment at this time and I'd like to give my report in a few minutes after the other trustees; I'd appreciate that.

I'll keep it brief; the Information & Technology report. The board had previously discussed issues concerning cell phone usage while driving and this was following the City of Chicago's ban and restriction for only hands free cell phone usage. I wanted to bring to the attention, not only to the board but to the public, if you have not noticed that last week the National Safety Commission issued the statement that prior to the end of this year they will present to Congress legislation urging a complete ban on the use of cell phones while driving; that means no usage whatsoever. The commission gathered a great number of studies from a large variety of sources and their statement declared that more than 40,000 deaths occurred last year due to cell phone usage while driving and that being the year 2007. I just wanted to bring that to the attention, the severity of that issue and maybe we'd like to address that again in discussions and see if we can get further data from the City of Chicago and see how that has affected them.

And adding to what Trustee Jeziorny said, I'm very happy also about the Chamber of Commerce event that it's continually growing, something that 6-years ago was little more than just a dream and it took off quite well; I think all of us would agree.

Forestry/Recreation
Trustee Gadzinski

Last week Tuesday, I attended a WSSRA Finance meeting at which the Committee discussed many things including reviewing the options for fundraising a possible office relocation. We also went around the table and shared our views and concerns having to do with the hardships and financial status of our economy and the effects on all the municipalities taking part of WSSRA services.

There are a number of events that are going to be hosted by the WSSRA in the upcoming months: The next one being the FLAP JACK BUNNY HOP, which is a family event, it's a Pancake Breakfast, and a Bunny Hunt. It's scheduled to take place on Saturday, April 4, 2009.

I will keep everyone informed about new happenings and events/changes, anything that has to do with the WSSRA in the near future. For more information please feel free to call the Village Hall.

Now the Youth Commission; in my report during our last Village meeting I reported on the Village of Harwood Heights' and the Village of Norridge's Little League baseball programs merging together for the 2009 season.; this is very exciting to me and many, many resident. During the Committee of the Whole meeting prior to the Board meeting the entire board including the Mayor believed it was a great idea in subsidizing each of the players residing in Harwood Heights that took

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part in the program. Once again to recapitulate ladies and gentlemen, this would allow each of the players to continue to pay a \$60.00 registration fee rather than having to pay an increased fee of \$80.00 which is the current fee assessed by the Village of Norridge.

With the Registration dates passing, there are a total of 74 players that registered and would need to be subsidized for 20.00 each per player. Upon talking with both presidents from Harwood Heights and Norridge baseball leagues, there is a good chance that the League will have about 10 to 15 additional players still registering prior to opening day. With that all said, the amount of players that would need to be subsidized still is under the estimated amount of 100 players.

I would like everyone to know that I continue to strongly support this merge of the two village's baseball teams and our youth all together. We the Village need show support as a whole to children of all ages, and allow them to continue to be active in our local baseball program.

Public Works
Trustee Jezierny

This report covers the period from our last Village Board meeting of January 8, 2009.

Public Works has been out there plowing and salting our streets and continues to do so, pertaining to the clean-up process; taking snow away where it's piled up and trying to plow down to the curb. Currently we already used about 1/3 of our 300 ton salt purchase.

Last weekend, during the extreme cold weather there were 4 homes where pipes were frozen resulting in no water. Three of those situations occurred within the walls within the homes, the other was a result of a shallow frozen water line on Village property. This was corrected by repositioning the water line below frost levels and resulted in a cost of \$2,500. As a reminder to residents, please make sure that during our cold weather to provide as much warm air to pipes as possible by making sure warm air from the home circulates near the pipes. Keeping cabinets open along outside walls can be helpful and eliminate any obstruction that does not allow warm air to circulate around those pipes; in your attics, in your main floor and in the basement.

Last Thursday and Friday, Public Works attended to 2 water main breaks that occurred on 7500 block of Gunnison and on the 7500 block of Winona.

Water meters continued to be installed. Hydrants were monitored during the cold weather and equipment was kept maintained changing fluids and checking equipment operations. A piston was cracked on one of the plows and had to be welded and a tire had to be replaced on the pick-up truck.

The street lights are out on Forest Preserve Drive just before Montrose and Oak Park, we are aware of this situation and it has been reported to the City of Chicago for service.

As a constant reminder, please be aware of the snow removal procedures once snow reaches 2". The snow ban hotline is 867-7605, to find out if the snow ban is in effect.

And again, during cold weather, pot holes form almost instantly, so please call the Village to advise us of any potholes so they can be attended to at once. For those streets within Harwood Heights that are on state highways, IDOT will be consulted on that as well.

I also want to tell you that I just came from the Chamber of Commerce meeting that was held at Liberty Bank, it began at 6:00pm and they had a nice crowd there; they have additional new members and it seems to be going well with a lot of acquaintances and new introductions. So, we congratulate that group and hope they succeed and flourish in the future.

Public Health & Safety
Trustee Mougolias

No Report

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**Ordinance/License
Trustee Schuepfer**

This evening I have compared to last meeting a minimal report and that is that the Ordinance Committee is awaiting a petition from the 6900 block of West Leland for "Resident Only" parking. Once we receive that, then we can schedule a public meeting about their request for "Resident Only" parking in their area.

**Finance
Sewer & Water
Trustee Szlendak**

Report on Finance; I don't know I'm like the gloom man here. We had a meeting this morning, a two hour meeting, with the Village Accountant, the Mayor was present there, and we also had Joe Russo, our Treasurer. The sobering news is that we are currently year to date actual, \$1, 080,607.43 behind in our revenue verses the expenditure. We're holding the expenditures very much in line, our revenues are down substantially; we're going to have to really and truly watch our expenditures for the next three or four months.

The other discovery that we made is that for the SSA project, we really don't know how much money that we have still in the bank for that program. A lot of the money is owed to the General Fund, is owed from the General Fund, etcetera; we had a consensus that we need to do an audit on that project and find out where we stand. The most important reason for the audit is that we made a decision that we will use MFT money and we will also use Water & Sewer money and pay for some of the expenditures on the streetscape because of the cost overruns. In order to do that, especially the MFT money, we can only use the money as defined by the rules that are placed upon us; the same thing with the water. Now, with the MFT, we can pass a resolution and they will approve it, but, during an audit, just like the IRS audit, we're going to have to explain the details and provide documentation. We're going to have to find out exactly where we stand.

Once again, over a million dollars is sobering news; the only positive thing that I see here is that the Mayor and one of our trustees, they wanted to spend for hiring an Engineer, hiring a Village Office Manager, get additional software; bottom line, had we approved all of those expenditures, we would have been probably around \$500,000 deeper in the hole then we are right now. So, I'm glad that the other trustees voted "no" to that decision. We're just going to have to keep an eye on the numbers.

Clerk's Report

No Report

Attorney's Report

No Report

F. TRUSTEE COMMENTS

Trustee Mougolias: I would just like to apologize for my attire tonight to the residents and to the board, I mean no disrespect but my business partner started his vacation today so I am actually working; I figured due to my responsibility here, I wanted just to come in for a hopefully short meeting and go back to work.

Trustee Gadzinski: The Senior Assistance Center still needs volunteers to help deliver meals to less fortunate homebound neighbors within the Norwood Park Township which includes; Harwood Heights, Norridge, Park Ridge, and unincorporated areas. It only takes about 2 hours and once a week to make a few less fortunate residents happy. It is not only an honor but it is my job to help my constituents in any way possible, especially when the help comes with such a simple service as delivering food, once a week or twice a week.

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If you have two hours a week to faithfully deliver meals on wheels to others within our own community, I ask you to please call Arlene Newhouse at the Senior Assistance Center at 708-456-7979. I will continue to report on this service that is offered by the Senior Assistance Center because this is a very important service and I feel that it helps our residents very much, and not only our residents but our surrounding communities too; so I will continue to do this and expect me to report on this at almost every meeting.

Trustee Szlendak: Last week I had the misfortune of going to our office in Wrigleyville and I had to park on the street and I just want to thank our Public Works for the wonderful work that they do and make our side streets passable; in Chicago, one week ago, it was an absolute disaster.

G. SPECIAL COMMITTEE REPORTS

H. APPOINTMENTS/REAPPOINTMENTS

I. CONSENT AGENDA

**Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 1 thru I 10:
Trustee Szlendak pulled items I 3, I 8 & I 9 for a separate vote.**

Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski on Consent Agenda items I 1- 2, I 4-7 & I 10:

1. To approve the regular minutes of the Board of Trustees meeting held January 8, 2009.
2. To approve the minutes of a Special Board meeting held January 8, 2009.
4. To approve the attendance of George Assimakopoulos, Public Works employee and Dave Koch, Water Commissioner at **\$225.00 each** to the Illinois Section American Water Works annual meeting the week of March 16-19, 2009 in Springfield, IL., reimbursement of expenses pursuant to Ordinance 99-07, to be expensed to FY 08/09 line item 22-00-00-7025 – Water Department.
5. To approve expenditure, not to exceed **\$13,830.09**, payable to North American Salt Company for a load of salt to be expensed to FY 08/09 line item 11-06-00-7040 – Public Works.
6. For the Board to approve expenditure, not to exceed **\$55.00**, payable to Lisa Wilczenski as a reimbursement for the purchase of a replacement AC adapter for the portable scoreboard, expensed to FY 08/09 line item 11-08-00-7031-Recreation.
7. For the Board to approve expenditure, not to exceed **\$400.00**, payable to “World’s Oldest Sports” for the purchase of tee-shirts needed Soccer program, expensed to FY 08/09 line item 11-08-00-7031-Recreation.
10. Transfer from Parkway General Savings Account in the amount of **\$135,766.48** to Parkway Bank Payroll Account.

A roll call vote on Consent Agenda items I 1-2, I 4-7 & I 10 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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ITEMS PULLED FROM THE CONSENT AGENDA

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 3:

Trustee Szlendak: Yes, this \$20,000 for engineering fees that should be coming out of the SSA funds. Unfortunately at the moment we do not know how much money we have in the SSA itself; what I would like to do is make a motion to table it until we find out exactly how much money we have in the SSA, so we can promptly pay it.

Motion to Table by Trustee Szlendak, seconded by Trustee Schuepfer on Consent Agenda item I 3:

3. To approve expenditure, not to exceed **\$20,000.00**, payable to Christopher Burke Engineering, LTD. for Professional Services from January 1, 2009 to January 31, 2009, to be expensed to FY08/09 line item 56-00-00-7026 – Engineering Fees.

A roll call vote to Table Consent Agenda item I 3 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 8:

Trustee Szlendak: \$13,019.92 of that is part of our legal fees in order to recover the money from the Newport Builders. That money is owed to the streetscape because we already spent the money in the improvements; we have a contract with Newport Builders that they were supposed to pay over \$400,000 as their share of the streetscape. Therefore, what I would like to do is amend this motion and pay \$3,595.00 and then once we get the accurate numbers on how much money we have in the streetscape account, at that point we're going to pay the \$13,019.92. So what I would like to do is pull that \$13,019.92 out of it and just approve the \$3,595.00 for right now.

Motion to Amend by Trustee Szlendak, seconded by Trustee Dobrzycki on Consent Agenda item I 8:

8. To approve expenditure, not to exceed **\$3,595.00**, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd., for invoice 221510 billing through 11-30-2008; \$1,200.00 expensed to line item 11-02-00-7050 retainer, \$87.50 expensed to line item 11-05-00-7031 Police Legal, \$1,695.00 expensed to line item 11-07-00-7036 Bldg. Legal, \$612.50 expensed to line item 22-00-00-7022 Water Legal – FY08/09.

A roll call vote to Amend Consent Agenda item I 8 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Trustee Dobrzycki: I just wanted to make sure that it's recorded properly that the original motion was made by myself and seconded by Trustee Szlendak and then he made the amendment and I agreed to the amendment.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 9:

Trustee Szlendak: Yes, I would like to pull check #45791 for the amount of \$4,324.72 to American Speedy Printing for the 2009 calendars; I don't recall approving that in any of the board meetings. What I would like to do is find out if we approved it, so I would like to pull that check for right now.

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Trustee Mougolias: There are some checks here that are reimbursements for the deductible, basically from #45844, 45845, 45846, 45847, 45848, 45849, 45850 and 45851. I don't know, we were supposed to contract a company to do this, outsource this; basically they were going to be writing checks for us. I don't know now, I wish the Mayor were here, I would like to ask her if we are still writing the checks and Bridgette is doing this job or is the company that we hired doing the job and using our checks?

Temporary Chair Trustee Jezierny: I believe that I can answer that partially, if it's satisfactory to you; for the month of January because the time that the third-party service would get on board to do this, we have to do it for the month of January. If you wish further information you can hold it, but that is what I'm told.

Trustee Mougolias: No, I wouldn't like to see these people wait for their money because they put it out of their pocket, but I just wanted to clarify that; so we'll start having the secondary company do it next month, most likely.

Temporary Chair Trustee Jezierny: That's right; that's what I'm told.

Motion to Amend by Trustee Szlendak, seconded by Trustee Mougolias

9. Transfer from Parkway General Savings Account in the amount of \$232,533.95 as they appear on check register #45782 thru #45851; pending verification of prior board approval on check # 45791 for \$4,324.72.

A roll call vote to Amend Consent Agenda item I 9 resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

J. NEW BUSINESS

None

K. OLD BUSINESS

Trustee Schuepfer: At the last meeting we tabled several agenda items relating to the repayment of the tax levy that was incorrectly assessed to our residents and I think it would be important at this time to at least bring the discussion off the table once again; the motions were specifically to hire Third Millennium to begin processing the payments, but we have not agreed on the procedure whereby these repayments, what procedure was going to be used. I just want to see whether my fellow trustees have thought about a potential procedure so that we could move forward with this payment.

Temporary Chair Trustee Jezierny: Do you specifically have the motions that were tabled that you wish to bring from the table? And Trustee Szlendak, I believe you had a question? Or part of discussion?

Trustee Szlendak: Part of the discussion, in fact it was one of the items that we discussed in the Finance Committee. What we proposed during that meeting and this is something that I think is extremely workable. The Mayor has a list of all of our residents that were billed in error by the SSA; unfortunately, in this morning's meeting, the Mayor refused to share that list with us and in fact she's making us go through the FOIA in order to get that information. It's somewhat troublesome, but what can we do. In that list from what I understand, we have the amount that was billed, there's also an indication of who did not pay; there's a little asterisk that says who did not pay the taxes. Now, the Mayor feels that there could be improper individuals receiving the money. What I've proposed is that Bridgette, that does our water billing, she has a list of all of our homeowners and the name of who's paying the water bill; I think this is a wonderful way of double checking to make sure that that information corresponds to the name in the bill from Cook County. She can go through that list, there are 2,700 names, they're all listed by the street address; it may take a couple hours, but she can get an approved list.

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If there's any discrepancies; number one, if the name on the water bill is different then who got billed for the taxes, we can set those names aside and to those individuals we can send a notice saying "please come in and prove to us that you deserve the money;" but this way, 95% to 97% of our residents can receive the money immediately. What I'd like to do is, do this; have Third Millennium print the checks for us. They can also get the list from Bridgette and approved by the Mayor and/or our accountant, to the people that should get their money. So this way, Third Millennium can send out 95% of the checks; for the 5% that did not pay or there's misinformation on it, we can send out the letters and that small number can come in. This way, we're not going to have 2,700 residents standing by the window. We're not going to have over 2,000 people going out and digging up the documents; this way in a very expeditious way we can get the money to them still in the month of February. So, looking at this thing, yes, we need to either approve it this meeting or the next meeting; the printing of the checks. If an extra pay of an hour or two or three needs to be paid to Bridgette, if it's necessary, so be it.

Also, I would like to pay Third Millennium to send out the checks that have been approved by the village and then also send out the letters to the people that still have to come in and provide the proof. I think it's a most expeditious, least expensive way that we can solve the problem.

Temporary Chair Trustee Jezierny: Going back to the January 8th meeting there were three motions that were tabled; which of those motions do you wish to bring forward to the table and in what respect did you need to amend them or approve them. Did anybody wish to bring to the table and make which motions that you wish to bring up?

Trustee Schuepfer: I believe at this point the two that are most appropriate are item I 19 from the January 8th agenda, this agenda item originally read, "To approve an expenditure not to exceed \$1,760.00 payable to Third Millennium to imprint 2,700 checks with routing and transit, account no, check no, check amounts and laser signatures pursuant to information provided for refunds. (Checks to be supplied by village)"

I believe the type of amendment that is in order to this particular agenda item is to put a conditional phrase, such that once they receive the approved list from the village documenting payment and identity of the payer; we could certainly tweak that a little better. So item I 19, and then item I 20 from the same meeting, January 8th, was to "To approve an expenditure not to exceed \$1,150.00 for postage for refund mailing to all tax payers." The difference would be that in fact this refund mailing would not simply be the letter that says, "Oh by the way, come in, shows us your proof and we'll give you the money;" instead they would receive a check in that mailing. And again, it would be those individuals who through verification activities that we do in the village as opposed to making them come in, we would be able to refund that check and as Trustee Szlendak mentioned, we anticipate that probably 95% of those taxpayers in fact are the same individuals that are identified on the water billing system as well.

Temporary Chair Trustee Jezierny: Okay, so we're talking about bringing to the table I 19 of the January 8th....I'm sorry, Trustee Mougolias.

Trustee Mougolias: I think that's a good idea because people would get their money back much faster, but we still need to get the list from the Mayor and I would like to ask the attorney, does she have the legal right to withhold that list from us? We are the board of this village, we are the corporate authority. Can she withhold that list from us or make us go through a FOIA to get that list?

Attorney Neal Smith: I think the answer is because it's got resident information, information of residents on it; the individual names. I hesitate to give a definite answer on that because of that.

Trustee Mougolias: Yes, but we have the authority to see any confidential documents in this village to do our business, to handle the financial matters of this business. The Mayor actually has the right to withhold that type of information, to withhold us from getting the money back to the people?

Attorney Neal Smith: Well, I don't think she's withholding it, just asking that you make a FOIA request.

Trustee Mougolias: But we are the corporate authority, we have to go through FOIA to do village business? Is that legally correct? Because this to me doesn't sound very right; how can I be expected to do financial business of this village when I have to go through the Freedom of Information Act to get the financial documents of this village?

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Attorney Neal Smith: Again, I can't give a certain answer because the nature of the information that you're asking, the names, the personal information of the residents.

Trustee Mougolias: Can we get a certain answer in writing then from you?

Attorney Neal Smith: Yes, I can give you an answer to that; it's just sitting here right now I can't give you a definite answer because of the nature of the information.

Trustee Mougolias: We can have one from either you or Paul within the next week?

Attorney Neal Smith: Yes.

Trustee Mougolias: Thank you.

Temporary Chair Trustee Jezierny: Trustee Mougolias have you completed your comment?

Trustee Mougolias: I'm finished.

Trustee Szlendak: I beg to differ with you about the nature of this information; this information is public information. You can go in right now, type in the address of my home and you can get the pin number and then you can go to the Treasurer's website and you can get that same information that the Mayor has right now. This is not secret information; all of that information is public, it's on the web. So, what you're saying is, it's sensitive information; if it's so sensitive, why is it on the internet? All we're asking for is something that she received so we do not have to go through 2,700 homes to get this information. The Mayor has it, it is public, it is on the web; why can't we get it?

Attorney Neal Smith: Like I said in response to Trustee Mougolias, I'll look into it. Again, I'm not familiar with the nature of the information, if you just tell me it's the names, I don't know. I've got to double check; I've got to check the nature of the information before I can give an accurate answer.

Temporary Chair Trustee Jezierny: I'll also make a comment on that. I went down to the County and also obtained a list of all those that paid taxes and unfortunately, it has the total tax that was paid. What we need is the portion of tax that was paid erroneously to this village and Mayor Fuller has that. I have asked the County to provide that information, which he indicated he already gave it to the Mayor to ask her for it. So, I'm trying to get the information another way if we can, but again that ties up other governmental business and their time and delays our time in getting it. So, we would really appreciate an answer if we could get it.

Trustee Mougolias: I would like to bring back Roy Schmidt's point; is where we should stop the childish games and get business done. The Mayor wants to hold it in front of us and say "nay, nay, nay, I have it, you can't have it;" this is starting to get ridiculous and that's where the childish games come in Mr. Schmidt.

Temporary Chair trustee Jezierny: So business at hand for old business, you want to bring forth from the table motion number 19 of the January 8th meeting which indicates, "To approve an expenditure not to exceed \$1,760.00 payable to Third Millennium to imprint 2,700 checks with routing and transit, account no, check no, check amounts and laser signatures pursuant to information provided for refunds. (Checks supplied by village), once the approved list is received documenting payment and identity of the payer." Is that correct Trustee Schuepfer?

Trustee Schuepfer: I believe a point of order, I think we first have to have a vote to take the original motion from the table and then we can amend it.

Temporary Chair Trustee Jezierny: Attorney, is that the correct procedure?

Attorney Neal Smith: Yes.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak to bring item I 19 off the table from the January 8th minutes:

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Trustee Dobrzycki: My only concern would be to make sure that Bridgette in the Water Department would have sufficient time in her schedule to make sure that this work would be completed. And as Trustee Schuepfer pointed out to make sure that we have all the "I's" dotted and "T's" crossed, to make sure that in producing these documents and making payments, to make sure that those individuals that had made payment on that portion of the tax property bill be reimbursed that amount of money.

Trustee Szlendak: I checked with Bridgette, she probably will have enough time, if she doesn't I think we can approve an hour or two of overtime to get the project done. We need to get this money to the residents as soon as possible.

A roll call vote to bring item I 19 off the table from the January 8th minutes resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Trustee Schuepfer: I think I have a possible amendment to I 19 and that is, to have it remain as it originally was written but to add pending the confirmation of payer.....Jimmy was making a point of order.

Trustee Mougolias: Attorney, do we have to make a motion to approve it first and then make the amendment? Usually we make the motion and then make the amendment and the period of discussion.

Attorney Neal Smith: Now that it's on the table you do it the same way as you do any motion.

Trustee Schuepfer: I make a motion to approve January 8th's item I 19.

Motion to Approve I 19 by Trustee Schuepfer, seconded by Trustee Mougolias:

Trustee Schuepfer: I have a potential amendment to that motion; the item as it was written originally but adding the phrase "pending the confirmation of payers and amounts overpaid by the village staff by examining current water bill and the taxpayer."

Temporary Chair Trustee Jezierny: Do you want the word "examining" or "comparison?"

Trustee Schuepfer: Any friendly statement is welcomed.

Temporary Chair Trustee Jezierny: Motion I 19 from the January 8th meeting we'll add the amendment stating "pending the confirmation of payers and amounts overpaid by village staff by examining or comparing current water bill and taxpayers."

Trustee Schuepfer: Let me be a little bit of an academic, right now it really should say "pending the confirmation by village staff of payers and amount overpaid;" the way it was previously worded it sounded like our staff overpaid.

Motion to Amend I 19 from the January 8th minutes by Trustee Schuepfer, seconded by Trustee Mougolias:

19. **Amended motion to read:** To approve an expenditure not to exceed **\$1,760.00** payable to Third Millennium to imprint 2700 checks with routing and transit, account no, check no, check amounts and laser signatures pursuant to information provided for refunds, **pending the confirmation by village staff of payers and amounts overpaid by examining or comparing current water bill.** (Checks supplied by village)

A roll call vote to Amend I 19 from the January 8th minutes resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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Temporary Chair Trustee Jezierny: Are there any further motions to bring to the table from the January 8th minutes?

Trustee Schuepfer: I make a motion to bring from the table item I 20 from the January 8th agenda; this item reads "To approve an expenditure not to exceed \$1,150.00 for postage for refund mailing to all tax payers".

Motion by Trustee Schuepfer, seconded by Trustee Szlendak to bring item I 20 off the table from the January 8th minutes:

Trustee Dobrzycki: Once again, pointing out the structure of the sentence to make sure that those who have overpaid and not all taxpayers; I think everybody's going to be expecting to receive a check; so, just to make that clear.

A roll call vote to bring item I 20 off the table from the January 8th minutes resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Motion to Approve item I 20 from the January 8th agenda by Trustee Schuepfer, seconded by Trustee Dobrzycki:

Trustee Schuepfer: I'd like to amend item I 20 and of course will accept any friendly editing as well, "To approve an expenditure not to exceed \$1,150.00 for postage for refund mailing of checks to all confirmed or eligible taxpayers."

Trustee Dobrzycki: To those who have overpaid.

Temporary Chair Trustee Jezierny: The amended is "To approve an expenditure not to exceed \$1,150.00 for postage for refund mailing of checks to all confirmed eligible tax payers who have overpaid.

Motion to Amend I 20 by Trustee Schuepfer, seconded by Trustee Dobrzycki:

20. Amended motion to read: To approve an expenditure not to exceed \$1,150.00 for postage for refund mailing of checks to all confirmed eligible tax payers who have overpaid.

A roll call vote to Amend item I 20 from the January 8th minutes resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

L. CORRESPONDENCE

None

M. OTHER NEW BUSINESS

None

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N. TRUSTEE COMMENTS

Trustee Dobrzycki: I just wanted to make a friendly suggestion, maybe next time we have a quickie License & Ordinance Committee meeting to prepare these documents either the evening before or before the general board meeting, just to make sure we get all those "I's" and "T's" and words correct.

Trustee Schuepfer: I'm not sure what we just did was within the purview of the Ordinance & License Committee meeting; since it was a refund, it might be a nice Committee Meeting of the Whole quickie.

Temporary Chair Trustee Jezierny: We don't have an Executive Session scheduled on tonight's agenda, but there will be an Executive Session today. When we return, we will not make any action once we return, so I will read the motion for Executive Session.

O. EXECUTIVE SESSION

Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski to enter into Closed Executive Session at 8:30pm:

Motion to enter into Executive Session: pursuant to (5ILCS 120/2) Sec. 2. Open meetings © Exceptions. A public body may hold closed meeting to consider the following subjects: (11) Litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

A roll call vote to enter into Closed Executive Session resulted as follows:

A YES: Trustee Dobrzycki, Gadzinski, Jezierny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

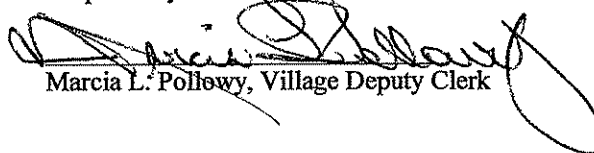
Motion Carried

Returned to open session at 9:17pm.

P. ADJOURNMENT

Motion by Trustee Dobrzycki, seconded by Trustee Schuepfer to adjourn. On a voice vote, all being in favor, the motion carried and the Regular Meeting of the Board of Trustees of the Village of Harwood Heights was adjourned by Temporary Chair Trustee Jezierny on Thursday, January 22, 2009 at 9:18pm.

Respectfully submitted,


Marcia L. Pollowy, Village Deputy Clerk