

**MINUTES OF THE REGULAR MEETING OF THE  
NEW LENOX BOARD OF TRUSTEES**

**New Lenox Village Hall  
1 Veterans Parkway, New Lenox, Illinois  
Monday, November 14, 2011**

#11-27

**CALL TO ORDER**

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

**ROLL CALL**

Upon Roll Call by the Village Clerk, the following members of the corporate authorities answered "Here" or "Present":

Trustees Smith, Bowden, Dye, Tuminello, Butterfield and Mayor Baldermann

Absent: Trustee Madsen

**QUORUM**

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

**OTHER OFFICIALS IN ATTENDANCE**

Also in attendance were Village Administrator Kurt Carroll, Finance Director Kim Auchstetter, Village Clerk Laura Ruhl, Planning & Development Director Robin Ellis, Building & Zoning Administrator Warren Rendleman, Police Chief Bob Sterba, Public Works Superintendent Ken Brozovich, Director of Operations Ron Sly, Village Engineer Will Nash, Economic Development Director Nancy Hoehn, Assistant to the Administrator Carol Hennessy and Attorney Chris Spesia

**MAYOR**

Mayor Baldermann explained that New Lenox received the prestigious Governor's Home Town Award which deals with volunteers. He introduced Dan Martin, Public Safety Division Chief, who not only submitted the application on the Village's behalf, but who was also the main coordinator of the entire CERT Program. Dan Martin stated that the Village began its journey to this point two years ago with the development of Safe Communities and Citizen Corp Council. He reported that in 2009 we had 92 people attending the very first CERT meeting. Mayor Baldermann and Public Safety Chief Martin presented certificates and plaques to the 14 individuals who participated in this

years Prairie State Challenge. The New Lenox CERT placed 1<sup>st</sup> Place in the challenge topping a CERT team from the Chicago Police Department.

**CONSENT AGENDA**

Motion to approve 8 items on Consent Agenda #11-27 as presented in packet was made by Trustee Bowden and seconded by Trustee Butterfield

Items up for approval:

- A - Minutes of Regular Meeting – September 26, 2011
- B - Minutes of Regular Meeting – October 10, 2011
- C - Minutes of Regular Meeting – October 24, 2011
- D - Surety Reduction – Nelson Ridge Subdivision
- E - An Ordinance #2216 Amending Ordinance #2200
- F - Surety Release – On-Site Infrastructure - Walmart
- G - Surety Release – Off-Site Infrastructure - Walmart
- H - Surety Reduction – Taylor Glen Unit 2

Upon roll call, the vote was:

**AYES:**                    6                    Trustees Butterfield, Dye, Bowden,  
Smith, Tuminello and Mayor Baldermann

**ABSTAIN:**                3                    Trustee Tuminello     Item B  
Trustee Dye                Item B and C  
Trustee Smith              Item B

**NAYS:**                    0

**ABSENT:**                1                    Trustee Madsen

The motion carried.

**ORDER OF BUSINESS**

**Consideration of an Ordinance #2217 Creating a Class TE Liquor License – New Lenox Lion’s Club Blizzard Benefit – 1<sup>st</sup> Read**

Mayor Baldermann explained that since the event was coming up soon they would waive second read.

There were no Board comments or questions

Motion to waive 2<sup>nd</sup> read was made by Trustee Smith and seconded by Trustee Tuminello. Upon voice vote the motion carried with Trustee Madsen recorded as ABSENT.

Motion to approve a Class TE Liquor License for the New Lenox Lion’s Club Blizzard Benefit was made by Trustee Smith and seconded by Trustee Dye

Upon roll call, the vote was:

**AYES:**                    6                    Trustees Butterfield, Dye, Bowden,  
Smith, Tuminello and Mayor Baldermann

**NAYS:**                    0

**ABSENT:**                1                    Trustee Madsen

The motion carried.

**Consideration of a Request for County Special Use – 1010-1022 South Cedar Road – Doug Schlak**

Ms. Ellis reported that this County Special Use is for an auto repair shop in an I1 Industrial district in Will County. She explained that there are a number of buildings on the site but currently the Special Use only impacts the one business and the one building at 1018 S. Cedar Road. Ms. Ellis stated that the property is contiguous to the Village limits and they have discussed possible annexation with the building owner, however, the Village would likely expect the property be brought up more in conformance with the current codes. She reported that the Plan Commission reviewed the request and recommended the Board not object to the request subject to three conditions being the parking, that the gravel parking lot be maintained and derelict vehicles not to be stored on the property for long periods of time. Mr. Schlak had nothing to add.

There were no comments or questions from the Board.

Motion to not file an objection was made by Trustee Dye based on the conditions in Ms. Ellis’ report and seconded by Trustee Smith.

Upon roll call, the vote was:

**AYES:**                    6                    Trustees Tuminello, Dye, Bowden,  
Smith, Butterfield and Mayor Baldermann

**NAYS:**                    0

**ABSENT:**                1                    Trustee Madsen

The motion carried.

**Consideration of a Request for Preliminary Plat Extension – Sky Harbor Single-Family – Doug Blocker**

Ms. Ellis stated that this request is from Hartz Construction on behalf of the developers of the single-family portion of Sky Harbor. She reported that the preliminary plat is set to expire and they are requesting an extension for an unspecified length of time. She stated in the past the Board has granted a one year extension.

There were no comments or questions from the Board.

Motion to extend the preliminary plat for one year was made by Trustee Bowden and seconded by Trustee Dye

Upon roll call, the vote was:

**AYES:**                **6**                Trustees Bowden, Tuminello, Dye, Smith,  
Butterfield and Mayor Baldermann

**NAYS:**                **0**

**ABSENT:**            **1**                Trustee Madsen

The motion carried.

**Consideration of a Contract for WWIP #1 Study**

Mr. Sly reported in packet is a proposal from Donahue & Associates for a preliminary study to evaluate nutrient removal processes. He asked the Board for approval of the contract in the amount of \$19,674.00.

Trustee Dye reported that her committee discussed this contract and stated that because this is not a service there is no bid process involved, and that Donahue & Associates was the best vendor with the best price.

There were no more comments or questions from the Board.

Motion to approve the contract for the WWTP#1 Study was made by Trustee Dye and seconded by Trustee Bowden

Upon roll call, the vote was:

**AYES:**                **6**                Trustees Bowden, Tuminello, Dye, Smith,  
Butterfield and Mayor Baldermann

**NAYS:**                **0**

**ABSENT:**            **1**                Trustee Madsen

The motion carried.

**Consideration of a Plat of Vacation – Silver Cross Hospital**

Mr. Nash reported that there are multiple easements on this site for public utilities services. He stated that over the course of the project there were some slight modifications to the site as well as the buildings that necessitated small vacations of certain portions of easements.

There were no comments or questions from the Board.

Motion to approve the plat of vacation for Silver Cross Hospital was made by Trustee Bowden and seconded by Trustee Smith

Upon roll call, the vote was:

**AYES:**                    **6**                    Trustees Dye, Bowden, Tuminello, Smith,  
Butterfield and Mayor Baldermann

**NAYS:**                    **0**

**ABSENT:**                **1**                    Trustee Madsen

The motion carried.

**Consideration of an Acceptance of Easement – Silver Cross Hospital**

Mr. Nash reported this grant of easement will dedicate all the public utility easements that will be needed for services to the hospital and the adjoining buildings.

There were no comments or questions from the Board.

Motion to approve the acceptance of easement for Silver Cross Hospital was made by Trustee Dye and seconded by Trustee Smith

Upon roll call, the vote was:

**AYES:**                    **6**                    Trustees Tuminello, Bowden, Dye, Smith,  
Butterfield and Mayor Baldermann

**NAYS:**                    **0**

**ABSENT:**                **1**                    Trustee Madsen

The motion carried.

**Tax Levy Announcement**

Ms. Auchstetter announced the tax levy for the 2011 taxes is \$2,333,387.00, which is keeping with the tax cap provisions. She explained this figure is a 2.17% increase over the 2010 tax levy. She stated the increase is a result of both new growth in the Village and applying the inflation factor of 1.5%. She noted that she he had worked very closely with Bonnie Hernandez, the New Lenox Tax Assessor.

Mayor Baldermann stated that the Village has stuck with its promise to keep in line with the tax caps. He said as a Home Rule Community the Village is not obligated to do so however, the Village has pledged that we would do our best and we have kept this pledge. He reported that the Village of New Lenox has the third lowest tax rate for municipals in all of Will County. Mayor Baldermann noted that this will be brought back to the December 12<sup>th</sup> Village Board meeting for approval.

**Resolution #11-31 Establishing Criteria for Tax Refund Authorized by Resolution #08-33**

Mayor Baldermann explained that this is the second year of the property tax rebate and the Board decided to rebate 50%. He stated that this resolution will have to be reviewed annually.

Mayor Baldermann reminded residents to make sure they return the tax rebate applications by December 15, 2011.

Motion to adopt resolution establishing criteria for tax refund was made by Trustee Bowden and seconded by Trustee Butterfield

Upon roll call, the vote was:

- AYES:**                    6                    Trustees Bowden, Tuminello, Dye, Smith, Butterfield and Mayor Baldermann
- NAYS:**                    0
- ABSENT:**                1                    Trustee Madsen

The motion carried.

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**MAYOR**

Mayor Baldermann congratulated all the CERT volunteers.

Mayor Baldermann reported that he and Mr. Carroll had a meeting with the Will County Engineer and Will County Board members regarding the Canadian National (CN) Quiet Zones. He gave a brief update of what will be required for quiet zones at Cedar and Gougar Roads.

Mayor Baldermann reported on the concert with Jim Peterik & World Stage on January 14<sup>th</sup> at Lincoln Way West High School. He stated that tickets will go on sale November 28<sup>th</sup> at the New Lenox Village Hall. He added you can only buy them at the Village Hall. They range from \$30.00 to \$60.00 with all the profits going to Lincoln Way School District 210 Foundation.

Trustee Dye asked how many tickets there are. Mayor Baldermann answered 900.

**VILLAGE ATTORNEY** - None

**VILLAGE ADMINISTRATOR** - None

**PAYROLL & DISBURSEMENTS**

Trustee Butterfield made the motion to approve bi-monthly disbursements in the amount of \$1,630,018.54 in addition approval is needed for bi-weekly payroll in the amount of \$297,145.30 that was paid out on November 4, 2011.

Trustee Dye seconded the motion.

No comments or questions from the Board

Upon roll call, the vote was:

**AYES:**                    **6**                    Trustees Dye, Tuminello, Butterfield,  
Bowden, Smith, and Mayor Baldermann

**NAYS:**                    **0**

**ABSENT:**                **1**                    Trustee Madsen

The motion carried.

**QUESTIONS AND/OR COMMENTS FROM THE FLOOR**

**TRUSTEE COMMENTS**

**Trustee Tuminello**

Trustee Tuminello congratulated Public Safety Chief Dan Martin.

Trustee Tuminello thanked all the Veterans that served and currently serve our Country.

Trustee Tuminello reported the Streets & Drainage Committee met and discussed the Grace Episcopal Church regarding an existing alley.

Trustee Tuminello reported on the rate increase for construction debris.

Trustee Tuminello gave a road construction update. He stated that Rt.6 and Silver Cross Blvd. pavement is down and they are working on the markings and lighting. He reported that Cedar Crossings Drive and Silver Cross were paved and are in the process of pouring curbs. Trustee Tuminello concluded that according to IDOT they are still on schedule to finish Rt. 30 late 2012.

Trustee Tuminello reported that within the next few months he and Trustee Bowden will be coming before the Board with some resolution for Schoolhouse Road and Joliet Highway issues, the sidewalk on Rt. 30 connecting Cedar Road to Walmart and the water drainage issue in Aerohaven.

Mayor Baldermann reported that the widening at Rt. 30 and Gougar Road will take place in 2012.

**Trustee Butterfield**

Trustee Butterfield stated that he's happy about the widening of Gougar Road at Rt. 30.

Trustee Butterfield congratulated the CERT Team.

**Trustee Madsen**

Absent

**Trustee Dye**

Trustee Dye reported that Boy Scouts collected an impressive amount of food for the New Lenox Township Food Pantry.

**Trustee Bowden**

Trustee Bowden congratulated Public Safety Chief Martin.

Trustee Bowden reported on the upcoming Christmas in the Commons on December 4<sup>th</sup>.

**Trustee Smith**

Trustee Smith congratulated CERT

**EXECUTIVE SESSION**

Motion to recess to executive session at 7:47 p.m. for matters of Litigation and Personnel was made by Trustee Smith and seconded by Trustee Bowden

Upon roll call, the vote was:

**AYES:**                    **6**                    Trustees Dye, Tuminello, Butterfield,  
Bowden, Smith, and Mayor Baldermann

**NAYS:**                    **0**

**ABSENT:**            1            Trustee Madsen

The motion carried.

**RECONVENE**

All members of the corporate authorities previously in attendance before Executive Session including Mr. Carroll and Ms. Ruhl were in attendance when the Board reconvened at 7:59 p.m.

**ADJOURNMENT**

Motion to adjourn the meeting made by Trustee Smith and seconded by Trustee Bowden. Upon voice vote, the motion carried. The Regular Meeting of the Village of New Lenox Board of Trustees held on November 14, 2011 adjourned at 8:00 p.m.

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Laura Ruhl, Village Clerk