

**MINUTES  
of the  
REGULAR BOARD MEETING  
OF THE BOARD OF TRUSTEES  
VILLAGE OF NORTHFIELD  
Tuesday, August 18, 2009 - 7:00 p.m.**

The Board of Trustees of the Village of Northfield met in the Council Chambers of the Village Hall for the Regular Board Meeting on Tuesday, August 18, 2009. The meeting was called to order at 7:00 p.m. by President Fred Gougler. The Village Clerk called the roll.

PRESENT:	President Trustees	Fred Gougler John Chapin, Jr. Joan Frazier Terry Gottlieb Brian Kozminski Fred Teichert George Warga
ABSENT:		

**APPROVAL OF CONSENT AGENDA ITEMS:**

Trustee Chapin made a motion, seconded by Trustee Frazier, to approve Consent Agenda items 1 through 5.

1. Approve the Minutes of the July 21, 2009 Village Board meeting.
2. Approve the Bills and Disbursements from 7/9/09 to 8/5/09 in the amount of \$326,864.34.
3. Approve the appointment and re-appoints of Joanna Stein and Chris Broccolo re-appointed to the Plan and Zoning Commission to four year terms expiring, Sept. 1, 2013; approve the re-appointment of Jim Henderson, as Chair of the Zoning Board of Appeals to a five year term expiring, Sept. 1, 2014 and approve the appointment of Patrick O'Donoghue to the Zoning Board of Appeals for a five year term expiring Sept. 1, 2014.
4. Approve a resolution honoring the Safe Routes to School Committee on receiving a grant.
5. Approve an ordinance authorizing the sale of surplus computer equipment.

Upon the following roll call vote, the motion was approved.

AYES:	Chapin Kozminski Teichert Frazier Gottlieb	NAYS: 0	ABSTAIN: 0	ABSENT: Warga
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**Discussion and Presentation by the Cook County Forest Preserve District on the Willow Road Dam.**

Manager Sigman reported that following the September 2008 storm event, a number of residents from the Meadowview area expressed concerns that the modifications to the Willow Road Dam were potentially responsible for some of the additional flooding they experienced. The Village had its consultant Gewalt Hamilton, which was working on a stormwater study for the Village, explore this matter. The Village later also outreached to Cook County Forest Preserve and through Commissioner Gregg Goslin and Cook County Forest Preserve District representative Allen Mellis

and their consultants asked them to re-look at the dam model and find additional data to determine if the modifications contributed to the flooding experienced by residents on the east side of Northfield during that time. The Village received a response from Cook County Forest Preserve District some weeks ago and they agreed to come to this Board meeting to discuss their findings. Manager Sigman noted that she also invited the Village's consulting Engineer Pat Glenn to be at this meeting.

President Gougler noted that he would like the representatives of the County to address the Board and the community. Following their presentation, members of the community could ask questions.

Cook County Commissioner Gregg Goslin stated that matters such as this are very technical and the reason we hire engineering professionals to look into this matter. He noted that was what was done here. He then introduced Mr. Allen Mellis

Mr. Mellis, Director of Planning and Development for the Forest Preserve District of Cook County introduced himself and the District's consultant Matt McDonough who will provide answers to the technical questions. Also provided for information was Gewalt Hamilton's Sept. 29, 2008 letter describing the Willow Road Dam modifications in non-technical terms. Mr. Mellis noted the Northfield March 3, 2009 Request for Information sent to Mr. Goslin and the July 7, 2009 response from McDonough & Associates was also provided in the packet. Finally, Gewalt Hamilton's August 10, 2009 Summary of Modeling Results and the July 28, 2009 Christopher Burke Engineering September 2008 Re-evaluation Report were also part of the packet. Mr. Mellis noted that the purpose of the modification to the Willow Road Dam was to reduce debris blockage that regularly occurred at the three round openings at the base of the dam. Because of these blockages, water backed up to the north and reduced the amount of upstream storage. Less storage meant that the water would overtop the dam earlier in a storm cycle. The blockages also caused significant fluctuations in the Skokie Lagoons water level resulting in shoreline erosion problems. Mr. Mellis reported that the District had plans developed to replace the three round openings with notches that would not be susceptible to blockages. Prior to construction of the new configuration, models were run to determine the size of the notch and to predict if there would be any negative impact downstream. The model indicated that the downstream water levels would be lower with the notch. Before any construction was done, all permits were obtained from the appropriate agencies including the Illinois Dept. of Natural Resources Office of Water Resources, U.S. Army Corps of Engineers, and the Illinois Environmental Protection Agency. After all permits were obtained, the dam was modified with the notches, structural repairs were done and, the original three round openings were permanently blocked. On January 29, 2009, the District received a letter from the Illinois Dept. of Natural Resources Office of Water Resources approving the as built drawings and allowing operation of the dam. He noted that the letter is also provided in the packet. In Sept. 2008, the area experienced historic rainfall amounts – 8.54 inches in a 72 hour period. While there was upstream water storage capacity, the water still overtopped the dam. However, it is Mr. Mellis'

understanding that even with this extreme waterfall, the water did not overtop the banks downstream. After local residents expressed concerns about the modification, the Village hired Christopher Burke Engineering to do another model run. The conclusion of Northfield's consultant Gewalt Hamilton Associates in reviewing the Christopher Burke results was "the revised simulation indicates that the dam modification resulted in at a maximum a 0.1 foot increase in downstream flood lines and no increase at all if more significant rainfalls are considered. The revised simulation also produces results that more closely match the flood heights downstream of Willow Road as observed and measured by our office." While it will never be possible to determine the precise impact of the dam modifications during this particular event, it is our opinion that the Chris Burke simulation produces a reasonable estimation. We further concur that the effect of the modifications ultimately become negligible as events of great magnitude are considered. In conclusion, the modifications to the Willow Road Dam will now allow water to regularly flow, not to be blocked by debris, provide additional upstream storage in case of greater magnitude events and keep the water levels in the Skokie Lagoons from severely fluctuating while not increasing downstream water levels.

President Gougler asked if any residents would like to address the members of Cook County.

Resident Jane Goldenberg of 61 Meadowview thanked the Village for having this discussion to once and for all determine the impact of the dam and its modifications. She noted it is reassuring to learn that it did not impact flooding. She noted, however, there is still the issue of the sewer along Winnetka Road and whether it worked properly with the backflow prevention valve or whether the sewer is blocked. Since this is on the County's property and under their jurisdiction, they are responsible for maintaining the sewer. She asked what the County plans on doing to access that sewer and the backflow prevention valve. She also asked Engineer Consultant Pat Glenn about the progress on moving the Meadowview Drive sewer.

Mr. Mellis noted his staff was out at the location and the backflow preventer works and the pipe is clear.

Pat Glenn of Gewalt Hamilton Associates responded that the Village asked them to explore the Meadowview Drive sewer. One of the phenomenons they observed is that the Meadowview area storm sewers surcharged up, it goes backward. Rather than taking water away, it brought water into the neighborhood contributing to the flooding. They are exploring whether the Meadowview storm sewer can be disconnected from the County storm sewer in Winnetka Road which flows directly into the river and can be extended north into the ditch on the north side which tends to stay at a lower level than the river. They have done field survey investigations and put together a preliminary design for that change and a cost estimate was forwarded to Village for their review. They hope they can bring the design farther along before too long.

Resident Chuck Hirsch, 350 Latrobe, noted he has two issues. One is the backflow preventer device. He noted that there is also one on the Willow Road storm sewer and it was

clearly not operating last September because the water, as was the case in the Meadowview area, was coming back from Willow Road and into the homes and environs. He wondered if Pat Glenn or someone would know if that preventer was checked. He noted that it is under the bridge and is apparently now operating. Has anybody checked it?

Mr. Glenn noted that there is backflow prevention on a portion of the storm sewer in the Lagoon and Willow area which is under the Willow Road bridge. He noted that there are also storm sewers on the south side of Willow Road west of Lagoon that go directly across Willow Road and connect into the west diversion ditch with no existing backflow prevention at all. What was suggested to the Village is to add backflow prevention to those storm sewers. He noted that those are IDOT storm sewers that connect with the State's storm sewer system for Willow Road which then leads into that diversion ditch so that is a project that would have to be worked through with both the Forest Preserve District as well as the State.

Resident Hirsch asked if Pat thought that would meet with any objections by the agencies.

Mr. Glenn responded "no." He noted it is not terribly complicated work and assuming that permission is granted it would only be a matter of months to get it done.

Mr. Hirsch asked if he knew if the backflow preventer under the bridge was operating.

Mr. Glenn reported that he did not have evidence one way or the other.

Manager Sigman clarified that in this fiscal year, there is no money budgeted for the backflow prevention devices. That is something the Village Board will have to consider. She noted that Gewalt Hamilton did a very comprehensive storm sewer analysis for the Village and looked at all the watershed districts in town and identified a number of projects throughout the community that would begin to help. It is the goal of the Board to begin looking at those projects and costs over the next year to see if there are ways we can begin implementing some of them. There is no set schedule for any of those improvements. She also pointed out that she had looked at preliminary work that could be done in the Meadowview area and noted it looks very positive and that we might be able to improve some of the drainage in that area. It will take the cooperation of the Village of Winnetka and Cook County Forest Preserve to make some of those modifications.

Mr. Hirsch commented that residents understand and among the many good qualities residents find in the Board is their sense of fiscal responsibility. He mentioned that as he had noted earlier, Congressman Kirk has offered help to find available money for such projects. He also noted that in the Burke letter and the modeling, it was mentioned that when there is a 100 year flood that the elevations would be from 1.5 to 2 feet higher than those experienced in September 2008. He noted that no matter what remediation is done to the sewer none of that will matter much at those levels. He suggested we begin to use the Skokie Lagoons for what they were intended which is water retention. He noted that he understands that there are 226 acres of water in the Lagoons between Dundee Road and the Willow Road Dam. If the water were reduced by two feet (lower the level by 2 feet), it would represent 147,294,306 gallons of water or roughly 15% of the

main capacity of the deep tunnel. He further noted that it would not be just Northfield that would benefit but all the communities and into the city that are adjacent to the river. He noted that it has been done before but it has been about 20 years since the last time and obviously the amount of water continues to exceed what they were originally designed to hold. He further noted that since we know the next 100 year flood is not an "if" but a certainty we can begin to do something about that. When the 100 year flood occurs and the Skokie Lagoons overflows its banks, the storm sewer work will not matter.

A resident asked why the streets did not drain but had to be pumped out. Matt McDonough of McDonough & Associates, consultant for Cook County, responded that it is beyond their scope of work and relates more to storm sewers and would refer it to Mr. Glenn. However, he noted that often in a rainfall of the magnitude experienced in that September storm, typically storm sewer systems and inlets can handle a ten year storm. Wilmette classified the September 2008 storm as a 7 yr. storm. The inlet capability of a storm sewer system causes a lot of surcharging. The water coming in overwhelmed the sewer system and it wasn't influenced by the dam.

Joanne Bernstein of 91 Meadowview noted that water was also coming from the east from Hill Road in Winnetka across to Meadowview. She added that Hibbard Road Gardens is also elevated a lot from Meadowview and that it is not just the backflow from river that is coming east to them, it is also water going east to west. She stated that if the sewer could be moved putting it under Meadowview, that would solve a lot of problems.

Mr. Glenn responded this is correct and it is part of what contributed to the flooding in the Meadowview neighborhood. It was not just the river coming through; there are portions of Winnetka that drain through that same County storm sewer on Winnetka Road. So there is more drainage from upstream trying to get through the neighborhood and to the river. Staff has started talking to Winnetka and looking at it as a shared issue that the communities have.

Manager Sigman added that she is in the process of working with the Village of Winnetka to identify the problems and solutions we can agree on. Then the two towns would meet and work with Cook County Forest Preserve District to get their approval for improvements.

Ms. Bernstein asked what she and the residents of the Meadowview area can do to help the Village and County.

Manager Sigman noted that she can keep them posted and noted that the residents of the Meadowview area had helped fund the study that Gewalt Hamilton did on the Village's storm sewer system. She noted the good news is that it looks like it will work for this area. It will not help in a 100 year storm but for other storms, it will make a significant improvement. The current lift station on Forest Preserve property is owned and controlled by the Village of Winnetka and this would be contributory to them so we will need to work with them and of course the Forest Preserve and get a permit from them since it is on their property.

There was a comment by Commissioner Goslin with respect to the Skokie Lagoons and deepening them. He noted that Commissioner Sufferdin who represents constituents east of

Northfield is in support of deepening the Lagoons if that is a solution. He felt that if they have the support of the rest of the members and can find a funding source they would jointly support this concept as part of the solution. He noted that two Commissioners who represent the area are supportive of this plan as part of the solution.

Manager Sigman asked who at the County should be contacted when the engineering work is complete. Commissioner Goslin responded Mr. Mellis.

Trustee Gottlieb asked about a sentence on Mr. Mellis' letter on Page 2, "the area experienced historic rainfall amounts while there was still upstream storage capacity, the water still overtopped the dam." Does it mean that there was more capacity on the north side of the dam but for some reason it still overflowed?

Mr. Mellis responded that it worked as designed.

Trustee Kozminski thanked Commissioner Goslin and the Cook County Forest Preserve District for coming to discuss this important matter and for the extra report. He added that it is an important issue to the residents and Board.

President Gougler agreed with Trustee Kozminski's comments and noted it is a complicated issue and he thanked the residents for their input and the County's engagement and our Engineer's work and that of Village Staff. The Board and staff will continue to monitor this matter and further study the remediation of storm water throughout the Village.

### **CONSIDERATION TO APPROVE A GROUND LEASE AGREEMENT WITH CLEAR WIRELESS LLC FOR CELLULAR COMMUNICATIONS EQUIPMENT AT 1800 WINNETKA**

Trustee Teichert made a motion, seconded by Trustee Chapin to approve a Ground Lease Agreement with Clearwire to allow installation of backhaul dish antennas on the existing tower at 1800 Winnetka.

Director Kane noted that in 2001 the Village entered into a lease agreement with Sprint to install the existing cellular monopole located at the southern end of the Public Works/Fire-Rescue facility. The special use granted allowed up to three carriers to be located on the tower. Sprint, T Mobile and Cricket Communications are on the tower. As the services provided through cellular communications have been expanded, Sprint has upgraded their antennas in recent years and entered into a formal agreement with Clearwire to provide backhaul dish antennas. As part of this agreement, Clearwire wishes to install small two foot dish antennas near the top of the tower. This is an arrangement they will have with Sprint. The lease with the Village is simply a ground lease agreement to install their ground equipment within the existing enclosure that exists on the southern edge of the Public Works/Fire-Rescue facility. The ground lease is for a 5 year term with five renewable terms and a \$500 monthly rent.

Trustee Frazier felt that the \$500 a month rent was too low and asked if that is the best we can do.

Director Kane responded that it is the going rate for backhaul ground leases. She noted that they also enter into an agreement with Sprint. It is not like the primary cellular antenna agreements that T Mobile or Cricket have with us. This is more like the agreement we did in the past with Fiber Tower which was also \$500 a month.

Trustee Frazier asked if staff had checked with what other Villages are paid.

Attorney Hill noted that he was not aware that there are a lot of comparables on this type of lease. Northfield wrote a provision into the original Sprint agreement that allowed us to regulate other users that came in like Clearwire. He noted that not a lot of other municipalities did that. The purpose was 1) so the Village could get additional revenue on co-locators even though it would not be as much as the primary users and 2) make sure we were able to regulate co-location. He did not think there are a lot of others who are doing what Northfield is.

Manager Sigman added that Clearwire is above and beyond the three noted in the Special Use. When the Village first went into these types of agreements, it was approved for three carriers but with new technology we have been able to get these minor carriers on top of the three primary carriers. It is money above and beyond what was originally anticipated the Village would generate from the tower. So instead of three as per the special use, we now have five.

Director Kane also noted that working with our Village Attorney, the definition of "carrier" was not very clear. It is seen as bundled services being offered in an arrangement with Sprint. Clearwire is an enhancement of what Sprint offers.

Trustee Gottlieb asked if there is any provision for any rent adjustment in the agreement. It seems that it is \$500 renewable for 5 successive periods. If there is a change in the industry, and the Village was way behind in what it was getting, there would be no way of addressing an increase.

Attorney Hill said that is right, there is not a not an escalator in the agreement. He noted that this is an instance of us getting something where we might not have been entitled.

Trustee Gottlieb also asked what happens to the 3G antennas. Does 4G replace the 3G?

Director Kane noted she did not believe it does.

Trustee Frazier returned with the question as to whether the Village is locked into the five year leases without being able to raise the rent price.

Manager Sigman noted that we do not control the leases on the tower. That is controlled by Sprint. The only thing the Village controls is the ground lease. Sprint would have to find another carrier and bring them to us. We can't solicit them directly.

Following discussion and upon the following roll call vote, the motion was approved.

AYES:	Chapin	NAYS: 0	ABSTAIN: 0	ABSENT: Warga
	Kozminski			
	Teichert			
	Frazier			
	Gottlieb			

**CONSIDERATION TO APPROVE AN ORDINANCE AUTHORIZING THE VILLAGE TO BORROW FUNDS FROM THE WATER POLLUTION LOAN CONTROL PROGRAM**

Trustee Frazier made a motion seconded by Trustee Gottlieb to approve an ordinance authorizing the Village to borrow funds from the Water Pollution Loan Control Program.

Director Noble related that in February when Congress passed the stimulus package, the Village learned that there was money that could be available from the IEPA to fund water and sanitary sewer improvements. The IEPA would administer the program and the Village would have to apply through their revolving loan program. We jumped on the opportunity since we have many water and sanitary sewer projects that would meet the eligibility for the program. We began identifying the projects and putting the packages together. Midway through our efforts, we learned the funding was already accounted for some by people who were in line last year and were ready to go forward with their paperwork and projects before the funding was announced. The IEPA thought it would be a good move for the Village to continue with the process and go ahead and apply for an IEPA Loan in case there was additional stimulus money coming. The first step in applying for the loan is to adopt these two ordinances and publish them in the newspaper. This gives the Village some flexibility down the road in case money is available. If the Village's name comes up and it is not an attractive rate or not like the program was this year, we do not have to accept it. In no way would the Board be obligating the Village to borrow money by approving these ordinances.

Trustee Chapin asked if there would be a restriction on the use of the funds.

Director Noble responded the funds would be restricted to projects identified. He added that the initial program offered forgiveness of 25% of the principal amount with the remaining 75% payable over 20 years at 0% interest. A very attractive program.

Upon the following roll call vote, the motion was approved.

AYES:	Chapin	NAYS: 0	ABSTAIN: 0	ABSENT: Warga
	Kozminski			
	Teichert			
	Frazier			
	Gottlieb			

**CONSIDERATION TO APPROVE AN ORDINANCE AUTHORIZING THE VILLAGE TO BORROW FUNDS FROM THE PUBLIC WATER SUPPLY LOAN PROGRAM**

Trustee Frazier made a motion seconded by Trustee Gottlieb to approve an ordinance authorizing the Village to borrow funds from the Public Drinking Water Program.

Upon the following roll call vote, the motion was approved.

AYES:	Chapin	NAYS: 0	ABSTAIN: 0	ABSENT: Warga
	Kozminski			

Teichert  
Frazier  
Gottlieb

**CONSIDERATION TO APPROVE A RESOLUTION OF INTENT TO ISSUE BONDS USING MOTOR FUEL TAX FUNDS FOR THE OLD WILLOW ROAD BRIDGE REPAIR**

Trustee Chapin made a motion, seconded by Trustee Teichert to approve a resolution of intent to issue bonds using Motor Fuel Tax Funds for repair of the Old Willow Road Bridge.

Director Noble noted that some money was included in the 2009 roadway project for engineering on repaving of the Old Willow Road Bridge. The Village was fortunate to get \$100,000 of stimulus money for the project. Unfortunately, Federal requirements are much higher than local requirements so the scope of the project expanded and the engineering costs went up so we are looking for an additional \$13,008. He added that we will spend \$13,008 to get \$100,000 for the project.

Upon the following roll call vote, the motion was approved.

AYES: Chapin            NAYS: 0            ABSTAIN: 0            ABSENT: Warga  
Kozminski  
Teichert  
Frazier  
Gottlieb

**Discussion of Information Items and Updates**

President Gougler explained that this part of the meeting is meant to provide an update on what has been happening in the Village since the last Board meeting. He asked that the Chairs of the Sub-Committees briefly describe where they are in the process.

**Sub-Committee Reports**

Trustee Chapin reported that the Long Range Financial Planning Sub Committee has held three meetings. They have been educated by the Finance Director on the principles of municipal accounting and the ways it differs from business accounting. They have been looking at trending and the trends in recent years of the Village's revenues versus our expenses. The trends are both up. Expenses are exceeding revenues and that seems to be a cross over this year. He noted that they will be meeting again on September 3 at 5:29 p.m. to identify expenses and review assumptions for the recovery of the economic down cycle we are currently experiencing.

President Gougler noted that they have done some very good work and have had input from the audience. He encouraged all those interested to attend the next public meeting.

President Gougler noted that the Personnel Compensation and Benefits Sub Committee has met and continues to move forward.

Manager Sigman reported that the next meeting is Wednesday, Sept. 16 at 8:30 a.m.

**Departmental Updates**

Manager Sigman reported on Administration issues and provided an update on the

ComEd herbiciding. She noted that the Village became aware last week that ComEd had come in and applied an herbicide to all vegetation in the right of ways under the transmission lines for the length of the community from Glencoe on the north to Wilmette on the south. The extent of the herbiciding goes beyond our borders into Northbrook and Glencoe to the north and Wilmette, Glenview and Skokie to the south. In addition, the Village only became aware of the matter because ComEd's contractor stopped by Public Works to report that the areas they could not herbicide they were going to clear cut trees beginning that afternoon (last Tuesday). The Village was able to get an agreement in the field from ComEd to halt any additional work until a meeting could be called. Since that time, the Village has drafted a letter to ComEd seeking information on when the herbiciding was done, how it was done and what herbicides were used, some of the implications of the program and to get some information on how ComEd intends to restore the area. The Village has concerns on what was done, how it impacts surrounding property owners, the condition it was left in and their intentions for its restoration. There are still concerns about the trees that were to be clear cut. Unfortunately, most of the trees in the Village Center area behind the Community Events sign, and by the Library and Post Office are technically in the ComEd ROW. We have indicated to ComEd it would be meaningful to meet with them once we have some information from them on our questions in the letter and once we know what they have done and plan to do. She reported it is important to meet with them as a group of municipalities so all of the communities that have been impacted can meet and discuss how to handle the corridor where all the vegetation has been decimated. She reported ComEd representatives stopped in today just before the meeting and asked to express a couple of things to the Board and the community. They do want to work with us and preserve the trees that are important to us and find something that will balance their interest for the public utilities and our interest for the downtown. They have indicated they received President Gougler's letter and are in the process of responding to it. They believe they will have a response by Friday of this week. They have asked us to pass the information on to our residents and we agreed to get the information out immediately on our web site. They also indicated that they have outreached to the Metropolitan Mayors Caucus (as has Northfield) and the Northwest Municipal Conference (NWMC). The Village of Northfield is encouraging this on a regional basis. We had no notice of their herbiciding of the ROWs and if this is a ComEd policy that will be implemented statewide, the Village believes it is important that local governments be given notification so they know what is going on in their community before it is too late. Manager Sigman added that ComEd is taking a strong look at this issue and will likely be amending their policy and providing some additional notification. Currently, they give us notice when they are coming in to work in the distribution right of ways (21 days) but they did not do it for transmission lines. Manager Sigman also noted she outreached to Representative Coulson who was instrumental in helping us get consensus from ComEd to cease and desist on any additional work in Northfield and throughout the area. In addition, she reported she outreached to Attorney Mike Duggan who has a temporary restraining order ready should ComEd come back into the area. He

has also been researching some of the legal implications of what has already taken place. We still have a lot of unanswered questions but we hope to have more information soon.

Attorney Duggan offered that he has more information to share with the Board about the legal issues raised and he will share it in closed session.

Trustee Frazier has heard from a lot of people about this issue. It is it unbelievable that a public utility could come into a Village and spray an herbicide all over. She reported she went to look behind the North Shore Senior Center and saw a teenage boy walking through the area so just from the standpoint of health issues it is incredibly disturbing. She wondered about the bike path project with all the damage that has been done to the area. She wondered where the Illinois Commerce Commission stands on this issue and she could not believe there would not be any regulations that deal with spraying of herbicides in a community. She wants to see the Village get some money from ComEd to fix the area.

Manager Sigman noted she hopes people walking in that area are not smoking because of the potential for a fire with it being so dry. The Manager in Wilmette did outreach to the Illinois Commerce Commission and determined that they do not have jurisdiction over the ComEd rights of ways because they are under transmission lines and they cross state lines which falls under federal jurisdiction.

Trustee Chapin asked if the Village has attempted to involve the Citizens Utility Board in this matter.

Manager Sigman responded that a letter has been drafted to them and will be executed by President Gougler this evening.

Philip Preston of 705 Happ Road remarked that they sprayed this in his back yard. He said the strongly encourages something that prevents anyone from spraying pollutants in the Village. He shared some excerpts noting that he has two businesses in the chemical field and one produces high purity analytical reference standards. He had every type of pesticide/herbicide you can get. The other is a publication where they publish articles on herbicides like Garlon3 (the type of chemical used by ComEd). He read a couple of quotes on the dangerous make up of Garlon3.

Trustee Chapin noted that it might be worth while to involve the environmental protectionists group.

Jim Henderson of 1723 Northfield Square, which is adjacent to the ComEd ROWs, noted that the Board and staff is doing all the right things and have done a good job. He added that ComEd has to realize that this is part of our Village even though the right of way is their property. It is an attitude of properties like this that that is old fashioned and obsolete. Properties like this are useful and valuable not just industrial.

Resident Bobbi Moore, 345 Sunset Drive, noted that she was shocked when she saw the devastation. She asked if ComEd has ever done this before. Had the EPA had any experience with this type of herbicide in a residential area? She asked if it is flushing out habitats of animals forcing them onto residential property. She noted natural flowers and plantings that have been

destroyed. She felt it is important to get the EPA involved in what has gone on in this area. She added that ComEd has a responsibility to the community to have something there that works for all of us. She whether their spraying has anything to do with the expansion of the Yellow Line. By denuding it, perhaps, they are looking at it for a transportation corridor. There have been discussions about transportation from Milwaukee to Chicago and the Olympics. She felt it is scary to see them denude the very area where the Skokie Valley Trail is planned. We need to find out more about why this was done.

A resident noted that he has a place in Wisconsin near the power lines and reported up there they have less money and use machines that cut out everything. It is an alternative being used by the power companies in Wisconsin.

Manager Sigman next announced the Safe Routes to School Grant. There was a group of about 22 residents and staff members that worked for over a year to apply for a Safe Routes to School Grant. Northfield was successful in getting \$248,000. She also wanted to note that the Willow Road work by IDOT is moving forward and there is a meeting next Tuesday regarding Context Sensitive Solution stakeholders. There will be a follow up meeting in September. This IDOT meeting will be discussed by our Traffic and Transportation Committee at their meeting next Wednesday at 7:00 p.m. She also reported that she has continued to work with the Villages of Winnetka and Kenilworth on a Joint 911 Center and exploring possibilities and she will be taking part in a larger regional meeting with a larger group of Village Managers to talk about some opportunities for sharing resources.

Director Anne Kane reported that the Happ Inn Bar and Grill opened last week for lunch and dinner and encouraged everyone to stop in. She reported on the Edens Bank demolition. She noted there is a lot of activity and it is great to see the progress. She reported several discussions with the environmental consultant for the project. The Village was unaware that there was as much ground contamination as was found there. She noted that they anticipate that there will be a lot of soil removed from the site. They have a remediation plan approved by the IEPA to remove the tanks and soil around and below it. She anticipates they will be starting demolition next week. Director Kane also reported that with regard to the BP court proceedings, they were all prepared for the hearing last Friday. Unfortunately, the judge being a Northfield resident and very familiar with the site and offered to recuse himself and BP's attorney requested that happen so the hearing was rescheduled for tomorrow.

Trustee Kozminski asked if the Edens Bank people were aware of the amount of remediation that would be required.

Director Kane responded that they have been aware of it and that it was not a surprise to them.

Director Noble reported on the Finance Department and noted that the audit is complete. He is in the process of writing the cover memo and the management discussion part of it. He also has a draft of the actuarial analysis of the Police Pension Fund and noted that he is not happy with

the results and has asked for additional analysis. Also, he noted that last week the Department mailed out 1,016 letters to owners of vehicles in town who have not purchased a vehicle sticker. He thanked Chief Lustig for signing the letter. About 300 have called and reported they do not own the car anymore and about 60 have purchased stickers.

Manager Sigman updated the Board on the Public Works Department activities because Director Mike Nystrand could not be at the meeting tonight. She reported they have their kick off meeting on the roadway construction project and should have information that can be passed along to residents about work on the local roads. She noted that there were five water main breaks yesterday so they are working on that and other regular public works projects. She also reported that the Willow Road patch is complete.

Chief Lustig provided a report on Police Department activities. He noted that Governor Quinn signed the mandatory Police and Fire Pension Training Bill. Bill has reviewed it and determined while it doesn't impact the Department now, it will impact future appointments to the Pension Board. He noted that after 24-1/2 years Officer Chris Bell is retiring from the Police Department. She has accepted a job at New Trier High School District as head of security and will leave on August 26. Because of the economy, he noted that it will be the second position in the Department that he will not fill which will leave 19 officers including him. He also reported on some of the incidents the Department has been involved in including a teenager who attacked two officers at Riverside and Avon and wanted an officer to kill him. The officers wrestled and handcuffed him and during the scuffle an officer broke his finger. He also reported they had a 15 year old teen who attempted suicide and is now in the hospital.

President Gougler asked if anyone had any questions on the Committee and Commission meeting notes included in the packets. There being none, he asked for a motion to adjourn to closed session.

### **ADOURN TO EXECUTIVE SESSION AT 8:30 PM**

Trustee Chapin made a motion, seconded by Trustee Teichert to adjourn to closed session to discuss current litigation.

Upon the following roll call vote, the motion was approved.

AYES:	Chapin	NAYS: 0	ABSTAIN: 0	ABSENT: Warga
	Kozminski			
	Teichert			
	Frazier			
	Gottlieb			

### **RETURN TO OPEN SESSION**

### **ADJOURNMENT**

There being no further business to come before the Board, Trustee Chapin made motion, seconded by Trustee Frazier to adjourn the meeting. By voice vote all approved and the meeting was adjourned at 8:56 p.m.