

VILLAGE OF SLEEPY HOLLOW  
REGULAR MEETING MINUTES

AUGUST 3, 2009

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:35 p.m. In attendance were President Pickett, Trustees Finney, Fudala, Getz, Seiler, Wind, and Ziemba, Police Chief Montalbano, Finance Director Volkening, Village Attorney Schuster, Village Engineer Weiss, and Clerk Olson.

MINUTES:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE REGULAR MEETING MINUTES OF JULY 20, 2009. MOTION PASSED.

PRESIDENT:

1. ZIEMBA MOVED WITH A SECOND FROM WIND TO APPROVE THE APPOINTMENT OF STAN HICKROD TO THE ZONING BOARD OF APPEALS. MOTION PASSED. Mr. Hickrod, who lives on Sleepy Hollow Road, was present.

CLERK:

No report.

PLAN COMMISSION:

No report.

ZONING COMMISSION:

No report.

ZBA:

No report.

ATTORNEY:

1. John Ryan of Land & Water Resources, the developer of the wetland mitigation bank, was present. He has completed his work on the project and would like to turn the control and management of the area over to the Village since the five year period for establishing the area has expired. A deposit of \$30,000 was previously given to the Village for the maintenance of the area and a Certificate of Completion was submitted by Mr. Ryan. Approximately 30% of the area is still available to be sold. FINNEY MOVED WITH A SECOND FROM WIND TO APPROVE RESOLUTION NO. 397 ENTITLED "A RESOLUTION ACCEPTING CONTROL AND MANAGEMENT OF THAT PORTION OF THE JELKES CREEK WETLAND MITIGATION BANK LYING WITHIN THE CORPORATE LIMITS OF THE VILLAGE." MOTION PASSED.

ENGINEER:

1. Bids for the 2009 MFT road improvements will be opened on August 17<sup>th</sup>.
2. The engineers of Northwest Corporate Park submitted a memo concerning their study of the release structure controlling the flow into the Deer Creek area. They are willing to remove the higher board (already done) that was blocking the flow, but not the lower board. Engineer Weiss felt their calculations were acceptable. However, until there is a heavy rain, the Village cannot say how these modifications will affect us. Northwest Corporate Park stated that they need the flow for the fountains in their detention pond. There was a question as to whether there is a cause of action against the developer for the water damage caused to

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Village and residential property from the second board blocking the flow. The Village does not need to respond to the developer or accept their report. The Village could respond in writing that it must wait to see what happens when there is a sustained heavy rain before we know if the modifications will improve the flow and reduce the flooding. The Board also wants to be able to inspect the area in the future to ensure that the second board has not been put back. SEILER MOVED WITH A SECOND FROM ZIEMBA TO PREPARE A LETTER TO THIS EFFECT. MOTION PASSED. The letter should be reviewed by the Board prior to sending.

3. SEILER MOVED WITH A SECOND FROM ZIEMBA TO AUTHORIZE THE VILLAGE ENGINEER TO PREPARE A BID PROPOSAL FOR THE CULVERT WORK ON JOY LANE AND SLEEPY HOLLOW ROAD. MOTION PASSED.

DIRECTOR OF FINANCE:

1. ZIEMBA MOVED WITH A SECOND FROM GETZ TO APPROVE THE ACCOUNTS PAYABLE OF AUGUST 3, 2009 IN THE AMOUNT OF \$64,083.24. AYE: ZIEMBA, GETZ, FINNEY, FUDALA, SEILER, WIND. MOTION PASSED.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

PARKS, ROADS & STREETS:

1. The Board reviewed the engineer's memo of recommendations concerning a resident's request to reconstruct his swale. John Richmann of 1023 Beau Brummel was present and answered questions from the Board. GETZ MOVED WITH A SECOND FROM FINNEY TO ACCEPT THE RECOMMENDATIONS OF THE ENGINEER FOR THE SWALE WORK ON 1023 BEAU BRUMMEL. MOTION PASSED. Mr. Richmann said he will follow the engineer's recommendations and does not anticipate any construction equipment will be used on the roadway. Some work will be done in the Village right-of-way. It was not clear if a permit would be required. Our engineer will monitor the project to ensure that it is done correctly.
2. A draft ordinance will be presented at the next meeting to reinstate rules requiring special permits and a bond for overweight vehicles driving in the Village.
3. Trustee Getz displayed the water pipe removed from Hialeah Court where there was a large water leak due to holes in the pipe.

FINANCE:

1. The financial statements were briefly reviewed. It is hoped that water and sewer will start showing improvement with the water leak repairs and sewer increase to residents.
2. There will be a Finance Committee meeting on August 19 at 7 p.m.

WATER & SEWER:

1. There is no report on the meter calibration yet.
2. A resident on Darien Lane sent a letter asking that the Village waive his late fees of \$19.19. The Board discussed this matter, noting that residents have approximately 3 weeks from their receipt of the water bill until payment is due. FINNEY MOVED WITH A SECOND FROM FUDALA TO WAIVE THE LATE FEE FOR STEVE O'NEILL FOR ONE TIME ONLY. It was noted that this resident has been late many times. SEILER MOVED WITH A SECOND FROM ZIEMBA TO AMEND THE MOTION THAT IF THE RESIDENT IS LATE AGAIN, THE WAIVED LATE FEE WILL BE REINSTATED.

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ON AMENDMENT: MOTION DID NOT PASS.

ON MAIN MOTION: MOTION DID NOT PASS, 4:2.

POLICE & PUBLIC SAFETY:

No report.

PUBLIC BUILDINGS & ENVIRONMENTAL:

1. They are working on the pool safety issue.

BUILDING & ZONING ENFORCEMENT:

No report.

OLD BUSINESS:

1. The zoning reclassification issue on the Route 72 property was discussed. The Board would like to restrict further development to sales tax producing developments only. A new zoning classification would be created for retail sales tax-generating businesses only. A zoning public hearing will be required if the Board agrees to proceed with the proposed zoning changes. ZIEMBA MOVED WITH A SECOND FROM GETZ TO AUTHORIZE THE VILLAGE ATTORNEY TO PREPARE AN AMENDMENT TO THE ZONING ORDINANCE TO BE DISCUSSED AT THE AUGUST 17 MEETING. MOTION PASSED.
2. President Pickett reminded the Board of the previous interest in an outdoor café at the end of the strip mall. There has been interest again and the Board was asked if they would consider allowing an outdoor bar and an outdoor grill. The Board was agreeable to this suggestion.

NEW BUSINESS:

1. Trustee Ziemba asked about an incident involving a jogger in the Village and a car driving by her. This is under investigation, but may have been a misunderstanding.

ZIEMBA MOVED WITH A SECOND FROM GETZ TO ADJOURN TO EXECUTIVE SESSION AT 8:55 P.M. TO DISCUSS COLLECTIVE BARGAINING PURSUANT TO SECTION 2(C)(2) OF THE OPEN MEETINGS ACT. MOTION PASSED.

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The regular meeting resumed at 9:04 p.m.

FINNEY MOVED WITH A SECOND FROM WIND TO ADJOURN THE MEETING AT 9:05 P.M. MOTION PASSED.

Respectfully submitted,



Norine Olson  
Village Clerk