

MINUTES OF THE REGULAR MEETING OF THE
NEW LENOX BOARD OF TRUSTEES
New Lenox Village Hall, 1 Veterans Parkway
Monday, June 28, 2010

#10-17

CALL TO ORDER

The Regular Meeting of the New Lenox Village Board of Trustees was called to order at 7:05 p.m. by Mayor Timothy Baldermann in the Council Chambers of the New Lenox Village Hall.

ROLL CALL

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

Trustees Madsen, Bowden, Tuminello, Dye, and Mayor Baldermann

Absent: Trustees Smith and Butterfield

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 Russ Loebe, Finance Director Kim Auchstetter, Village Clerk Laura Ruhl, Planning & Development Administrator Robin Ellis, Village Engineer Will Nash, Police Chief Bob Sterba, Public Works Superintendent Ron Sly, Building Administrator Warren Rendleman, Assistant to the Administrator Carol Hennessy, Village Attorney Chris Spesia, and Deputy Clerk Bonnie Motyka.

CITIZENS REQUESTS & SPECIAL REQUEST

State Senator Christine Radogno – Local Update Presentation

Mayor Baldermann reported that State Senator Christine Radogno was in attendance to update the Board on events happening in Springfield that have a direct impact on New Lenox.

Senator Radogno discussed the financial difficulties in Illinois noting there was still work to be done in Springfield. She stated she was glad they adjourned without raising taxes or borrowing more money because she was opposed to that. She added that people would feel the effects of the cuts that were made but raising taxes or borrowing money would have put

off the pain even longer. She reported the Capital Bill, Pension Reform for State employees and Ethics Reforms were passed in a bi-partisan fashion.

Senator Radogno explained Capital Bill projects would be done in New Lenox adding the State borrowed money to be used for certain projects but could not be used to pay bills. She stated that infrastructure was an important item which allowed people to get around as well as put people to work. She reported an important issue for New Lenox was Route 30 and the multi-year Capital Bill (FY 2011-FY 2018) included the entire amount for full construction. She explained all the money would not be released today but in the next year there was money for additional engineering work that needed to be done adding that the State would continue to sell bonds during that time and when the plans were done the money would be issued for the construction. She reported progress was being made noting she shared credit with State Representative Kosel who worked hard on this project.

Senator Radogno reported that \$200,000 was secured for sewer improvements and \$300,000 for Village roads noting Illinois Highway and Nelson Road would be the beneficiaries of that money. She stated this direct help for New Lenox which might help with property tax issues. She invited the Board and residents to call her office any time with questions or comments.

Mayor Baldermann reported the \$200,000 for sewer improvements and the \$300,000 for Illinois Highway, Nelson Road and other overlay projects would go a long way. He noted the Board's primary focus for the past few years was transportation and infrastructure especially Route 30. He thanked Senator Radogno for her assistance in procuring this money which was not in the Village budget. He noted that Representative Kosel had been a big part of this as well.

Mayor Baldermann asked about video gaming and when the Gaming Board would have final rules and regulations ready. He asked if there had been any other conversations of communities opting out and the effect on the Capital Bill.

Senator Radogno stated video gaming was the most controversial piece of the revenue stream. She noted there were other pieces of the revenue stream that were in place right now and the State was receiving money to begin issuing bonds. She reported the Gaming Board was working hard on getting the rules and regulations done. She stated the number of communities opting out of gaming had slowed to a trickle noting she thought that those that wanted out were out. She added there was still discussion on whether Chicago would opt in. She noted estimates for revenue from video poker were done high and low so the revenue stream would be sufficient. She added this was an extraordinarily complicated issue that the Gaming Board continued to work on. She stated it may take another year to get this off the ground due to the complexity. She reported that liquor taxes, drivers' license fees, reclassification of soda pop, and non-prescription drugs already were bringing in revenue.

Trustee Dye thanked the senator for all of the hard work she did for New Lenox.

Request for Road Closure – Nelson Road – NGPL

Mr. Sly reported the representatives from NGPL were in attendance to address the Board. He stated Fire Department comments were included in packet.

Mr. John Nauman, Land Contractor for Natural Gas Pipeline, and Craig Howard, Engineer for Natural Gas Pipeline, addressed the Board. Mr. Howard reported the anomaly was approximately 19' further to the west of the location adding their pipeline ran east and west. He stated to the north there was a pipeline that paralleled them 20' north of the ComEd tower and south there was a fiber optic line approximately 15' south of the ComEd tower adding they were located in the center of the ComEd tower. Mr. Nauman reported that ComEd denied their request to replace the pipeline halfway from their line.

Mr. Howard requested NGPL be allowed to install a temporary road (9 feet of additional pavement) on the east side of Nelson Road to tie into the existing pavement where a flagman would be placed to the north and south for one-way traffic. He stated the lane would be open for residential traffic and emergency vehicles with no commercial trucks allowed on the road while work was being done. He added at 6 a.m. they would plate the road so that Nelson Road would be completely open to traffic in both directions for commercial and residential.

Mayor Baldermann asked that the new temporary road be coned off during that time to prevent traffic use. Mr. Howard made a point of this request. Mayor Baldermann stated the proposal was for a flagman from 8 p.m. to 6 a.m. and the road open with the plate in place from 6 a.m. to 8 p.m. Mr. Howard stated this was correct. Mayor Baldermann asked if they could complete the work in the three week timeline. Mr. Howard stated they could. Mayor Baldermann noted this would have to be complete by the time school was back in session in August. Mr. Howard stated he was comfortable with the timeline.

Trustee Tuminello reported that this was 100% acceptable to him as a resident who lived on the south side of town. He noted this was a good compromise adding he appreciated the hard work done to find a solution.

Trustee Dye asked if school buses would be able to use the road with the plate if the plan did not go as described. Mr. Howard stated the plate would be in place from 6 a.m. to 8 p.m. and could handle any commercial traffic.

Mayor Baldermann stated he did not want to see any repairs or issues during the school session. He added the plate would allow all traffic during daytime hours noting the closure for commercial would be during construction time. He asked if appropriate lighting would be available. Mr. Howard stated they had light plans and would have flagmen at both the north and south end of the road noting they had to follow IDOT specifications for barricades and flagmen. Mayor Baldermann asked if the Fire Department had been contacted. Mr. Sly stated he spoke to Chief Mead who was fine with this plan noting they were resistant to full closure of the roadway.

Trustee Bowden asked that the work time be stated again. Mr. Howard stated the workers would be in the area from 8 p.m. until 6 a.m. Mayor Baldermann stated during that time a

new lane would be open for traffic. Trustee Bowden asked if there was a possibility of doing double duty to complete the project if problems arose. Mr. Howard stated they did have the capability to work longer hours to complete the project. Trustee Bowden thanked the representatives for working with the Board on this issue.

Motion to approve the request for road closure for Nelson Road made by Trustee Tuminello and seconded by Trustee Bowden. Upon voice vote, the motion carried with Trustees Smith and Butterfield recorded as ABSENT.

Request for Site Plan – Provena Medical Arts Pavilion – Charles Smith

Ms. Ellis reported the request was for site plan approval for the proposed 47,000 square foot building situated closer to Route 30. She stated the Board amended the annexation agreement and rezoned a portion of the property at their last meeting. She stated the rezoned area would be the parking lot and storm water detention facility.

Ms. Ellis reported discussion was held on future cross access to the property to the south. She explained the developer agreed to cross access if the property was developed with an assisted living facility but if the property developed with single-family or multi-family then the developer did not want residents cutting through their parking lot. She stated all of the changes the cross access easements previously negotiated needed to be amended due to the changes. Staff requested that these easements be recorded and provided before the building permit was issued. She reported the developer was still working with IDOT on the relocation of a light pole. Staff suggested another condition of Board approval would be all of the IDOT approval before issuance of occupancy permit.

Ms. Ellis reported the building would be all precast concrete panels with good architecture on all four sides. She stated signage was in compliance with the zoning ordinance. Staff recommended approval subject to the conditions noted in staff report.

Mr. Jeff Brickman, Provena, reported this was a major investment for Provena who had been a partner with the Village for a number of years. He noted this would provide an opportunity to bring in additional services for medical care. He said there would be a contemporary set of programs for women's care to provide comprehensive services typically found in a regional center like downtown Joliet. He stated services available would include an immediate care center as well as private offices of medical specialists. He thanked the Board for their consideration of this request. He hoped the project could be up by summer 2011.

Mayor Baldermann reported the Board believed quality healthcare was second to none.

Trustee Dye stated that urgent immediate care was not a service New Lenox had now and this was big for New Lenox.

Mr. Brickman stated that this would be a convenient, affordable service with the same level of physicians that staff the emergency medical department in Joliet.

Trustee Bowden commented that the site plan was very attractive and hoped that the finished product would be close to that. She agreed with Trustee Dye on the need for the urgent immediate care in New Lenox.

Trustee Madsen commented on the job opportunities that this project would bring. Trustees Bowden and Tuminello agreed.

Motion to approve the request for site plan for Provena Medical Arts Pavilion made by Trustee Dye and seconded by Trustee Tuminello. Upon voice vote, the motion carried with Trustees Butterfield and Smith recorded as ABSENT.

CONSENT AGENDA

Three items up for consideration were:

- A - Request for Temporary Signs, Waiver of Fees and Other Municipal Services – Proud American Days – New Lenox Community Park District
- B - Setting of Surety Amount – Provena Medical Arts Pavilion
- C - Request for Temporary Signs – Kids Fest 2010

Motion to approve the Consent Agenda #10-17 consisting of 3 items made by Trustee Madsen and seconded by Trustee Bowden.

Upon roll call, the vote was:

AYES:	<u>5</u>	Trustees Bowden, Madsen, Tuminello, Dye, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>2</u>	Trustees Smith and Butterfield

The motion carried.

ORDINANCES & RESOLUTIONS

Resolution #10-24 Amending Resolution #10-10 – Open Space Fees

Ms. Ellis reported on meetings with local developers where discussion involved current codes and what the housing market would hold when the economy turned around. She stated one item of discussion was the open space and impact fees collected for new developments adding that several neighboring communities offered rebates the last few years. She reported the proposed amendment was to reduce all of the impact fees by 50% for the next 18 months. She stated the revised resolution was on the dais to reflect the Park District's request that Hibernia Estates not be included in the 50% Park reduction. She stated they would receive

the reduction for all other taxing districts but due to the Park District making significant investment in the park side predicated on the open space fees.

Mayor Baldermann stated there had been a great deal of discussion on how to spur residential growth in the Village. He reported the Board had done a great job streamlining the process and doing more work in-house as well as discussing letters of credit and building codes. He added the Board decided that they would not compromise the quality of what was built due to the down economy. He stated he thought that these measures would allow the Board to spark residential growth which was important to future commercial growth as well as put people in the community to work. He noted the discussion was to move the adjustment to January 1st from May 1st so the homebuilders would have more information for better marketing of the homes. He reported this would be re-evaluated after 18 months. He discussed the fact that this would help because an occupied home would provide additional tax revenues to all taxing bodies versus a vacant lot. He stated the Board was faced with half built subdivisions with land that the developers/builders own and owe money on. He noted in order for them to pay their bills they had to ask a price that they would never receive for many years which negatively impacted the people living in those subdivisions with no sidewalks, no park, or neighbors. He hoped this would spur positive residential growth and employment.

Trustee Tuminello agreed with Mayor Baldermann's comments. He added that this was just for existing subdivisions that had already been approved. He noted brand new subdivisions would not receive this benefit. He reported this was to move the existing subdivisions and get them finished. He added New Lenox was a blue collar town and there were a lot of people in construction out of work. He hoped this action by the Board would help make a difference.

Trustee Dye reported that other towns did incentives to attract new residents. She added that New Lenox did what was best for its residents. She stated this was a collaborative effort with all taxing bodies to see if it would spur movement in housing stock.

Trustee Bowden reported the Board worked well with the other taxing bodies and she applauded everyone for understanding what needed to be done. She stated it was a community-wide problem that the Board was trying to fix.

Mayor Baldermann reported he spoke to almost all of the other taxing bodies and there was some hesitation from members of some boards but the Village had to do what they thought was best for the majority. He agreed that the Village had a good, trusting relationship with other taxing bodies and everyone working together was paying off for the residents of New Lenox. He stated the risk to the taxing bodies was minimal.

Motion to adopt Resolution #10-24 amending Resolution #10-10 for Open Space Fees made by Trustee Dye and seconded by Trustee Tuminello.

Upon roll call, the vote was:

AYES: 5 Trustees Madsen, Bowden, Dye, Tuminello, and
Mayor Baldermann

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Trustees Smith and Butterfield

The motion carried.

Ordinance Amending Chapter 106 of Village Code – Temporary Real Estate Advertising Signs – 1st Read

Ms. Ellis reported the Building Department could currently issue temporary use permits in six month increments for 2.5 years for the subdivision advertising signs. She stated this was another topic of discussion with the developers who found that with the current residential pace the timeframe for signs was not adequate. She reported that subsequent renewals required Zoning Board of Appeals and Village Board approval. She added in an effort to streamline the process the amendment would increase the allowable time period for temporary use to 5 years subject to provision of cash bond of \$500. She noted the developer would have a specified timeframe to repair or replace the sign and if that was not done the cash bond would cover removal costs. She reported the Plan Commission held a public hearing a few weeks ago and had no comments.

Trustee Bowden asked if there were specific materials that would provide better quality for a 5-year sign versus 2-year sign. Mr. Rendleman stated most signs were well maintained and weathered well. Ms. Ellis added that the Plan Commission suggested an annual inspection on the anniversary of the permit by Code Enforcement or Planning. She noted the sign repair or replacement was at staff discretion.

Ordinance Amending Chapter 106 of Village Code – Driveway Aprons – 1st Read

Ms. Ellis reported this text amendment was another point of discussion in the developer meetings. She stated the Plan Commission held a public hearing on June 15th. She added currently driveways could be brick pavers, asphalt, and concrete on the private property but within the Village rights-of-way the aprons needed to be concrete. She stated in order to be consistent on a house-by-house basis the suggestion was to allow the code to be amended to allow a concrete or asphalt with the stipulation that if the driveway be of the same material. Plan Commission discussed the aesthetics of the subdivision but gave no recommendation for or against the presented text amendment.

Trustee Dye asked why the Plan Commission did not make a recommendation. Ms. Ellis stated they did not always give a recommendation on text amendments.

Trustee Tuminello stated pavers were not included. Ms. Ellis stated this was correct.

Trustee Bowden asked how that would work. Ms. Ellis stated the apron had to be constructed of the same material if the driveway was constructed of concrete or asphalt. Mayor Baldermann stated this would be uniform.

Trustee Tuminello stated his only concern was multiple builders where the subdivision would not be uniform. He noted that the apron and pad would be uniform. Mayor Baldermann stated there were existing subdivisions that already had this.

Trustee Bowden asked if onus for repair would be on the Village or property owner. Mayor Baldermann stated the property owner would be responsible unless it was work that the Village did that tore up the apron.

Ordinance Authorizing Development Agreement – Prairie Ridge Estates – 1st Read

Ms. Ellis reported the Board reviewed the initial draft at the last meeting where there were requested changes adding most changes had been made.

Ms. Ellis reported the agreement said that the Lockport Township Fire District conditionally approved the issuance of the two model home permits. She added Village Attorney recommended more forceful language and possible written approval due to the water line not being constructed.

Ms. Ellis reported on a change to the obligation for the Village to do whatever they legally could to strongly encourage MCZ to install the water main. She stated Village Attorney was not clear on how far the Village could go with their legal authority. She noted the Village intended to do what they could to get MCZ to move forward to construct the water main in a timely manner. She expressed concern that the language could put the Village at risk to do something they would not normally do.

Ms. Ellis requested Board comment regarding a request that the 15% inflationary contingency added to the letter of credit formula not be applicable to this development due to the water main issue. She noted this would affect language in this agreement as well as the formula.

Ms. Ellis reported the waiver of building permit fees was removed from the agreement.

Trustee Dye reported she asked for indemnification from the Fire Department so the Village would not be at fault if one of the houses caught on fire and the water was not there. Ms. Ellis stated standard indemnification language was added to the agreement and said that if the Village became part of any litigation arising out of any of the developer's activities that they would indemnify the Village from any claims. Trustee Dye stated she appreciated that this was a unique development but the 15% was required by other developers and she did not think there was justification to deviate from that at this point. She added that Ms. Ellis' report was appropriate where it stated that there would be no expenditures incurred by the Village when encouraging or requiring MCZ to begin construction of the water main.

Trustee Bowden concurred with Trustee Dye.

Mr. Gary Mueller stated he thought the letter they provided from the Fire District provided a level of comfort along with the indemnification language. He stated the terminology previously regarding MCZ suggested the Village provide “an” effort and the developer would like stronger language. He commented that the other developers did not get to waive the 15% but most developers were not coming in saying they would complete this in a short amount of time. He stated bids were completed and they knew how much things would cost. He noted in this case they did not think the 15% would kick in and should not be required.

Mayor Baldermann stated the Fire Department was not an issue. Trustee Dye added it was not an issue due to the indemnification language.

Trustee Tuminello asked about the worse case scenario timeframe. Mr. Mueller stated this should be fully constructed and in place by mid-spring 2011. He noted they would know within the next 120 days if MCZ or a third party would come forward. He stated if they did not then this developer would put a letter of credit up.

Trustee Tuminello asked if there was a tool at the Village’s disposal if they waived the 15% and it went past a certain date where the Board could apply the 15%. Mr. Spesia stated this could be addressed with language in the agreement. Trustee Tuminello stated he did not have a problem with the 15% if there was language to add it at a certain date. Mr. Spesia stated this would be if construction did not commence by a certain date then the 15% could apply.

Trustee Dye asked how this would be collected if it did not happen. Mr. Mueller stated one of the main provisions was work stoppage.

Trustee Madsen asked where the 15% came from. Mr. Mueller stated this was the Village’s inflationary amount. Mr. Spesia stated this would put the Village in a more difficult position because there would be a letter of credit posted with an insufficient amount.

Trustee Bowden stated she would rather not go through the stoppage of work and starting up again. She added she was not comfortable with this and would like something in place for easier transition.

Mayor Baldermann asked how much the 15% was. Mr. Nash stated the amount was around \$350,000 to \$400,000 and 15% on top of that.

Mr. Spesia stated the Village could do “reasonable efforts” for the MCZ issue.

Mayor Baldermann added the 15% request was not going to happen. He noted the Board appreciated the uniqueness of the subdivision and hoped it would be successful.

Mr. Mueller asked if they would be part of the change to impact fees. Ms. Ellis stated Prairie Ridge was listed.

Resolution #10-25 Amending Resolution #98-13 – Letter of Credit

Mr. Nash reported that during the meetings with the developers over the past few months another request was to reduce the letter of credit surety. He stated there was a 10% contingency held on the letter of credit from start to finish on the full amount of public improvements. He added some developers had minimal amounts of public improvements to finish and the letter of credit held was 10% of the full amount. He reported this amendment would remove the 10% of the total public improvements and just hold the 10% of whatever work was left.

Motion to adopt Resolution #10-25 amending Resolution #98-13 for Letter of Credit made by Trustee Bowden and seconded by Trustee Tuminello.

Upon roll call, the vote was:

AYES:	<u>5</u>	Trustees Tuminello, Madsen, Dye, Bowden, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>2</u>	Trustees Smith and Butterfield

The motion carried.

REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS

MAYOR - None

VILLAGE ATTORNEY – None

VILLAGE CLERK - None

POLICE CHIEF - None

FINANCE DIRECTOR - None

PLANNING & DEVELOPMENT ADMINISTRATOR – None

BUILDING & ZONING ADMINISTRATOR - None

ECONOMIC DEVELOPMENT DIRECTOR - Absent

VILLAGE ENGINEER

Acceptance of Easements – Provena Medical Arts Pavilion

Mr. Nash reported the site plan was approved earlier in the agenda. He stated this would grant an easement over the storm sewer facility as well as the water main facilities on that side.

Motion to approve the acceptance of easements for Provena Medical Arts Pavilion made by Trustee Dye and seconded by Trustee Bowden.

Upon roll call, the vote was:

AYES: 5 Trustees Madsen, Tuminello, Dye, Bowden, and Mayor Baldermann

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Trustees Smith and Butterfield

The motion carried.

PUBLIC WORKS SUPERINTENDENT

Engineering Proposal – Oak Drive Sanitary Sewer Improvements

Mr. Sly reported the proposal from Christopher Burke Engineering was to perform evaluation and design work on sewer improvements on Oak Drive. He stated the estimate was in the amount of \$13,200 and involved permitting noting the estimate was based on their standard hourly rates.

Motion to approve the engineering proposal from Christopher Burke Engineering for Oak Drive sanitary sewer improvements in the amount of \$13,200 made by Trustee Bowden and seconded by Trustee Tuminello.

Upon roll call, the vote was:

AYES: 5 Trustees Dye, Bowden, Madsen, Tuminello, and Mayor Baldermann

NAYS: 0

ABSTAIN: 0

ABSENT: 2 Trustees Smith and Butterfield

The motion carried.

VILLAGE ADMINISTRATOR – None

PAYMENT OF BILLS

Motion to approve disbursements in the total of \$3,312,429.58 including bi-weekly payroll in the amount of \$290,082.99 and monthly payroll in the amount of \$6,315 both payable on June 18, 2010 and bi-weekly payroll in the amount of \$285,917.42 payable on June 4, 2010 and disbursements in the amount of \$2,420.99 made by Trustee Madsen and seconded by Trustee Dye.

Upon roll call, the vote was:

AYES:	<u>5</u>	Trustees Dye, Bowden, Madsen, Tuminello, and Mayor Baldermann
NAYS:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>2</u>	Trustees Butterfield and Smith

The motion carried.

QUESTIONS AND/OR COMMENTS FROM THE FLOOR - None**TRUSTEE COMMENTS**

Trustee Smith – Absent

Trustee Madsen

Trustee Madsen wished everyone a safe Fourth of July and encouraged residents to attend the fireworks done by the Village instead of doing fireworks at home.

Trustee Bowden

Trustee Bowden reported that Fourth of July in the Commons would start at 7 p.m. with Scarlet Rising, 8:30 Joliet American Legion Band, and 9:30 Fireworks. She noted there would be free shuttle service from the Metra lot.

Trustee Bowden announced that the Wednesday, June 30th movie would be *Cloudy with a Chance of Meatball* and July 7th would be *Ink Heart*. She encouraged residents to come enjoy these free events.

Trustee Bowden reported that Kids Fest would be from 11 a.m. to 3 p.m. on Sunday, July 11th. She stated the New Lenox Community Band and the Frankfort Brass Band would perform later in the evening.

Trustee Butterfield - Absent

Trustee Tuminello

Trustee Tuminello reported that Scarlet Rising opened for one of the Triple Concert Series events last year and were very good. He wished everyone a safe and happy Fourth of July.

Trustee Dye

Trustee Dye hoped residents would be safe over the holiday especially with fireworks.

Mayor Baldermann agreed that it was not safe to use fireworks and asked residents to be courteous of their neighbors during the holiday.

EXECUTIVE SESSION**RECESS**

Motion to adjourn to Executive Session for Section 2(c)(1) the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body, including hearing testimony on a complaint lodged against an employee to determine its validity made by Trustee Bowden and seconded by Trustee Dye.

Upon roll call, the vote was:

AYE:	<u>5</u>	Trustees Bowden, Madsen, Tuminello, Dye, and Mayor Baldermann
NAY:	<u>0</u>	
ABSTAIN:	<u>0</u>	
ABSENT:	<u>2</u>	Trustees Smith and Butterfield

Motion carried. The meeting recessed at 8:10 p.m.

RECONVENE

Motion to reconvene to regular session made by Trustee Bowden and seconded by Trustee Madsen.

Upon roll call, the vote was:

AYE:	<u>5</u>	Trustees Madsen, Bowden, Dye, Tuminello, and Mayor Baldermann
NAY:	<u>0</u>	
ABSTAIN:	<u>0</u>	

ABSENT: 2 Trustees Smith and Butterfield

Motion carried. The meeting reconvened at 8:23 p.m. with all members of the corporate authorities previously in attendance before Executive Session still in attendance including Mr. Loebe and Ms. Ruhl.

Matters of Personnel

Motion to offer a settlement agreement with 30 days of insurance to employee and if unsuccessful then proceed to termination made by Trustee Madsen and seconded by Trustee Bowden.

Upon roll call, the vote was:

AYE: 5 Trustees Madsen, Bowden, Dye, Tuminello, and Mayor Baldermann

NAY: 0

ABSTAIN: 0

ABSENT: 2 Trustees Smith and Butterfield

Motion carried.

ADJOURNMENT

Motion to adjourn the meeting made by Trustee Bowden and seconded by Trustee Madsen. Upon voice vote, the motion carried with Trustees Butterfield and Smith recorded as ABSENT. The Regular Meeting of the Village of New Lenox Board of Trustees held on June 28, 2010 adjourned at 8:25 p.m.

Bonnie Motyka, Deputy Clerk