

REGULAR MEETING  
MINUTES

NOVEMBER 20, 2000

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:30 p.m. In attendance were President Shields; Trustees Merkel (7:45 p.m.), Morris, Nemec, Pickett and Rzonca; Police Chief Montalbano; Treasurer Panning; Attorney Schuster (9:15 p.m.); and Clerk Olson.

MINUTES:

1. PICKETT MOVED WITH A SECOND FROM RZONCA TO APPROVE THE REGULAR MINUTES OF NOVEMBER 6, 2000. MOTION PASSED BY VOICE VOTE.

PRESIDENT:

1. President Shields received a letter from the Rutland-Dundee Fire District thanking the Board for its support of the referendum that recently passed.
2. President Shields nominated four residents to the newly created parks development committee. This committee will report back to Trustee Pickett. There is no time frame for their recommendations. PICKETT MOVED WITH A SECOND FROM NEMEC TO APPROVE THE APPOINTMENT OF KATHY LAWSON (CHAIR), KEVIN GERHARDT, RICK TANNER AND BILL KENNELLY TO THE COMMITTEE. MOTION PASSED BY VOICE VOTE.

CLERK:

1. In response to questions of which petition candidates should submit for municipal positions in Sleepy Hollow in the April 2001 election, residents should file as independent candidates.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

No report.

ATTORNEY:

No report.

ENGINEER:

No report.

TREASURER:

1. RZONCA MOVED WITH A SECOND FROM NEMEC TO APPROVE THE NOVEMBER 20, 2000 WARRANTS IN THE AMOUNT OF \$110,641.53. AYE: RZONCA, NEMEC, MERKEL, MORRIS, PICKETT. MOTION PASSED.
2. The financial statements will be one of the items reviewed at the Finance Committee meeting on November 28<sup>th</sup>, along with the tax levy, and water & sewer rate increases.
3. The purchase of the last computer will be delayed to coincide with the purchase and installation of new software.
4. The employee gift certificates will be on next meeting's warrants.

5. Trustee Rzonca asked about engineering services on behalf of residents. The billing to the residents is normally done through the Village unless prior arrangements are made for the engineer to bill the resident directly in conjunction with work on the resident's property. There are some unpaid engineering invoices that relate to the Podbregar property which are in dispute. We have not yet issued the final occupancy permit.
6. Trustee Morris requested that the purchase discrepancy report no longer be distributed to the Board. It was suggested that discrepancies be brought directly to the attention of the appropriate department or trustee. Reporting to the Board is part of a Village ordinance.

#### COMMENTS FROM THE PUBLIC:

1. Wayne Eishen and Barry Sanders spoke on behalf of the Service Club and told the Board the Club was planning a ceremony of lighting the Christmas tree at the Sabatino Park flag pole on December 3<sup>rd</sup> between 4:30 and 5:30 p.m. They would like to close off Thorobred between Winmoor and Bullfrog during this period and also plan to have a ceremonial fire. Board approved the event and discussed concerns over possible parking problems.

#### ROADS & PARKS:

1. The Board discussed wording for a new sign on Sleepy Hollow Road concerning the pleasure driveway designation. Trustee Pickett will submit ideas for review by the Board.
2. The posts to discourage parking will be installed by Public Works when the pigging project is complete.

#### FINANCE:

No report.

#### WATER:

1. NEMEC MOVED WITH A SECOND FROM MERKEL TO RATIFY THE PHONE VOTE APPROVING THE EASEMENT AGREEMENT BETWEEN THE VILLAGE AND SIMON AND POLLYANNA HEIDE. MOTION PASSED BY VOICE VOTE WITH MORRIS ABSTAINING.
2. A water report was previously distributed and Trustee Nemec updated the Board on the pigging project which is proceeding fairly smoothly. As anticipated, the 4" mains are taking a substantially longer amount of time than the larger mains. Public Works has been working a large amount of overtime related to this project. Amy Plumbing is being recommended to residents for unrelated plumbing problems which should be billed directly to the resident. There will be no pigging work during the Thanksgiving week. Because of the inconvenience, water shut offs, and extensive flushing, it was recommended that all residents in this affected area be given a credit on their December water bill. NEMEC MOVED WITH A SECOND FROM MERKEL TO GIVE THE 175 RESIDENTS IN THE AREA AFFECTED BY THE PIGGING PROJECT A WATER CREDIT FOR DECEMBER IN THE AMOUNT OF 2,000 GALLONS. AYE: NEMEC, MERKEL, MORRIS, PICKETT, RZONCA. MOTION PASSED. This credit will be announced in the next letter to these residents.

#### POLICE:

1. Five applicants will be interviewed on November 27<sup>th</sup> for the part time police positions and all have prior police experience and/or training.
2. There was an increase in administrative warning tickets on the monthly activity report, most of which are parking violations. Burning violators are given one warning, and then ticketed.

HEALTH & SANITATION:

1. An manhole by Kindercare has been identified as a possible metering pit where a meter could be installed after some modification. Board discussed possible sites for a meter connection.

BUILDING:

1. Elgin has responded to our letter concerning Wispark drainage issues in Deer Creek. Hey is reviewing this matter and will report to us on the next step.
2. Hey is modifying their Deer Creek study previously submitted and will give to the Board next week.
3. The issue of fences around detention ponds will be reviewed with ICCI after the first of the year.
4. The ordinance adopting the 2000 BOCA code will be presented for approval at the next meeting.
5. A resident has questioned our ordinance concerning storage of boats. This will be discussed with the Zoning Board.

OLD BUSINESS:

No report.

NEW BUSINESS:

1. We have received a request from the Police Chief to clarify our boundaries along certain areas of Route 72, after communication he received from the Village of West Dundee. Trustees Morris and Nemec will view the areas in question and the Village Attorney should also review this matter and advise the Board.

There was a meeting recess from 8:45 to 9:15 p.m. to wait for the Village Attorney to arrive.

MORRIS MOVED WITH A SECOND FROM RZONCA TO ADJOURN TO EXECUTIVE SESSION AT 9:15 P.M. FOR THE PURPOSE OF DISCUSSING PENDING LITIGATION AND PERSONNEL PURSUANT TO §§2(C)(11) AND 2(C)(1) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

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The regular meeting resumed at 10:35 p.m.

PICKETT MOVED WITH A SECOND FROM MORRIS TO ADJOURN THE MEETING AT 10:35 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson  
Village Clerk

EXECUTIVE MEETING  
MINUTES

NOVEMBER 20, 2000

The executive session of the Sleepy Hollow Board was convened at 9:15 p.m. for the purpose of discussing pending litigation and personnel pursuant to §2(c)(11) and §2(c)(1) of the Open Meetings Act. In attendance were President Shields; Trustees Merkel, Nemec, Morris, Pickett and Rzonca; Village Attorney Schuster; and Clerk Olson.

1. Pulte lawsuit: Mr. Schuster advised the Board that the suit had been dismissed by the circuit court on November 9, based on the recent Appellate Court holding in Village of Orland Hills v. Village of Orland Park, No. 1-98-8146 (First District). He also discussed the Village's options on how to proceed, and the pending Appellate Court proceedings in this lawsuit concerning the preliminary injunction. He also discussed the Stroick/DeCosta suit and how it affects the Village at this point. The only part of the Village's complaint which was not affected by the dismissal order is the claim that West Dundee had annexed a portion of Sleepy Hollow Road. Mr. Schuster has been advised that West Dundee will give up any claim to any Sleepy Hollow territory, in order to complete the proceedings. The Board directed Mr. Schuster to file a motion to reconsider the ruling. The next step after a ruling on the reconsideration motion would be to file a Notice of Appeal. The next pending court date is November 30, for ruling on a motion to dismiss the Stroick/DeCosta suit on the re-annexation of the Enclave portion of the Galvin property by West Dundee.

2. Attorney Schuster will review the request for clarification on jurisdictional boundaries relative to police jurisdiction.

3. West Dundee lawsuit: Mr. Schuster informed the Board of the allegations set forth in the suit filed by the Village of West Dundee to rescind the Sanitary Sewer Agreements with the Village because of the Village's failure to install the metering device called for in the Agreements. The Complaint also contains a count alleging violation of IEPA regulations in the ongoing "pigging" project to clean the Village water mains. The Board discussed the installation of a new meter device, and whether two meters might be required for compliance. It was noted that a decision should be made on the installation of a meter or meters as soon as possible in light of the lawsuit. The Board authorized Mr. Schuster to prepare an answer to the Complaint.

4. The IEPA hearing on the lagoon for the commercial property north of Route 72 is moving forward. John Regan is no longer willing to pay the engineering expenses involved with this lagoon system.

(President Shields leaves the meeting at 10:20 p.m.)

5. Board discussed harassment claim by Sgt. Childs against President Shields. It was the consensus of the Board that whereas they believe Village President Robert Shields, irrespective of his intent, made an inappropriate comment, they do not find that this comment in itself constitutes

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harassment under present Village policy. Trustee Morris will advise Sgt. Childs of the Board's decision. This decision should remain confidential as long as Sgt. Childs is an employee of the Village.

President Shields re-entered the meeting and Trustee Rzonca advised him of the Board's decision.

MORRIS MOVED WITH A SECOND FROM PICKETT TO ADJOURN THE EXECUTIVE SESSION AT 10:35 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson  
Village Clerk