

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
September 19, 2023**

CALL TO ORDER

President Ryan Kauffman called the meeting to order at 6:02 p.m.

ROLL CALL

Board Members Physically Present: President Ryan Kauffman; Trustees Tom Guist, Kit Kuhrt, Karin McCarthy-Lange, Karen Novy, Jennifer Jones Sinnott, and Andrew Torres.

Staff Physically Present: Dan Di Santo, Village Administrator; Christina Burns, Deputy Village Administrator; Tina Touchette, Village Clerk; Jennifer Hughes, Public Works Director; Jason Bastin, Interim Chief of Police; Rod Zenner, Community Development Services Director; Bridget Bittman, Community Relations Manager- Marketing; Kevin Leighty, Economic Development Director; Kerry Behr, Project Engineer; and Jim Murphy, Village Attorney.

PUBLIC FORUM

Public Forum was opened at 6:03 p.m.

Gerald Sternberg addressed the Board regarding the Hawaii fire was a failure in all levels; getting the fire and police departments and other agencies and think of worst-case disasters; are we going to fail or plan ahead; stay ahead of it and re-visit every few years.

There was no one else who requested to speak. The public forum was closed at 6:05 p.m.

OLD BUSINESS

There was no old business.

NEW BUSINESS

F.1 Review of the Current Regulations Regarding Mailboxes

Director Zenner addressed the Board regarding the regulations for mailboxes. In 2008, the Village approved Ordinance #08-37 establishing the rules and regulations regarding the placement and design of mailboxes in the Village. The regulations follow the requirements of the United States Post Office and the Federal Highway Administration's requirements for height, setback, and post material. The US Post Office regulates the form and location of the box itself. FHWA regulates the crashworthiness of the post. FHWA references the AASTO Roadside Design Guide Chapter 11 "Erecting Mailboxes on Streets and Highways." The guiding principle is that the post should be crashworthy and should "yield or break away safely if struck by a vehicle. This includes requirements that the mailbox be installed on either a 4x4 wooden pole or a metal pole no larger than 2 inches in diameter. AASHTO states "Mailboxes supported by structures such as masonry columns, railroad rails and ties, tractor wheels, plow blades, and concrete-filled barrels sometimes turn a single mailbox installation into a roadside hazard that should be eliminated. The Village Attorney advises that allowing brick mailboxes could create liability issues for the Village.

The Village had several brick mailboxes located throughout the Village that were in existence prior to approval of the Ordinance. These mailboxes were specifically outlined in the Ordinance by address and grandfathered in and were allowed to remain. All future mailboxes have been required to follow the regulations. The Village has

monitored the installation of new mailboxes in the single-family residential developments. If Village staff observes the installation of a brick mailbox, staff contacts the owner and has the mailbox removed. Residents comply and remove the mailbox and install a new box in compliance to the regulations. Recently, the Village has been in contact with residents who have installed brick mailboxes that the Village has identified as being in violation and request that it be removed. The residents in turn have requested that the Village reconsider the regulations to allow for the brick mailboxes to remain even though it violates the US Post Office and Federal Highway Administration regulations.

Board and staff discussion focused on past issues with snow removal; mailbox damage mostly to older and aged posts; State does not want brick mailboxes installed; setting a price for paying for mailboxes that are hit by a plow; currently pay \$100.00; requiring the mailboxes to be built a certain way so it breaks away; damages to plows because of the brick mailboxes; most brick mailboxes are made solid with concrete blocks; residents are not asking for brick, they are just putting them in; many have been asked numerous times to take them down; why we are debating going against the USPS and Federal regulations; some subdivisions are handling the regulations through the HOA; vehicle accidents in the winter; what the surrounding communities have for regulations; seeing brick mailboxes in higher end neighborhoods; if allowing them, residents would need to apply for a permit which requires review and inspections; private contractors who are plowing; posts are not crashed tested; problematic; liability issues; Federal regulations; safety; Tort Immunity concerns; if the Village allows brick mailboxes and it is not Federally allowed, then the Village takes on the liability; should not go against what we have now; same liability applies for bicyclists; more concerned about breaking Federal laws and recommendations; liability should be on the homeowner; parkway is Village property; not a compelling argument to allow; a homeowner would not be allowed to build a brick mailbox if it was on private property; brick mailboxes have always been in subdivisions. There was no further discussion.

CLOSED SESSION

There was no closed session.

ADJOURNMENT

The meeting adjourned at 6:18 p.m.

Tina Touchette
Village Clerk