

REGULAR MEETING
MINUTES

MARCH 1, 1999

) The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:35 p.m. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, Nemec, and Williams; Police Chief Montalbano; Treasurer Panning; Attorney Schuster; and Clerk Olson.

MINUTES:

1. The regular minutes of February 15th should be changed on page 3, under #2 of Open to the Public as follows: "...Joy Lane *intersection* widening which *he thought would* increase traffic through the Village. However, Trustee DeBolt pointed out that even after widening there still will be only one lane coming into the Village at this intersection, the same as now. ..." HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE THE REGULAR MINUTES OF FEBRUARY 15, 1999 AS AMENDED. MOTION PASSED WITH WILLIAMS ABSTAINING.

PRESIDENT:

1. President Shields responded to a letter from Don Rage concerning the conservancy/wetlands overlay issue currently under review by our boards.
2. Jay Nollman is not satisfied with our response to his concerns about the work resulting from the water connection. It was agreed that our engineer, Mr. Nollman and a trustee should view the area in question and report back to the board.
3. HARNEY MOVED WITH A SECOND FROM WILLIAMS TO ACCEPT WITH REGRET THE RESIGNATION OF KAREN HALE FROM THE ZONING BOARD. MOTION PASSED BY VOICE VOTE.
4. President Shields feels the safety improvements to the playground equipment is a good idea.

) CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING BOARD:

1. Art Neil said there are upcoming joint meetings with the Plan Commission and Doug Martin from Kane County to discuss the wetlands ordinance. Don Rage will be invited to these meetings.
2. Another member is needed for the Zoning Board.

ZBA:

No report.

ATTORNEY:

DEBOLT MOVED WITH A SECOND FROM HARNEY TO ADJOURN TO EXECUTIVE SESSION AT 7:50 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION AND PERSONNEL PURSUANT TO §§2(C)(1) AND 2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

) The regular meeting reconvened at 9:00 p.m.

Gabriel Hill of Hilltop Lane told the Board she would prefer that Joy Lane not be improved as she felt it would encourage additional traffic through our Village. The Board responded to her concerns and also discussed this matter. They would prefer we have dedicated left turn and right turn lanes leaving Joy, but no lane for going straight across Randall into the business park.

DEBOLT MOVED WITH A SECOND FROM HARNEY TO AUTHORIZE OUR VILLAGE ATTORNEY TO FILE A LIEN TO RECOVER THE COSTS OF BOARDING UP AND OTHER SUNDRY COSTS AT 708 HILLCREST. MOTION PASSED BY VOICE VOTE.

ENGINEER:

No report.

TREASURER:

1. Add \$112.11 for ComEd and \$71,380 for Employers Mutual Casualty Company. Trustee Czerniawski noted that we have paid for repairs to one of the squad cars caused by an uninsured motorist, but we do expect partial reimbursement from our insurance. CZERNIAWSKI MOVED WITH A SECOND FROM HARNEY TO APPROVE THE WARRANTS IN THE AMOUNT OF \$119,913.31. AYE: CZERNIAWSKI, HARNEY, DEBOLT, MERKEL, WILLIAMS. MOTION PASSED WITH NEMEC ABSTAINING.

ROADS & PARKS:

1. There have been reports of many dead carp along the shores. This could be a result of winter freeze or a cyclic time when carp die off in large numbers.
2. The tree trimmers are working in the Village on behalf of for ComEd. We should contact the area villages to work together in obtaining more acceptable tree trimming by ComEd. For now, we should ask our Village Attorney if we can stop the trimming in process in the lower village.
3. No update on bids for the exterior work on the Village Hall.
4. There is some swale work underway at 206 Darien and Trustee DeBolt questioned if the 6" pipe will be large enough. This will be reviewed with our engineers.

FINANCE:

1. Budgets are due. The first work session will be March 18th at 7:30 p.m. and will concentrate on personnel. All trustee candidates are invited.

WATER:

1. Noted an anonymous letter received concerning the Galvin property. The contents of this letter are being reviewed by the village attorney.
2. The water in the lower part of the Village is still discolored and we will discuss this water treatment program with our current engineers and ask their advice.

POLICE:

1. The monthly police activity report was submitted.

HEALTH & SANITATION:

No report.

BUILDING:

1. Trustee Harney has received quotes to paint the interior of the Village Hall. The police department will be excluded until the repairs are made to the outside of the building as the leaks are causing interior damage. This bid includes moving all necessary furniture and files. Trustee Harney would like Ellen to check the

references for the low bidder. HARNEY MOVED WITH A SECOND FROM WILLIAMS TO ACCEPT THE BID FROM C&M DECORATING TO PAINT TWO COATS OF INTERIOR PAINT IN THE VILLAGE HALL AT A COST OF \$2,975.00. Treasurer Panning did not feel there was enough money in the line item for this project. Harney and Williams withdrew their motion and second until available funds are verified.

2. Trustee Harney distributed a memo which addressed many of the questions raised in Don Rage's letter.

3. A house on Hillcrest filled its swale in error and the fill will be removed as it is the village's right of way.

4. Trustee Nemec questioned the debris on the property of a house under construction.

5. Treasurer Panning said there is sufficient money for the painting. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ACCEPT THE BID FROM C&M DECORATING TO PAINT TWO COATS OF INTERIOR PAINT IN THE VILLAGE HALL AT A COST OF \$2,975.00. AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, NEMEC, WILLIAMS. MOTION PASSED.

OLD BUSINESS:

Board continued discussion on the Joy Lane intersection widening. Board agreed they do not want to encourage any additional traffic in the Village. HARNEY MOVED TO COOPERATE WITH THE COUNTY AND THE BUSINESS PARK ACROSS RANDALL ROAD IN UPGRADING AND WIDENING JOY LANE WITH ONE LANE COMING INTO THE VILLAGE AND TWO LANES, A DEDICATED RIGHT TURN AND DEDICATED LEFT TURN, GOING OUT OF THE VILLAGE. The plans from the business park were retrieved and reviewed by the Board. Harney withdrew her motion. HARNEY MOVED WITH A SECOND FROM NEMEC FOR THE BUILDING DEPARTMENT TO DIRECT THE VILLAGE ENGINEER TO ENTER INTO DISCUSSIONS WITH THE COUNTY TO WORK ON THE PROPOSED IMPROVEMENTS AT JOY LANE AND RANDALL ROAD. After discussion, Harney and Nemec withdrew their motions. DEBOLT MOVED WITH A SECOND FROM CZERNIAWSKI TO AUTHORIZE OUR ENGINEER TO ENTER INTO NEGOTIATIONS TO IMPROVE THE ENTRYWAY TO JOY LANE, WITH THE DESIGN OF THE ROAD SUBJECT TO FINAL APPROVAL BY THE VILLAGE BOARD. MOTION PASSED BY VOICE VOTE.

NEW BUSINESS:

1. CZERNIAWSKI MOVED WITH A SECOND FROM NEMEC TO APPROVE ORDINANCE NO. 99-14 ENTITLED "AN ORDINANCE AMENDING THE ORDER OF BUSINESS FOR MEETINGS OF THE VILLAGE BOARD". AYE: CZERNIAWSKI, NEMEC, DEBOLT, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.

2. Trustee Harney introduced Gayle Miller who is part of a consulting firm that works on behalf of government agencies and towns. She explained their services and said they could help protect the best interests of Sleepy Hollow and its residents if West Dundee develops the Galvin property. She will submit a proposal for their services.

MERKEL MOVED WITH A SECOND FROM HARNEY TO ADJOURN THE MEETING AT 10:20 P.M. AYE: MERKEL, HARNEY, CZERNIAWSKI, DEBOLT, NEMEC, WILLIAMS. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

Released 12/3/01

MARCH 1, 1999

The executive session of the Board of Trustees was convened at 7:50 p.m. for the purpose of discussing pending litigation and personnel pursuant to §§2(c)(1) and 2(c)(11) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, Nemec, and Williams; Attorney Schuster, and Clerk Olson.

1. 708 Hillcrest - The house is for sale and a lien has been filed for unpaid water service. The owners owe the Village over \$900 for boarding up of the windows last October. The only way to recover this cost is to sue, obtain judgment in court and then lien the property. We have six months to perfect the lien. The Board will authorize the village attorney to file suit in regular session.
2. The Village obtained judgment against former police officer Keith Siedsma for approximately \$1,600 plus our attorney fees of \$798. Siedsma's attorney has requested, and the Board agreed to allow Siedsma to pay off this judgment in \$200 monthly payments, with 9% interest.
3. A lawsuit has been filed on behalf of two people who received speeding tickets on Sleepy Hollow Road. Mr. Schuster believes all counts of this suit, including one to establish a class action lawsuit, can be dismissed for various reasons and will move to do so. He is working with an attorney hired by our insurance company. We could have a problem with the plaintiffs' claim that Sleepy Hollow Road is not a "residence district" as defined in the Motor Vehicle Code.
4. Fahy lawsuit - Upon review, the Village's insurer has agreed to defend the Village and Sue Harney and Joel Kruse in these suits. However, they will not pay any punitive damages if any are awarded to Fahy. The Board agreed Sue Harney and Joel Kruse were acting in their official capacity relative to the suits filed against them. The insurance company wants to settle this matter by Fahy agreeing to pay the Village \$4,000 for impact fees and offering Fahy \$2,000 to settle all claims in his suits. The Board does not agree with this proposed settlement. Mr. Schuster will discuss further with the insurance company. The Board would also like the insurance company to reimburse Mr. Schuster for his fees in this matter to date.
5. Twin Sewer - Employer's Mutual Casualty Company (EMCC) (the bonding company) wants to settle this matter immediately. The Village has been holding funds from this project which should be released, less attorney's fees of \$5,000 and Boncosky leak repair work of \$500. EMCC will take full responsibility for outstanding engineering fees due CMT. The Board will authorize a check to be issued for \$71,380.00 to EMCC as part of the warrants.
6. Trustee Merkel said Chief Montalbano was approached with a retirement plan by Ron Panning and Trustee Czerniawski and felt the Board should be made aware of these offers in advance. President Shields did not wish to bring anything before the Board until a plan had been negotiated and agreed upon. Trustee Czerniawski explained the plan which was turned down by the Chief. He will probably come back to the Board with a different plan.

HARNEY MOVED WITH A SECOND FROM NEMEC TO ADJOURN THE EXECUTIVE SESSION
AT 9:00 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson, Village Clerk