

**Executive Session of the Board of Trustees of Elk Grove Township  
Elk Grove Township Hall, 2400 S. Arlington Heights Road, Arlington Heights, IL  
July 11, 2016**

**MINUTES**

- I. Call to Order. Supervisor Sweeney called the Executive Session to order under section 5 ILCS 120/2(c) (6) (OMA/Exceptions/The setting of a price for sale or lease of property owned by the public body) of the Open Meetings Act at 7:03 p.m.
- II. Roll Call. Trustees Koshaba, Satern, Niewiardowski and Ingraffia – Present. Supervisors Sweeney – Present. In attendance: Administrator Pioch.
- III. Negotiations Regarding Sale of Township Property. Mr. Steve Stoner of SCGroup reported that he countered the DiMucci Companies offer of \$245,000 for the Township property at 401 W. Golf Road, Mount Prospect, IL 60056 with a sales price of \$450,000. DiMucci Companies responded the next day by submitting a new offer price of \$300,000. Supervisor Sweeney asked for Board permission to manage the negotiations with DiMucci Companies and be authorized to accept an offer of no less than \$350,000. There was discussion as to the minimum price the Supervisor should be authorized to accept. Trustee Koshaba was concerned that \$350,000 was too high of a price and that it could cause DiMucci Group to stop negotiating and to walk away from purchasing the property. Mr. Stoner noted that DiMucci Companies was quick to submit a counter offer and that they are showing all the signs of a motivated buyer. He believes that DiMucci Companies are committed to purchasing the property and will not walk away from the negotiations. There was a question regarding the contamination of the Township property by a former DiMucci tenant. Supervisor Sweeney stated that an investigation by the Township attorney's has uncovered that the DiMucci property on the southwest corner of Golf and Elmhurst Roads has received a No Further Remediation (NFR) decision from the State of Illinois but there is no evidence of a NFR for the Township property. If the property is still contaminated and no NFR has been issued then DiMucci is still liable for the clean-up of the property. Mr. Stoner asked that the contamination issue be thoroughly investigated and clarified. If DiMucci Companies is still liable for the clean-up of the Township property, he believes it gives the Township significant negotiating leverage. Supervisor Sweeney stated that he would work with the Township attorneys to get a comprehensive, final answer to the contamination issue. He also noted that any contract will contain an attachment that will state that the sale is "as is" and that the buyer (DiMucci Companies) is releasing the seller (the Township) from any and all liability in connection with any claims which the buyer may have against the seller. During further discussion Supervisor Sweeney stated that he intended to direct SCGroup to submit a counter offer of \$395,000 and that he would likely seek to lease back of the property from DiMucci Companies for a period of time to ensure the smooth transition of Youth Services to a new location.

After further discussion a consensus was reached to give Supervisor Sweeney authority to manage the negotiations with DiMucci Companies and to seek a sale price of no less than \$350,000. Supervisor Sweeney reminded the Board that final sale of the property would require approval by both the Board and Township voters

- IV. Release of Executive Session Minutes. After a short discussion a consensus was reached not to release the Executive Session Minutes related to the negotiations of the sale of 401 W. Golf Road at this time. Release of all or some of the minutes will be readdressed at the July Regular Board Meeting.
- V. Adjourn. There being no further business, a motion to adjourn the Executive Session was made by Trustee Koshaba and seconded by Trustee Satern. The motion carried by voice vote. The session was adjourned at 7:35 p.m.

Respectfully submitted,

George Busse  
Elk Grove Township Clerk

(R 3-3)