

REGULAR MEETING
MINUTES

DECEMBER 21, 1998

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:35 p.m. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, and Williams; Police Chief Montalbano; Treasurer Panning; and Clerk Olson. Trustee Nemec was absent.

MINUTES:

The December 7th minutes should be amended by inserting on the top of page 3 as follows: *President Shields opened the meeting to the public, although the Board recently approved a change in the Village Code to allow "open to the public" only at the second meeting of each month.* HARNEY MOVED WITH A SECOND FROM MERKEL TO APPROVE THE REGULAR MINUTES OF DECEMBER 7, 1998 AS AMENDED. MOTION PASSED BY VOICE VOTE WITH CZERNIAWSKI ABSTAINING. Trustee Czerniawski pointed out that President Shields was in violation of village code by allowing an open to the public session at the first meeting of the month and the President responded that he would nevertheless continue to allow residents to speak out. Trustee Czerniawski believed the Board could close that session and continue the meeting according to the Illinois Municipal League rules.

PRESIDENT:

1. President Shields reported on a letter he received from the village manager of West Dundee. West Dundee will honor the agreement with Sleepy Hollow to provide sanitary sewer service to the Locust Drive commercial property, but declined to consider an amendment to the "Target" agreement at this time. President Shields, in meeting with West Dundee Village President Larry Keller, was advised that the issues that need to be resolved were the proposed sewer treatment facility on Route 72 and the suggestion that Sleepy Hollow remove its objection to the transfer of control over the FPA on the Galvin property to West Dundee. President Shields did not feel these trade-offs were fair or equitable to Sleepy Hollow.

CLERK:

1. Please give any newsletter suggestions to the clerk for a January newsletter.
2. HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO APPROVE ORDINANCE NO. 98-27 ENTITLED "AN ORDINANCE AMENDING THE PROCEDURE FOR PLACEMENT OF MATTERS BY MEMBERS OF THE GENERAL PUBLIC ON THE AGENDA OF A MEETING OF THE PRESIDENT AND BOARD OF TRUSTEES, AND OPENING SAID MEETINGS TO COMMENT BY THE PUBLIC", WITH THE ADDITIONAL LANGUAGE ON PAGE 1, UNDER "a" ... "VILLAGE CLERK NOT LESS THAN THREE (3) DAYS". AYE: HARNEY, CZERNIAWSKI, DEBOLT, MERKEL, WILLIAMS. MOTION PASSED.

PLAN COMMISSION:

No report.

ZONING BOARD:

No report.

ZBA:

No report.

ATTORNEY:

No report.

ENGINEER:

No report.

TREASURER:

1. Add to the warrants \$75 to re-program the telephone after the power outage. CZERNIAWSKI MOVED WITH A SECOND FROM DEBOLT TO APPROVE THE WARRANTS OF DECEMBER 18, 1998 IN THE AMOUNT OF \$32,105.95. AYE: CZERNIAWSKI, DEBOLT, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.
2. There were no comments on the seven month financial statements.
3. The water increase from Elgin will be 8% for the demand charges and 6.1% for the usage charges.
4. The Village Hall front office will close at 12:30 p.m. on Christmas Eve day.
5. CZERNIAWSKI MOVED WITH A SECOND FROM DEBOLT TO APPROVE ORDINANCE NO. 98-28, ENTITLED "TAX LEVY ORDINANCE". AYE: CZERNIAWSKI, DEBOLT, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.
6. The training reimbursement due from a former police officer is now in the court system for collection.

ROADS & PARKS:

No report.

FINANCE:

1. A letter has been sent to the engineers requesting 80% reimbursement of the \$2,800 paid to Engineering Enterprises for MFT work.

WATER:

1. A non-village resident on Boncosky Road has requested hook up to our water system. The Board is agreeable and Trustee Williams will discuss this with the Finance Dept. to determine the cost and then advise the individual in advance.
2. A resident has complained about the water filter installations.

POLICE:

1. MERKEL MOVED WITH A SECOND FROM CZERNIAWSKI TO ACCEPT WITH REGRET THE RESIGNATION OF OFFICER JOHN STEINHABLE FROM THE POLICE DEPARTMENT. MOTION PASSED BY VOICE VOTE.
2. A portable breath test machine was donated to the Police Dept. by M.A.D.D. Also, the Police Dept. has requested a portable defibrillator from an area hospital that donates this equipment to police and fire departments. This should not affect the village insurance liability.
3. Chief Montalbano is, through a grant, requesting a trailer that displays a speed limit sign and radar unit advising drivers of their current speed as they pass by the unit. The unit cost is approximately \$14,000 and our share, if the grant is approved, would be 10%.

HEALTH & SANITATION:

No report.

BUILDING:

The building ordinances will hopefully be finalized and presented for approval at the next meeting.

OLD BUSINESS:

1. Our engineer was to contact Kane County concerning the widening at Joy Lane but we have not received confirmation that he did so.

DEBOLT MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING PERSONNEL, LITIGATION, AND EXECUTIVE MINUTES PURSUANT TO §§2(c)1, 2(c)(11), and 2(c)(21) OF THE OPEN MEETINGS ACT. MOTION PASSED BY VOICE VOTE.

The regular meeting resumed at 9:15 p.m.

HARNEY MOVED WITH A SECOND FROM DEBOLT TO RELEASE THE EXECUTIVE MINUTES OF JANUARY 5, 1998 TO THE PUBLIC. MOTION PASSED BY VOICE VOTE.

HARNEY MOVED WITH A SECOND FROM DEBOLT TO RELEASE THE EXECUTIVE MINUTES OF JANUARY 19, 1998 TO THE PUBLIC. MOTION PASSED BY VOICE VOTE.

HARNEY MOVED WITH A SECOND FROM DEBOLT TO RELEASE THE EXECUTIVE MINUTES OF FEBRUARY 2, 1998 TO THE PUBLIC. MOTION PASSED BY VOICE VOTE.

NEW BUSINESS:

1. Trustee Harney has instructed Ameritech to bury as much line as possible in connection with the new KinderCare project.
2. Received correspondence from Illinois Municipal League concerning a state gift ban ordinance for anyone holding public office. This will be given to the Village Attorney for review and possible ordinance preparation.
3. The Clerk requested the Board give her as much agenda detail as possible in preparation of the agenda prior to each meeting.

WILLIAMS MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE MEETING AT 9:25 P.M. AYE: CZERNIAWSKI, DEBOLT, HARNEY, MERKEL, WILLIAMS. MOTION PASSED.

Respectfully submitted,



Norine Olson
Village Clerk

EXECUTIVE MEETING
MINUTES

DECEMBER 21, 1998

The executive session of the Board of Trustees was convened at 8:20 p.m. for the purpose of discussing personnel, pending litigation, and executive minutes pursuant to §§2(c)(1), 2(c)(11), and 2(c)(21) of the Open Meetings Act. In attendance were President Shields; Trustees Czerniawski, DeBolt, Harney, Merkel, and Williams; and Clerk Olson.

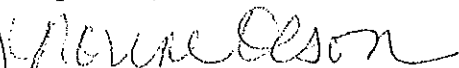
- Released
6-17-02
1. John Fahy has revised his lawsuit against the village by additionally suing Joel Kruse and Sue Harney personally, for \$10,000 each. Both personal suits claim vindictiveness against Fahy as the reason for their actions against him on behalf of the village.
 2. Jim Podbregar continues to delay taking any action on the improperly added fill to his property in violation of flood plain rules. The Village has a legal obligation to enforce these rules. If taken to court, we will not go through traffic court as they don't have expertise with this type of matter. Prodbregar wants to wait until spring to do anything on this matter. It was suggested we could have him sign a legally binding agreement to have the fill removed by a certain date and then take legal action if it is not done.

- Released
6-17-02
4. Reviewed the executive minutes of 1/5/98, 1/19/98 and 2/2/98 recommended for release to the public. Board agreed all may be released.

5. DEBOLT MOVED WITH A SECOND FROM MERKEL TO APPROVE THE EXECUTIVE MINUTES OF OCTOBER 5, 1998 AS SUBMITTED. MOTION PASSED BY VOICE VOTE.

HARNEY MOVED WITH A SECOND FROM CZERNIAWSKI TO ADJOURN THE EXECUTIVE SESSION AT 9:15 P.M. MOTION PASSED BY VOICE VOTE.

Respectfully submitted,



Norine Olson
Village Clerk