

**Burton Village Council  
26 January 2009**

**Mayor Blair called the Council meeting to order at 7:00 PM.**

**Roll Call: Sandy Humbert, Yes, Judy Beaumier, Yes, Gerald Rouge, Yes, Linda Swaney, Yes, Darren LaForce, Yes.**

**Visitors: Jack Garner, Josh Echt, Craig Ronyak, Jennell Dahlhausen, Richard Smigelski, Todd Hicks, Dianne Lillibridge, Charles Hauser, Chip Hess, Mary Lambert, Brian Johnston, Arlene Richardson, Jeff Coleman, Dave Tommasone, Kevin Freeman, Lee Koroshes, Jane Koroshes, Joe Kozial, Chris Arambasick, Joyce Blair, Fred Bemberg.**

**Mayor Blair asked those present and interested in the open Council seat to rise and introduce themselves to Council.**

**First to speak was Mr. Craig Ronyak. Mr. Ronyak introduced himself, stated that he had lived and worked in the Village a number of years and had 30 years of construction expertise. Mr. Ronyak spoke of improving the quantity and quality of communication between Council and the public.**

**Next to speak was Ms. Arlene Richardson. Ms. Richardson stated that she was a long time resident and that she would bring grant writing skills and her knowledge as a public health official to the Council.**

**Mr. Jeff Coleman then introduced himself as a 17 year resident with two previous elected terms in the Village Council. Mr. Coleman stated that he would bring valuable experience to Council and good working relationships with others.**

**Mr. Dave Tommasone introduced himself as a 4 year Village resident with a strong desire to get involved with the community.**

**Finally, Mr. Kevin Freeman introduced himself. Mr. Freeman stated that he has lived in the Village for 50 years and has strong family ties to the community with seven children all attending or having attended Berkshire schools.**

**Mayor Blair asked if Council had any questions of the candidates. Mr. Rougé asked if Mr. Ronyak would have any problem separating his working relationship with Ronyak Bros. Paving and Council's probable future use of that company for Village projects. Mr. Ronyak stated that he would have no problems abstaining from voting in those situations if necessary. Mr. Ronyak noted that he is not an owner of the company, just an employee.**

**Ms. Humbert moved to enter executive session at 7:15PM to discuss selection of a new Council member. Ms. Swaney seconded the motion. Roll Call: Sandy Humbert – Yes, Linda Swaney – Yes, Gerald Rougé – Yes, Judy Beaumier – Yes, Darren LaForce – Yes.**

**Ms. Humbert moved to leave executive session at 7:35 PM and Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

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**Mayor Blair thanked all those present who had offered to serve. Ms. Humbert moved to appoint Mr. Jeff Coleman to the remaining term of the open Council seat. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – No. Motion carried.**

**Mayor Blair gave Mr. Coleman the oath of Office and asked him to take his place at the Council table.**

**Mayor Blair recognized Mr. and Mrs. Koroshes. Mr. Koroshes asked permission of the Council to use the south end of the Village park for the annual Easter Egg Hunt and for any donation that the Council might be willing to give. Mrs. Beaumier moved to allow Mr. Koroshes the use of the Village Park for the annual Easter Egg Hunt and to distribute those funds appropriated by Council to Mr. Koroshes to defray the cost of the celebration. Ms. Swaney seconded the motion. Roll Call: Judy Beaumier – Yes, Linda Swaney – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Darren LaForce – Yes, Sandy Humbert – Yes.**

#### **Police Report – Chief Smigelski**

**Chief Smigelski gave the 2008 summary report. The police force in the Village currently has seven members. The Village is in the process of hiring two more part time employees. There were 1398 calls in 2008, up from 2007 and 2006. The department made 39 arrests and logged over 35,000 miles on the patrol cars. The department received a \$600 grant for the third grade seat belt program and conducted Safety Town for kids in the Village. Right now the department is updating its policy and procedures.**

**Mr. Johnston asked if 24/7 coverage was going to be available for the Village with the hiring of two new people. Chief Smigelski reviewed the current situation, two shifts a week covered by the Sheriff and not the Village, and offered to discuss the situation with Council to make sure the funds were available. Mrs. Beaumier asked if the department could cover 24/7 with additional bodies. Chief Smigelski again stated that it was up to the available funds.**

**Chief Smigelski stated that the CERT (Community Emergency Response Team) training was ready to move forward and needed to be advertised on the web and maybe in a newspaper. Mrs. Beaumier moved to go forward with the plans to start gathering and training CERT members. Ms. Humbert seconded the motion. By voice vote, motion approved.**

#### **Engineers Report: Hess and Associates**

**Mr. Hess reported that the North Cheshire Issue II request had been updated with the state.**

**Mr. Hess reported that the Berkshire Elementary school is planning some construction and is working with his office in developing plans Western Reserve on Ford Avenue is going to be doing some work including attaching to Village water and sewer in the future.**

**Mr. Hess stated that he had provided Mr. Hicks with some comments on the Bid Proposal Policy.**

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**Mr. Rougé asked when the Council could expect to hear about the Issue II request. Mr. Hess thought the next two weeks would probably show something but that he would find out more information.**

**Solicitor: Thrasher, Dinsmore and Dolan.**

**Mr. Hicks presented a draft of an amended ordinance for Council to review with model language required for a Historic Architectural Review Board in use with a Certified Local Government. Council discussed the need for the changes.**

**Qualification for Certified Local Government opens opportunities for more grants. Council will place on first reading at the next meeting.**

**Ordinances and Resolutions:**

**Ms. Humbert introduced Resolution 2009-04, authorizing the Fiscal Officer to transfer appropriated funds from A01 General Fund to B01 Street, B03 Cemetery operating, B05 Police, D09 Goodwin Issue II, and D10 Carlton Street Project, and moved to waive further readings. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Ms. Humbert moved to adopt Resolution 2009-04. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Resolution 2009-04 is adopted.**

**Ms. Humbert introduced Resolution 2009-05, authorizing the Fiscal Officer to advance appropriated funds from A01 General Fund to D03 Capital Equipment, D04 Street Capitalization, D05 Sidewalk Capitalization, D06 Facilities Capitalization and B10 Safety Support and Service Wages Fund, and moved to waive further readings. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Ms. Humbert moved to adopt Resolution 2009-05. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Resolution 2009-05 is adopted.**

**Ms. Humbert introduced Resolution 2009-06, authorizing the Fiscal Officer to transfer appropriated funds from E01 Water Operating Fund to E13 Water Distribution and E15 Water Replacement Fund, and moved to waive further readings. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Ms. Humbert moved to adopt Resolution 2009-06. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Resolution 2009-06 is adopted.**

**Ms. Humbert introduced Resolution 2009-07, authorizing the Fiscal Officer to transfer appropriated funds from E02 Sewer Operating to E6B Sewer Bond and**

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**Interest and E10 Sewer Tap In Fees, and moved to waive further readings. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Ms. Humbert moved to adopt Resolution 2009-07. Mrs. Beaumier seconded the motion. Roll Call: Sandy Humbert – Yes, Judy Beaumier – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes.**

**Resolution 2009-07 is adopted.**

**Fiscal Officer:**

**Mr. Paquette requested a motion to pay all approved bills. Ms. Humbert moved to pay all approved bills. Mr. Rougé seconded the motion. By voice vote, motion approved.**

**Mr. Paquette asked if Council had reviewed the 12 January 2009 minutes. Mrs. Beaumier moved to adopt the 12 January minutes as written. Ms. Humbert seconded the motion. By voice vote, motion approved.**

**Mr. Paquette reported that power for eighteen homes on North Cheshire between Ford and Cook will be without power in a planned outage on 29 Jan 2009 from 8AM until Noon. The Illuminating Company is responsible for contacting the residents. Mrs. Beaumier asked about those residents will special needs. Chief Smigelski will coordinate.**

**Committee Reports:**

**Finance and Board of Zoning Appeals: Mr. LaForce**

**Mr. LaForce reported that the finances looked to be in order and the Board of Zoning Appeals had not met. Nothing further to report.**

**Local Government and BPA: Open**

**Mr. Johnston reported for BPA. There was a water break on Garden Street that the Utilities Department took care of with assistance from Street Department. The Burton Fox Inn had a water main break inside the building. Mayor Blair complemented the Utilities Department and especially Jerry Rose for finding the break quickly and keeping everyone notified.**

**Forestry, Parks and Architectural Review Board: Ms. Humbert**

**Ms. Humbert asked Council to look at the Personnel Manual that was before them and make any comments for possible changes.**

**Streets, Cemetery and Planning Commission: Mr. Rougé**

**Mr. Rougé reported that the Planning Commission had not met since the last Council meeting. The Cemetery Board has not met.**

**Mr. Rougé also reported that the Street Department is plowing snow and moving piles around to make room and clear sight lines. Mr. Koroshes asked that the Street Department, at the next available time, moves the pile of snow in the parking area near the sign board in the park at the log cabin. People are having to park in the street to access the sign board.**

**Grants and Historic District Association: Ms. Swaney  
Ms. Swaney had nothing to report.**

**Fire Department and Economic Development Committee: Mrs. Beaumier.  
Mrs. Beaumier had nothing to report.**

**Mayors Report:**

**Mayor Blair presented a request to Council by the Burton American Legion for a proclamation to commemorate the actions of the four chaplains on the SS Dorchester upon its sinking in World War II. The proclamation is to promote family values. Ms. Humbert moved to have the Mayor make a formal proclamation in the format provided. Mrs. Beaumier seconded motion. By voice vote, motion approved. Mayor Blair, with Council's approval, will make committee appointments at the next Council meeting.**

**Old Business;**

**Mr. LaForce asked for comments on the Bid and Proposal Policy. Mr. Hess provided his comment to adjust paragraph 2.d. with wording to allow the Clerk or Fiscal Officer to review the bid proposal when it is opened to determine the lowest best bid prior to awarding. Council discussed the language. Mr. LaForce suggested lowering the threshold for obtaining bids in the Street Department from \$2000 to \$1000 and in the Police Department from \$1000 to \$500. Mr. Coleman, Ms. Humbert and Mr. Rougé objected. Council discussed the pros and cons. Ms. Humbert moved leave the bid thresholds as written. Mr. Rougé seconded the motion. Roll Call: Sandy Humbert – Yes, Gerald Rougé – Yes, Jeff Coleman – Yes, Linda Swaney – Yes, Darren LaForce – No, Judy Beaumier – Yes. Motion carries. Mr. Hicks will write a redraft for the next meeting.**

**Ms. Dahlhausen pointed out that Ordinance 2172-08 had been revised and was before Council to vote on. Ms. Humbert placed Amended Ordinance 2172-08 on first reading.**

**Mr. Paquette asked Council to consider the most recent proposed 2009 Budget that was presented to them. Highlights included a transfer of \$200,000 from Sewer Operating to Sewer Tap Ins. Mr. Paquette recommended leaving the proposed payroll line item increases in place to cover projected overtime costs. Mrs. Beaumier noted that she had already suggested cutting the fall brush pickup as a cost saving measure. Mr. Coleman suggested eliminating Trash Day or at least stop curbside pickup. Mr. LaForce, Ms. Humbert and many audience members objected. A discussion of the pros and cons ensued. Council will take up the matter at the next meeting along with the amended budget proposal.**

**Council took up the matter of the DevoI Restitution split. Council received in 2004 approximately \$142,000 in restitution with a suggested split between the General Fund and the Enterprise Funds of \$46,461 to the Water Operating and the remainder staying in the General Fund. BPA, in 2004, made a counter proposal for a larger portion of the funds. Approximately \$40,000 transferred into the Water**

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**Operating fund in 2004.** The matter before Council is to decide on a course of action; do nothing, transfer the remaining \$6,461 from the original split or additional monies from the alternate split. Council discussed. Mr. Rougé moved to take no further action. Lacking a second, motion failed. Ms. Humbert moved to transfer the remaining \$6,461 of the original intended split to Water Operating. Mr. Rougé seconded the motion. Roll Call: Sandy Humbert – Yes, Gerald Rougé – Yes, Jeff Coleman – Yes, Linda Swaney – Yes, Darren LaForce – Yes, Judy Beaumier – Yes.

Council discussed a potential news letter for the Village. Ms. Swaney will work up a draft news letter for the Village Council to review and determine if they want to forward with the idea.

Ms. Humbert asked Mrs. Beaumier about the update for the business directory sign in front of the log cabin. Mrs. Beaumier said she passed it along to Mayor Blair for consideration by the Chamber of Commerce. Mayor Blair stated that the Chamber has not yet made a decision.

**New Business;**

Mr. Paquette asked Council to consider authorizing, or canceling, someone to go out for bids and/or quotes for spring brush pickup, trash day, and street sweeping.

Mrs. Beaumier moved to enter executive session to discuss personnel disciplinary matters and litigation. Ms. Humbert seconded the motion. Roll Call: Judy Beaumier – Yes, Sandy Humbert– Yes, Linda Swaney – Yes, Gerald Rougé – Yes, Darren LaForce – Yes, Jeff Coleman - Yes. Entered executive Session at 8:50 PM

Mrs. Beaumier moved to leave executive session at 9:40 PM. Mr. Coleman seconded the motion. Roll Call: Judy Beaumier – Yes, Jeff Coleman –Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Darren LaForce – Yes, Sandy Humbert – Yes.

Mrs. Beaumier moved to adjourn and Ms. Swaney seconded the motion. By voice vote all approved. Meeting adjourned at 9:45 PM.

Mayor \_\_\_\_\_ Fiscal Officer \_\_\_\_\_