

CALL TO ORDER

The regular meeting of the Supervisor and Board of Trustees of Wheeling Township, for June 24, 2008, was held in the Community Room, of the Township of Wheeling, 1616 North Arlington Heights Road, Arlington Heights, Illinois. Supervisor Schroeder called the meeting to order at 8:02 p.m.

ROLL CALL

Clerk Ulreich called the roll and the following members were present: Supervisor Michael Schroeder, Trustee Ruth O'Connell and Trustee Kathy Penner.

Absent: Trustees Michael Domrzalski and Joanne Schultz

Also in attendance: Wheeling Township Highway Commissioner Scott Saewert, Wheeling Township Assessor Dan Patlak, Wheeling Township Attorney Kenneth Florey, Wheeling Township Director of Administration and Finance Josephine Stellato, Director of Senior/Disability Services Sue Burlini and Assistant Director of Senior/Disability Services Chris Guth.

PLEDGE OF ALLEGIANCE

Those assembled joined in saying the Pledge of Allegiance.

MOTION #1: APPROVAL OF MEETING – MAY 27, 2008

Motion by Trustee O'Connell, seconded by Trustee Penner, to approve the minutes from the May 27, 2008 board meeting, as presented.

VOICE CALL VOTE: All Ayes...Motion #1 Carried.

CITIZENS TO BE HEARD

None.

OFFICIALS' REPORTS

Assessor: Assessor Dan Patlak reported:

- The Cook County Assessor mailed the first of more than 240,000 letters to homeowners informing them they may be eligible for the Long Time Occupant Exemption. To be eligible a homeowner must have owned their home for at least ten years and have a total household income of under \$100,000. These exemption applications were due by June 30. As a result there was an increase in walk-in and phone activity with an even greater increase expected to follow.

Inquiries regarding the new Disabled Persons and Veterans Exemptions have also increased, as this news was included in the letter.

- No results are yet available for the Board of Review appeals, however, results for Wheeling Township are likely to come in July.
- 112 permits with the Cook County Assessor were filed in June, using for the first time the new Assessor Information Management System. The Township Assessor's office is current with all permit filings.

Highway Commissioner: Highway Commissioner Saewert reported:

- Traffic and street sign replacements will be completed this summer.
- Bids have been accepted for re-paving Dunlo and Brookfield avenues. The Woodland Avenue bid was rejected due to budget constraints.
- The Red Seal project has been completed.
- The Cook County Inspectors were met with to review projects being done in the Forest River Subdivision.
- The Highway Commissioner participated in the Cook County Highway Dept. Transportation Advisory Committee and Plan Formulation meeting.
- The monthly Highway Commissioners Meeting was attended.
- Ten small projects for drainage or tree removal are being prepared for next month.
- Meetings with IDNR and MWRD for determination of cost effective solutions to Feehanville were completed.
- Task meetings with department staff are conducted weekly.
- Work by Comcast Cable on 106 E. Anita in Mt. Prospect was completed.
- A final grading violation was corrected.
- Three grass height violation letters were sent.

Clerk: Clerk Ulreich informed the board of the impending sale of the used furniture which is now stored in the lower level. The bid opening from the sale will be held at the July 22, 2008 board meeting.

ADMINISTRATIVE REPORT

Mrs. Stellato reported:

- The General Assistance Catastrophic Insurance Partnership has been notified that the carrier will renew the policy with no increase in premium. This program was founded by Wheeling Township in 1997 and at this time thirteen townships participate: Elk Grove, Hanover, Lisle, Schaumburg, Winfield, York, Dundee, Milton, Naperville, Northfield, Palatine, Wheatland and Wheeling. The annual premium is a flat rate of \$2,750.00 per year per Township for a \$20,000 deductible and \$2,500 for a \$25,000 deductible. Supervisor Schroeder approved the \$20,000 deductible for Wheeling Township. The plan insures that a township would pay the first \$20,000/\$25,000 of each claim and the insurance covers the balance up to \$1,000,000 per client per year. The

Partnership has never had a claim. Gallagher Benefits brokers the coverage. Mrs. Stellato is Administrator of the plan, and will meet with Gallagher Benefits and a representative from the carrier to finalize the renewal.

- Another van has been leased from PACE by the Board's approval. A deposit of \$1,000 has been sent, and the agreement stipulates a 5 year lease at \$100 per month with free maintenance.
- Bus service has increased by 3 days per week by the Board's approval. Two part-time (4 days per week) drivers are now full-time. Lenny Benedict earns \$27,500 per year with health insurance benefits. Jeff Dillon has waived health insurance benefits and earns \$29,500 per year.
- The radios for the transportation department have been replaced with Nextel phones which give clear transmissions.
- The tape computer back-up system needs to be replaced with a cost of approximately \$3,400. Data Device will remotely back up the system, compress data and vault it to two different locations. This will enable staff to go online and retrieve data within minutes. The cost is approximately \$100 per month. As most data is stored in General Assistance it will be expensed to that budget. Supervisor Schroeder has approved this change.

NEW BUSINESS

SPELLING BEE WINNER AWARDS

Supervisor Schroeder announced the winners of the fourth annual Wheeling Township Senior Spelling Bee, which was held on May 13. The top three winners: Lorraine Gorman, Joe Foreman and Nancy Pasiuk, received award plaques. Thanks went out to all of the participants who brought their knowledge to the competition. Wheeling Township Director of Senior/Disability Director Sue Burlini and Assistant Director Chris Guth were also on hand for the awards ceremony.

EMPLOYEE PERSONNEL POLICY MANUAL

The Wheeling Township Employee Personnel Policy Manual for employees was reviewed by the attorney and a number of revisions were recommended. Recommendations include:

- "EMPLOYEE-AT-WILL STATUS: Add language ensuring that the Township's right to modify, revoke, suspend, terminate or change any policy in the Manual existed "at the Township's discretion" and could be exercised "without notice to employees."
- EQUAL EMPLOYMENT OPPORTUNITY POLICY: Add the complete list of characteristics protected from discrimination by federal and state laws. Replace the limited list of protected classifications in the prior draft of the Manual with "race, color, religion, sex, age, national origin, citizenship status, ancestry, marital status, parental status, pregnancy, family status, military discharge status, sexual orientation, gender identity or expression, disability or

handicap unrelated to an individual's ability to perform the essential functions of the job, association with a person with a disability or handicap, military status, source of income, housing status or any other category protected by law."

- JOB DESCRIPTIONS/REVIEWS: Replace language that employees "will" be given copies of their job descriptions at various times during their employment with the statement that the Township will make an "effort" to provide employees with copies of their job descriptions.
- SICK LEAVE, TEMPORARY DISABILITY POLICY: In paragraph no. 1 of the section titled "Temporary Disability," replace the phrase, "including pregnancy or childbirth" with "including disability arising from pregnancy or childbirth" to reflect that the Township does not consider "pregnancy or childbirth" to be disabilities, but rather, that certain health conditions relating to or arising from "pregnancy or childbirth" could constitute disabilities requiring a leave of absence from work. In addition, a clause was added to paragraph no. 3 of this section providing that the Township's decision to hold a disabled employees' job open for him or her for 90 days, and related procedures, shall control "unless otherwise required by applicable law" because, in certain circumstances, the Family and Medical Leave Act or the Americans With Disabilities Act might require a different outcome.
- SICK LEAVE, TEMPORARY DISABILITY POLICY: Section C, titled, "Maternity Leave," has been deleted because leave based on disability related to pregnancy or childbirth is covered by the FAMILY AND MEDICAL LEAVE and TEMPORARY DISABILITY POLICIES, and there is no reason to single out disability arising from pregnancy or childbirth or treat such conditions differently from other medical conditions requiring a leave of absence from work. In addition, certain "Maternity Leave" provisions arguably treated medical conditions arising from pregnancy or childbirth differently from other health conditions, potentially exposing the Township to claims of pregnancy discrimination.
- SICK LEAVE, TEMPORARY DISABILITY POLICY: A clause was added providing for an "Independent Medical Evaluation" indicating that the Township would resolve conflicting medical opinions by relying on the opinion issued by the medical personnel selected by the Township, "except where the law provides otherwise," because, in certain circumstances, the Family and Medical Leave Act or the Americans With Disabilities Act might require a different outcome.
- FAMILY AND MEDICAL LEAVE ACT POLICY: Under part A, titled, "Leave Description," language was clarified affirming the Township's right to direct that employees take paid leave concurrently with unpaid family and medical leave. A part B was added setting out the new provisions providing for "Service member Family and Medical Leave" which were recently signed into law. In part D, "Notice," it was clarified that employees are required to provide notice within two days or "as soon as practicable" to reflect the current state of the law with regard to notice.
- LEAVES OF ABSENCE: Several substantive revisions were made. First, in part A, "Death in the Immediate Family," "domestic partner" was added to the

definition of "immediate family" because the Illinois Human Rights Act now prohibits discrimination based on sexual orientation or identity, and failing to provide leave for the death of one's domestic partner could be construed as having a discriminatory effect on same-sex couples. Second, the following sections were added which provide for the various leaves of absence required by law: part D, "Victims' Economic Security And Safety Act (VESSA) Leave"; part E, "Military Leave" provided for by federal law; part F, "Family Military Leave," pursuant to the Illinois Family Military Leave Act; part G, "Employee Blood Donation Leave"; and part H, "School Visitation Leave."

- RESIGNATION POLICY: This was revised to reflect the fact that at-will employees may not be required to provide any particular notice period upon resignation, however, "sufficient" notice is "requested" in the Policy by the Township.
- ANTI-HARASSMENT POLICY: Several revisions were made. First, the limited list of protected characteristics was replaced with the complete list of such qualities under federal and Illinois law. Second, language was added to the examples of sexual harassment to make clear that harassment through e-mail or electronic media is prohibited by the Policy. Third, the short list of harassing conduct based on characteristics other than sex was replaced with a more complete set of examples of such harassment. Fourth, the Township's desire that employees promptly report harassing conduct was expanded to clarify that any supervisor learning of a complaint of "harassment, discrimination or retaliation," as opposed to just harassment, was required to immediately notify the Executive Administrator. Fifth, the phrase stating that completed investigations shall be "sealed" because, practically speaking, that might not occur, and it is legally sufficient that investigation documents be segregated from personnel files was deleted. Sixth, language was deleted indicating that length of service might impact the sanction meted out to an employee found to have engaged in harassment. This change ensures that the Township has as much leeway as possible to determine appropriate discipline for an employee found to have engaged in harassment in violation of the Policy. Lastly, language was added affirming that the Township absolutely prohibits retaliation against any employee who makes a complaint pursuant to this Policy or participates in an investigation of harassment or discrimination.

MOTION #2: EMPLOYEE PERSONNEL POLICY MANUAL

Motion by Supervisor Schroeder, seconded by Trustee O'Connell, to approve the changes in the personnel manual as proposed.

ROLL CALL VOTE: AYES: Schroeder, O'Connell, Penner

NAYS: None...Motion #2 Carried.

SET ELECTED OFFICIALS SALARIES

Attorney Florey outlined guidelines for setting officials salaries:

- Officials salaries can be only made for future boards, not for the current sitting board.
- The deadline for the board to set salaries is November 19, 2008.
- If salaries are not set by November 19th, they will remain the same.
- The current trend for boards is to only give a cost of living raise across the board.

Discussion followed. Keeping in mind the present economy and the fact that the Township does not have a balanced budget, Trustees O'Connell and Penner felt that salaries should be kept at this same level as they are currently at. Supervisor Schroeder felt a cost of living increase would be appropriate. Trustee O'Connell felt the board is providing a service to the community and the commitment is not about money. Attorney Florey reminded the board that providing a decent salary attracts quality candidates. Supervisor Schroeder suggested a compromise, giving a cost of living raise the first and third years of a term and no increase the second and fourth years.

MOTION #3: TABLE ELECTED OFFICIALS SALARIES DISCUSSION

Motion by Supervisor Schroeder, seconded by Trustee Penner, to table discussion of setting Officials salaries until the July 22, 2008 meeting.

ROLL CALL VOTE: AYES: Schroeder, Penner, O'Connell
NAYS: None...Motion #3 Carried.

PREVAILING WAGE ORDINANCE

According to the State of Illinois Prevailing Wage Act, Wheeling Township is required to pass a Prevailing Wage Ordinance every June for the Town Fund, which defines the rate of wages for laborers, mechanics and other workers in Wheeling Township who perform construction of public works for the township.

MOTION #4: PREVAILING WAGE ORDINANCE ADOPTION

Motion by Supervisor Schroeder, seconded by Trustee Penner, to adopt Ordinance 2008-03, An Ordinance Adopting Prevailing Wage Standards.

ROLL CALL VOTE: AYES: Schroeder, Penner, O'Connell
NAYS: None...Motion #4 Carried.

MOTION #5: AUDIT FOR CEMETERY FUND

Motion by Trustee Penner, seconded by Trustee O'Connell, to approve Batch #062408, against the Cemetery Fund, in the amount of \$1,150.00, to be paid.

ROLL CALL VOTE: AYES: Penner, O'Connell, Schroeder
NAYS: None...Motion #5 Carried.

MOTION #6: AUDIT FOR ROAD AND BRIDGE FUND

Motion by Trustee Penner, seconded by Trustee O'Connell, to approve Batch #142, 143 and 144, against the Road and Bridge Fund, in the amount of \$80,448.62 to be paid.

ROLL CALL VOTE: AYES: Penner, O'Connell, Schroeder
NAYS: None...Motion #6 Carried.

MOTION #7: AUDIT FOR TOWN FUND

Motion by Trustee Penner, seconded by Trustee O'Connell, to approve Batch #224, 225 and 226, against the Town Fund, in the amount of \$307,387.02, to be paid.

ROLL CALL VOTE: AYES: Penner, O'Connell, Schroeder
NAYS: None...Motion #7 Carried.

MOTION #8: ADJOURNMENT

Motion by Supervisor Schroeder, seconded by Trustee Penner, to adjourn.

VOICE CALL VOTE: All Ayes...Motion #8 Carried.

The regular meeting for Tuesday, June 24, 2008, was adjourned at 8:28 p.m. The next scheduled board meeting will be on Tuesday, July 22, 2008, at 8:00 p.m.

Paula L. Ulreich
Wheeling Township Clerk

