

VILLAGE OF SLEEPY HOLLOW
VILLAGE BOARD MEETING MINUTES

DECEMBER 2, 2019

The regular meeting of the Sleepy Hollow Corporate Authorities was called to order at 7:32 p.m. at the Sleepy Hollow Village Hall. Board members in attendance were President Stephan Pickett and Trustees Steven DeAtley, Edward Harney, Thomas Merkel, Joseph Nemec, Anthony Piraino, and Donald Ziemba. Also present were Police Chief Michael Rivas, Village Attorney Mark Schuster, Village Engineer Jeff Steele, Director of Finance Henry Mionskowski, and Director of Public Works Kyle Killinger.

MINUTES

1. Nemec moved with a second from Merkel to approve the Village Board Meeting Minutes of November 18, 2019. Under Building and Zoning, it should be corrected that the Service Club taking possession of old signs is only one option under consideration. Motion passed unanimously.

DeAtley moved with a second from Nemec to amend the agenda to move the swearing in of a new police officer to now. Motion passed unanimously. Chief Rivas introduced the candidate and presented the Board with some background information. DeAtley moved with a second from Piraino to approve the hiring of Joseph Stegeman as a police officer at the hourly rate of \$20.91. Aye: DeAtley, Harney, Merkel, Nemec, Piraino, Ziemba. Motion passed. The Deputy Clerk then administered the Oath of Office to Officer Stegeman.

PRESIDENT

1. Groot will be collecting yard waste for one additional week this year with the last pickup on December 5, 2019.
2. Director of Finance Henry Mionskowski has taken a new job and his last day with the Village will be this Friday.

CLERK

No report.

PLANNING AND ZONING COMMISSION

1. President Pickett noted the public hearing tomorrow night on the proposed ordinance regarding the sale of cannabis in the Village.

ATTORNEY

No report.

ENGINEER

1. Schroeder Asphalt is completing clean up on the road improvements project and an inspection will then be conducted by the Engineer.

DIRECTOR OF FINANCE

1. Ziemba moved with a second from Harney to approve the accounts payable of December 2, 2019 in the amount of \$74,015.85. Aye: DeAtley, Harney, Merkel, Nemec, Piraino, Ziemba. Motion passed.

COMMENTS FROM THE PUBLIC

There were no comments from the public.

PARKS, ROADS AND STREETS

No report.

FINANCE

1. There is a Finance Committee meeting Thursday at 7 p.m. to discuss the 2020 tax levy.

WATER AND SEWER

No report. On query from Trustee Ziemba, he was informed that all water meters have been replaced in the Village. An annual water report is being prepared. There have been questions from a few residents on the new readings but those concerns appear to have been resolved.

POLICE AND PUBLIC SAFETY

No report.

PUBLIC BUILDINGS AND ENVIRONMENTAL

No report.

BUILDING AND ZONING ENFORCEMENT

No report.

OLD BUSINESS

1. Attorney Schuster reviewed the proposed updates to the personnel manual. The health insurance is up for renewal this month and will be discussed at the Finance Committee meeting before recommendations are given to the Board that will likely change the monetary figures which have not been updated for several years. It was the consensus to remove the listed monetary payroll deductions for health insurance since they would need to be changed annually. The Board also discussed holidays for non-union employees, which are presently not the same as those for union employees. As the Board would like to keep the holidays the same for both groups, it was the consensus to not give Christmas Eve day off to non-union employees, but to give four floating holidays. This would give both groups of employees the same 9 holidays and 4 personal/floating days. Nemec moved with a second from Ziemba to approve Resolution 520 "A Resolution Approving and Adopting the Village Personnel Manual Update 2019" with the changes of eliminating Christmas Eve as a holiday off and eliminating the table with dollar amounts for the healthcare insurance deductions. It was suggested a statement be included in the manual that the healthcare dollar figures will be as determined by the Board from time to time and are available from the accounting department.

Merkel moved with a second from Ziemba to amend the motion to modify the language in the "whereas" to clarify all the updates included in the personnel manual.

On amendment: Motion passed unanimously.

On main motion: Motion passed unanimously.

2. Attorney Schuster reviewed "home occupations" as defined in the Village Code and as it pertains to a recent complaint about a home counseling business and the parking at the home. Although this type of office use is not permitted, the owner claims it is a not-for-profit business and thus exempt from the prohibition. The neighbors complained of parking and traffic issues around the home, including in the evening. It was noted that the police patrols are aware of and monitoring this situation. There was board discussion of these types of home business issues in the Village and how they should be addressed. The Board agreed the code should be enforced and complaints should be addressed by the Zoning Enforcement Officer when applicable. Piraino moved with a second from Ziemba that the village attorney send a letter to the resident regarding the home office violation as well as the parking and traffic complaints. Motion passed unanimously.

3. Attorney Schuster reviewed the complaint from resident Mona Auer regarding Public Works' cutting and trimming of trees and bushes along north Sleepy Hollow Road, including on her property. The trimming was done at the request of the Fire District for safety concerns and was cut back from the roadway. Foliage cut was considered to be an invasive and/or nuisance variety by the Director of Public Works. Ms. Auer has made several demands to the Village for this cutting, including monetary (to be applied toward the purchase of a speed detector device), replacing the cut trees and shrubs, and creating a landscape maintenance plan for Sleepy Hollow Road. The value of the cut landscape is disputed as is the ownership of the road. Mr. Merkel noted that "nuisance" is a subjective term, depending on how the landscape affects the view of the individual. Mr. Schuster presented a draft policy for tree trimming on Sleepy Hollow Road. He also explained some history of Sleepy Hollow Road relating to ownership, right of ways, and prescriptive easements. After discussion, the Board agreed that further decisions should be deferred until a survey can be located and ownership of the road is determined as well as what rights the Village has on the section of the road involved in this dispute. The Village insurance company should also be advised of this claim by Ms. Auer.

NEW BUSINESS

1. Ziemba moved with a second from DeAtley to approve Resolution 521 "A Resolution Establishing Dates of Regular Board Meetings of the Board of Trustees of the Village of Sleepy Hollow for the Calendar Year 2020". Motion passed unanimously. A change in meeting time was raised but an earlier time would not be convenient for some trustees.

2. A fee for water department employees to shut off or turn on a buffalo box was discussed. This has been done recently at the request of residents out of town for extended periods of time and also when there were house fires. Other area towns charge a fee for this service. The board agreed on a \$75 fee for each service event. Nemec moved with a second from Harney to direct the village attorney to prepare an ordinance authorizing Public Works/Water Dept employees to charge a \$75 fee to turn off or turn on a buffalo box. Motion passed with Merkel voting nay.

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3. Engineer Steele reviewed his report regarding the AT&T permit request in the area of Boncosky and Sleepy Hollow Roads. While the work is not on Village property, it does occur within the Village easement and may be close to a watermain. Since the work request appears to be located on Dundee Township property, the engineer recommends the Village withhold permit approval until AT&T has obtained approval and a permit from the Township first. The Engineer's report should be given to AT&T with his requirements for approval by the Village. Board members felt AT&T should pay our engineer's fees in this matter, but it was noted by Mr. Schuster that utilities strongly fight any attempt by municipalities to charge them fees incurred for permit review, etc.
4. For many years, the Village has been giving an annual 5,000 gallon "swimming pool" credit to those homeowners on sewer who requested one. In a search of Village records and code, however, there is nothing in writing authorizing this credit or program. After brief discussion, it was the consensus of the Board to stop this practice and no longer give this credit to any homeowner.
5. Trustee Piraino raised the issue of street parking in the Village and noted that previous police chiefs have been both strict and lenient in enforcing the no parking ordinance. He asked Chief Rivas how he would handle this matter. The Chief said he will prepare a few options for an upcoming meeting for the Board to consider and then make the decision on how they wish the police to enforce the ordinance.

ADJOURMENT

Ziamba moved with a second from Harney to adjourn the meeting at 9:07 p.m. Motion passed unanimously.

Respectfully submitted,

Norine Olson
Deputy Village Clerk