

VILLAGE OF JUSTICE
7800 ARCHER ROAD, JUSTICE, IL
PRESIDENT AND BOARD OF TRUSTEES
FIRST REGULAR BOARD MEETING
OF DECEMBER
Minutes of Monday, December 14, 2009

Mayor Kris Wasowicz called the Meeting to order at 7:30 pm.

ROLL CALL:

Village Clerk Kathy Svoboda called the roll. Present are Village President Kris Wasowicz, Trustees: Mike Murray, George Pastorino, John Fairman, Mary McGee, and Phil DePaola. Trustee Bartoszek is absent this evening. Attorney Michael Castellino is present.

PLEDGE:

President Wasowicz led the reciting of the Pledge of Allegiance.

APPROVAL OF MINUTES:

The Chair will entertain a Motion: To approve the minutes of the Regular Board Meeting of 11/23/09, as submitted or as corrected.

MOTION: Trustee DePaola Moves: To approve the minutes as submitted.

SECOND: Trustee Fairman

VOTE: Trustees Murray, Pastorino, Fairman, McGee and DePaola, aye. All ayes.
Motion passed.

VILLAGE PRESIDENT'S REPORT:

Mayor Wasowicz read a statement into the record.

I would like to make a statement concerning the action taken by the Village Board on November 23, 2009, with respect to EMS Construction's bid for the Lipinski Center rehabilitation project. Due to a provision in the Village Code that prohibits the issuance of building permits to an applicant who is "indebted unto the Village in any amount," to quote the exact language of the Code, EMS was declared to not be a "responsible" bidder for the work, and therefore its bid was rejected. I want to clarify that "responsible" in this context is a statutory term of art and its use was in no way intended to cast EMS or Mr. Bruce Mack in a negative light.

By way of brief background, Mr. Mack incurred certain permit fees and cash donations related to the Covington of Justice townhome development. Because of the downturn in the housing market and overall economy, those fees were verbally deferred until closing on the sales of individual units. Therefore, Mr. Mack is not presently in default. The fact remains, however, that he is ultimately responsible to pay those fees, and that fact required the applicable section of the Village Code to be invoked with respect to his bid for the Lipinski Center work because in assessing the lowest "responsible" bidder (again, a statutory term) the Village had to take into account each bidder's ability to, among other things, obtain the necessary permits to perform the work.

In sum, I would like to again state that, while expressly denying any legal liability under any theory, the Village regrets any inconvenience that this unfortunately

confusing situation may have caused Mr. Mack. The Village continues to value its relationship with Mr. Mack and looks forward to continuing to work with him in the future. The Village has found Mr. Mack to be a reputable individual who does quality work, and is an asset to the community.

Finally, I hereby request that the Village Attorney draft an amendment to the applicable agreement with Mr. Mack concerning the Covington development that will memorialize the deferral of the previously incurred permit fees and cash donations, in light of this difficult housing market and overall economy. That amendment will then be considered by the Board for official approval.

VILLAGE CLERK’S REPORT:

Clerk Svoboda had no report but sincerely wished all a happy, healthy and Merry Christmas and a prosperous New Year.

COMMITTEE REPORTS:

FINANCE AND INSURANCE: - Trustee McGee for Trustee Bartoszek

MOTION: Trustee McGee Moves: To approve Ordinance 2009-30, AN ORDINANCE AUTHORIZING THE EXECUTION OF THE IMLRMA INIMUM/MAXIMUM CONTRIBUTION AGREEMENT.

SECOND: Trustee DePaola

VOTE: Trustees Fairman, McGee, DePaola and Pastorino, aye. Trustee Murray, nay. Motion passed.

MOTION: Trustee McGee Moves: To approve payables numbers 1-40 in the amount of \$49,007.82 posted for the period of 11/24/2009 – 12/09/2009, plus re-occurring expenses of \$96,802.58 and TIF #1 expenses of \$1,665.15, TIF #2 expenses of \$ 800.00 and MFT expenses of 13,366.22 for a total of \$161,641.77.

SECOND: Trustee Murray

VOTE: Trustees Fairman, McGee, DePaola, Pastorino and Murray, aye. All ayes. Motion passed.

MOTION: Trustee McGee Moves: To approve Ordinance 2009-31, AN ORDINANCE PROVIDING FOR THE LEVYING, ASSESSMENT AND COLLECTION OF TAXES FOR THE 2009 TAX YEAR.

SECOND: Trustee Murray

Ms. Kelly Zabinski, our Financial Consultant, cautioned the Board that the cost of living index for this year is at .1 %. This will result in the Village receiving approximately 5% less in revenue than what we are levying for. The 4.9% increase over last year insures that we receive the maximum amount that is allowed, but we are aware of the limits, resulting in a lesser revenue to the Village by as much as 5%.

VOTE: Trustees McGee, DePaola, Murray, Pastorino and Fairman, aye. All ayes. Motion passed.

PUBLIC UTILITIES – Trustee John Fairman

- MOTION: Motion: Trustee Fairman Moves: To approve Ordinance 2009-32, AN ORDINANCE RATIFYING THE FILING OF A CERTAIN DOCUMENT WITH THE ILLINOIS MUNICIPAL RETIREMENT FUND
- SECOND: Trustee Pastorino
- VOTE: Trustees DePaola, Murray, Pastorino, Fairman and McGee, aye. All ayes.
Motion passed.

Trustee Fairman reported that we are doing our best to keep the streets safe when the snow falls. We are operating with limited staff. Please inform Trustee Fairman if there are any complaints or concerns about snow-plowing.

PUBLIC SAFETY – Trustee Mary McGee

Trustee McGee reminded all that the Neighborhood Watch will meet this Thursday, December 17th, at 7:00 pm., here in the Village Hall.

ADMINISTRATION BUILDING & RECREATION

Trustee Pastorino announced that our annual Christmas Baskets Program is scheduled for Saturday, December 19th at the Village Hall. Volunteers will meet for sorting on Friday, December 18th, at 6:00 pm and from 7:00 am until noon for distribution on Saturday morning, December 19th.

ORDINANCES, LICENSES & PUBLIC PRINTING –Trustee DePaola

Trustee DePaola stated that he will table the legislation regarding rates and fees for additional review by the attorney.

- MOTION: Trustee DePaola Moves: To table the proposed ordinance amending Chapter 13, Article 1, Section 13-1.
- SECOND: Trustee McGee
- VOTE: Trustees DePaola, Murray, Pastorino, Fairman, and McGee, aye. All ayes.
Motion passed.
- MOTION: Trustee DePaola Moves: To approve the Business License of DisposAll Waste located at 6201 W. Canal Bank Road, Forest View, IL, to operate a refuse and recycling collection business in the Village of Justice, having passed all inspections and being in compliance with all codes and ordinances.
- SECOND: Trustee McGee
- VOTE: Trustees Murray, Pastorino, Fairman, McGee and DePaola, aye. All ayes.
Motion passed.
- MOTION: Trustee DePaola Moves: To approve the Home Occupation License of Liberty First Class, a limousine service, doing business at 8516 S. 79th Ave., having passed all inspections and being in compliance with all codes and ordinances.
- SECOND: Trustee Murray
- VOTE: Trustees Pastorino, Fairman, McGee, DePaola and Murray, aye. All ayes.
Motion passed.

MOTION: Trustee DePaola Moves: To approve the Business License of Andy's Enterprises, Inc. a vending machine distributor, 71 E. 26th Street in Chicago Heights, having passed all inspections and being in compliance with all codes and ordinances.
SECOND: Trustee McGee
VOTE: Trustees Fairman, McGee, DePaola and Pastorino, aye. Trustee Murray abstained. Motion passed.

Trustee DePaola wished all a very Merry Christmas and a safe holiday season.

BUILDING, PLATS AND ZONING – Trustee Mike Murray

Trustee Murray expressed his wishes for a Merry Christmas for all.
Trustee Murray reported that the Zoning & Planning Commission will meet to conduct a Public Hearing to review the proposed revisions to the Comprehensive Plan. The hearing is tentatively scheduled for December 30th, 2009 at 7:00 pm. All those interested are welcome to attend.

MOTION: Trustee Murray Moves: To direct the Zoning and Planning Commission to conduct a Public Hearing to review amendments to the Comprehensive Plan and to formulate a recommendation to the Village Board.

SECOND: Trustee Fairman

VOTE: Trustees McGee, DePaola, Murray, Pastorino and Fairman, aye. All ayes.
Motion passed.

Trustee Murray stated that there are two vacancies on the Zoning and Planning Commission, one for a Commissioner and another for a secretary. We will be looking for replacements and those interested can communicate their interest via e-mail or in person.

VILLAGE ATTORNEY:

Attorney Michael Castellino had no report.

CORRESPONDENCE:

Village Clerk Kathy Svoboda commented that we have received many Christmas Cards and holiday greetings.

OLD BUSINESS:

There was none.

NEW BUSINESS:

SCHEDULE OF COMMITTEE MEETINGS:

**Committee Meetings will begin at 7:00 pm. and follow consecutively
Wednesday, December 23, 2009.**

FINANCE & INSURANCE: Posted payables, possible review of the 2010 Budget and other matters before the committee.

ORDINANCES, LICENSES & PUBLIC PRINTING: Any new business licenses, code amendments and/or ordinances available for review.

PUBLIC UTILITIES: Any matters before the committee.

ADMINISTRATION BUILDING & RECREATION: Any matters before the committee.

BUILDING, PLATS & ZONING: Any matters before the committee.

EXECUTIVE SESSION: If necessary.

PUBLIC COMMENTS:

Mr. Ed Rusch suggested that there are a number of valuable opportunities at Moraine Valley Community College for training or education of employees and officials that might result in cost savings to the Village.

There are automotive, HVAC and various other technical courses as well as supervision, human resource, financial and ethics courses.

Mr. Rusch continued, asking that Mayor Wasowicz accept a complaint regarding an alleged ethics violation. Mr. Rusch had previously asked the Village Attorney how to pursue his complaint, but was told that the attorney for the Village should not tender advice to a resident on how to proceed.

Mayor Wasowicz accepted the complaint. Mr. Rusch then provided copies for the five-member Ethics Committee and another to the Clerk.

Mr. Jim Rinkus reported that the light is out at the Memorial at the corner of Frontage Road and Oak Grove.

Mayor Wasowicz thanked him for informing us; we were not aware. The light will be repaired.

Trustee George Pastorino thanked Director Marty Vilimek and the Bridgeview/Justice EMA for offering to help with the food baskets. They have proved to be a great help in the past.

Trustee Pastorino recognized the Village Voice Party members for their own recent efforts to provide baskets to some needy families at Thanksgiving.

Mayor Wasowicz added his greetings for a safe and happy holiday season to all.

The Chair will entertain a Motion: To Adjourn.

MOTION: Trustee Fairman so MOVES:

SECOND: Trustee Murray

VOICE VOTE: All ayes.

Meeting Adjourned at 7:50 pm.

Respectfully submitted,
Kathleen M. Svoboda
Village Clerk