



# TIMBERLAKE TIMES

74th Year || 315<sup>th</sup> Issue || March 2021

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The *Timberlake Times* is a monthly publication staffed by volunteer villagers and sponsored by the Village of Timberlake. Please contact the editor with article submissions (*electronic submissions are preferable*).

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*Follow the Village Club on Facebook to stay informed of current Village Club events, photos, and videos! We actively update it with announcements and reminders!*

# Announcements

**Editor's Note** – Sorry for the delay in publication this month! My husband and I welcomed our 2<sup>nd</sup> child (Henry) more than 4 weeks early so his unexpected arrival threw us for a bit of a loop! Thanks for understanding!

– Jackie Orabone

## Recycling Dates 2021



Recycle Calendar  
Village of Timberlake

# 2021

### January

S	M	T	W	T	F	S
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31						

### February

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### March

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### May

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### June

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### July

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### August

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### September

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### October

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### November

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### December

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27	28	29	30	31		

# 2021 EVENTS CALENDAR

## Timberlake Village Club

April 3: 10am - Easter Egg Hunt

April 24: 9:30am - Beach Clean-up

June 18: 6:30pm - Beach Night

July 16: 6:30pm - Beach Night

August 1: 1pm - Family Day Parade & Picnic

Sept. 12: Noon - Browns Tailgate/Chili cookoff

Date TBD - Beach Clean-up

October 9: 2pm - Fall Fest

Nov 27: 10am - Decorate the Village

Dec. 4: 6pm - Christmas Party

Jan. 8, 2022: 10am - Clean up Decorations

join us for our annual

# Easter Egg Hunt *and*

socially-distanced photos  
with the Easter Bunny!

**SATURDAY, APRIL 3, 2021**

**10AM**

**TIMBERLAKE VILLAGE HALL**

**\*\*Masks are Required\*\***

Event held rain or shine

*presented by the Timberlake Village Club*

THE VILLAGE OF TIMBERLAKE: JANUARY AND FEBRUARY 2021 MINUTES

**John Marra, Mayor**

**JoAnne Clapp, Fiscal Officer**

**MEMBERS OF COUNCIL**

**Sherri Falkenberg   Vince Cronin   Nancy Marra**  
**Ritu Sharma   Shannon Sharma   Kimberly Saba**

**TIMBERLAKE COUNCIL MEETING**  
**January 19<sup>th</sup>, 2020**

The Mayor opened the meeting with the pledge of allegiance followed by the prayer at 7:30 PM. He asked for roll call of the officers. All council members were present along with the Fiscal Officer, JoAnne Clapp. The Solicitor, Jason Hartzell, was also present.

The Mayor swore in Police Chief Christopher Pattie into his new role as interim Chief.

The Mayor asked for a motion to approve the Minutes for December 15, 2020.

Motion to approve: Saba

Seconded: Falkenberg

Motion carried; Minutes approved.

The Mayor asked for a motion to approve the Minutes for December 15, 2020 special council meeting.

Motion to approve: Cronin

Seconded: R. Sharma

Motion carried; Minutes approved.

The Mayor requested nominations for Council Pro Tempore. Mrs. Marra nominated Dr. Sharma. Ms. Saba nominated Mr. Cronin.

Votes for Dr. Sharma: Falkenberg, Marra, R. Sharma, S. Sharma

Votes for Mr. Cronin: Cronin, Saba

The Mayor announced Dr. Sharma as the new Council Pro Tempore and closed the nomination.

The Mayor presented Resolution 2021-01: A resolution designating and appointing Dr. Ritu Sharma President Pro Tempore of the Council of the Village of Timberlake, Ohio and declaring an emergency.

Motion to suspend the rules: S. Sharma

Seconded: Falkenberg

Motion to approve: Falkenberg

Seconded: Marra

All were in favor of the Resolution; Motion approved.

The Mayor presented the 2021 Council Members Committee assignments:

Safety - Vince Cronin (Saba, Marra)

Recreation/Trees/Environment – Nancy Marra (Falkenberg, Saba)

Finance/Ordinances/Public Records Retention – Kim Saba (R. Sharma, S. Sharma)

Grants – Dr. Sharma (Cronin, Falkenberg)

Sanitary Sewer and Sewers - Shannon Sharma (Cronin, R. Sharma)

Village Hall - Sherri Falkenberg (Marra, S. Sharma)

Service and Parks - Mayor (Marra (chair), Falkenberg, S. Sharma)

The Mayor presented Ordinance No. 2020-08 and placed it on 2<sup>nd</sup> Reading (Tabled on 11/17/2020):

An ordinance authorizing and approving the appointment of Police Chief as Street Commissioner of the Village of Timberlake, Ohio, pursuant to the provisions of section 735.31 of the Ohio Revised Code, setting compensation of one dollar per year and declaring an emergency.

The Mayor presented Resolution No. 2020-29 and placed on 2<sup>nd</sup> Reading: A resolution authorizing and directing the Mayor to enter into an agreement with CT Consultants to provide for professional engineering advice, consultation, assistance, and services to the Village, establishing the terms and conditions of same and declaring an emergency. Ms. Clapp recommended to not do a three-year term. They will revise it and resend it for a one-year

term with an option to renew. After the contract is sent out, the council will review and discuss at next meeting.

The Mayor presented Ordinance No. 2020-09 and placed it on 2nd Reading: An ordinance adopting an Interim Disaster Recovery Plan for the Village of Timberlake Offices and declaring an emergency.

The Mayor presented Ordinance No. 2021-01, an ordinance amending wage and salaries for the employees of the Village of Timberlake, Ohio and declaring an emergency. Ms. Clapp only changed the interim Chief's fees and maintenance personnel fees as passed last month.

Motion to suspend the rules: Cronin

Seconded: R. Sharma

Motion to approve: Falkenberg

Seconded: Cronin

All were in favor of the Ordinance; Motion approved

### **Mayor**

The Mayor presented the following Mayor's report:

"Dear Council and Residences,

I would like to thank each and every one of you this year that helped with all that we accomplished.

We were able to secure the beach for our residences and make available keys for the residences that wanted to obtain one. Thank you specifically to Gary Saba and the volunteers that helped me personally install it and get the project done. Thank you to service that helped maintain that security.

I forgot to mention at the last council meeting, the beach steps have been repaired and are ready for spring. Let's hope we have a hot summer and can use the steps safely now.

We were able to get stop signs posted and from what I understand from past years, was absolutely impossible. Thank you to certain council members and service people that helped me personally install them and finally make this project a reality and make our village safer.

Council was able to knock on doors and get a levy passed that failed before. Thank you to council who designed the flyer and produced it. Thank you

again council members who rallied the troops and canvassed the neighborhood and got it done.

With the help of Covid money and certain council members physical leg work, we were able to purchase complimentary Covid kits (thanks to Miss Clapp) and personally distribute them to each and every resident.

In the hall with our Covid money we were able to install automatic door openers, touchless switches, and sanitizers. We did this under the watchful eye of Miss Clapp.

Thank you also for keeping the village under budget.

We were able to get some of the residents to clean up their properties of weeds, tall grass, hide trash cans and comply with our Boat, trailer, and RV ordinance. I am hoping this year we can get everyone to comply to help us beautify our village.

Finally...we have assigned an interim police chief. He will make his introduction later in the meeting."

### **Solicitor**

Mr. Iosue mentioned the hiring process for the Village. He noted the three different resolutions and ordinances where hiring process is mentioned. He hopes to clarify this for the future. Mr. Cronin said that as the law has changed, the police departments are no longer able to do background checks for municipal workers. Chief Pattie noted he will send Mr. Iosue the ORC number.

### **Fiscal Officer**

Ms. Clapp presented the following report:

"Mayor, I would like to start off by informing you that I have contact the State Auditors about you and following procedures/expenditures. When I was hired here, I took on the responsibility to assure the taxpayers that their money would be spent correctly. I'm held personally responsible for the Village finances. In other words, if the State Auditors find any problems with misspent money, I personally must repay it. There were several times throughout last year I told you about an

expenditure problem and you would tell me “Sorry-I won’t do it again”. Well just this month you entered into a contract with Spectrum without Council approval (even after I told you not to wait until you have council approval) and you sent me a text back “Sorry, I really messed up now because he came early.” Yes, they are less than AT&T, however, council did not approve it prior to entering into the contract and also, we do not know if we can get out of the AT&T contract. So council, I’m requesting you to a make a motion limiting the expenditures to \$100 and below without having the notify me before the expenditures occur unless it has already be approved by you on the budget worksheets. Just so council is aware our current general fund balance is \$71,713.12.

Now for the two CT Consultants past due invoices. I talked to Pete from CT today and he told me that you called him requesting that these invoices be voided because you would personnel have to pay them, so he voided them for that reason. I had them on the agenda tonight for council approval.

Next – no invoices, contracts, zoning applications/permits or cash/checks are to be sent to employee homes; everything must be mailed to the Village Hall Officer.

So now I’m going to explain how the State Audit works. The Auditors come in or request the council to submit the minutes, ordinances, and resolutions. They read them, take notes, and compare that information to the financial reports. They also send a questionnaire to you Mayor, all of council, Village Solicitor, and myself. The questions are all the same, we do not see each other’s responses; however ,one person can make a comment that they feel something is being done wrong and they will look into it closer.

Finally, I would like to clear up something in reference to the hiring of employees; back in October, councilperson Saba and I met with you because you had questions and wanting job descriptions; we offer our time to come up with job descriptions to present to Council for their

approval. You were ok with it; so we proceeded, now that council approved everything and gave you a directive, you are not happy with it.

Another thing I think that looks bad and I don’t know who posted the zoning permit fees on the website, but they are very hard to follow.

Last, I’m not perfect, I make mistakes; that is why I email you and all of council the financial reports each month to review because I’m trying to open and transparent.”

Ms. Clapp noted that there is about \$19000 left of the COVID money. Ms. Clapp wants to confirm with council if they want to use that for the EMS contract. Council agreed with this.

NOPEC has given the Community Event Sponsorship Award for \$500. Council will need to decide what community event they would like that to go toward. It must be in by June 30th, 2021. Ms. Saba asked if it can be used for a council-sponsored event. Ms. Clapp will look into this.

### **Interim Police Chief**

The Chief does not have stats as of yet. He will get that and send it out. He noted he cannot wait to meet everyone in person. He is retired from the City of Mentor; he retired with 25 years of experience. He came here as a Sergeant. He said he felt honored about this role and appreciate the faith everyone has in him. He noted he is new here and has seen the way things are run. He has spoken to the officers and tried to meet with Village members. He was pulled over by a golden retriever recently. There will be a departmental meeting for police officers this Friday. He would like to discuss changes and continuation of policies. Having worked in Mentor for 23 years, he has a depth of experience. His idea of policing in the Village of Timberlake is community-based policing. This is centered on patrolling and getting to know the community. He

noted that it is important to survey the community and be vigilante. It is important to pay attention to what is going on. He would like to ask everyone to stop the officers and talk to them. Introduce yourselves. This way the residents know who they are speaking to. He believes in being transparent and hopes people will bring their questions to him. If he doesn't know the answer, he will find the answer for them. Ms. Clapp asked if he has appointments for tonight; he noted that he did.

### **Finance/Ordinances/Record Retention**

Ms. Saba noted that she was concerned about a few things. She said that it is important to have granular transparency with CT Consultants, so everyone knows the charges being made. She hopes there will be better communication amongst the team. She is concerned about the stop signs at the triangle on Owaissa and Shawondassee. The people that back out of the driveway there see it at the very end of their driveway. She would like this reviewed. Ms. Saba noted that the zoning fees are hard to read and they need to be reviewed. The fees that are being charged should be reconsidered. She'd like to create a meeting to see how we can remedy this. The Mayor agreed it needs to be revised. Ms. Saba stated that the Village is charging for fees that other communities do not charge for, so it needs to be reviewed. She would like residents to be able to do beautification projects without worrying about paying exorbitant fees. Her next question is, will the job descriptions for the two positions be posted online? The Mayor noted that he needs council approval to revise the dates. He asked who will be taking applications for that? The way the resolution is now, it notes that all employees must be appointed and approved by council. Mr. Iosue noted that there isn't a procedure, so we need to figure it out. The other ordinance and policy says that the Mayor can appoint with council approval. So, there are contradicting facts as the way it is written is council must hire the individual before the Mayor does. The other resolution notes the Mayor interviews and hires a person and the Council approve it. By next meeting, Mr. Iosue hopes to create a process draft. With other communities Mr. Iosue works with, most of the

time the Mayor chooses an individual and the Council approves them. Ms. Clapp noted that it would be better to have council members sit on the hiring committee. Ms. Saba asked if the Mayor is comfortable with getting all of the emails. He noted he is comfortable doing whatever the council decides. Mr. Cronin noted that he'd like to do it the way it was passed last October. He hopes that the Mayor can post the jobs, select 2 or 3 individuals, and then present it to council. Mr. Iosue noted that it is better to select one employee that way the council has one individual to consider and approve, as that is a smoother process. Ms. Saba asked if the Council wants to hire a sub-contractor as a sub-contractor, does the Mayor need to present this individual? Mr. Iosue noted that the contract should be written up, presented to council, and approved. Workers' compensation will still need to be provided. The Mayor noted there is less liability with independent contractors. It's preferred if they have their own liability insurance. However, with an employee, there is more control over their schedule as compared to an independent contractor. Ms. Clapp asked when can the job posting be posted? He noted that as soon as the revised dates are sent back, he can post it tomorrow. Ms. Clapp will publish them in the newspaper on 1/24 and ask for applications to be returned by February 1st. This way the Mayor can interview before the February 16th council date. Mrs. Marra asked about the interviewing process. Mr. Iosue recommends that the Mayor and someone on the Service Committee select an applicant to present to council. Mr. Cronin asked for all applications to be sent out to council.

### **Safety**

Mr. Cronin had nothing to report for the past month. He wished Dr. Sharma the best of luck on her new role. He noted that there is one public request that has not been fully fulfilled yet. There are some vendors that have to be switched over. He has updated bank records from Erie Bank and Star Ohio Bank. He is looking forward give over this information to Dr. Sharma. Ms. Clapp agreed everything must be signed over to her. Mr. Iosue noted that the police department handles the public records request. Per Mr. Cronin, any requests



beyond police are tracked by him and sent to him. The requests must be fulfilled within a reasonable amount of time. Dr. Sharma asked for clarification in regard to that time frame. The “reasonable amount of time” is up for interpretation. Mr. Cronin noted that it’ll take 2-3 months to finish the last public records request. Mr. Iosue stated that we should fill it as quickly as we can and if we can’t fill it, to contact the individuals in regard to this. Sergeant Claridge is responsible for public records request; as he is part time, at times, it must wait till the Sergeant is available. The Chief is hoping to find a way to expedite this. Part of the analysis of what is reasonable is based on the Village’s resources, as well, especially if some employees are part time. Ms. Clapp suggested that everyone should watch the Sunshine Law seminar. Dr. Sharma and Ms. Sharma attended this at Lakeland Community College and submitted the certificate for this.

### **Village Hall**

Ms. Falkenberg noted that the Village Hall is starting to pick up in May and beyond. She needs council approval to order multi-fold paper towels. The pricing is not available now as the size is unknown.

### **Recreation/Trees/Environment**

Mrs. Marra had two trees reviewed the last 2 days. One of the trees looks bad but is healthy. It’s three trees growing into one tree. It is creaky, but healthy. There is also one on East Shore that is hollow.

### **Grants**

Dr. Sharma is reviewing grants for 2021 and hopes to present a list to Council in the upcoming months. The Mayor noted there is a NOPEC grant for streetlights he will forward over.

### **Sewers**

The Mayor thanked Ms. Sharma for coming in way under budget. She had nothing to report this past month.

The Mayor asked for a motion to approve the December 2020 Financial Reports.

Motion to approve: Falkenberg

Seconded: R. Sharma

All were in favor.

Motion carried; Report approved.

Ms. Saba asked to implement spending limits, which Mr. Cronin agreed to, as well. The Mayor noted it is \$100 now, what would the Council like it to be reduced to? Ms. Saba wants to keep a close eye on this, which Mr. Cronin agreed to. He would like to save money for a rainy day. He says it is important to be frugal with the spending. The Mayor stated that everyone did a great job last year and everyone came in way under budget. Any spending has to be reviewed by council; this process will be solidified.

The main refrigerator in the kitchen is unplugged. The Mayor wanted to buy a small fridge for the police department. He asked if the council would be okay with purchasing a small refrigerator for the police department. Ms. Falkenberg asked if that refrigerator can be sold. The Mayor noted that the fridge is needed for an event. This way, the village can unplug the large fridge and only run the small fridge for the police department. The Mayor noted that he needs approval for about \$100 to order seals for the large fridge, so that it doesn’t have to run 24/7. He will send an email out to council in regard to this. He noted it is not detrimental to unplug a refrigerator. The Chief stated that he’d like a fridge for his midnight police officers, who bring lunch to work. Ms. Saba said she can lend one until a new one is bought. She will clean it and lend it to the police department.

The Mayor asked for a motion to accept a donation of gator bags from the Eagle Scout Project. The trees are looking good and seem to still be surviving. Everything looks good at this time. The residents donated this.

Motion to approve: Cronin

Seconded: R. Sharma

All were in favor; Motion carried.

The Mayor asked for a motion to authorize the Mayor and Fiscal Officer to enter into a contract

with Spectrum. It can be cancelled anytime with no fees or penalties. Mr. Cronin will call AT&T and cancel the service through them. They will send a list of equipment that must be sent back. Switching to Spectrum would save \$150 a month with eight times the speed per the Mayor.

Motion to approve: R. Sharma

Seconded: Marra

All were in favor; Motion carried.

The Mayor asked for a motion to appoint Sarah Bittner and Jason Mazzaro.

Motion to approve: R. Sharma

Seconded: Falkenberg

All were in favor; Motion carried.

The Chief noted these positions are replacing two sergeants, including the interim Chief. The Chief is looking to ask council to create a fourth sergeant position. He is hoping to have two sergeants responsible for the same list of items; that way, if someone is ill, there is a backup. Currently all three sergeants serve their own role. If two sergeants are responsible for the same job, there is a backup. Furthermore, if someone chooses to leave, the Chief will still have an individual trained in that role. This way he is not scrambling to find someone else to fill the role. The Chief believes this will provide a better service to the community. Currently, there are three sergeants on service. Mrs. Marra asked who holds what rank in setting of a catastrophe. The Chief noted that this is determined by him. Currently, Sergeant Bittner would take the lead. He stated that if they are not at the same level of sergeant, then everyone will have to be paid a different amount. He knows with the current sergeants, there won't be any issues with rank. If this was a full-time department, everyone would be here five days a week. That is not the case with the Village. The Chief has to look at having a sergeant do ancillary duties while working a shift or paying a patrolman to work the shift; that causes the issue of paying two people at the same time. Sergeants are responsible for their ancillary duties in addition to answering calls. The benefit for being a sergeant is \$1/hr more and an accolade of being a sergeant. The Chief noted he will take over the role of Chief

Tryon. He will work once a week. Outside of that, he begins working first thing in the morning at 4 or 5 am. He lives one street away from the Village. So, lately he spends his time doing Village work in the morning. He hopes as time goes on, the Village will see more of him than they saw Chief Tryon. Chief Tryon didn't have the time as he had a business; Chief Pattie has another business, but it requires very little time away. Knowing that the Chief can stop in to check in keeps the police department on track. The Chief plans on being on the police bikes and driving throughout the Village. Mrs. Marra noted that was one of the complaints of residents is that there was no relationship. The Chief stated that he hopes to build relationships with the Village.

Mr. Cronin noted he thinks there needs to be a lot of discussions, so it should be done in another meeting on February 9th, 2021.

The Mayor said if anyone would like to sign up for the Reverse 911 program, please sign up on the Village website.

The Mayor asked for a motion to adjourn the meeting at 9:30 PM.

Motion to adjourn: Cronin

Seconded: S. Sharma

All were in favor.

Next Council Meeting 2/16/21@ 7:30 PM

### **TIMBERLAKE COUNCIL MEETING February 16<sup>th</sup>, 2021**

The Mayor opened the meeting with the pledge of allegiance followed by the prayer at 7:30 PM. He asked for roll call of the officers. All council members were present along with the Fiscal Officer, JoAnne Clapp. The Solicitors, Jeremy Iosue and Jason Hartzell, were also present.

Per the Mayor, Republic Services will be delaying trash pickup by one day due to the snow. If anyone has any questions for the Solicitor, please direct it

to the Mayor or any council members and they will relay the message.

The Mayor asked for a motion to approve the Minutes for January 19th, 2021. Regarding the CT Consultants invoice, it was agreed it was to be included in the retainer. The Mayor made the correction.

Motion to approve as amended: R. Sharma  
Seconded: Marra  
Motion carried; Minutes approved.

The Mayor asked for a motion to approve the Minutes for February 9th, 2021 special meeting.  
Motion to approve: Falkenberg  
Seconded: S. Sharma  
Motion carried; Minutes approved.

The Mayor presented Resolution No. 2020-29 (3<sup>rd</sup> Reading): A resolution authorizing and directing the Mayor to enter into an agreement with CT Consultants to provide for professional engineering advice, consultation, assistance, and services to the Village, establishing the terms and conditions of same and declaring an emergency. This contract is for 1 year as revised by Mr. Iosue. The services will be completed when we put it out to bid per Ms. Clapp, June or July. Mrs. Saba asked if we are obligated to the company for the entire year as she is concerned about the spending with the company. The Mayor noted they provided a lot more in services than their retainer of \$3000 last year. They will be used for several grants that we want them to look into; it will be ongoing services. Mrs. Saba asked at what price. She is concerned about the expenditure; it is one of the more expensive services in the Village. Ms. Clapp noted she could do the NOPEC grant online; they won't need CT Consultants for that. Mr. Iosue noted the contract is a one-year contract for the entire year; it has a termination clause. Either party can terminate given a 90-day notice. The Mayor noted that they need to take care of FEMA documents and additional OPWC. It falls under the retainer without any additional cost. Mrs. Saba would like to revisit this contract at the end of the year. The Mayor said he will make it clear with them that if we meet the

retainer to let the Village know. Ms. Clapp noted that the OPWC falls beyond the retainer. Ms. Clapp said she would get the cost of that service to Mrs. Saba. The Mayor will verify if it is a covered item. The Mayor clarified that the Village needs an engineer. Mr. Cronin said if this is not approved tonight, can it be approved in the special meeting? The Mayor stated it is better to approve it and terminate if we needed as right now there are some pending issues. Mrs. Saba said what the costs are going to be should be presented ahead of time. The Mayor noted that the Village has always retained them and paid the same amount every year for the retainer. Mrs. Saba said if there are things pending with them, it would be better to have an itemized list of the costs. Ms. Clapp found the form and said the final designs would be \$2400 in addition to the retainer; this is for the catch basins OPWC. The Mayor will clarify this and table this for the next meeting.

Motion to table: Saba  
Seconded: S. Sharma  
Motion carried; table approved.

The Mayor presented Ordinance No. 2020-09 (3<sup>rd</sup> Reading): An ordinance adopting an Interim Disaster Recovery Plan for the Village of Timberlake Offices and declaring an emergency. This was recommended by the auditors in the last audit, per Ms. Clapp.  
Motion to approve: Saba  
Seconded: R. Sharma  
All were in favor of the Ordinance; Motion approved

The Mayor presented Resolution No. 2021-02 (Rules Suspended): A resolution authorizing and directing the Mayor to enter into a Contract with the City of Eastlake for Road Salt purchase for the 2020-2021 winter season and declaring an emergency. This is \$47.98/ton. Mrs. Saba asked how much tons the Village uses. Mrs. Marra will look into this and get back to her.  
Motion to suspend the rules: Saba  
Seconded: Marra  
Motion to approve: R. Sharma  
Seconded: Saba

All were in favor of the Resolution; Motion approved

The Mayor presented Resolution No. 2021-03 (1<sup>st</sup> Reading): A resolution authorizing the Fiscal Officer to take all actions necessary to “Opt In” to Ohio Auditor of State eServices to assure fiscal responsibility and property auditing account and declaring an emergency. Ms. Clapp received an email from the state auditors. They want more transparency to eliminate fraud. So, this links to the UAN system. If it is not balanced, it will notify the council. This will help with future transparency.

The Mayor presented Resolution No. 2021-04 (1<sup>st</sup> Reading): A resolution authorizing the Mayor to take all actions necessary to accept Northeast Ohio Public Energy Council (NOPEC) Energized Community Grant(s) and declaring an emergency. This is the grant application received by the Mayor per Ms. Clapp. It can be used for streetlights, insulation in the buildings, new windows, etc. It has to be filled out and submitted. The Village does this every year, but the engineers help with this project.

The Mayor presented Resolution No. 2021-05 (Rules Suspended): A resolution declaring it necessary to renew an existing 1.4 tax levy for the police department, service department and general fund expenditures within the village, and requesting the Lake County Auditor to certify the total current tax valuation of the village and the dollar amount of revenue that would be generated by the renewal 1.4 levy and declaring an emergency. This is to certify the dollar amount per Ms. Clapp, so the three readings can be started in March or April for the November 2<sup>nd</sup> levy. These are renewals; no additional monies will be removed.

Motion to suspend the rules: Saba

Seconded: S. Sharma

Motion to approve: Saba

Seconded: R. Sharma

All were in favor of the Resolution; Motion approved

The Mayor presented Resolution No. 2021-06 (Rules Suspended): A resolution declaring it necessary to renew an existing 2.8 tax levy for the police department, service department, and general fund expenditures within the village, and requesting the Lake County Auditor to certify the total current tax valuation of the village and the dollar amount of revenue that would be generated by the renewal 2.8 levy and declaring an emergency.

Motion to suspend the rules: Saba

Seconded: R. Sharma

Motion to approve: Saba

Seconded: S. Sharma

All were in favor of the Resolution; Motion approved

The Mayor presented Resolution No. 2021-07 (First Reading): A resolution implementing a hiring policy for the Village of Timberlake and rescinding the prior hiring policies and declaring an emergency.

The Mayor presented Resolution No. 2021-08 (Rules Suspended): A resolution authorizing the Mayor, and Fiscal Officer to enter into agreements with Andover Bank, N.A.; Huntington, N.A.; JP Morgan Chase Bank, N.A.; Dollar Bank; Erie Bank; and Key Bank, N.A. and declaring an emergency. This is so that the Village can deposit money to any of these banks; it should be done every 5 years. Later on, she will need an approval to switch to Andover Bank for the fees. These were the banks the council called per Mrs. Saba.

Motion to suspend the rules: Saba

Seconded: R. Sharma

Motion to approve: Saba

Seconded: Falkenberg

All were in favor of the Resolution; Motion approved

The Mayor presented Resolution No. 2021-09 (Rules Suspended): A resolution approving the Mayor, President Pro Tempore and Fiscal Officer as authorized signatures on all depository bank account activities and declaring an emergency. This

is for the banks; they need proof of approval for opening accounts.

Motion to suspend the rules: Saba

Seconded: Cronin

Motion to approve: Saba

Seconded: Cronin

All were in favor of the Resolution; Motion approved

### **Mayor**

The Mayor presented the Mayor's report. In light of the new President Pro Temp, the Mayor rearranged committee assignments effective tomorrow:

Safety – Dr. Sharma (Saba, Marra)

Recreation/Trees/Environment – Nancy Marra (Falkenberg, Saba)

Finance/Ordinances/Public Records Retention – Kim Saba (Cronin, S. Sharma)

Grants – Vince Cronin (R. Sharma, Falkenberg)

Sanitary Sewer and Sewers - Shannon Sharma (Cronin, R. Sharma)

Village Hall - Sherri Falkenberg (Marra, S. Sharma)

Service and Parks - Mrs. Marra (Falkenberg, S. Sharma)

At the last meeting, the Mayor agreed to take on the public records request. He is retaking the Sunshine Training again. If there are any requests that come in, please send them to the Mayor.

### **Solicitor**

Mr. Iosue noted there is nothing to report. In regard to public records, Mr. Iosue would like to see the requests before they go out.

### **Fiscal Officer**

Ms. Clapp presented the following report. Everyone received the monthly financial reports. There are no questions on that. In regard to the NOPEC Sponsorship money, \$500.00, is that to go to the Village Club? Mrs. Saba asked if council could do something with that money. Ms. Clapp said the council could sponsor an event. Mrs. Saba said with COVID, the Village Club has not done much this past year. She is thinking about doing a

Safety talk with the Police Department. In Perry, they use it for a fishing derby per Ms. Clapp. Ms. Saba also said bicycle registries can be done with it, as well. Ms. Clapp will be switching from Erie Bank to Andover Bank. She has not heard back from Dollar Bank.

In regard to the Best Truck invoice light purchase, Ms. Clapp checked the website for pricing; why are we being charged \$9.49 when the website shows \$9.20? She noted she knows this is a difference of \$.29 or a total of \$.58, however every little bit we save starts to add up over time, so we can purchase something big. The Mayor said we needed the lights and Ken picked it up and installed it so it could be plowed that night. It was what they had in stock in place. Per Ms. Clapp, they up charged in person as compared to what is noted online. Mrs. Saba said it is likely because they didn't update the website. The Mayor noted it is high beam lights as compared to low beam. The Mayor will call them about it tomorrow.

Ms. Clapp asked about an incident last month; she received an email from an outside source on Thursday that she saw on Saturday. The person reported the incident to the Mayor on Monday per the Mayor; the individual noted it was reported on Sunday. The Mayor said he was told about it on Sunday; he was told everything was okay. Ms. Clapp noted she needs the correct date for the paperwork.

Ms. Clapp asked Mr. Cronin and Chief Pattie, when she started setting up the business as a vendor, she found that the interim Chief is the owner of this company. This is in regard to a training that Chief Pattie recommended sending the officers to: a 5-day Instructor Training Program costing \$995. She reached out to Ohio Ethics, who said the following: a public official or employee is prohibited from having an interest in a public contract (defined in part as the acquisition of property or services by the state or a political subdivision of the state, or any agency or instrumentality of either) of the public official's or employee's own public agency. An owner of a company has an interest in the contracts

of his or her company. There is an exception to the prohibition of having an interest in a public contract, but there are four requirements that need to be met under this exception. One is that the services are provided pursuant to a continuing course of dealing (that commenced before the public official or employee started his or her service with the public agency) or are unobtainable elsewhere for the same or lower cost. Also, note that, in general, a public official or employee cannot use his or her public position to secure a personal financial benefit for himself or herself, or for a company that he or she owns. The four requirements that need to be met are as follows:

1. *Authorizing a public contract in which the official, a family member, or a business associate*

*has an interest [R.C. 2921.42(A)(1)]*  
[NOTE: This is the section that prohibits nepotism, or

*authorizing an employment contract for a family member. See Chapter 10 ];*

2. *Authorizing an investment of public funds in which a family member or business associate has an interest or from which a family member or business associate receives a fee [R.C. 2921.42(A)(2)];*

3. *Profiting from a public contract authorized by the official or by a board on which he or she*

*sits unless the contract was competitively bid and awarded to the lowest and best bidder [R.C.*

*2921.42(A)(3)]; and*

4. *Having an interest in a public contract of any public agency with which he or she is connected*

*[R.C. 2921.42(A)(4).*

*(*

<https://www.ethics.ohio.gov/education/factsheets/EthicsLawOverview.pdf>, 2021)

The same training can be received for free by the county per Ms. Clapp. Chief Pattie said that that is absolutely not true, and they are in infringement of copyright laws. Mrs. Saba is concerned about the transparency here. Mrs. Saba asked does Officer

Pattie meet any of these exceptions? Ms. Clapp noted he meets the second exception, but not the others. The cost for the training is at \$995 using Chief Pattie's company, which Ms. Clapp notes can be done for free. If they moved forward with the training, per Ms. Clapp, Ohio Ethics would need to be involved and have been involved for similar issues in the past. Mr. Iosue noted if it is an ethics violation, the Chief would be in violation. Jason looked into this and found the same thing, as well. There are also potential criminal penalties; the Solicitor suggested getting an advisory opinion from the Ethics Commission. There is a process for a formal advisory opinion that can be done if concerned about an ethical violation. Dr. Sharma and Mr. Cronin agreed with Mrs. Saba about not proceeding with this if it will potentially cause damage to the Village. The Chief noted that this class is offered nationally and is offered nationally; it is offered by the same individual who offers the ALICE training. He owns the business, as he bought it in 2018. The Chief travels all over the country offering this class. He did not know there were any issues with the ethics aspect in this case. The training is valuable for the officers; it is not for putting money in his pocket, per Chief Pattie. He did inform Mr. Cronin this information. The training is copyrighted. It cannot be legally attained from somewhere else. Chief Pattie apologizes for the ethics violation. Mr. Iosue said when you work for a public entity, it can cause some ethics complications. Dr. Sharma noted ALICE training is free. Ms. Clapp wants to make sure everyone is understanding the ethics aspects of the Village.

### **Interim Police Chief**

The Chief presented the following stats for last month: 3 911 calls, 1 accident, 7 on post reports, 2 animal calls, 7 assists, 6 beach checks, which is a lot lower than he'd like it to be and he will look into it, 1 civil matter, 36 park checks, 63 house checks, Information report: 19 investigations, 3 traffic stops, one lockout, one phone message, one parking violation, one property report, one suspicious circumstances, and one welfare check. For December, there was 1 911 call, 1 abuse report,

which turned into a civil matter, 10 on post reports, 39 park checks, 29 house checks, 8 investigations, 1 liquor violation, 1 phone message, 1 parking violation, and 1 suspicious circumstance.

The Police Department is moving forward with the new MDTs in both the cars. They are working on e-tickets and citations, moving into the same system as State Highway Patrol. Ms. Clapp said she had grant money for the upgraded software, which is now gone. Chief Pattie believes they will be able to get it likely without costing the Village anything. The total cost thus far is \$15 for 2 rolls of printer paper. The current citations have been changed; by June 1<sup>st</sup>, the Village must use the new citations. He wants to get only 3 citation books in case the system is down. Ms. Clapp recommended teaming up with another entity for buying tickets at a cheaper price; the Chief will look into this with Eastlake. The tickets are issued and have to be audited. He will look into that. He is also trying to get police officers in here; there are several applications that need to have background checks. The Chief is having issues with the schedule as it is now. Currently, we have lost Steve and Mitch, who covered 10 shifts in totality over the month. The Chief spoke to Doug Miller, he was hoping to vote him in tonight; he is willing to come in for \$1/year for now. If we don't decide on him, Chief Pattie said he will lose him. Mr. Miller will not wait another month.

### **Finance/Ordinances/Record Retention**

Mrs. Saba reported there have been no new applications received for Zoning. There needs to be a resident for the Records Retention committee; Ms. Saba has a resident that is willing to join. It is MaryBeth Germano. On Saturday, the 20th, Ms. Clapp will start going through records and any council member is welcome to join at noon. Mrs. Saba and Mr. Saba will come to that. Ms. Clapp will advertise it in the newspaper in case there are more than 2 council members present at the records revision day.

### **Safety**

Mr. Cronin has no updates at this time. He recommends withdrawing from the training if it'll be an ethics problem; the Chief agrees with that.

### **Village Hall**

Ms. Falkenberg reported that the calendar is updated. The fridge seals are installed per the Mayor and ready to go. Mr. Cronin said he just received the approval for the fridge for \$79.99 from Best Buy. It is a 1.7 cubic foot refrigerator. He hasn't gotten it as he does not have a Village credit card. Chief Pattie will go get it.

### **Recreation/Trees/Environment**

Mrs. Marra had a tree looked at on 40 Eastshore, which is rotted out, by 3 different companies. She is concerned the tree will collapse. Yoder was the cheapest company; Davy Tree company agreed it needs to be removed. The tree bids were sent to Ms. Clapp.

### **Grants**

Dr. Sharma has nothing to currently report.

### **Sewers**

Ms. Sharma received a letter from Willoughby for Water Pollution Control Center, it is due next week. Ms. Sharma will send it to the Mayor. It is in regard to the Sewer Maintenance Program. She believes we are all clear, but she will pass it along. Ms. Clapp notes she has it as it was in her box.

The Mayor asked for a motion to approve the January 2021 Financial Reports.

Motion to approve: Falkenberg

Seconded: S. Sharma

All were in favor.

Motion carried; Report approved.

A motion to approve the expenditure of \$995.00 for Police Department training to be spent out of fund 2271 Enforcement and Education Fund was on the agenda, but this was cancelled as per prior discussions.

The Mayor asked for a motion to accept a donation of gator bags from the Eagle Scout Project. The

trees are looking good and seem to still be surviving. Everything looks good at this time. The residents donated this.

Motion to approve: Cronin

Seconded: R. Sharma

All were in favor; Motion carried.

The Mayor asked for a motion to approve the expenditure for tree removal in the amount not to exceed \$775.00.

Motion to approve: Marra

Seconded: Falkenberg

All were in favor; Motion carried.

The Mayor asked for a motion to accept a donation from a local resident for snowplow shoes. The resident wanted to remain anonymous. The Mayor noted the Village is grateful.

Motion to approve: S. Sharma

Seconded: R. Sharma

Mrs. Saba abstained; all others in favor; Motion carried.

The Mayor asked for a motion to authorize the Fiscal Officer to change banks from Erie Bank to Andover Bank. This change is occurring due to banking fees; this will help the village save money.

Motion to approve: R. Sharma

Seconded: Saba

All were in favor; Motion carried.

A motion to approve the Police Chief job description was on the agenda; however, this will be discussed in an executive session.

The Mayor asked for a motion to approve the Mayor's recommendation of hiring James Summers for the Service Department at \$11.00 per hour pending drug testing and background check. Ms. Clapp said it needs to be discussed if we want him at \$9.27 or \$11.65. The Mayor recommended \$11.65 as he mechanically inclined and has the experience. It was amended to \$11.65/hr.

Motion to approve as amended: Marra

Seconded: Falkenberg

All were in favor; Motion carried.

The Mayor asked for a motion to approve CSJ Technologies quote dated 2/9/2021 for the purchase of APC 1500 and wireless microphones in amount of \$510.00. The COVID money will be used for this. The APC 1500 is the battery backup system in case the Village loses power. Currently, the microphones cannot communicate in tandem. The Mayor found 8 microphones for all of the council members when we restart in person meetings. It will add on to our current system. Mr. Cronin said he cannot find the copy of the quote for that. The Mayor noted we will not pay taxes as the Village is tax exempt.

Motion to approve as amended: Saba

Seconded: Falkenberg

All were in favor; Motion carried.

The Mayor asked for a motion to appoint MaryBeth Germano to the Public Records Retention committee.

Motion to approve: Saba

Seconded: S. Sharma

All were in favor; Motion carried.

### **Public Comment/Questions**

- Dr. Sunny Sharma emphasized that currently Ohio residents older than 65 are eligible for the COVID vaccine. As a provider, she has received both of her vaccines in the last month and a half. The most common side effects after the first vaccine include some redness around the site and soreness of the arm. The most common side effects after the second vaccine include having low grade fevers and chills along with muscle aches that last about 12 to 24 hours. However, Dr. Sunny Sharma emphasized that the pros of the vaccines far outweigh the cons. Even while being 18 weeks pregnant, she opted to receive both vaccinations and has recommended her patients to do the same. Currently, mortality in patients over the age of 65 has reduced due to the effectiveness of the vaccines. Therefore, she urges all residents that are currently over the age of 65 to contact their local pharmacies and



hospital systems to receive the COVID vaccine.

- Mrs. Marra received a question about the actual, defined job of the Safety Committee from 43 Eastshore. Mrs. Marra said from her understanding, it was being a liaison between the Police Department and council. She asked what the true definition was. Mr. Iosue noted there is likely something in council rules; this is a body that can make recommendations with the safety department; in this case, that is the police department. Mr. Iosue recommended reviewing the council rules as he is unsure if there is a specific definition. This role is to provide oversight to the police department. Rule 8 lists out general committee responsibilities per Mr. Hartzell. It essentially says report to council, long and short-term planning, do as directed by council, but no other specifics.
- Dr. R. Sharma noted that several residents called her over 3 days about their concerns for having a full-time Police Chief. She also received an elaborate email in regard to the Chief role; she forwarded it to council.
- Mrs. Saba sent an email to all of council about the concerns she received from a resident. There was a situation over the beach key for renters. The renter understood the law and had no concerns. However, she is disappointed in the way this resident has been treated in this Village. She is ashamed by the residents that have put the Village in a bad light by acting inexcusable like this with that resident. Mrs. Marra asked where do we go from here. Mrs. Saba said that the landlord should not have played a backdoor game and used the renter's color as an excuse. Mrs. Saba said the landlord should be ashamed and embarrassed; she is ashamed to be his neighbor. The same resident reached out to the solicitor. If any resident has questions for the legal department, please direct it to council or/and the Mayor.
- Mrs. Falkenberg would also like to express her concerns about phone calls from residents in the last 48 hours. These concerns were over the executive session and emails between council. Mrs. Saba received the same phone call. She was informed that this resident was told everything about the executive session. Ms. Sharma noted the entire point of the executive session is that it is executive and private. Mrs. Marra agreed. As part of the Ethics Code, council should not discuss the executive session details with others. Mrs. Saba noted this is not about someone listening on Zoom; this individual gave complete details about the executive session. Dr. Sharma agreed that the executive session should not be revealed to the public, as did Mr. Iosue. He assured council that the Zoom session is secure. Dr. Sunny Sharma emphasized that as the only member of the public in this meeting, when will this issue be discussed? She wants to ensure that the Village is not yet again in another ordeal with infringing on ethics laws. The Mayor noted that this will be discussed in the executive session. Conversations about elected officials cannot be done in an executive session per Ms. Clapp. Ms. Falkenberg noted that this should be discussed now. Someone is discussing the executive session details with residents. This was in regard to the cruisers and the police department. Per Ms. Falkenberg, the cruisers and full versus part-time police chief details were discussed with residents. Those residents were stirred up per Ms. Falkenberg. Mrs. Saba received a similar call; it detailed everything that happened in the executive session. Mrs. Saba said that those individuals noted that Mr. Cronin gave the details. Mr. Cronin said that he was sent an email about a powerpoint, which is public records. Ms. Falkenberg said emails between council members is confidential; Mr. Iosue noted that the powerpoint, if

emailed, is a public record, however, discussing executive session details is not public records. That document is a public record, but, if a resident wants it, they should submit a public records request. Mr. Iosue said only certain things can be discussed in the executive session; that needs to be private. Discussing those conversations could be an ethics violation while sending out the powerpoint should have gone through the public requests channel. In light of everything, the Mayor said that protocol should be followed. Dr. Sunny Sharma thanked the council for taking the time to discuss this; she wants to ensure that given our history in the Village with ethics violations, we are safeguarding the Village from any future ethical encroachments.

The Mayor asked for a motion to go into executive session to discuss employee hiring contracts and compensation and to discuss litigation at 9:03 PM.  
Motion to approve: Marra  
Seconded: Falkenberg  
All were in favor; executive session commenced.

The Mayor asked for a motion to adjourn the executive session at 10:22 PM.  
Motion to adjourn: R. Sharma  
Seconded: Falkenberg  
All were in favor; executive session closed.

The Mayor asked for a motion to approve Alex Coleman as an employee for the Service Department at \$9.27/hr.  
Motion to approve as amended: R. Sharma  
Seconded: Saba  
All were in favor; Motion carried.

The Mayor asked for a motion to approve a full-time position for the Chief of Police. Ms. Falkenberg noted that full-time would save the Village money. Having a part-time Chief would require that person to cover certain shifts causing overtime payments. A full time Chief does not have

to be paid benefits, as well. Mrs. Marra agreed with this. Ms. Clapp and the Mayor have run the numbers and it will save the Village money overall. The residents have voted for a police department. Having continuity will be better and improve officer morale, as well. Dr. R. Sharma also noted the Village will save money this way. Ms. Sharma voted nay, noting that she is unsure about the annual cost given the pay. She is uncomfortable with the ask of this role given the annual salary and believes it will lead to inability to retain a full-time Chief. She also had a lot of residents in the Village call her with concerns, which is why she voted no.  
Motion to approve: Falkenberg, Marra, R. Sharma, Saba  
Motion rejected: Cronin, S. Sharma  
The vote was 4:2; Motion carried.

The Mayor asked for a motion to approve the chief of police job description as amended. Per Solicitor, this includes full time employment status, adding in qualifications and having current certification, and changing the minimum experience from 4160 hours to 10 years.  
Motion to approve as amended: S. Sharma  
Seconded: Falkenberg  
All were in favor; Motion carried.

The Mayor asked for a motion to adjourn the meeting at 10:30 PM.  
Motion to adjourn: R. Sharma

Seconded: Saba

All were in favor.

Dr. Sunny Sharma mentioned reading off the comments in the Youtube Live feed during the public portion. The Solicitor noted he could monitor for questions but would request that it is posted early enough during the meeting so it can be brought up at the public portion. s

Next Council Meeting 3/16/21@ 7:30 PM