

VILLAGE OF JUSTICE
PRESIDENT AND BOARD OF TRUSTEES
7800 ARCHER ROAD, JUSTICE, IL
SECOND REGULAR BOARD MEETING OF NOVEMBER
Monday, November 26, 2018

CALL TO ORDER: President Wasowicz called the meeting to order at 7:30 pm

PLEDGE OF ALLEGIANCE: Mayor Wasowicz led the reciting of the Pledge of Allegiance.

ROLL CALL: Clerk Sue Small called the roll. Present are: President Wasowicz, Trustees: Rich Sparr, Ed Rusch, Melanie Kuban, Hank Oszakiewski and Karen Warner. Trustee Rick Symonds is absent with notice. Attorney Joseph Cainkar of the firm of Louis F. Cainkar Ltd. is present.

PUBLIC COMMENTS:

Mayor Wasowicz asked for questions or comments directly related to tonight's agenda. There were none.

APPROVAL OF MINUTES:

The Chair will entertain a Motion: To approve the minutes of the November 12, 2018 board meeting as submitted or if necessary, as corrected.

MOTION: Trustee Sparr so Moves.

SECOND: Trustee Kuban

VOTE: Trustees Sparr and Kuban, aye. Trustee Rusch, Oszakiewski and Warner voted no. Motion failed.

Trustee Rusch commented that the statement that Trustee Kuban asked be included verbatim is incorrect and members of the board do not want it to be part of the permanent record.

Attorney Cainkar stated that regardless of the correctness of Trustee Kuban's statement, it was indeed what she said, so the minutes are correct as submitted.

If someone who originally voted no makes a Motion to reconsider, the minutes could be approved as submitted.

Trustee Rusch replied that his Motion would be to approve without the statement included and Attorney Cainkar would not allow. Subsequently, the minutes were not approved.

VILLAGE PRESIDENT'S REPORT:

Mayor Wasowicz read a statement to the People of the Village of Justice into the record.

"On November 12, 2018, four trustees of this board concurred in the passage of a resolution "Authorizing the Submission of a Question Concerning A Change in the Form of Government by Altering the Manner of the Appointment and Removal of Village Officers to the Electors at the April 2, 2019 Consolidated Election."

I have executed that resolution as a part of my ministerial duties as Village President.

Nevertheless, I wanted to take a moment to express my disapproval of this resolution for the record.

The resolution approved by the board of trustees would allow the Village of Justice to change its form of government by stripping the mayor of those powers reserved to the executive branch of government and imparting them the purely legislative board of trustees. In other words, the board of trustees wants to control both the legislative and executive branches of government.

The doctrine of Separation of Powers is the centerpiece of every American form of government from the Federal on down to the municipal. This important system of checks and balances established by our founding fathers was both the aim and by-product of the American Revolution and has preserved our government for over two centuries.

So treacherous and un-American is this resolution that I am confident none of the trustees would support it in any other form of government but the one they now control.

With that, I would like to leave you with a few quotes on this subject from a few of the great minds that forged our democracy:"

'The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart is sufficient to satisfy us of the truth of this position.'" George Washington.

"No country can be called free which is governed by an absolute power; and it matters not whether it be an absolute royal power or an absolute legislative power, as the consequences will be the same to the people." Thomas Paine.

"The accumulation of all powers in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced as the very definition of tyranny." James Madison.

VILLAGE CLERK'S REPORT:

Clerk Small had no formal report.

COMMITTEE REPORTS:

FINANCE & INSURANCE: Trustee Warner

MOTION: Trustee Warner Moves: To approve posted payables 1-44 of \$41,590.15, Recurring Expenses of \$58,874.31 MFT expenses of \$8,462.33 and Capital Project expenses of \$6,789.80 for a total of \$115,716.59.

SECOND: Trustee Oszakiewski

VOTE: Trustees Rusch, Kuban, Oszakiewski, Warner and Sparr, aye. All ayes. Motion passed.

Trustee Warner read a letter from Treasurer Kelly Zabinski outlining the process for passing the annual levy for the Village of Justice and accompanying a draft of the 2018 levy provided to the Mayor and Board of Trustees for their review and comments.

An ordinance approving a Levy must be passed and submitted to the County by the last Tuesday in December. The draft levy represents a 4.9% increase over last year. No additional police pension payment is included in the draft but that can be considered after the receipt of the SEIU Employer contributions refund is received.

ADMINISTRATION, COMMUNICATION & RECREATION: Trustee Oszakiewski

- MOTION: Trustee Oszakiewski Moves: To approve the purchase of five sets of blinds for the All-Purpose room at a cost of \$115-\$120 per blind. This purchase will be made using Amex points. (Current value of points is approximately \$6,000.00)
- SECOND: Trustee Warner
- VOTE: Trustees Kuban, Oszakiewski, Warner, Sparr and Rusch, aye. All ayes. Motion passed.

Trustee Oszakiewski tabled the Motion: To approve the purchase of nine Boardroom chairs at a cost of \$250-\$300 per chair. This purchase will be made using Amex points. (Current value of points is \$5,865.09)
He and Trustee Kuban will work on the best price for the best quality of chairs.

Trustee Oszakiewski tabled the Motion: To approve an expense to retain a legislative attorney to assist the Trustees during Committee Meetings. This is a temporary assignment needed to assist with legislative and parliamentary procedures.

Trustee Oszakiewski stated he has additional information to share and wants to further discuss possible options for legislative legal assistance during committee meetings.

Updates from the Winter Wonderland Committee conclude that everything is coming along nicely. We hope all trustees are informing everyone they can to encourage participation.

PUBLIC SAFETY AND HUMAN SERVICES: Trustee Sparr for Trustee Symonds

Trustee Symonds provided no report.

ECONOMIC DEVELOPMENT AND BUSINESS LICENSES: Trustee Kuban

Trustee Kuban had no report

Trustee Rusch asked about the boxes for the Holiday basket program. Trustee Kuban said more boxes were coming the following day. Joe to remind public works to bring more food boxes to Wilkins. There was also a discussion about the food purchases from Aldi

PUBLIC UTILITIES: Trustee Sparr

- A big thanks to Joe and team for completing 10 miles of road
- Joe and team are working on getting the paperwork together for the MFT transfer.
- Our two new Public Works employees are working out nicely and the team seems very cohesive and Trustee Sparr is happy about the teamwork going on in public works
- First round of Public Works contract negotiations are complete. Everything seems to be going ok and a couple more meetings should help

- Trustee Sparr thanks those who are helping with Winter Wonderland. A great community event.

BUILDINGS, ZONING AND ORDINANCES: Trustee Rusch

Trustee Rusch remarked that the one item on the agenda regarding MFT funds had already been discussed by Trustee Sparr. He added that he will be meeting with Ed Shilka to work on the 2019 budget for the building department.

ATTORNEYS' REPORT:

Attorney Joe Cainkar had no formal report.

CORRESPONDENCE:

There was none

OLD BUSINESS:

Trustee Rusch made comments related to the mayors' comments from earlier in the meeting. He stated that he teaches social studies at a middle school and he feels his students would be appalled by the mayors' editorial and quotes given by famous people in our nation's history. With that, Trustee Rusch added the following quote: "where tyrants exist, it is a duty upon the common man to remove the oppression of the people." Trustee Rusch added the quote came from an unknown colonist

NEW BUSINESS:

SCHEDULE OF COMMITTEE MEETINGS:

Wednesday, December 5, 2018

7:00 pm

ADMIN, COMMUNICATIONS & RECREATION: Trustee Oszakiewski
Any matters before the committee including a final Winter Wonderland update and continued discussion about a legislative attorney and board room chairs

PUBLIC SAFETY AND HUMAN SERVICES: Trustee Symonds
Any matters before the committee

ECONOMIC DEV. & BUSINESS LICENSES: Trustee Kuban
Any matters before the committee

PUBLIC UTILITIES: Trustee Sparr
Any matters before the committee

BUILDINGS, ZONING AND ORDINANCES: Trustee Rusch

FINANCE & INSURANCE: Trustee Warner
Any matters before the committee including Posted payables, the tax levy and other matters.

PUBLIC COMMENTS:

Resident, John Small commented on the referendum that the mayor had complained about. He added that the people have the right to decide the type of government the village has. The board has been shut out of the appointment process. The village is out of balance with the number of appointments.

Mayor Wasowicz gave rebuttal on the comment from the resident about due process and Trustee Oszakiewski added a "point of order" explaining the electorate will make the decision

ADJOURNMENT: President Wasowicz called for a Motion to Adjourn.

MOTION: The chair entertained a Motion to Adjourn

Trustee Sparr so Moves

SECOND: Trustee Kuban

VOTE: All ayes.

Meeting adjourned at 7:53 pm

Respectfully Submitted,
Suzanne Small, Village Clerk