

**AGENDA FOR THE REGULAR
MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD THURSDAY, AUGUST 9, 2007**

A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

MAYOR FULLER	()	CLERK LARSON	()
		DEPUTY CLERK POLLOWY	()
TRUSTEES: DOBRZYCKI	()	MOUGOLIAS	()
GADZINSKI	()	SCHUEPFER	()
JEZIERNY	()	SZLENDAK	()
ATTORNEY	_____ ()		

D. PUBLIC COMMENT

E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

MAYOR FULLER'S REPORT	MAYORS VETO MESSAGE; MAYORS REPORT
TRUSTEE DOBRZYCKI	INFORMATION/TECHNOLOGY
TRUSTEE GADZINSKI	FORESTRY/RECREATION
TRUSTEE JEZIERNY	PUBLIC WORKS
TRUSTEE MOUGOLIAS	PUBLIC HEALTH AND SAFETY
TRUSTEE SCHUEPFER	ORDINANCE/LICENSE
TRUSTEE SZLENDAK	FINANCE SEWER & WATER
CLERK LARSON	CLERK'S REPORT
ATTORNEY	ATTORNEY'S REPORT

F. TRUSTEE COMMENTS

G. SPECIAL COMMITTEE REPORTS

H. APPOINTMENTS/REAPPOINTMENTS

I. CONSENT AGENDA

1. To approve minutes of Public Hearing for Trustees' Appropriation Ordinance 07-15 held Thursday, July, 26, 2007.
2. To approve minutes of Public Hearing for Mayor's Appropriation Ordinance 07-16 held Thursday, July 26, 2007.
3. To approve the minutes of the Regular Board Meeting held Thursday, July 26, 2007.
4. To approve expenditure, not to exceed \$5,274.15 payable to Imagetec. L.P. for one year maintenance supply agreement on copiers in the Village Hall office and Police Department from 8/30/07 to 8/30/08 expensed to General Fund.
5. To approve expenditure, not to exceed, \$7,233.39, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. for legal consulting includes \$1,000.00 retainer fee, and \$465.00 to be reimbursed by developers, to be expensed to the FY 07/08 General Fund – Legal.
6. To approve expenditure, not to exceed \$3,260.00, payable to Roman Signs for four Village entry/President signs, posts, installation and delivery to replace broken and/or missing signs, reimbursement of \$2,990.00 offset by insurance claims.
7. To approve expenditure, not to exceed \$2,325.00/month for a four month period for up to 80 hours of use, payable to McCann Equipment Co. for rental of Case 521D or equal, wheel loader with 2.0 cu. Yard of bucket, heated cab, lights, horn and all standard equipment for snow removal from November 12, 2007 to March 3, 2008. After 80 hours, the charge is \$19.38/hour fee, plus \$350.00 round trip to our yard and pick up after use in March 2008 to be expensed to the FY 07/08 Public Works.
8. To approve expenditure, not to exceed \$2,913.12 payable to Vandewalle & Associates, Inc. with \$343.75 reimbursed by developers.
9. To approve expenditure, not to exceed \$5,380.00, payable to Robert W. Hendricksen Co. for work orders for trees received from residents to be expensed to the FY 07/08 General Fund – Forestry.

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AGENDA (CONTINUED)**

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10. To approve expenditure, not to exceed \$40.00 per Harwood Heights youth to subsidize the cost for Harwood Heights youths to join the 2007 Norridge Youth Activities (NYA) Football program held at Norridge Park to be expensed to the FY 07/08 General Fund – Recreation.
11. To approve Trustee Mark Dobrzycki as the alternate representative to WSSRA.
12. To approve **Ordinance 07-19**, an Ordinance Providing for the Seizure and Impoundment of Motor Vehicles.
13. To approve **Ordinance 07-20**, an Ordinance Amending Chapter 15.04 of Title 15 of the Code of Ordinances of the Village of Harwood Heights, Cook County, Illinois.
14. To adopt **Resolution 07-10**, a Resolution Appointing the Municipal Accountant as the Illinois Municipal Retirement Fund Authorized Agent for the Village of Harwood Heights.
15. To adopt an Illinois Department of Transportation **Resolution 07-11** for Maintenance of Street and Highways by Municipality under the Illinois Highway Code for the appropriation of \$4,020.30 of Motor Fuel Tax funds for the purpose of maintaining street lighting on Lawrence Avenue, pending an Intergovernmental Agreement with Norridge and Norwood Park Township.
16. To adopt an Illinois Department of Transportation **Resolution 07-12** for Maintenance of Street and Highways by Municipality under the Illinois Highway Code for the curbs and sidewalks throughout the village.
17. To direct the Village Attorney to prepare an Intergovernmental Agreement between the Village of Harwood Heights and the Village of Norridge and Norwood Park Township to share the cost of \$4,020.30 for the temporary lighting on Lawrence Avenue.
18. Transfer from Parkway General Savings Account in the amount of \$28,901.17 as they appear on check register #43327 to #43379.
19. Transfer from Parkway General Savings Account in the amount of \$127,002.96 to Parkway Bank Payroll Account.

J. NEW BUSINESS

K. OLD BUSINESS

L. CORRESPONDENCE

M. OTHER NEW BUSINESS

N. TRUSTEE COMMENTS

O. EXECUTIVE SESSION

Motion to enter into Executive Session: pursuant to (5 ILCS 120/2) Sec. 2. Open meetings (c) Exceptions. A public body may hold closed meetings to consider the following subjects: (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body; pursuant to 2. The purchase or lease of real property for the use of public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 3. Also pursuant to Litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending in a court or administrative tribunal, or when the public body find that such 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.

P. ADJOURN

**MINUTES OF A REGULAR MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
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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 Theresé Schuepfer Lester Szlendak
Attorney	Paul Stephanides

D. PUBLIC COMMENT

Jim Mancuso, 4718 Narragansett: I've lived on the eastern end of Harwood Heights for over 50-years and what we have is a rental house that we want to talk about, speak about, I think everybody knows about it; it's been brought up for the last three or four years and we have about nine people residing there. At times there are four to seven cars there parked and anybody who goes down the street they know where it's at by all the cars. We've spoken to the code people, nothing has been done and we sure would like your help.

Mayor Fuller: If you could give me the address of the property because we do have a certain process that we go through. You can give it to me at the end of the meeting. I'll take all the information that you have.

Betty Kownacki, 4730 N. Narragansett Avenue: I'm talking about my neighbors next door, I sent Mayor Fuller an email and she answered back. I'm complaining about all the people that live next door, nine people and all the cars. When I moved there 22-years ago, it was all residential not zoned for a boarding house and I would like something done about it if possible with all the cars and everything.

Mayor Fuller: We are working on it. It's a process and it's been turned over to the Police Department. It's kind of an investigation that needs to take place, we can't accuse somebody wrongfully.

Betty Kownacki: This has been going on for 6 or 7-years and I've called the police and everybody and nothing has been done.

Herman Wu, 4746 N. Odell: I would like to present to the Mayor and the Village Board a petition signed by the residents that reside by the property commonly known as 7343 W. Lawrence Avenue. The plan calls for 2 retail buildings to be only one story high with no condominiums. Our petition also states that the Planning Commission had their meeting July 25, 2007 and did give their approval to this project.

How can a board pass an unbalanced budget? We need revenue now, no 5-years later. Instead of the person who has criticizes the Mayor and a trustee at every meeting, she should be working with the residents and not causing dissension among us. It is about time the board shows us that they are working for the residents and not just for themselves.

The property at 7343 W. Lawrence has become a disgrace to this village. How would you like to live next door to a junk yard with tires, cans and all kind of trash?

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When future developers are looking to build here today, they will take into account all that is happening today. Please give them something that will make all of the residents proud that you are working for the growth of this village. Just maybe we will have something good to add to the history of this village.

We would like the Mayor and the board approval for this project. Thank you, the residents.

Joan Krzywicki White, 7429 W. Winona: Today, after reading letters to the editor in our local Pioneer Press paper, I have to openly ask a question: Who is giving false information to members of our Historical Committee and possibly others who never attended any of the Finance Committee appropriation meetings, as to what happened at these meetings and how the Appropriation Ordinance was put together.

The one letter writer believes it was "a former employee" who created this ordinance and he asks, "Who did write this budget?" He then suggests "possibly an outsider. She has to have knowledge of all the past administration's finances and was involved with them." He further says, "I believe without this person the trustees would still be writing this budget" and he adds, "They might have a little knowledge of finances, but not what this job takes." What is this writer trying to say? Does he think that trustees, who have real experience in preparing large corporation budgets, cannot handle a simple village appropriation budget?

The person who wrote this letter is very, very wrong on all counts. In fact, these remarks, to me, are an insult to the intelligence, experience, knowledge and hard work of those trustees and Department Heads who were all part of the actual deliberations and final decision-making of every line item therein.

How would someone who has never worked with village finances even have a clue of "what this job takes" Especially when it is way out of his personal field of expertise. Wrong information is surely being fed to this writer.

I, myself, attended Finance Committee meetings, but I was never given a copy of either their worksheets, which were produced by the Village Accountant, or the actual Appropriation Ordinance until the very night of the public hearings and the board meeting. I can openly state that there is not one single line item or account number or amount that was suggested by me. At these meetings, I listened to what the trustees presented and gave a small amount of interpretive detail when there seemed to be some confusion; like about the necessity of the job of the "collector." I believe Trustee Szlendak can verify this fact.

How can someone sitting outside say that the trustees' budget was published as they wrote it? Was he there to see the final draft, and did he watch it being handed to the accountant? At the board meeting, Trustee Szlendak, Chairman of the Finance Committee, brought to the table a true copy of their original ordinance. It was he who said that the Mayor took the liberty to change some items and totals after they had given their final draft to the accountant. Is this writer disagreeing with Trustee Szlendak? Does he know better? The ordinance copy that Trustee Szlendak brought to the table is the one which was voted upon and passed. To date, no copies have been made available to the public. I know I do not have one.

I do not believe that anyone on the outside is in a position to judge the intelligence or capability of the Accountant, the Department Heads, or the Finance Committee trustees who put this ordinance together. I firmly believe that there is a public apology due and owed for the loose, unverified remarks and accusations that were contained in that letter.

Jack Schuepfer, 7259 W. Lawrence: I want to object to the scare tactics of Trustee Dobrzycki about the inadequate fire protection that we are getting and I, as a member of the Fire Department for 14-years, I never found inadequate water supply. I was at a fire that took 6 hours and it was at the full range of the fire engine at 750 gallons per minute to put out this large commercial fire with sprinkles.

Peter Magnelli, 4735 N. Oketo: I am very disappointed, at the last village meeting an unbalanced budget was approved, Ordinance 516. The village operating at a deficit, how could this be approved? All I heard from Trustee Szlendak is that we should tighten our belts and cut costs; well, that didn't happen. Trustee Szlendak recommended his water main projects be part of the new budget. I guess his needs are more pressing than what the village needs are.

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The current need for this village is a new water tower; how can we put this off? The water tower will take almost 18 months to build; the facts state in the Clark Dietz report that a water tower should be top priority. The water tower holds 150 gallons which in a day fills up 6 times, it has been documented that it has run dry on more than one occasion and has taken a full day to fill to capacity. This is an accident waiting to happen. The study that was done by Clark Dietz and presently by Christopher Burke Engineering states "that the existing storage tank is not capable of providing adequate volume for fire protection." Heaven forbid if the water tower goes dry on a hot evening and the Fire Department has multiple fires in our village. Who will be accountable? Trustee Szlendak and his fellow trustees will have to answer that and why their pet projects were more pressing than the safety of our village. This is an important issue for our village and trustees need to reconsider what their priorities are, they need to act now.

At the last meeting, Chief Podosek was pleading to the board for additional hires to the force and how men were working extra hours consistently; I question the integrity of the trustees. It is very evident that the police force needs additional men to operate it effectively. The trustees took it upon themselves not to hire additional police this fiscal year; is it really smart to overlook our officers and pay them overtime verses hiring additional men while other villages are hiring additional police officers? Our trustees have determined that our safety is not an issue.

When I learned that our Village Engineer was not retained I couldn't believe this. Is this how we treat professionals when they do their job extremely well? Let's not forget how much money was recouped last year by our Village Engineer for past projects, about \$250,000. Now I see that the Village Engineer is not even considered to be hired this year; the village needs an engineer to make sure projects are prioritized and what is most pressing and best for the village, not what certain trustees want done.

I would like to remind the trustees that you were elected by the people and work for the people. You should be privileged of the work to serve on the Village of Harwood Heights.

In closing let me say, I hope we can agree that additional revenue and a plan for the future is important; to put aside our own agenda and work this out. We need approval for the Lawrence/Oketo development, now!

Marge Naegele, 7336 W. Argyle: I have two comments; one of them is in reference to Joan White's comment before, just to reassure her that the Historical Committee members, we write our own script, no one references, no one gives us any information to write, we do that all by ourselves. And secondly, when we read things it's all public comment and it can be taken as public comment and nothing else; and not to be taken so offensively.

My second comment is about a couple of articles written in our neighborhood newspaper dated August 2nd. Trustee Szlendak respectfully stated in the article that transfer tax revenue will go down next year. Yes it will; it's a basic principle, no development, no growth, no revenue, referenced as budget 101 in the paper. Two of our current trustees worked very hard to stop redevelopment, if anybody remembers the days; we had petitions, letters and referendums. Trustee Szlendak is right, revenue is on its way down. Residents in favor of the development of the Tornado site knew last year: those residents had a vision. We now have trustees on the board who, while plat forming their own future campaign efforts, aggressively encouraged some of our residents to vote against the development that was proposed. One little thing was forgotten, they had no alternative plan; there weren't any. They forgot about the future of the town. They thought of it as their first step toward winning and getting control; this was their future.

Well, welcome to the future; it has arrived early! We are now putting Band-Aids on wounds and depleting safety and budgets; we tell our Chief of Police too bad when he asked for help. They chose to not entertain compromising efforts to satisfy both the needs of Oak Park and also the water tower. So we still have a huge issue we are facing, water pressure and fire fighting protection.

One of the residents was quoted as saying "they did not cut public service, they asked Department Heads to tighten their belts." I don't think she was listening to our Police Chief who stood before us and asked repeatedly during his presentation for help and told everybody in the room what the outcome would be if he did not get it, services would be cut. But again, she was one of the advocates for no growth or no revenue or development.

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So why are these things happening? In my opinion, if you are sitting on this side of the room this is what we get to see; board members are scrambling to find ways to fix mistakes and make it look politically correct; the mistake of turning away developers, the mistake of their short sightedness for revenue.

If anybody read page 11 of the August 2nd edition of the paper, Forum: Budget 101, the article illustrated over and over again the political schedule of some of our trustees, their agenda, their vendetta for their term. As the article illustrates we are now in a phase to stall progress, at least until some of our board members get control. It was called "imitation" in the paper; while proving their point and positioning themselves for the next campaign, the residents will once again be watching time get wasted and development on hold.

Better choices need to be made by trustees, voters and the newspaper; we don't have developers, we don't have revenue. Now, a project for a retail center on the old Village Hall site was approved by the Plan Commission and all the residents like it; I know because I attended the meeting. It is exactly what the people said they wanted, no condos; it's exactly what the two trustees said they wanted, no condos; and we need the revenue. My concern is we will now be watching the beginning of another struggle, the struggle for control, not for the development. The development should be approved because it is the plan they spent months campaigning for; if not approved, we will have front row seats watching the board sabotage another plan. If it doesn't get approved I am sure we will be given the excuse they are doing it for the good of the village. A development that brings in revenue simply means we have an opportunity now to put the box of Band-Aids away that have been used to "fix" things in our town; there is an obligation to the residents to help the Mayor in the bigger picture, in the future vision of Harwood Heights. It is not about where you people would like to be in a couple of years or where you see your political future. It is about us, the people on this side of the room and it is about now.

Watching and listening to the plans for a downward trend is very disappointing and frustrating and it is no wonder fewer and fewer residents make the time to come to these meetings; there is some political winning going on, but is not in favor of us.

Lana Martorano, 4624 N. Newland: Once again I'm here to follow up on a search that took place on my premises on June 12th. To this day, I have had no response, no details, no explanation on why the search took place. This did not have to go any further than a few days on the incident. All I've asked is for an explanation.

Helen Schneider, 4458 New England: When Mr. Willas was Mayor, I attended meetings often and that is how I became Village Greeter. I believe we had several million dollars when he left office; I'm sorry to say I don't think it was spent wisely by Mayor Pabich, this building is a prime example. In my opinion a Village Hall should be on a main street; the library is going to be beautiful but what do we have, a large building, empty space, many problems, but not enough parking. I mentioned this to Mayor Pabich and he said "Oh, there's plenty of ample parking." He hasn't been around on the day that the Harwood heights seniors have their meeting; I have to walk because there's no place to park.

I think the taxpayers should have something to say about how our money is spent; we elect the Mayor and trustees hoping they make the right decisions. I felt denying the Police Chief's request was not a wise decision.

Last week I made a visit to a new resident and she complained about her water pressure, she was going to call a plumber; I didn't know what to tell her. I suggested she attend meetings and with all the new building and large additions I'm sure they have 2 or 3 bathrooms, at least; so we're going to need a lot more water pumping through those pipes.

As in a good marriage, sometimes both parties have to give and take a little. I hope and pray there is more harmony and compromise in our meetings and everyone thinks twice before making a decision; I beg you, work together.

E. REPORTS OF MAYOR, TRUSTEES, CLERK AND ATTORNEY

Mayor's Report
Mayor Fuller

First thing tonight I will be reading my two veto messages, (pass out veto messages)

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August 9th, 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 hereby return, without my approval, Ordinance No. 07-15, entitled, "The 2007-2008 Appropriation Ordinance for the Village of Harwood Heights, Cook County, Illinois." I veto and withhold my approval from this Ordinance for the following reasons:

The appropriation ordinance conceived and approved by Trustees Jezierny, Schuepfer, Szlendak and Gadzinski jeopardizes the Public's Health, Safety and Welfare because it does not provide for an adequate number of Police Officers as requested by the Police Chief. It is not in the interest of public safety for the Trustees to dictate when police officers are needed, what is required to protect our residents, as well as what is required to ensure our officers' safety. Critical assistance to village residents and businesses will be reduced. It will have an overall impact on the Police Department's ability to service the community in an effective manner. The department is not adequately prepared for the loss of even one officer this year due to retirement, injury, or other causes. To replace an individual officer takes approximately seventy-seven weeks from the time the individual is hired and goes through their training at the academy and then successfully passes their eighteen month probation. This is an exhausting process and the Police Department will suffer the consequences of not having sufficient officers to work the necessary hours and shifts. First and foremost among our duties as elected officials is the physical safety of all our residents. Due to the concerns from the Police Chief about staffing shortages and emergency responses, shift changes may be imminent. This budget does not give the Police the tools they need to protect our community.

The appropriation ordinance conceived and approved by Trustees Jezierny, Schuepfer, Szlendak and Gadzinski jeopardizes the Public's Health, Safety and Welfare because it does not appropriate funds for a new water tower to meet current minimum EPA standards of existing capacity and safety. Unlike the trustees, the EPA takes water safety seriously enough to offer low interest EPA loans available for this type of project. (By using a low interest (i.e. 2 ½%) EPA loan, it will allow our village bank accounts to continue to collect interest at a higher rate (i.e. 5.01%). Both our village engineer and consulting engineer reported that a new, larger water tower that meets EPA standards should be built in Harwood Heights. This is needed not for new development, but for *fire protection and current peak hour demand storage*. Phase I of the project includes the completed Wilson/Harlem water main project and the upcoming Lawrence Avenue water main project. Phase II of the project is the water distribution improvements including a new water tower and a new 12" main to the elevated tank. According to Illinois EPA standards, storage facilities should have sufficient capacity, as determined from engineering studies, to meet domestic demands and fire flow demand. The village engineer reported that the village's current water tower falls short in capacity and safety as follows:

Elevated storage must be equal to peak hour in excess of firm pumping capacity for 8 hours

Today	331,000 needed, 150,000 provided, 500,000 proposed
Future	468,000 needed, 150,000 provided, 500,000 proposed

Volume equal to two hours of fire demand at 1,500 GPM (residential)

Today	180,000 needed, 150,000 provided, 500,000 proposed
Future	180,000 needed, 150,000 provided, 500,000 proposed

Volume equal to two hours of fire demand at 2,500 GPM (industrial)

Today	300,000 needed, 150,000 provided, 500,000 proposed
Future	300,000 needed, 150,000 provided, 500,000 proposed

It is not in the best interest of the Public's Health and Safety for Trustees, who are not professional licensed engineers to make water system decisions without consulting the findings of professional engineers and without considering Illinois EPA standards. In our village engineer's review of the Clark Dietz Study's "alternative" recommendation, he said that it "would not resolve the fire storage deficiencies in the existing or future conditions." The trustees' ordinance fails to appropriate funds for the purchase of land for the needed larger water tower. The village may lose its chance to obtain a property in the right location and at the right price for this pressing need. The omission of the water tower line items in

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the appropriation is putting our village residents and village buildings in an unsafe situation. The water tower was drained completely twice in 2005 and twice within the last month. We can't afford **not** to do the water tower project. If a fire occurs, and the water pressure is not sufficient in the current water tower to fight the fire, lives would be put in jeopardy.

Ordinance 07-15 is not a balanced budget. It spends more than is expected to be received in annual revenue. Last year's budget for the fiscal year ending April 30, 2007 reflected a surplus of approximately \$1,318,016, with no cuts (a surplus even without spending the revenue from the sale of village property.) Revenue is down this year because Trustees Jezierny and Schuepfer worked against redevelopment without an alternative plan. As a result their current budget needs to take \$642,208 from the general fund savings. And since the last board meeting, I received notification that the \$200,000 CDBG grant that our engineer applied for, for replacing a portion of the Oak Park water main has been awarded at a reduced amount of \$65,000. Therefore, with even less revenue expected, the trustees will now need to take \$1,087,827 from the water fund savings account. This would almost completely drain village emergency water savings. In their Appropriation Ordinance the trustees spend too much money in one fiscal year on projects that have been scheduled for another year. They plan to spend over \$650,000 on a water main project this year, when the project is already scheduled for year 2009. They do not follow the 10 year plan for infrastructure improvements prepared by our professional, licensed Village Engineer. They do not appropriate funds to cover the Village Engineers' salary and benefits up until his departure on June 8th, 2007, which will be a shortage of funds. They do not reduce the Recreation budget as agreed upon between appointed members and myself. They do not reduce the salary of the Purchasing Agent as I recommended; a cut that would be comparable to other cuts and would support a reduction in expenses. They unfairly provide for additional spending in the Public Works department like the unprecedented 16% & 19% raises recently given by the board. They established a new line item for spending titled "legislative" counsel, for the trustees' own personal and political luxury. The village already retains a highly qualified and well respected municipal law firm. The tax payers of Harwood Heights deserve a well planned, honest, responsible budget that provides for their safety and welfare.

Use of MFT Funds. The ordinance does not make use of MFT funds that could save the village over \$100,000 with funds that are available for the purpose of street maintenance, tree removal and trimming and snow removal. Currently the village has \$411,000 in the MFT fund account for the very purpose of street maintenance. The trustees refused to bid out the tree program, as I recommended, which could save the village additional money. The ordinance also adds \$75,000 to the MFT budget that is a due to/due from accounting function and should not be in the appropriation. When considering the tightness of the both budgets presented (Trustees vs. Mayor's), it would be truly fiscally responsible to use the MFT funds that are available to assist in reaching a balanced budget.

The Appropriation Ordinance will likely have a negative impact on the Village's Bond Rating. A village's bond rating is effectively a statement of both its financial environment and health and determines its overall worthiness. A bond rating is a function of several factors. Ratings agencies look at several factors including but not limited to:

- Recent municipal budgets – pattern of balanced or deficit fiscal years: Ordinance 07-15 is not balanced. Last fiscal year we not only balanced the budget, we ended the year with a surplus, without spending the revenue received for the sale of village property.
- Condition of the municipal tax base – growing or declining? No effort has been made by the four trustees who approved this ordinance to pursue increasing our tax base by redevelopment or by any other means, in fact two of these same trustees campaigned to leave factories vacant.

Changes, such as a deficit budget (which this ordinance will create), or unusually high use of a fund balance, (again, this budget needs to take huge funds from both the general and water funds), raises a warning flag to bond rating companies.

Additionally, adopting an unbalanced budget which contemplates spending more than anticipated revenues will affect our audit standing and management letter.

Ordinance 07-15 arbitrarily and capriciously eliminates the position of Director of Administration. Only one current full time position is eliminated from the trustees appropriation - the *Director of Administration*. No other department lost a current full time employee. The trustees refused to compromise with me when I asked to eliminate an alternate administrative position based on the operational needs of the village. In fact, in another department, two public

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works employees received recent unprecedented 16 & 19% raises. All the while the board cries poor and says that the Director of Administration was eliminated due to a needed budget cut. Among the duties of the Director of Administration position is serving as the office manager, the technology/computer manager, the webmaster, and backup for all accounting functions. This will be the first time in many years that a village administration is without either a full time deputy clerk, or a full time office manager. The village will have only one person who is approving expenditures, entering the data, balancing accounts, preparing accounting reports, working with the auditors, and doing the payroll. This will not follow generally accepted accounting practices. Accountability will be at a standstill and our audit standing will be diminished. The reporting software was removed from the appropriation, stagnating technology and the villages' reporting capabilities. Communication with residents will be cut and the village website will suffer. This ordinance arbitrarily eliminates some appointed positions while keeping others.

Impact of Future Budgets. Last fiscal year's budget was balanced and came in at a slight surplus, even when not including the sale of village property. With increasing expenses, the village will continue to be confronted with budget challenges. What will the trustees do when they no longer have village property to sell to use as revenue? The trustees can not continue on this road of spending more than is received in revenue. They also can't continue to cut safety operations that will put the village in harmful situations. In light of this, I strongly suggest that the trustees work together with me to increase revenue, promote positive redevelopment and market the village in a positive light. If increasing future revenues is left unaddressed, the trustees will be leading the village to a fiscal train wreck of devastating proportions.

Conclusion:

The trustees refused to compromise. I submitted a balanced budget which was rebuked in totality for a budget that is not balanced and spends too much money on unscheduled endeavors. If the Finance Committee can't find the money to run this village in a safe, professional, and fiscally progressive manner, then they should step back and let those of us who can -- do our job. I was able to include in my budget, an additional police officer, a community service officer, new software, the continuation of the staff engineer position, administrative management, and still present a responsible and balanced budget, by cutting fairly throughout the budget and by using MFT funds for forestry, snow removal and street maintenance so the village can still operate responsibly and efficiently.

Trustees Jezierny, Schuepfer, Szlendak, and Gadzinski conceived and adopted an ordinance that is their own political statement. It is not a responsible Appropriation Ordinance for the village. It spends more than we expect in revenue. It makes arbitrary cuts that will affect the operations of the village and services to the public. It jeopardizes the health, welfare, and safety of the community. These same trustees have no plan for next year or the future of Harwood Heights. No plan to generate additional revenue with redevelopment. The Trustees have turned their back on the village's current 10 year infrastructure plan. I believe that all our efforts must be joined with sound financial principals and rooted in long term fiscal planning. Ordinance 07-15, the 2007-2008 Appropriation Ordinance falls miserably short of passing the long term financial planning test for Harwood Heights.

I am concerned that if this ordinance were to become law, it would significantly impair the operations, and accountability of Village functions while simultaneously jeopardizing the health, welfare and safety of our residents and businesses. Therefore, it is for these reasons that I veto Ordinance 07-15.

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

Sincerely, Margaret P. Fuller, Village President

August 9th, 2007

Mayor's Veto Message:

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

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By the authority vested in me as the Mayor of Harwood Heights, I hereby return, without my approval, Ordinance No. 07-17, entitled, "An Ordinance Regarding Smoking in Public Places." I veto and withhold my approval from this Ordinance for the following reasons:

The ordinance jeopardizes the Public's Health, Safety, and Welfare. The American Cancer Society and the American Lung Association report that secondhand smoke is involuntarily inhaled by nonsmokers, lingers in the air hours after cigarettes have been extinguished and can cause or exacerbate a wide range of adverse health effects, including cancer, respiratory infections, and asthma. Secondhand smoke has been classified by the EPA as a known cause of cancer in humans. Secondhand smoke causes approximately 3,400 lung cancer deaths and 46,000 heart disease deaths in adult nonsmokers in the United States each year.

I think the trustees have forgotten what the smoking ban is all about, it's about all employees no matter where they work, being able to work in a smoke free healthy environment. Nonsmokers exposed to secondhand smoke at work are at increased risk for adverse health effects. Levels of ETS in restaurants and bars were found to be 2 to 5 times higher than in residences with smokers and 2 to 6 times higher than in office workplaces. Since 1999, 70 percent of the U.S. workforce worked under a smoke-free policy. Workplace productivity was increased and absenteeism was decreased among former smokers compared with current smokers.

The current Surgeon General's Report concluded that scientific evidence indicates that there is no risk-free level of exposure to second hand smoke. Short exposures to second hand smoke can cause blood platelets to become stickier, damage the lining of blood vessels, decrease coronary flow velocity reserves, and reduce heart rate variability, potentially increasing the risk of heart attack.

Ordinance 07-17 would allow smoking in Harwood Heights, after the village has already been smoke free since March 15th under the Cook County Clean Air Ordinance. Local businesses who for the past 5 months, have been working to find their non smoking market, will now be smoking again for 5 months, only to change again come January, 2008 when the statewide smoking ban takes effect. This makes no sense. If the businesses can't capitalize on the approximately 80% of the population that is non-smoking, then they have more serious business issues to consider. Although some businesses are reluctant to ban smoking, there is no credible evidence that going smoke-free is bad for business.

Our first and foremost duty as elected officials is to protect the health, welfare, and safety of the citizens for whom you serve. I am not willing to sacrifice the public health in our village over a mistake that the state made. Our legislation should stand with Cook County as leaders in public health and safety, and shame on the State of Illinois for waiting so long to adopt a state wide smoking ban.

Therefore, I veto Ordinance 07-17, because in the matter of public health, it falls seriously short of serving our residents and the public.

Sincerely, Margaret P. Fuller, Village President

I gave you some bad news in my veto message regarding the CDBG grant funds, we applied for \$200,000 to do a portion of the Oak Park water main, only a small portion is in the track that CDBG can be used for. Unfortunately we were only awarded \$65,000 for this project, so I have contacted the consulting engineer, Christopher Burke Engineering, and will set up a meeting with the trustees and the engineer hopefully next week, so they can decide what they want to do or how they will pay for this project. In good news, I was notified that we will be receiving the \$200,000 CMAQ grant that Paul May and I applied for, the funds were awarded based on pedestrian and transit improvements. I will arrange for Christopher Burke engineering to meet with the board on both these items.

In other good news, and in answer to a question at another meeting, for the Month of July, 2007 the village received 18 transfer fees for sale of property, two of those were people moving into the Clock Tower condos in Harwood Heights from Harwood Heights. (15 of those were for the Clock tower condo purchases and the total revenue from all transfer fees was \$83,950.)

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The Northwest Municipal Conference will offer an upcoming elected officials institute; I urge the new trustees to contact them for the information.

Chief Podosek is on vacation this week. But, Chief Podosek received letters from the Alliance Against Intoxicated Motorists, thanking Officers Greg Hauptman and Jolanta Smith along with Corporal Steve Kalck for their exceptional DUI enforcement, they received Certificates of Appreciation and I give them our heartfelt thanks for their exceptional service. We are proud of them. Our Police Department received a Certificate for hosting the Northeast Multi Regional Training class, which thanks us for our invaluable assistance and commitment to professionalism in law enforcement.

Motion I 6 on the agenda is to replace some of the broken entry way signs around the village; we are using the insurance money that was refunded for this purpose. I got quite a few calls asking where the signs are or telling me that a sign is broken and looks terrible, I was shocked when I found out from our insurance staff that Public Works had never given her any reports on the damaged property. So I immediately compiled the reports and they were sent to the insurance company, so hopefully we can get those replaced and looking presentable. The other concern is Public Works staff will need to find better locations for the signs so the snow plows do not destroy the signs again.

I am pulling motion I 7, for a separate vote, this motion is for the rental of snow removal equipment. We could be paying for this almost \$10,000 charge through MFT funds as I had in my budget. MFT funds are available expressly for the use for street maintenance and repair, so this would save us money in the general fund. I am also pulling Motion I 9 for a separate vote, as I explained at the last board meeting, the tree trimming and removal should be bid out due to the fact that the village spends over \$20,000 a year on this. By bidding it out and using MFT funds, we can save the village thousands of dollars. I also did not receive minutes from any meeting where the particular tree issues were discussed, I know the former Chairman of Forestry always asked for the boards input before removing trees. Since I vetoed the appropriation ordinance, I would recommend that these motions be tabled at this time.

Motion I 15 will allow us to use MFT funds to pay for the temporary street lights on Lawrence Avenue between Olcott and Oriole. This is a safety issue where additional lighting is needed. Eventually we will have a permanent light fixture that matches the streetscape lighting. In working with Com Ed, I spoke with them about a permanent light we used to have on the north side of the street at Oriole and Lawrence, then many years ago, it was hit by a vehicle and removed, so now I asked Com Ed and they will come back and reinstall it for us, that's where long time village experience comes in handy.

Motion I 17, directs the Village attorney to prepare the intergovernmental agreement, because both Norridge and Norwood Park township agreed to split the cost with us for the lighting on Lawrence, then we will reimburse the MFT account. I have been in contact with both Norridge and the Township and they are in support of splitting that cost with us.

Superintendent of Public Works and the Water Commissioner attended a Homeland Security Session in Countryside on Tuesday, regarding water safety.

Motion I 16 is for the approval of MFT funds for the sidewalk and curb project, the board was given the updated list, and we have still left some funds available in case another trip hazard is brought to our attention before the project is done.

Information/Technology
Trustee Dobrzycki

A short report of the Information/Technology Committee; on Wednesday August 1st, there was a Committee meeting of the Whole, at that time the Committee for Information/Technology a discussion was brought forth about the cuts in the budget and elimination of the Village Newsletter, also the website and so forth. I had asked the other trustees for their input; I had spoken to Trustee Mougolias, who contacted me, as well as Trustee Szlendak. I asked the others to give their recommendations, whether to contact me or put some information, mail, in my mailbox here at the Village Hall; at that time I will convene a meeting of the Information & Technology Committee to consider what possibilities we have in trying to keep in contact with you, the residents, of what is going on in the village. I'm still waiting for some more information and as soon as I get that information I'll convene a meeting and we'll set forth on that.

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Forestry/Recreation
Trustee Gadzinski

Reporting from the Forestry Committee and Recreation Committee; I would like to inform everyone that Tom Schroeder and the Public Works crew is also keeping up with the tree trimming and they're doing the best that they can cutting down trees and trimming long branches. To my knowledge, residents have been calling in more than ever requesting their trees to be trimmed or cut. I would like to remind you all that many trees are not reachable with the equipment that our village owns. For that reason, many residents are waiting upon the company, Hendricksen, to come out and trim, cut or remove trees. I ask for patience, I ask for your patience in this matter. I know for a fact that if the Village of Harwood Heights owned this equipment that Hendricksen has, for sure, no doubt about it, that trees, trimming and everything would be maintain a lot quicker than it is now.

Also if I may add, on the agenda tonight we have an expenditure not to exceed \$40 for Harwood Heights youth to join the 2007 Norridge Youth activities Football program held at Norridge Park District. According to Mike Becker, the President of the NYA Football program, we have had more kids from Harwood Heights join the Norridge league this season then in the last 2 years. We have contributed in the past; I really wish we continue to contribute to the NYA so that our Harwood Heights youth can take advantage of the youth programs offered this season.

Public Works
Trustee Jezierny

Rather than report on a two week recap of Public Works, my comments today will be a vast report on the overall duties of the Public Works Department. Besides pot hole filling and Street Light Maintenance, Public Works also supports other committees providing service to the Water and Sewer Department, Building Department, Forestry and Public Safety.

Parkway trees are maintained by tree trimming and disposing of debris after heavy wind and rain storms. Scrubs, grass trimming and clean-up are also provided along the main arteries of the streets within Harwood Heights. Public Works also coordinates the planting and removal of trees with outside firms and provides the staking for planting and record keeping of costs for tree removal.

Water pressure and water safety is always at the top of their list. Monitoring water pressure, water testing, and chlorine additives is just a portion of their duties. When attending to water breaks sometimes under extreme frigid or sweltering temperatures, they pursue remediation despite the long hours but yet, always making it to work the following morning; sometimes only catching a cat nap at their facility, after returning from the job in the wee hours of the morning while we sleep. Parkways after breaks are finished with soil filling and seeding.

Public Works also reviews construction and infrastructure plans submitted from builders, engineers and contractors and they provide recommendations for improvements knowing the history of our water lines and streetscape.

Day-to-day maintenance of all Harwood Heights Municipal buildings including the main office, the Police Department and their own facility, also includes monitoring security cameras at the Public Works garage and water tower and participation in Homeland security measures.

Public Works saves community dollars by maintaining their own vehicle and equipment in-house. The architectural design of their new Garage was also done in-house saving ten of thousand in architectural fees. They also did the sewer and plumbing work on their own for the entire building. Any outsourcing includes obtaining various bids from vendors providing the best costs for Board approvals, so we can make the best decisions.

They work as liaisons with Utility companies for JULIE locates, Commonwealth Edison, Nicor and AT&T.

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Spreadsheets are kept with accurate records of streets, alleys and sidewalk conditions and the history of maintenance. Records are also kept of water pump activities and water pressures to assure water and equipment safety for the community.

These employees attend numerous seminars and training thru NIPSA and other affiliates held in Glenview, Countryside and through Springfield for updates of Environmental Protection Safety, Confined space training, vehicle safety, and Water Safety, etc.

Mosquito abatement is also addressed through periodic catch basin cleaning and insertion of mosquito pallets. Periodic maintenance also includes hydrant flushing and value exercising.

Water meters are check, maintained and installed or disconnected as residents sell or buy.

Oh and did I mention Street Sweeping and snow plowing, removing snow from alleys and thoroughfares and unloading debris to outside dumping facilities; all this with a crew of only 7 who are cross-trained and continues to keep up with new PW techniques --- all under the direction of Superintendent Tom Schroeder and two qualified Foreman: Tom Wolfe and George Assimakopoulos.

I know I might of forgotten a lot of details and a lot of major tasks that they currently do, but I wanted to point out overall the vast duties that they do in working for you, the residents.

At this point I would like to read for the record two recent letters sent to our Public Works department.

LETTER:

Honorable Mayor Peggy Fuller and Public Works Staff

This letter comes about a week late, as I have been busy with other personal and business matters.

I am writing to commend and show my appreciation for you Public Works personnel on behalf of my family. I have lived in Harwood Heights since 1991, my wife grew up here, and my mother-in-law still lives on Narragansett Avenue.

Over the years I have been very appreciative of the Public Works and what they do for the residents. From street sweeping to the old yard waste site, from delivering a replacement recycle bin to helping my mother-in-law out with tree problems on the parkway after my father-in-law passed away.

These are services residents take for granted and very rarely think to say thank you. I have worked a variety of jobs, including field service out on the toll way, so I have a little different perspective as I have personally worked out in extreme heat or cold, in the middle of the night, often doing what I felt was a thankless job. I am very impressed with the attitude and helpfulness of your crew; when I have seen them out in the middle of the night in nasty winter weather fixing a broken water main, I can relate.

Specifically, I am writing to express my thanks and gratitude to the village for the exemplary service and assistance of: Tom Schroeder, George Assimakopoulos and Tom Wolfe.

Aside from the things they regularly do, last week I had a sewer main blockage problem that they could have said was my problem and left it at that - call a plumber. They were outstandingly helpful with information and advice regarding what was my versus the village's responsibility; where the village main sewer line was located; and, advice on what to do when the first two plumbers could not open the line. They even checked back a few times with advice that eventually solved the problem with a third plumber. Many thanks. Please share this with you crew.

When I see them plowing out the alleys in the middle of the night, I appreciate the fact that they are trying to help us residents be able to get out to work in the morning. I know all too often rather than appreciate what they do, some of my own neighbors just complain that a little snow just slid off the snow blade where they had shoveled. I say thanks! I know it's not said often enough.

Thank you, The Venables; 6953 W. Montrose Avenue, Harwood Heights, IL 60706

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Dear Mr. Schroeder and Harwood Heights Public Works Department.

We wish to thank you for your participation in our 7th Annual Block Party held June 30, 2007. It was a great day of fun and each year those in attendance are protected due to the barricades and orange cones that you provide for our use that day and we also appreciate you cleaning our street so well before the party. We are especially grateful for the use of your megaphone, it has become something that everybody knows, or gets to know quickly. We use it at the start of each new event as well as to call bingo numbers and raffle numbers. We thank you and so do our voices that you save from screaming each year! We really appreciate your time and continued support for good old fashioned family fun and look forward to seeing you next year as we host our 8th party, it will be a LUAU. Hope to see you then.

JoAnne D'Avanzo & Pat Sherrill, Block Party Coordinators; 4400 New England Block Party.

Public Works is truly working for the residents of Harwood Heights!

Public Health & Safety
Trustee Mougolias

About almost 2 years ago, myself and the Public Health & Safety Committee negotiated an ordinance or contract, if you will, with the Police Department regarding salary and health benefits. The ordinance or the contract will be coming to an end this year and I am preparing and will be calling a meeting with the board and the FOP, which is the representatives of the police officers, to start negotiating again for our next contract. It will be either one meeting or a series of meetings to get the job done. As we get some information, I will let the residents know.

Ordinance/License
Trustee Schuepfer

This is my report from the Ordinance Committee; for those of you who were in attendance at the last board of trustees meeting, you know that the Mayor delivered to all of the trustees a packet which contained several of her proposed ordinances, as well as a list of suggested activities for the Ordinance Committee. On August 1st, which was the last Committee meeting of the Whole, we had an opportunity to discuss as a Committee of the Whole a number of those ordinances and they are still pending review. I wanted to convene a meeting of the Ordinance Committee so that we could in fact, start to act on the Mayor's recommendations for possible review of ordinances and some amendments she believed were in order, as well as some changes in the code itself. I attempted to schedule a meeting and I wanted to have all members present but unfortunately one of the members was not available for the next week. I was pleased however, when the Mayor called a Committee meeting of the Whole for the 8th of August, that all of us were able to attend. So I hope in the future, once again to try to convene an Ordinance Committee meeting so that we can bring forward the work that the Mayor has requested.

I'd like to pull for a separate vote from the Consent Agenda, item I 13, which was one of the ordinances that we had begun discussion during the Committee meeting of the Whole on August 1st. Thank you for your consideration.

Finance
Sewer & Water
Trustee Szlendak

I have a full plate ahead of me; let's start with Water & Sewer, as the Mayor mentioned, we had 2 incidents where there were reports of the water tower being low. I asked Tom Schroeder to come in here and give us the details on it, maybe we can get a better understanding of it.

Tom Schroeder: On Thursday morning July 12, 2007 at about 5:30am I received a call on my cell from the pump house alarm system that we had a low level in our water tower. I immediately came in and found that both pumps had

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malfunctioned. I reset the computer and got the pumps back on line and within a few minutes the tower was filling. At no time did the pressure fall below 42PSI. The City of Chicago only carries about 38PSI in their mains.

On July 23, 2007 about 7:30pm the tower showed empty but the pressure in the system never went below 45PSI. We believe that the phone company while working on the new connections in the area caused the problem. The phone lines send the signal from the water tower to the pump station and in turn control the sequence of the pumps.

We have a back up generator in case we loose power at the pump house and we also have two cross connections with the City of Chicago which activate automatically by check valves which will keep the pressure at the same as Chicago in an emergency.

I am in the process of getting a price to have a radio signal from the water tower to the pump house as a back up in case the phone lines go out. We are also looking into a computer program that will activate and run the pumps on system pressure, but we have not worked out the exact position to put the sensor.

Trustee Szlendak: Thank you Tom. The second issue that I would like to address is a number of residents and the Mayor keep on telling us what a disaster we have waiting on our hands, you know, that we're not handling the water tower situation. They keep on referring to the Clark Dietz report; that report was asked for and paid for, for the specific purpose of investigating our water needs and safety. Everybody's reading that report in a very selective way; the report is out there for everybody to see. The bottom line is Clark Dietz and their experts said 2 things; 1. We have 2 choices we can do – 1. Replace the water tower or, and I underscore or, we can increase the pumping capacity to the water tower, that way if the water level goes down we're going to be able to handle it.

Well, if you're going to argue with me, let's get the report and take a look at it because that's exactly what's written in it. What we are doing, we're addressing that problem right now. Next month according to our engineers a 12" main is going to go out to bid and this year we're going to have adequate pumping capacity to the water tower. And, as we discussed yesterday at a Committee of the Whole, the replacement of the water tower should be done by the developers, by the new developers coming out through the impact fee. Our residents should not be paying for it; the developers should pay for it. With the pumping capacity our problem is taken care of according to Clark Dietz and the report that they furnished us.

Second thing, the finance report; let's take a look at last year's budget. The Mayor a number of times said that we had a surplus, well, not really. We had a balloon payment last year of \$870,000; that payment was refinanced and spread over the next 5 years, so as a result of not taking care of the problem last year this year we have to pay out of our budget \$250,000. Second little item there, is \$300,000 that we have allocated to clean up the contamination or possible contamination at the old Village Hall. Nothing was built last year at that Village Hall; therefore, \$300,000 has to be budgeted for the cleanup of the Village Hall. Bottom line; is that because of what happened last year this year we're looking at \$550,000 that we have to take care of.

The Mayor also mentioned that the appropriation budget that we came up with "is a political statement." We met for over 20 hours, every second of that conversation was recorded and everybody can listen to our deliberation. None of it was political. We welcomed input from all of the Department Heads. We all debated back and forth and that's how we came up with the final product.

The Mayor also said over and over again that she presented a balanced budget. Here's the problem that I'm having, the Mayor has basically the same revenue and I'm talking about the general fund now. In the general fund, the Mayor has the same revenue exactly, give or take a thousand dollars, the same revenue as we have. The Mayor proposes to spend a great deal more than what we appropriated. My question is, how can the Mayor come up with a balanced budget and we were too stupid to come up with a balanced budget? Well, here's the reasons; if you look at all of the details, here's how the magic is done. Number one, without an approval from our Treasurer, present here in our audience today, the Mayor without his approval which makes it illegal, moves \$285,000 from the Water & Sewer fund to the general fund. According to our Treasurer, he said it was tried before by Trustee Alex. (**Mayor Fuller:** That's false whatever you're saying. That is totally false.) and our Treasurer put a stop to it. Number two, there is a decrease in the emergency or the contingency fund from \$500,000 to \$107,000; last year we had \$500,000.

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The final point is spending the MFT money, our Mayor is very proud of the fact that during the 8-years of her public service she has gained the knowledge and experience how to legally take the money from the MFT fund and move it into the general fund. In her opinion and I quote, "it is responsible to use MFT funds to pay for snow removal and tree trimming." That fund that is paid by our residents every single time that they buy a gallon of gas is for 3 reasons; to replace our sidewalks, replace our alleys and repair our streets. Currently we have \$410,000 in the MFT and it is accumulating at \$19,000 per month; this way next year we can repair, as an example, a street, Forest Preserve for example just west of Narragansett; it can also replace sidewalks and alleys all over our town. In her opinion, this action will not harm anybody; but the people that cannot drive through their alley because of the standing water after even a small rainfall will disagree with the Mayor.

Taking the money from the MFT so we can hire another manager in our village or retain another manager in our village, I'm sorry, in my opinion and the opinion of other trustees, he is not responsible. This manager was hired after we were in the office for about a year and a half; for a year and a half this town functioned quite well. Now, the Mayor gives us the impression that this is a doomsday budget, that we cannot function; well, we better function because we're spending this year in the appropriation more than what was spent last year.

The other point that keeps on coming up is that we did not hire any police officers; yes we did, we hired a Community Service Officer and according to our Chief, and this is recorded, he agreed with us that that individual would relieve the duties of other police officers, so we would immediately have one more officer on the street because the functions will be taken care of by the other officer.

The budget that we approved was done out in the open with the input from all of the trustees, the input from all of the Department Heads and if we have a negative number, we show that it is a negative number. We don't use the smoke and mirrors so we can claim over and over again that we have a balanced budget.

Clerk's Report
Clerk Larson

I know motion I 7 is being pulled for a separate vote, but there's a correction on it. Instead of \$19.38 per hour fee, it should be \$18.75 and its \$550.00 round trip to our yard and pick up after use in March 2008, instead of \$350.00.

Attorney's Report

No Report

F. TRUSTEE COMMENTS

Trustee Dobrzycki: First of all I would like to say that I publically stated that I would meet with Mr. Jack Schuepfer concerning some of the comments that he made and concerning his building; I did call him and we're were suppose to set up a time. I was unable to follow up calling because of a busy line and with respect to Trustee Schuepfer who requested that I not meet with her father due to his health and not wanting to stress him out, would provide me with a plat of survey; so I more than welcome to receive that plat of survey for the property and Mr. Schuepfer I'd be more than happy to meet with you anytime that your health permits that.

I also want to state yesterday afternoon I spent a good amount of time speaking with our former Village Engineer, Mr. Paul May, who is now the Director of Public Works and the Chief Engineer for the Village of Burr Ridge. I preface this statement saying that I'm not a professional licensed engineer and I rely on an engineer's opinion and understanding so I may make an informed and wise choice. Yesterday afternoon when I spoke with our former Village Engineer, Mr. Paul May, I asked him about how he made determinations for the village's infrastructure needs and plans; he used information gathered from many sources, engineering reports, the Public Works Department and his own inspection and review of our towns infrastructure. Mr. May stated that the project on Oak Park's water main was carefully considered and with due respect to Trustee Szlendak, yes, they are very important and they do break, they do loss water. As to its condition, it was considered and prioritized and divided the work to meet water supply requirements, engineering guidelines as well as financial considerations for the village so as not to create a financial concern and most importantly for the health and safety of our village residents; that's why he broke it down into two parts. He spoke with great certainty about how he

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planned it out and it is part and part of a plan that would take into consideration both the water main on Oak Park Avenue as well as the water tower. I asked him about the water towers needs and yes, our water tower is insufficient for the needs of our village; not only for today, but many years in the past. That is according to guidelines set out by the Federal Government, the State Government and he also stated a 10 state consortium or group of the Midwest, I'm not exactly sure what the name of that is, but he said those were considerations as well as his own calculations of our needs for the village itself. He did state that the water tower did empty out and it takes a very long time to fill the water tower. Now, Trustee Szlendak mentioned the reports and it also is confirmed by Clark Dietz and Christopher Burke Engineering and Mr. May did state that if we should have a fire and there is not water in the water tower, even if it's a moderate day in the summer, which could possibly occur or a hot day where there's great demand on the water, we would not have sufficient volume nor pressure to fight the fire. If we needed to increase the pumps to try to fill the tower or try to fight a fire there's a real possibility that the conditions of our water mains as they are now would start to break. Mr. Schroeder himself has stated how important it is turning on and off water hydrants when there are projects going on in the village and that we've already realized cracks and breaks in the water mains because of improperly turned on and off water hydrants. The action of a pump going on and off with a force that it creates can also cause damage to the water mains and cause them to break.

His other concern which he told me was that if there's not sufficient water in the tower and there is a fire that occurred we would have to bring, we would have to rely on other Fire Departments to bring pumper trucks to fight the fire and if there is such a demand on our water infrastructure there is a real possibility, this is Mr. May, I see Mr. Schroeder shaking his head, I'm stating what Mr. May told me and I'm repeating his words. I may not be exactly repeating word for word but this is what he told me; he said there's a real possibility that if such a situation should occur that the water pressure in the village could drop below 20PSI (Pounds per square inch) and that a boil order would be imminent and real for the entire village. Those are not my words; those are Mr. Paul May's words. He said he put a lot of time and effort into putting the plan together for the village for the infrastructure needs for our community. He put into many considerations financial, public health and safety, have a good supply of water; those were all part of that and he consulted with Mr. Schroeder on that. Mr. Schroeder if you have difficulties with that, once again I notice you shaking your head; speak with Mr. May because he's the one who told me this.

I feel it is imperative and in fact at the last meeting Trustee Szlendak said "Trustee Dobrzycki" and quoting directly, "I brought up the water tower and how important it is, I agree with him 100%, yes, I do believe that it's very important, Mr. May said that in dividing the Oak Park project into two parts, we should work on the water main, get it done because it does take a long time to have it built, we don't have sufficient capacity for what we need today for right now, it's 150,000 gallons, it should be a 500,000 gallon minimum." I didn't make that up; once again I got it in here and took his word, his interpretation, his understanding of the situation. He's the one who told me this, I repeat to you what he informed me and he said we should, what we should do is do the Oak Park water main project the first part and we should start immediately on building the water tower. And, it also has an economic impact, maybe not as important as the health standpoint it provides clean fresh water, providing water for fighting fires; but also the industry that remains in Harwood Heights, its demands and needs for water could not be met if we had a drop in pressure involved. It could impact dentists, hair dressers, printers, such as FCL Graphics who use large quantities of water and other industry. And the people who consider development in our town; I see Trustee Schuepfer smiling here, developers who would be interested in doing things in our town would consider what we have available, will it meet the needs. Is our infrastructure capable of growth, of redevelopment that could hinder future redevelopment for our town? And that once again is what Mr. May informed me. I took what he told me and from my understanding and I convey it to you.

Trustee Gadzinski: I just have one question to Trustee Dobrzycki; if this is..

Mayor Fuller: This is Trustee comments it's not time for a debate.

Trustee Gadzinski: Okay, I'll give a comment then; my comment is coming to a Committee of the Whole meeting a lot of stuff is not discussed at the meeting where it is here at a regular board meeting. Why is this not brought up in a Committee of the Whole meeting and just brought up last minute at a board meeting? If this is something to talk about and to discuss and to sit down and go back and forth; actually we do, do this, we do go back and forth and we discuss all the issues; but why in detail at a regular board meeting?

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Trustee Jezierny: It appears that I'm seeing some, understanding that in part it's trying to portray us that we're not looking after the safety and welfare of our residents; which I think is most certainly further from the truth. I live here and everybody on this board lives here, we're not going to jeopardize our community, number one. Number two, let me just make a portrayal of a common element. If you're going to build a house or an apartment building or a condo, you're going to build it on a foundation, right; that foundation has to hold up that house, it has to hold up that condo and you need a strong foundation. Just like that with the water tower, you're going to be building a water tower and you're still going to have the pumps pumping that pressure through our water mains. Why, to pump them through the water mains to fill up that tower and now filling up a 500,000 gallon tower as opposed to a 150,000 gallon tower; and those pumps are going to keep pumping. What is the sense of having a water tower if our malfunction is in our pipes and our water mains? If you looked at the Clark Dietz reports they gave two options, the first option was the tower and replace the water mains or extra pumping capacity and replace the water mains. Again, the common foundation of the engineer's report is the water mains. If we only have 8" mains which are serving as our main mains on Lawrence Avenue and Oak Park Avenue; Oak Park mains are breaking. As you heard Trustee Szlendak's report time and time again those mains keep breaking. How much pressure do you think we can get in those mains when they keep breaking down? This village is 60-years old, we are looking at our infrastructure, we are not taking away service from the community; we are looking at our infrastructure and putting our money in infrastructure to improve it. We're not saying here we're never going to build a water tower, we're not saying that, we're looking at the main foundation which we need to do and that is increasing the capacity of our water mains so they can get the pressure to our residents and fill that tower.

Trustee Szlendak: I also had a conversation with Paul May; I called him up about the water mains on Oak Park. He felt, and I quote him "our project 1, 2 and 3 are our water mains." Now, Trustee Dobrzycki keeps on telling us where we're at right now; what he failed to mention is right now there is a project of putting in a 12" main from our reservoir to the water tower for additional pumping capacity that will take care of our problem according to Clark Dietz looking at the report. That little detail keeps on being omitted that there is a 12" main that's going to be put in this year. Let's keep that in mind also; let's look at the whole picture not just pick and choose the parts that you like.

G. SPECIAL COMMITTEE REPORTS

None

H. APPOINTMENTS/REAPPOINTMENTS

I. CONSENT AGENDA

Mayor Fuller: Before we go to the Consent Agenda I am going to make some comments here. First of all, Trustee Szlendak made some outrageous and false accusations about my budget. I was not moving any MFT funds to the general fund; I was using MFT funds that are available especially for street maintenance in order to save the village some money this year and I'm going to pass out some documents that this is not something new, this was done '97, '98; former employees used MFT funds for all kinds of things, they used them for snow and ice removal, leaf collection, cleaning storm sewers, plow-salter. This is not something new; it's not something I made up and it's absolutely false what he said.

Regarding the contingency fund; there's no law that says we have to have \$500,000 in the contingency fund. I chose to reduce the contingency fund to make the budget balance. The trustees submitted a budget that was not balanced and didn't even show where the, you know, their revenues does not balance with their expenditures. The budget that I proposed at the last meeting balanced exactly with the revenues that were expected and that was including with the engineers position and the engineers payback. I did not move any money. Something about the Village Treasurer saying that I moved money from the water fund to the general fund, that's absolutely false.

What I did is include in my budget the amount of money that we would need to take from the water fund in order to balance, that is something the trustees' did not do. What they did is submit a budget that was just not balanced and they're not saying where they're going to get the money from in order to cover their expenses. They need to put a line item in there saying "transfer from the bank" and put that amount in there in order to balance; that's a simple procedure that they should know about.

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The refinancing of that old bond issue that we did last year for 5-years; that was a responsible decision making, we didn't have the money last year to pay for it, we don't have the money this year to pay for it; we spend it over 5-years. Trustee Szlendak voted for it! He's making accusations now for things that he was part of the board.

Clean up of the village property, they had to put \$300,000 in their budget because they think they're going to get a developer to build on the old Village Hall property the same project that was originally proposed. The developer now came back to the village with a new proposal, took out the condos, they want to have 2 retail centers, they will not need to have any soil removal. They're not going to, that \$300,000 will not be needed with the project that they're saying.

Block Party use; a nice letter was read about complimenting Public Works about the Block Party. Well you know, the Superintendent of Public Works complained to me about the hydrant use at the Block Party that perhaps the Fire Department opened up the fire hydrant to fast and caused water main breaks. Well, why didn't he oversee that, he was there giving them loud speakers or something.

Community Service Officer; no way did the police ever say that the Community Service Officer could replace a sworn officer, they can't. There are certain things they can do, they cannot act like a sworn officer. We are in need of sworn officers for the protection of the village.

And the water tower issue; please, we have 3 separate reports and anyone can have them. We have one from Clark Dietz, one from Paul May, our Village Engineer and one from Christopher Burke Engineering that all say that we need a new water tower now, we do not meet the capacity and safety standards right now.

I'm sorry but I'm not going to let the trustees' try to; this is not time for you to speak. I spoke to Paul May personally, he told me he prepared a 10-year plan, he sticks with his 10-year plan; number one is the water tower. That is his number one issue, he still stands by that, we have a report from him listing the whole 10-year plan and anybody is welcomed to take this home with them and look at it; all these documents.

Mayor Fuller pulled I 7 & I 9 for a separate vote.

Trustee Schuepfer pulled I 13 for a separate vote.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 1-6, I 8, I 10-12 & I 14-19:

Trustee Szlendak pulled I 5.

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak on Consent Agenda items I 1-4, I 6, I 8, I 10-12 & I 14-19:

1. To approve minutes of Public Hearing for Trustees' Appropriation Ordinance 07-15 held Thursday, July, 26, 2007.
2. To approve minutes of Public Hearing for Mayor's Appropriation Ordinance 07-16 held Thursday, July 26, 2007.
3. To approve the minutes of the Regular Board Meeting held Thursday, July 26, 2007.
4. To approve expenditure, not to exceed \$5,274.15 payable to Imagetec. L.P. for one year maintenance supply agreement on copiers in the Village Hall office and Police Department from 8/30/07 to 8/30/08 expensed to General Fund.
6. To approve expenditure, not to exceed \$3,260.00, payable to Roman Signs for four Village entry/President signs, posts, installation and delivery to replace broken and/or missing signs, reimbursement of \$2,990.00 offset by insurance claims.

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8. To approve expenditure, not to exceed \$2,913.12 payable to Vandewalle & Associates, Inc. with \$343.75 reimbursed by developers.
10. To approve expenditure, not to exceed \$40.00 per Harwood Heights youth to subsidize the cost for Harwood Heights youths to join the 2007 Norridge Youth Activities (NYA) Football program held at Norridge Park to be expensed to the FY 07/08 General Fund – Recreation.
11. To approve Trustee Mark Dobrzycki as the alternate representative to WSSRA.
12. To approve **Ordinance 07-19**, an Ordinance Providing for the Seizure and Impoundment of Motor Vehicles.
14. To adopt **Resolution 07-10**, a Resolution Appointing the Municipal Accountant as the Illinois Municipal Retirement Fund Authorized Agent for the Village of Harwood Heights.
15. To adopt an Illinois Department of Transportation **Resolution 07-11** for Maintenance of Street and Highways by Municipality under the Illinois Highway Code for the appropriation of \$4,020.30 of Motor Fuel Tax funds for the purpose of maintaining street lighting on Lawrence Avenue, pending an Intergovernmental Agreement with Norridge and Norwood Park Township.
16. To adopt an Illinois Department of Transportation **Resolution 07-12** for Maintenance of Street and Highways by Municipality under the Illinois Highway Code for the curbs and sidewalks throughout the village.
17. To direct the Village Attorney to prepare an Intergovernmental Agreement between the Village of Harwood Heights and the Village of Norridge and Norwood Park Township to share the cost of \$4,020.30 for the temporary lighting on Lawrence Avenue.
18. Transfer from Parkway General Savings Account in the amount of \$28,901.17 as they appear on check register #43327 to #43379.
19. Transfer from Parkway General Savings Account in the amount of \$127,002.96 to Parkway Bank Payroll Account.

A roll call vote on Consent Agenda items I 1-4, I 6, I 8, I 10-12 & I 14-19 resulted as follows:

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

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

ITEMS PULLED FROM THE CONSENT AGENDA

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

Motion by Trustee Szlendak, seconded by Trustee Jezierny to Table Consent Agenda item I 5.

5. To approve expenditure, not to exceed, \$7,233.39, payable to Robbins, Schwartz, Nicholas, Lifton & Taylor, Ltd. for legal consulting includes \$1,000.00 retainer fee, and \$465.00 to be reimbursed by developers, to be expensed to the FY 07/08 General Fund – Legal.

A roll call vote to Table Consent Agenda item I 5 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 Szlendak on Consent Agenda item I 7.

7. To approve expenditure, not to exceed \$2,325.00/month for a four month period for up to 80 hours of use, payable to McCann Equipment Co. for rental of Case 521D or equal, wheel loader with 2.0 cu. Yard of bucket, heated cab, lights, horn and all standard equipment for snow removal from November 12, 2007 to March 3, 2008. After 80 hours, the charge is \$18.75/hour fee, plus \$550.00 round trip to our yard and pick up after use in March 2008 to be expensed to the FY 07/08 Public Works.

A roll call vote on Consent Agenda item I 7 resulted as follows:

A YES: Trustee Jezierny, Mougolias, Schuepfer, Szlendak

NAYS: Trustee Dobrzycki, Gadzinski

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Szlendak, seconded by Trustee Mougolias on Consent Agenda item I 9.

Motion by Trustee Dobrzycki, seconded by Trustee Mougolias to Table Consent Agenda item I 9.

9. To approve expenditure, not to exceed \$5,380.00, payable to Robert W. Hendricksen Co. for work orders for trees received from residents to be expensed to the FY 07/08 General Fund – Forestry.

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

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

NAYS:

ABSTAIN:

ABSENT:

Motion Carried

Motion by Trustee Dobrzycki, no second on Consent Agenda item I 13. Motion fails for lack of second.

13. To approve Ordinance 07-20, an Ordinance Amending Chapter 15.04 of Title 15 of the Code of Ordinances of the Village of Harwood Heights, Cook County, Illinois.

A roll call vote on Consent Agenda item I 13 resulted as follows:

A YES:

NAYS:

ABSTAIN:

ABSENT:

Motion Failed

J. NEW BUSINESS

None

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K. OLD BUSINESS

None

L. CORRESPONDENCE

None

M. OTHER NEW BUSINESS

None

N. TRUSTEE COMMENTS

Trustee Szlendak: Yes Mayor, I would like to respond to some of the comments you've made. You drew a fine line between moving the money from MFT to the general fund and spending it on snow removal, etcetera, and tree trimming; spending it out of the MFT fund for the same purpose. It does the same thing, it depletes the MFT fund so we can replace and repair our infrastructure. It is wrong to take the money out of the bank in order to balance the budget, yet, it is okay to take the money out of the Water & Sewer fund to balance the budget? What's the difference! Both places have to be repaid.

The final point; is decreasing, there is no law that we have to have \$500,000 in the emergency fund. We have chosen to have that amount so we can have money for unforeseen. The Mayor is doing some new math that I just don't understand; she's working with the same dollar amount of revenue, spending more and balancing the budget. If we were to do the same thing that the Mayor is suggesting, if we decreased our contingency fund to \$107,000, if we took \$289,000 from the water fund, borrowed, and moved that money in there; if we decided to go ahead and use the MFT money for snow removal and tree trimming service, we would have a surplus in our budget, not a deficit. So, let's call a spade a spade; let's not do creative math in order to claim that you have a balanced budget.

Trustee Schuepfer: I am a member of the Finance Committee and there's been a lot of spinning and weaving and twisting and turning and I do want to respond to a comment that the Mayor made last week and that was that the Finance Committee gave disproportionate consideration to Public Works as opposed to police. And if you in fact go and look at the Appropriation Ordinance that we put forward, the Police Department in fact showed a 30% increase in their appropriation relative to last year's expenditures while Public Works was cut and in fact showed a negative 2% decrease in their appropriation. So, I think instead of spinning and weaving, we need to look at the numbers and look at what was spent last year, what was spent this year. I certainly along with Trustee Szlendak invite those of you to listen to the tapes and listen to the, essentially the agony that everyone went through as we talked to each of the professionals and asked them what they could live with. We were stunned by Chief Podosek's testimony last week. I ask you to listen to the tape; we tried every way we could to find a way to give him a 30% increase, so he was not cut, he got an increase. I'm sure that everyone in this room that would have liked to give every department a 30% increase; but go through those departments, we see decreases as much as 72% in some departments. So, let's call it what it is. There was disproportionate recognition but it had to do with the needs of the department and the needs of the village. So don't be misled; look at the numbers, look at the pattern and trust what you can figure out on your own.

Trustee Dobrzycki: I just wanted to further clarify those comments about the water main. Mr. May did not say to resign and pull away from the Oak Park project; he said to proceed with that project in two steps, in two parts. He did say we should not stop the water tower project because it is of immediate concern and need for the village. Trustee Gadzinski made some comments, how come this has not been brought up before; this has been brought up many times before. Since I first came upon the board that was one of the issues that we addressed and at many Illinois Municipal League meetings we spoke to various representatives of various companies, engineers; I personally brought information here to the village. We consulted with Clark Dietz and then when we hired a professional licensed engineer so he could carefully make all the considerations for that need and how we should go about addressing it; we proceeded with the project. And

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I firmly believe that Paul May, our Village Engineer who this board has deemed so qualified, that we follow his advice and proceed with that project. It's been long in the waiting and we should address those concerns and needs.

Also in passing, Paul May made a reference to Larry Noller, our former Village Administrator. He thought he was doing an excellent job and he was sorry to hear that he was going to be left out. He felt that we were getting a great bargain in the work and services that Mr. Noller provided for our village and the village greatly benefited because of his work.

And lastly, I request from this board and the administration and all of the members of this village staff and employees, I've spent a lot of time and effort working on behalf of the village, some people many agree with what I say and may agree with what I propose and others may disagree and not agree, that is your right. I hope; I am here; I can work with every member of this board. I'm open to meet with them, to speak with them, to talk with them, if you have ideas please bring them forth, I'll openly discuss them with you and I believe everyone can understand that. But I do request that you please leave my family, my wife, my daughter, my mother, my brother and his family out of any village politics. Please leave them alone and out of any tricks, any games; they are not part of this.

Trustee Schuepfer: It was really more a point of information because as Michael Gadzinski and I have heard, really for a number of times about this 10-year plan for the infrastructure, could we at the next meeting, at least be apprised of when that 10-year plan was approved by the trustees? Since we weren't members of the board could we, that's a formal request I guess of the Clerk or of the Mayor to provide that information about when the plan was approved.

Mayor Fuller: I passed it on at the last board meeting.

Trustee Schuepfer: Was it approved by the trustees'?

Mayor Fuller: It was not officially approved. Okay, before we go into the closed session I do have some other comments. The packets that you were given with my veto message of the appropriation has it in black and white; so let's see who's pulling the wool over anybody's eyes here. Their appropriation for the general fund, the one I'm vetoing, appropriates \$9,159,940; their estimated revenue for the general fund is \$8,442,732, it's in black and white. They're spending more than what they're getting in, in revenue, \$642,000 more; where are they going to get that money?

The water fund, it's the same thing. They appropriated \$2,335,927 and they have only estimated revenue of \$1,383,100 as their estimated revenue. And with the reduction of that grant they not only have \$1,248,000; so they're over budget by over a million dollars. There's no funny work going on here; it's black and white. The first things you learn in preparing a balanced budget is your revenues have to match your expenditures. It's simple – now that's Budget 101.

O. EXECUTIVE SESSION

Motion by Trustee Dobrzycki, seconded by Trustee Szlendak to enter Closed Executive Session at 9:27pm.

Clerk Larson took roll call

Motion to enter into Executive Session: pursuant to (5 ILCS 120/2) Sec. 2. Open meetings (c) Exceptions. A public body may hold closed meetings to consider the following subjects: (1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body; pursuant to 2. The purchase or lease of real property for the use of public body, including meetings held for the purpose of discussing whether a particular parcel should be acquired. 3. Also pursuant to Litigation when an action against, affecting or on behalf of the particular public body has been filed and is pending in a court or administrative tribunal, or when the public body find that such 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.

Motion by Trustee Mougolias, seconded by Trustee Szlendak to adjourn Closed Session at 10:14pm.

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Mayor Fuller reopened the Open Session at 10:15pm

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 Mayor Margaret P. Fuller on Thursday, August 9, 2007 at 10:15pm.

Respectfully submitted,

Dianne H. Larson, Village Clerk