

MINUTES OF THE REGULAR MONTHLY MEETING  
OF THE VILLAGE OF SLEEPY HOLLOW

NOVEMBER 17, 1969

The regular monthly meeting of the Village of Sleepy Hollow was called to order by Mayor Falese at 7:35 P.M. Roll call was taken and answered as follows:

Mr. McGowan - present  
Mr. Rogers - present  
Mr. Vesely - present

Mr. Quaine - present  
Mr. Baugh - present  
Mr. Falese - present

Attorney Chase - present

Treasurer Quigley - absent

Mr. Rogers called for a point of order <sup>17 LK.</sup> several times. Mr. McGowan

*mayor falese stated no point of order*  
2nd. *Mr. Falese ordered Village Marshall to*  
No roll call was taken. Mr. Falese swore in Mr. Holberg as  
*keep that man quiet, would you please keep that man quiet. After seating*  
a trustee over the point of order.  
*Mr. Holberg at the board he said I'm not going to listen to any more of his obnoxious*  
Attorney Chase explained the procedure for point of order and also

suggested Mr. Holberg not be sworn in until he has finished researching the legal aspect of this appointment.

Mayor Falese noted that in his opinion -- Mr. Holberg was a legally appointed trustee and should be seated.

Mr. Rogers made a motion that Attorney M. Smith be given the floor to explain the legal procedure regarding the appointment. Mr. McGowan seconded. Roll call: Mr. Rogers - aye, Mr. McGowan - aye, Mr. Vesely - aye, Mr. Baugh - nay, Mr. Quaine - nay, Mr. Holberg - abstained. Mr. Smith read a letter of opinion from his law firm regarding this situation. He noted (read the opinion) that it should take at least a majority of the total remaining trustees in office and the mayor voting joining to appoint a trustee. He also explained the legal dangers involved and potential harm that could be done to the village if a trustee was seated under questionable circumstances.

Minutes of the meeting of October 20, 1969, were read by the clerk.

Board discussion followed. Several changes were suggested regarding the minutes. *JK*

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Mr. Quaine motioned the minutes be accepted as read. Mr. Vesely  
2nd. Roll call: Mr. McGowan - nay, Mr. Rogers nay, Mr. Vesely -  
abstained, Mr. Quaine - aye, Mr. Baugh - aye, Mr. Holberg - abstained  
(Clerk's note: minutes not approved due to a tie vote.)

Mr. Quigley was absent so no treasury report was given.

Mr. Rogers read several current bills for board approval. He noted  
the Stanley Bros.' bill was a duplicate of the Zickur bill and should  
not be paid. Mayor Falese stated that the treasurer should be at  
the meetings at least 15 minutes earlier to discuss the payment of  
current bills. Mr. Quaine read the police report for the month of  
October. He also noted the need for a new squad car.

Mr. Quaine motioned to get bids for the purchase of a new police car  
for the village. Mr. Baugh seconded. Roll call: Mr. McGowan - aye  
Mr. Rogers - aye, Mr. Vesely - aye, Mr. Quaine - aye, Mr. Baugh - aye,  
Mr. Holberg abstained.

Mr. Quaine motioned to buy a kit to identify narcotics priced at  
\$49.50. Mr. Vesely 2nd. Roll call: 5-0, 1 abstention.

Mr. Vesely reported 1 building permit was issued -- lot 76, 1st add  
to 10.

Mayor Falese directed Attorney Chase to read a letter from Mr. Morrsey's  
attorney addressed to the board. The mayor than stated Mr. Chase  
should answer the letter and send a copy to all the trustees.

Mr. Quaine read Ord. 63-4 (Subdivision regulations) and gave an  
opinion on how it applied to this matter. Board discussion followed.

Mr. Quaine moved that Attorney Chase be given board approval to  
notify the Morrseys regarding board action on revoking the building  
permit for the greenhouse. Mr. Baugh 2nd. Roll call: Mr. McGowan -  
nay, Mr. Rogers - nay, Mr. Vesely - nay, Mr. Baugh - aye, Mr. Quaine  
aye, Mr. Holberg - abstained. Motion defeated.

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Attorney Chase and Mr. Vesely were appointed by Mayor Falese to research the matter of revocation of the Morrsey permit and report back to the board.

Mr. Quaine motioned to amend the rules so the people could speak from the floor and give their opinions in this matter. Mr. Baugh 2nd. Roll call: 5-0, 1 abstention. Floor opened to discussion regarding the greenhouse.

Mayor Falese suggested a committee talk the matter over with Mr. & Mrs. Morrsey to see if they would make a smaller greenhouse. The committee consists of Mr. Falese, Mr. Vesely, and Mrs. Ranger.

Mr. Rogers read a Resolution to notify Springfield to change the census figure from 1960 to the 1968 figure.

Mr. Rogers moved the resolution be accepted as read based on the 1968 census. Mr. Vesely seconded. Roll call: Mr. McGowan - aye, Mr. Rogers aye, Mr. Vesely - aye, Mr. Quaine abstained, Mr. Baugh - aye, Mr. Holberg - abstained. Motion carried.

Mr. Rogers brought up the matter of Social Security and withholding tax for village employees.

Mr. Quaine motioned to enroll Village employees for Social Security beginning January 1, 1970. Mr. Rogers seconded. Roll call: 5-0, 1 abstention.

Employees: L. Sabatino, H. Wienke, G. Bradly, D. Sabatino -- part-time: B. Link, R. Rorer, G. Coates, E. Martino and Mr. Wardorszyk.

Mr. Rogers brought up the subject of the park properties accepted by the Board in March, 1969. He noted that of the 7 parks accepted, only 4 had clear titles. The remaining 3 had been purchased for back taxes by other individuals. He also stated that at the March meeting former Trustee Shields had requested title policies and maps of location of the land and was informed it wasn't necessary.

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Mr. Rogers read a resolution asking the Village Attorney to check into the matter regarding proof of title on the park property.

Mr. Rogers moved the resolution be adopted as read. Mr. McGowan

2nd. Mr. McGowan - aye, Mr. Vesely - aye, Mr. Rogers - aye, Mr. Quaine - abstained, Mr. Baugh - abstained, Mr. Holberg - abstained, Mayor Falese - aye. Motioned carried.

Mr. Quaine motioned that Attorney Chase draw up an ordinance having the Village Clerk as collector for Social Security. Mr. Baugh - 2nd.

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Roll call: Mr. McGowan - abstained, Mr. Rogers - nay, Mr. Vesely - nay, Mr. Quaine - aye, Mr. Baugh - aye, Mr. Holberg - abstained, Mayor Falese - nay. Motion defeated.

Mayor Falese stated Mr. Quigley is to collect the Social Security for the village employees. Mr. Rogers noted that the utility tax from the Water Co. is 2 payments in arrears and the third quarterly payment is coming due. He was appointed to contact the water company and arrange for payment.

Mr. Rogers reported on the Resolution that was passed last May asking for a rate hearing from the ICC. He noted that the water company was operating at an \$11,000 loss and the matter was turned over to the ICC audit department for further study. He also read excerpts from an ICC letter regarding the accounting practices of the water company.

Mr. McGowan stated he had no comment on Mr. Glaser's speech at the October meeting -- but he denied the charges and would make a more detailed statement at the December meeting.

Mr. McGowan read a letter from Mr. Griffith's regarding a health problem at 914 Willow Lane. He stated he wrote Dr. Romero to check into the problem. He then read Dr. Romero's answering letter which

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stated that a lab test showed the water to be polluted.

Attorney Chase was directed to send a 5 day notice to both the tenant and the owner of the property or a summons would be issued.

Mr. McGowan suggested a codification of all the ordinances and that it should be done on a bid basis from firms specializing in this work.

Mr. McGowan motioned to have specialists submit bids for the codification of the village ordinances. Mr. Rogers 2nd. Roll call: 5-0, 1 abstention.

Mr. McGowan read a resolution concerning the annexation by West Dundee of several acres of land containing the two apartment buildings on the south side of Willow. Board discussion. The Village Attorney was ordered to investigate how West Dundee could annex this property when it had been previously annexed to Sleepy Hollow under Ord. 60-8. Mr. Rogers requested that the minutes reflect that Mayor Falese brought the Chateau Louise's name into the discussion.

Mr. McGowan moved to adopt the resolution as read. Mr. Rogers 2nd. Roll call: Mr. McGowan - aye, Mr. Rogers - aye, Mr. Vesely - aye, Mr. Quaine - nay, Mr. Baugh - nay, Mr. Holberg - abstained. Mayor Falese vetoed the resolution.

Mr. McGowan read a resolution asking the Village Attorney to check into the matter of the Village Clerk's signature on 1st Add to 12 as she stated she did not attest to this particular document.

Mr. McGowan motioned to accept the resolution as read. Mr. Rogers 2nd. Roll call: Mr. McGowan - aye, Mr. Rogers - aye, Mr. Vesely - aye, Mr. Baugh - nay, Mr. Quaine - nay, Mr. Holberg abstained. Floor discussion followed.

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Mr. Vesely read correspondence from Kane County regarding zoning hearings concerning land along Randall Road, Big Timber and Lovers Lane. It was noted that the village should have its Zoning Commission or someone attend these zoning hearings by the county. Mayor Falese directed Attorney Chase to contact the Attorney General's office and have all board members investigated as a result of the resolutions being presented. Board discussion followed. Mr. Quaine motioned to adjourn. Mr. Baugh 2nd. Roll call: Mr. McGowan - nay, Mr. Rogers - nay, Mr. Vesely - nay, Mr. Quaine - aye, Mr. Baugh aye, Mr. Holberg - abstained.

Mr. McGowan read a resolution directing the Village Attorney to check into the matter of Units 15 & 16 signed and sealed by Mayor Falese attesting to board action when no board meetings were held on the dates mentioned. Mr. McGowan moved to accept the resolution as read. Mr. Rogers 2nd. Roll call: Mr. McGowan - aye, Mr. Rogers - aye, Mr. Vesely - aye, Mr. Quaine - nay, Mr. Baugh - nay, Mr. Holberg abstained. Mayor Falese vetoed the motion.

Mr. Quaine motioned to adjourn. Mr. Baugh 2nd. Roll call: Mr. McGowan - nay, Mr. Rogers - nay, Mr. Vesely - nay, Mr. Quaine - aye, Mr. Baugh, - aye, Mr. Holberg - abstained.

Mr. Rogers read a resolution directing Attorney Chase to investigate the circumstances bringing in 2nd Add to Unit 7 as Mayor Falese had attested to a board meeting being held on January 1, 1969.

Mr. Rogers moved to adopt the resolution as read. Mr. McGowan 2nd. Roll call: Mr. McGowan - aye, Mr. Rogers - aye, Mr. Vesely - aye, Mr. Quaine - nay, Mr. Baugh - nay, Mr. Holberg - abstained. Mayor Falese vetoed. Floor opened to discussion.

Mr. Hugel noted he had sent letters to the Mayor, Clerk, and Building

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Commissioner regarding the building of homes along the lots on Sycamore Lane. He felt, that the homes proposed by the builder would create a drainage and health problem to the surrounding area. Mayor Falese stated he would have the building inspectors check into the problem before permits were issued.

Mr. Vesely motioned to adjourn. Mr. Rogers seconded. Roll call: 5-0, 1 abstention. Time 11:30 P.M.

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*LaVerne Koshman*  
LaVerne Koshman  
Village Clerk