

VILLAGE OF NEWBURGH HEIGHTS
MINUTES OF COUNCIL MEETING

HELD 3/1/2022

Mayor Elkins called the meeting to order at 6:35 PM.

Roll Call: Giersz, Traore, Dunman and Kray present, Moran absent.

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski.

Mr. Dunman motioned to enter into executive session. Ms. Giersz seconded. Motion passed 4 yes – 0 no.

Executive session began at 6:35 PM.

Discussion of personnel issues (to consider appointment, employment, discipline, or compensation of a public employee or official.

Ms. Traore motioned to exit executive session. Ms. Giersz seconded. Motion passed 4 yes – 0 no.

Concluded executive session at 7:20 PM; Mayor Elkins called a short recess to prepare for the regular meeting.

Regular Session of Council 7:30 PM

Mayor Elkins called the Regular Session of Council to order at 7:30 PM.

Roll Call: Giersz, Traore, Dunman and Kray present, Moran absent.

Also in attendance: Law Director Luke McConville, Fiscal Officer Cathleen Nagorski, Fire Chief Brian Higginbotham, and Village Engineer Jim Sickels. Police Chief Majoy, Housing Commissioner Kristine Pagsuyoin, Service Director Anthony Ciresi and Economic Development Director Anthony Togliatti joined the meeting online.

(In February 2022, due to the continued coronavirus epidemic, the Ohio General Assembly renewed the temporary waiver of in-person meeting requirements to the Ohio Open Meetings Act until June 30, 2022.)

All stood for Pledge of Allegiance. Mayor Elkins requested all cell phones and pagers be placed on silent mode.

Good and Welfare

A motion was made by Ms. Kray, with a second from Mr. Dunman to excuse Mr. Moran from the meeting. Motion passed 4 yes -0 no.

Mayor Elkins read a letter from residents Mike and Michelle Graora commending the Village and its departments on all their hard work in improving multiple facets of the community.

Councilperson Traore mentioned she was recently elected the president of NOCCA.

Reading & Disposition of the Minutes:

Ms. Traore motioned to approve the minutes from the regular meeting held on February, 2022, as presented as well as those from the special meeting held on February 15, 2022. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Public Comment

Resident Brian Wright inquired about the Harvard Corridor presentation. Mayor Elkins informed him that it will take place at the April 5th meeting. Mr. Wright is also interested in a community composting area for use by the Service Department and residents. Councilperson Dunman has been looking into it. Mr. Wright also wanted to know if it was possible to contribute to the quarterly newsletter. The mayor said that it is not something that can be done at this time but it may be a possibility in the future.

Legislation

ORDINANCE 2022-17

INTRODUCED BY: William Dunman

AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTION 537.05 ENTITLED "AGGRAVATED MENACING" BY PROVIDING PROTECTIONS THEREIN FOR UTILITY WORKERS, AND DECLARING AN EMERGENCY.

Ordinance 2022-17 is placed on 1st reading.

ORDINANCE 2022-18

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 1519 ENTITLED "FIREWORKS," AND DECLARING AN EMERGENCY.

Mr. McConville wanted to clarify that this ordinance will keep Newburgh Heights under the previous State Law that makes setting off fireworks illegal.

Ordinance 2022-18 is placed on 1st reading.

ORDINANCE 2022-19

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE VILLAGE TO RECEIVE SURETY BOND PROCEEDS FROM AUTO-OWNERS MUTUAL INSURANCE COMPANY INTO THE GENERAL FUND AND TO RELEASE SAID FUNDS TO THE OWNER OF 3880 WASHINGTON PARK BOULEVARD UPON THE SATISFACTION OF CERTAIN TERMS AND CONDITIONS SET FORTH HEREIN AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-19, rules suspended, and that Ordinance 2022-19 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-19 is adopted.

ORDINANCE 2022-20

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A SERVICE AGREEMENT WITH WOW! FOR INTERNET, CABLE AND PHONE SERVICE, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-20, rules suspended, and that Ordinance 2022-20 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-20 is adopted.

ORDINANCE 2022-21

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LETTER AGREEMENT WITH OHM ADVISORS FOR MEMBER COMMUNITY INFRASTRUCTURE PROGRAM PROJECT VERIFICATION SERVICES IN AN AMOUNT NOT TO EXCEED \$57,000.00, AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-21, rules suspended, and that Ordinance 2022-21 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray

seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-21 is adopted.

ORDINANCE 2022-23

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE AMENDING CODIFIED ORDINANCE CHAPTER 317 ENTITLED "OFFICER-OPERATED HANDHELD TRAFFIC LAW ENFORCEMENT DEVICES," AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-23, rules suspended, and that Ordinance 2022-23 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-23 is adopted.

ORDINANCE 2022-24

INTRODUCED BY: Mayor Trevor Elkins

AN ORDINANCE EXTENDING THE TERM OF MR. ANTHONY TOGLIOTTI AS THE VILLAGE ECONOMIC DEVELOPMENT DIRECTOR THROUGH APRIL 30, 2022 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Ordinance 2022-24, rules suspended, and that Ordinance 2022-24 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes.

Motion passed.

Ordinance 2022-24 is adopted.

PAYROLL RESOLUTION #4532

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 3/5/2022

PD. 3/11/2022

A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL

OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$115,229.09 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4532, rules suspended, and that Payroll Resolution #4532 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4532 is adopted.

PAYROLL RESOLUTION #4533

INTRODUCED BY: Council

EMPLOYEE PAYROLL P/E. 3/19/2022

PD. 3/27/2022

A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$108,949.29 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4533, rules suspended, and that Payroll Resolution #4533 is placed on 1st, 2nd, and final reading for immediate adoption. Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4533 is adopted.

PAYROLL RESOLUTION #4534

INTRODUCED BY: Council

JANUARY 2022 DISBURSEMENTS

A RESOLUTION AUTHORIZING AND DIRECTING THE PAYMENT OF CERTAIN BILLS. BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF NEWBURGH HEIGHTS OF OHIO THAT THE FOLLOWING BILLS BE PAID AND THE SAME ARE HEREBY APPROVED AND THE FISCAL OFFICER AND MAYOR ARE HEREBY RESPECTFULLY AUTHORIZED TO DRAW THEIR WARRANTS AND CHECKS FOR PAYMENT OF SAID BILLS

AS SET FORTH ON THE FOLLOWING PAGE(S) IN THE TOTAL AMOUNT OF \$938,161.58 AND DECLARING AN EMERGENCY.

Ms. Traore motioned to adopt Payroll Resolution #4534, rules suspended, and that Payroll Resolution #4534 is placed on 1st, 2nd, and final reading for immediate adoption.

Mrs. Kray seconded. Roll call on suspension of rules: Giersz, Traore, Dunman and Kray voted yes. Motion passed. Roll call on adoption: Giersz, Traore, Dunman and Kray voted yes. Motion passed.

Payroll Resolution #4534 is adopted.

Reports:

Mayor:

Budget Snapshot – January 2022:

\$1 million has been appropriated for expenditures for 2022. The mayor wanted to make sure everyone is aware of all the large bills that are due at the first of the year and to keep those in mind when looking at the current financials.

State of the Village Report 2022

Mayor Elkins began his State of the Village report by congratulating Hilary Schickler on earning her certification of Continuing Education for inspections from the State of Ohio Board of Building Standards.

Fiscal Officer:

Fund Cash Report – January 2022

Fiscal Officer Nagorski presented the January 2022 Fund Cash Report:

General Fund MTD Receipts	\$ 295,589.33
General Fund MTD Disbursements	\$ 513,091.86
General Fund Unexpended Balance	\$1,034,878.73
All Funds MTD Receipts	\$ 390,480.52
All Funds MTD Disbursements	\$ 938,161.58
All Funds Unexpended Balance	\$1,832,657.40

RITA Report – January 2022

RITA Report – February 2022

Rumpke Report – February 2022

Hinkle filing is complete.

(please see attached reports)

Ms. Giersz:

Nothing at this time

Ms. Traore:

Nothing at this time

Mr. Dunman:

The Easter Egg Hunt Committee is holding a meeting on March 15 at 6pm.

A list of 2022 graduates is needed by the end of April so the students can be recognized by the village.

The village wide Garage Sale is scheduled for the first weekend of June.

The Fall Fest will be on Saturday October 1, 2022.

Mr. Moran:

Nothing at this time

Mrs. Kray:

There will be a meeting of the Local Business and Development committee on March 15, 2022 at 7pm regarding the short-term rentals.

Chief Majoy:

NHPD Monthly Report – January 2022: please see attached

Chief Higginbotham:

NHFD Monthly Report – January 2022: please see attached
Firefighter Jacob Sieg started this week.

Ms. Pagsuyoin:

Spring newsletter submissions and calendars for the website are needed soon.

Ms. Pagsuyoin will be attending the First Suburbs executive meeting where they members will be voting to allow Newburgh Heights membership.

The Building Department sent out packets to vacant property owners with information on readying a property for sale.

3917 East 42nd Street, a Community Redevelopment property, will be finished and ready for open house soon.

Mr. Sickels:

February 2022 Engineer's report: please see attached

The work on the short end of Beta Avenue is slated to begin Monday March 7th.

The plans for East 43rd and Alpha Avenue are in review.

Mr. Ciresi:

Mr. Cirese thanked everyone for the compliments on snow removal and also thanked Chief Majoy for helping with the plowing and the Fire Department for doing their part as well.

The service department only received two complaints of flooded basements after the last thaw.

An application for the recycling grant has been sent in.

Shred Day is coming up.

Mr. Togliatti:

The Market Analysis and Harvard Avenue RFQ will be shared at the Council Meeting on April 5, 2022.

The proposed bakery for East 42nd Street is meeting with an architect and engineer to draw up plans to be submitted to the Building Department.

Purchases & Approvals:

- a. Ms. Traore motioned for the approval of the January 2022 Fund Cash Report. Seconded by Mrs. Kray. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed.
- b. Ms. Traore motioned for the approval of Michael Rinkus to the position of Part-Time Police Officer. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed.
- c. Ms. Traore motioned for the approval of the quote from Signal Service for a battery backup system on the traffic signal at E. 49th St. and Harvard Ave. at a cost not to exceed \$6956.00. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed
- d. Ms. Traore motioned for the approval to extend the probationary period for Firefighter Nathan Barnett to June 28, 2023. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed
- e. Ms. Traore motioned for the approval to accept Proposal #22142 from OHM Advisors for street sign replacements at a cost not to exceed \$33,700.00. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed
- f. Ms. Traore motioned for the approval to accept Proposal #22115 from OHM Advisors for the resurfacing of Bridgeview Avenue with project services at a cost not to exceed \$9,000. Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed
- g. Ms. Traore motioned for the approval to purchase laptops equipped with Wi-Fi capabilities for the use of any council member that chooses to utilize a laptop. The computers will be assigned and must be turned in at the end of council tenure. The

purchase will be for no more than 5 laptops with a cost not to exceed \$1,000 each.
Roll call: Giersz, Traore, Dunman and Kray voted yes. Motion passed

Public Comment:

Resident Brian Wright inquired if Ordinance 2022-20 was internet usage just for government use or if it is intended to be supplied to residents as it is done in Old Brooklyn. The mayor clarified that at this time it is intended for village business use only.

Mr. Wright also stated he feels that it should be legal in the Village to let off fireworks on July 4th.

Adjournment:

Ms. Giersz motioned to adjourn the meeting at 8:30 pm. Seconded by Mrs. Kray. Motion passed 4 yes - 0 no.

Date Approved: 4/5/22

Mayor Trevor Elkins: 

Fiscal Officer Cathleen Nagorski: 