

SPECIAL MEETING
MINUTES

AUGUST 9, 1999

The special meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:35 p.m. In attendance were President Shields; Trustees Czerniawski, Merkel, Morris, Nemec, Pickett and Rzonca; Attorney Schuster; and Clerk Olson.

President Shields advised the public that we would be going into executive session to discuss the pending lawsuit concerning the Galvin Farm and that could return to the room for the Board's decision in this matter.

CZERNIAWSKI MOVED WITH A SECOND FROM MERKEL TO ADJOURN TO EXECUTIVE SESSION AT 7:35 P.M. FOR THE PURPOSE OF DISCUSSING IMMINENT LITIGATION PURSUANT TO §2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting resumed at 9:50 p.m.

President Shields advised the public in attendance that there are many issues to consider in our decision on whether to join in the lawsuit, and that no decision had been made tonight. There will be another special meeting for discussion and decision of this matter on August 26th at 7:30 p.m.

CZERNIAWSKI MOVED WITH A SECOND FROM RZONCA TO ADJOURN THE MEETING AT 9:55 P.M. AYE: CZERNIAWSKI, RZONCA, MERKEL, MORRIS, NEMEC, PICKETT. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

Released 4-19-04

AUGUST 9, 1999

The executive session of the Sleepy Hollow Board of Trustees was convened at 7:35 p.m. for the purpose of discussing imminent litigation pursuant to §2(c)(11) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, Merkel, Nemec, Morris, Pickett and Rzonca; Village Attorney Schuster, and Clerk Olson.

Mr. Schuster did research which indicates that Sleepy Hollow Road was part of the Village incorporation and this incorporation would have included, by statute, the entire road. This incorporation of the road has the same effect as if the Village had annexed it. West Dundee's annexation of the Galvin Farm has no affect on Sleepy Hollow Road and it will remain part of the Village. He also informed the Board that, while we could refuse the subdivision a curb cut onto Sleepy Hollow Road, they would probably ultimately be allowed access pursuant to case law on the subject which considers it a public right of way.

Board discussed whether to join in the lawsuit filed by two homeowners to stop the development on the Galvin Farm or hold off and take action later in the process of this development. Village Attorney answered questions concerning the facts of the pending lawsuit. There is concern about losing John Regan's potential commercial development (and tax dollars) on Route 72 if we join in this suit. President Shields presented the option of building a sewer connection along Sleepy Hollow Road to service the Regan property, as well as our residents, if Elgin will sell us the sewer capacity. We do not really have a good case against changing the FPA for that property to West Dundee. West Dundee Trustee John Mayer contacted Trustee Rzonca today and suggested they meet to work out the unresolved issues between the two villages. Board divided on whether it will do any good to have discussions with West Dundee. Some feel we have some leverage now as we can substantially delay this project if we so desire. We can also deny a curb cut, and although they may get it eventually, it will take time. It was noted that the Fire Protection District may file suit also as they will lose a substantial amount of taxes with this annexation. It was noted that even if the lawsuit is successful, they will simply re-do things the right way to make the annexation legal. The property has been purchased by Pulte and that cannot be reversed. Discussed options we can take at a later date, such as through studies by Hey & Associates, and through Army Corps hearings, where we can file objections.

Attorney Schuster advised the Board that we can still join in the suit in a couple weeks. The Board is willing to hold off taking action until Trustee Rzonca meets with John Mayer, but stressed that we must have satisfactory responses from West Dundee since it will affect our vote at the next meeting.

There will be another meeting on August 26th at 7:30 p.m.

MERKEL MOVED WITH A SECOND FROM RZONCA TO ADJOURN THE EXECUTIVE SESSION AT 9:47 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk