

**RESOLUTION NO. 48-13**

**A RESOLUTION IN REGARD TO  
THE ELECTION OF AN ACTING VILLAGE PRESIDENT**

**WHEREAS**, pursuant to 65 ILCS 5/3.1-10-50(f), upon a vacancy occurring in the office of Village President, with less than twenty-eight (28) months left in the Village President's term of office, the Trustees are to elect a Trustee as Acting Village President; and

**WHEREAS**, the Trustees have, since the vacancy occurred in the office of Village President, been working on the selection of an Acting Village President; and

**WHEREAS**, Trustee Breen and Trustee Ware have indicated that, if appointed Acting Village President, each would remain as Acting Village President, and would not exercise the authority granted by 65 ILCS 5/3.1-10-50(d), to resign as Trustee and become the Village President; and

**WHEREAS**, Trustee Breen and Trustee Ware have indicated their willingness to share serving as the Acting Village President, with each serving as Acting Village President for a portion of the time period between now and when the new Village President, elected at the April 9, 2013 election, is sworn in at the May 2, 2013 Village Board meeting; and

**WHEREAS**, it is important to, and in the best interests of, the functioning of the Village that an Acting Village President be elected by the Trustees;

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

**SECTION 1:** That the Recitals set forth above are hereby incorporated herein by reference.

**SECTION 2:** That Trustee Breen is hereby elected to serve as Acting Village President from the date of this Resolution through and including January 16, 2013.

**SECTION 3:** That Trustee Ware is hereby elected to serve as Acting Village President from January 17, 2013 through the swearing in of the new Village President to be elected at the April 9, 2013 election.

**SECTION 4:** That Trustee Breen and Trustee Ware, by approval of this Resolution, have represented to the residents of the Village and the other Trustees that, while serving as Acting Village President, they will remain as Acting Village President, and will not exercise the authority granted by 65 ILCS 5/3.1-10-50(d), to resign as Trustee and become the Village President.

**SECTION 5:** That, in the event that Trustee Breen cannot, or does not desire to, complete his term as Acting Village President, as set forth in Section 2 above, then Trustee Ware is hereby elected to serve out Trustee Breen's remaining term as Acting Village President.

**SECTION 6:** That, in the event that Trustee Ware cannot, or does not desire to, complete his term as Acting Village President, as set forth in Section 3 above, then Trustee Breen is hereby elected to serve out Trustee Ware's remaining term as Acting Village President.

**SECTION 7:** If a temporary absence or disability of Trustee Breen, while serving as the Acting Village President pursuant to Section 2 above, incapacitates him from the performance of his duties, but does not create a vacancy in the office, then Trustee Ware shall serve as Acting Village President Pro Tem.

**SECTION 8:** If a temporary absence or disability of Trustee Ware, while serving as the Acting Village President pursuant to Section 3 above, incapacitates him from the performance of his duties, but does not create a vacancy in the office, then Trustee Breen shall serve as Acting Village President Pro Tem.

**SECTION 9:** If Trustee Breen is absent from a meeting, while serving as the Acting Village President pursuant to Section 2 above, and the absence is not the result of a vacancy in the office nor of a nature as to require an Acting Village President Pro Tem, as provided for in Section 7 above, then Trustee Ware shall serve as Chairperson Pro Tem for purposes of chairing said meeting.

**SECTION 10:** If Trustee Ware is absent from a meeting, while serving as the Acting Village President pursuant to Section 3 above, and the absence is not the result of a vacancy in the office nor of a nature as to require an Acting Village President Pro Tem, as provided for in Section 8 above, then Trustee Breen shall serve as Chairperson Pro Tem for purposes of chairing said meeting.

**SECTION 11:** That, pursuant to 65 ILCS 5/3.1-10-50(d), Trustee Breen and Trustee Ware shall, while serving as Acting Village President, each retain the right to vote on all matters coming before the Village Board in their capacity as a Trustee.

**SECTION 12:** That this Resolution shall be in full force and effect from and after its adoption and approval as required by law.

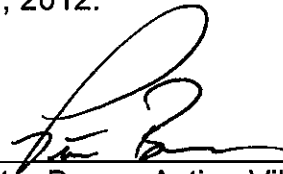
**ADOPTED** this 2nd day of October, 2012, pursuant to a roll call vote as follows:

AYES: Trustees Gron, Giagnorio, Wilson, Breen, Fitzpatrick and Ware

NAYS: None

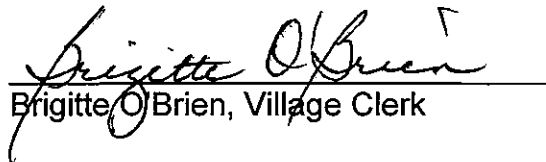
ABSENT: None

**APPROVED** by me this 2nd day of October, 2012.



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Peter Breen, Acting Village President

**ATTEST:**



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Brigitte O'Brien, Village Clerk