

REGULAR MEETING OF THE VILLAGE BOARD MINUTES: NOVEMBER 16, 2015

The Regular Meeting of the Village Board met Monday, November 16, 2015, at New Baden Village Hall, 1 East Hanover Street.

Present and answering to roll call: Mayor Picard, Trustees Malina, Oster, and Pettibone. **Absent:** Trustees Linthicum, Mavrogeorge, and Gunn. **Staff Members Present:** Village Clerk Crane; Village Administrator Joost; Attorney Gruenke of Bruckert, Gruenke & Long, P.C.; Chief Meinhardt; Public Works Commissioner Renth; Chief Building & Zoning Official Green; EMS Director Gilbert and Treasurer Pollmann.

Reports & Communications

Attorney Gruenke explained that the decision of the Zoning Hearing Officer to grant the variance to Howard Boston, for property located at 309 North 6th Street, would stand unless at least one member of the Board of Trustees requests Administrative Review of the decision. No Board member requested review, so the decision stands, allowing Mr. Boston's variance request to park his recreational vehicle on the concrete pad on his vacant lot at 309 North 6th Street. Mr. Boston wanted to extend his thanks to the Public Works Department for the excellent job they did of installing a culvert on this property.

Consent Agenda

A motion was made by Trustee Pettibone and seconded by Trustee Malina to approve the Consent Agenda, which includes the Minutes from the November 2, 2015, Regular Meeting and authorization of payment of current invoices.

Ayes: Malina, Oster, Pettibone.

Nays: None.

Absent: Linthicum, Mavrogeorge, Gunn.

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

Trustee Linthicum arrived at 7:02 p.m.

Resolution 2015-11-16-A: Approving the 2015 Property Tax Levy Estimates

A motion was made by Trustee Pettibone and seconded by Trustee Malina to approve Resolution 2015-11-16-A: Approving the 2015 Property Tax Levy Estimates for the Village of New Baden. Prior to the approval of the Resolution, Mayor Picard made the public announcement of those estimates.

Ayes: Malina, Linthicum, Oster, Pettibone.

Nays: None.

Absent: Mavrogeorge, Gunn.

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

Audit Report: Fiscal Year 2014/15

Annette Hipkiss, of Scheffel Boyle, Certified Public Accounts, was present to review the Fiscal Year 2014-2015 Audit Report.

Haier Plumbing & Heating, Inc.: Pay Request #4 & Final: I-64 Water/Sewer Utility Extension

A motion was made by Trustee Malina and seconded by Trustee Pettibone to authorize Pay Request #4 & Final from Haier Plumbing & Heating, Inc. for the I-64 Water/Sewer Utility Extension Project, \$44,052.53. The pay request covers the retainage that was held for the project.

Ayes: Malina, Linthicum, Oster, Pettibone.

Nays: None.

Absent: Mavrogeorge, Gunn.

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

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Crop Damage due to I-64 Water/Sewer Extension Project: Ruth School Road

Doug Ratermann of HMG Engineers, Inc. met with Public Works Commissioner Renth and Kenny Von Bokel (who leases the property to farm) to discuss crop damage along Ruth School Road, where construction took place for the I-64 water/sewer extension project. Mr. Von Bokel claims 75-feet of crop damage along the entire length of the sewer construction, measuring from the top of the ditch bank, where he starts planting, to the last row of poor crops. The area of disagreement as to the amount of crop damage is that HMG recommends settlement for the acreage that Mr. Von Bokel's landlord actually owns; along the entire length of the sewer construction. Mr. Von Bokel is farming between 14 feet to 33 feet of what is public right-of-way. At the intersection of Ruth School Road and IL State Route 161, the right-of-way limits transition out along IL State Route 161 from about 50 feet where the sewer crosses the highway to about 110 feet at the intersection with Ruth School Road. Both measurements are from existing top of bank, which is the limit of his farming. His farming of the public right-of-way was discussed during the initial meeting and Mr. Von Bokel claims to have farmed that area ever since IDOT constructed Ruth School Road but he has never had a written agreement with IDOT permitting this action. HMG recommends and based their calculations only for crop damage outside of existing right-of-way. HMG's calculations for crop damages show that the contractor, Haier Plumbing & Heating, Inc., would be responsible for \$1,260.83 for the area outside of the Village's easement and the Village responsible for \$1,017.32 for the area within the existing utility easement. After discussion, the consensus of the Board is to follow HMG's recommendation and only pay for crop damage on the owned property, not for anything planted in the public right-of-way. Administrator Joost will forward this information.

Full-time Paramedic Position

Administrator Joost stated he has conducted an interview with Tom Weber, a current part-time paramedic with the Ambulance Service. Mr. Weber is interested in filling the full-time paramedic position vacancy.

A motion was made by Trustee Oster and seconded by Trustee Malina to recess the meeting to Closed Session to discuss Personnel 5 ILCS 120/2(c)(2).

Ayes: Malina, Linthicum, Oster, Pettibone.

Nays: None.

Absent: Mavrogeorge, Gunn.

A majority of the Board voting aye, the motion carried and the meeting adjourned to Closed Session at 7:53 p.m.

Meeting reconvened at 8:19 p.m.

Present: Mayor Picard, Trustees Malina, Linthicum, Oster, and Pettibone.

Board Members Absent: Trustees Mavrogeorge and Gunn. **Staff Members**

Present: Clerk Crane; Administrator Joost; and Attorney Gruenke of Bruckert, Gruenke & Long, P.C.

Full-time Paramedic Position

A motion was made by Trustee Pettibone and seconded by Trustee Linthicum to approve hiring Tom Weber as a full-time paramedic at \$12.25 per hour and a 90-day probationary period.

Ayes: Malina, Linthicum, Oster, Pettibone.

Nays: None.

Absent: Mavrogeorge, Gunn.

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

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

Ayes: Malina, Linthicum, Oster, Pettibone.

Nays: None.

Absent: Mavrogeorge, Gunn.

A majority of the Board voting aye, the motion carried and the meeting adjourned at 8:19 p.m.

Teri L Crane, Village Clerk
Approved: December 7, 2015