

# HOMER TOWNSHIP

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STATE OF ILLINOIS

Will County,  
Town of Homer,

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MONTHLY BUSINESS/PLANNING  
MEETING

Draft February 2008

**THE BOARD OF TOWN TRUSTEES** met at the Town Hall (16057 S. Cedar Road, Homer Glen IL.) on February 4, 2008.

<b>PRESENT:</b>	Andrew Fazio	Supervisor	
	Evelyn K. Walano	Town Clerk	
	Stephen J. Balich	Trustee	arrived 7:35 pm
	Mike Costa	Trustee	
	Pam Meyers	Trustee	
	Nancy Strack	Trustee	

Township Supervisor Andrew Fazio and Evelyn K. Walano Township Clerk conducted the monthly Township Board meeting where the following official business was transacted: The meeting was called to order at 7:10 pm by Supervisor Fazio who asked Trustee Strack to lead the pledge to the flag. Also present were Attorney Gerald Sramek and Assessor Karen Szykowski. Highway Commissioner DeVivo arrived at 7:45 pm

**AMENDMENTS TO THE AGENDA:** Supervisor Fazio asked for an amendment to the agenda to approve the minutes from the January 18<sup>th</sup>, 2008 Special Board meeting. **MOTION** by Trustee Costa to add approval of 1/18/08 minutes 2<sup>nd</sup> by Trustee Meyers **ROLL CALL** Trustee Balich – absent, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**OPEN FORUM:** Allison Walk of Metcalf and Eddy updated the board regarding the Lockport Heights Sanitary District grant for 2007 which was not awarded. They are asking for support from the Township as they apply again for a grant for phase 2 of a project started in 2005 to line the sewers in Lockport Heights. The application is for approximately \$100,000.00. This would be the last phase of this project. **MOTION** by Trustee Strack to support the application 2<sup>nd</sup> by Trustee Costa **ROLL CALL** Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – absent, Trustee Costa – yes, Supervisor Fazio – yes. **MOTION CARRIED**

Robert Nolter of 13114 W. Hedge Apple Dr. said the snow plow knocked down his mail box. He has discussed this with Commissioner DeVivo several times. He didn't get mail for two days because his mail box was down. It was a brand new mail box and now he has a five gallon bucket with his mail box set in it. He stated that Commissioner DeVivo

directed him to come to the board to resolve the issue. The Township Board doesn't have jurisdiction in Highway matters and didn't understand why he would be sent to the Board.

**PLAN COMMISSION REPORT:** There have been no new cases this month. However there are a couple coming up.

**SUPERVISOR REPORT: 1. Garbage – Founders:** NuWay Refuse Co. is willing to keep garbage prices at current rates without a contract for the Township garbage. With Waste Management we have to sign a 3 year contract and they still increase the costs while the contract is in force. **MOTION** by Trustee Costa to change waste haulers to NuWay 2<sup>nd</sup> by Trustee Strack, discussion: Trustee Meyers asked if this was something they needed to go out to bid for, Supervisor Fazio said no. **ROLL CALL** Trustee Strack – yes, Trustee Balich – absent, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**2. Board request January meeting:** skipped

**3. Audit:** Herin Associates Accounting firm works with Mokena and Orland Township. Their price to do the audit including all of the Township accounts and Road District is \$6,750.00. The other accounting firm wanted \$14,500.00 **MOTION** by Trustee Strack to go with Herin Associates Accounting for the annual audit 2<sup>nd</sup> by Trustee Costa, **ROLL CALL** Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – absent, Supervisor Fazio – yes. **MOTION CARRIED**

**4. Spring Start Up:** Prices from Aquamist were submitted to the board for an irrigation contract for spring start up and fall shut down for the year 2008 for the Football fields and for Morris Park Soccer Fields. There are some items that need to be fixed at the Soccer Field but that will come later. **MOTION** by Trustee Costa to go with Aquamist for the irrigation contract for spring and fall for 2008 2<sup>nd</sup> by Trustee Meyers, discussion: Trustee Costa asked if this was just for Morris Park Supervisor Fazio said, no this is for all. Trustee Costa said the Homer Football would like to change all the sprinkler heads. He asked if this was just for irrigation or did it include the concession stand? This is for all spring start up and fall shut down. Trustee Costa would like a cost estimate prior to doing any other work. **ROLL CALL** Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – abstain, Trustee Costa – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**5. Kevin Killmer Field use:** A request was made by the Butterfly Garden Learning Center to use the Football field for a picnic May 29<sup>th</sup> or 30<sup>th</sup>. **MOTION** by Trustee Strack to allow the use of the field subject to approval from HAC 2<sup>nd</sup> by Trustee Meyers, **ROLL CALL** Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**6. Open Space Farm:** This will be discussed under Trustee Costa's report

**7. Play ground:** This will be discussed under Trustee Costa's report

**8. Senior Services:** A request was submitted by Senior Services of Will County for a \$2000.00 donation sighting a 7% increases in services delivered to Homer Township Seniors. Last year a donation of \$1,500.00 was made. It was decided to hold off until March to make any donations.

**9. Clark Mosquito Contract:** The fees will not increase from the 2007 contract currently in effect. **MOTION** by Trustee Strack to continue with Clark Mosquito service 2<sup>nd</sup> by Trustee Meyers, **ROLL CALL**, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED**

Road Commissioner DeVivo came in at 7:45 pm at which time Supervisor Fazio asked him about the residents request for a new mail box. Commissioner DeVivo stated that this mailbox was knocked down by the snow, not the plow. This mailbox is expensive, his question is, where do the payments stop? There was a mailbox that was knocked down that is brick and costs \$3,000.00. Should the tax payers pay for such an expensive mailbox? It was determined that a policy regarding mail box replacement needs to be created.

#### **TRUSTEE REPORTS:**

**Trustee Balich:** 1. **Senior meeting** went well there will probably be another one in the summer.

2. **Will County Clerk:** Letter was read and submitted from the Will County Clerk in reference to early voting. There was a special meeting where it was determined a letter would be sent asking for the Clerks resignation because she was only at early voting for a few hours. Letters were also read from Joann and Mary Pat regarding the working conditions in the office. They felt the hostile environment was created by the Clerk. She had said she would be in the office the entire time and was only there for a few hours. The election judges sworn in by the County Clerk were not acceptable and they still worked one more day. Township Clerk was asked to make copies for the packet but the copy room door was locked. The Supervisor stated the door is locked for everyone now at night because of the machine being broken. The Supervisor said the machine was broken the day after the Clerk used it. The Clerk did not make copies for packets before August of 2007. The reason the Clerk comes in at night is because of the hostile work environment. At the November meeting the Supervisor said the Clerk jumps down the backs of the employees to circumvent this problem the Clerk stopped going into the office. The Clerk feels the employees are nervous about losing their jobs. Trustee Balich asked if the Clerk planned on going into the office during working hours for the rest of her term. The Clerk stated that remains to be seen. Trustee Balich felt she was collecting her check with out doing her job. The Clerk stated she has been and will continue to do her job. Trustee Balich felt for the record it was her statement that she didn't know if she would be coming into the office any more. Supervisor Fazio felt setting up the polling booths was the Clerks job and the office staff is wondering why they are doing the work.

**Trustee Costa: 1. Culver Park Upgrade & 2. Complex playground design and planning:** A proposal was submitted from Upland Design for a project definition and needs assessment for both Culver Park and a tot lot at the sports complex. **MOTION** by Trustee Costa to accept the proposal from Upland Design for up to \$9,000.00 to design the playgrounds at Culver Park and the Sports Complex 2<sup>nd</sup> by Trustee Meyers discussion: Trustee Strack asked where the funds are coming from. Perhaps the Village could help. **ROLL CALL**, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio – yes. **MOTION CARRIED**  
**MOTION** by Trustee Costa to give him approval to talk to the Homer Glen Park and Recreation committee to request help in financing these parks. 2<sup>nd</sup> by Trustee Balich **ROLL CALL** Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**3. Purdy and Paul property lease contracts:** For the past couple of years they have been working on wet land mitigation banking for these properties but at this point there is not enough need for it. Because of that the committee feels the Purdy property and the east end of the Paul property should be put out to bid to be farmed. **MOTION** by Trustee Costa to have the Paul and Purdy properties put out to bid for farming on a yearly basis 2<sup>nd</sup> by Trustee Balich Discussion: Supervisor Fazio stated that although there is money made from farming it is just enough to cover the taxes but at least there is not the added expense of having to mow or disc the property. Discussion regarding farmers need to know if they will be farming the land for more than one year so they can prepare the soil for the next years crop. **MOTION AMENDED** by Trustee Costa to extend the lease to 2 years 2<sup>nd</sup> amended by Trustee Balich **ROLL CALL** Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**4. Culver Park Soccer goal post repairs:** The Recreation and Development committee will do the work to fix the goal posts if the Township will pay approximately \$100.00 - \$300.00 for the materials. **MOTION** by Trustee Costa to expend up to \$300.00 for materials to repair goal posts at Culver Park 2<sup>nd</sup> by Trustee Balich **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED**

**Trustee Meyers:** Nothing

**Trustee Strack:** **MOTION** by Trustee Balich to approve minutes from the January 18, 2008 special board meeting 2<sup>nd</sup> by Trustee Costa **ROLL CALL** Trustee Costa – yes, Trustee Meyers – abstain, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio – yes. **MOTION CARRIED**

## **APPROVAL OF MINUTES:**

**MOTION** by Trustee Meyers to approve the Regular Board meeting Minutes from December 3, 2007, 2<sup>nd</sup> by Trustee Strack Discussion: pg 3 should read Supervisor Fazio was not ready to make a recommendation for auditor yet. Under Satellite Dish should read a tenant, under public hearing for levy the attorney stated that the actual levy is limited by the lesser of the cost of living or 5% and increased revenue will be added due to the increased assessed evaluation of the Township. **AMENDED MOTION** by Trustee Meyers to approve the amended Regular Board meeting Minutes from December 3, 2007, 2<sup>nd</sup> by Trustee Strack **ROLL CALL** Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

**MOTION** by Trustee Costa to approve Regular Board meeting Minutes from January 7, 2008, 2<sup>nd</sup> by Trustee Meyers Discussion: Heading should be 2007, under attendees list assessor not tax assessor. Supervisor Fazio questions Ms. Walano on hours for early voting, when did the Clerk plan to tell the board? Pg. 2 #1 entire conversation verbatim. Pg 3 item #5 needs to be clarified. Pg 4 Highway Commissioner asked Supervisor Fazio to request the line item transfer because he was unable to be at the meeting. **MOTION WITHDRAWN.** **MOTION** by Trustee Costa to table the minutes to add verbatim conversation. **MOTION WITHDRAWN.** **MOTION** by Trustee Meyers to approve Regular Board meeting Minutes from January 7, 2008 as amended with pg 2 written verbatim, clarify #5 on pg 3 and amend pg 4 regarding Highway transfer of funds, 2<sup>nd</sup> by Trustee Balich **ROLL CALL** Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

## **APPROVAL OF JANUARY BILLS PAYABLE IN FEBRUARY**

**MOTION** by Trustee Balich to approve all fund expenditures subject to discussion 2<sup>nd</sup> by Trustee Costa. Discussion regarding Joann Purdy being on paid administrative leave. A letter from Commissioner DeVivo to Joann Purdy was read. No copy was submitted. She required a part time position only. There was a possibility she may be needed so, because of that and the fact that she was a 30 year employee she was given a six month paid administrative leave. Trustee Balich asked what is Dultmeier Sales. That is for the purchase of calcium chloride tank seals. Supervisor Fazio asked about the purchase of a new accounting software program. Commissioner DeVivo is trying a new program because the QuickBooks program wasn't balancing correctly. Trustee Strack asked about the Park fund, why Champion Lawn maintenance was being paid in January. Supervisor Fazio said they had neglected to give the Township the last bill in November. Trustee Strack asked if it was checked thoroughly to be sure it had not been paid earlier. Trustee Costa noticed that the account numbers were not listed on the Road and Bridge account as they usually are and asked that they be listed in the future. Trustee Meyers asked about a check to be printed on pg 4 for Scott Fox who is on the Plan Commission. The Assessor stated that was for work he had done reconfiguring one of their computers. **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – no, **MOTION CARRIED.**

**Resolution of Previous Months Bills:** see discussion under approval of bills

**HIGHWAY COMMISSIONERS REPORT:** Lights are going up on 143<sup>rd</sup> and Golden Oak Drive. The last salt order put the salt order over by 10% of this year's allotment. Last week there were the 2 worst snow storms this season. The plows have been out almost every other day. It is very difficult on the men and the equipment.

Upcoming street repair program: this year there may be turn lanes added to 151<sup>st</sup> St. and Parker Road. Also they are looking into going into Lockport Heights to redo the roads there. Lockport has a couple of developments that are looking at using Gouger Rd. between 159<sup>th</sup> & 167<sup>th</sup> for truck traffic. Commissioner DeVivo made it very clear to Mayor Murphy of Lockport that any upgrades to that road should be paid for by the developer not the tax payers. Supervisor Fazio read a letter stating that Commissioner DeVivo may turn the road over to Lockport. Commissioner DeVivo had not agreed to this. However it is not possible for him to exclude them from using any road either. He has discussed this with an attorney, the Village Mayor and Bruce Gould County Commissioner to get information before he makes this decision. Trustee Meyers would like to be sure Commissioner DeVivo thinks about the people who live there and all the problems they have been through with I355, drainage etc. Those people are Homer people and need to be considered. Commissioner DeVivo would not make a decision without talking to every resident on that street as well as the people who live in Regal Acres. He is also worried that this may trigger an annexation agreement with Regal Acres. Trustee Meyers felt that agreement was expired. Commissioner DeVivo handed out a plat for the Pasquinelli property development. He told the board that 147<sup>th</sup> St. & Gouger Rd. will be closed for 3 months starting in April while they completely tear up the road and make it 3 lanes.

**ASSESSOR REPORT:** none

**CLERKS REPORT: 1. Park Account,** the Supervisor forgot to list the interest on the deposit report in the Park account. The Clerk also asked what was the deposit from Allied Nursery of \$8060.00 for and was told this was from the dirt which had been stock piled on the Community Center property. When asked if this dirt come from Founders Crossing, it was stated that since the dirt was going to be used at the parks it was appropriate for the money paid for by selling the dirt go into the parks fund.

**2. Payroll checks:** It seems that since everyone has been commenting on how I am not working in the office but getting paid it has been decided I would not get paid any more since I have not received my paycheck yet. Supervisor Fazio said that since there were so many people going in and out of my office he didn't feel it was safe to leave it in my office. It was decided the check would be left in the top drawer of my desk.

**3. FOIA:** It seems that a particular FOIA is being treated differently than other FOIA requests. Standard procedure for a FOIA is to notify all board members that a FOIA has been requested and one copy of all information given is kept on file at the office. With this particular FOIA, a request was made that all trustees receive a copy of all information given to this person. Most of the information requested was information the

Trustees get every month in their packets any way. The comment was made in regard to the cost of making copies for all Board members. When I filled this FOIA request I noticed another FOIA request which was filled that I was not made aware of. As Clerk and keeper of the records I should have been notified. According to procedure so should the rest of the Board. Was the Board notified, no. This FOIA request doesn't even show what the person asked for or what was provided. It does however state that something was provided. There is another FOIA request which was filled recently which is not even in the file. The problem is no one is following procedure. There are procedures for this and we need to stick to them. Trustee Balich reiterated that he wanted a copy and he will file a legal suit against the Clerk if he doesn't get one.

**4. Missing items:** I have brought this to the Boards attention many times before and although I still have not received any of the items requested I handed out an addition to the list. There was a request made by Trustee Strack back April or May requesting the Supervisor give me the items available and make a list of those items he could not give the Clerk but nothing has been given to me. This is evidence of the hostile situation I am subject to.

**5. Clerks supplies:** I am in need of a new minute book and I have turned in my request for that book. I am doing it in front of the entire board because if I don't have witnesses to the transaction I have found that items I have submitted to Supervisor Fazio in the past tend to get lost. I am hoping that this item will be added to the List of bills for next month.

**6. Early absentee voting :** I want everyone to be aware that although it was stated that it would not be in keeping with other voting districts if I reduced the number of hours for early voting. The fact is that there were only 6 out of 23 townships conducting **any** early voting. And that early voter turn out was down in the Township and at the Village for this election. I also would like to make the board aware that Supervisor Fazio did not comply with the directive of the board to swear in 4 people for early voting. This was voted on by the board however he decided to only have 2 people sworn in. He didn't actually do it the Clerk had to because Supervisor Fazio was not in the office. Once again the Supervisor was not following the Boards directive. For some reason I have been asked to resign for failure to comply with the Boards directive but no one questions it when Supervisor Fazio doesn't comply. Trustee Balich wanted to clarify that 4 people were voted on to be sworn in to help in case it was too busy in the office. But if the Clerk was there they would not need the extra people.

Another example of Supervisor Fazio not complying with board directives are the signs at the Town hall. Over a year ago the Board motioned to have the emergency phone number changed. However this number had been disconnected for over a year and the signs remain the same.

**7. Mileage:** it has come to my attention that the mileage rate has been increased to 50.5 cents per mile. Last year when the mileage rate was increased to 48.5 cents per mile I believe our board voted to increase it to 50 cents per mile. The board is allowed to pay higher than the State mileage rate however the amount paid over the State rate must be taxed to the individual. The Clerk would like to know if the amount paid over the 48.5 cents has been taxed.

**Old Business:** Trustee Balich would like to have a copy of the FOIA information. If the copy room would be made available the Clerk would make copies. It was brought up that the Clerk has the Highway department address as her address maybe copies could be made there. The Highway Department address is used because other wise the Clerk does not get her mail. Supervisor Fazio believes the hostile work environment is an excuse for having another job and feels the Clerk is a bad apple.

**New Business:** Trustee Balich felt that in light of all of the warehouses coming into Lockport the board should have a resolution to fine businesses \$10,000 to those who hire illegal workers. Supervisor Fazio didn't feel it would be a good idea because there is no way to patrol or control it. Trustee Balich felt a constable could be hired.

**MOTION** to go into executive session by Trustee Balich 2<sup>nd</sup> by Trustee Meyers. **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio –yes **MOTION CARRIED.** Executive session started 11:05 pm

**MOTION** to go out of executive session by Trustee Strack 2<sup>nd</sup> by Trustee Meyers. **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio –yes **MOTION CARRIED.** Executive session ended 11:25 pm

Respectfully submitted

Evelyn K. Walano  
Homer Township Clerk