

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING OF THE BOARD OF TRUSTEES
OF THE VILLAGE OF HARWOOD HEIGHTS
HELD ON THURSDAY, AUGUST 4, 2011**

A. CALL TO ORDER at 7:03 pm by Mayor Arlene C. Jezierny

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL –

Mayor	Arlene C. Jezierny
Clerk	Marcia L. Pollowy
Trustees	Mark Dobrzycki (Left 9:10pm) Michael Gadzinski Demetrios Mougolias (Absent) Therese Schuepfer Lawrence Steiner (Arrived 7:10pm) Lester Szlendak

Also present: Attorney Mark Heinle
Chief Mario Ricchio

D. AGENDA ITEMS

Approval of Committee of the Whole Minutes for July 7, 2011.

Motion by Trustee Gadzinski, seconded by Trustee Szlendak

- Approval of Committee of the Whole Minutes for July 7, 2011.

On a voice vote, all being in favor (Trustee Mougolias & Steiner – Absent), the motion carried and the minutes for the July 7, 2011 Committee of the Whole meeting were approved.

Azavar Audit Update - Jason Perry

- Mr. Jason Perry from Azavar Audit Solutions, Inc. updated the board members on the utility audit of Nicor Gas that was conducted by Azavar on behalf of the village. Azavar in reviewing the data from Nicor identified a loophole whereby the Village of Harwood Heights is losing municipal revenue each year.
- The village currently imposes a 5% tax on the delivery of natural gas on all service addresses within the Village of Harwood Heights when gas delivered is supplied by an in-state supplier (Nicor).
- Deregulation effective in 2002, allows users to purchase natural gas from out-of-state suppliers which has created a loophole where the municipal utility tax is no longer being paid to the Village of Harwood Heights.
- Avzavar's recommendation to the village is to update the village's current ordinance to include the utility gas tax on addresses that are purchasing natural gas from out-of-state suppliers; this ordinance update will close the loophole.
- An ordinance update to include out-of-state suppliers' delivery of natural gas at \$0.05 per therm will return approximately \$67,562 per year to the Village of Harwood Heights once all the users have been identified and corrected on Nicor's tax roll.
- After the missing addresses have been corrected, Azavar will go back to recover the missing utility taxes that were not paid to the village.
- Mr. Perry's assistant will contact Village Clerk Pollowy to set up a time when he can come in and make copies of the other utility agreements that the village has on file to begin the process of reviewing those companies' utility taxes currently being paid to the village.
- Azavar is currently looking at ComEd and will present their findings to the board when the audit is completed.

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Handicap Parking

- Trustee Schuepfer indicated that at the last board meeting a motion for a handicap parking sign was tabled for discussion at tonight's Committee of the Whole meeting.
- About two years ago, the office staff conducted an audit on all the handicap parking signs/spaces in the village to see which ones were still truly active and continued to qualify for a handicap parking space and which ones have expired and a renewal was never applied for.
- Discussion ensued on creating a procedure for the village staff to follow when they receive a request for handicap parking. The request that was tabled at the last meeting; the resident has a secured parking spot on the driveway adjacent to the entrance to her home. The street she lives on is extremely congested and a handicap parking place on the street would be restricted.
- Trustee Schuepfer suggested that Public Works view the requested area and report back to the board if there are alternate parking areas.
- Chief Ricchio suggested that along with the application, photographs of the property requesting the handicap parking area be attached for review.
- Chief Ricchio and Trustee Schuepfer will review the current ordinance and make the appropriate changes or policy procedures for all future Handicap parking requests; all of the trustees present were in agreement that street handicap parking should be the last option.
- Trustee Szlendak also brought up the subject of truck parking on residential streets. Trustee Schuepfer said she would add it to her to do list for parking ordinance revisions.

Committee Assignments

- Discussion resumed regarding Committee Assignments as a continuation from the last Committee of the Whole meeting held on July 7, 2011. Trustee Schuepfer stated at the July meeting that if anyone did not want to be on the committee they are currently serving on, they should inform their fellow board members.
- Trustee Schuepfer, Gadzinski and Steiner stated that they would like to continue with their current committee assignments. The majority consensus was that the committee assignments will remain the same.
- Trustee Schuepfer & Trustee Szlendak discussed the need to form and add a new committee to oversee the village's unfunded liability and future insurance costs. The committee would be the "Human Resource and Insurance Committee." Trustee Steiner accepted the Chairmanship of the committee with Trustee Schuepfer & Trustee Szlendak as members.

Bidding Ordinance

- Mayor Jezierny passed out a proposed ordinance entitled: "An Ordinance Amending Section 3.04.060 of the Harwood Heights Code of Ordinances to Adopt State Competitive Bidding Laws" and asked the board to review the ordinance which will be on the agenda for approval at the August 11, 2011 board meeting. The adoption of this ordinance will use state guidelines and state resources on large ticket purchases and/or contracts.

Dump Truck

- Public Works is asking the board to consider approving the purchase of a new dump truck to replace the current dump truck # 4; money was allocated in the 2011/2012 budget. A copy of 3 quotes and the specifications for the new truck was distributed for the boards review.
- If any board member has any questions regarding the quotes or on the specifications, they can contact either Accountant Bruno Bellissimo or Superintendent Tom Wolfe.
- The motion for the purchase of the new dump truck based on the selected quote will be placed on the August 11, 2011 board agenda for board approval.

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Com Ed Franchise Agreement

- Attorney Mark Heinle reviewed the changes that were presented a few months ago by Attorney Adam Simon regarding the original ComEd Franchise Agreement and the proposed new Franchise Agreement.
- Mayor Jezierny indicated that most of the surrounding communities have signed the new ComEd Franchise Agreement.
- The old ComEd franchise agreement would be a renewal for a 10-year term and it allows the villages ordinances governing right of way access that apply to ComEd.
- The new proposed ComEd Franchise Agreement is for a 50-year term and there are provisions in the new franchise agreement where ComEd's right of way rules would supercede the village's ordinances. The new Franchise Agreement has some cost savings to the village in regards to traffic controls lights; there would be no electric cost for the Village Hall, the Police Department and the Public Works office area. Even though the new Franchise Agreement is for 50-years, the agreement can be reopened for negotiations once every 10-years.
- Foreman George Assimakopoulos from Public Works is currently reviewing the ComEd billings regarding the traffic control/street lights for any miscoding and for electric charges that were in error.
- Mayor Jezierny encouraged the Trustees to read both agreements. Jason Perry from Azavar will be working on ComEd and suggested the village wait for 30-45 days before approving either Franchise Agreement.
- Mayor Jezierny met with 2 ComEd representatives today regarding the continual power outages experienced in various parts of the village that occurred during all the recent storms to determine why and another meeting is scheduled for next Tuesday regarding the wires and trees along the Ridgemoor County Club side of Nagle.

Private Scavengers

- Trustee Dobrzycki brought up a discussion on private scavengers that roam through the village on garbage pick-up days collecting items from alleys and in front of resident's homes. Suggested that private scavengers that continuously roam through the village can be classified as businesses and need to register with the village or obtain a business license and a decal for their trucks.
- The Ordinance Committee will review the current ordinance relating to scavenger services and will amend to include private scavenger companies and any licensing and fees applicable to such services.

Public Comment

Marie Majka: Made a comment regarding handicap parking places, referring to a parking space on her block. Is having problems with skunks; they dug a hole going under her front steps; she agreed to have a trap set on her property.

Roy Schmidt: Also commented on handicap parking and if having a garage is considered when a permit is approved? Asked how the water meter installations were going.

Trustee Steiner indicated that Public Works is currently doing about 5-9 installations per day due to weather related cleanup efforts by the whole PW crew. We hired 2 part-time labors in the past few weeks & they are now assisting in the installations so the numbers should be going up.

Mary Jo Baldassone: Also commented on the handicap parking situation regarding the tenant in her building who requested handicap parking on the street and has a designated spot on the driveway. Wanted to know if the building owner had a right to approve or disapprove the request?

Trustee Steiner: Indicated that handicap parking on the street should be the last option. Suggested that all handicap spaces on the street should be renewed every year to keep tighter control and would indicate what handicap spaces are no longer needed due to the resident moving or passing away.

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E. EXECUTIVE SESSION

Motion by Trustee Gadzinski, seconded by Trustee Dobrzycki to Enter into Executive Session at 8:25pm; all in favor (Trustee Mougolias – Absent).

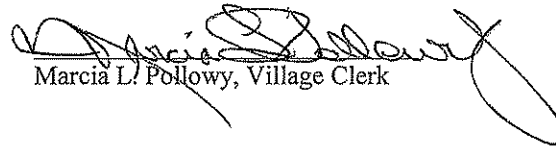
Motion to enter into Executive Session: pursuant to (5 ILCS 120/2) Sec. 2. Open meetings © Exceptions. A public body may hold closed meetings to consider the following subjects: (1.) The appointment, employment, compensation, discipline, performance or dismissal of specific employees of the public body. (2.) Collective negotiating matters between the public body and its employees or their representatives, or deliberations concerning salary schedules for one or more classes of employees.

Reconvened Open Session at 9:17pm: Motion by Trustee Gadzinski, seconded by Trustee Steiner; on a roll call all present (Trustee Dobrzycki & Mougolias – Absent).

ADJOURNMENT

Motion by Trustee Gadzinski seconded by Trustee Schuepfer to adjourn. On a voice vote, all present being in favor (Trustee Dobrzycki & Mougolias – Absent), the motion carried and the Committee of the Whole Meeting of the Board of Trustees of the Village of Harwood Heights was adjourned by Mayor Arlene C. Jezierny on Thursday, August 4, 2011 at 9:18pm.

Respectfully submitted,


Marcia L. Pollowy, Village Clerk