

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES  
OF THE VILLAGE OF HARWOOD HEIGHTS  
HELD ON THURSDAY, DECEMBER 13, 2007**

- A. **CALL TO ORDER** at 7:30 pm by Mayor Margaret P. Fuller
- B. **PLEDGE OF ALLEGIANCE**
- C. **ROLL CALL**

Mayor Margaret P. Fuller

Clerk Dianne H. Larson  
Deputy Clerk Marcia Pollowy

Trustees Mark Dobrzycki  
Michael Gadzinski  
Arlene Jezierny  
Demetrios Mougolias  
Therese Schuepfer  
Lester Szlendak

Attorney Paul Stephanides

**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.

**Joan K. White, 7429 W. Winona:** First, I would like to ask the board, please, to be allowed to speak a few more extra minutes, it's not that I have that much comment of my own but I would like to read some trustees' comments from the past and you know trustees are never limited to time.

Motion by Trustee Gadzinski, seconded by Trustee Szlendak; all in favor.

**Joan K. White:** At some point in time, and none of us knows exactly when, the Mayor evidently launched a secret investigation of a 24-year employee. At the last board meeting she did admit that her investigation was not yet complete but she also said that she took disciplinary action against the employee; this is before the investigation was complete and she was then charging the trustees with trying to interfere with her taking this disciplinary action. This is taken from her comments of the last meeting. I have no idea what this investigation was all about, but apparently some others in the audience have been hearing more details than the rest of us and they've already formed their opinions as to the righteous and wise actions of the Mayor. Perhaps they hear something even before or after meetings in the Mayor's own office.

Tonight, however, I simply wish to read excerpts from one board meeting, February 22, 2007; first comments by Trustee Alex. **"Trustee Alex:** I did want to mention and I think I failed to mention with the extra cold and snow that we had, we do have a very good Public Works Department. The Superintendent has been with us many, many years; Tom is a wonderful guy. A couple of times I've gone out and saw him working there and it doesn't matter how cold it is, that his bones ache, but he's out there. Whatever the village has always asked him to do; he's out there. He's been doing it a long time, we've placed a lot of burdens on Tom and he's always delivered; he's always worked for the community. His staff is well qualified, they look up to him and I'm just proud to have somebody like that. I think we need to recognize all the stuff that this department is doing. I'm glad to be part of a board to help one of the key players in our whole village history. They're a great staff and I would be remiss not to mention all the good work that they've done and how proud I am of them, and nobody disagrees with that.

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Next comment is from Trustee Szlendak. **Trustee Szlendak:** We had 12 water breaks out there and never in my life have I seen a group of harder working municipal employees in those unbearable conditions; they have proven to me and our residents their true devotion to our village. But, the best example of the devotion to our village was shown by Tom Schroeder, the Superintendent of Public Works; Tom was there for every one of the water breaks and not just as a Supervisor or overseer, but in his orange overalls working alongside his men. There were days that he worked all night in subzero temperatures providing true leadership by example. The one difference between Tom Schroeder and his employees is that they get paid overtime for their hard work, but Tom Schroeder is a salary employee and is performing this work in subzero temperatures without getting an extra dime. I don't know of any other Superintendent of Public Works that works as hard as Tom Schroeder and I want to thank him for his loyalty and dedication to the residents of our village.

I have one more to read and just parts of it from Trustee Jezierny. **Trustee Jezierny:** With the snowfall, Public Works was ready. Below freezing temperatures, streets were plowed and salted, alleys were plowed, breaks were fixed and water was tested for consumption. Due to the wind drifts, streets and alleys had to be plodded several times to keep up with the snow accumulation. I want to salute Tom Schroeder, who worked side-by-side with his dedicated team and even our new engineer, Paul May complimented the Public Works department on the excellent job that they did on the snow removal.

**Joan White (continues):** I hope that the Mayor took some of these words of praise and confirmation of the good character, and top-notch work ethics of our Public Works Superintendent, Tom Schroeder. I don't know what people in the audience have heard about the Schroeder incident or about what the Mayor calls corruption, but it appears by their letters to the paper and comments, that again, they have heard far more than the rest of us. And it would be even interesting to even know how Mr. Herman Wu knew the exact name of the single attorney who was going to be hired as Legislative Counsel. He gave the name in the newspaper, but only the name of the firm was really made known at the last meeting.

**Roy Schmidt, 4336 N. Rutherford:** First, I would like to apologize to the residents at the last meeting for my behavior. I have already sent an apology to the board.

Second, can I assume that we will not hear the old refrain of "It should go before the Ordinance Committee", now that the Chairman of the Ordinance Committee has okayed the actions of one of its own members to bring an ordinance before the board without it being discussed in committee. The Chairman mentioned that it was discussed. The fact is I have asked for copies of any discussion regarding the independent attorney ordinance through an FOI and there is none. I might suggest that there were comments about the issue not discussion of the ordinance. To say otherwise would say that anytime someone comments or mentions a tree ordinance or a smoking ordinance it can then be presented to the board. The fact is even one of the committee members was not aware of the ordinance before it was put on the agenda. I also have to ask where and when the name of the firm being requested was mentioned and to whom? Was that discussed?

Third, I would also like to talk about the Village Hall. Now that it seems the village has given up on doing anything more to the Village Hall and we still have one third of this building empty, I have a suggestion. One person told me that they felt the village has the most expensive storage building in Illinois. This made me think that maybe the village could offer the residents the facility for storing their items. You can make storage selves and possibly charge a fee for storage. This would also create revenue for the village. By the way, does anyone know of any other village that does not use 1/3 of their Village Hall? There have been many new Village Halls being built all around us.

Fourth, is there an update on the water meters and has the board looked into the fairness of the water billing?

**Herman Wu, 4746 N. Odell:** These are the accomplishments of the present village board along with comments.

1.) Proposed and passed an unbalanced budget; 2.) Spend wildly; 3.) Plus lack of respect for authority, no cooperation, no foresight, no new agenda and no new revenue.

Comments;

Arlene, a long time trustee and possibly a Mayoral candidate; I hope you don't treat your family and friends like you do the Mayor and Police Chief.

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Lester, you have a degree in finance. What University? Why is your biography on the internet blank for years? What are you ashamed of, something to hide?

Demetrios, the middle of the road man. Why haven't you proposed an agenda for this board? You live in the same area as the old Village Hall. Where is the revenue?

Theresa and Mike, where is your input for the future of this village? You were elected by the people of this village to do a job; several months have passed and no signs of progress.

Mark, the highest vote getter and still trying to make this board do its job! Good luck.

Finally, from the gallery, JKW what have you done to promote harmony with the Mayor and the board? I believe you have divided them. How do you face the public every day? What is your goal? You attend church but do you practice what they preach? Do you remember the 10 commandments? Maybe harmony and progress will prevail in '08.

May all have a Happy Holiday and a brighter New Year. By the way, thank you trustee for referring to us as "the Mayor's Toy Soldiers".

**E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY**

**Mayor's Report**  
**Mayor Fuller**

First, I would like to say that the attorney was in the audience at the last board meeting and it was mentioned that he was introducing himself in the back of the room.

I just completed a session as a mentor with the Ridgewood High School Freshmen Class. It was a truly rewarding experience and I encourage more people to volunteer. It was refreshing to meet the young people and assist them in setting goals that they can work with in the years to come. The students were great, they were courteous, eager to learn, and we can be quite proud of them. I want to thank Katie, Angelica, Danny and Sagar for meeting with me and sharing their goals. And today 15 Ridgewood students from a social science class came for a tour of our Police Department, did a drive along and talked with officers; all 15 students have shown an interest in law enforcement. It was a great experience for them.

I was honored to be invited to be a judge for the Illinois "We the People, the Citizen and the U.S. Constitution" hearings held downtown. 7 High Schools throughout Illinois competed to go to Washington DC for the National Finals. Both my children were on the constitution teams when they were in High School, both won the state championship and both went to Washington DC, my sons team came in 4<sup>th</sup> place and my daughters' team won the National Championship, so I was excited to be a part of this program. As a judge for Unit 6, I questioned the students on the role of the citizen in American Democracy. All the students should be highly commended for their knowledge of the constitution that our forefathers prepared for us. They exchanged ideas on the rights of citizens to life, liberty and property and at what price do we sacrifice our liberties for the common good. Many of the students believed that a good citizen should do more for their country, not by requirement, but by choice. One school used the famous Kennedy quote: "Ask not what your country can do for you, but what you can do for your country." I am very proud of all the students who worked so hard to truly understand our governments beginning and put them in context for today. We should all be proud that Maine South High School, that serves our village, won the state competition and will be going to Washington DC. It is a great feeling to see our students both from Ridgewood High School and Maine South working towards higher goals, I think our future is in good hands.

Officer Sam Palazzo completed the instruction of his first D.A.R.E. program at Union Ridge School since he became certified as a D.A.R.E. instructor and; Chief Podosek received a Certificate as a sustaining member of the Certified in Homeland Security Program by the American Board for Certification in Homeland Security and the certificate is for additional classes that he has been taking since being certified in Homeland Security.

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Chief Podosek is in process for the village's participation in a federal grant program through DePaul University dealing with "Youth Tobacco Use"; if the federal grant is received we would receive a \$1,000.00 dollar stipend for 2 years of the study to help defray any costs associated with the project. The Chief and I feel it would be very worthwhile to participate because; it addresses our proactive approach to a "smoke free" Harwood Heights.

The Police Department netted about \$3,800.00 with the police auction; they still have a number of clothes and are looking at other options to either sell them or give them to charities.

Since 2004 Chief Podosek has informed the Board every year about the need to train officers due to officers being able to retire, well that time is here. Corporal Steve Kalck just submitted his "letter of intent" concerning his upcoming retirement, his last day of active work will be December 27<sup>th</sup>, 2007 and we are unprepared. Corporal Kalck will remain on the payroll until his time due expires and the board did not appropriate for additional officers. I wish Corporal Kalck much happiness in his retirement and thank him for his service to the village.

The contractor for the Lawrence Avenue water main has completed the installation of all of the water main. Yesterday they made final connections to the north and south on Olcott. Today they made the final connections at the Fire Station and Odell. Tomorrow they will make connections at Biagios and Parkway Bank. If the current schedule is not disrupted the project should be completed by the end of next week. We have verbal permission from IEPA to make all the above connections. Once the remaining pipe has been chlorinated and the tests approved, the permit will be submitted to IEPA. Motion I 4 is for Pay request No. 1 for the contractor.

The Lawrence Avenue Streetscape bids will be opened in January by IDOT, and we won't find out the results until IDOT posts all the bid acceptances online. The plan is to begin the work in early spring.

An agreement to continue using the services of the professional planning consultant Vandewalle & Assoc is Motion I 5. The current agreement ends this month, and the Plan Commission recently wrote to the Mayor and the Board asking us to retain Vandewalle for future redevelopment, project review and zoning matters. The expenses are reimbursable in the cases where the developer or property owner signs an agreement. These professional services are extremely beneficial to the village as a whole.

The village received a letter that Chicago has passed on an increase in the sewer connection charges, our fees are going up to \$10.78 for a 6" connection from \$10.65, that's about a 1% increase but last meeting I informed you that the water rates from Chicago are going up 15% beginning January 1. Unfortunately we don't have other sources of income. I have met with quite few realtors/developers in the past few months and hope that something will materialize soon.

Which brings me to Motion I 2 and 3; at last meeting the board tabled the legal bills for the Village Attorney because they wanted to change the way the costs were distributed to line items. The trustees held two meetings, in the past week, one Finance Committee and One Committee of the Whole and trustees did NOT discuss the dollar amount distribution of costs at either of these meetings. It is important to note that the Clerk received a memo from Trustee Szlendak, wherein he, personally, is distributing the cost for legal fees by himself without any input from other trustees, or from me, unless of course an illegal meeting took place. What concerns me if the board approves Szlendaks distribution of costs tonight I will probably need to include this in next years audit. I will need to have the auditors review if the lines items being appropriated are being properly used, since they themselves set up a line item for their legislative costs. AND I quote from the approved minutes of the June 14<sup>th</sup>, 2007 Village Board Meeting, page 11 made by Trustee Szlendak, Chairman of the Finance Committee: "*Legislative Counsel, an item is there for \$20,000, if you notice we can keep better track of our legal expenses, so we can keep track if the Mayor is asking for the advice or the legislative counsel and that way we can better police our expenditure in that area.*" What Trustee Szlendak has done in this motion is put costs incurred directly by trustees to the line item that he himself reports is for the "Mayor" asking for advice. Most importantly here, he is putting in "the Mayors" line item the legal costs for being incurred by four trustees to take legal action against the developer of the old Village Hall site. It's time that the public understands what the trustees are doing. Trustees, not me, asked our legal counsel to file a two count complaint for declaratory judgment and breach of contract to the purchaser/developer of the old Village Hall site, and this is public information. (filed in the Chancery Division of the Circuit Court of Cook County.) I was against this legal filing, and I asked the trustees to meet with the developer and see if we could work something out, but just like they refuse to work with me, they refused to even try to work with the new

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owner/developer of the property. And it's the village that'll pay the price. This action by trustees makes it very hard for me to draw developers to our town. The fees for this lawsuit, for September alone was \$1,419.25 and these costs are being paid by the taxpayers of Harwood Heights until the court determines if we will be paid back. But Trustee Szlendak wants the Mayor's line item to pay for these costs that they, the trustees incurred. Trustees want control but don't want to take responsibility for their actions. I am pulling Motions 1 2 & 3 for a separate vote, I don't want to hold up approval of the bills which are already past due, but we need a record of the votes for this questionable distribution of legal costs.

Besides all the usual work done by Public Works, we had snow and ice and the village had several water breaks in the past two weeks, so they have been very busy and putting in a lot of time. Tuesday we had quite a hard break to repair on the 7500 block of Lawrence which was out for quite a while. I approved an emergency expenditure because we had to call in a contractor. It was too much for our staff to handle and they did not have the equipment, it was in the middle of the street and crossed Chicago's 60 inch sewer, the street needed to be closed from the center to the 1<sup>st</sup> lane. While the contractor had the opening they found bolts rotted away, those were also repaired, and back fill was needed to close up the break area. And unfortunately it's that time of year; the freezing cold creates more problems. In fact, being upset about all the water breaks, I asked the other towns in the municipal conference if they get a lot of water breaks, and they sort of laughed at me and said are you kidding? They said usually winter is the worst so here are some statistics that were thrown at me, but remember the towns are all different sizes and ages, but comparably, we all have the same problems. Harwood Heights has had 46 breaks this year.

Water breaks in other towns

Town		number of breaks
Arlington Heights	1/1/07 to 11/14/07	142
	2006	154
	2005	309
	2004	184
Hoffman Estates	2006 statistics	20 water main
		21 service line leaks
		12 hydrant replacements
		7 b-box repairs
		15 valve leak repair
Wilmette	2007 YTD	40
	2006	39
	2005	70
	2004	43
Libertyville	11/06 to 11/07	27
		24 since Jan. 2007
Northbrook	11/1/06 to 10/31/07	79
Wheeling	2007 thru 11/1/07	48
	2006	47
	2005	72
Palatine	2007 YTD	41
	2006	54

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Morton Grove Water	2007	89
Des Plaines	11/2006 to 10/31/07	118
Elk Grove	11/1/06 to 10/31/07	56
Rolling Meadows	2007 to date	16
Niles	11/1/06 to 10/31/07	116
	2006	90
	2005	106
Buffalo Grove	1/1/07 to 9/30/07	27
Skokie	calendar year 2007	69 breaks
	2006	35
	2005	78
	2004	65
Glenview	1/1/07 to 10/31/07 10 months	108
Hanover Park	this fiscal year (6.5 mo)	17
	last fiscal year	40

**At this time I will read and distribute my veto messages:**

December 13<sup>th</sup>, 2007

**Mayor's Veto Message**

To the Honorable Members of the Harwood Heights Board of Trustees:

By the authority vested in me as the Mayor of Harwood Heights, I herewith return, without my approval, Ordinance No. 07-25, entitled, "An Ordinance Authorizing the Trustees to Retain Independent Legislative Counsel." I veto and withhold my approval from this Ordinance for the following reasons:

The ordinance approved by Trustees Jeziorny, Schuepfer, Szlendak and Gadzinski was never discussed at a public meeting, or in the Ordinance Committee and the citizens of Harwood Heights did not have an opportunity to discuss with the trustees the credentials of the law firm being chosen and the ordinance which spends their tax dollars. In the past, Trustee Schuepfer demanded that all ordinances come to her first as Chairman of the Ordinance Committee, citing village code Section 2.12.220 *Duties: With the exception of the ordinance and legislation committee, all standing committees of the board will advise the full board regarding the operations of the particular department or function of government to which they are assigned. The ordinance and legislation committee shall review all municipal ordinances prior to passage (unless such review shall be waived by a vote of the board), and shall report on state and federal legislation of interest to the village.* The action by trustees to adopt Ordinance 07-25 without public participation is arbitrary, capricious and unreasonable.

**Use of Municipal Tax Dollars:** How are the trustees helping the community by spending money on legislative counsel for their own political benefit? According to the trustees, the line item for legislative counsel was appropriated to keep a

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better accounting record of legal fees. The following is a quote from the June 14<sup>th</sup>, 2007 Village Board Meeting minutes, page 11 made by Trustee Szlendak, Chairman of the Finance Committee: *"Legislative Counsel, an item is there for \$20,000, if you notice we can keep better track of our legal expenses, so we can keep track if the Mayor is asking for the advice or the legislative counsel and that way we can better police our expenditure in that area."* There is no record of a meeting where the hiring of the law firm of Ancel, Glink was discussed, nor was the firm interviewed by the village board, nor was the law firm's information or the biographies of the attorneys submitted. Therefore, it appears that the trustees created the position of "legislative" counsel for the trustees' own personal and political luxury at the taxpayer's expense.

In the name of budget restraints, the trustees did not provide for an adequate number of police officers to protect the safety of the Village as requested by the Chief of Police. Due to attrition we could lose as many as five (5) police officers as they retire or due to injuries. Trustees eliminated the village engineer and office administrator positions. Trustees also canceled the upgrading of village software and technology; stopped the building of the needed water tower; and canceled an emergency resident notification program, yet they spend tax dollars on additional attorneys. Ordinance 07-25 would allow them to hire and use an additional attorney from another law firm, at the rate of \$165 per hour. Why do trustees need their own counsel? I include a quote from the minutes of the July 12<sup>th</sup>, 2007 Village Board Meeting made by Trustee Szlendak: *"Going to the Finance Committee; we had a meeting to discuss the veto. We looked at all of the details and first of all I wish to thank our counsel, Paul Stephanides, he was very, very helpful to make sure that we do everything appropriately and legally; I want to say thank you again."* And also a quote from Trustee Jezierny from the June 14<sup>th</sup>, 2007 Board Meeting minutes, *"The other thing I would like to report on, I do want to extend a personal thank you to Attorney Metz. Because I had the opportunity to not only talk to him but also have some email correspondence. And that was, that he really helped me better understand how to be in compliance with the Open Meetings Act and specifically when addressing the role of attendance at committee meetings by non-member trustees and what kinds of roles they really can play within those types of discussions without calling into question whether or not there's a violation of the act. And I want to thank you for that clarification."* The trustees themselves confirm that the village already retains a highly qualified and well respected municipal law firm that meets the needs of both the legislative and administrative bodies.

The trustees plan on using "legislative" counsel that they hire by Ordinance 07-25 to investigate the Chief of Police who was acting under my direction but "legislative" counsel lacks the authority to investigate actions of the police who were authorized and directed by the Mayor. The use of legislative counsel for such purposes is illegal as it does not involve a legislative purpose. *DuBois v. Gibbons*, 2 Ill. 2d 392, 118 N.E.2d 295 (1954). Such use of legislative counsel also violates the separation of powers doctrine upon which the village governs itself and operates. No action could be taken based on the findings of "legislative" counsel therefore it would be a total waste of taxpayer money. The taxpayers of Harwood Heights deserve their money to be used in a sensible and responsible manner and not to further the political agenda of a few.

Trustees Jezierny, Schuepfer, Szlendak, and Gadzinski adopted an ordinance for their own political benefit at the taxpayers' expense. The Ordinance will have a negative impact on the finances of the village.

I am concerned that if this Ordinance were to become law, the trustees will be using legislative counsel to try to usurp the powers of the Mayor and change the form of government at the taxpayers' expense. Therefore, it is for these reasons that I veto Ordinance 07-25.

I truly hope that the concerns and objections contained in this veto message will be thoroughly considered.

Sincerely,

Margaret P. Fuller  
Village President

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**Mayor's Veto Message (#2)**

To the Honorable Members of the Harwood Heights Board of Trustees:

By the authority vested in me as the Mayor of Harwood Heights, I herewith return, without my approval, the "Motion to direct the Legislative Counsel to perform an investigation into the police action, which occurred at the Public Works Facility on Wednesday, November 7, 2007, to determine whether any Village procedures, policies or regulations were violated or other wrongful acts committed and to direct all Village employees, officers and consultants to make themselves available when requested by the Independent Counsel and to co-operate fully and truthfully in the Independent Counsel's investigation. It is expected that the Independent Counsel will report back to the Village Board at the Board's next regularly scheduled meeting."

I veto and withhold my approval from this Motion for the following reasons:

The motion approved by Trustees Jeziorny, Schuepfer, Szlendak and Gadzinski at the November 29<sup>th</sup>, 2007 Board Meeting was never discussed at a public meeting, and the citizens of Harwood Heights did not have an opportunity to discuss this issue, an issue that would cost the taxpayers money.

Neither village trustees, nor proposed "legislative" counsel have the authority to investigate Police action, action that was directed by me, under my authority as Mayor. The police entered village property at the public works facility under my authority and direction after hours to obtain the computer files from the Superintendent of Public Works' computer, pursuant to Illinois and Village codes: (65 ILCS 5/3.1-35-20) (from Ch. 24, par. 3.1-35-20) Sec. 3.1-35-20. Mayor or president: examination of records. The mayor or president at all times may examine and inspect the books, records, and papers of any agent, employee, or officer of the municipality. (Source: P.A. 87-1119.) Also see village code 2.08.060 Duties of the village President: The village president shall be the chief executive officer of the village, and shall perform all such duties as may be required of him or her by statute or ordinance. The village president shall have supervision over all of the employees of the village. The village president shall have the power and authority to inspect all books and records kept by any village officer or employee at any reasonable time.

My direction to the police in obtaining village records from village property was part of my on going confidential investigation of the actions of the Superintendent of Public Works. It was necessary to take this action without the knowledge of the Superintendent in order to obtain village records needed to conduct village business. When the police entered the premises, they could not enter the village office of the Superintendent where the computer was located because it was discovered that he had a keypad lock that neither I as Mayor, the Police, or the village administration had the combination to. The police also noticed cameras on the property, cameras that were not being monitored by the 24 hour police department monitoring system and in violation of village security protocol. The police exited the building without obtaining the necessary information. An alarm was sent to the Superintendent at his home in a far off suburb, an alarm that should have been sent to the police 24 hour command center. The Superintendent called the police and the police told him the property was secure because it was. The next morning the police returned pursuant to my direction to remove the computer. The Superintendent refused to allow access by the Police, who were again acting upon my authority and direction. This is a serious obstruction of justice and interference with lawful orders.

**The Motion interferes in an ongoing personnel investigation conducted by the Office of the Mayor as the Chief Executive Officer of the Village,** pursuant to Village code 2.08.060 Duties of the village President: *The village president shall be the chief executive officer of the village, and shall perform all such duties as may be required of him or her by statute or ordinance. The village president shall have supervision over all of the employees of the village. The village president shall have the power and authority to inspect all books and records kept by any village officer or employee at any reasonable time.* Thus, the motion violates the separation of powers within the village's structure of government.

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I am contacting the Attorney General and the States Attorney to investigate the attempt by trustees to hire their own counsel to stop me from taking disciplinary action on a Mayoral appointee; for interfering in an ongoing lawful and prudent investigation; and for unlawful harassment of the Chief of Police.

**Furthermore, there is no legal authority whatsoever for such an investigation.** Without a grant of authority from the Illinois Legislature, any purported investigation by the Board or its purported legislative counsel would be without any enforcement mechanism, and with no power to subpoena witnesses or documents, the power to investigate would be nugatory. *Murphy v. Collins*, 20 Ill. App. 3d 181, 312 N.E.2d 772 (1st Dist. 1974).

The power of a legislative body to investigate is for the purpose of obtaining information necessary to legislate effectively, and the investigation must be for a legislative purpose. *DuBois v. Gibbons*, 2 Ill. 2d 392, 118 N.E.2d 295 (1954); *Greenfield v. Russel*, 292 Ill 392, 127 N.E. 102 (1920). When an investigation is made for purposes irrelevant to legislation, it cannot be sustained. *DuBois v. Gibbons*, 292 Ill. at 415-16, 127 N.E. 307-08; *Greenfield v. Russel*, 292 Ill. at 401. The trustees seek to direct legislative counsel to investigate to determine "whether any Village procedures, policies or regulations were violated or wrongful acts committed." This stated purpose is clearly unrelated to legislation and instead is designed to investigate certain actions. Because the investigation is not related to a legislative purpose, it is illegal and cannot be sustained.

The real investigation should be whether Trustee Jezierny, Chairman of the Public Works Committee and Trustee Szlendak, Chairman of Water and Sewer, were involved in authorizing an alarm and camera system for public works, paid by taxpayers dollars, that was not connected to the police 24 hour 911 command center, as is the village's security protocol. I believe that the trustees may have embarked on a "witch hunt" to deter the public from seeing the possible misuse of village funds on their part.

**Witch Hunt:** The Mayor has the authority to direct the Police and the Chief of Police is an appointment of the Mayor yet the trustees present a motion to investigate the police knowing that neither they nor legislative counsel has authority to investigate or act upon the results of any "so called" investigation. Therefore, the purpose of the motion is to make an appearance of wrongdoing where there is none for their own political agenda. The Chief of Police graduated from Aurora University in 1978 earning a Bachelor of Arts degree in criminal justice; in 1990 he graduated from Western Illinois University earning a Master of Arts degree in law enforcement and justice administration; he is presently working on his second graduate degree in criminology; there are three national acclaimed institutions of higher learning that are responsible for training police executives across the United States; Our Chief is a graduate of two, the University of Louisville, Southern Police Institute, Command Officers Development Course and Northwestern University, Center for Public Safety, School of Staff and Command; Northwestern University's Executive Management Program, Northwestern University's Senior Management Executive Program, Western Illinois University Illinois Standards and Training Board's Executive Institute, he is certified through the American Board for Certification in Homeland Security which; has over 6000 members and is an instructor for the National Incident Management System. The Police Chief has 30 years of distinguished service to the Village of Harwood Heights. The Police Chief should not be subject to such a motion, and he cannot because the motion has no legal basis.

**Use of Municipal Tax Dollars:** The trustees approved an ordinance to hire "legislative" counsel, therefore being hired by them, they would not be independent. The purpose of the hiring is to conduct an investigation using tax payer dollars at a rate of \$165 per hour. The taxpayers will be footing the bill first to pay their attorney for a useless investigation for which there is no authority, then to the village attorney for having to defend actions which were legal actions. In this regard, the motion is also an illegal attempt to have legislative counsel perform the duties of the duly appointed village attorney. The mayor has the sole authority to appoint the village attorney pursuant to Sections 2.20.010 and 2.08.080 of the Village Code and 65 ILCS 5/3.1-30-5 (2007). The motion at issue directly conflicts with the duties of the village attorney as set forth in Sections 2.20.020 and 2.20.030 of the Village Code as it does not involve the giving of advice for the trustees to perform their legislative functions. This is also in clear violation of the law. *Sampson v. Graves*, 304 Ill.App.3d 961, 238 Ill.Dec. 457, 711 N.E.2d 1118 (1<sup>st</sup> Dist. 1999); *Village of Westmont v. Lenihan*, 301 Ill.App.3d 1050, 235 Ill.Dec. 318, 704 N.E.2d 891 (2<sup>nd</sup> Dist. 1999).

Trustees call for an investigation into authorized actions leaves the village exposed to a lawsuit for ruining the reputation of a longtime distinguished employee. The taxpayers deserve better. The Attorney General and the States Attorney is

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being contacted by me to perform an unbiased investigation that would be of no cost to the village. The States Attorney and the Attorney General have the authority and the experience to investigate Cook County police departments.

Trustees Jezierny, Schuepfer, Szlendak, and Gadzinski approved this motion for their own political benefit at the taxpayers' expense. The Ordinance will have a negative impact on the finances of the village. If any investigation is warranted, it should be conducted by an impartial party who is not being paid by trustees using village tax payer dollars. The unsubstantiated actions by Trustees Jezierny, Schuepfer, Szlendak, and Gadzinski have affected the morale of the Police Department and all village employees.

I am concerned that if this motion is approved, the trustees will be using legislative counsel to interfere in a personnel investigation; will be usurping the powers of the Mayor to direct the police and employees; and will be slandering the reputation of a man who spent 30 years serving Harwood Heights selflessly, all at the taxpayers' expense.

Therefore, it is for these reasons that I veto the motion. I truly hope that the concerns and objections contained in this veto message will be thoroughly considered.

Sincerely,

Margaret P. Fuller  
Village President

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In closing let me add that if the trustees proposed "legislative" counsel helped them write the motion to investigate, then I would advise the trustees to seriously consider the type of legal advice that you are receiving. This attorney is going to let you and the tax payers pay him to do an investigation that he should know is useless. A good attorney would know that legislative counsel has no authority in this area, an attorney with integrity would tell you trustees, that state statute is pretty clear on the authority of the Mayor. Trustees, you already received bad advice and are wasting taxpayer dollars.

**Information/Technology**  
**Trustee Dobrzycki**

Report of the Information & Technology Committee; my report today is a follow up of my comments at the previous board meeting concerning the purchase of the LaSalle Bank property in Norridge and its impact on the Norridge economy. I spoke with our Village Accountant and according to his general calculations with a 130,000 sq. ft. of new retail space in Norridge, the Village of Norridge can expect income of approximately \$250,000. And once again I want to reiterate, businesses that will locate in that new retail establishment of the Harlem/Irving Plaza will most likely not open up a second store or second retail outlet in Harwood Heights.

A comment, this is the first time I've seen or know the context of this letter. My comments were made earlier this day as I had the opportunity to tour O'Hare Airport and I bring this to the attention of the village, once again thinking about the future. I met with Mr. Tim Fitzpatrick, Director of Controller Training at O'Hare and visited the control tower. He informed me that O'Hare Airport should have 73 Air Traffic Controllers, they presently have 40. Of those 40, 20 can retire today, right at this moment. After 25-years of service, Air Traffic Controllers are mandated by the Federal Government to retire at 56-years of age. That means if they were hired at 31 or later, they have to retire and if they hit 25-years, they are able to retire; they have 19 in training. I bring this to the attention of the village because in deliberations about our budget and it just so happened that the Mayor mentioned about the Police Department, which was not unbeknownst to me, as well as other employees in the village, it was said that we did not have money to hire or train individuals that are required for the functioning of our village. Mr. Fitzpatrick has told me that the costs and the delays and problems that could be associated at O'Hare Airport because over the past 25-years or so, they've been asking and inquiring money for hiring new Air Traffic Controllers, to train them and have them ready. We apparently look like we're facing a similar situation in Harwood Heights. As the Police Department matures and ages, there'll be many individuals who will be ready to retire. We had a Village Engineer, we also had a Village Administrator who was able to

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make our work in the village, our administrative, our secretaries and personnel that much more efficient; was able to help save money. It's kind of like the old adage, "you have to spend money to save money", to invest into the future. As my role as the Information & Technology chair, I bring that to the attention of our village board.

**Forestry/Recreation**  
**Trustee Gadzinski**

This is reference to items I 6, 7 and 8 on tonight's agenda. I along with the board received an email from a resident and past employee, Roy Schmidt. I don't believe I understand the question that was asked of me. My comment on this was that coaches that do not have children playing for a team, they sacrifice their time and we need to pay them for their time. When Roy Schmidt was the past Chairman of the Recreation Committee, he too approved expenditures for refereeing and coaching. As a matter of fact, the minutes from a board meeting dating back to December 14<sup>th</sup>, 2006 showed an expenditure of \$1,830, paying for the services of coaching and refereeing. The expenses on this year's budget totaled \$1,380; that's a savings of \$450.00, it's not much, but it's a savings. So on the agenda, items I 6, 7, and 8, they're expenditures to pay for the services of coaching and refereeing for basketball and I highly encourage the board to vote yes to it.

**Public Works**  
**Trustee Jezierny**

This is a Public Works report; through my observation of the Public Works activities, I've observed them repairing water main breaks, salting, snow plowing and so forth.

My report is short tonight because I am told by the employees that they are not allowed to talk to the trustees, so it is quite difficult to get detailed information as far as their day to day events. Since I am the Chairman of Public Works, I always like to share some of the information with you. But I do however, I wish to comment on the excellent job the Public Works employees did. They worked very; very long hours and they're to be applauded. They've tackled the snow, they've tackled the ice that we had and they tackled various water main breaks with hugh, hugh ice that they had to get through. They worked very hard and long hours and some of them I know never went home.

**Mayor Fuller:** Trustee Jezierny, I would like to know what employees told you that they weren't allowed to speak with trustees.

**Trustee Jezierny:** Mayor, I think that at this point if I were to give you a mane, I don't want to get them in trouble.

**Mayor Fuller:** That's because it's not true.

**Public Health & Safety**  
**Trustee Mougolias**

The Public Health & Safety Committee; we are in the process of negotiating the new salary contract for the Police Department. We have submitted a preliminary offer and we are waiting for a response from the Police Department. We would have done this sooner but we were waiting for some information that was a little bit detained from the office, some numbers that we needed. We are working and trying to get the contract settled as soon as we can; it does expire at the end of this year. So we will be trying to get it done in a very timely manner.

**Ordinance/License**  
**Trustee Schuepfer**

**No Report**

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**Finance  
Sewer & Water  
Trustee Szlendak**

The Finance Committee; we have item I 12, the Tax Levy for the year 2007. If you take a look at it, there's a new item, Bond and Interest for the SSA. That line affects 18 individuals; it is a special tax for the property owners along the Lawrence Avenue corridor for the streetscape. It is a 3 million dollar bond and this Tax Levy is on that. If we take a look at the taxes levied last year in '06 verses this year, they are exactly the same. On your tax bill you're going to see a substantial increase because all of the other taxing bodies are increasing their amounts; we're staying the same. We're just going to have to live within our means and even the money that's appropriated, we don't have to spend it and I strongly recommend its approval.

One comment is that it was very disappointing that the Mayor could not make the committee meeting for the Committee of the Whole meeting; her input would have been extremely valuable.

For the Water Department, in a memo dated November 29, 2007, our Chief of Police states, "The Police Department is solely responsible for the protection of all village property, including all public buildings owned by this municipality." I assume that it includes village property where we have our water supply. Also at our last board meeting Mayor Fuller stated, "but I can't say there hasn't been an ongoing threat to our water supply due to the lack of security."

This year we appropriated \$4,353,321 for our police protection. Our Chief of Police has a salary of \$87,843 with other benefits that easily exceeds \$100,000; in fact he is the highest paid employee in our village. A question here that our residents would ask, "Why do we have a lack of security?" It is reasonable to ask the Chief, "When was the last time our security was checked?" Our residents should ask, "Did anybody in our Police Department make sure that when the alarm in Public Works goes off, our police are properly notified?" Over the years, has anybody in our Police Department noticed that at night the cameras in the Water Department are not visible by our police dispatchers? Did we ever have an emergency exercise with our Water Department to make sure that the alarms work; that our police officers and village employees know what to do if a real emergency occurs? As our Mayor pointed out, our Chief of Police is certified by Homeland Security, he has a number of other degrees as well as I learned today. My question is what are the Homeland Security guidelines to make sure that the security system for our water supply in fact even works? From what I heard at the last meeting, it seems to me that the person with sole responsibility for our security did not deliver on the promise.

**Clerk's Report  
Clerk Larson**

I have a correction to the minutes on the second vote for Consent Agenda item I 10; on roll call vote the word "Table" should have been eliminated and I'm passing out the corrections to the minutes.

And also I would like to wish everyone a very Merry Christmas and Happy Holidays.

**Attorney's Report**

I don't have a report as well, but this will be the last time I see you for this year since there's no second meeting this month, so I want to wish everyone here Happy Holidays and to the board and to the Mayor.

**F. TRUSTEE COMMENTS**

**Trustee Jezierny:** I want to present some FACTS to the audience and to the board.

I'm sure many of you have received the Pioneer Press dated December 6, 2007, page three there's an article regarding "Dueling Investigations". Mayor Fuller is investigating Trustee Jezierny and Trustee Szlendak for "failing to provide adequate security for the Public Works building."

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It also states in here that "Police Chief Marty Podosek told the board that ADT was dropped as security provider for the Water Department in the year 2004." He also states that, "A now defunct firm – Videomaster, Inc of New Lenox Department – installed cameras at the Water Department."

Contrary to these charges by the Mayor and the Police Chief, I want to present the FACTS: I have something to pass out to the audience and to the board as well.

First I want to state that two proposals in 2004 were presented to the Board – one from ADT dated August 25, 2004 and the other from Video Masters dated November 11, 2004.

Now let me call your attention to item I 5 on page 7 of the November 22, 2004 Village Board meeting minutes that I just distributed. It states that Mayor Fuller, then Trustee made the motion and it was seconded by Trustee Dobrzycki, then Chairman of the Water & Sewer Committee. "To approve an expenditure not to exceed \$16,500.00 payable to Video Master for Homeland security measures for the water tower, water pumping station and building."

This motion was approved unanimously by the Board members present: Trustees at the time, Trustee Alex, Trustee Dobrzycki, Trustee Fuller and myself.

Referring back to the same article in the Pioneer Press, Chief Podosek also states "ADT however, was suppose to have the security contracts for both the Village Hall, Police complex and Public Works" and "as I stated before, told the board that ADT was dropped as security provider for the Water Department in '04." Once again, I'd like to call your attention to the fact. Item I 9 of the November 22<sup>nd</sup> minutes reflect the motion again made by Mayor Fuller, seconded by Trustee Dobrzycki "to approve an expenditure, not to exceed \$3, 843.25, payable to ADT Security for quarterly maintenance on the security system for the Village Hall and Police Department." Nowhere does it include the Public Works Department. I have copies of the ADT contracts here with me dating back to the year 2003, nowhere was the Public Works Department included in the contract. Instead, Mayor Fuller and Trustee Dobrzycki motions included Video Master, not ADT, for security. Hasn't the Chief or the Mayor read these contracts?

I will not stand for false accusations; quite frankly I'm sick of it. These are the facts and they're in black and white.

**Mayor Fuller:** Are there any other comments? Okay, then I would like to make some comments. Trustee Jezierny does not have the facts; I would not have brought any of these issues to light if I didn't have all the documents in my hand. First of all, this motion here for Video Masters is an earlier motion and there was another one after; but neither motion authorized the Superintendent of Public Works to execute the contract, to execute the agreements. So those agreements never went, well this one I wasn't Mayor, but the second one when I was Mayor, the agreement never came to me. The other thing, when the equipment is installed, the contracts from Video Master said right on there and I don't have the documents here, but I have every single document in my office, which will be part of my investigation. It says right on the agreements from Video Master that they were supposed to be connected to the Police Department. Now, we wouldn't know if they were not connected, it's an electronic connection, unless there was an alarm, unless there was a break-in, the alarm wouldn't go off. But that's just one of the many issues here, but, the contracts were not signed by the Mayor; theres a lot of other issues here that I don't want to go into now. But Trustee Jezierny does not have the facts.

**G. SPECIAL COMMITTEE REPORTS**

None

**H. APPOINTMENTS/REAPPOINTMENTS**

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**I. CONSENT AGENDA**

Mayor Fuller pulled motions I 2 & I 3 for separate vote.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 1, I 4-16:

Trustee Szlendak pulled motion I 5 for a separate vote.

Trustee Dobrzycki pulled motion I 1 for a separate vote.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 4, I 6-16:

4. To approve expenditure, not to exceed \$226,737.00, payable to DiMeo Brothers, Inc. for Lawrence Avenue watermain pay request #1 expensed to line item 56-00-00-7005 for FY 07/08 – SSA
6. To approve expenditure, not to exceed \$585.00 payable to Nick DeGrazia, HHYC basketball referee and coach for 13 games at \$45.00 per game, to be expensed to line item 11-08-00- 7031 FY 07/08 – Recreation.
7. To approve expenditure not to exceed \$570.00 payable to Dan Furlan, HHYC basketball referee and coach for 12 games at \$45.00, and 1 game at \$30.00, to be expensed to 11-08-00-7031 FY 07/08 – Recreation.
8. To approve expenditure, not to exceed \$225.00, payable to Bob Geiger HHYC basketball referee and coach for 5 games at \$45.00 each to be expensed to line item 11-08-00-7031 FY 07/08 – Recreation.
9. To approve appointment of Representative Michael Gadzinski and alternate Representative Mark Dobrzycki to WSSRA term to expire December 31, 2008.
10. To approve the 100<sup>th</sup> Annual Tag Days on Friday and Saturday, April 11<sup>th</sup> and 12<sup>th</sup> , 2008 for the Children's Benefit League of Chicago and Suburbs.
11. To approve temporary promotional sign 10 feet high by 2 feet wide to advertise grand opening of Neptune Mobile at the address commonly known as 4630 North Harlem Avenue until January 31, 2008.
12. To adopt **Ordinance 07-27**, an Ordinance Levying Taxes for the General Corporate and Other Purposes for the Fiscal Year Beginning May 1, 2007 and Ending April 30, 2008 for the Village of Harwood Heights, Cook County, Illinois.
13. Transfer from Parkway General Savings Account in the amount of \$382,282.94 as they appear on check register #43925 thru #43993.
14. Transfer from Parkway General Savings Account in the amount of \$143,662.79 to Parkway Bank Payroll Account for December 15<sup>th</sup> payroll.
15. Transfer from Parkway General Savings Account in the estimated amount of \$193,000.00 to Parkway Bank Account for December 30<sup>th</sup> payroll.
16. Electronic transfer from Parkway General Savings Account in the amount of \$11,834.19 for November IMRF Pension Fund.

**A roll call vote on Consent Agenda items I 4 and I 6-16 resulted as follows:**

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

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

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**ITEMS PULLED FROM THE CONSENT AGENDA**

**Motion by Trustee Jezierny, seconded by Trustee Szlendak on Consent Agenda item I 1:**

**Motion to Table by Trustee Dobrzycki, seconded by Trustee Mougolias on Consent Agenda item I 1:**

1. To approve the minutes of the Regular Board Meeting held on Thursday, November 29, 2007.

**A roll call vote to Table Consent Agenda item I 1 resulted as follows:**

A YES: Trustee Dobrzycki, Mougolias

NAYS: Trustee Gadzinski, Jezierny, Schuepfer, Szlendak

ABSTAIN:

ABSENT:

Motion Failed

**Motion by Trustee Szlendak, seconded by Trustee Schuepfer on Consent Agenda item I 1:**

1. To approve the minutes of the Regular Board Meeting held on Thursday, November 29, 2007.

**A roll call vote on Consent Agenda item I 1 resulted as follows:**

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

NAYS:

PRESENT: Trustee Dobrzycki

ABSTAIN:

ABSENT:

Motion Carried

**Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda item I 2:**

**Motion to Table by Trustee Mougolias, seconded by Trustee Schuepfer on Consent Agenda item I 2:**

2. To approve expenditure, not to exceed **\$6,107.26**, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. September billing, \$1,000.00 expensed to line item 11-02-00-7050, \$4,053.95 expensed to line item 11-02-00-7051, \$847.06 expensed to line item 11-02-00-7057, \$206.25 expensed to line item 11-01-00-7061 for FY 07/08 – Legal.

**A roll call vote to Table Consent Agenda item I 2 resulted as follows:**

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

NAYS: Trustee Dobrzycki

ABSTAIN:

ABSENT:

Motion Carried

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

**Motion to Table by Trustee Mougolias, seconded by Trustee Gadzinski on Consent Agenda item I 3:**

3. To approve expenditure, not to exceed **\$6,510.22**, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. October billing \$1,000.00 expensed to line item 11-02-00-7050, \$4,767.72 expensed to line item 11-02-00-7051, \$742.50 expensed to line item 11-02-00-7057, FY 07/08 – Legal.

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

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

NAYS: Trustee Dobrzycki

ABSTAIN:

ABSENT:

Motion Carried

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**Motion by Trustee Dobrzycki, seconded by Trustee Mougolias on Consent Agenda item I 5:**

5. To approve an agreement with Vandewalle & Associates for consulting services for property redevelopment, zoning, land use and other actions or review required by the Village Plan Commission, Zoning Board of Appeals or the Corporate Authorities, for a period of one year beginning December 29, 2007, and to authorize the Mayor to execute the agreement.

**A roll call vote on Consent Agenda item I 5 resulted as follows:**

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

NAYS:

PRESENT: Trustee Jezierny

ABSTAIN:

ABSENT:

Motion Carried

**J. NEW BUSINESS**

None

**K. OLD BUSINESS**

None

**L. CORRESPONDENCE**

None

**M. OTHER NEW BUSINESS**

**Mayor Fuller:** I do want to wish everyone a Happy & Healthy New Year and I hope you don't come down with the flu like we've had in the village office, we've had every two days someone comes down with it and is off for several days; it's just been a retroactive effect and in the office it has just been terrible. So, I wish you all a Merry Christmas and a Happy New Year. The next meeting is the second Thursday in January.

**N. TRUSTEE COMMENTS**

**Trustee Dobrzycki:** I just want to reassure everyone it was not I who brought the stomach flu to the office.

I wanted to ask, am I to understand that the billing for the September services of our legal counsel for the village will reappear in a revised format, not reappear as they are now presented in order to pay our Village Attorney; that was my comment.

I also would like to request, a long time family friend, Barb Malek, her husband, Tom Malek has been fighting cancer for several years now. His health insurance will no longer pay for his medical care. I have here a Jewel "Shop & Share" identification slip, if anybody would be so interested and so kind to take part and help and offset their medical expenses. As I stated, he had medical insurance, health insurance, it reached the maximum and he can no longer get no other health insurance. He is now on his own to provide health insurance or health money to pay for his medical coverage. So, I have copies here if you would like to take part and help this family out. Remind everyone that a majority of the foreclosures'

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are not people defaulting on their houses, but because of medical care in our country and that is about 80% of all bankruptcies in the United States.

And on a happy note, I wish everyone a Merry Christmas, Buon Natale, Feliz Navidad and Wesolych Swiat Bozego Narodzenia; dziekuje.

**Trustee Szlendak:** I'm going to make it very brief; in reply to Mr. Herman Wu, I got my Bachelors Degree from the University of Illinois and I got my MBA Degree in Finance from Roosevelt University. I submitted my bio to the village years ago and I'm surprised it's not posted; I will resubmit it for your review.

And once again, I wish everybody a wonderful Merry Christmas.

**Trustee Mougolias:** I'd like to also wish everyone a Merry Christmas and a Happy New Year and to be safe through the holidays and a lot of health for everyone.

**Trustee Jezierny:** On December 1<sup>st</sup> I attended a fundraiser, a charitable event from Easter Seals. Easter Seals has honored one of our very own business owners, Nuccio D'Argento. He's a community leader through his family business, Vince's Italian Restaurant, Rotary membership, Member of the Salvation Army and with personal outreach to many, many charities. He has a son who has autism. He is a committed person to raise money for autism by committing \$100,000 toward building a school; his portion is building a playground for "Enzo", which is a portion of the schools charitable fundraising events. Easter Seals is wonderful; they are working very, very hard together. So in these days of Christmas, with the Christmas spirit, just kind of keep your hearts open to maybe whatever charity it is of yours, that there are people out there that need it.

With that, I wish you all a very safe and healthy holiday.

**Trustee Gadzinski:** I also wanted to add that I wish everyone be blessed by the grace of God and I hope you all have a Merry, Merry Christmas and a very safe Christmas with your families and your loved ones and a Happy New Year.

**Mayor Fuller:** I think Trustee Gadzinski's playing Santa Clause this Year.

**Trustee Gadzinski:** Yes!

**Trustee Mougolias:** Could we go into Executive Session to discuss with the attorney the Police negotiation matters? Or because it wasn't posted, we can't do it?

**Attorney Paul Stephanides:** Pursuant to a properly made motion you can.

**Trustee Mougolias:** I don't have the reason; I'd like to go into Executive Session pursuant to.

**Attorney Paul Stephanides:** It would be 5ILS 120/2, (c.) **Open meetings. © Exceptions. A public body may hold closed meetings to consider the following subjects: (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.**

**Mayor Fuller:** Trustee Mougolias is making a motion to go into Executive Session pursuant to the code that the attorney just read; is there a second?

**Trustee Schupfer:** I second.

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**A roll call vote at 9:20pm to enter into Executive Session resulted as follows:**  
A YES: Trustee Dobrzycki, Gadzinski, Jeziorny, Mougolias, Schuepfer, Szlendak

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

**O. EXECUTIVE SESSION**

**Executive Session: Pursuant to (5 ILCS 120/2) Sec. 2. Open meetings. © Exceptions. A public body may hold closed meetings to consider the following subjects: (2) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.**

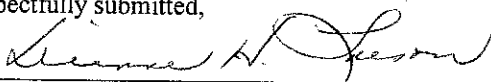
**Motion by Trustee Dobrzycki, seconded by Trustee Szlendak to Close the Executive Session. Executive Session adjourned at 9:58pm, on a voice vote, all being in favor.**

**P. ADJOURNMENT**

**Motion by Trustee Jeziorny, seconded by Trustee Dobrzycki to reopen Open Session at 10:00pm**

**Motion by Trustee Dobrzycki, seconded by Trustee Gadzinski 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 Mougolias on Thursday, December 13, 2007 at 10:01pm.**

Respectfully submitted,

  
\_\_\_\_\_  
Dianne H. Larson, Village Clerk