

REGULAR MEETING
MINUTES

FEBRUARY 1, 1999

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Shields; Trustees Czerniawski, Harney, Merkel, and Williams; Police Chief Montalbano; Treasurer Panning; Attorney Schuster; Engineer Heinz; and Clerk Olson. Trustees DeBolt and Nemec were absent.

MINUTES:

1. The regular minutes of January 18, 1999 should be amended on page 4 under "Old Business" by replacing "at the next meeting." with "when all trustees are present." HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE THE JANUARY 18, 1999 REGULAR MINUTES AS AMENDED. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. There is a special zoning meeting next Thursday at 7:30 p.m. to discuss the wetlands ordinance. Trustees are welcome as is the public.
2. There will be no response to the letter from West Dundee Village Manager Joe Cavallaro.

CLERK:

1. Eight petitions have been filed for the trustee positions.

PLAN COMMISSION:

No report.

ZONING BOARD:

1. Chairman Neil said they had an informational meeting with a developer possibly interested in building upscale town homes near the KinderCare property.
2. Again, all are invited to the meeting next Thursday concerning the wetlands ordinance.
3. Trustee Harney asked that the Zoning Board leave copies of any plans or drawings on any future development at the Village Hall for residents to view.

ZBA:

No report.

ATTORNEY:

1. Mr. Schuster prepared a memo regarding the use of a conservation easement for Sabatino Park. This would involve deeding the property back to the Village with restrictions that would encompass the controls desired by the Board. The Board should review and advise the attorney on whether to proceed.
2. The independent contractor agreements are almost complete.
3. Mr. Schuster reviewed the file on Sebastian Contracting's \$7,335 claim for work on Crane Drive and believes they should be paid as this was extra work and not part of the second water main project. This information is detailed in a memo to the Board.
4. The bonding company wants to complete the Twin Sewer matter. A summary of the issues was given to the Board with the request that a decision be made at the next meeting on how they wish to settle this matter.
5. Mr. Bohanek has asked that a stand pipe device be installed in his home. Board is agreeable to this settlement of his water issue. Trustee Williams asked our village engineer to contact Amy Plumbing Company to take care of this matter immediately and to also contact Mr. Bohanek to schedule the work.

6. Our attorney is in the discovery phase of the commercial center's request for a sewer treatment facility. A public hearing is scheduled this spring to discuss the proposed treatment facility.
7. The next Fahy court date is February 17th. Allegations in this matter have now been made against Trustee Harney and Joel Kruse and they have met with another attorney concerning representation.
8. Communications continue with the attorney for Jim Podbregar, who has offered to remove the fill from his property, with certain conditions, by June 1st. Negotiations continue.
9. The proposed fire prevention code ordinance was not presented since it was thought the sprinkler system conditions would be incorporated in the same ordinance. However, they will be proposed as two separate ordinances. Joel Kruse, as well as the Board, should review these ordinances. Both should be adopted prior to construction of Sears Home Life.
10. Mr. Schuster "cleaned up" the draft harassment policy. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ADOPT THE ANTI-HARASSMENT, NON-DISCRIMINATION POLICY BEFORE THE BOARD INTO OUR EMPLOYEE PERSONNEL MANUAL. MOTION PASSED BY VOICE VOTE.
11. The lawsuit against former police officer Siedsma is set for trial on February 17th.
12. The Metracom agreement has not yet been reviewed. The Village of Carpentersville has already entered into an agreement with this company that we should review for consistency with our agreement.

ENGINEER:

1. Mr. Heinz spoke with the engineer for Sears Home Life who advised that their are finalizing the engineering plans for the construction. Copies of these plans should be sent to the fire district, Joel Kruse, and to the Village Hall for display.
2. KinderCare construction work continues, mainly inside the building. Mr. Schuster added that West Dundee is in the process of annexing the parcel that was part of the agreement for this project.
3. The engineer was asked to prepare and submit our MFT program for this year to include with our budget preparations.

TREASURER:

1. Warrants. Add \$330.05 for Nicor. CZERNIAWSKI MOVED WITH A SECOND FROM MERKEL TO APPROVE THE WARRANTS IN THE AMOUNT OF \$44,716.79. It was noted that we need to add back the amount due Sebastian Contracting. WILLIAMS MOVED WITH A SECOND FROM HARNEY TO AMEND THE MOTION TO ADD \$7,335.00 TO THE WARRANTS FOR SEBASTIAN CONTRACTING. This will change to the total warrants to \$52,051.79.
ON AMENDMENT: AYE: WILLIAMS, HARNEY, CZERNIAWSKI, MERKEL. MOTION PASSED.
ON MAIN MOTION: AYE: CZERNIAWSKI, MERKEL, HARNEY, WILLIAMS. MOTION PASSED.
2. Preliminary budget worksheets should be distributed to board members this week. All trustee candidates should be advised of the upcoming budget meetings.

ROADS & PARKS:

1. Trustee Harney was advised by Art Sunderlage that when the lights were installed in the parking lot, the project contractor cut the power to the lift station for the septic field in error. Art called Ron Jones Electric to restore power. However, as this was done by the contractor, Utility Dynamics, they should be the one to make the repairs and their payment for the project held until this repair is done. Trustee Harney will handle.

FINANCE:

1. In Joe Prang's absence, Ron Panning is handling the siding and roofing projects for the Village Hall. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO GO OUT TO BID FOR THE VILLAGE HALL PROJECTS. MOTION PASSED BY VOICE VOTE. The Board would like regular updates on this project.

WATER:

No report.

POLICE:

1. The possible purchase of a second new police car this year will be discussed during budget meetings. MERKEL MOVED WITH A SECOND FROM WILLIAMS TO APPROVE THE PURCHASE OF A 1999 FORD CROWN POLICE INTERCEPTOR CAR FROM LANDMARK FORD IN SPRINGFIELD, IL AT A PRICE OF \$20,114.00. AYE: MERKEL, WILLIAMS, CZERNIAWSKI, HARNEY. MOTION PASSED.
2. MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE PURCHASE OF TWO PORTABLE MOBILE DATA TERMINALS FOR THE AMOUNT OF \$15,619.00 WITH 24XCD ROM. AYE: MERKEL, CZERNIAWSKI, HARNEY, WILLIAMS. MOTION PASSED.
3. Quad Com recently approved their new budget, which shows a \$100 increase in our yearly costs.
4. Board questioned building security where doors have recently been left unlocked after a board meeting and a homeowner's association meeting here. It was asked that police check the doors after meetings to ensure they are locked.

HEALTH & SANITATION:

No report.

BUILDING:

1. Trustee Harney requested an executive session regarding pending litigation.
2. The County is holding a workshop March 24th on planning.

OTHER:

1. The ZBA Chairman has received calls from residents concerning a possible fence in the Bluffs. The board discussed and agreed that the Code Enforcement Officer should review this fence, take photographs, and report back to the board.
2. There has been a report of a fence at 412 Arabian Parkway. It is believed this fence received a permit several years ago, but the file will be reviewed.

OLD BUSINESS:

No report.

NEW BUSINESS:

1. Mr. and Mrs. Gekas of 401 Arabian Pkwy. had several concerns: A water problem in their swales/culvert from their side of the street to the other. We will have Public Works jet out both culverts in the spring. Also, the regular electrical outages in a small area of Saddle Club; destroyed grass from salt and snow removal; roof and other quality problems with their Pulte built home; frequency of the light out at the Saddle Club entrance; the street light continuously on at the corner of Saratoga and Arabian; and the edges of the street breaking off. He suggested sand or gravel be added to the sides of the road to prevent the deterioration.
2. President Shields asked if any other members of the audience wished to speak. Trustee Czerniawski stated there was no open to the public. President Shields said he could do so according to Section 1-5-4. Trustees Czerniawski and Harney said he was out of order. No one from the public spoke.

HARNEY MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 8:40 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION AND EXECUTIVE MINUTES PURSUANT TO §§2(C)(11) AND 2(C)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

) The regular meeting resumed at 8:50 p.m.

MERKEL MOVED WITH A SECOND FROM WILLIAMS TO ADJOURN THE MEETING AT 8:50 P.M.
AYE: MERKEL, WILLIAMS, CZERNIAWSKI, HARNEY. MOTION PASSED.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

Released 6-18-01

FEBRUARY 1, 1999

The executive session of the Board of Trustees was convened at 8:40 p.m. for the purpose of discussing pending litigation and executive minutes pursuant to §§2(c)(11) and 2(c)(21) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, Harney, Merkel, and Williams; and Clerk Olson.

1. Attorney Mark Schuster and Attorney Steve Tousey are comfortable with Mr. Tousey representing both Sue Harney and Joel Kruse in the suits filed against them by John Fahy. Mr. Tousey said he will charge the same hourly rate as Mr. Schuster. Mr. Tousey should also agree to the same billing terms as Mr. Schuster as far as fractions of an hour and we should obtain all billing rates in writing. He does not know how long it will take to resolve these suits, but feels these two suits conflict with each other and one can be dismissed fairly quickly. He does not feel either suit has merit and may file for summary judgment. The Board would like Mr. Tousey to consider a counter action for these frivolous suits.

2. WILLIAMS MOVED WITH A SECOND FROM HARNEY TO APPROVE THE EXECUTIVE MINUTES OF JANUARY 18, 1999 AS SUBMITTED. MOTION PASSED BY VOICE VOTE.

HARNEY MOVED WITH A SECOND FROM MERKEL TO ADJOURN THE EXECUTIVE SESSION AT 8:50 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk