

REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES
Gregory J. Bielawski Municipal Center, Carol Stream, DuPage County, Illinois

August 20, 2007

Mayor Frank Saverino called the Regular Meeting of the Board of Trustees to order at 8:00 p.m. and directed Village Clerk Beth Melody to call the roll.

Present: Mayor Saverino, Trustees Weiss, Schwarze, McCarthy, Gieser, & Fenner

Absent: Trustee Drager, Village Manager Breinig & Deputy Clerk Progar

Also Present: Assistant Village Manager Mellor, Attorney Pollastrini and all Department Heads

Mayor Saverino led those in attendance in the Pledge of Allegiance.

MINUTES:

Trustee Fenner moved and Trustee McCarthy made the second to approve the Minutes of the Meeting of August 6, 2007 as presented. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner

Nays: 0

Absent: 1 Trustee Drager

CONSENT AGENDA:

Trustee Schwarze moved and Trustee Fenner made the second to establish a Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner

Nays: 0

Absent: 1 Trustee Drager

Trustee McCarthy moved and Trustee Gieser made the second to put the following items on the Consent Agenda for this meeting. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner

Nays: 0

Absent: 1 Trustee Drager

1. Information only from PC/ZBA: Text Amend-Utility Structures-cont. to 11/12/07
2. Information only from PC/ZBA: North Avenue Corridor Review approved: 455 E. North Avenue
3. Waiver of Bid/Award Contract: May 2007-08 Pond Shoreline/Wetland Maint.
4. Approval of Change Order # 2- Municipal Center Parking Lot & 2007 Flexible Pavement Project
5. Emerald Ash Borer Compliance Agreement
6. Award Engineering Design Contract-SW Water Main Extension
7. Well #3 Repairs – Change Order #1
8. Resolution No. 2280: Approve Intergovt. Agree- traffic signal ATR/Fair Oaks

9. Resolution No. 2281: Accept Grant of Public Utility Easement – Red Hawk Park
10. Resolution No. 2282: Express Concern-IN Dept. of Environment permit-Lake Michigan
11. Resolution No. 2283: Approve Non-Exclusive License Agreement –US Cellular
12. Emergency Disaster Shelter Agreement
13. American Red Cross- Memo of Understanding
14. Regular Bills, Addendum Warrant of Bills

COMMENTS:

Trustee Fenner commented that the Resolution of concern reflects our concern over the EPA limits and the fact that Lake Michigan continues to be polluted, not necessarily BP, who is following the EPA regulations and abiding by the current law. Trustee Fenner said that this does not single out BP, the concern is that regulations are not strict enough and any additional pollutants into our drinking water is a concern.

Trustee Weiss moved and Trustee Fenner made the second to approve the Consent Agenda for this meeting by omnibus vote. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
Nays: 0
Absent: 1 Trustee Drager

The following is a brief description of those items approved on the Consent Agenda for this meeting.

Waiver of Bid/Award Contract: May 2007-08 Pond Shoreline/Wetland Maint.:

The Board approved a waiver of bid for the third year of a three-year bid for Pond Shoreline and Wetland Maintenance Contract to LaFayette Home Nursery in an amount of \$27,364.00.

Approval of Change Order # 2- Municipal Center Parking Lot & 2007 Flexible Pavement Project:

The Board received Change Order #2 for the Municipal Center Parking Lot & 2007 Flexible Pavement Project in the amount of \$179,672.49. This change is due to the removal of the entire base of the west parking lot due to poor soil conditions and anticipates that the same removal will be necessary for the balance of the Center's parking lot.

Emerald Ash Borer Compliance Agreement:

The Board approved the Emerald Ash Borer compliance agreement as provided by the Illinois Department of Agriculture.

Award Engineering Design Contract-SW Water Main Extension:

The Board awarded a design engineering agreement to Baxter & Woodman for the design of the Southwest Water Main Extension, Phase 1 in the amount of \$99,500.

Well #3 Repairs – Change Order #1:

The Board approved Change Order #1, to allow the time and material contract with Layne Western, not to exceed \$50,000 to allow the work on Well #3 to continue without interruption from unexpected modifications.

Resolution No. 2280: Approve Intergovt. Agree- traffic signal ATR/Fair Oaks:

The Board adopted Resolution 2280, A RESOLUTION AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE VILLAGE OF CAROL STREAM AND DUPAGE COUNTY FOR THE MAINTENANCE AND ENERGY PAYMENTS FOR TRAFFIC SIGNAL AT CH11/ARMY TRAIL ROAD AND FAIR OAKS ROAD.

Resolution No. 2281: Accept Grant of Public Utility Easement – Red Hawk Park:

The Board adopted Resolution 2281, A RESOLUTION ACCEPTING A GRANT OF PUBLIC UTILITY EASEMENT FOR WATER MAIN AND SANITARY SEWER SYSTEMS – (CAROL STREAM PARK DISTRICT – RED HAWK PARK).

Resolution No. 2282: Express Concern-IN Dept. of Environment permit-Lake Michigan:

The Board adopted Resolution 2282, A RESOLUTION EXPRESSING CONCERN OVER THE INDIANA DEPARTMENT OF ENVIRONMENT MANAGEMENT'S ISSUANCE OF A PERMIT TO ALLOW THE BP OIL REFINERY IN WHITING, INDIANA TO INCREASE DISCHARGES INTO LAKE MICHIGAN.

Resolution No. 2283: Approve Non-Exclusive License Agreement –US Cellular:

The Board adopted Resolution 2283, A RESOLUTION AUTHORIZING A NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE VILLAGE OF CAROL STREAM AND U.S. CELLULAR.

Emergency Disaster Shelter Agreement:

The Board authorized the execution of agreements with 10 community schools, 1 church and the Outreach Community Center for the provision of emergency disaster shelters in the case of a declared disaster emergency.

American Red Cross- Memo of Understanding:

The Board authorized the execution of a Memorandum of Understanding with the Greater Chapter of the American Red Cross that details the cooperative nature of the relationship between a local government and its agency in conducting emergency assistance program outreach to local disaster victims.

Regular Bills, Addendum Warrant of Bills:

The Board approved the payment of the Regular Bills in the amount of \$770,998.10.
The Board approved the payment of the Addendum Warrant of Bills in the amount of \$675,108.21.

REGULAR MEETING:

Trustee Gieser moved and Trustee Fenner made the second to adopt Resolution 2284, A RESOLUTION DECLARING SURPLUS PROPERTY OWNED BY THE VILLAGE OF CAROL STREAM – (unused VRM radios to CSFPD). The results of the roll call vote were:

Ayes: 4 Trustees Weiss, McCarthy, Gieser and Fenner
Nays: 0
Abstain: 1 Trustee Schwarze
Absent: 1 Trustee Drager

Trustee Fenner moved and Trustee McCarthy made the second to receive the Treasurer's Report for the month ending July 31, 2007. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
Nays: 0
Absent: 1 Trustee Drager

REPORT OF OFFICERS:

Trustee Schwarze reminded everyone to shop in Carol Stream.

Trustee Gieser said that Saturday night is the last outdoor movie of the season. He said that Thursday night is the last concert for the season, featuring the Fabulous Janes. They were re-scheduled from an earlier rained-out concert.

Trustee McCarthy said that on Sunday, September 2nd the Youth Council will be working with "Parents and Teens Together" for the JP 5k Fun Run. This year there will be some of the bands from the music fest to play that afternoon and there will be games and prizes. He noted that School is opening soon and reminded drivers to be especially cautious in School Zones. In responses to Mayor Saverino's question, Trustee McCarthy noted that JP is Jonathan Petit, who died almost two years ago due to underage drinking. "Parents and Teens Together" is about having teens make good choices. Mayor Saverino commented that he has spoken with Yvonne Petit, Jonathan's mother and that this is important to them to turn their heartbreak into something positive for the community.

Mayor Saverino announced that Village Manager Breinig's father, Edward passed away, one day after the celebration of his 50th wedding anniversary.

Assistant Village Manager Mellor stated that the DuPage County Health Department has announced that there have been positive tests for West Nile Virus mosquitoes and he reminded everyone to take precautions if they are outside when mosquitoes are active.

Mayor Saverino thanked the Toys for Tots people and the Classic Streets and Rods Club for their participation to help the less fortunate. He said that there were 350 toys donated.

Mayor Saverino asked for a motion to change the first meeting in September from Monday, September 3rd to Tuesday, September 4th for the Labor Day Holiday. Trustee Fenner moved and Trustee McCarthy made the second to make that change. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
Nays: 0
Absent: 1 Trustee Drager

Trustee Fenner moved and Trustee Schwarze made the second to move to Executive Session to discuss Compensation for a specific employee and to return to public session to take further action. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
 Nays: 0
 Absent: 1 Trustee Drager

Trustee McCarthy moved and Trustee Fenner made the second to return to open session to take action following the Executive Session. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
 Nays: 0
 Absent: 1 Trustee Drager

Mayor Saverino turned the meeting over to Attorney Pollastrini. She explained that the Village Board has reviewed the employment agreement with Village Manager Joe Breinig and the package that will continue from May 1, 2007 to April 30, 2011. She explained that if the Board chooses to adopt the contract it would be in effect for the dates included upon signature of the Mayor and the Village Manager. Trustee Fenner moved and Trustee Weiss made the second to approve the contract as stated. The results of the roll call vote were:

Ayes: 6 Mayor Saverino, Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
 Nays: 0
 Absent: 1 Trustee Drager

Mayor Saverino added his vote to this matter in a show of unity.

Mayor Saverino commented that as he said earlier, Joe Breinig is not present at the meeting due to the death of his father. Mayor Saverino said that he feels that this is a vote of confidence for Joe and that he polled the Trustee Drager regarding this issue and he was in agreement, so this is 100% for Mr. Breinig.

Trustee Fenner moved and Trustee McCarthy made the second to adjourn. The results of the roll call vote were:

Ayes: 5 Trustees Weiss, Schwarze, McCarthy, Gieser and Fenner
 Nays: 0
 Absent: 1 Trustee Drager

FOR THE BOARD OF TRUSTEES

Minutes approved by the President and Board of Trustees on this

4th day of September, 2007.

Beth Melody

 Village Clerk