

VILLAGE OF SLEEPY HOLLOW
REGULAR MEETING MINUTES

OCTOBER 5, 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, Getz, Seiler, Wind, and Ziemba, Police Chief Montalbano, Village Attorney Schuster, Village Engineer Weiss, and Clerk Olson. Trustee Fudala was absent.

MINUTES

1. Ziemba moved with a second from Getz to approve the regular meeting minutes of September 21, 2009. Motion passed.

PRESIDENT

1. President Pickett noted that there are changes to the Freedom of Information Act that will become effective January 1, 2010. It will require that an individual be appointed to handle all FOIA requests and will need to be certified as such. Mr. Schuster expanded on this and noted that the changes are not extensive. The certification tutorial may be available on-line through the Attorney General's office. The time to respond to a FOIA request has been shortened slightly but there are no major changes.

CLERK

No report.

PLAN COMMISSION

No report.

ZONING COMMISSION

No report.

ZBA

No report.

ATTORNEY

1. Mr. Schuster presented an ordinance on a ZBA variance. Ziemba moved with a second from Getz to approve Ordinance No. 2009-18 entitled "An Ordinance Varying the Requirements for Lot Size and Lot Width in the R -1 Residential Zoning District for the Property Located at 215 Sharon Drive in the Village" with a correction to the street address on page 1. The Board discussed whether to void the variance if construction does not begin within a limited period of time. Wind moved with a second from Getz to amend the motion to include the deletion of paragraph H of Section 4 of the Ordinance. On amendment: Motion passed unanimously. On main motion: Aye: Ziemba, Getz, Finney, Seiler, Wind. Motion passed.

2. An ordinance on a second ZBA variance was presented. Ziemba moved with a second from Getz to approve Ordinance No. 2009-19 entitled "An Ordinance Varying the Requirements of the Regulations in the B -2 Business District Regarding Building Height for Certain Property Located on State Route 72 in the Village (1365 LLC Parcel)". This allows an increase in building height from 20' to 25'. Aye: Ziemba, Getz, Finney, Seiler, Wind. Motion passed.

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ENGINEER

1. Most of the 2009 street improvements are complete and payment estimate #1 was presented. The contractors will return for patching after the culvert projects are done; payment will come out of the cost of the culvert project. The engineer recommended holding back 15% of the project from the contractor. Ziemba moved with a second from Getz to approve payment of \$57,307.00 to Greg Greenhill Construction Co. of Ringwood. Aye: Ziemba, Getz, Finney, Seiler, Wind. Motion passed.
2. There will be a preconstruction meeting on the culvert projects this week, with work to begin next Monday. Joy Lane will be done first. When the Sleepy Hollow Road culvert is done, the road will be closed to one lane at times.

DIRECTOR OF FINANCE

1. Ms. Volkening contacted Harris Computer regarding a trial of their LiveVault back up system for the Village software/accounting systems. There is no trial period, but they offer the first 90 days at no cost. After 90 days, the monthly cost is \$60, and there is no cost to restore the system. Ziemba moved with a second from Getz to approve the contract with Harris Computer at a cost of \$720 per year. Aye: Ziemba, Getz, Finney, Seiler, Wind. Motion passed.
2. Quotes were obtained on leasing a new copy machine versus purchasing. It is more cost effective to buy the machine. Ziemba moved with a second from Seiler to approve the purchase of the Kyocera Mita KM4050 in the amount of \$5,560 plus the service/maintenance agreement. Aye: Ziemba, Seiler, Finney, Getz, Wind. Motion passed.
3. Ziemba moved with a second from Getz to approve the accounts payable of October 5, 2009 in the amount of \$69,692.68. Aye: Ziemba, Finney, Fudala, Getz, Seiler, Wind. Motion passed.

Chuck Dill was present on the behalf of the Service Club to discuss the Club's proposed project to clean the stone walls on Locust by the apartments. He distributed pictures of the three stone wall structures. Mr. Dill spoke with the manager at the apartment complex who is in favor of the work and agreed to maintain the walls after they are cleaned. Mr. Dill also spoke with Public Works who are willing to assist with the project as trees will be removed and must be disposed of. The Board questioned the ownership of the property where each structure sits. One wall could be on a resident's property, and another may be on apartment property. It will be necessary to verify who owns the property and releases must be obtained from property owners before any work can be done. The Sidwell maps were reviewed but property ownership was not clear. Seiler moved with a second from Getz to approve the project, subject to the Service Club determining ownership and obtaining releases. Motion passed. The Board said the Service Club should speak with the resident and with apartment management to verify ownership and obtain releases holding the Village harmless from any personal injury or property damage.

COMMENTS FROM THE PUBLIC

1. Robert Jozefowicz asked about the work to his swale on Jamestowne Court (damage from the water coming from west of Randall Road). Engineer Weiss noted that Public Works will be adding fabric and stone in the area to repair the problem. Mr. Jozefowicz stated there is silt problem and Mr. Weiss will discuss this with Public Works before they do the work.
2. Claudia Day of Katrina Lane and Anastasia Epstein, principal of Sleepy Hollow School, discussed the school's plans to encourage more involvement of the community in the school activities.

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The school will have a Community Book Share on October 31st at 10 am at the School to discuss the Legend of Sleepy Hollow book and history of the Village. All board members were given books and invitations to the event. They would appreciate any history to share at this event.

PARKS, ROADS AND STREETS

1. Trustee Getz questioned whether the Village has any liability when residents place large boulders along the edges of their property in Village right-of-way.

FINANCE

No report.

WATER AND SEWER

No report.

POLICE AND PUBLIC SAFETY

No report.

PUBLIC BUILDINGS AND ENVIRONMENTAL

1. Trustee Finney said the Environment Committee is preparing a proposal to present to the Board to entirely ban all leaf burning in the Village. The Village increased the leaf burning restrictions a few years ago as a step toward a total ban.

BUILDING AND ZONING ENFORCEMENT

No report.

OLD BUSINESS

1. The Board again discussed possibly changing business zoning to only tax-generating businesses. The process of preparing text, holding a public hearing, and preparing an ordinance, was reviewed. It was noted that this type of restriction could be detrimental to any development for the Village. This could also be challenged in court by a developer. Seiler moved with a second from Getz to authorize the Village to file a petition to create a new zoning district. Board discussed what vacant parcels this would affect and costs involved to take this action. President Pickett suggested we could instead add more prohibited uses to those already in effect in the B-2 district. This would still require a text amendment and public hearing. Current businesses would be "grandfathered" but should they leave and new tenants come in, they would be required to meet the new restrictions. The Board agreed they would prefer to add more to the prohibited list of business types rather than create a new zoning district. Zoning Chairman Art Neil agreed with this suggestion but asked the Board to carefully consider the additions to the list before taking further action. Trustee Seiler will prepare a proposed list of prohibited businesses. Trustees Seiler and Getz withdrew their motion and second.

2. President Pickett spoke with Dundee Township about the Dial-A-Ride program. They noted that the Village signed an intergovernmental agreement to participate in this program. Trustee Ziembra will review this matter.

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3. A resident on Willow Lane has submitted a bill for clean up costs when the check value broke and sewage backed up into her basement. The home will require further work to repair the damage. It was suggested that this documentation be submitted to the Village insurer for their review and response.

NEW BUSINESS

No report.

Wind moved with a second from Getz to adjourn to executive session at 8:58 p.m. for the purpose of discussing collective bargaining pursuant to §2(c)(2) of the Open Meetings Act. Motion passed.

The regular meeting reconvened at 10:08 p.m.

Ziemba moved with a second from Getz to adjourn the meeting at 10:08 p.m. Motion passed.

Respectfully submitted,



Norine Olson
Village Clerk