

**GRAFTON TOWNSHIP BOARD
REGULAR TOWNSHIP BOARD MEETING MINUTES
Thursday, April 8, 2010**

1. Call to Order

Supervisor Moore called the meeting to order at 7:30 pm.

2. Roll Call

Present: Supervisor Moore, Trustees LaPorta, McMahon, Murphy, Zirk, Clerk Ford, Assessor Ottley, Road District Commissioner Freund, Township Attorney Krafthefer.

3. Pledge of Allegiance

Supervisor Moore led those present in the Pledge of Allegiance.

4. Regular Business

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to table Item 4B *Approval of Minutes.*

Voice Vote:

AYES: Trustees LaPorta, Zirk, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to move the order of agenda Item 6B: *Discussion and potential action on Resolution Establishing Rules Governing Township Board Meetings* to be the next item of business on the Agenda, followed by Item 7A: *Discussion and potential action on Township Administrator's contract*; 7G: *Discussion and potential action to provide a contract to Mark Peloquin and/or Leading I.T. Solutions*; Item 7H: *Discussion and potential action to change time line for payments of compensation to Township Trustees*; and Item 7I: *Discussion and potential action to direct Supervisor to return to the Township the back-up hard drives for the Township computer system.*

Voice Vote:

AYES: Trustees LaPorta, Zirk, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

Motion was made by Trustee LaPorta, seconded by Trustee Zirk, to table Items 7B: *Discussion and potential action to censure Board members*; 7C: *Discussion and potential action to enter Supervisor's response to censure in minutes*; 7D: *Discussion and potential action related to Township Web site*; 7E: *Discussion and potential action on formation of Township Board Committee to review facility needs*; and Section 8 Reports.

Discussion: Supervisor Moore stated by tabling all these items she believes that the Board is not addressing Township business. Trustee Murphy stated that she believes **Section 8 Reports** should be left on Agenda.

Trustee LaPorta amended the motion, seconded by Trustee Zirk, to leave Section 8 on the Agenda.

Voice Vote:

AYES: Trustees LaPorta, Zirk, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

6B. Discussion and potential action on Resolution Establishing Rules Governing Township Board Meetings

Discussion: Attorney Krafthefer stated that one of the major changes was the preparation of the meeting agendas, as stated in Item II Meeting Agenda; 2. Trustees McMahon and Zirk stated that it was very difficult to receive the Board packet at the meeting and that it does not allow trustees adequate time to review. Supervisor Moore stated that there were no statutory requirements as to when Trustees receive Board packets.

Motion was made by Trustee LaPorta, seconded by Trustee McMahon, to adopt revised Resolution 040810-1, A Resolution Establishing Rules Governing Township Board Meetings.

Voice Vote:

AYES: Trustees LaPorta, McMahon, Murphy, Zirk, Supervisor Moore

NAYS: None

Motion Passed.

7A. Discussion and potential action on Township Administrator's contract

Motion was made by Trustee Murphy, seconded by Trustee Zirk, to approve the Township Administrator's contract.

Discussion: Supervisor Moore stated that she finds 10 months severance excessive. With the approval of her legal counsel, she has terminated Ms. Fender. The matter is now in litigation. Trustee McMahon believes that a contract is unnecessary and the terms are too generous.. Trustee LaPorta stated that he believes it is necessary since it is an unstable workplace. Trustee Zirk recommended a base annual salary of \$40,000.00, which is the same as Trudy Jurs. Supervisor Moore stated that no other Township employee has a contract or these benefits. Pam Fender wanted to speak. Supervisor Moore said that it was a conflict of interest for her to speak.

Motion was made by Trustee LaPorta, seconded by Trustee McMahon, to allow Pam Fender to speak regarding her contract of employment.

Voice Vote:

AYES: Trustees LaPorta, McMahon, Murphy, Zirk

NAYS: Supervisor Moore

Motion Passed

Pam Fender stated that the ten (10) months of severance were not important to her.

She is more concerned with doing a good job for the Township. Trustee Murphy wanted to discuss the other benefits. Supervisor Moore asked that Ms. Fender step out of the room. Attorney Krafthefer stated that it was an open public meeting and that she does not have to leave. Supervisor Moore requested this matter be tabled since it is part of an ongoing litigation and to allow time for Attorney to review personnel policies. Attorney Krafthefer stated that it was not necessary. Trustee McMahon recommended salary be set at \$37,500.00.

Trustee Murphy, seconded by Trustee Zirk, amended the motion to approve the Township Administrator's contract with a change in Section VIII to state three (3) months severance if terminated without cause; Section V. Annual base salary of \$40,000; Section XI. Vacation and Sick Leave and Section XII. Insurance will be consistent with employees benefits at Assessor's Office; and that if termination is part of a court order, no severance will be paid.

Roll Call

AYES: Trustees Murphy, Zirk, LaPorta

NAYS: Supervisor Moore, Trustee McMahon

Motion Passed.

7H. Discussion and potential action to change time line for payments of compensation to Township Trustees

Motion was made by Trustee Zirk, seconded by Trustee LaPorta, to pay Trustees on a monthly basis, rather than quarterly.

Discussion: Supervisor Moore asked if there was a statutory requirement that the audit of bills be completed prior to Trustees being paid. Attorney Krafthefer stated there were a number of statutes, but she was not aware of one specifically that would prohibit this action.

Roll Call

AYES: Trustees Zirk, LaPorta, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

7G. Discussion and potential action to provide a contract to Mark Peloquin and/or Leading I.T. Solutions

Motion was made by Trustee Zirk, seconded by Trustee LaPorta, to provide a contract to Mark Peloquin and/or Leading I.T. Solutions to be the only person to provide service to all Township computers, with the exception of the Assessors' Office.

Discussion: Trustee Murphy stated that this was discussed and passed at 3/23/10 Special Meeting. Trustee LaPorta stated that Mark Peloquin is the only person authorized to touch, work on, analyze Township computers, with the exception of the assessor's office. Trustee Zirk stated that she had a conversation with Mark Peloquin and he stated that when he came into the Township offices, Supervisor Moore told him that he would not be paid for his services. Trustee LaPorta stated that IT services provided by any other party would not be paid. No further action required; motion withdrawn by Trustee Zirk.

7I. Discussion and potential action to direct Supervisor to return to the Township the back-up hard drives for the Township computer system.

Motion was made by Trustee Zirk, seconded by Trustee LaPorta, to direct Supervisor to return to the Township the back-up hard drives for the Township computer system.

General discussion was conducted.

Roll Call

AYES: Trustees Zirk, LaPorta, McMahon, Murphy

NAYS: Supervisor Moore

Motion Passed.

Trustee LaPorta left the meeting at 8:30 p.m.

4. Regular Business

A. Audit and Payment of Bills

I. Discussion and potential action to pay bills as submitted by Supervisor for Town Fund and Road District Funds

Motion was made by Trustee Murphy, seconded by Supervisor Moore to pay bills as submitted by Supervisor for Town Fund and Road District Funds

Discussion: Trustee Murphy requested that the bills for the Crystal Lake Chamber membership; bill from Supervisor Moore's former attorney Stahl, Cowen, Crowley, Addis, LLC ; the 3-5-2010 to 3-15-2010 bill from Hammerand be excluded.

Supervisor Moore asked what line item bills for video taping and mailing for annual meeting should be placed. Trustee Zirk recommended mailing to registered voters informing them about the annual meeting should be placed in *Publishing*, since there was no longer a newsletter. Trustee Murphy stated that videotaping should be placed under *Legal*. Trustee McMahon recommended a Purchase Order system be utilized. Supervisor Moore stated that the levy had been accepted from the County. She also stated that she went out to bid on mowing of the Haligus Road property. Only one bid was received from McGinty Bros. Inc. Road District Commissioner Freund will prepare a written bid for the Board's consideration. The AT&T bill was discussed.

Trustee Murphy, seconded by Supervisor Moore, to amend the motion to exclude that the bills for the Crystal Lake Chamber membership; bill from Supervisor Moore's former attorney Stahl, Cowen, Crowley, Addis, LLC ; the 3-5-2010 to 3-15-2010 bill from Hammerand be excluded.

Roll Call

AYES: Trustee Murphy, Supervisor Moore, Zirk, McMahon

NAYS: None

ABSENT: Trustee LaPorta

Motion Passed.

II. Supervisor Report on ARC Disposal bill

III. Supervisor Report on listed name on previous general assistance bill

Discussion: Trustee Murphy did not have the specific name available so this item was tabled to the May Regular Township Board Meeting.

5. Public Participation

- Don Bond/Huntley, IL
- Tom Halat/Huntley, IL
- Loretta Wuich/Huntley, IL
- Joan Sauter/Huntley, IL

6. Old Business

I. Annual Meeting Set-Up

Discussion: Township Administrator Fender presented her report. There was a general discussion regarding clarity of presentation of resolutions, seating of non-residents, and voting at the meeting.

Trustee Murphy, seconded by Supervisor Moore, to have non-registered voter that attend the Annual Meeting seated in a separate area.

Roll Call

AYES: Trustee Murphy, Supervisor Moore, Zirk, McMahon

NAYS: None

ABSENT: Trustee LaPorta

Motion Passed.

Supervisor Moore requested a recess at 9:20 p.m. The meeting was reconvened at 9:25 p.m.

7F. Discussion and potential action to have the Supervisor provide a report on the number of General Assistance and Emergency Assistance Claims made, reviewed, granted and/or denied from May 18, 2009.

The report was included in the packet.

7J. Discussion and potential action to establish reasonable rules regarding the audio taping, videotaping, recording and photographing of Township Board Meetings.

Motion was made by Trustee Zirk, seconded by Trustee Murphy, to have equipment and persons audio taping, videotaping, recording and photographing Township Board Meetings be located in the last row or behind the last row of seats in the audience.

Discussion: Trustee Zirk stated that photographing at close range, especially with a flash was distracting to her as well as other Board members. Attorney Krafthefer stated that this is allowed by the Open Meetings Act and the Board has the right to establish reasonable rules.

Roll Call

AYES: Trustees Zirk, Murphy, McMahon

NAYS: Supervisor Moore

ABSENT: Trustee LaPorta

Motion Passed.

7K. Identification of items for next board meeting agenda

General Discussion

8. Reports

A. Supervisor

I. General Assistance Report

II. FOIA Report

III. Review of Court Order

Supervisor Moore requested the codes for the website. Trustee Murphy stated that the Supervisor chose to remove herself from the website. Attorney Krafthefer asked Trustee Moore if she had ever been denied access. Trustee Murphy stated that any information for the website is given to Chad/Assessor's Office and he posts it.

IV. Chairman of the Board comments regarding statutory duties, schedule, deadlines

B. Trustees

Trustee McMahon stated he would like to respond to public comments when they are made.

C. Clerk

None

D. Road District Commissioner

Patching pot holes; doing sign inventory.

E. Assessor

Absent/left meeting at 8 p.m.

F. Committee Reports

I. Senior Services

II. Transportation

Supervisor Moore reported that a \$10,000.00 check was received from the Village of Huntley for transportation services. Administrator Pam Fender read a report regarding complaints and issues with senior transportation.

Motion was made by Supervisor Moore, seconded by Trustee Murphy to forward this information to the Transportation Committee for a report to be made by Mr. Ziller at the May Regular Township Board Meeting.

Roll Call

AYES: Supervisor Moore Trustees Murphy, McMahon, Zirk

NAYS: None

ABSENT: Trustee LaPorta

Motion Passed.

9. Closed Session

a. Self-Evaluation, practices and procedures or professional ethics, when meeting with a representative of a statewide association of which the public body is a member. (5 ILCS 120/2 (c) (16).

b. Discussion of minutes of meetings lawfully closed under the Open Meetings Act, whether for purpose of approval by the body of the minutes or semi-annual review of minutes (5 ILCS 120/2 (c) (21).

c. Pending litigation (5 ILCS 120/2 (c) (11).

Attorney Krafthefer stated that a self-evaluation session cannot be conducted without a representative from TOI present. No one from TOI was present. There were no minutes available to review.

Motion was made by Trustee Zirk, seconded by Trustee McMahon to go into Executive Session at 10:20 p.m. for the purpose of discussion of pending litigation.

Roll Call

AYES: Trustees Zirk, McMahon, Murphy, Supervisor Moore
NAYS: None
ABSENT: Trustee LaPorta
Motion Passed.

10. Adjournment

Meeting was adjourned at 10:35 PM. due to lack of quorum.

Respectfully submitted by,

Harriet Ford
Grafton Township Clerk

Clerkmins100408