

REGULAR MEETING OF THE VILLAGE BOARD MINUTES, DECEMBER 5, 2011

The Regular Meeting of the Village Board was held Monday, December 5, 2011 at the New Baden Village Hall, 1 East Hanover Street. The meeting was called to order at 7:00 p.m. by Senior Trustee Malina.

A motion was made by Trustee Nielsen and seconded by Trustee Picard to select Trustee Malina as a temporary chair for this meeting in the absence of Mayor Brandmeyer.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

**Present and answering to roll call:** Trustees Malina, Linthicum, Oster, Picard, Nielsen and Gunn. **Absent:** Mayor Brandmeyer. **Staff Members Present:** Village Clerk Crane; Administrator Morani; Attorney Doug Gruenke and Tim Palen of Belsheim & Bruckert, LLC; Police Chief Riley; Treasurer Pollmann; Sarah Tebbe of Henry, Meisenheimer & Gende, Inc.; and Zoning Officer Green.

Prior to the meeting, a Public Hearing was held in regards to the Fiscal Year 2011/12 Tax Levy.

A motion was made by Trustee Linthicum and seconded by Trustee Picard to approve the Consent Agenda, which includes the Minutes from the November 7, 2011, Regular Meeting, the Minutes of the November 21, 2011, Committee-at-Large Meeting and authorization of payment of current invoices.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Park Board

Resignation: Herschel Beard

A motion was made by Trustee Nielsen and seconded by Trustee Linthicum to accept the resignation of Herschel Beard, Park Board.

**Ayes:** Picard, Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Park Board

Appointment: Nicole Jasper

A motion was made by Trustee Picard and seconded by Trustee Oster to accept Mayor Brandmeyer's recommendation to appoint Nicole Jasper to the Park Board.

**Ayes:** Picard, Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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Park Board  
Appointment: Jordan  
Pettibone

A motion was made by Trustee Picard and seconded by Trustee Oster to accept Mayor Brandmeyer's recommendation to appoint Jordan Pettibone to the Park Board.

**Ayes:** Nielsen, Gunn, Malina, Linthicum, Oster, Picard.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Resolution 2011-12:  
Approving  
Referendum Question  
for Electric Aggregate  
Opt-out Program

A motion was made by Trustee Linthicum and seconded by Trustee Nielsen to pass Resolution 2011-12: Providing For The Submission To The Electors Of The Village Of New Baden, Clinton And St. Clair Counties, Illinois The Question Whether The Village Of New Baden Should Have The Authority Under Public Act 096-0176 To Arrange For The Supply Of Electricity For Its Residential And Small Commercial Retail Customers Who Have Not Opted Out Of Such Program. This was discussed at the November 21, 2011, Committee-at-Large meeting. This referendum would be placed on the ballot for the March 20, 2012 general primary election.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Resolution 2011-13:  
Authorizing  
Professional Services  
Agreement with Good  
Energy, L.P.

A motion was made by Trustee Gunn and seconded by Trustee Linthicum to pass Resolution 2011-13: Authorizing the Execution of the Professional Services Agreement with Good Energy, L.P. Good Energy will perform electricity consultancy services and procurement for New Baden residential and small commercial electric accounts pursuant to 20 ILCS 3855/1-92.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Resolution 2011-14:  
Supporting a  
Regional Economic  
Development  
Partnership with the  
City of Trenton

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to pass Resolution 2011-14: Supporting a Regional Economic Development Partnership between the Village of New Baden and the City of Trenton. This concept has been recommended by the Community and Economic Development Committee. Trenton is expected to approve a similar resolution at their January 2012 meeting.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Ordinance 866:  
Adopting Guidelines  
& Procedures under  
the Public Safety  
Employee Benefits  
Act

A motion was made by Trustee Nielsen and seconded by Trustee Picard to pass Ordinance 866: Adopting Guidelines and Procedures for Making a Claim for Benefits under the Public Safety Employee Benefits Act for the Village of New Baden.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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Ordinance 867:  
Property Tax Levy for  
FY 2011/12

A motion was made by Trustee Malina and seconded by Trustee Oster to pass Ordinance 867: Providing for the Annual Tax Levy Upon All Real Estate and Personal Property Situated within the Corporate Limits of the Village of New Baden, Clinton and St. Clair Counties, Subject to Taxation, for the Fiscal Year 2011/12.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Ordinance 868:  
Declaring Abandoned  
Gas Service Stations  
a Public Nuisance

A motion was made by Trustee Picard and seconded by Trustee Linthicum to pass Ordinance 868: Declaring Abandoned Gasoline Service Stations as Public Nuisances.

**Ayes:** Picard, Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Ordinance 869:  
Redevelopment TIF  
Agreement with  
Prairie State,  
Securities, LLC

A motion was made by Trustee Nielsen and seconded by Trustee Picard to pass Ordinance 869: Approving a Redevelopment Tax Increment Finance Proceeds Agreement with Prairie State Securities, LLC for property located at 1210 East Hanover Street (formerly Comfort Corner). This agreement allows for the reimbursement of \$20,000 or the actual costs incurred by the Developer for the demolition and removal of all buildings and structures on the property, whichever is less.

**Ayes:** Nielsen, Gunn, Malina, Linthicum, Oster, Picard.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Westport Pools Pay  
Request #11

A motion was made by Trustee Nielsen and seconded by Trustee Gunn to authorize Pay Request #11 from Westport Pools, \$11,300.45. This was tabled at the October 3, 2011 Meeting due to concerns with the Splash Pad. This was discussed again at the November 21, 2011 meeting; work has already been completed and the check was issued to Westport Pools with no objections from the Board.

**Ayes:** Gunn, Malina, Linthicum, Oster, Picard, Nielsen.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Westport Pools  
Change Order #6

A motion was made by Trustee Oster and seconded by Trustee Picard to authorize Change Order #6 from Westport Pools, \$25,600.00. This for the half-meter diving board to be installed prior to the pool opening next season. Attorney Gruenke will prepare language that the Village will only be responsible for General Conditions if the diving board permit is not approved by the Illinois Dept. of Public Health.

**Ayes:** Malina, Linthicum, Oster, Picard, Nielsen, Gunn.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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Clinton County  
Contracts for  
Ambulance: SSA 7

A motion was made by Trustee Malina and seconded by Trustee Nielsen to approve the Contract for Ambulance Service with Clinton County in Special Service Area 7: Village of Damiansville, in the amount of \$8,492.00.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Clinton County  
Contracts for  
Ambulance: SSA 8

A motion was made by Trustee Malina and seconded by Trustee Nielsen to approve the Contract for Ambulance Service with Clinton County in Special Service Area 8: Village of Albers, in the amount of \$27,012.00.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Clinton County  
Contracts for  
Ambulance: SSA 9

A motion was made by Trustee Malina and seconded by Trustee Nielsen to approve the Contract for Ambulance Service with Clinton County in Special Service Area 9: Village of New Baden, in the amount of \$58,138.41.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Clinton County  
Contracts for  
Ambulance: SSA 10

A motion was made by Trustee Malina and seconded by Trustee Nielsen to approve the Contract for Ambulance Service with Clinton County in Special Service Area 10: Un-incorporated Areas of Lookingglass Township, in the amount of \$42,777.00.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Allison Knapp &  
Siekmann, Ltd.: FY  
2009/10 Special Audit  
Proposal

A motion was made by Trustee Oster and seconded by Trustee Linthicum to authorize the proposal received from Allison Knapp & Siekmann, Ltd., for the preparation of a special audit for costs associated with the new wastewater treatment facility, not-to-exceed \$2,000.00.

**Ayes:** Picard, Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

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Allison Knapp & Siekmann, Ltd.: OSLAD Close-out Report

A motion was made by Trustee Nielsen and seconded by Trustee Linthicum to authorize the proposal received from Allison Knapp & Siekmann, Ltd., for an independent audit of expenditures for the OSLAD Project. This report is required for reimbursement from the Illinois Dept. of Natural Resources. The Village will be billed at \$120.00 per hour for services. These expenses are also classified as a reimbursable grant expense.

**Ayes:** Nielsen, Gunn, Malina, Linthicum, Oster, Picard.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

OneBeacon (Liability Insurance) Proposal

A motion was made by Trustee Gunn and seconded by Trustee Nielsen to authorize the proposal received from OneBeacon Insurance Company for property/casualty insurance in the amount of \$49,933.00 for Fiscal Year 2011/12. This represents a 3.2% increase over the expiring premium.

**Ayes:** Gunn, Malina, Linthicum, Oster, Picard, Nielsen.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Illinois Public Risk Fund (Workers Compensation) Proposal

A motion was made by Trustee Linthicum and seconded by Trustee Oster to authorize the proposal received from the Illinois Public Risk Fund for workers compensation insurance in the amount of \$25,564.00 for Fiscal Year 2011/12. This represents a 15.77% increase over the expiring premium; this increase is largely due to modifications to the employee payroll code, which were made to accurately reflect the workforce.

**Ayes:** Linthicum, Oster, Picard, Nielsen, Gunn, Malina.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Hanover (Crime Policy) Proposal

A motion was made by Trustee Oster and seconded by Trustee Picard to authorize the proposal received from Hanover Insurance Company for crime insurance in the amount of \$959.00 for Fiscal Year 2011/12.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

1210/1212 East Hanover Street

No Action. Redevelopment Agreement was approved earlier in meeting.

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Extension of Liquor Sales: American Legion

A motion was made by Trustee Gunn and seconded by Trustee Picard to authorize the extension of liquor sales until 3:00 a.m. on New Year's Eve for American Legion Post 321, 105 East Illinois Street.

**Ayes:** Picard, Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Extension of Liquor Sales: Outside Inn

A motion was made by Trustee Picard and seconded by Trustee Linthicum to authorize the extension of liquor sales until 3:00 a.m. on New Year's Eve for Outside Inn, 423 West Hanover Street.

**Ayes:** Nielsen, Gunn, Malina, Linthicum, Oster, Picard.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

December Committee-at-Large Meeting

A motion was made by Trustee Linthicum and seconded by Trustee Oster to cancel the committee-at-large meeting scheduled to be held on Monday, December 19, 2011, due to lack of business to discuss.

**Ayes:** Nielsen, Gunn, Malina, Linthicum, Oster.

**Nays:** Picard.

**Absent:** None.

A majority of the Board voting aye, the motion carried.

Executive Session

A motion was made by Trustee Gunn and seconded by Trustee Picard to adjourn the meeting to Closed Session to discuss Personnel.

**Ayes:** Oster, Picard, Gunn.

**Nays:** Malina, Linthicum, Nielsen.

**Absent:** None.

Due to lack of majority approving, motion failed.

There being no further business to be brought before the Village Board, a motion was made by Trustee Nielsen and seconded by Trustee Linthicum to adjourn the meeting.

**Ayes:** Oster, Picard, Nielsen, Gunn, Malina, Linthicum.

**Nays:** None.

**Absent:** None.

A majority of the Board voting aye, the motion carried and the meeting was adjourned at 7:58 p.m.

Teri L Crane, Village Clerk  
Approved: January 3, 2012