

MEETING OF NOVEMBER 19, 2008

The regular meeting of the Board of Trustees, Village of Elwood, was called to order at 7:00 PM, November 19, 2008 by Acting Village President Strawn. All board members present.

Also present: Ed Graham, Nick Narduci, Scott Haywood, Dave Albert and Robin from Baxter Woodman

Meeting opened with Pledge to the Flag.

PUBLIC COMMENTS

Floyd Garrett of Wyndstone Drive – referred to the legal notices in the paper for Joliet annexing property, some of the notices were wrong. Are we doing anything about annexing property? I know we have a boundary agreement with Joliet and Manhattan.

President Strawn – no attempt to annexing right now. Will be meeting with Tom Thanas, Attorney.

PRESENTATION OF MINUTES

The minutes of the Workshop of October 8, 2008 and the Regular Meeting of October 15, 2008 were presented.

A motion was made by Trustee Matichak to approve the minutes of the Workshop of October 8, 2008 and the Regular Meeting of October 15, 2008 as presented. Motion was seconded by Trustee Jones. All voted in favor of motion. Motion carried.

PRESENTATION OF BILLS

The bills for the previous month were presented.

A motion by Trustee Kucera to approve bills as presented. Motion was seconded by Trustee Wagner. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

APPOINTMENT OF PARK COMMITTEE MEMBER

President Strawn recommended the appointment of Lori Jenco to the Park Committee. Lori was introduced to the board.

A motion was made by Trustee Matichak to approve the appointment of Lori Jenco to the Park Committee. Motion seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

Oath of office was given by Clerk Pat Buchenau.

AN ORDINANCE ACCEPTING A SPECIAL WARRANTY DEED FROM CENTERPOINT INTERMODAL, LLC CONVEYING CERTAIN PARCELS OF REAL ESTATE AND AUTHORIZING EXECUTION OF AN EASEMENT AGREEMENT FOR ACCESS THERETO

A motion was made by Trustee Kucera to approve An Ordinance Accepting a Special Warranty Deed from CenterPoint Intermodal, LLC Conveying Certain Parcels of Real Estate and Authorizing Execution of an Easement Agreement for Access Thereto. Motion seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried. Ordinance 926

**AN ORDINANCE APPROVING A FINAL PLAT OF INDUSTRIAL
SUBDIVISION FOR THE CENTERPOINT INTERMODAL CENTER EAST
UNIT ONE, VILLAGE OF ELWOOD**

A motion was made by Trustee Jones to approve An Ordinance Approving a Final Plat of Industrial Subdivision for the CenterPoint Intermodal Center East Unit One. Motion seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried. Ordinance 927

**AN ORDINANCE REPEALING ORDINANCE 835 IN ITS ENTIRETY AND
ESTABLISHING NEW WATER METER FEES PURSUANT TO ORDINANCE
695, FOR THE VILLAGE OF ELWOOD**

Ed Graham explained the new meter fees that will be charged.

A motion was made by Trustee LaPaglia to approve An Ordinance Repealing Ordinance 835 In Its Entirety and Establishing New Water Meter Fees Pursuant to Ordinance 695 for the Village of Elwood. Motion seconded by Trustee Matichak. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – no. Motion carried. Ordinance 928

**AN ORDINANCE FOR THE LEVY AND ASSESSMENT OF TAXES FOR THE
FISCAL YEAR BEGINNING MAY 1, 2008 AND ENDING APRIL 30, 2009
FOR THE VILLAGE OF ELWOOD**

Nick Narduci explained the ordinance and asking for a 4.9% increase. The Village share of taxes is low, we are trying to prepare for difficulties that may be coming. We are cutting back on our spending right now.

A motion was made by Trustee LaPaglia to approve An Ordinance for the Levy and Assessment of Taxes for the Fiscal Year Beginning May 1,

2008 and Ending April 30, 2009 for the Village of Elwood. Motion seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – no, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – no, Trustee Wagner – no, President Strawn – yes. Motion carried. Ordinance 929

RESOLUTION IN SUPPORT OF A REQUEST BY FIRST BANK OF MANHATTAN, TRUSTEE UNDER TRUST 600, DATED DECEMBER 12, 2007 TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION FOR A RESTRICTED ACCESS POINT (RIGHT-IN/RIGHT-OUT) ALONG ILLINOIS ROUTE 53 WITHIN THE VILLAGE OF ELWOOD

President Strawn – this is for Gas City. A letter of support for the right-in/right-out turn lane on Route 53. Aimee and I went to IDOT and talked with them.

A motion was made by Trustee Jones to approve Resolution in Support of a Request by First Bank of Manhattan, Trustee under Trust 600, dated December 12, 2007 to the Illinois Department of Transportation for a Restricted Access Point (Right-in/Right-out) Along Illinois Route 53 within the Village of Elwood. Motion seconded by Trustee LaPaglia. All voted in favor of motion. Motion carried. Resolution 2008-09-03

AWARD OF WASTE WATER OPERATOR CONTRACT

President Strawn – the last contract was for four (4) years, this contract is for three (3) years.

Ed Graham – the RFQ process was done, inviting proposals. Nick Narduci along with the help of Baxter Woodman conducted the RFQ process. The question on the length of the contract that was drafted by Staff must have the Village Board approval.

Nick Narduci – the EMC continues to operate the plant. Contract would expire with a thirty (30) day notice. Effective date of contract will be May 1st through April 30th. We tried to negotiate with EMC, with no

results. The same bid document as previously used by CTE was used for this contract. Was some updating for equipment. The plant was completed from the previous bid document. CTE did pre-qualification. We combined pre-qualification. The other bidder was Manhard. We did not have a good handle on the plant, there were water losses, pumping twice the water that we were selling and not a good handle on chemicals. By pulling all the information together, we will save some money. Because of the debt service payment, we have a handle on that right now. A shorter contract is prudent. Have talked about hiring our own operator, this will be a transition period for three years. The only item changed was the contract term. We will buy supplies and not EMC, will use state purchasing for supplies.

Ed Graham – the board needs to be comfortable with contract. Any questions or doubts you have should be resolved before the contract is awarded. This contract will coordinate with fiscal year.

A motion was made by Trustee LaPaglia to award the contract for waste water to EMC for a three (3) year period. Motion seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

IML RISK MANAGEMENT – Early Payment Option

Nick Narduci explained the increase in the insurance was due to the new building, up dating the equipment. If we pay the bill in full by November 21st, we will save approximately \$1,400.00 on the premium.

A motion was made by Trustee Jones to approve the payment of the insurance premium in full for the amount of \$68,372.64. Motion seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee

LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

AWARD OF ELEVATOR MAINTENANCE CONTRACT

President Strawn – three (3) bids were received, Elevator Systems Inc., Superior Elevator Company and Otis Elevator. The lowest bidder was Superior Elevator Company at \$135.00 per month.

Ed Graham – there is a time element to be considered. Consider awarding contract pending legal review of contract.

A motion was made by Trustee LaPaglia to award the maintenance elevator contract to Superior Elevator Company pending legal review of contract. Motion seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

MEADOWBROOK SUBDIVISION – Incomplete Improvement

President Strawn – reached an agreement with him to complete next spring.

Ed Graham – goal was to get developer to complete the improvements, he chose not to follow the agreement. Have an agreement on snow removal. Have to put a dead line on him to get things completed. Need a motion to approve letter as a binding offer. Draw down on Letter of Credit in the spring if he does not complete improvements.

A motion by Trustee Kucera to approve the letter as a binding offer with Chalen Parrish for the improvements of Meadowbrook Unit 5. Motion seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

DSC TAX APPEAL

Ed Graham – DSC appealing tax assessment. I appeared before Board of Review. Appraisal on property not completed. Further discussion will occur, may or may not happen. More information will come in terms of this appeal.

STAR NETWORK SERVICE AGREEMENT

Scott Haywood explained the software is needed for the water meter DCU in order to get readings, they will also do any updates needed. The service agreement is for one year. The annual cost is \$2,450.00.

A motion was made by Trustee Jones to approve the service agreement with Star Network in the amount of \$2,450.00 for one year. Motion seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

FINAL CHANGE ORDER – MISSISSIPPI B

President Strawn – no payment due, just a final change order.

A motion was made by Trustee Matichak to approve the Final Change Order for Mississippi B. Motion seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

FINAL PAY REQUEST – PAVEMENT MARKING PROJECT

A motion was made by Trustee Kucera to approve Final Pay Request for Pavement Marking Project in the amount of \$86,363.11. Motion seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee Ccarried.

FINAL PAY REQUEST – CRACK SEALING

A motion was made by Trustee LaPaglia to approve Final Pay Request for Crack Sealing in the amount of \$55,776.70. Motion seconded by Trustee Kucera. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

BOARD REPORTS

Park and Recreation Committee – Trustee LaPaglia

No report

Finance Committee – Trustee Kucera

No report

Public Works – Trustee Jones

No report

Community Events – Trustee Bernhard

No report

DEPARTMENT REPORTS

Village Administrator – Aimee Ingalls

Report included in your book.

Finance – Nick Narduci

Report included in your book.

Police – Chief Albert

Reported on contract for homeland security money for tower.

Public Works Supervisor – Scott Haywood

Getting ready for snow, have plenty of salt, constructed a temporary storage for the salt. Will be using calcium chloride.

EMC – Corey Byington

A very quiet month. A surprise inspection from IEPA was conducted. Question asked about the bar screen. Corey stated that all the parts are not in.

EXECUTIVE SESSION

A motion was made by Trustee LaPaglia to go into Executive Session to discuss Personnel and Litigation. Motion seconded by Trustee Bernhard. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

A motion was made by Trustee Matichak to go back in Open Session. Motion seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

ACTION ON ISSUES RAISED THROUGH EXECUTIVE SESSION

A motion was made by Trustee Matichak to authorize Chief Albert to proceed with an offer to hire Joseph Pate as a Part Time Police Officer. Motion seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

A motion was made by Trustee Matichak to increase the pay for Sergeant Dufkis to the same as Sergeant Laveck. Motion seconded by Trustee LaPaglia. A voice vote was called: Trustee Bernhard – yes,

Trustee Jones – yes, Trustee Kucera – no, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

A motion was made by Trustee LaPaglia for Ed Graham to proceed with professional statement concerning Hartz litigation. Motion seconded by Trustee Jones. A voice vote was called: Trustee Bernhard – yes, Trustee Jones – yes, Trustee Kucera – yes, Trustee LaPaglia – yes, Trustee Matichak – yes, Trustee Wagner – yes. Motion carried.

A motion was made by Trustee LaPaglia to adjourn meeting. Motion was seconded by Trustee Bernhard. All voted in favor of motion. Motion carried.

Pat Buchenau
Village Clerk

