

SPECIAL MEETING
MINUTES

AUGUST 26, 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 (8:50 p.m.), Pickett and Rzonca; Village Attorney Schuster; and Clerk Olson. There were many residents also in attendance.

President Shields opened the meeting by allowing residents to speak before the board adjourned to executive session. Several residents asked the Board to join in the pending lawsuit challenging the annexation of the Galvin property and expressed concerns on how this development will adversely affect our village and community.

CZERNIAWSKI MOVED WITH A SECOND FROM RZONCA TO ADJOURN TO EXECUTIVE SESSION at 7:50 P.M. TO DISCUSS LITIGATION PURSUANT TO §2(C)(11) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting resumed at 9:35 p.m.

MORRIS MOVED WITH A SECOND FROM CZERNIAWSKI TO MAKE AN OFFICIAL STATEMENT THAT THE ENTIRE BOARD IS OPPOSED TO ANY DEVELOPMENT OF THE GALVIN PROPERTY. MOTION PASSED BY VOICE VOTE.

MERKEL MOVED WITH A SECOND FROM PICKETT THAT THE VILLAGE OF SLEEPY HOLLOW PARTICIPATE IN THE PENDING LITIGATION AGAINST PULTE AND THE VILLAGE OF WEST DUNDEE.

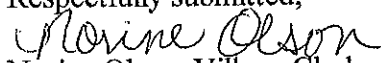
Discussion followed. Trustee Rzonca felt that joining the lawsuit would not be in the best interests of the Village and noted that several on-going issues must also be considered in this decision. He explained the proposed joint committee to be established between West Dundee & Sleepy Hollow which would address our concerns of the detrimental effects of this development on our village. Trustee Czerniawski stated that future issues could be adversely affected by joining this lawsuit. Trustee Pickett felt we should represent the wishes of the residents, which is to join the lawsuit. Trustee Merkel stated he felt we should join the lawsuit. Trustee Nemec said he did not feel the Village would gain anything by joining the lawsuit and would be better off working with West Dundee. Trustee Morris said he did not feel we should be involved in this lawsuit as it is a procedural matter but stated he is willing to be involved in a lawsuit later if it is shown that the development will create serious problems for our village or West Dundee does not cooperate as they have indicated they will through this joint committee.

AYE: MERKEL, PICKETT. NAY: CZERNIAWSKI, MORRIS, NEMEC, RZONCA. MOTION DID NOT PASS.

Trustee Morris asked that President Shields immediately contact West Dundee to establish the joint committee. President Shields will make our appointments to the committee at our meeting on August 30th.

CZERNIAWSKI MOVED WITH A SECOND FROM NEMEC TO ADJOURN THE MEETING AT 9:50 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,


Norine Olson, Village Clerk

EXECUTIVE MEETING
MINUTES

AUGUST 26, 1999

Released 4-19-04

The executive session of the Sleepy Hollow Board of Trustees was convened at 7:50 p.m. for the purpose of discussing litigation pursuant to §2(c)(11) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, Merkel, Nemec (8:50 p.m.), Morris, Pickett and Rzonca; Village Attorney Schuster, and Clerk Olson.

Several trustees received e-mail from a resident that included information that could only have been obtained from our executive session. Executive sessions are confidential and not to be discussed with anyone outside the Village Board.

President Shields and Trustee Rzonca met with West Dundee Village President Larry Keller and Trustee John Mayer. They agreed to establish a working group comprised of board members and the engineering consultants for each village to address our development concerns prior to Pulte breaking ground. West Dundee is negotiating with Elgin for additional sewer capacity and suggested we tell them how much we need so they can include us in their Elgin negotiations. Trustee Rzonca later talked to Joe Cavallaro on capacity and told him we would like to have capacity for at least 100,000 gallons per day. West Dundee is willing to allow truck traffic access to Sears from Route 72, south to the entrance into the development. West Dundee may be concerned that we could cause a delay in their obtaining the FPA for the Galvin property. Briefly discussed the realignment of the Sleepy Hollow Road/Route 72 intersection. When questioned about West Dundee's policy to prevent any commercial development by Sleepy Hollow, they admitted this was true in the past but have decided to work with us in our developments. West Dundee said they will see that storm sewers are installed along the back lots of all Sleepy Hollow residents who back up to the Galvin property. West Dundee feels the Pulte development will happen regardless of the outcome of the lawsuit as they will simply re-do everything correctly and still have the property. However, if we join the suit, West Dundee will not work with us on any issues.

The Board wants to make a statement that we are against this and any development on the Galvin property even if we do not join in the lawsuit. Board feels we should conduct negotiations with the Board members, not Joe Cavallaro. Some of our board questioned the sincerity of West Dundee's overtures. Attorney Schuster noted that we can file suit ourselves in the future if we are not happy with West Dundee's progress in the negotiations. We can also intervene at the appellate level of the Stroick/DeCosta lawsuit. Board discussed possible scenarios should the residents win the lawsuit. (Trustee Nemec arrives) More discussion on pros and cons of joining lawsuit. Discussed whether to take a vote and how to present our decision to the residents, especially concerning the West Dundee negotiations, when back in regular session.

RZONCA MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE EXECUTIVE SESSION AT 9:35 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,

Norine Olson

Norine Olson
Village Clerk