

**State of Illinois  
County of Cook  
Township of Northfield  
Northfield Township Board of Trustees Meeting December 8, 2009**

**Attendance**

The following board members were present:

Jill Brickman, Supervisor  
Brendan Appel, Trustee  
Carol Blustein, Trustee  
Karen McCormick, Trustee  
Mary Reynolds, Trustee

**Also Present**

Laura Fine, Northfield Township Clerk  
Peter Amarantos, Northfield Township Road District Commissioner  
Eric Patt, Northfield Township Attorney  
Scott Spears, Northfield Township Attorney  
Michele Wilson, Northfield Township Staff  
Doug Gerleman, Northfield Township Resident  
Tom Norton, Northfield Township Resident

Supervisor Brickman called the meeting to order at 7:00 PM and led us in the Pledge of Allegiance.

The agenda was slightly revised, as Attorney Patt had to leave early to attend another meeting.

**Review of the Attorney General's letter regarding an Ethics Ordinance**

Trustee McCormick corresponded with Illinois Assistant Attorney General Michael Luke, who wrote the guide to the Ethics Ordinance, about the possibility of expanding the Township's Ethics Ordinance. Attorney Patt said based on the December 2 letter from Mr. Luke, it is his opinion you can only amend the local ordinance within two categories: political activities and soliciting and accepting gifts. He feels you cannot do anything outside the scope of the enabling legislation; a state law that allows a non-home rule entity to take action. The enabling legislation consists of the State Officials and Employees Ethics Act. The act focuses on political activities and soliciting and accepting gifts. He said his opinion is adding anti-nepotism to the ordinance would be outside of the board's authority. He said the board can add internal operating rules concerning this issue. Under the Township Code, the board has the right to govern the rules and regulations of how to proceed in meetings and to govern the actions of employees.

Trustee McCormick said in her letter to Mr. Luke, she specifically addressed nepotism. She said her interpretation of his response is that you can amend the ordinance, but you cannot make it weaker. Trustee McCormick said she had a long conversation with Mr. Luke, and she understands his response as saying the current ordinance is a

guideline, and you can determine what is important to your township. Supervisor Brickman asked Trustee McCormick to contact Mr. Luke again to clarify his response. Trustee McCormick said she would. She said the question for Mr. Luke is can we go beyond the scope of the enabling legislation. She said if we could get a response of a yes or no in writing, it would give us clarity.

Attorney Patt had to leave the meeting, but he said Attorney Spears would take his place. He added Mr. Spears is well versed on the issue. Trustee Reynolds asked Mr. Spears what his office based its opinion on in terms of stating the board can only amend the enabling portion of the current ordinance. Mr. Spears said one of the toughest things an attorney does is tell a client he cannot do something. He said his office is not opposed to an anti-nepotism policy, but its obligation is to protect the township. He said the township is bound by Dillon's Rule, which means it is only authorized to act within the legislation that gives the township its power. He said this is one of the drawbacks to being non home rule. He said based on that, his office is not comfortable advising the board it could take action that could be subject to a challenge down the road. He added if we get approval from the Attorney General's office that says we can take this step, his office won't stand in the way. Trustee Blustein remarked it is not his job to stand in the way, only to advise the board.

Trustee Blustein said based on the letter from Mr. Luke, she feels he says clearly 'a unit of local government is free to amend and repeal its prior legislative enactments.' Trustee Appel said in his opinion, as a general rule, the board can go back and change past ordinances, but it has to be while operating within the enabling legislation.

Trustee Blustein asked if the board would be willing to move ahead with expanding the ordinance if we get a 'yes' from Mr. Luke. Supervisor Brickman said she would be much more comfortable moving ahead based on the response. She would also like to look into creating a township policy. Trustee Blustein asked the same question to Trustee Appel. He said that he hasn't looked at the issue except for the recent letter, as the previous opinion was sent to the former board. Trustee McCormick corrected him and said we received a letter while the current board was in place. Trustee Reynolds said she had a copy of the letter received in July. Trustee Appel said he would not be against amending the ordinance; he just does not want to go beyond the board's authority.

Trustee Reynolds asked Attorney Spears to address the specifics of the case cited in the attorney's argument, Kinesko vs. Berwyn Township. Attorney Spears said he has not read the case, but he can have a copy of it pulled and sent to the board. Trustee Blustein asked Mr. Spears if he had seen the letter before the meeting. He said he did. She asked him why he did not know the specifics of the case if it was specifically referenced in his opinion to the board. Attorney Spears said he did not know he would be drilled on the individual cases cited in the memo. Trustee Blustein asked him if it would be best practice to find out what this case was about before he walked into the meeting. Attorney Spears said he anticipated Attorney Patt would have taken care of this discussion.

Trustee Appel said in Mr. Spear's defense, a case that is cited for general proposition is generally useless to pull unless it has a comparable fact pattern. He added unless the board received a letter that said, "Just like the Johnson case..." Trustee Blustein said that is exactly what was said in the letter from the attorney, and with all due respect to Trustee Appel, she does not think he has the right to intercede when she is talking to the attorney. Trustee Appel countered that he is allowed to give his opinion. Trustee Blustein added that Trustee Appel is paid as a trustee on the board, not the attorney for the board.

Supervisor Brickman said the board should get back on task. The next step is Trustee McCormick going back to Mr. Luke to get a definite answer to our question: can we go beyond the scope of the enabling legislation?

Back to the Agenda

**Public Hearing on Tax Levies**

Members of the public were given an opportunity to be heard but none desired to do so.

**Open Town Meeting**

**Approval of the Minutes of the November 10, 2009 Meeting**

Trustee Blustein moved to approve the minutes.

Trustee Reynolds seconded the motion.

On page 5 under 'Fiscal Resources' Trustee Blustein clarified that she wanted to merge the information into one workshop. She also noted on Page 4, a friend of a Road District employee, Cain Morena, was hired on the spot to work at the recycling event, and Mr. Morena was not previously a Road District Employee.

On page 4 under the 'Appointment of Joel Levin' Trustee McCormick sent the letter in August, not October.

A voice vote to accept the minutes as amended was unanimous.

**Recess Town Meeting**

**Open Sewer Meeting**

Trustee Blustein moved to approve the sewer bills.

Trustee Reynolds seconded the motion.

Trustee Reynolds asked where the ongoing projects were taking place for the month. Supervisor Brickman said Westbrook Combined and the Greenwood pump station. The bills outline what type of work is taking place.

Trustee Appel asked what the bill was for the Northfield Township Personnel, 3rd quarter. Supervisor Brickman said it was mainly for billing work. Trustee Appel asked how much the intake is for the sewers every year. Supervisor Brickman said she does not have the exact figure, but it is a couple hundred thousand dollars.

Roll Call:

Ayes: Appel, Blustein, McCormick, Reynolds, Brickman (5)  
Nays: None (0)  
Motion carried 5-0

**Sewer Collections 2009**  
**Sewer Charge for 2010**

Supervisor Brickman discussed setting the sewer rates for the upcoming year. She said the trustees talked about this at the workshop. She suggested a 5% increase to the nearest whole dollar amount.

Trustee Reynolds moved to increase the annual sewer rate for 2010 5% to the nearest whole dollar amount.  
Trustee Appel seconded the motion.

Roll Call:

Ayes: Appel, Blustein, McCormick, Reynolds, Brickman (5)  
Nays: None (0)  
Motion carried 5-0

**Resolution regarding ongoing communication regarding the Sewer District**

Trustee Reynolds said she decided not to write a resolution regarding ongoing communication in the sewer district. However, she asked Supervisor Brickman to keep a log of different communications she has involving the sewer system. She requested the log to keep a record of the date and the work completed and put that in the board packet to give the board a picture of the health of the system. Supervisor Brickman said she would.

Trustee Reynolds said at last month's meeting she was not satisfied with the information given regarding overtime in the sewer district. However, the information sent this month from Ms. Fuller created a much clearer picture of what is happening with the sewers and overtime. Sending the reports of the work being done for the sanitary sewers and the payroll itemizations were very helpful.

Supervisor Brickman also informed the board that the township has heard from the property owner on Knollwood who was going to have a lien placed on his property for non-payment. He has requested a payment plan.

New Business  
None.

*A break was taken at 8:10 PM and the meeting reconvened at 8:15 PM.*

**Reconvene Town Meeting**  
**Approval of Town Fund Bills**

Trustee Reynolds moved to approve the Town Fund bills.  
Trustee Appel seconded the motion.

Trustee McCormick asked about the additional 2008-2009 funding of \$4,000 for Dial-a-Ride. Supervisor Brickman said this is actually for 2009-2010, as 2008-2009 funding ended in February. The \$8,000 budget for Dial-a-Ride should be sufficient for the remainder of the fiscal year.

Trustee McCormick amended the motion to change 2008-2009 to 2009-2010.

Trustee Reynolds suggested pursuing the Pace Bus, as this may be more efficient than Dial-a-Ride. She will bring this up again at the fiscal workshop.

Trustee Blustein asked why the numbers were different for Michele Wilson in November and December. Supervisor Brickman explained Ms. Wilson received an increase.

Trustee McCormick asked about the bill for Peachtree Checks and Forms. Supervisor Brickman explained this is our automated accounting system, used for our tax returns.

Trustee Reynolds noted there is no invoice from the police. Supervisor Brickman said we cannot pay them if they do not bill us.

Roll call to approve the Town Fund Bills as amended:

Ayes: Appel, Blustein, McCormick, Reynolds, Brickman (5)

Nays: None (0)

Motion carried 5-0 as amended

### **Road and Bridge Bills**

Trustee Reynolds moved to approve the Road and Bridge Bills.

Trustee Blustein seconded the motion.

Trustee Blustein asked Commissioner Amarantos what the overtime was between November and December. Commissioner Amarantos said part of it was for the pantry and moving all the cans on Halloween from the Glenbrook North/Glenbrook South Guinness Book can event. The other overtime was from the recycling event. Trustee Appel asked about the bill for computer support. Commissioner Amarantos explained that the Ethernet went down at the Road District and the computer died, so the expense was for computer equipment. Trustee Appel asked about the bill from Orange Crush (\$385,542.36) for the road improvement project. Commissioner Amarantos said paving and resurfacing is being done at two locations: Linneman and Citation Lake.

Roll Call:

Ayes: Appel, Blustein, McCormick, Reynolds, Brickman (5)

Nays: None (0)

Motion carried 5-0

### **Ordinance regarding tax levies**

Trustee Reynolds moved to approve the annual township tax levies for the Township of Northfield, the Special Police District, the Road District and the Road Improvement Fund.

Trustee Blustein seconded the motion.

Supervisor Brickman explained, at the workshop, the board discussed a .01% increase Trustee Appel noted on Page 1 of the Road Improvement Tax Levy, the total amount to be raised needs another '0' added to the total amount, to make it \$300,000.

Roll call to approve the ordinance with the correction:

Ayes: Appel, Blustein, McCormick, Reynolds, Brickman (5)

Nays: None (0)

Motion approved with the correction

### **Assessor's budget presented to the board in writing**

Trustee Reynolds noted the increase in the budget for training. Supervisor Brickman explained this is for our assessment and for a new part-time employee. Trustee Blustein noted the \$4,000 budget for the tri-annual newsletter. Supervisor Brickman said this letter is sent out every three years when property is reassessed to explain the process, how it relates to market value, and how taxes are configured.

### **FOI and Open Meeting Act Appointments**

Supervisor Brickman proposed that effective January 1, Michele Wilson and Lucinda Fuller be appointed as our township's officers for FOI and the Open Meetings Act. She said with the new FOI rules, you need someone who is always in the office to be the officer so they can answer the request in a short time.

Trustee Appel moved to appoint Michele Wilson and Lucinda Fuller as the township's FOI and Open Meetings Act officers.

Trustee McCormick seconded the motion.

The motion was approved on a voice vote.

### **Change of November 2010 board meeting**

Trustee Reynolds said that the November 2010 board meeting conflicts with a TOI event. She asked to move that meeting from Tuesday to Wednesday that month. She said if we put the change on the calendar now, we will not have to spend the money to publish a change of date. Supervisor Brickman said the board can make the change. The trustees agreed to the change.

### **Evening Hours**

Trustee Blustein asked if based on the number of people who use township services on Thursday nights, is it possible to eliminate Thursday evening hours, or reduce the number of Thursday evenings the office is open, to reduce costs to the township. Supervisor Brickman said we have 549 families who currently use the pantry, and some of those families are not able to come in during the day. In addition, the township employees' schedules are adjusted on Thursdays, so there are no personnel costs associated with keeping the office open at night, just utility costs. Thursday evenings are also big times for pantry volunteers. She added we may need consistency, and it could be confusing to clients if there are only two Thursday evenings a month the office

is open. A log was given to Trustee Blustein of Thursday evening usage as requested. She suggested they discuss this at the budget workshop.

### **Matters to be presented by the public**

#### **Old Business**

The County Zoning Board has approved a change to build town homes on a single family home site on Glenshire Road. The decision now goes to the county board. 75% of the commissioners need to uphold the change. Supervisor Brickman said the Zoning Board's decision is disappointing, and we will pursue the matter on behalf of the residents.

The final recycling event of the year was held in November. More than 700 cars dropped off recyclables. Supervisor Brickman and Trustee Reynolds thanked the Road District for making this such a successful event.

Trustee McCormick attended the Glenview Values Project meeting. She said they discussed gangs in Glenview. Next month they will continue the conversation and talk about Glenview's response to the gangs. The Glenview Values Project meets the first Tuesday of every month at 7:30 AM at the District 34 Administration Meeting.

Trustee McCormick, Clerk Fine, Assessor Damisch and Supervisor Brickman went to the Heart of Glenview kickoff event. Trustee McCormick said it was a well attended, successful event.

Trustee Blustein said she and Collector-elect, Doug Gerleman, attended the TOCC dinner. Specialists in school finance discussed how school finances relate to townships.

#### **New Business**

Trustee Appel said players and family members from Glenbrook South's hockey team sold t-shirts to raise money for the food pantry. The hockey club presented the pantry with a check for \$1,500.

Trustee Reynolds noted additions to the Prevailing Wage Act become more stringent as of January 1.

Trustee Appel moved to adjourn.  
Trustee Blustein seconded the motion.

The motion passed unanimously on a voice vote.

The meeting adjourned at 9:01 PM.

Respectfully Submitted,

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Laura Fine, Township Clerk