

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ 20 _____

A meeting of the Council of the Village of Brooklyn Heights, Ohio was held on November 7, 2012 at 7:30 P.M. with Mayor Michael Procuk presiding.

The Pledge of Allegiance was recited at this time.

Present at roll call:	Councilmen:	Foote, Lahiff, Presot, Walsh Cichocki (arrive late)
	Mayor:	Procuk
	Clerk/Treasurer:	Clymer
	Law Director:	Tom
	Engineer:	Henry
	Police Chief:	Algeri
	Fire Chief:	Lasky
	Service Director:	Hatgas
	Bldg. Commissioner:	Socoloff
	Comm. Service Dir:	Guilfoyle
	Recreation Director	Presot

Mr. Selig's stepfather is gravely ill and he is with his family at this time. Mr. Black teaches a class on Wednesday evenings and Mr. Cichocki is at the school board meeting and will be here shortly.

**MOTION: Mrs. Presot moved to excuse Councilmen Selig, Black and Cichocki at this time.
Second by Mr. Foote.**

No legislation can be voted on with only four members present so Mayor Procuk suspended legislation for the time being.

AUDIENCE

Nothing from the audience at this time.

Please note: Mr. Cichocki has arrived

RECREATION DIRECTOR

Mr. Presot reported that soccer ended and our U-18 team claimed a championship. The Men's softball league finally finished their season after many rain delays. We have five teams for basketball and the season will begin on December 1st.

COMMUNITY SERVICE

Mrs. Guilfoyle thanked everyone who made food donations to the October Food Drive. She also thanked Mr. Hatgas and the Service Department for keeping the freezers running via generators during the power outage.

Mrs. Guilfoyle said there are fifty (50) houses signed up for snow removal thus far and she has collected \$3,600.

Leaf raking will be on Saturday, November 10th and there are fifty-five (55) house signed up with about sixty-eight (68) volunteers. Mayor Procuk will provide pizza and pop and he asked for anyone who could help out to do so.

The Remembrance Celebration will be on November 27th at the Community Center.

CORRESPONDENCE

Mayor Procuk reported that they held a meeting with NEORSD and one of the questions he asked was "how they charge storm water fees for sites such as composting, closed landfills, and operating landfills"?

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ 20 _____

He received an e-mail response from Rachel Webb who said that fees for the Rosby properties is being re-evaluated and she should have an estimate at the beginning of December. She said that the closed (Manny Rock) landfill has no storm water fee.

Mayor Procuk told council that the "retirement luncheon" for Lou Szczudlo has been rescheduled for Friday, November 16th at noon and anyone wishing to attend should contact Tracy Harris and pay the \$8 to her.

POLICE CHIEF

Chief Algeri reported that Officer Jablonski completed the FTO program and is now a working officer on the schedule. Officer Leahy should complete his training in early December.

The Detective Bureau will be re-staffed in January, 2013 and Officer Mike Tulcewicz will be assigned to the bureau.

Chief Algeri attended the Ohio Attorney General's conference on Law Enforcement last week and attended classes on "Investigating Officer involved shootings", "Leadership", "Response to the Chardon School Shooting" and a presentation by the man who interrogated Sadaam Hussein for eight months from the FBI. It was quite impressive.

Chief Algeri requested a motion to pay a Signal Service invoice in the amount of \$1,088.50 for repairs made to the light at Schaaf & Tuxedo.

MOTION: Mr. Cichocki move to pay the Signal Service invoice in the amount of \$1,088.50. Second by Mrs. Presot. Motion passed 5-0

Mayor Procuk asked what they did and Chief Algeri responded that they repaired the mechanical traffic signal controller.

FIRE CHIEF

Chief Lasky reported that during

"Super storm Sandy" our department had twenty-two (22) runs from Monday evening through Tuesday evening.

The Municipal Center ran on generator power from Monday through Thursday afternoon (about 2 pm).

Chief Lasky would like to see the three buildings wired for generator power and be able to use the big generator we own. There was no heat in the building throughout the storm and they were not able to charge the vehicles. The generator did keep the lights on and some of the computers working.

The estimated costs to wire the buildings would be \$16,000 for the Community Center, \$28,000 for the Municipal Center and \$26,000 for the Service Garage building.

SERVICE DIRECTOR

Mr. Hatgas asked for a motion to renew the lease agreement for the John Deere tractor at \$1,800.

MOTION: Mr. Lahiff moved to renew the lease agreement for the John Deere Tractor at \$1,800. Second by Mrs. Presot Motion passed 5-0 side note: this is with Polen Implements

Mr. Hatgas reported that we have gone through two months of garbage collection with Kimble. They have collected 113.5 tons of solid waste (garbage) and 28.9 tons of recycling.

Mr. Walsh said he feels the transition went very smoothly and he has had no phone calls regarding the new collection date. Mrs. Presot said she has been inundated with phone calls.

Mr. Hatgas asked that the ordinance to renew the contract with AC Enterprises be tabled tonight. The company is being investigated by the Ohio Attorney General because they have not been covered by the Ohio Bureau of Worker's Compensation since 2009. He would like to go out for other bids or wait to see if they come into compliance.

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ **20** _____

He thanked the Service Department employees for their dedication in keeping the village running, safe and the clean-up during the storm of the century.

Mr. Cichocki asked for an explanation of what they did as clean-up.

Mr. Hatgas said that the department rented a chipping machine to help the residents with the tree branch clean-up, they cleaned up the leaves making sure the street gutters were clear for the 10 inches of water that fell and they kept the generators filled including going out during the night to make sure the traffic lights worked all night.

Chief Algeri also thanked the Service Department especially for keeping the generators powering the traffic signals working around the clock because if he would have had to place officers at the intersections for the three days we were without power it would have been a nightmare.

Mr. Hatgas said that the state made provisions for their own generator when they replace the lights at the 480 exit ramp.

INDUSTRIAL DEVELOPMENT DIRECTOR

Mr. Perry said he met with the EPA, the County, Mr. Henry and others regarding the Pretzer property. We are on track to receive the \$200,000 grant.

He stated he did a lot of hand holding during the storm working with CEI to restore the power to our business community quickly.

Mayor Procuik commended all employees and department heads for the way they pulled together during the storm and power outage. The Community Services Department checked on the shut-ins and made sure they were alright. They kept the food pantry open and the Service Department kept the freezers running. Thea helped answer phones at the Municipal Center. Of primary concern to both Mayor Procuik and Chief Algeri was the possibility of break-ins and we experienced none. Halloween was changed for safety sake and by Sunday the power was restored and we had streetlights.

ENGINEER

Mr. Henry reported that the Granger Road slope repairs are just about completed so there should not be any more erosion in that area.

In December there will be a resolution for Mayor Procuik to sign regarding the grant for the Rain Gardens and Bio Retentions in the Park as well as the Swift grant for the parking lot.

On December 19th they will submit the application for the Lancaster/Dorset area.

The ordinance on tonight's agenda from Crossroads Asphalt Recycling is for the repairs done on Granger. The monies come from the ODOT fund we have. We hope to recoup some of the money from Action Door.

Mayor Procuik asked if Action Door has gone any further with their tree cutting permit. Mr. Henry said he met with Action Door and Derek Schafer. They want to add lettering to their building and the trees block the visibility. They will provide a picture and let council know how many trees will come down.

Mayor Procuik said this is a permit process for a property owner to cut down their trees on their property.

BUILDING DEPARTMENT

Mr. Socoloff stated he has begun conversation with the leader of the Calvary church to be on Brook Park Road. He explained the processes of the permits and he assumes the drawings will be submitted in the near future.

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ 20 _____

The building permit has been issued for the VFW hall. They will probably begin construction shortly.

The house at 190 Marko Lane should be issued a temporary occupancy sometime next week.

LAW DIRECTOR

No report

CLERK/TREASURER

Mr. Clymer reported that the General Fund is up \$170,215.88 over last year at this time. We received an Estate Tax payment of \$12,276.01 in October.

MAYOR'S COURT

Income for October	\$10,318.95
To the State of Ohio	- 2,343.50
Indigent Driver & Alcohol Fund	- 79.50
Cuyahoga Cty Information Sys	- 260.00
To Brooklyn Heights	\$ 7,635.95

MAYOR

The State of the Region Luncheon for the Cuyahoga Valley Chamber of Commerce will be on November 14, 2012. RSVP to Kari so we can reserve our table.

The Elk's Program deadline is October 31st.

Mayor Procuk said that twelve weeks ago Val & Ron Snyder and Dana & Dave Bundus paid \$100 to join a fitness program thru our medical benefits plan COSE. Mayor Procuk participated also. He feels it was a good program and he would like to see something like this offered to our employees both on and off the plan with some incentives. It is something to think about because it can make an impact when renewing our medical benefits.

The Tree City USA report is due on Dec. 7th and Jennifer is working with Kari to get it submitted online.

The NOPEC General Assembly meeting is November 13th in Independence and Mayor Procuk will attend.

There will be a Special Council Meeting to consider legislation on November 13th at 6:00 pm.

Mayor Procuk said that the smell emanating from the Rosby property has been extremely bad these last few days and it is imperative that residents beside Ed Hatgas and Mayor Procuk make the phone calls. When it is time for the renewal of the licenses the phone log will be looked at and it won't be good if only two names appear over and over again.

Mayor Procuk signed the settlement agreement with the Fire Department and Mr. Dowling will provide an update next week. The Fire Department filed the motion to withdraw the lawsuit.

Mr. Cichocki let council know that he attended the Cuyahoga Hts. Schools "discussion with the community" meeting and he is concerned because the law firm of Squires, Sanders who worked for the board in 2006-2007 is the same firm they are working with now to try to go after the people responsible. He also said that they gave legal advice to Peter Guerrera and now they will be going after him too. Mr. Cichocki suggested they go with outside firms to collect the money.

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ 20 _____

He said that at tonight's meeting Dr. Holland said they have decided to stay with Squire, Sanders. Mr. Cichocki is not happy and stated he will make a records request to the school to find out what they paid to Squires, Sanders.

Mrs. Presot reported that they met regarding the website. Thea will be contacting the department heads and organizations for their input. The deadline to have the information to the county is December 14th. They will then give us a quote and we could be up and running by early next year.

Mr. Lahiff and Mrs. Presot said that if the residents who lost power and therefore did not have cable call Cox Communications to report their outage they will be credited the time without cable, but they have to call it in. It is not done automatically.

MOTION: Mr. Foote moved to approve the minutes of the regular council meeting of September 4, 2012. Second by Mrs. Presot Motion passed 5-0

ORDINANCES & RESOLUTIONS

ORDINANCE 69-2012 – AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH AMERICAN LEGAL PUBLISHING TO PROVIDE AND UPDATE THE CODIFIED ORDINANCES OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Mr. Lahiff Second: Mr. Walsh

Yeas: Lahiff, Walsh, Presot, Cichocki, Foote

Nays: none

Ordinance 69-2012 passed 5-0

ORDINANCE 70-2012 - AN EMERGENCY ORDINANCE AUTHORIZING THE VILLAGE OF BROOKLYN HEIGHTS TO ENTER INTO A CONTRACT WITH AIR CONDITIONING ENTERPRISES FOR THE SERVICING OF THE HVAC SYSTEM IN ALL THEIR BUILDINGS

Motion to table by Mr. Lahiff Second by Mrs. Presot

Motion passed 5-0

ORDINANCE 71-2012 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR VILLAGE CLERK/TREASURER TO ENTER INTO A CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC. FOR THE REPAIR OF THE BERM ON GRANGER ROAD

Sponsor: Mr. Foote Second: Mr. Walsh

Discussion: Mayor Procuk asked what steps the village is taking to recoup some of the money spent on this project. Mr. Henry responded that we withheld a \$5,000 bond from the initial project that actually damaged the berm but he is in discussion with Shelly from Action Door.

Mr. Hatgas suggested that the next time we have a problem on the state route we should involve the state for repairs.

Yeas: Foote, Walsh, Presot, Cichocki, Lahiff

Nays: none

Ordinance 71-2012 passed 5-0

ORDINANCE 72-2012- AN EMERGENCY ORDINANCE AMENDING SECTION 260.05 OF THE CODIFIED ORDINANCE OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: Mr. Cichocki Second: Mr. Foote

This ordinance is to change the residency requirements for firefighters from a tow (2) mile radius to a five (5) mile radius

Yeas: Cichocki, Foote, Presot, Lahiff, Walsh

Nays: none

Ordinance 72-2012 passes 5-0

COUNCIL OF THE VILLAGE OF BROOKLYN HEIGHTS

MINUTES OF A MEETING

HELD _____ November 7, 2012 _____ 20 _____

ORDINANCE 73-2012 - AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND/OR CLERK-TREASURER TO ENTER INTO A CONTRACT WITH GBJ LANDSCAPING AND SNOW REMOVAL FOR SNOW REMOVAL SERVICES FOR THE WINTER SEASON OF 2012-2013 (NOVEMBER 1, 2012 THROUGH APRIL 30, 2013)

Sponsor: Mr. Lahiff Second: Mr. Foote

Discussion: Mr. Lahiff said that at present Thea reported there are about fifty (50) homes signed up. The contract anticipates approximately ninety (90). If we have fewer homes does the contract get prorated? Mr. Clymer said there is no provision for that in the contract.

Yeas: Lahiff, Foote, Walsh, Presot, Cichocki

Nays: none

Ordinance 73-2012 passes 5-0

RESOLUTION 15-2012- AN EMERGENCY RESOLUTION HONORING LOUIS M. SZCZUDLO FOR HIS ACCOMPLISHMENTS, DEDICATION, AND UNSELFISH SERVICE OF 19 YEARS TO THE CITIZENS OF THE VILLAGE OF BROOKLYN HEIGHTS

Sponsor: All of Council Second: Mrs. Presot

Yeas: Presot, Lahiff, Walsh, Cichocki, Foote

Nays: none

Resolution 15-2012 is adopted 5-0

Mayor Procuk asked Mr. Hatgas to tell council what the road stripping cost was. Mr. Hatgas said Sirna Construction did it for \$500. Mayor Procuk explained that although the Service Department employees have done a great job keeping our stop bars and crosswalks lined, we don't have the stencils for the arrows or the word "only". He said he has encountered, on several occasions, traffic going straight through on Tuxedo from the right turn only lane. He asked if we could brighten up the street markings and hang a sign indicating the turn only lane. ODOT will not allow us to hang a sign above the street so Mr. Hatgas ordered a larger, reflective sign indicating the traffic flow with arrows.

Mr. Hatgas asked for a Building Committee meeting on December 4th at 7:00 pm to discuss wiring the building for generators in case of a power outage.

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

Yeas: All

Meeting adjourned.

Mayor

Clerk/Treasurer