

Minutes of the Executive Session
November 3, 2015
Fulton Conference Room

The Village Clerk announced that this Executive Session is now being recorded.

Motion was made by Trustee Pannitto, seconded by Trustee Vandenberg. Mayor Seaman called this Executive Session to order at 8:55 p.m.

A roll call was taken:

In attendance and

responding to roll call:

D. Seaman, Mayor
P. Rea, Village Clerk
B. Maher, Village Trustee
T. J. Grady, Village Trustee
M. Pannitto, Village Trustee
J. Vandenberg, Village Trustee
B. Younker, Village Trustee
B. Brady, Village Trustee
T. Barnicle, Village Attorney (via telephone)

Absent:

None

Staff Present:

D. Niemeyer, Village Manager
M. Mertens, Assistant Village Manager
S. Tilton, Assistant Village Manager
B. Bettenhausen, Village Treasurer
T. Melody, Village Attorney

Others Present:

None

The purpose of this Executive Session was to discuss a) the litigation, when an action against, affecting or on behalf of the particular public body has been filed and is pending before a court or administrative tribunal, or when the public body finds that an action is probable or imminent, in which case the basis for the finding shall be recorded and entered into the minutes of the closed meeting.

Village Attorney, Tom Melody, made note that the Village was in Executive Session due to potential litigation with the Village of Orland Hills. Village Manager, David Niemeyer, gave an overview of the Village's prior agreement with Orland Hills regarding the Park Hills Development. It was noted that the Village was disputing \$340,000 out of the \$1.6 million that was related to the cost of the detention pond construction for the project. Attorney, Terry Barnicle, indicated that he had spoken with the attorney from the Village of Orland Hills and that he would have a formalized response regarding Orland Hills' position on this matter within the next two (2) weeks. Upon discussion, it was the recommendation of the Village Board to first hear back from the Village of Orland Hills and then determine the Village's next steps.

Motion was made by Trustee Grady, seconded by Trustee Younker, to adjourn this Executive Session. Vote on roll call: Ayes: Maher, Grady, Pannitto, Vandenberg, Younker and Brady. Nays: None. Absent: None. Motion carried and this Executive Session was adjourned at 9:21 p.m.

Motion was made by Trustee Younker, seconded by Trustee Maher to adjourn the regular Village Board meeting. Vote by voice call. Mayor Seaman declared the motion carried and adjourned the Special Committee of the Whole meeting at 9:22 p.m.