

APPROVED  
**LAKE ZURICH BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**70 East Main Street**

Monday, June 18, 2007

**1. CALL TO ORDER AND ROLL CALL**

Meeting was called to order at 7:35 pm. Mayor Tolomei said the Special Committee of the Whole meeting that just was continued will reconvene following the Board of Trustees meeting. He invited the public to stay and said there would be an opportunity for public comments.

Present were President Tolomei, Trustees Branding, Johnson, Poynton, McAvoy, and Taylor. Also present were Acting Village Administrator/Finance Director Martynowicz, Village Attorney Burkland, Police Chief Urry, and Fire Chief Mastandrea. Trustee Callahan was excused.

**2. PLEDGE OF ALLEGIANCE**

**3. PRESIDENT'S REPORT**

A. Donation from LZ Retired Firefighters Association to Lake Zurich Fire Department.

Fire Chief Mastandrea introduced three members of the Lake Zurich Retired Firefighters Association, Bob Duprey, Chuck Wendt, and Joe Schweda, who were part of the foundation of the Lake Zurich Fire Department. They presented Fire Chief Mastandrea with funds for a partner saw and two technical rescue tools totaling a donation of \$3,230. The funds were raised by their association.

Mayor Tolomei and Fire Chief Mastandrea presented an Award of Excellence plaque recognizing the support and donations from Retired Volunteer Firefighters Association.

B. Reappointments and appointments to various boards and commissions

Mayor Tolomei made recommendations on reappointments to boards and commissions in a memorandum dated June 11, 2007. He said in the interest of moving the approval of appointments forward, he asked what nominees should be removed for discussion so the remainder could be approved. No one asked to have any appointments removed.

Trustee Poynton asked about the term periods and specifically questioned why the Zoning Board of Appeals had a five-year-term.

Mayor Tolomei said terms are staggered to allow for some continuity. They are looking into a more consistent approach for time periods of terms.

Village Attorney Burkland said he was not sure but thought the Zoning Code set the terms for Zoning Board of Appeals members. If it does, it would require a text amendment to change the term.

MOTION made by Trustee McAvoy, seconded by Trustee Taylor, to consent to the appointments as presented in the memorandum from Mayor Tolomei dated June 11, 2007.

AYES: 2 Trustees McAvoy and Taylor  
NAYS: 3 Branding, Johnson, and Poynton  
MOTION FAILED

Mayor Tolomei said this item would be discussed at the next meeting and the individuals would continue to serve until action was taken.

#### **4. PUBLIC COMMENT - None**

#### **5. APPROVAL OF MINUTES**

##### Regular Village Board meeting June 4, 2007

MOTION was made by Trustee McAvoy, seconded by Trustee Poynton, to approve the Regular Village Board meeting minutes dated June 4, 2007 as presented. Voice vote, all in favor. MOTION CARRIED

#### **6. CONSENT AGENDA**

Trustee Johnson asked that Item A, Warrant Dated June 18, 2007, be removed from the Consent Agenda and placed under Other Business for further discussion.

- B. Knights of Columbus, Surryse Road, easement release agreement. The Committee of the Whole recommends approval and the Board of Trustees approves the Release of Total Site Easement Agreement for the location of the Knights of Columbus building on Surryse Road.
- C. Request from Wynstone for consideration of sewer service. The Committee of the Whole recommends approval and the Board of Trustees approves negotiation of a sewer service agreement with Wynstone under terms and conditions acceptable to the Village Administrator and Director of Public Works and in a form acceptable to the Village Attorney.
- D. Newsline, July edition. The Committee of the Whole recommends approval and the Board of Trustees approves this edition of the *Newsline* as presented.
- E. Guidelines for approving patios and decks at Concord Village. The Planning and Development Committee recommends approval and the Board of Trustees approves A Resolution establishing guidelines for approval of patios and decks at Concord Village. (Assign RES. #2007-07-02A)
- F. Prevailing Wage Rate ordinance. The Public Works Committee recommends approval and the Board of Trustees approves AN ORDINANCE ASCERTAINING THE PREVAILING RATE OF WAGES FOR LABORERS, MECHANICS, AND

OTHER WORKERS FOR LAKE ZURICH PUBLIC WORKS PROJECTS AS OF JUNE 2007. (Assign ORD. #2007-07-501)

G. Application for DNR grant for Bristol Trails Park. The Public Works Committee recommends approval and the Board of Trustees approves A Resolution of Authorization for the Bristol Trails Park improvements project application to OSLAD. (Assign RES. #2007-07-02B)

MOTION was made by Trustee McAvoy, seconded by Trustee Johnson, to approve the Consent Agenda as read minus Item A.

AYES: 5 Trustees Branding, Johnson, McAvoy, Poynton and Taylor

NAYS: 0

MOTION CARRIED

**7. ADMINISTRATOR'S REPORT**

No report.

**8. ATTORNEY'S REPORT**

No report.

**9. COMMITTEE AND TRUSTEE REPORTS**

Trustee McAvoy provided a brief up date on the Route 22 improvement project. He said the project should be 100% complete in two weeks.

**10. OTHER BUSINESS**

**Consent Agenda Item A:**

A. Warrant dated June 18, 2007. The Finance Committee recommends approval and the Board of Trustees approves the Warrant dated June 18, 2007 in the amount of \$953,961.79 which includes the following items over 5% of the total:

1. Arrow Road Construction	\$577,009.93	60.48%
2. Holland and Knight	\$105,765.29	11.09%

Trustee Johnson said the bill for litigation for Comet Welding was about \$42,000 for the month of February and there was a Holland and Knight bill for slightly over \$60,000 for litigation in March. He asked how much of the amount was related to Comet Welding.

Village Attorney Burkland was not able to provide a definite answer at this time.

Trustee Johnson asked that the payment to Holland and Knight be voted upon separately from the other items in the warrant.

MOTION made by Trustee McAvoy, seconded by Trustee Poynton, to approve the warrant dated June 18, 2007, minus the amount invoiced by Holland and Knight of \$105,765.29.

AYES: 5 Trustees Branding, Johnson, McAvoy, Poynton, and Taylor

NAYS: 0

MOTION CARRIED

Mayor Tolomei said he was not comfortable only paying a portion of the bill until he saw the individual charges. The invoice will be reviewed and presented at the next Finance Committee meeting.

MOTION made by Mayor Tolomei, seconded by Trustee McAvoy, to approve the payment to Holland and Knight in the amount of \$105,765.29.

AYES: 1 Trustee McAvoy

NAYS: 4 Trustees Branding, Johnson, Poynton, and Taylor

MOTION FAILED

## **11. ADJOURNMENT**

MOTION was made by Trustee McAvoy, seconded by Trustee Branding, to adjourn the meeting.

Meeting adjourned at 7:53 PM.

Respectfully submitted: *Janet McKay, Recording Secretary*

Approved By: \_\_\_\_\_  
Village President John G. Tolomei