

TOWN OF CORTLAND

Town Hall
59 S. Somonauk Rd.
Cortland IL. 601120

BOARD OF TRUSTEES

Business Meeting

7:00 P.M.

November 23, 2009

Call to Order/Pledge of Allegiance/Roll Call

Mayor Seyller called the meeting to order at 7:03 p.m. Roll call was taken by Deputy Clerk Rita Nielsen. Shown as present were Mayor Seyller and Trustees Brad Stone, Mike Siewierski, Chuck Lanning, Randy Reiter and Sandra Barzso. Trustee Doug Corson was absent. Quorum was present. Other officials present: Clerk Cheryl Aldis, Treasurer Susan Dockus, Director of Operations and Maintenance John Kocher, Water/Wastewater Superintendent Joel Summerhill, Attorney Parker Johnson, Engineer Noah Carmichael, Police Chief Russ Stokes and Zoning Administrator Walter Magdziarz

Agenda

Trustee Siewierski moved and Trustee Barzso seconded a motion to approve the agenda. Unanimous voice vote carried the motion.

Consent Agenda

Deputy Clerk Rita Nielsen read the consent agenda.

- Approve Town Board minutes October 26 and November 12
- Approve Treasurer's reports for July, August and September
- Approve Expenditures for July, August and September

Trustee Siewierski moved and Trustee Barzso seconded a motion to approve the Consent Agenda as read.

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso and Lanning
Nays: None
Absent: Trustees Corson

Motion carried.

Staff Reports

Attorney Report

Attorney Johnson stated that he has been dealing with Azavar, the utility billing auditor, on the issue of a non-disclosure agreement with Mediacom. Attorney Johnson has determined that the proposed non-disclosure agreement is not in the best interest of the Town, given the harsh penalties in the agreement and the minimal revenues that would come from an audit of Mediacom.

He has been working with the Illinois Emergency Management Agency on the financial assurances resolution that is on the agenda. The resolution is necessary to include the WRT system in well number 4 in the required financial assurances for media removal.

He has prepared a claim on the surety bond for temporary occupancy permits in Chestnut Grove subdivision.

He is waiting for the court's decision on reconsidering the dismissal of two tax objection cases filed by Dr. Young. The Eagle Homes case will continue. There was a filing against the Town concerning Neumann Homes and an immediate agreed upon dismissal was filed in that case.

Trustee Lanning asked about how developer park funds can be used throughout the community, specifically for Cortland Community Park. After board discussion it was suggested a survey of the land area for which the funds were paid be developed and sent. The area to be surveyed will all be located in the original Cortland Estates Subdivision area (and including the apartments, the single family homes, and the three Grainger townhome developments). Trustees Stone, Lanning and Barzso, along with Mrs. Dockus will work on this.

Trustee Reiter moved and Trustee Stone seconded a motion to amend the agenda to allow Mr. LeFevre from Sikich to present his report to the board. Unanimous voice vote carried the motion.

FY09 Audit & Management Letter Review

Mr. Brian LeFevre, Sikich thanked the board for inviting him to share this information with them. He reviewed the FY09 Audit and Management Letter for the board. All trustees had a copy of the report prior to the meeting and had no questions for Mr. LeFevre. The board thanked him for his time.

Engineer's Report

Mr. Carmichael reported that there is a public comment period on the EPA permit for discharge until December 3. This discharge permit will be good for 18 months and ponds will be lowered considerably. Mayor Seyller asked about the cost for chemicals that we need during discharge. Mr. Carmichael said it will take approximately 150 gallons of chemicals and could cost between \$500 and \$1,000 depending on analysis of water. There has been a setback in the well and tower which will probably push the completion date back about 60 days. Mr. Carmichael met with Montalbano homes regarding cleaning out sewer lines and getting integrated with the SCADA system. Mayor Seyller said he is talking with Montalbano about cleaning up the area where they pulled out their trailer. There was discussion among Trustees regarding warning lights and turn lanes for school traffic on Rte. 38 and the entrance to Chestnut Grove. Chief Stokes said that this is an issue for IDOT.

Water/Wastewater Report

Mr. Summerhill presented his report. He reported that irrigation at the sewer plant has stopped and he will start winterizing tomorrow. He has tested four houses for lead. He believes the EPA lead reports were an error from the lab and no treatment will be necessary.

Operation and Maintenance

Mr. Kocher presented his report with nothing new to add. Different options for leaf burning were discussed, but no recommendations were made.

Zoning Administrator

Mr. Magdziarz presented his report with nothing to add.

Building Report

I.C.C.I. report was in the packet.

Police Report

Chief Stokes reported that his department has had an extremely busy month with a lot of interaction with outside agencies who usually give local police a "heads up" when they have are investigating. The annual report will be out in February or early March.

Liaison Reports

Administration

Trustee Siewierski had nothing to report.

Finance

Trustee Barzso had nothing to report.

Operation and Maintenance

Trustee Lanning had nothing to report.

Festival and Parade

Trustee Stone had nothing to report.

Ordinance

Trustee Corson was absent.

Police

Trustee Reiter has been meeting with Chief Stokes regarding funding for police department.

Planning Commission

Next meeting is December 7.

Airport Advisory

Trustee Lanning reported that the City of DeKalb purchased a new hanger.

Facility Planning Board

Trustee Lanning had nothing to report

Unfinished Business

Town Garage

Trustee Lanning stated that there are three architectural firms that have been selected from the Request For Proposals for the town garage. It was the consensus of the board that Mr. Magdziarz be involved in the selection process.

Mrs. Dockus submitted a 20 year payment plan to the table.

New Business

Accept PC Recommendation PC09-5 Zoning Ordinance Amendment Exterior Illumination (Dark Sky) Regulations

Mr. Magdziarz presented recommendation PC09-5. The Planning Commission is recommending the Zoning Ordinance be amended to add regulations for outdoor illumination. The proposed regulations comply with the International Dark Sky Association guidelines and recommendations.

Trustee Reiter moved and Trustee Stone seconded a motion to accept the Planning Commission recommendation. Unanimous voice vote carried the motion.

Approve An Ordinance Amending Title 9 (Zoning Ordinance) of the Cortland Town Code (Chapter 11, Outdoor Illumination Regulations)

Trustee Barzso moved and Trustee Lanning seconded a motion to approve An Ordinance Amending Title 9 (Zoning Ordinance) of the Cortland Town Code (Chapter 11, Outdoor Illumination Regulations)

Roll call vote:

Ayes: Trustees Barzso
Nays: Trustees Lanning, Reiter and Siewierski
Abstain: Trustee Stone
Absent: Trustees Corson

Motion failed.

Approve Payment Estimate No. 1 and Final Payment for Peter Baker & Son

Engineer Carmichael presented Payment Estimate No. 1 and Final Payment for Peter Baker & Son in the amount of \$53,697. (After payment of this amount \$5,000 will be retained until material clearance from IDOT).

Trustee Stone moved and Trustee Siewierski seconded a motion to approve pay Estimate No. 1 and Final Payment of \$53,697 from MFT funds

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso and Lanning
Nays: None
Absent: Trustees Corson

Motion carried.

A Resolution Designating Certain Funds in its Water Fund as the "Reserve for Radium Removal Contingencies"

Attorney Johnson explained that the Illinois Administrative Code requires that the licensee WRT must provide satisfactory financial assurances to the State of Illinois to ensure the protection of public health and safety in the event of abandonment, default or other inability of WRT to properly remove all radium from the site the Town must provide financial assurances earmarked for radium removal and hold fund in escrow. By passing this Resolution all ordinances, resolutions, orders or parts thereof, which conflict with the provisions of this Resolution, are to the extent of such conflict, hereby repealed. Specifically, Resolution No. 2006-13, providing for financial assurances for the Town's Well No. 3, is hereby repealed, because the Reserve established herein specifically provides for financial assurances for radium removal from both Well No. 3 and Well No. 4.

Trustee Siewierski moved and Trustee Reiter seconded a motion to approve \$135,600 to be held in reserve.

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso and Lanning
Nays: None
Absent: Trustees Corson

Motion carried.

Approve Change Order No. 1 from Curran Contracting Company for Nature's Crossing Paving Improvement and Repairs

Engineer Carmichael presented change order for a crown connection and other balancing of pay items. Unanimous voice vote carried the motion.

Trustee Siewierski moved and Trustee Stone seconded a motion to approve Change Order No. 1 for Curran Contracting Company from \$244,302.87 to \$229,620.98 (a net change of \$14,681.89 decrease).

Approve Payment Request for Curran Contracting Company for \$229,620.98

Trustee Reiter moved and Trustee Lanning seconded a motion to approve payment to Curran Contracting Company in the amount of \$229,620.98.

Roll call vote:

Ayes: Trustees Stone, Siewierski, Reiter, Barzso and Lanning
Nays: None
Absent: Trustees Corson

Motion carried.

President's Report

Mayor Seyller read a thank you note to the Board from Mrs. Mary Aldis thanking them for a wonderful surprise of being awarded the DeLaine Mullis Citizen of the Year Award.

Mayor Seyller has checked into the siren maps overlay and reported that the present siren adequately covers the whole town.

Concerns

Trustee Stone reported that he will be reviewing a copy of the Intergovernmental Agreement with DeKalb County regarding sidewalks.

Adjournment

Trustee Siewierski moved and Trustee Reiter seconded a motion to adjourn. Meeting adjourned at 9:33 p.m.

Respectfully submitted,



Rita Nielsen
Deputy Clerk