

VILLAGE OF SLEEPY HOLLOW VILLAGE BOARD MEETING MINUTES

May 6, 2019

Following a ceremony for swearing in recently elected Trustees, Nemec, Ziemba, DeAtley and Piraino, the regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 8:12 p.m. at the Sleepy Hollow Village Hall. Board members in attendance were President Stephan Pickett and Trustees Steven DeAtley, Thomas Merkel, Joseph Nemec, Edward Harney, Anthony Piraino and Donald Ziemba. Also present were Village Attorney Mark Schuster, Village Engineer Jeff Steele, Police Chief James Linane, Director of Finance Henry Mionskowski, and Director of Public Works Kyle Killinger.

PRESIDENT'S REPORT

President Pickett's first order of business was to make the following chairmanship appointments:

- Parks, Roads and Streets – Edward Harney
- Finance – Donald Ziemba
- Water and Sewer – Joseph Nemec
- Police and Public Safety – Steven DeAtley
- Public Buildings and Environment – Thomas Merkel
- Building and Zoning Enforcement – Anthony Piraino.

In addition, the President stated that all other existing appointments were to remain the same. The President asked for consent of the Board of Trustees to said appointments. Trustee Harney moved with a second from Ziemba to approve the appointments as made by President Pickett and on a voice vote the appointments were unanimously approved.

CLERK'S REPORT

The Clerk presented to the board ComEd's application for a permit to perform cable replacement work in existing easements and/or ROW within the Village. Specifically the permit calls for the replacement of approximately 1350 feet of underground cable parallel to Randall Road. After several trustees voiced their concerns about the proposed project the application Ziemba moved with a second from ____ to table any decision until the next regular board meeting on 5-20-2019. On a unanimous voice vote the application was tabled to allow the Village Engineer time to review the application.

ATTORNEY'S REPORT

Attorney Schuster reported the original Option and Lease Agreement for the installation of the telecommunications tower to be erected on the Village Hall property at One Thorobred Lane in the village, which was approved by the Board on August 7, 2017 by Resolution No. 457, has expired. The expiration was discovered after recent discussions with MCI regarding their application to install fiber optic cable along Sleepy Hollow Road. Vogue Towers I, LLC as lessee has requested an extension of the Option and Ground Lease Agreement for an additional nine (9) months commencing February 7, 2019 and expiring on November 6, 2019. The extension would require Vogue Towers I, LLC to pay to the Village \$500.00 upon full execution of the amended agreement.

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President Pickett called for a motion to approve Resolution 516 which would grant Vogue Towers I, LLC the requested Option and Lease Agreement extension. Ziemba moved with a second from Nemec to approve Resolution 516. After President Pickett called for comments or questions Trustee Merkel first asked why there was a three (3) month delay in discovering this issue and bringing it to the attention of the board. Attorney Schuster cited several scheduling issues in reviewing the situation with MCI and Vogue.

Trustee Merkel stated he researched state law and now questions how the original deal got done and whether the board followed proper procedure in approving the construction of the telecommunications tower. Mr. Merkel cited 63 ILCS 11-76-1 as governing the purchase or lease of real property and stated that the statute requires approval by ordinance and an affirmative vote of 3/4 of the corporate authorities. He cited the case of Samios v. City of Joliet, 242 N.E.2d 322 (1968) to support the proposition that the original agreement was not legal or binding.

Trustee Piraino spoke regarding his recollection of the discussions of the needs and benefits arising from the construction of the cell tower - specifically the improvement in communications between the police and firehouse as well as between residents and questioned whether those problems still exist. Mr. Piraino also asked if the Village now had an opportunity to renegotiate the financial terms of the agreement.

Nemec moved with a second from Piraino to table further discussion on Resolution 516 until the regular board meeting scheduled for June 6, 2019. By unanimous voice vote the motion to table was approved.

ENGINEER'S REPORT

Jeff Steele presented an update on the Bullfrog Lane culvert repair project noting that the village has finally received the necessary permit approvals and has sent out requests for bids. He anticipates having bids back in time to submit those to the board at the next regular meeting scheduled for 5-20-2019. Mr. Steele stated the village is still on schedule to have the repair work completed in time for the 4th of July festivities.

Mr. Steele next presented for board approval the Engineering Services Agreement for Phase 1 and Phase 2 Engineering in connection with the Sleepy Hollow Road pavement patching, hot-mix asphalt overlay, gravel shoulder improvement, thermoplastic pavement marking and other appurtenant work.

In response to a question by Mr. Piraino, the Village Engineer explained the timing and process for the approval of funding for the project. In response to a question by Mr. Ziemba, President Pickett confirmed that the cost of the engineering services for phase 1 and phase 2 are within the amount budgeted in the FY 2020 budget. Ziemba moved with a second from DeAtley to approve the terms of the Engineering Services Agreement. By roll call vote with the Ayes, Piraino, DeAtley, Nemec, Ziemba, Harney and Merkel, Nays: None, the motion passed.

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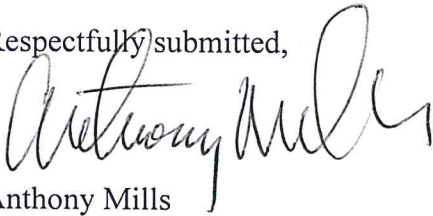
NEW BUSINESS

Ordinance 2019-8 AN ORDINANCE AUTHORIZING THE SALE & DISPOSAL OF VILLAGE PROPERTY – 2001 INTERNATIONAL DUMP TRUST & MONROE STAINLESS STEEL SALT SPREADER was presented for board approval. Nemec moved with a second from DeAtley to approve Ordinance 2019-9. By roll call vote with Ayes, Piraino, DeAtley, Nemec, Ziemba, Harney and Merkel, Nays: None, the motion approving the ordinance passed.

ADJOURNMENT

Nemec moved with a second from DeAtley to adjourn the meeting. By voice vote the motion was approved and the meeting was adjourned at 8:47 pm.

Respectfully submitted,



Anthony Mills

Village Clerk