

**Council Meeting
14 April 2014**

Mayor Fischbach called the meeting to order at 7:00 PM.

Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Charles Boehnlein- Yes.

Visitors: Jack Garner, Chip Hess, Lee Koroshes, Jane Koroshes, Joe Kozial, Newell Beaumier, Judy Beaumier, Marcianne Kimpton, Sue Fisher, Carolyn Squire, Rick Gruber, Debbie Palmisano, Jack Garner, Sharon Ronyak

Mayor Fischbach recognized visitors and made a proclamation to honor James Ronyak, recently deceased, for his life-long contribution to the Village.

Solicitors Report:

Not available to Report.

Engineers Report:

Mr. Hess reported that the residences on Seco and Elmar were connected to the new water line. Rapids Road portion ran into trouble while starting to remove asphalt. There is a layer of concrete with rebar that cannot be removed with the paving grinder. Extra work amounting to approximately \$20,000 will be required to remove this concrete layer before new pavement can be prepared and installed. Seco and Elmar residents have storm sewer laterals that run to a clogged storm sewer, located when the new water line was being installed. The line was sewer jetted but still needs to be televised to find the cause of the blockage. A sink hole on the Village right of way at Indian Ridge is also being repaired. Mayor Fischbach asked Mr. Paquette to confirm that availability of funds. Mr. Paquette stated that an additional \$30,000 was available in the Street Capital Fund however the additional expense of the concrete work along with extra costs in inspections due to weather delays will use this all up. Any extra work to be done this year will have to get an amended appropriation from the County. Mr. Paquette asked Mr. Hess if this extra concrete work amounted to a change order. He stated that it did. Mr. Hess asked Council to approve the change order. Mr. Blair moved accept the change order as proposed and authorized the additional expenditure. Mr. Johnston seconded the motion. Roll Call: Tom Blair – Yes, Brian Johnston – Yes, Dianne Lillibridge – Yes, Linda Swaney – Yes, Craig Ronyak – Abstain, Charles Boehnlein – Yes. Motion passed.

Mr. Ronyak asked Mr. Hess if he could discuss what happened at the walkthrough meeting with Mr. Said from Arcadis Engineering regarding the wastewater treatment plant expansion. Mr. Hess explained that he, members of BPA and the utilities department met with Mr. Said to go through each aspect of the new plant design.

Mrs. Lillibridge asked Mr. Hess why, if it was too cold and snowy to work, did engineering costs continue to go on?

With regard to Rapids Road, Mr. Blair asked Mr. Hess to be sure that the driveway to roadway connection of residents was better than the results on Carlton.

Fire Department Report:

Chief Lewis was not available to report.

Zoning Report:

Mr. Gruber made the following report. A historic district Construction permit was issued to Mr. Shibley for new doorway and to restore south wall corner. Conducted a follow-up with Mr. and Mrs. Gordon concerning the property next door to the library. They stated that they are at their property daily. Contacted the Property Management Company at 14746 Rapids to remove garbage. Also had owner remove junk and garbage from 13966 East Center front of property. Monitoring process of property line review at Brian Johnston and his new neighbors homes. Reviewing requirements for driveway location. Mr. Preston asked about building a drive through Service bay for the Kia Dealership. Location is over a sewer line and not available. The current renters at 14563 E. Park have decided to move out after being unable to convince owner of the property to conduct timely maintenance repairs.

Mr. Koroshes asked about the status of the Fox Inn after the most recent water break. Mayor Fischbach stated that the fire department was attempting to have the property condemned.

Ordinances and Resolutions:

Ms. Swaney read ORDINANCE 2263-14, authorizing the Mayor to enter into an agreement with Debbie Palmisano for professional services commencing March 1, 2014 and ending February 28, 2015, noting that it was tabled. Mayor commented on the good job Ms. Palmisano has done with managing trees in the Village. Mr. Boehnlein asked to move ORDINANCE 2263-14 to old business and go into executive session to discuss a contract. Council agreed.

Fiscal Officer

Mr. Paquette asked for a motion to pay approved bills. Mr. Boehnlein moved to pay approved bills and Mr. Blair seconded the motion. By voice vote, motion approved.

Mr. Paquette asked for comments or approval of minutes of the 24 February meeting. Mrs. Lillibridge presented a change on the last page; in the paragraph at the top of the page, change building to buildings. Mrs. Lillibridge moved to accept the minutes as amended. Mr. Boehnlein seconded the motion. By voice vote, motion approved.

Mr. Paquette asked for comments and corrections to the minutes of 24 April. Mrs. Lillibridge moved to accept the minutes as written. By voice vote motion passed.

Mr. Paquette asked for comments and corrections to the minutes of 31 April. Mr. Boehnlein moved to adopt as written. Mr. Ronyak seconded the motion. By voice vote motion passed.

Mayors Report:

Mayor Fischbach read a letter from the National Arbor Day Foundation congratulating the Village for its continued status at a Tree City USA participant.

Mayor Fischbach announced that Ms. Dahlhausen will be leaving the Village for a new job next week. The Village has received 29 job applications for the position. Mr. Paquette, Mr. Johnston and Mayor Fischbach will be interviewing candidates.

Committees

BPA, Fairboard, Century Village, Ordinance Review – Craig Ronyak
Mr. Ronyak reported that the BPA discussed adding a 25% surcharge to multi-unit meters. The Fairboard and Century Village have nothing going on at this time. Mr. Paquette answered more about the 25% surcharge explaining that the BPA was looking at ways to recoup some of the money lost at multi-unit locations because of the number of units not paying the minimum amount based on the number of units that might be attached to one meter. For instance there are approximately 27 meters in the Berkshire Hills Apartments versus 100 dwelling units. The surcharge evens the billing charges to something closer to way the majority of individually metered residents are charged.

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BCPA, Local Govt., Cemetery, Grants- Dianne Lillibridge

Mrs. Lillibridge reported that BCPA was scheduled to meet on 10 April but she did not attend because the location and date were not confirmed. The Cemetery board has met and talked about having Stonehuggers do more stone maintenance. The repair and replacement of the front fence is on hold until the position of the retaining wall is settled.

Planning Commission, Board of Education, BZA – Tom Blair

Mr. Blair reported that neither the Planning Commission nor the Board of Zoning Appeals had met. The Berkshire board of Education has tabled for now the merger between Berkshire and Newbury Schools.

Historic District Assoc., Newsletter, Safety Town, Community Programs – Linda Swaney

Ms. Swaney reported that the newsletter is complete and at the printers. It will be going out by the end of the week. There are three inserts, one for the arborist, one for nominations to receive a commemorative brick, and one for the nomination to receive a preservation award.

Health District, Finances, Trees and Parks– Charles Boehnlein

Mr. Boehnlein reported that he attended the health district meeting where a new board member was elected. Mr. Boehnlein also reported that he met with Mr. Paquette with regard to preparation of the 2015 Tax Budget. Mr. Paquette mentioned that input will requested from Department Heads and that Council will have to have three readings of the adopting ordinance prior to July 20th 2014, including a public hearing. Mayor Fischbach added that he is creating a Finance committee consisting of Mr. Boehnlein, Mr. Ronyak and the Mayor.

Historic District Architectural Review Board, Police/Fire, - Brian Johnston

Mr. Johnston reported that the Historic District Architectural Review Board (HDRB) will meet tomorrow to continue updating the Village policy regarding historic preservation. Mr. Johnston noted that Mr. Shibley has received a building permit from the county for the side door on his building.

Old Business:

Mr. Koroshes asked how ODOT paving of Route 87 from the Cuyahoga County line east to Middlefield would affect the Village this year. Mr. Ronyak corrected Mr. Koroshes, stating that ODOT was only paving to Auburn Road, not through the Village.

New Business:

Nothing presented.

Mr. Boehnlein moved to enter executive session to discuss a contract. Mr. Blair seconded the motion. Roll Call: Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes, Craig Ronyak – Yes. Council entered executive session at 8:00 PM.

Mr. Ronyak moved to leave executive session at 8:17 PM. Mr. Boehnlein seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Boehnlein – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Council returned to session.

Mr. Boehnlein moved to place Ordinance 2263-14 back on the table. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – Yes, Dianne Lillibridge – Yes, Brian Johnston – Yes, Linda Swaney – Yes. Motion passed.

Council discussed amending Ordinance 2263-14 to cover a period from 1 May to 1 May and adding some performance and reporting requirements to the contract. Mr. Boehnlein moved to adopt Ordinance 2263-14 as amended. Mr. Ronyak seconded the motion. Roll Call: Charles Boehnlein – Yes, Craig Ronyak – Yes, Tom Blair – No, Dianne Lillibridge – No, Brian Johnston – Yes, Linda Swaney – Yes. Ordinance 2263-14 is passed.

Mayor Fischbach and Mr. Boehnlein addressed Ms. Palmisano to let her know that the performance and reporting requirements were aimed at educating and providing information to Council on the work being accomplished by the contract so that they could exercise better oversight of public funds. Ms. Palmisano thanked Council for allowing her to continue the momentum obtained by the tree commission in care of the trees of the Village.

Mr. Boehnlein moved to adjourn and Mr. Johnston seconded the motion. Meeting adjourned at 8:22 PM.

Mayor/President Pro Tempore

Fiscal Officer