Special Board Meeting Minutes
Berwyn Park District
September 21, 2026, at 5:00pm
Freedom Administration Building

The special board meeting of the Berwyn Park District Board of Commissioners was called to order at 5:00pm by President Kostelny
Commissioners in attendance: Claire Clark, Ana Espinoza, Janel King, Gretchen Kostelny, and Zachary Taylor.
Absent:
Staff in attendance: Cathy Fallon (Executive Director), Cindy Hayes (Superintendent of Finance and HR).
Guests: Attorney Mike Roth

Agenda: A motion made by Espinoza, seconded by Taylor to approve the agenda as presented. Motion carried.

Commissioner Kostelny gave a statement- she acknowledged it was a breach of professional protocol for the city to stage equipment and material on the property at 34th and Oak Park without notice to the park district. She wants the board to focus on protecting the park district from liability and risk at tonight's meeting.

Public Comments: Alie Caldwell gave a statement. She urged the board to listen to legal counsel and the Executive Director. Sabine Krauss (Berwyn Public Arts Initiative representative) would like to have further discussion with the park district regarding the future development of this property after the city has finished the construction project.

Unfinished Business- Oak Park and 34th Street: Commissioner Taylor discussed the 2018 intergovernmental agreement the park district has with the city of Berwyn. From the agreement, he specifically mentioned #3 use of premise is to be for park purposes only and #6 possession.
Attorney Mike Roth addressed the board and discussed its requests to the city.
He explained PDRMA's Certificate of Insurance (COI) requirements. The city will not provide a COI naming the park district as additional insured. The district also requested a construction project end date. The park district was originally told the project would end in November 2027, but the city later changed the date to July 2028 to allow time to restore the turf and complete other property restoration. The city now does not want to honor that date and objected to the contract's $500-per-day fee if use of the property continues beyond the deadline.
Attorney Roth recommended that the park district issue a cease-and-desist order to the City of Berwyn.

A motion made by Taylor, seconded by King to give the audience opportunity to submit questions to the board during this meeting. Roll call: Clark- aye, Espinoza- aye, King- aye, Kostelny-aye, and Taylor-aye. Director Fallon distributed papers to the audience to write their questions. The questions asked for clarification of the property, legal issues, and the lease with the city.

Commissioner Clark wants the city to provide a contract and COI that protects the park district from liability, but she does not want construction to stop. Commissioner Espinoza agrees with Commissioner Clark. She wants the city to put up a fence around the property. Attorney Mike Roth feels the fence is basic protection. This should have already been set up at the beginning of the project. Commissioner Taylor is concerned about environmental issues since we do not know what equipment and materials are being stored on the property.

Attorney Roth recommended that two commissioners and the executive director meet with city representatives without attorneys present. The park district should bring a list of requested items, discuss them with the city, and reach a verbal agreement. Both parties would then sign the list, allowing Roth to prepare a formal agreement.
The commissioners agreed to this list: COI- park district named as additionally insured and release of liability, final date of project, fencing, restoration clause, scope of work containing the list of equipment and materials on the property.

A motion made by Taylor, seconded by Clark as amended for Director Fallon, Commissioners Taylor and Kostelny meet with the City Administrator and representatives of the city.

Executive Session: none.

Action from Executive Session: none.

Adjournment: A motion was made by King, seconded by Clark to adjourn at 6:49pm. Motion carried.

Attested to by:

President: Gretchen Kostelny,
or Vice President: Ana Espinoza,
or Secretary: Claire Clark

Recording Secretary: Cynthia Hayes