

**COUNCIL MEETING MINUTES**  
**October 21, 2015**

Niles City Council held its regular meeting on October 21, 2015 at 6:00 p.m. in Council Chambers Safety Service Complex in Niles, Ohio.

The meeting was called to order by President Robert Marino, and the Clerk, Lori Kuszmaul, called the roll:

Lastic-P, Papalas-P, Giancola-P, McCormick-P, Stredney-P, Mientkiewicz-P, Pezzano-P, Marino-P

It was moved by Stredney, seconded by Pezzano to accept the Minutes from the October 7, 2015 regular meeting and place them on file.

Motion carried.

**REPORTS AND COMMUNICATIONS**

FROM Mark Hess, Development Coordinator, Department of Engineering

Letter to Mayor Infante giving his written notice of resignation.

Mr. Papalas: I'll make a motion to accept this and place it on file. In so stating, I don't know whose going to take over now, grants for the bike trail and the work that he's done with that, I think we need to talk about that. Mark is one of those irreplaceable individuals. It was moved by Papalas, seconded by Giancola to accept the report and place it on file.

Motion carried.

FROM the City Income Tax Division

Monthly Receipts Totals through September 2015

It was moved by Stredney, seconded by Lastic to accept the report and place it on file.

Motion carried.

FROM the Auditor's Office

Statement of Cash from Revenue and Expense from 01/01/15 to 09/30/15.

It was moved by Papalas, seconded by Stredney to accept the report and place it on file.

Motion carried.

FROM the Auditor's Office

Check Audit Trail from 09/01/15 to 09/30/15.

It was moved by Stredney, seconded by Papalas to accept the report and place it on file.

President Marino: Do we include this document on the website with our Minutes?

Clerk: I haven't been told to do that. No.

President Marino: Moving forward, what this is is a check run report for the City of Niles so you folks out there will know how we are spending your money. It will be on the website for

everybody to see. We've been asking for it and John has been doing a great job of providing us in a short period of time as Auditor with this information and it will be accessible to you after council accepts it the following month.

Motion carried.

### MEMBERS OF THE AUDIENCE TO ADDRESS COUNCIL

Robert Lumley, Sr., 106 Neil, Niles. I'm having a lot of 40 foot steel trucks on Neil Street and on Arlington. That is not a truck route and I've been fighting this with the city and the police department for about a year and a half now. One came down today and one came down yesterday. One woman came down and she was driving and she backed up into Sparkle and an officer came down and directed her into Sparkle Market parking lot and I think she went around to Church Street. Neil Street, there's a sign right out there right by the gas station, no trucks, but they still come down there.

Mr. Guarino: You said you –

Mr. Lumley: I can't hear you.

Mr. Guarino: You said were talking with the police department about the situation. I just asked the Chief and he doesn't know anything about it and I'm the Safety Director and I don't know anything about it. Who were you talking to at the police department?

Mr. Lumley: The dispatcher. I don't know who it is.

President Marino: Okay. What I'd like to do is, Mr. Lumley, following this meeting if you would hang around or you can excuse yourself with the police chief now. You and he can go and have a conversation or you can wait so that rather than us argue on who said what, how, when, where, you two can discuss this along with the Safety Director and come up with a solution because it basically falls in their purview and I'm sure that Chief of Police will address it.

Mr. Lumley: I don't have a problem with that.

President Marino: Okay.

Mr. Lumley: As long as something is going to be done.

Chief Hinton: You need to call us when you see them because by the time we get to Neil Street, they are pretty much already gone.

Mr. Lumley: What I was told today –

Chief Hinton: Unless you know where they are going to, what plant they are going to, if you're able to provide that information that would help.

Mr. Lumley: I have given the color of the trucks and everything else, what direction they were going, usually – this one today, it went down Arlington to Maple Avenue and made a left turn. Where it went after that, I don't know. They also went all the way down to (inaudible) that is a narrow road.

Chief Hinton: The trucks have a GPS and they follow their GPS to find where they are going.

Mr. Lumley: There's a difference if they're making a delivery or they made a delivery and they are leaving. These were empty. As a matter of fact, there was one truck with two coils on it and it's a flatbed 40 foot steel truck. I've been after them and my neighbor has been after them.

Chief Hinton: I've made a note of it and I'll have it patrolled. Neil and?

Mr. Lumley: Neil and Arlington. I'll tell you what, there needs to be a sign on Arlington.

Chief Hinton: We'll check the whole neighborhood for signs.

Mr. Lumley: I'll tell you what, I would appreciate it because Neil Street, it's not holding up right now with regular traffic let alone a semi. Neil Street is deteriorating really bad. Really bad, and I've been on the corner of Arlington and Neil for 43 years and I've been in the same neighborhood for 70 years. It's not like I'm a newcomer. As a matter of fact, I'll tell you what, there was one police car going south on Arlington and a semi was coming down Neil Street and the police car stopped right there at the corner and waited there for quite a while. Finally, the semi went up to Church Street which is a truck route and the officer pulled up right next to the semi and he got out, the officer got out, and talked to the driver.

Chief Hinton: That's what they are supposed to do.

Mr. Lumley: Yes. It just happened and he was there. Now what I was told today is well the officer has to see it. Well, if that's the case why should I report anything? Not only a truck driver, but anything because an officer has to see it. I thought that's why we had block watches. There's one other thing too.

Chief Hinton: We can talk about this after the meeting if you would like to stay around.

Mr. Lumley: Okay. Not a problem.

President Marino: Thanks Mr. Lumley. Good seeing you again.

Mr. McCormick: We had reports a while back about Emma Street where they were going over the yards and everything and our traffic officer went down and made sure everything was marked properly. He even went to the businesses down there and gave them paper truck routes of the proper way to go and I hadn't heard anything for the last year or whatever and I thought his efforts were effective. It's not something that nobody's concerned about. We've been working on it and I haven't heard from you on the truck problem.

Mr. Lumley: Well, I'll tell you what. What I was told today when I call the police, they said, well, they don't see it they can't do anything. I said, well, what happens if I pull one of my vehicles out and I block him? You know what I was told? I'd be arrested. Impeding traffic. They shouldn't be on the road anyhow.

Mr. McCormick: It's not really your job to do that. That's for us.

Chief Hinton: Just keep reporting it. Get the description of the truck, the name that's on the side, the license plate number so we can follow up.

Mr. Lumley: Well, a lot of times there's no name on the side of the truck. They're all going down towards the old Jackson School. They're all going down that way so it shouldn't be hard to figure out where it's coming from. Then I said, get a hold of the mill. Well, they're still coming down the road.

Chief Hinton: We'll follow up.

Mr. Lumley: And I can get with you afterwards?

Chief Hinton: If there is anything else that you need to provide me, yes.

Mr. Lumley: Okay. Thank you.

President Marino: Thank you. Would anybody else like to address city council? Yes, Mr. Davis, you name and address for the record sir.

Paul Davis, 44 Hartzell Avenue, Niles, Ohio. My last water and light bill \$320.26, which if you do the math it's for 39 days which – that's not excusable 39 days. It would be \$246.00 for 30 days. That's double the normal bill at my house. Is there an excuse for 39 days being on someone's bill? I can picture some little old lady not able to go to the drug store and try to pay bills like that that are extended let alone what she really owes.

President Marino: Well, you're in a really long line of folks that have complained to – I'm quite certain I know some of my colleagues have received calls.

Mr. Davis: I believe we heard months and months and months ago that these were all being taking care of. This is my first problem by the way.

President Marino: I believe Ms. Ford has – she's the billing supervisor.

Ms. Ford: We had to estimate some of the bills. We had meter readers that were off work and we had to estimate the bill. The reason why this has 39 days is because when the meter reader came back – I understand it is not normal to have 39 days, but I wanted you to have your actual reading so that's why we went ahead and read them a little bit later than we normally do. To get

caught up to where it needed to be. And I do understand that the bill is larger than you normally pay, but you don't have to pay all of that at one time.

Mr. Davis: The other thing I have is I heard mention that these things were going to be on line now.

Ms. Ford: The bills are going to be on line?

Mr. Davis: No, everything. I don't know how effective this Emergitech thing is that we have, but the 14<sup>th</sup> of September is the last date police records, council meetings and all that have been on. It's been down, so that's 39 days also.

Mr. Papalas: When was it down?

Mr. Davis: September 14<sup>th</sup> about 8:30 quarter to 9:00 in the morning. I happen to have an event at my house several weeks ago where we had a knock at the door at 5 minutes to 9:00. It's a little bit strange 5 minutes to 9:00. I went to the door in spite of my wife saying don't go. A young fellow asked -- I'll say Lucille -- There's no Lucille in the neighbor. So to get a resolution I would normally go on line and find out if the police found him up the street. Did they not find him up the street? I had to go downtown to get the information on Wednesday. I wouldn't say I was treated cordially at the window, but anyway, come back Friday, it will be here Friday. Doesn't sound like we're being very expedient. Does anyone disagree with that? Tuesday night until Friday to get a police report. Thank you for your time.

President Marino: To answer your question, no that's not acceptable. None of it is acceptable. I don't know what is going on. I know Emergitech is separate from our website. It is a totally different system. Yes it is sir. I'm telling you the truth. One thing I don't do is lie. Don't shake your head no.

Mr. Davis: Mr. President, I was told by Councilman Merlo that we were paying --I won't mention the amount of money for that service. If that's as effective as it is, we can save \$65,000.00 a year.

President Marino: Emergitech does manage the police department and the police reports. That's correct.

Chief Hinton: We are doing something about Emergitech. (inaudible) I have had conferences with them on a weekly basis. On the record part of it, our records girl does not release records if they're not done or if it hasn't been approved by a supervisor. What time of day was your call?

Mr. Davis: 5 minutes to 9:00.

Chief Hinton: If it's a late call on afternoon turn, sometimes they don't get the reports done until the next time they come back to work. We are not paying overtime.

Mr. Davis: So Tuesday to Friday is acceptable?

Chief Hinton: Possibly he had the next day off and maybe that's why she told you not until Friday.

Mr. Davis: Okay.

President Marino: Would anybody else like to address city council? Mr. Hall, your name and address for the record.

Jim Hall, 548 Stanton Avenue. You said the meter reader was off sick and that's why you had to estimate the bill. Well, most places they have a backup. Is there a way to prevent this by having somebody else trained to do this so it doesn't happen again?

Ms. Ford: We have a floater right now (inaudible)

Mr. Mientkiewicz: What do we have now, Mayor?

Mayor Infante: Four meter readers and one floater. One is retiring and one was in the hospital for a whole week so we were down two. She did pull somebody else to come in and fill in for a few days.

President Marino: Would anyone else like to address city council? Your name and address for the record.

Jim Kane, 125 Mistletoe, Niles. For the record, July was \$126.00 total water and electric; August was \$255.00, September was \$129.00 and this month or the previous month was \$129.00 total. This month is \$534.00. The electric alone is \$452.00 and it says I used 4,444 kilowatts for that month, so I just think that there needs to be a more stable way of handling this because people get billed like this and on the same bill being told, you know, that you have to keep up your bills or you're going to lose your power with a restart fee and all that. I think this is kind of irresponsible way to handle something this important to go from billing period to the next so radically different.

President Marino: Your bill was \$534.00?

Mr. Kane: An estimate to hard core billing. It's at 86,000 on the billing period on my electric and I went out tonight to look at and before I came in it's already 88,000, so there's another over \$200.00 if I had to pay it off I owe over \$700.00 just for the electric. I thought I would add this to the fix here.

President Marino: Stephanie, isn't there supposed to be something in the system so that you don't go from \$129.00 whatever to \$500.00?

Ms. Ford: I didn't have a full year of reads in the system yet to get an accurate estimate so I had the last four months to get that estimate. I didn't have a whole year's worth of reads.

President Marino: He's had four months of estimates?

Ms. Ford: No. He has not had four months of estimates. I didn't have 12 months of reads.

Mr. Papalas: So to prevent something like this, and all of you are complaining about your bills, it doesn't fall on deaf ears when you talk about this. When we get phone calls from you people, Dr. Marino and I discuss it all the time and there are other councilmen when I come across them, we talk about this. We are concerned about this. We have explained to everybody that this would be taken care of in May. Well, here you are. It's embarrassing to us too. I think the solution to this is Stephanie has been working very hard with this and she had to make some decisions that I agree also. I think the solution, Mayor, we need to have a better back up system in case this happens to her again. Somebody needs to come in and fill in, not just one person. Maybe we need two or three people who know they are going to be on standby. They are not going to be doing a particular job someday if they are going to be slid into the role of meter reader. I know we have contracts to concern ourselves with also, but we need to look at that because this could happen again. I don't want to see my constituents and my neighbors and my friends here or by telephone complaining about something that's a bonafide complaint.

Mayor Infante: I agree with you. We should sit and talk about this.

Ms. Ford: Mayor, I agree. Even if I had a couple people from the light department that could fill in that know how to read the meters we could use them for backup. If they could fill in, it would help tremendously.

Mr. Papalas: We will talk about this and see what we can do to get a backup system. I know it doesn't help you right now, but Stephanie said she doesn't expect you to pay the whole bill right now and if you want to work payments out, she'll work with you. I know she will.

President Marino: Does anyone else wish to address city council this evening?

Mr. Davis: I wanted to mention that I think it's important in Niles to mention the Fairhaven levy. I believe we don't meet again until after the election. It's a very important election too for Fairhaven and also the city income tax. Is that true, Mayor?

Mayor Infante: Yes.

President Marino: Anyone else? In the opinion of the chair, there being none, committee reports?

### COUNCIL COMMITTEE REPORTS

Mr. Papalas: I do have a committee report. We are going to have budget discussions. We are going to start working on the budget for next year next Tuesday at 4:00 in the conference room on the second floor.

President Marino: Any others? There being none, would the clerk please present tonight's legislation.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. \_\_\_\_ (Amended Draft No. 70-15)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WASTEWATER TREATMENT PLANT DESIGN AND IMPROVEMENT FUND TO THE WASTEWATER TREATMENT PLANT'S DESIGN AND IMPROVEMENT FUND'S CONSULTANT FEES ACCOUNT AND, DECLARING AN EMERGENCY**

It was moved by McCormick, seconded by Papalas to suspend the rule requiring three readings.

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by McCormick, seconded by Stredney to adopt this Draft.

Mr. Papalas: The reason we didn't go for a third reading and instead go for suspension is so we don't have to wait 30 days.

**YEAS: 7      NAYS: 0**

Mr. McCormick: This is the final payment on the design.

This Amended Draft No. 70-15 has been adopted on the 21<sup>st</sup> day of October 2015.

**RESOLUTION NO. \_\_\_\_ (Draft No. 74-15)**

**A RESOLUTION AUTHORIZING THE SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR TWO YEARS OF SLUDGE DISPOSAL AND FOR ONE YEAR OF CHEMICALS FOR THE WASTEWATER TREATMENT PLANT; AND DECLARING AN EMERGENCY**

It was moved by McCormick, seconded by Papalas to suspend the rule requiring three readings.

**YEAS: 7      NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Lastic to adopt this Draft.



Mr. McCormick: We need clarification here.

Mr. Catanzarite: This is for sludge hauling and not sludge disposal.

President Marino: What does the ordinance say?

Mr. McCormick: I think we need to change it before we can vote on it.

Mr. Dull: It says in the title sludge disposal and in the actual body of the Section 1, it says sludge hauling. It should be the same in the top and body. It should say sludge hauling.

Mr. McCormick: If we change the word from disposal to hauling, will that make it accurate?

Mr. Dull: Yes.

It was moved by Papalas, seconded by McCormick to amend this Draft from disposal to hauling. Motion carried.

**YEAS: 7    NAYS: 0**

This Draft No. 74-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 75-15)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED WATER FUND TO THE WATER DEPARTMENT'S MATERIALS ACCOUNT; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Stredney to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Mr. Mientkiewicz: Is this again because of a time line issue?

Mr. Merlo: Yes. This is for the project on North Road.

Mr. Mientkiewicz: Okay. It's because we need it, right?

Mr. Merlo: Right.

Mr. Papalas: We already had a first reading on this at last council meeting.

Rules are suspended.

It was moved by Papalas, seconded by Pezzano to adopt this Draft.

**YEAS: 7    NAYS: 0**

This Draft No. 75-15 has been adopted on the 21st day of October 2015.

President Marino: We will have one very happy business owner on North Road. Frank, don't you agree?

Mr. Pezzano: Absolutely.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 76-15)**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE HEALTH DEPARTMENT'S WAGES ACCOUNT AND THE APPROPRIATION OF VARIOUS OTHER FUNDS TO STATE EXAMINER FEES ACCOUNTS; AND DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

**YEAS: 7    NAYS: 0**

This Draft No. 76-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 77-15)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED STREET FUND TO STREET DEPARTMENT'S STREET RESURFACING ACCOUNT; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Giancola, seconded by Lastic to adopt this Draft.

**YEAS: 7    NAYS: 0**

This Draft No. 77-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 78-15)**

**A RESOLUTION APPROPRIATING FUNDS FROM THE UNAPPROPRIATED  
IMPOUND/TOWING FEE FUND TO THE IMPOUND/TOWING FEE EQUIPMENT  
PURCHASE ACCOUNT; AND, DECLARING AN EMERGENCY**

Mr. Papalas: I'd like to move for suspension on this because the money is already coming in Chief?

Chief Hinton: Correct.

Mr. Papalas: I understand from remarks from the law director's office we need to get this appropriated.

Chief Hinton: That is correct.

It was moved by Papalas, seconded by Giancola to suspend the rule requiring three readings.

**YEAS: 7    NAYS: 0**

Rules are suspended.

It was moved by Pezzano, seconded by Giancola to adopt this Draft.

**YEAS: 7    NAYS: 0**

This Draft No. 78-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 79-15)**

**A RESOLUTION AUTHORIZING TRANSFERS FROM AND TO VARIOUS  
ACCOUNTS; AND DECLARING AN EMERGENCY**

Mr. Papalas: Mr. President, the auditor would like a moment to explain the amendment.

Mr. Merlo: Basically the amendment to the draft is – this is the funds that we are moving from specific line items in the general fund so we can move them to where we need them in the general fund to balance our budget. For instance, fire wages, that's a huge concern of everyone. We're moving from here a total \$295,000.00 and \$172,000.00 of that is going to go to fire wages

so we can continue to meet payroll. So this has to do with moving funds to where we need to allocate them to balance our budget for 2015. We had to make a minor adjustment to wages and health because we used a portion of wages and health for state examiner fees already at the last meeting.

It was moved by Papalas, seconded by Stredney to suspend the rule requiring three readings.

**YEAS: 7     NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

**YEAS: 7     NAYS: 0**

This Draft No. 79-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ (Draft No. 80-15)**

**A RESOLUTION AMENDING RESOLUTION NO. 15-15 CONCERNING THE  
TRANSFER OF FUNDS TO THE FIRE LOSS CLAIMS FUND; AND, DECLARING AN  
EMERGENCY**

It was moved by McCormick, seconded by Papalas to suspend the rule requiring three readings.

Mr. McCormick: Some of these people have been waiting a long time for this money. It's about time we got it back to them, so that's my reason for suspending the rules.

**YEAS: 7     NAYS: 0**

Rules are suspended.

It was moved by Giancola, seconded by Lastic to adopt this Draft.

**YEAS: 7     NAYS: 0**

This Draft No. 80-15 has been adopted on the 21st day of October 2015.

President Marino: Gentlemen, Councilman Stredney has asked to be excused. He has a commitment that he has to attend.

**RESOLUTION NO. \_\_\_\_ (Draft No. 81-15)**

**A RESOLUTION RETROACTIVELY AMENDING RESOLUTION NO. 74-14  
CONCERNING THE PENSION PICK-UP FOR THE PATROLMEN IN THE POLICE  
DEPARTMENT OF THE CITY OF NILES, OHIO, FOR THE PERIOD DECEMBER 1,  
2014 THROUGH JULY 15, 2015; AND, DECLARING AN EMERGENCY**

Mr. Papalas: Auditor Merlo, would you please explain this for the Minutes so we have it on record.

Mr. Merlo: Terry and I worked on this last week. Maybe Terry can give a better explanation that I can on the pension.

Mr. Dull: In reviewing the reports that were submitted for the patrolmen under the police department, the Pension Bureau noticed that we were reporting one thing and our resolution said something else. What happened background wise, there was a Memorandum of Understanding with the patrolmen where going back to December of last year there was going to be a pickup by the city of 1.5% of the 11 ½ % contributions that's considered the employee's contribution. What happened in actuality was that extra 1 ½% really didn't get changed until March of this year so the Pension Board said we have to amend your resolution retroactively to match up with what actually happened. So this is the language that after three or four drafts they were satisfied with.

Mr. McCormick: Terry, is this just a language thing or is there additional monies that need to come out?

Mr. Dull: No. Actually there is no additional money that has to come out of this. By doing this we save having additional funds coming due.

It was moved by Papalas, seconded by Giancola to suspend the rule requiring three readings.

**YEAS: 6      NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by McCormick to adopt this Draft.

**YEAS: 6      NAYS: 0**

This Draft No. 81-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 82-15)**

**A RESOLUTION AUTHORIZING THE TRANSFER AND APPROPRIATION OF FUNDS FROM THE MISCELLANEOUS GENERAL ACCOUNT TO VARIOUS ACCOUNTS IN THE POLICE & FIRE ½% TAX FUND; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

Mr. Merlo: These are the funds that we just moved at the beginning of the meeting and where we are putting it now.

**YEAS: 6      NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

Mr. Papalas: Good job, John. You put a lot of work into this. Thanks, Mayor.

**YEAS: 6      NAYS: 0**

This Draft No. 82-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_\_ (Draft No. 83-15)**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE MISCELLANEOUS GENERAL ACCOUNT TO THE MISCELANOUS GENERAL BANK SERVICE ACCOUNT; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

**YEAS: 6      NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

Mr. Papalas: Mr. President, I'd like to ask the auditor for the record to explain this to us, the general bank service account.

Mr. Merlo: What we're doing is taking – it's going to go with this one and your next resolution. We're basically creating a line item where we can hit our bank service charges and we can get an

actual better number of our financial standing because those are monies that we have spent that we have to show so we'll get a better understanding of how much we spent.

**YEAS: 6      NAYS: 0**

This Draft No. 83-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 84-15)**

**A RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FROM THE UNAPPROPRIATED LIGHT FUND TO THE LIGHT DEPARTMENT'S BANK SERVICE CHARGE ACCOUNT; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

**YEAS: 6      NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

Mr. McCormick: Is that what the actual service charge is; \$32,000.00?

Mr. Merlo: Yes. That is projected for up to the end of the year.

**YEAS: 6      NAYS: 0**

This Draft No. 84-15 has been adopted on the 21st day of October 2015.

**RESOLUTION NO. \_\_\_\_ ( Draft No. 85-15)**

**A RESOLUTION AUTHORIZING THE THIRD QUARTER CASH TRANSFERS; AND, DECLARING AN EMERGENCY**

It was moved by Papalas, seconded by Lastic to suspend the rule requiring three readings.

Mr. Papalas: What is BRT for .12?

Mr. Merlo: That fund is negative so that makes it whole for the year.

Mr. Papalas: .12?

Mr. Merlo: .12. Now it's not negative any more. So makes those funds whole at the end of third quarter.

Mr. McCormick: What does BRT stand for, do you know?

Mr. Merlo: Brownfield.

Mr. Papalas: It's kind of odd to see a million two hundred thousand dollars being transferred and then down below .12.

**YEAS: 6     NAYS: 0**

Rules are suspended.

It was moved by Papalas, seconded by Giancola to adopt this Draft.

**YEAS: 6     NAYS: 0**

This Draft No. 85-15 has been adopted on the 21st day of October 2015.

#### MISCELLANEOUS REMARKS

Mayor Infante: I just wish Mark Hess was here tonight. Next week will be his last week. As most of you know, as with the letter that was read, he will retire and go to work at the county, and I couldn't say enough about the job that Mark Hess has done for the City of Niles. I mean there wasn't a task big enough for Mark Hess. He always tackled it and anything we needed done, he got done. So I think Mark Hess is going to be greatly missed. I wish he was here tonight, but I think he is on vacation this week and he'll be back next week.

Chief Danielson: I encourage voters to vote for the income tax levy (inaudible)

President Marino: To echo the Chief's remarks, I too would like to thank the fire fighters and the police officers for their leadership in promoting the income tax with mailings, the door-to-door efforts I know they are organizing. It is greatly appreciated on my part and I share the block watch meetings regarding the community we want and what we expect in this town, it's going to require us to pay some more in taxes. That doesn't come easy to anyone. It's not a fun spill to swallow, but I guess we're at a cross roads in this community and have to ask ourselves, what kind of town do we want to live in. There are problems all over the town and when we make a phone call, I want the police there and I want the fire fighters there. If something happened to my mother, I want my families secure and this income tax does support the police and fire and other city operations, so yes, mistakes have been made, yes, things could have been done a whole lot better, yes, we are all responsible. It's all true, but when you look in total what's expected and what we want in terms of city services, I'm voting yes and I'm going to pay more gladly for our community. I hope that you all would consider voting yes. I plan on remaining in this great town that I call home until I end up in Union Cemetery. This is what I think and I felt compelled to share that with all of you. Thanks to Bill and Steven and the fire fighters here and the police officers who are here. Thank you.



Mr. Merlo: Yes. I want to give city council an update. Our payroll system, we have completed all the tasks necessary for the software company so we will be looking to go parallel the first of November. We'll have roughly about 11 pays running parallel and we'll go live in January. My deputy who is over there, I'd like to introduce her. This is Nicole Bacak. She's our Deputy Auditor. Hopefully, you will utilize her more than me. Just wanted to give everyone an update on that and we are moving forward.

Mr. Catanzarite: Just briefly. This kind of goes back to what Councilman Pezzano and I have been working on with the sewer crew. We brought in some special equipment on Monday and we were hoping to open up a couple lines. Summerberry. These are all storm sewers and over on McEvoy Court. (inaudible) came in to help us at no charge with their equipment and I want to say thank you to the City of Warren, they sent a crew and their vac truck for the entire day as a neighboring event. There was no charge from them. Unfortunately, we didn't get the results we wanted. I'll miss Mark Hess. I guarantee that. We have a blocked line up on Summerberry and the issue on McElvoy, we put a camera in there and found out there's a lot of crap built up in there. We're going to have to get in there with an air hammer or something. Get down into the man hole and break some of that up and try to get it loose. Just wanted to bring you up to date on those couple issues. I want you to know we are not forgetting about this and we are trying to do what we can. I agree with everything the Mayor said about Mark leaving especially with this project at the Wastewater Treatment Plant. He was very involved in that. Mark did a great job with negotiating with our engineers. He saved us about half a million dollars in construction costs. So kudos to Mark.

Mr. Lastic: I want to repeat your comments on the income tax. It is very very important and also Fairhaven. It affects a lot of people and it is very important that we support those.

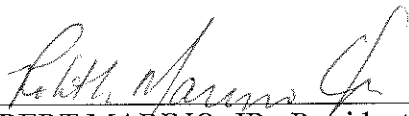
Mr. Papalas: I want to echo Mike's remarks as well as the senior levy that is on the ballet. Also, Chief, I want to give you this note on an issue after the meeting.

Mr. Pezzano: I want to thank Andy for keeping up on projects for the sewers and storm sewers. Also, the ordinance 75-15, I want to thank the Mayor, Neil Buccino, Mr. Papalas and the Finance Committee, Mr. Merlo. Mr. Marino and I were in many conversations with this owner and thanks to council for making it happening.

### ADJOURN

It was moved by Giancola, seconded by McCormick to adjourn the meeting.

  
LORI KUSZMAUL, Clerk of Council

  
ROBERT MARINO, JR., President of Council