

158th ANNUAL TOWN MEETING OF HANOVER TOWNSHIP

APRIL 8, 2008

7:30 P.M.

AGENDA

- I. Meeting called to order and Pledge of Allegiance to the Flag.**
- II. Welcome and introduction of Officials.**
- III. Election and swearing in of Moderator.**
- IV. Approval of Annual Town Meeting Agenda.**
- V. Acceptance of Minutes of the 2007 Annual Town Meeting.**
- VI. Supervisor presents Annual Financial Statements.**
 - A. Town Fund**
 - B. General Assistance Fund**
 - C. Road District Fund**
 - D. Mental Health Board Fund**
 - E. Retirement Fund**
 - F. Senior Center**
 - G. Vehicle Replacement Fund**
- VII. Certification of Accounts by Trustees.**
- VIII. Presentation of Department Reports.**
- IX. Resolution Declaring Certain Hanover Township Personal Property to be Surplus.**
- X. Ordinance Regulating the Standing or Parking of Recreational Vehicles on Township Roads within Hanover Township.**
- XI. Ordinance Regulating Inoperable Motor Vehicles.**
- XII. Ordinance Authorizing the Licensing and Regulation of Dealers in Second Hand Articles.**
- XIII. Ordinance Establishing and Maintaining Pounds within Hanover Township.**
- XIV. Motion to Set the Hour of Special Town Meetings for 7:00 P.M.**
- XV. Motion to Set the Hour of the Next Annual Town Meeting for 7:30 P.M.**
- XVI. Motion to Pay the Moderator.**
- XVII. Adjournment**

**MINUTES OF THE 158th ANNUAL TOWN MEETING OF
HANOVER TOWNSHIP**

**APRIL 8, 2008
7:30 PM**

Call to Order: Clerk Brian P. McGuire called the meeting to order and asked everyone to stand while Brownie Troop #930 presents the colors and leads everyone in the Pledge of Allegiance to the Flag.

Welcome and Introduction of Officials: Clerk Brian P. McGuire welcomed everyone to the meeting and introduced the following Officials; Supervisor Michael Kelly, Trustee Katy Dolan Baumer, Trustee Robert Goffinski, Trustee Sandra Westlund-Deenihan, Highway Commissioner P. Craig Ochoa, Assessor Thomas Smogolski, Collector William T. Burke, Mental Health Board Chair Members Ruth Beckner and Mary Alice Benoit, Senior Services Chair Members Robert Salvesen, Richard Nelson and Charlene Ahlin, Committee on Youth Members Ashley Tyszkiewicz, Micaela Ten Hoven, Christina Zima and Judy Walsh.

Absent: Trustee Marvin Kramer.

Motion by Katy Dolan Baumer, seconded by Michael Kelly to appoint Robert S. Spejcher as our Sergeant at Arms. Motion carried unanimously.

Election and Swearing in of Moderator: Motion by Sandra Westlund-Deenihan, seconded by Robert Goffinski to nominate Michael Baumer to the position of Moderator. On the call for a vote, Mr. Baumer was unanimously elected. Clerk McGuire administered the Oath of Office of Moderator and turned the meeting over to Mr. Baumer.

Approval of Annual Town Meeting Agenda: Motion by Katy Dolan Baumer, seconded by Jason Hughes to approve the Annual Town Meeting Agenda as submitted. Motion carried unanimously.

Acceptance of Minutes of 2007 Annual Town Meeting: Motion by Katy Dolan Baumer, seconded by Robert Goffinski to accept the Minutes of the 157th Annual Town Meeting as presented. Motion carried unanimously.

Supervisor Presents Annual Financial Statements: Motion by Michael Kelly, attested by Brian McGuire the Supervisor's Financial Statements have been submitted. Motion by Brian McGuire, seconded by Steve Spejcher to dispense with the reading of the Financial Statements and accept as presented. Motion carried unanimously.

ENDING FUND BALANCES:

A. Town Fund	\$1,877,128.86
B. Welfare Services Fund	\$440,242.20
C. Senior Services Fund	\$757,857.79
D. Mental Health Board	\$852,962.81
E. Retirement Fund	\$17,652.51
F. Vehicle Replace Fund	\$262,854.76
G. Road and Bridge Fund	\$2,946,897.86

Motion by Katy Dolan Baumer, seconded by Sandra Westlund-Deenihan to accept the Annual Financial Statements as submitted. Motion carried unanimously.

Certification of Accounts by Trustees: Trustee Dolan Baumer presented the Certification of Accounts as follows: The Board of Trustees has checked all payments and vouchers against the Township as to the available funds, the Budget & Levy Ordinances and the validity of claim. The Board has received the Supervisor's Annual Report and finds the ledgers and accounts to be in order and be available for the annual audit to be performed by a private auditing agency. Trustee Dolan Baumer asked if anyone had any questions. No response.

Motion by Sandra Westlund-Deenihan, seconded by Katy Dolan Baumer to accept the Trustee's Certification of Accounts as presented. Motion carried unanimously.

Presentation of Department Reports: Department Reports were available at the door for all present.

Resolution Declaring Certain Hanover Township Personal Property to be Surplus: Motion by Robert Goffinski, seconded by Katy Dolan Baumer to approve Resolution No. 08-1 Declaring Certain Hanover Township Personal Property to be Surplus. Motion carried unanimously.

Ordinance Regulating the Standing or Parking of Recreational Vehicles on Township Roads within Hanover Township: Brian McGuire provided explanation of Ordinance Regulating the Standing or Parking of Recreational Vehicles on Township Roads within Hanover Township.

Motion by Robert Goffinski, seconded by Jason Hughes to approve Ordinance No. 08-01 Regulating the Standing or Parking of Recreational Vehicles on Township Roads within Hanover Township. Discussion. Motion carried unanimously.

Ordinance Regulating Inoperable Motor Vehicles: Brian McGuire provided explanation of Ordinance Regulating Inoperable Motor Vehicles.

Motion by Katy Dolan Baumer, seconded by Steve Spejcher to approve Ordinance No. 08-02 Regulating Inoperable Motor Vehicles. Discussion. Motion carried unanimously.

Ordinance Authorizing the Licensing and Regulation of Dealers in Second Hand Articles: Brian McGuire provided explanation of Ordinance Authorizing the Licensing and Regulation of Dealers in Second Hand Articles.

Motion by Katy Dolan Baumer, seconded by Robert Goffinski to approve Ordinance No. 08-03 Authorizing the Licensing and Regulation of Dealers in Second Hand Articles. Discussion. Motion carried unanimously.

Ordinance Establishing and Maintaining Pounds within Hanover Township: Brian McGuire provided explanation of Ordinance Establishing and Maintaining Pounds within Hanover Township.

Motion by Katy Dolan Baumer, seconded by William Burke to approve Ordinance No. 08-04 Establishing and Maintaining Pounds within Hanover Township. Discussion. Motion carried unanimously.

Motion to Set the Hour of Special Town Meetings for 7:00 PM: Motion by Sandra Westlund-Deenihan, seconded by Katy Dolan Baumer to set the hour for any Special Town Meetings for the fiscal year 2008/2009 for 7:00 PM. Motion carried unanimously.

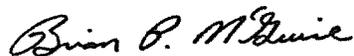
Motion to Set the Hour of the Next Annual Town Meeting for 7:30 PM: Motion by Katy Dolan Baumer, seconded by Robert Goffinski to set the hour of the 2009 Annual Town Meeting for 7:30 PM. Motion carried unanimously.

Motion to Pay the Moderator: Motion by Cathy Mikulski, seconded by Carl Imperato to pay the Moderator \$100.00. Discussion. Motion carried unanimously. Moderator Michael Baumer will donate the \$100.00 to the Streamwood Lions Club.

Adjournment: Motion by Katy Dolan Baumer, seconded by Robert Goffinski to adjourn this meeting. Motion carried unanimously.

Adjourned at 7:50 PM.

Respectfully submitted,



Brian P. McGuire, Clerk
Hanover Township

Copy: Supervisor
(4) Trustees
Assessor
Highway Commissioner
Attorney
Auditor
Administrator
Mental Health Board

Senior Services
Welfare Services
Youth & Family Services
Bartlett Library
Gail Borden Library
Poplar Creek Library
Village of Streamwood

Those Present:

Registered voters:

Brian P. McGuire, Michael E. Kelly, Robert Goffinski, Thomas Smogolski, Katy Dolan Baumer, Michael Baumer, William Burke, Cathy Mikulski, Trish Simon, Robert Salvesen, Bill Tiknis, Heidi McGuire, Carl Imperato, Mary Jo Imperato, Eugene Rudolph, Mary Alice Benoit, Ruth Beckner, Judy Walsh, Micaela Ten Hoven, Christina Zima, Charlene Ahlin, Eugene Rudolph, Shirley Shrade, Steve Spejcher, Richard Nelson, Cindy Spejcher, Evelyn Nelson, P. Craig Ochoa, Maggie Goffinski, Frank Provenzano, Robert Spejcher, Shirley Shrade, Elizabeth Thrasher, Rich Spejcher, Stephanie Newman, Sheila Provenzano, Regina Cheng, Jason Hughes and William Tiknis.

Not Registered in Hanover Township:

Aurea Picasso, Laurence Mraz, James Barr, John Acardo, Kathy Fox, Susan Alborell, Lori Orozco, Michelle Pacini, Jackie Spejcher, Barbara Kurth Schuldt, Debbie Swiatek, Peggy Brothman, Liz Williams and Susan Alborell.

April 8, 2008

The Board of Trustees has checked all payments and vouchers against the Township as to available funds, the Budget & Levy Ordinance and validity of claim.

The Board has received the Supervisor's Annual Financial Statements and find the Ledgers of Accounts to be in order and available for the annual audit performed by a private auditing agency.

Signed *Maria J. Berman*
Trustee

Signed _____
Trustee

Signed _____
Trustee

Signed _____
Trustee

ORDINANCE NO. 08 - 01

**AN ORDINANCE REGULATING PARKING OF
RECREATIONAL VEHICLES ON TOWNSHIP ROADS
WITHIN HANOVER TOWNSHIP**

WHEREAS, Section 30-125 of the Township Code expressly authorizes electors at an annual township meeting to adopt ordinances regulating the standing or parking of recreational vehicles on township roads within each township (60 ILCS 1/30-125).

NOW, THEREFORE, BE IT ORDAINED by the Electors of Hanover Township (the "Electors") at their annual meeting held on April 8, 2008, as follows:

SECTION ONE: Definitions: For the purpose of this Ordinance, the following words and phrases shall have the following meanings ascribed to them:

A. "Recreational Vehicle" means and includes every camping trailer, motor home, mini motor home, travel trailer, truck camper, or van camper.

B. "Park " or "Parking" means and includes the standing of a vehicle, whether occupied or not other than when temporarily and actually engaged in loading or unloading merchandise or passengers.

SECTION TWO: It shall be unlawful to park any recreational vehicle at anytime on any township road within Hanover Township, Cook County, Illinois.

SECTION THREE: Penalty, Any person violating any provision of this Ordinance shall be fined \$200.00.

SECTION FOUR: The Electors hereby authorize the Hanover Township Board of Trustees to perform all acts necessary to enforce the provisions of this Ordinance.

SECTION FIVE: SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION SIX: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and approval.

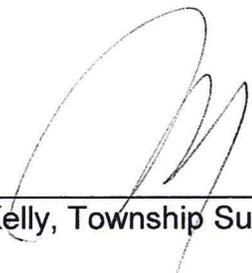
VOTE OF ELECTORS: *Michael Kelly, Robert Goffinski, Katy Dolan Baumer, Sandra Westlund-Deenihan, Jason Hughes*

AYES: *5*

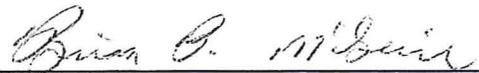
NAYS: *0*

PASSED: April 8, 2008

APPROVED: April 8, 2008



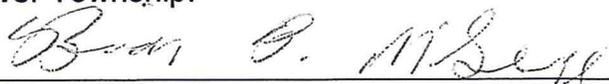
Michael E. Kelly, Township Supervisor

ATTEST:


Brian P. McGuire, Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 08-01 enacted on April 8, 2008, and adopted by the Electors of Hanover Township at the Annual Hanover Township meeting held on April 8, 2008, as the same appears from the official records of Hanover Township.



Brian P. McGuire, Hanover Township Clerk

ORDINANCE NO. 08 - 02

**AN ORDINANCE REGULATING INOPERABLE MOTOR VEHICLES
LOCATED WITHIN HANOVER TOWNSHIP**

WHEREAS, Section 30-130 of the Township Code authorizes the electors at an annual township meeting by Ordinance to declare inoperable motor vehicles, whether on public or private property, to be a nuisance and to authorize fines to be levied for the failure of any person to obey any notice from the Township stating that the person is to dispose of any inoperable motor vehicle under his or her control (60 ILCS 1/30-130) ("Section 30-130"); and

WHEREAS, Section 30-130 further authorizes the electors to authorize law enforcement agencies with applicable jurisdiction to remove any inoperable motor vehicle or parts of such vehicle as therein provided;

NOW, THEREFORE, BE IT ORDAINED by the Electors of Hanover Township (the "Electors") at their annual meeting held on April 8, 2008, as follows:

SECTION ONE: Definitions: For the purpose of this Ordinance, the following words and phrases shall have the following meanings ascribed to them:

"Inoperable Motor Vehicle" means and includes any motor vehicle from which, for a period of at least 7 days, the engine, wheels, or other parts have been removed, or on which the engine, wheels, or other parts have been altered, damaged, or otherwise treated so that the vehicle is incapable of being driven under its own motor power. "Inoperable motor vehicle" does not include a motor vehicle that has been rendered temporarily incapable of being driven under its own motor power in order to perform ordinary service or repair operations.

SECTION TWO: Pursuant to Section 30-130 of the Township Code, the Electors hereby declare inoperable motor vehicles located within Hanover Township, Cook County, Illinois whether on public or private property, to be a nuisance, whether conducted by the owner, tenant or other occupant of the property. It is the intent of the Electors to make all such persons and/or entities jointly and severally liable for compliance herewith.

SECTION THREE: Pursuant to Section 30-130 of the Township Code, the Electors hereby authorize the Township Clerk to issue a notice to the person or entity who is the vehicle owner and/or owner of record of the property on which the nuisance exists or occurs and/or to the occupant of said property to dispose of any inoperable motor vehicle that is under his, her or its control within seven (7) days of receipt of said notice; provided however, that the Township Board of Trustees has first determined that said vehicle is an inoperable motor vehicle within the meaning of this Ordinance (the "Township Notice"). The Township Notice shall be delivered by certified mail, return receipt requested and regular mail to the last known mailing address of the owner of the vehicle, the owner and/or occupant of the property, or notice shall be served personally on said vehicle owner, property owner and/or property occupant, or notice shall be posted on the premises wherein said nuisance exists or occurs or notice shall be posted in a conspicuous place on the inoperable motor vehicle.

SECTION FOUR: Any person and/or entity who fails to dispose of any inoperable motor vehicle under his, her or its control within seven (7) days of receipt of the Township Notice from the Township Clerk as provided in Section Three above shall be fined \$500.00.

SECTION FIVE: The Electors hereby authorize the Hanover Township Board of Trustees to perform all acts necessary to enforce the provisions of this Ordinance.

SECTION SIX: The Electors hereby authorize law enforcement agencies with applicable jurisdiction to remove, after seven (7) days from the issuance of the Township Notice provided in Section Three above, any inoperable motor vehicle or parts of such vehicle; provided however, that the owner of such vehicle is first provided an opportunity for a hearing to determine if said vehicle and/or parts should be removed based on a determination that this Ordinance has been violated and further provided that a warrant has been issued by a court having jurisdiction over the vehicle authorizing its removal.

SECTION SEVEN: Nothing in this Ordinance applies to any motor vehicle that is kept within a building when not in use, to an operable historic vehicle over 25 years of age, or to a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles.

SECTION EIGHT: SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION NINE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect.

VOTE OF ELECTORS: *Michael Kelly, Robert Goffinski, Sandra Westlund-
Jason Hughes, Katy Dolan Bawner, Deenhar*
AYES: *5*
NAYS: *0*

PASSED: April 8, 2008

APPROVED: April 8, 2008



Michael E. Kelly, Township Supervisor

ATTEST:


Brian P. McGuire, Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 08-02 enacted on April 8, 2008 and adopted by the Electors of Hanover Township at the Annual Hanover Township meeting held on April 8, 2008, as the same appears from the official records of Hanover Township.



Brian P. McGuire, Hanover Township Clerk



ORDINANCE NO. 08 - 03

**AN ORDINANCE AUTHORIZING THE LICENSING
AND REGULATION OF DEALERS IN
SECOND HAND ARTICLES**

WHEREAS, Section 30-135 of the Township Code expressly authorizes electors at an annual township meeting to authorize the licensing and regulation and direct the location of all places of business of purchasers, traders, dealers in junk and any second hand article, including motor vehicles, except in cities, villages, and incorporated towns in the township that by ordinance provide for the licensing, regulation or location of places of business of those purchasers, traders and dealers.

WHEREAS, the Electors have determined that the presence of junkyards within Hanover Township results in blighting and decreased property values of surrounding homes and properties; and

WHEREAS, the Electors have further determined that it is necessary to regulate junk yards as herein provided, including, but not limited to the location of junkyards in order to reduce blighting, protect property values and to promote the public health, safety, morals, and general welfare of the residents of Hanover Township;

NOW, THEREFORE, BE IT ORDAINED by the Electors of Hanover Township (the "Electors") at their annual meeting held on April 8, 2008, as follows:

SECTION ONE: Definitions:

For the purpose of this Ordinance, the following words and phrases shall have the following meanings ascribed to them:

A. "Junk" shall mean and include scrap and old iron, steel, chain, brass, copper, magnesium, aluminum, tin, lead or other base metals, scrap lumber, old rope, old bags, rags, waste paper, paper clippings, scraps of woolens, clips, bagging, rubber and glass, and empty bottles of different kinds and sizes, any wrecked or dilapidated motor vehicle, engine, or machinery received, stored or held for more than ninety (90) days, and all articles and things discarded or no longer used as a manufactured article, composed of or consisting of any one or more of the materials or articles herein mentioned.

B. "Junk dealer" shall mean and include every person that shall engage in the business of buying, selling, bartering or exchanging, or that shall collect, receive, store or hold in possession for sale, barter or exchange, any of the things defined as junk.

C. "Junkyard" shall mean and include an open area where junk, waste, scrap, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. A junkyard includes automobile wrecking or salvage yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged house wrecking and structural steel materials and equipment. A junkyard does not include uses established entirely within enclosed buildings.

SECTION TWO: It shall be unlawful for any person and/or entity to operate and/or maintain a junk yard within Hanover Township, Cook County, Illinois ("Hanover Township" or the "Township") within any residential district, public land district, open land district, and/or within any planned unit development that is located

within any area or areas zoned for residential, public land, and/or open land as established under the Cook County Zoning Ordinance of 2001, as amended, and as depicted on the "Official Zoning Maps, Cook County, Illinois", as amended.

SECTION THREE: It shall be unlawful for any person to operate or to carry on the business of junk dealer and/or to operate and/or maintain a junk yard within Hanover Township without first having obtained a license therefor as provided in this Ordinance.

SECTION FOUR: Application and Standards for Determining Issuance of a License.

A. Before any license is issued, any person desiring to operate a junkyard in Hanover Township shall first make a verified application in writing to the Township Clerk, stating thereon:

(1) The full name of the applicant. If the applicant is a firm or partnership, the names and resident addresses of all the partners, and in case of a corporation, the names and residence addresses of the president and secretary shall be stated in the application.

(2) The applicant's residence address.

(3) The trade name of the applicant.

(4) The legal description of the premises where the junkyard is to be located and the size and approximate location of each entrance thereto and exit therefrom.

(5) Whether or not the premises where the junkyard is to be located is enclosed on its perimeter with a solid nontransparent wall or fence of a minimum height of seven (7) feet measured from ground level except the entrances and exits.

(6) Whether or not the applicant has had a license to operate and/or maintain a junkyard and/or a junk dealer license revoked within the preceding twenty-four (24) months.

(7) The zoning district in which the junkyard is to be located.

(8) Applicant's date of birth, driver's license number, business and residence addresses for the past two (2) years, and the number of applicant's certificate of registration required under the Retailers' Occupation Tax Act, the Service Occupation Tax Act, and/or the Use Tax Act, if applicable.

(9) Whether the applicant: (a) has ever been convicted of a felony; (b) has ever been convicted of a misdemeanor involving injury to a person or property within the past ten (10) years; or (c) has been convicted of a misdemeanor involving theft or deception within the past five (5) years under the laws of the State of Illinois, or any other state, or the laws of the United States, and if so, a detailed description of such felony or misdemeanor.

(10) Whether any complaint against the applicant, or any entity represented by him, to the Consumer Fraud Division of the Attorney General's office has resulted in a finding that the consumer fraud laws of the State of Illinois have been violated.

(11) If the applicant is a corporation, the information requested in the foregoing subsections (8) through (10), all inclusive, must be furnished for each officer, director or shareholder who owns or controls, directly or indirectly through any person or entity, twenty-five per cent (25%) or more of the outstanding stock of such corporation.

(12) If the applicant is a partnership, the information requested in the foregoing subsections (8) through (10), all inclusive, must be furnished for each general and limited partner, indicating which partners are general and which are limited.

(13) If the applicant is a joint venture, the information requested in the foregoing subsections (8) through (10), all inclusive, must be furnished for each joint venturer.

(14) If the applicant is employed by, or represents another person or entity, credentials evidencing such employment, agency or authorization to represent such person or entity shall be submitted with the application.

(15) The applicant shall be accompanied by written authorization to conduct a background investigation, including the authorization to receive reports from other law enforcement agencies, and to Health Officer(s) and Enforcement Officer(s) to go upon any premises from which the proposed junk yard will be located to determine whether such premises comply with this Ordinance.

B. The Township Clerk shall issue a license to the applicant within thirty (30) days of receipt of a complete license application, unless the applicant is disqualified pursuant to Section Five herein.

C. In the event of denial of a license application, the Township Clerk shall deny the application stating in writing the reasons for the denial of the license, including the requirements of this Ordinance which the applicant has failed to meet or which does not permit the issuance of a license. Such denial shall be issued within thirty (30) days of receipt of a complete license application.

D. The applicant may appeal the decision of the Township Clerk within thirty (30) days after notice of denial is mailed to the applicant by submitting to the Clerk a written request for a hearing before the Township Administrator. The Clerk shall give the applicant at least ten (10) days' prior notice of the time and place of such hearing, which hearing shall be held not more than forty-five (45) days from the date of the Notice of denial of the license application. At the conclusion of the hearing, the Administrator shall make findings of fact and enter an order affirming or reversing the denial of such application.

E. Any license issued by the Township Clerk in violation of the provisions of this Ordinance shall be null and void.

SECTION FIVE: Disqualification of Applicant.

Any applicant for a license to keep, maintain, conduct or operate a junkyard shall be disqualified for any one of the following reasons:

- (1) Falsification of an application for a license hereunder.
- (2) License for a junkyard and/or junk dealer theretofore issued to the applicant has been revoked during the preceding twenty-four (24) months.

(3) Failure to meet any one of the minimum physical requirements for a junkyard as specified in this Ordinance.

(4) The location of the proposed junkyard is in an area prohibited under Section Two of this Ordinance.

(5) The entry of a final, unappealable order by any court, administrative agency, or hearing officer finding that the licensee:

- a. Is guilty of a felony.
- b. Is guilty of a misdemeanor involving moral turpitude.
- c. Has been engaged in acts constituting a danger to the public health, safety or morals.
- d. Has violated the consumer fraud laws of the state, any other state, or of the United States.
- e. Applicability to the applicant and the licensee:
 - (i) If the applicant and/or licensee is a corporation, any officer, director, or stockholder who owns or controls directly or indirectly twenty-five percent (25%) or more of the stock of the corporation.
 - (ii) If the applicant and/or licensee is a partnership, any general or limited partner.
 - (iii) If the applicant and/or licensee is a joint venture, any joint venturer.
 - (iv) If the applicant and/or licensee is a trust, the trustee and/or any beneficiary of the trust.
 - (v) The acts and/or omissions of any agent(s) or employee(s) of the applicant's and/or licensee's business.

(6) Failure of the licensee to pay any fine, penalty or licensee fee owed to Hanover Township.

(7) Refusal by the licensee or any person or entity related to the licensee, as specified in Subsection C5 of this Section, or manager of the licensee to permit any inspection provided for under this Ordinance.

SECTION SIX: Contents of License; Acceptance by Licensee.

A. All licenses issued under this Ordinance shall state:

(1) Such license is issued on the name of the junk dealer solely for the purpose of keeping, maintaining, conducting, and operating a junkyard;

(2) The expiration date thereof;

(3) The legal description of the premises where the junkyard is to be located;

(4) Such license shall be used and the privileges thereof exercised only at the described premises; and

(5) Such license is nonassignable and nontransferable.

B. The licensee, by the acceptance of such license, expressly agrees to all the terms and conditions thereof and to the terms and provisions of this Ordinance and all amendments thereof.

SECTION SEVEN: Entrances and Exits.

The premises where a junkyard is located shall not have more than two (2) entrances and two (2) exits, each of which shall not exceed fifteen (15) feet in width at the perimeter of the premises.

SECTION EIGHT: Fences; Specifications; Posting Signs.

A. The premises where a junkyard is located shall be enclosed on its perimeter with a solid, nontransparent, vertical wall or fence of a minimum height of seven (7) feet measured from ground level, except for the entrances and exits.

B. The solid, nontransparent wall or fence, and the gates or doors, if any, at the entrances and exits, shall not contain any sign, poster or advertising matter of any

kind whatsoever, excepting one sign of the licensee thereon not exceeding twenty (20) square feet in size.

SECTION NINE: Junk Prohibited on Adjacent Streets and Township Roads.

Licensee shall not deposit, dump, drop, discard, throw, leave or cause the depositing, dumping, dropping, throwing, or leaving of any junk upon any public streets and/or alleys adjacent to a junkyard and/or upon any Township road located within Hanover Township.

SECTION TEN: Purchases from Minor Restricted.

No licensee under this Ordinance shall purchase or receive any article whatsoever from any minors without the written consent of their parents or guardians.

SECTION ELEVEN: Inspections.

Any licensee under this Ordinance shall at all times allow any Cook County Sheriff, public health authorities, Hanover Township Enforcement Officer or other law enforcement officer having jurisdiction, free access to any and all portions of the junkyard for the purpose of inspection. For purposes of this Ordinance, the Cook County Sheriff or other law enforcement officer having jurisdiction and Hanover Township Enforcement Officer are referred to as "Enforcement Officers".

SECTION TWELVE: License Fee.

Every applicant for a license hereunder shall pay a non-refundable licensee fee in the amount of \$250.00 to Hanover Township, which license shall be valid for a period of one (1) year from the date that it is issued. The applicant shall pay a non-refundable license fee of \$250.00 for each renewable license application thereafter.

SECTION THIRTEEN: Suspension.

A. The Township Administrator is hereby authorized to summarily order the cessation of business operations, closing of the premises where it is carried on, and the suspension of any license issued to the licensee for a period not to exceed thirty (30) days when the continued conduct or operation of any junkyard (whether or not licensed) constitutes a danger to the public health, safety or morals.

B. Within three (3) business days after such suspension or order, the Township Administrator shall schedule a hearing to be held within a reasonable time for the purpose of determining whether or not such license should be revoked or whether such unauthorized business should be permanently prohibited from continuing. Such hearing shall be conducted as provided in Section Fifteen herein. Said hearing shall be conducted within seven (7) business days from the date of such suspension or order.

SECTION FOURTEEN: Revocation.

Any license issued under this Ordinance during the term of such license may be revoked by the Township Board of Trustees for any of the following causes:

A. Any fraud, misrepresentation, or false statement contained in the application for such license.

B. Any violation of this Ordinance.

C. The entry of a final, unappealable order by any court, administrative agency, or hearing officer finding that the licensee:

1. Is guilty of any felony.
2. Is guilty of a misdemeanor involving moral turpitude.
3. Has been engaged in acts constituting a danger to the public health, safety or morals.

4. Has violated the consumer fraud laws of the state, any other state, or of the United States.

5. Applicability to the applicant and the licensee:

a. If the applicant and/or licensee is a corporation, any officer, director, or stockholder who owns or controls directly or indirectly twenty-five percent (25%) or more of the stock of the corporation.

b. If the applicant and/or licensee is a partnership, any general or limited partner.

c. If the applicant and/or licensee is a joint venture, any joint venturer.

d. If the applicant and/or licensee is a trust, the trustee and/or any beneficiary of the trust.

e. The acts and/or omissions of any agent(s) or employee(s) of the applicant's and/or licensee's business.

D. Failure of the licensee to pay any fine, penalty or licensee fee owed to Hanover Township.

E. Refusal by the licensee or any person or entity related to the licensee, as specified in subsection C5 of this Section, or manager of the licensee to permit any inspection provided for under this Ordinance.

No revocation shall be effective until after the licensee has had an opportunity to have a hearing as provided in Section Fifteen herein.

SECTION FIFTEEN: Hearings.

A. The Township Clerk shall cause to be served upon the licensee or the licensee's agent, either personally or by certified mail, return receipt requested, written notice signed by the Township Administrator;

1. That his, her or its license will be revoked effective not less than twenty (20) days after such notice is served upon said licensee or licensee's agent;

2. Specifying the cause for such revocation, including the nature of the violation, the section number of the municipal code or any ordinance or law he, she or it has violated, if applicable, and the date, time and place such violation occurred and/or continued; and

3. Informing the licensee that he, she or it has the right to a hearing before the Township Board of Trustees, provided the licensee requests such hearing by written notice to the Clerk within ten (10) days after notice of revocation is served upon the licensee or licensee's agent.

B. If the licensee does not request a hearing within ten (10) days after service upon the licensee or its agent of the notice provided for in subsection A of this Section, the Township Board of Trustees, at its next regular meeting, shall review the charges against the licensee and the report of the enforcement official, and shall make written findings of fact and conclusions of law as to whether or not there is cause for license revocation, and shall submit such findings and conclusions within seven (7) days of said meeting.

C. If the licensee requests a hearing, the license may not be revoked until the conclusion of such hearing and only upon the making of findings and conclusions by the Township Board of Trustees that there is cause for the license revocation. If a suspension is in place, said suspension need not be lifted but may in fact be extended by the Board of Trustees for a period not to exceed an additional thirty (30) days upon

findings by it that the continued conduct or operation of the business constitutes a danger to the public health, safety and morals. At the hearing on the revocation, evidence shall be presented demonstrating the violation or cause on the basis of which the license should be revoked and the licensee or his, her or its attorney shall have the right to examine witnesses and present evidence on behalf of the licensee. After the conclusion of the hearing, the Board of Trustees shall make findings of fact and conclusions of law as to whether or not there is cause for license revocation and shall submit such findings and conclusions to the licensee within seven (7) days after the conclusion of the hearing.

D. Upon receipt of written determination by the Board of Trustees that there is cause for the revocation of any license, the Township Clerk shall revoke such license.

SECTION SIXTEEN: Authority of the Township Board.

The Hanover Township Supervisor, Board of Trustees, Township Administrator, Township Clerk and Enforcement Officers are each hereby authorized to perform all acts necessary to enforce the terms of this Ordinance.

SECTION SEVENTEEN: Limitation on Applicability of this Ordinance.

Nothing in this Ordinance shall apply to any junkyard and/or junk dealer operating a junkyard that is located within a city, village and/or incorporated town that by ordinance provides for the licensing, regulation, or location of places of junkyards and/or junk dealers.

SECTION EIGHTEEN: Penalty.

Any person violating any provision of this Ordinance shall be fined Five Hundred Dollars (\$500.00).

SECTION NINETEEN: SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION TWENTY: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TWENTY-ONE: EFFECTIVE DATE. This Ordinance shall be in full force and effect upon its passage and approval.

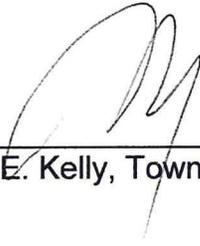
VOTE OF ELECTORS: *Michael Kelly, Katy Dolan Bauer, Jason Hughes*
Robert Goffinski, Sandra Westlund-Deinikan

AYES: *5*

NAYS: *0*

PASSED: April 8, 2008

APPROVED: April 8, 2008



Michael E. Kelly, Township Supervisor

ATTEST:


Brian P. McGuire, Township Clerk



CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 08-03 enacted on April 8, 2008, and adopted by the Electors of Hanover Township at the Annual Hanover Township meeting held on April 8, 2008, as the same appears from the official records of Hanover Township.

Brian P. McGuire

Brian P. McGuire, Hanover Township Clerk



ORDINANCE NO. 08 - 04

**AN ORDINANCE ESTABLISHING AND MAINTAINING
POUNDS WITHIN HANOVER TOWNSHIP**

WHEREAS, Section 30-100 of the Township Code authorizes the electors at an annual township meeting to establish and maintain pounds within a township, and that such pounds shall be under the care and direction of a poundmaster (60 ILCS 1/30-100);

NOW, THEREFORE, BE IT ORDAINED by the Electors of Hanover Township (the "Electors") at their annual meeting held on April 8, 2008, as follows:

SECTION ONE: The Electors hereby find and determine that it is necessary and convenient to establish and maintain pounds within Hanover Township, Cook County, Illinois ("Hanover Township" or the "Township").

SECTION TWO: Pursuant to Section 30-100 of the Township Code, the Electors hereby authorize the Hanover Township Board of Trustees (the "Township Board") to acquire (by purchase, gift or legacy) and hold property, both real and personal, and/or to enter any lease, license, and/or similar agreement providing for the Township's use of property, real or personal, in order to establish and maintain one or more pounds within Hanover Township, and to construct any buildings and/or other improvements within Hanover Township as may be necessary to establish and maintain such pound or pounds.

SECTION THREE: The Electors further authorize the Township Board to appropriate such funds as the Township Board, in its sole and absolute discretion,

deems necessary to purchase, lease and/or use such real and/or personal property and/or to construct such buildings and/or other improvements and acquire such equipment as may be necessary to maintain and operate said pound or pounds within Hanover Township, and to pay all expenses relative thereto and to the operation and maintenance of said pound or pounds.

SECTION FOUR: Pursuant to Section 30-105 of the Township Code, the Electors hereby authorize the Township Board to appoint one or more poundmasters to operate any such pound and/or pounds provided for herein; provided, however, that any such poundmaster or poundmasters shall be a veterinarian licensed by the State of Illinois and/or regulatory agency thereof (60 ILCS 1/30-105).

SECTION FIVE: Pursuant to Section 30-110 of the Township Code, the Electors authorize the impounding of dogs running at large within Hanover Township, and authorize the Township Board to adopt such rules, regulations and procedures relative thereto, and to collect costs of impoundment (60 ILCS 1/30-110).

SECTION SIX: The Electors hereby authorize the Township Board to perform all acts necessary to carry out the terms of this Ordinance, including, but not limited to, approving, awarding and entering all contracts necessary to carry out the terms of this Ordinance, and the Township Supervisor is authorized to sign any such contracts approved by the Township Board and any documents relative thereto.

SECTION SEVEN: Nothing herein shall require the Township Board to levy, appropriate and/or expend any funds relative to any pound or pounds referred to herein. The Township Board, in its sole and absolute discretion, shall determine the

amount of funds necessary, if any, to levy, appropriate and/or expend relative to any pound and/or pounds.

SECTION EIGHT: SEVERABILITY. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

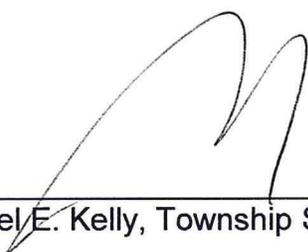
SECTION NINE: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION TEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect.

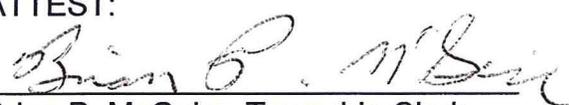
VOTE OF ELECTORS: ~~Michael Kelly, Trustee~~ ~~Dolan BA~~
Michael Kelly, Sandra Westlund - Denihan, Katy
AYES: 5 Robert Goffinski, Jason Hughes Dolan Baurer
NAYS: 0

PASSED: April 8, 2008

APPROVED: April 8, 2008



Michael E. Kelly, Township Supervisor

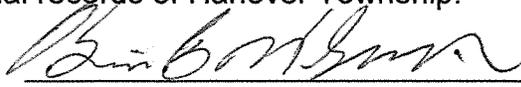
ATTEST:


Brian P. McGuire, Township Clerk

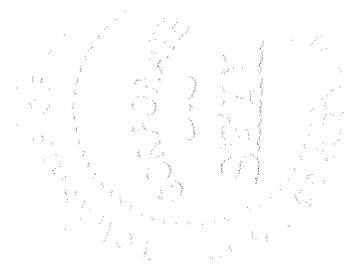


CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 08-04 enacted on April 8, 2008, and adopted by the Electors of Hanover Township at the Annual Hanover Township meeting held on April 8, 2008, as the same appears from the official records of Hanover Township.



Brian P. McGuire, Hanover Township Clerk



OFFICE OF THE TOWNSHIP BOARD OF HANOVER TOWNSHIP, ILLINOIS
PROCLAMATION
CHILD ABUSE PREVENTION MONTH

WHEREAS the National Day of Hope on April 2 serves to enhance public awareness on the problem of child abuse and neglect; and

WHEREAS approximately 3 million reports of suspected or known child abuse and neglect reports are made to child protective services each year; and

WHEREAS the actual incidence of abuse and neglect is estimated to be three times greater than the number of reported to authorities and more than four children die each day as a result of abuse in the home; and

WHEREAS 588,000 American children are unable to live safely with their families and are placed in foster homes and institutions; and

WHEREAS the Illinois Department of Children and Family Services received reports of over 110,000 cases of abuse and neglect in 2006; and

WHEREAS the Hanover Township Mental Health Board promotes services for survivors of abuse through funding of support agencies, and is committed to preventing abuse through education and community action and promoting equality, safety, and respect among all individuals; and

WHEREAS the Youth and Family Service department of Hanover Township exists in part to provide outreach services to youth in our communities to create positive familial environments;

NOW, THEREFORE, be it resolved that we, the, Hanover Township Board of the Township of Hanover, Cook County, Illinois do hereby proclaim April 2008, Child Abuse Prevention Month in Hanover Township, and urge all citizens and communities to participate fully in activities and events to observe Child Abuse Prevention Month.

DATED: April 8, 2008

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE SEAL OF THE TOWNSHIP TO BE AFFIXED HERETO.

Members of the Board of Trustees:

Katy Dolan Daumer, Township Trustee

Robert J. Goffinski, Township Trustee

Marvin J. Kramer, Township Trustee

Sandra Westlund-Deenihan, Township Trustee

Michael E. Kelly, Supervisor

Attest:

Brian P. McGuire, Township Clerk



OFFICE OF THE TOWNSHIP BOARD OF HANOVER TOWNSHIP, ILLINOIS
PROCLAMATION
NATIONAL VOLUNTEER WEEK

WHEREAS, the entire community can effect positive change with any volunteer action no matter how big or small; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like Volunteer Centers; and

WHEREAS, millions of volunteers working in their communities utilize their time and talent daily to make a real difference in the lives of children, adults and the elderly; and

WHEREAS, during this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 64 million people is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation; and

WHEREAS, Hanover Township is the recipient of thousands of volunteer hours in a one year period, donated by caring and thoughtful individuals, who help in every aspect of providing services, from Committee participation, to visiting the homebound, to teaching young people, and to providing office assistance.

NOW, THEREFORE, BE IT RESOLVED, The Hanover Township Board of the Township of Hanover, Cook County, Illinois do hereby proclaim April 15-21, 2008 as National Volunteer Week in Hanover Township and urge my fellow citizens to volunteer and "light the way" in their communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

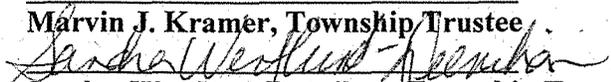
DATED: April 8, 2008

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE SEAL OF THE TOWNSHIP TO BE AFFIXED HERETO.

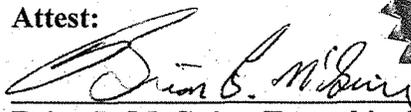
Members of the Board of Trustees:


Katy Dolan Baumer, Township Trustee

Robert J. Goffinski, Township Trustee

Marvin J. Kramer, Township Trustee

Sandra Westlund-Deenihan, Township Trustee


Michael E. Kelly, Supervisor

Attest:

Brian P. McGuire, Township Clerk



**OFFICE OF THE TOWNSHIP BOARD OF HANOVER TOWNSHIP, ILLINOIS
PROCLAMATION
SEXUAL ASSAULT AWARENESS MONTH**

WHEREAS sexual violence is a devastating and intolerable crime, affecting men, women, and children of all races, ages, cultures, economic situations, and abilities;

WHEREAS sexual violence is a major social problem in homes, schools, and communities resulting in countless physical, mental, and other health consequences; and

WHEREAS sexual violence seriously affects our youth, with one out of every three girls and one out of every six boys being sexually abused before the age of 18; and

WHEREAS rape remains the most underreported crime in the United States; and

WHEREAS the Illinois Criminal Justice Information Authority reported over 103,000 cases of sexual assault; and

WHEREAS Hanover Township, in conjunction with other organizations nationwide, designates the month of April as an additional opportunity to promote awareness and prevention of sexual assault; and

WHEREAS Hanover Township Mental Health Board promotes services for survivors of sexual violence through funding of our support agencies; and is committed to preventing sexual violence through education and community action and promoting equality, safety, and respect among all individuals;

NOW, THEREFORE, be it resolved that we, the, Hanover Township Board of the Township of Hanover, Cook County, Illinois do hereby proclaim April 2008, Sexual Assault Awareness Month in Hanover Township, and urge all citizens and communities to participate fully in activities and events to observe Sexual Assault Awareness Month.

DATED: April 8, 2008

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND CAUSED THE SEAL OF THE TOWNSHIP TO BE AFFIXED HERETO.

Members of the Board of Trustees:

Katy Dolan Baumer, Township Trustee

Robert J. Goffinski, Township Trustee

Marvin J. Kramer, Township Trustee

Sandra Westlund-Deenihan, Township Trustee

Michael E. Kelly, Supervisor

Attest:

Brian P. McGuire, Township Clerk



RESOLUTION 4-8-08-01

**A RESOLUTION APPROVING OF AN
INTERGOVERNMENTAL AGREEMENT**

BE IT RESOLVED by the Supervisor and Board of Town Trustees of Hanover Township, Cook County, Illinois, as follows:

SECTION ONE: That the Intergovernmental Agreement dated January 14, 2008, by and among Hanover Township, Elk Grove Township, Palatine Township, Schaumburg Township, and Wheeling Township regarding transportation services, a copy of which is attached hereto and expressly incorporated herein by this reference (the "Agreement") is hereby approved.

SECTION TWO: The Township Supervisor is hereby authorized to sign the Agreement on behalf of the Township.

SECTION THREE: SEVERABILITY. The various provisions of this Resolution are to be considered as severable and if any part or portion of this Resolution shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution.

SECTION FOUR: REPEAL OF PRIOR RESOLUTIONS. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Resolution shall be in full force and effect upon its passage and approval.

ROLL CALL VOTE:

AYES: 4 Supervisor Kelly, Trustees Dehn Blumer, Goffinski
and Westwood-Serrano

NAYS: 0

ABSENT: Trustee Kramer

PASSED: April 8, 2008

APPROVED: April 8, 2008



Michael E. Kelly, Township Supervisor

ATTEST:



Brian P. McGuire, Hanover Township Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Township Clerk of Hanover Township, Cook County, Illinois, and that the foregoing is a true, complete and exact copy of Resolution 4-8-08-01, enacted on April 8, 2008, and approved on April 8, 2008, as the same appears from the official records of Hanover Township.



Brian P. McGuire, Hanover Township Clerk

INTERGOVERNMENTAL AGREEMENT

This Agreement entered effective as of January 14, 2008 between Elk Grove Township, Hanover Township, Palatine Township, Schaumburg Township and Wheeling Township, all units of local government (sometimes collectively referred to as “The Townships”) and PACE, an Illinois not-for-profit corporation, (collectively, the “Parties”) provides as follows:

1. This Agreement is entered between The Townships pursuant to the Intergovernmental Cooperation Provisions of Article VII, Section 10 of the 1970 Illinois Constitution, and pursuant to the Intergovernmental Cooperation Act 5 ILCS 220/1 et seq.

2. This Agreement is further entered into between the Townships and PACE pursuant to the provisions of 60 ILCS 1/85-13 which authorizes townships to enter into contracts with not-for-profit corporations to provide ordinary and necessary maintenance and operating expenses for public transportation, health, and social services for the poor and aged.

3. The Townships have previously cooperated intergovernmentally between themselves, and with PACE, and are continuing to cooperate intergovernmentally in a program to provide transportation (the “Transportation Program”) to access medical care and of other health-related services. PACE has served as the conduit disbursing agency for grants from the State of Illinois to support these services.

4. Attached as Exhibit 1, and incorporated herein, is a copy of the Project Guidelines which set forth, in general terms, the parameters for the administration and operation of the Transportation Program.

5. As of January 14, 2008 the parties estimate that the following funds are available to provide continued transportation services for residents of The Townships:

- A. Approximately \$38,000.00 which is the remaining balance on hand from a prior State of Illinois grant of \$500,000.00 for the transportation services.
- B. Approximately \$19,800.00 presently on deposit in the name of PRC, which entity previously provided similar transportation services. PRC has been dissolved and as part of its final winding up process, intends that the remaining funds be transferred to Wheeling Township and used by the Townships for the Transportation Program.

6. The funds remaining from the initial \$500,000 grant will be used to pay for all program services prior to any disbursements of any nature whatsoever against the remaining PRC donation to be held by Wheeling Township. Only after the remaining balance of the \$500,000 referenced in paragraph 5(A) above has been exhausted shall the PRC donation to be held by Wheeling Township be used for Transportation Services.

7. The PRC donation will be transferred to Wheeling Township as custodial township to be held in a separate fund titled TRIP Escrow account, and used solely to (a) pay any costs, expenses or fees incurred by The Townships in connection with this Agreement, and (b) to pay for transportation services for Elk Grove Township, Hanover Township, Palatine Township, and Schaumburg Township. Disbursements from the TRIP Escrow account for transportation shall be made based upon approval of the

services by PACE and certification to Wheeling Township from PACE of the amount due to a particular Township.

8. The parties further agree as follows:

- A. PACE shall submit monthly reports to each Township itemizing the services rendered, by Township, and the amounts expended. These reports shall be submitted to each Township not later than forty-five (45) days after the last day of each month.
- B. The Townships, by an affirmative vote of 3/5ths of the Townships, each Township having one vote, may:
 - (i) amend, alter or revoke this Agreement;
 - (ii) remove Wheeling Township as the custodian for the TRIP Escrow account and select a replacement custodian;
 - (iii) amend, repeal or otherwise modify the Project Guidelines;
 - (iv) take any other action which is in the best interests of the Transportation Program.

9. This Agreement shall apply only and exclusively to the use of the funds referred to in paragraph 5 above. It is anticipated that an additional grant will be received from the State of Illinois, but such grant shall not in any manner whatsoever be subject to this Agreement. Such grant shall be administered and disbursed only pursuant to the terms of a further agreement between the parties.

10. This Agreement shall be interpreted and enforced in accordance with the laws of the State of Illinois.

11. This Agreement is deemed severable and the invalidity or unenforceability of any one provision shall not affect the remaining provisions so long as they can be construed as a whole without reference to the invalid or unenforceable provision.

12. A. Each Township represents that it is insured against claims for bodily injury and property damage and that it will continue to maintain such insurance in full force and effect during the term of this Agreement. Each Township further agrees to indemnify and hold all other Townships harmless against any claims or demands of any nature whatsoever to the extent caused by the negligent or wrongful acts or omissions of the indemnifying Township. The obligation to indemnify shall include the obligation to defend against all such claims, pay any amounts that may be agreed upon in settlement or awarded by judgment or verdict of a court or arbitrator, and shall also include the obligation to pay all fees, expenses and costs incurred by the indemnified Township(s).

B. The insurance company, self-insurance pool or similar entity of the party providing the indemnification shall be allowed to raise on behalf of the other party any and all defenses statutory and/or common law to such claim or action which the other party might have raised, including but not limited to any defense contained within the Illinois Governmental and Governmental Employees Tort Immunity Act (745 ILCS 10/1 – 101, et seq).

13. Notwithstanding any provision herein to the contrary, this Agreement is entered into solely for the benefit of the contracting Parties, and nothing in this Agreement is intended, either expressly or impliedly, to provide any right or benefit of any kind whatsoever to any person and/or entity who is not a party to this Agreement or to acknowledge, establish or impose any legal duty to any third party. Nothing herein

shall be construed as an express and/or implied waiver of any common law and/or statutory immunities and/or privileges of any of the Parties hereto, and/or any of their respective officers, officials, volunteers, employees, and/or agents.

14. The undersigned Townships represent that this Agreement has been approved by its Township Board of Trustees at a duly called meeting. Regardless of the date that such approval is granted, this Agreement shall be effective retroactive to January 14, 2008.

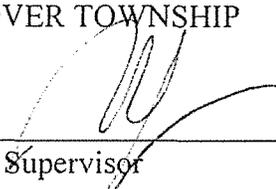
ELK GROVE TOWNSHIP

By: _____
Supervisor

PACE, an Illinois Not-For-Profit Corporation

By: _____
President

HANOVER TOWNSHIP

By:  _____
Supervisor

PALATINE TOWNSHIP

By: _____
Supervisor

SCHAUMBURG TOWNSHIP

By: _____
Supervisor

WHEELING TOWNSHIP

By: _____
Supervisor