

**Council Meeting  
14 June 2010**

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

**Roll Call:** Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Charles Hauser – Yes.

**Visitors:** Jennell Dahlhausen, Joe Kozial, Joyce Blair, Jack Garner, Chad Eldridge, Lois Hewitt, Marcianne Kimpton, Kurt Updegraff, Josh Echt, Todd Hicks, Judy Beaumier.

Mayor Blair recognized visitors.

Mayor Blair called to order a Public Hearing to discuss the 2011 Tax Budget for the Village and asked for comments from those present. There being no comments, Mayor Blair closed the Public Hearing at 7:04 PM.

**Police Report:**

Police Chief Smigelski was not available to report however the monthly report was presented to Council. There were 357 activity calls for the month of May. 1 arrest and 3928 miles were put on the cruisers.

Ms. Swaney noted that Safety Town for the children of Berkshire School District is scheduled for the first week in August. Chief is looking for volunteers to assist.

**Engineers Report:** Hess and Associates

Mr. Eldridge reported for Mr. Hess. The Issue I proposal for a phased improvement of the waste water treatment plant was submitted. The Fiber Optic line is almost completed. The company is waiting on the delivery of new flat markers so that they can install them in place of the white and orange poles. Mr. Eldridge is monitoring their progress.

**Fire Department:** Chief Sestak

Chief Sestak was not available to report.

**Zoning Inspector:** Mike Miller

Mr. Miller was not available but left a report with the Mayor. Mr. Miller is working with a builder for zoning in the Chuppa property on North Cheshire. Mr. Miller looked at a possible lot split on Colony Lane. Mr. Miller issued a high grass warning and a permit for a garage sale. Mr. Miller is

investigating a complaint about a property on Huff Avenue that has cows. The complaint stated that the property has an illegal electric fence and that run off from the property is affecting the neighbors. Electric fences are not allowed in the Village. Mr. Miller, along with the Mayor, Curt Johnson and Mr. Coleman looked at pooling water on the lawn of Mr. Hernandez on Evergreen Road and will ask Mr. Eaton to investigate a possible water main leak. Council discussed. Mr. Miller also talked to Willowleaf Sign about a new sign for the Congregational Church in the Village. The request for that sign will have to go through the Architectural Review Board.

**Ordinances and Resolutions:**

Ms. Swaney placed Resolution 2010-12, requesting renewal of the police levy in excess of the 10 mill limitation, on second reading.

Ms. Swaney placed Resolution 2010-13, requesting renewal of the fire levy in excess of the 10 mill limitation, on second reading.

Ms. Swaney placed Resolution 2010-14, requesting an advance on real estate taxes in the second half of 2010, on second reading and moved to waive further readings. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé –Yes, Craig Ronyak – Yes, Charles Hauser – Yes.

Ms. Swaney moved to adopt Resolution 2010-14 and Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé –Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Resolution 2010-14 is adopted.

Ms. Swaney placed Ordinance 2197-10, adopting the 2011 Tax Budget and declaring an emergency, on final reading and moved to adopt. Mr. Coleman seconded the motion. Roll Call: Linda Swaney – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé –Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Ordinance 2197-10 is adopted.

Ms. Swaney placed Ordinance 2200-10, eliminating the requirement that a tree company provide bonding when performing tree maintenance or removal in the Village, on second reading.

**Fiscal Officer:**

Mr. Paquette asked for a motion to pay approved bills. Mr. Ronyak so moved. Mr. Hauser seconded the motion. By voice vote the motion passed.

Mr. Paquette asked for approval of the minutes of 24 May 2010. Mrs. Lillibridge asked for one correction. In meeting attendance it should be noted that Mr. Ronyak was present and Mr. Coleman arrived later. Mrs. Lillibridge moved to adopt the minutes as amended. Mr. Rougé seconded the motion. By voice vote all approved.

Mr. Paquette reported that the white pickup sold for \$3,205 at auction on the internet.

### **Committee Reports**

BPA, PLANNING COMMISSION and ARCHITECTURAL REVIEW BOARD, Mr. Rougé;  
Mr. Rougé had nothing to report.

BZA, LOCAL GOVERNMENT and BOARD OF REVIEW, Mr. Ronyak;  
Mr. Ronyak had nothing to report.

FINANCES, ECONOMIC DEVELOPMENT COMMITTEE, BCPA, Mrs. Lillibridge  
Mrs. Lillibridge reported that finances are all right for the moment. Mrs. Lillibridge asked Council to consider the options presented in the health care contract and to beware of the costs to the Village.

Mrs. Lillibridge stated that to her knowledge the Berkshire Community Planning Association has not recently met.

TREES and PARKS, GRANTS, HISTORIC DISTRICT ASSOCIATION, Ms. Swaney;  
Ms. Swaney reported that Founders Day and Arbor Day are co scheduled for Sunday June 20 from 3 to 5 PM in the Park.

The Tree Commission and the Mayor met with the County Arborist and developed a plan to trim the trees along North Cheshire/Main Street.

Ms. Swaney reported that the Village of Burton has applied for grant monies from the State under the auspices of the Certified Local Government status of the Village. The grant is for review of the historic district of the Village.

STREETS and CEMETERY, Mr. Coleman;  
Mr. Coleman thanked the Mayor and Curt Johnson for their work on the flower beds around the Park and commented that the Street Department did a good job preparing the Park for Memorial Day also.

Three quotes were received for the work on the east parking lot on East Park Street with the lowest being L. A. Rose Company for \$7,250.00. The work will consist of cutting back the raised portion of the parking lot, back filling with limestone and then topping with asphalt. Mr. Coleman moved to accept the quote from L. A. Rose. Ms. Swaney seconded the motion. Roll Call: Jeff Coleman – Yes, Linda Swaney – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – abstain, Charles Hauser – Yes. Motion passed.

HEALTH DISTRICT ADVISORY REPRESENTATIVE, FIRE DEPARTMENT, Mr. Hauser; Mr. Hauser had nothing to report on the Health District Advisory Board and will attend the Fire Meeting on Tuesday 15 June 2010.

**MAYORS Report;**

Mayor Blair reported that the Memorial Day Celebration this year was particularly good.

Mayor Blair noted the concert series taking place this summer at the Century Village. The next band is set for July 2 at 7 PM.

Mayor Blair expressed a desire for the Village to make a donation to the American Legion for the Fireworks Display this Fourth of July. Council discussed. Mr. Ronyak moved to donate \$250 to the American Legion for Fireworks. Mr. Hauser seconded the motion. Roll Call: Craig Ronyak – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Linda Swaney – Yes. Motion passed.

Mayor Blair recommended deferring Old Business until last this evening and moved on to New Business.

**New Business;**

Mr. Paquette opened a discussion of the proposed health care plan renewal for Village employees. Council discussed the different options available and reviewed the potential costs. Mrs. Lillibridge moved to accept the proposed health care plan from Anthem BC/BS, Blue Access Option 2 with Rx Option C. Mr. Ronyak seconded the motion. Roll Call: Dianne Lillibridge – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Motion passed.

Mr. Rougé asked about the illegal trimming of trees along North Cheshire/Main Street. Mr. Coleman will ask Mr. Motil about it.

Ms. Dahlhausen presented to Council a request from the Geauga County Historical Society to hold a parade of old steam and power tractors

around the Park as part of the Power and Steam Tractor Show in the Century Village on July 31 and August 1. Council had no objections.

Newbury Chamber of Commerce has asked permission to put a 3 by 5 sign in the Village advertising the "Rockin' Punderson" event. Council discussed the issue. Ms. Swaney moved to allow, as a one time event, the placement of the Rockin' Punderson sign next to the Village Sign Board provided that the a sign permit is obtained from the Village office. Mr. Hauser seconded the motion. Roll Call: Linda Swaney – Yes, Charles Hauser – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Craig Ronyak – Yes. Motion passed.

Mr. Updegraff asked permission of the Council to install a permanent flood light fixture on Village park property, pointed at the Hickox Building for the purpose of decorative lighting. Council discussed. Mr. Hicks suggested some alternative wording that would allow the project to take place. Ms. Swaney moved to allow the Historical Society to install a permanent light fixture in the Village Park property to illuminate the Hickox building provided that the Historical Society assumed all responsibility for maintaining the light and fixture, that in the future, should it be required, the Historical Society would restore the Park to its current state, and that an agreement be made in writing between the Historical Society and the Village stating these terms. Mr. Ronyak seconded the motion. Roll Call: Linda Swaney – Yes, Craig Ronyak – Yes, Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Charles Hauser – Yes. Motion passed.

**Old Business;**

Mr. Coleman opened a discussion of the Personnel Handbook and the Drug and Alcohol Policy for the Village by suggesting that the Drug and Alcohol Policy would best combined with the Personnel Handbook. Council discussed. Mr. Coleman moved to have the proposed Drug and Alcohol Policy incorporated into the proposed Personnel Handbook, to be effective upon promulgation of the Handbook. Mr. Ronyak seconded the motion. Roll Call: Jeff Coleman – Yes, Craig Ronyak – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Charles Hauser – Yes. Motion passed.

Mr. Coleman began to review the comments made by the employees to determine if Council wanted to incorporate into the handbook or not.

In section 1.12, the Repealer, employees were concerned that this would take away some currently established written provisions. Mr. Hicks suggested the wording of the repealer was fairly standard and that the specific phrase 'in conflict with' should cover most objections. To address

the concerns of the employees, Council decided to ask those employees with written agreements they were worried about losing to submit them for review to the Council.

In section 3.2 – Pay increases capped at 5%. Council discussed whether there needed to be caps or not. Mrs. Lillibridge wanted to make sure that Council considered pay caps in general and the effect of continued pay raises on the total budget. Council decided to leave the pay raise cap of 5% in place with the caveat that it be at the discretion of Council to go higher. A discussion of what would earn a pay raise of greater than 5% and a definition of exceptional work took place amongst Council and those members of the audience still present.

In section 3.4 – overtime to those employees classified non exempt. Non exempt was clarified to mean those employees receiving an hourly wage.

In section 3.8 – Holiday Work, employees requested that Council consider paying time and on half for work performed when called in on a holiday in addition to the 8 hours of regular pay for the holiday. Council discussed and clarified the matter. Pay for call in on a Holiday, not scheduled would be 8 hours for the holiday plus whatever time worked that day at straight time. Time and one half would only be paid if total hours actually worked that week were greater than 40. The section will be moved and combined with Section 7.2.1

In section 3.9 – Longevity Pay. Council discussed whether to do away with longevity pay or keep it. Council evaluated whether they wanted to use it as automatic pay raise but only for those at pay cap, or just rely on the performance evaluation. Mr. Paquette posed the question to Council, a yes vote meaning keep longevity pay as written, a no vote meaning delete longevity pay. Roll Call: Jeff Coleman – Yes, Dianne Lillibridge – No, Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Motion to keep longevity pay passed.

In section 4.1 A Council changed the wording to reflect conviction of any misdemeanor or felony.

In section 4.1J – Council decided to remove completely and referred to section 15.8

In section 7.1- Notification of the Mayor if not going to be in. Council discussed the implications here and decided to have employees contact their supervisor or Council rep and the Village Office if they will not be in.

In section 7.3.2 Vacation carry-over, Council members presented some questions regarding the amount of vacation employees were allowed to carry over each year. The current 240 hours seemed excessive. Council agreed to lower the amount of carry over to 160 hours and asked the Fiscal Officer to calculate the payout necessary if the Village paid off its obligations to those employees who had already accumulated more than 160 hours. Mr. Paquette will calculate the buyout necessary to bring everyone to at least the 80 hours carry over mark.

In section 7.8.1 Reasons for Sick leave employees were concerned about the requirement for family members to live in the same home if they needed to take sick leave to care for them. Council decided to add wording allowing sick leave for care of immediate family and deleting the requirement that they live in the same house.

In section 9.4, uniforms purchased by the Village are to be returned. Council decided they did not want to include that particular item.

In section 9.5.2 a discussion ensued about the distance an employee must travel before being authorized an overnight stay. Council discussed the number of employees traveling and the actual number of occurrences and decided to remove the entire section and address travel reimbursement on a case by case basis.

In section 14.2, delete any discussions of pay caps and put in a separate ordinance.

Mr. Ronyak asked about Job Descriptions, specifically the need for both a Street Foreman and a Street Commissioner. Mr. Ronyak changed the Fiscal Officer's job description by deleting the requirement that the Fiscal Officer supervise the Deputy Administrative Assistant.

In section 15.4 Council decided to incorporate the drug and alcohol policy. Mr. Coleman pointed out that the policy on smoking required individuals who smoke to leave Village property entirely. Council discussed the issue of smoking on village property and lost time. Mr. Coleman move to allow smoking outside, on Village property, during breaks and lunch only. Mrs. Lillibridge seconded the motion. Roll Call: Jeff Coleman – Yes, Dianne Lillibridge – Yes, Gerald Rougé – Yes, Linda Swaney – Yes, Craig Ronyak – Yes, Charles Hauser – Yes. Motion passed

In section 15.8, requiring employees to notify and obtain approval from Village Council for outside work, Council discussed at length and decided to leave the section as written.

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In section 15.10 regarding the requirement to annually renew Village ID cards, the wording was changed to update as needed.

Ms. Dahlhausen pointed out that Council had not discussed to highlighted changes and additions in the manual as presented. Mr. Coleman suggested that could wait for the next meeting.

Mr. Ronyak moved to adjourn. Mr. Hauser seconded the motion.  
Meeting adjourned at 9:40 PM

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Mayor

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Fiscal Officer