

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ April 23, 2013 _____ 20 _____

A special meeting of the Council of the Village of Brooklyn Heights, Ohio was held on April 23, 2013 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Black, Cichocki, Foote, Lahiff, Walsh, Presot
	Mayor:	Procuk
	Clerk/Treasurer:	Clymer

MOTION: Mr. Walsh moved to excuse Councilman Howard Selig due to a work conflict. Second by: Mr. Foote Motion passed 6-0

CORRESPONDENCE

Mayor Procuk received David Wingenfeld letter of resignation on April 22nd and read it into the minutes. *A copy of the letter is attached.*

Mayor Procuk said that at this time he had not accepted the resignation and he has to answer it in writing.

Mr. Cichocki said he is sorry that Dave perceives the department as hostile. He feels that maybe they should take a look at some of the allegations with regard to the pesticides and any other allegations he has brought forth that would reflect on the village or any of the employees. He stated that a lot of this is allegations that need to be investigated and looked into for the good of the rest of the community. He said he is shocked to hear these allegations and that they should find out what the situation is. He feels that Dave is a trustworthy person and that the allegations may or may not be true but they should be looked into.

Mayor Procuk said that he would give Mr. Hatgas a copy of the letter and let him respond to it. He said that he would be happy to respond to any part of the letter on council floor.

- Q: Who asked you (Dave) to join the Tree Commission
A: Mrs. Presot said Ed encouraged it because of his knowledge and he (Dave) agreed to do it.
- Q: Last summer Mr. Hatgas asked Dave to work part-time.
A: Mayor Procuk will speak to Ed about this
- Q: Ed asked him to work week-ends which lasted one month.
A: Dave responded that Ed asked him to work weekends and he would take days off during the week. He said that ended because Ed said the guys were complaining but he was never told what they complained about.
Mayor Procuk said he would ask Ed about this also.
- Q: Regarding the pesticide application; Mayor Procuk asked Dave if the Service Director was asking him to ignore his training and policies and procedures regarding the application of the pesticides.
A: No answer, but Mayor Procuk said he would ask Mr. Hatgas about that.
- Regarding the Energy Savings: Mayor Procuk said he was kind of jealous when he heard that Valley View received an award and accolades were given to Dave. And he jokingly asked why Dave didn't tell us about the program. Mayor Procuk said that Dave told him that he did tell Ed

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Hatgas about the ideas and Ed responded that Mayor Procuk didn't like the ideas. He said he would handle this one with Ed because he (Mayor Procuk) is certainly open to any and all ideas.

- Mr. Hatgas questioned Dave's attendance at the Cuyahoga Valley Council of Governments meeting. Mayor Procuk explained that Dave is a member of the Village Wellness Program which is on Wednesdays from 3 to 4:30 pm. While most of the employees involved in the program work from 8 to 4:30 they are on the clock for the program. The Service Department works from 7 to 3:30 pm and on Wednesdays Dave adjusts his work schedule to accommodate the program. On this particular Wednesday Dave worked from 7 am to 3:30 pm and did not attend the Wellness program so he could attend the Council of Governments meeting at 4:30 pm.
- Concerning the GPS allegations – Mayor Procuk said that there were allegations going back and forth that a fellow employee had put a GPS unit on Dave's truck to catch him making stops where he shouldn't be. Other allegations within the Service Department were also mentioned. Mayor Procuk stated that there was no discipline because there was no weight to any of the allegations and that they should all stop acting like a bunch of little kids.
- Mayor Procuk said he told Mr. Hatgas that if he wanted to put GPS units in all the vehicles that he would approach council with the expenditure and Mr. Hatgas said he did not want that to be public knowledge because that would be defeating the purpose and Mayor Procuk told him that we are either being honest with our employees or we are setting them up for failure and nothing good would become of that. There are no GPS units in any vehicles.

Mayor Procuk told Dave Wingenfeld that he knows he respects Brooklyn Heights and that his heart is in the right place here. Sometimes people just don't get along with each other and there isn't anything he can do about that but he agrees that there should not be any hostility and that the group over there (Service Department) is a coffee klatch mess. It always has been and always will be because of the physical nature of the job. When you have three firemen working together you never hear that one guy is working harder than the other two. In the police, they are backing each other up. The Service Department is problematic in all communities. There are some people that do the lion's share of the work in their eyes and they always think that they are doing more than someone else. It's the nature of the beast. He told Mr. Wingenfeld that if he went to his Service Department in Valley View as a councilman he would hear the same thing.

Mayor Procuk said that there is no specific training in the Service Department and most of the employees were hired before we had testing. Mayor Procuk said Dave was probably the most professional that he hired because of his certificates and accreditations. Before that people were hired because they needed a job and the village provided the training.

Mayor Procuk said he would address the issues with the supervisor and report back to council with his findings.

Councilman Black stated that there are misunderstandings on both sides and that there needs to be a full investigation but he doesn't want to lose sight that Ed has done a lot of good for the community.

CLERK/TREASURER

Mr. Clymer stated that the reason for the legislation tonight is for the East Schaaf Road grant. \$50,000 will be for the Engineer and administering the project (Solar Testing). The other \$150,000 will be bid out for remediation and he needs a motion to pay EnviroServ Inc. for their work.

**MOTION: Mr. Cichocki moved to pay EnviroServ, Inc. invoice of \$4,204. Second by Mrs. Presot
Motion passed 6-0**

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ORDINANCE 39-2013- AN ORDINANCE AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS REQUIRED TO ADVERTISE AND BID FOR THE INSTALLATION OF NEW FENCE POLES FOR THE OUTFIELD FENCE OF THE EXISTING WESTERN BALL DIAMOND IN THE BROOKLYN HEIGHTS PARK

Sponsor: Mr. Lahiff

Second: Mr. Foote

Not an emergency so it will be considered for vote at the next council meeting

ORDINANCE 40-2013 -AN ORDINANCE AUTHORIZING THE PREPARATION OF PLANS AND SPECIFICATIONS REQUIRED TO ADVERTISE AND BID FOR THE INSTALLATION OF A NEW OUTFIELD FENCE FOR THE EXISTING WESTERN BALL DIAMOND IN THE BROOKLYN HEIGHTS PARK

Sponsor: Mr. Black

Second: Mr. Walsh

Not an emergency so it will be considered for vote at the next council meeting

ORDINANCE 41-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO ENTER INTO AN AGREEMENT WITH SOLAR TESTING LABS TO PERFORM THE ADMINISTRATIVE FUNCTION OF THE BROWNFIELD REVOLVING LOAN FUND SCHAAF ROAD PROJECT

Sponsor: Mrs. Presot

Second: Mr. Foote

Yeas: Presot, Foote, Lahiff, Cichocki, Black, Walsh

Nays: none

Ordinance 41.2013 passed 6-0

ORDINANCE 42-2013- AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND VILLAGE CLERK/TREASURER TO ENTER INTO A SUBGRANT AGREEMENT ALLOWING THE VILLAGE OF BROOKLYN HEIGHTS TO RECEIVE GRANT FUNDING

Sponsor: Mrs. Presot

Second: Mr. Foote

Yeas: Presot, Foote, Walsh, Lahiff, Black, Cichocki

Nays: None

Ordinance 42-2013 passed 6-0

RESOLUTION 11-2013- AN EMERGENCY RESOLUTION AUTHORIZING THE VILLAGE TO SOLICIT BIDS FOR A BIOREMEDIATION CONTRACTOR FOR THE BROWNFIELD REVOLVING LOAN FUND SCHAAF ROAD PROJECT

Sponsor: Mr. Foote

Second: Mr. Cichocki

Yeas: Foote, Cichocki, Lahiff, Black, Walsh, Presot

Nays: None

Resolution 11-2013 adopted 6-0

MOTION: Mrs. Presot moved to enter into Executive Session to discuss possible litigation on the Geis property. Second by: Mr. Cichocki

Yeas: Presot, Cichocki, Black, Lahiff, Walsh, Foote

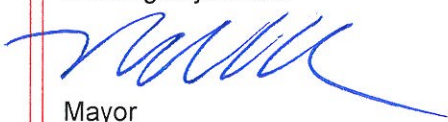
Nays: None

Motion passed 6-0

There being no further business to come before the council, it was moved by Mr. Lahiff, seconded by Mr. Black that the meeting be adjourned.

Yeas: All

Meeting adjourned.



Mayor



Clerk/Treasurer

April 22, 2013

Mayor Procuk,

I am resigning from Brooklyn Heights Service Department effective May 4th, 2013.

For me to quit a job that I love probably makes you wonder why. This is a hostile work environment of which I have talked to you about previously.

Anything that was asked of me, I have agreed to do. A few examples:

1. I was asked to join the tree commission. I agreed to do this. Even though I do not live in Brooklyn Heights I still feel very much a part of this community and proudly served on the tree commission.
2. Last spring, Ed Hatgas approached me and asked to me to work part-time. I agreed but it was presented to council as though it was my idea. I even had a letter written up that clearly stated it was Ed Hatgas' idea and still he presented it to council in a way that made it seem I had suggested it.
3. Ed Hatgas wanted me to work weekends last summer. That lasted for one month until I was told "the guys were complaining".


I was the only employee with an Ohio pesticide applicators license. The license is required so pesticides would be applied correctly and safely. On two different occasions we had new pesticides to apply and I was questioned because I was reading the directions and told to not bother by Ed Hatgas. After the second time, I told him policies and procedures set up by the state of Ohio prevented me from applying the pesticide the way Ed Hatgas wanted me to. This department continues to apply pesticide with disregard of policies and procedures set by the state of Ohio. This type of disregard for safety policies is not acceptable.

I also gave Ed Hatgas a few different ideas about energy savings that could be paid with grants from various institutions. So when you asked me why I didn't mention anything to you about grant ideas, I was very surprised. I had told Ed Hatgas the ideas and the impression he gave me was that you didn't like my ideas.

And finally, last week, Ed Hatgas questioned my attendance at the Cuyahoga Valley Council of Governments meeting. My workdays end at 3:30PM. Why is he concerned about me and my personal time? I have worked in the service department for almost ten years. In that time I have seen Ed Hatgas overlook other employees and focus in on me. Countless times I have been followed around by Ed Hatgas in what appears to be an attempt at catching me doing something wrong.

A few years ago I met with you about the placement of a GPS unit by a fellow worker, in the village truck I drove, in the hope of catching me doing something wrong. You and your service director never condemned these actions.

I respect Brooklyn Heights and I have enjoyed keeping the village beautiful since 2004. And while I love my job, I do not love the work environment that is put in


Dave Wingenfeld