

WESTFIELD TOWNSHIP BOARD OF TRUSTEES
NOVEMBER 19, 2009
Regular Meeting
7:00 P.M.

Chairperson Jim Likley called to order the regular meeting of the Westfield Township Board of Trustees at 7:00p.m. Trustee Sims, Kratzer and Likley were present as well as Admin. Assistant Kim Ferencz. Other individuals in attendance were: Fiscal Officer Evans, Road Superintendent Lee Evans, Gary Harris, Linda Pavlick, Ron Oiler, The Kerr's, The Drakes, Frank & Rosemary Galish, Carol Rumburg, and Kathleen LeMar.

Public Comment

Auditor's Report-Ms. Pavlick from the Auditor's Office reported the Medina Candle Light Walk was scheduled to be held on November 20, 21 and 22nd on the Square. Auditor Kovack was inducted into the Senior Advocate Hall of Fame. The Auditor's Office will be picking the winner of the Top Dog Contest. Dog licenses will be available for purchase from December 1, 2009 through January 31, 2010. All dogs must be licensed, as it is a State law and maybe the only way of finding a lost or stolen pet.

Fiscal Officers Report

Fiscal Officer Evans stated the Trustees had before them this evening the Frank Gates deductible study. The Township can choose a deductible limit from \$500-\$1,000 per claim. The estimated 2010 premium for a \$500 deductible would be \$3,874 and for a \$1,000 claim \$3,768. Trustee Sims stated it was her suggestion the Township go with the \$500 deductible based on the limited claims the Township has had. Trustee Kratzer agreed.

Trustee Sims made a motion to support the Frank Gates \$500.00 Deductible as received November 9, 2009. It was seconded by Chair Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-yes. Motion carried.

Resolution 2009-16 of support of National Gateway Initiative Transportation Capacity Improvements (Replacement of Mudlake Rd. Bridge over CSX Railroad

Fiscal Officer Evans stated the issue of bridge ownership was still a matter of discussion with the County Commissioners. Trustee Sims stated the Township does not own a bridge ever. If anything the bridge would be under the ownership of the railroad. She added she supported the County Commissioners stance that with long term maintenance cost there was no reason for the County to own the bridge. The bridge is there to

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accommodate the function of the railroad. That was why the ownership language was asked to be stricken from the draft resolution by the Board.

Trustee Kratzer made a motion to approve Resolution 2009-16 of support of National Gateway Initiative Transportation Capacity Improvements (Replacement of Mudlake Rd.) as presented. It was seconded by Trustee Sims.

ROLL CALL-Kratzer-yes, Sims-yes, Likley-yes. Motion carried.

Resolution 2009-17 Reciprocal work agreement with Seville

Fiscal Officer Evans stated the Trustees have had a draft of this Resolution to review. Trustee Sims asked Fiscal Officer Evans if she had conversed with Seville about the language they have drafted? Fiscal Officer Evans stated she said at the last meeting that a draft ordinance has already gone through one reading of Council and it would go through three readings before they pass it. She did not know what Seville's law director has drafted for them to consider.

Chair Likley stated he asked Fiscal Officer Evans after the last Trustee meeting to draft language that mirrored the language of the reciprocal work agreement the Township has with Lafayette Township. Seville and Westfield Twp. would have to approve this agreement. As Fiscal Officer Evans stated Seville is going through their process of readings before Council. This agreement would be a sign to the State legislature that neighboring communities are working together to support each other in manpower and equipment.

Trustee Sims made a motion to approve Resolution 2009-17 for a Reciprocal Work agreement with Seville. It was seconded by Trustee Kratzer.

ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

Trustee Sims asked that a copy of this language and Resolution be sent to Seville for their review. Original signatures will need to be in triplicate.

Correspondence

- Letter from Wheeling and Lake Erie RR that they will be increasing the speed of the railroad from 25 mph to 40 mph. This was also addressed in the Gazette.

Bills

Fiscal Officer Evans stated the bills to be paid are in the amount of \$34,445.43. Trustee Sims asked for the itemized bill for the Fire Contract in the amount of \$28,496.02. Fiscal

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Officer Evans presented her with two itemized bills i.e. September and October. She added \$22,000 of that \$28,496.02 bill was for payroll and payroll related expenses. Trustee Sims stated she would have appreciated that this information would have been with the list of bills earlier than just receiving this information at the meeting so the Trustees could have reviewed it. Fiscal Officer Evans stated she just received the bill yesterday. Trustee Sims asked if the Fire Contract bill represented the 75-25 split between the Township and the Village? Fiscal Officer Evans stated yes for daytime staffing and fire run activity per the current fire contract. Chair Likley stated it has been discussed at Fire Committee to get closer to a 50/50 split with the Village for the daytime staffing costs. So far he has not heard back from the Village. Chair Likley stated Interim Fire Chief's salary is at a 50-50%. Trustee Sims stated the current fire contract between the Township and the Village does not reflect the current agreement we have. The current contract reflects paying a clothing allowance, which has now become an hourly payment. It also states the Township would pay a larger portion of any fire chief's salary though she would not argue about the 50/50 split because it is in the Township's favor. The contract language needs to be brought up to compliance with what the Township is currently doing. Chair Likley stated that is the goal and it has been discussed at the last two Fire Committee meetings. Mayor Horwedel stated he would take this back to Council regarding the split of daytime staffing but has not heard back from him. Chair Likley stated that he believed daytime staffing cost should be at a 50-50 split.

Trustee Sims stated she understood the Village was not interested in renegotiating the contract if it was no longer relevant or accurate. This will need to be addressed at the first Trustee meeting at the beginning of the year.

Chair Likley stated in reviewing the fire bills he was looking to see if a bill had been received from the County regarding the water line break. Fiscal Officer Evans stated it was not part of these bills. Chair Likley stated he was aware the County did send a bill to the Fire Dept. As previously stated Chair Likley did contact Mr. Troike about communications to the Fire Dept., Village and Township but has not received any information.

Trustee Kratzer asked what the furnace bill was for? Mr. Evans stated it was for the blower on the exhaust. It went out and that is what heats the office. He added he ordered two blowers so if they do go out during the winter months then the Township would not have to worry about ordering a blower and getting sent and then installed.

Chair Likley asked about the bill for the small dump truck? Mr. Evans stated it was for maintenance purposes to get the truck running right again.

Trustee Sims made a motion to pay the bills as presented. It was seconded by Trustee Kratzer.

Discussion

Trustee Sims stated she would have liked to have reviewed such a substantial bill i.e. fire contract bill prior to the meeting. Fiscal Officer Evans asked if Trustee Sims wanted a copy of every invoice in her box prior to the meetings? Trustee Sims stated no, but added the \$28,000 bill was not in the stack of bills presented this evening for the Trustees to review.

ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

Website Status and Bill

Admin. Ass't Ferencz stated she spoke with the webmaster Mr. Krolikowski. He was not happy that the Township did not pay his bill at the last Trustees meeting. Mr. Krolikowski presented two invoices with the itemized work that had been done and his charges. (See attached to approved Trustee meeting minutes). In sum, the average monthly cost to host the website and update the site is approximately \$115.00 per month for 2009. This also included the 9 yr. domain registration which was \$206.00. This charge would not be charged again for 9 years. This averages to \$1.90/month and is included in the \$115.00 monthly estimate. Mr. Krolikowski also wrote that in order to redo the underlying code to allow the Township to update the "meetings" page was an additional cost and the Trustees at the time decided that cost was prohibitive. The quote for next year would reflect the hosting fees and approximate monthly charges for updates which total approximately \$115.00 per month.

Chair Likley stated regarding fire committee meeting minutes on the web, they were all there but one had to scroll down as they were not individually posted like the other meeting minutes.

Admin. Ass't Ferencz stated she sent an e-mail to Nanci Shanley from Lafayette Township and spoke with Colene Conley from York Township about their websites. Colene Conley said York Township's website was created and maintained by the University of Miami through a grant. As a result, the hosting and posting of information on their website was free of charge through this grant. The Township was not in control of updating the website it was done through the University. The potential downside is that it is unknown at this time if the University of Miami would be able to continue this relationship, as grant money may no longer be available to do so. Regarding Lafayette, Admin. Ferencz stated Ms. Shanley was recently elected as a Trustee for Lafayette Twp.

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and did not know if she would be able to continue her status of maintaining the website but would still contact her accordingly to discuss.

Trustee Kratzer stated Westfield Township previously looked at contacting the University of Miami but they were not interested in taking over an existing website as part of their program offered, it was the actual creating of the website; as well as the fact they were not taking on any additional customers. Trustee Kratzer suggested following up and contacting Ms. Shanley for further information about the website.

Trustee Sims stated she would like confirmation that the Westfield Township Trustees own the domain name as specified. Also she asked about the \$1.90 fee being charged per month which Mr. Krolkowski states is being included in the \$115.00 month estimated bill as she believed that the fee for the domain registration was paid upfront for 9 yrs. in the amount of \$206.00. Admin. Ass't Ferencz stated she would contact Mr. Krolkowski on Monday.

Chair Likley stated he went back two years to review the information the Trustees discussed about purchasing the software to manage the website in house. That software now is no longer available. He added he did not know how new software would relate to what the Township is using currently. Chair Likley stated he would contact his son in law to see what software may be available to be able to maintain the website in-house. That is the goal.

Trustee Sims asked if Admin. Ass't Ferencz was still able to update the calendar with the meeting dates? Admin. Ass't stated she thought she was but apparently the webmaster just set up a link for her to be able to do that but it was only a test. To continue to do so would cost the Township additional money. Trustee Sims stated the Trustees should require a contract when hiring any type of service for the Township. The website is an asset and should be maintained but she felt it could be done less expensively than with the current webmaster.

Trustee Kratzer made a motion to pay the website bill (Custom Composition) in the amount of \$398.70. It was seconded by Chair Likley.

ROLL CALL-Kratzer-yes, Likley-yes, Sims-no. Motion carried.

Fiscal Officer Evans stated she would record the signage text amendments that were approved by the Trustees at their November 5, 2009 public hearing/regular meeting. This language would become effective December 5, 2009. The updates to the zoning resolution would be distributed accordingly. The Trustees needed to sign the amendment update sheet accordingly.

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Fiscal Officer Evans presented the Trustees with her written recommendations to move money from Star Ohio and invest it in Westfield Bank Money Market Account as follows:

Money Market Rate 1.19% Move \$400,000 from General Fund

Move \$22,700 from Gas Tax

Move \$100,000 from Road and Bridge

Move \$12,459.41 County Local Support.

The total to be moved is \$535,159.41. A money market is liquid. The balance will stay in the checking account.

Chair Likley stated currently the Township's investment is with Star Ohio, which is only paying .14%. Fiscal Officer Evans stated she would also be investing in some CD's and this move was being fiscally responsible with the Township's accounts.

Trustee Sims made a motion to approve the money market investment in the amount of \$535,159.41 as presented by Fiscal Officer Evans. It was seconded by Trustee Kratzer.

ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

Approval of Minutes

November 5, 2009 meeting minutes

Trustee Kratzer made a motion to approve the November 5, 2009 meeting minutes as written. It was seconded by Chair Likley.

ROLL CALL-Kratzer-yes, Likley-yes, Sims-yes. Motion carried.

Fire Dept. Report

Interim Chief Carson was not present this evening. However he did send an e-mail and as of the week of November 17, 2009 there were 16 calls and 13 of them were covered by daytime staffing.

Chair Likley stated that IC Carson has spoken with Fire Committee meeting about establishing a budget for next year. He would be working with Fiscal Officer Evans from the Township and Fiscal Officer Ewers from the Village. It is important for these three individuals to work together to identify the operating costs and all the extraneous

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expenses that go along with the running and financing of the fire dept. Fiscal Officer Evans stated she gave a spreadsheet to Fire Committee resident member Heather Sturdevant. She would be taking it to IC Carson and both of them would go over those figures and would contact Fiscal Officer Evans accordingly with any questions.

Trustee Sims stated that though there has been an increase in the cost for daytime staffing it has reduced response time and there is also the added income that has been received by soft billing. Trustee Sims asked what has the Township received by soft billing Township residents? Fiscal Officer Evans stated that she had not received that information but this just took place in July. IC Carson said he had a report that showed who had been soft billed in the Township and which ones were billed the 75-25 split. Fiscal Officer Evans stated neither she nor Fiscal Officer Ewers had that information but this would need to be received by IC Carson and would take some time to be able to get the billing/payments straight. Fiscal Officer Evans added that IC Carson was also trying to get the bills that should be sent to the Township to the Township and not the P.O. Box or the Village. She added we have to be patient until Life-force can get this all in place. Chair Likley stated communication would be imperative between IC Carson and the Fiscal Officers to get this process in place.

Trustee Sims asked if she was to understand that the Village is receiving all of the Life-force payments regardless if it is for a Township resident or non-resident? Fiscal Officer Evans stated right now the Village receives all the payments but this is what is being worked out. Life-force has to get this figured out in their system and then it could be worked out for the Township and the Village as to where the payment would go. Once the numbers are established then if we need to make right with payments to one entity or another we can do so.

Trustee Sims asked what soft billing has generated to date? Chair Likley responded \$35,000. She stated that was almost a third of the unincorporated area fire dept. budget at the moment that is unaccounted for. Fiscal Officer Evans stated non-residents made up the majority of that figure. To date we have received \$27,000 of the Township's portion of the soft billing. Chair Likley stated what would need to be followed up on is making sure the Township receives 100%, not the 75-25 split for the soft billing of Township residents.

Zoning Report

Chair Likley stated a joint zoning board training session was held with the Pros. Office on November 16, 2009. Ms. LeMar alternate member on the BZA addressed the Trustees. She stated the two main issues Mr. Thorne from the Pros. Office addressed was the standard the BZA is to consider when a request is made from one government entity to another which is the public good. She added that this was discussed because of the issue

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of the School District coming before the BZA to request variances. The Board was unaware and therefore did not consider the “public good” standard. As a result, a BZA member has stated he would like to change his vote. Mr. Thorne stated that until the minutes are signed or official written notice of board action was given to the applicant, a board member had the right to change his vote. Therefore this Board member may be pursuing a change a vote regarding the School District sign variance request. Ms. LeMar commented that this was a mute point because from the information she was given the School was considering changing the size of the sign and therefore a new application would be required.

The other issue Mr. Thorne addressed is when a board member should recuse himself. Mr. Thorne stated if a person sits on one board and is a member of a second board and there is an issue that is brought up for hearing, then that individual should recuse themselves. Recusal meant not only not voting but removing oneself from the discussion as well as the process and stepping down from the board.

Chair Likley stated that the Pros. Office and Planning Services holds various training workshops for the zoning boards and any training that a board member goes to they would be compensated accordingly and it is a requirement for first year zoning board members. Ms. LeMar stated that the BZA is a quasi-judicial board and that it was important to remember that the only means to potentially have a decision of the BZA overturned was by going to the Court of Common Pleas. This could be a costly and time-consuming process for the Township so it was important that the board members know the procedures that need to be followed.

Zoning Inspector Job Description/Ad/Application

Trustee Sims stated she contacted Montville Township and got a copy of their job description for the Zoning Inspector’s position. Chair Likley stated he also asked Mr. Harris to draft a job description for this position as well. Trustee Sims stated Westfield Township used Montville Twp. job description for the zoning secretary and administrative assistant positions with modifications. Trustee Sims stated she has also made modifications to the zoning inspector’s job description. Trustee Sims added in the description it states that applicant should have a clean driving record and have a vehicle capable for performing the duties of the job. Chair Likley stated he would like the opportunity to review the document submitted by Trustee Sims before a decision is made. He added it was important for whoever would apply for the job, that they understand the importance of the duties of the position. Fiscal Officer Evans also submitted a job description for zoning inspector as well.

It was then discussed what application should be used for the zoning inspector position. Trustee Sims stated for an at will employee the standard application should be used.

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Chair Likley also suggested a background check be done for the zoning inspector position do to the interaction the inspector has with the public just as we are doing for the fire dept. In advertising the position it should be stated that a valid driver's license is required as well as a background check. Trustee Sims stated she would not include a background check in the ad, but only complete a background check when the Trustees are going to chose someone to be the zoning inspector as to do so for everyone who applies would be costly. When somebody drops off an application and resume they should be informed that if chosen a background check would be required for employment with the Township. Chair Likley stated to include the wording in the ad might then reduce the number of those who apply for the position. Trustee Sims stated she would put that wording in the ad.

Comp Plan

Ms. Rumburg stated the Comp Plan Steering Committee has not yet received the final draft plan from Mr. Majewski. The document would be mailed out to the Committee members before the next meeting that is to be held sometime in December. Chair Likley stated December is a busy month for people with the holidays so the scheduling of a meeting may be difficult to do in terms of attendance by the Committee members. Ms. Rumburg stated Mr. Majewski was hoping to have a finished product by this time but with some of the issues brought up at the public presentation meetings there were some items he still needed to address.

OLD BUSINESS

Road Supervisor Course Attendance

Chair Likley stated that Mr. Evans produced to him confirmation of his enrollment/attendance at the required courses he has to attend. What took place at this appointment was an assessment and further information would be forthcoming.

Trustee Sims asked Mr. Evans what the official title of the course was? Mr. Evans stated he did not know. Trustee Sims asked, you don't know the class you are enrolled in? Mr. Evans responded no comment. She then asked Chair Likley if he had the title of the course? Chair Likley stated he knew what was recommended to be pursued. It was up to Mr. Evans to contact this provider as recommended by the Pros. Office. Trustee Sims asked if there was a length of time to complete the course? Chair Likley stated there was nothing established in the letter he saw. Trustee Sims asked Mr. Evans if there was a length of time to complete the course? Mr. Evans stated he did not know. She asked if something would be issued as to the completion of the course? Chair Likley stated it was not addressed in the letter. He stated he could contact Mr. Thorne and maybe even the provider to get additional information.

NEW BUSINESS

Health Insurance Premiums

Chair Likley stated he provided numbers that he has worked up on figures on health insurance premiums. The purpose was to cap the insurance premium paid by the Township at 80% for Township employees and/or Trustees. That would equate to an annual savings of a little over \$4000. The co-pay at the employee level would be \$66.90 per month. Employee and spouse coverage would be \$133.81 per month. This proposal was in tune with most industries where the employee pays a co-pay for their insurance. Trustee Kratzer stated in order to put this into effect the Resolution to reimburse for out of pocket expenses for employees/Trustees would need to be rescinded. Chair Likley stated that would be a separate issue and the amount of reimbursement was not to exceed the premium paid for comparable insurance paid by the Township. The resolution addressing this issue was 2008-16. If a premium was paid for a coverage outside what was provided by the Township, that employee or Trustee could be reimbursed not to exceed the same amount of the premium as paid by the Township. Chair Likley stated his proposal would cap the premium paid by the Township at 80%. He added Local Government Funding has been reduced by 20% and tax revenue has also gone down due to foreclosures. Chair Likley continued that once again the Township was going to have to supplement the cost of the Fire Dept. through the General Fund. This proposal would save the Township approximately \$4000. In most cases the co-pay for the insurance would be pre-taxed. He added that Fiscal Officer Evans could confirm the best way to handle this situation. Trustee Sims stated in these economic times one does not want to cause any undue stress to our employees regarding their health coverage. She then asked if Trustee Kratzer's premium had gone down and the coverage improved regarding the health insurance he receives through the Township? Chair Likley interjected that the Township just changed over to the Ohio Plan for health coverage as we previously had SUMMA.

Fiscal Officer Evans stated for the same coverage it was ½ the cost of SUMMA. Trustee Kratzer stated that was why the Township would switch health insurance providers every 2 yrs. or so because of the increase in premiums. The current premiums for himself and Mr. Evans were guaranteed through 2011. Fiscal Officer Evans stated she believed the drug coverage with the Ohio Plan was a bit better than with SUMMA.

Chair Likley asked if this was pursued would the payroll deduction be pre-taxed? Fiscal Officer Evans stated it could go either way. It could be a payroll deduction or a deduction on one's income tax. It just depended if one took itemized deductions but that would be up to that individual. She added that the health insurance coverage would be for Mr. Evans and the other new Trustee elect as Trustee elect Oiler is opting out of health coverage under the Township. Chair Likley stated if that was the case, then Mr. Oiler

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would be entitled for reimbursement for out of pocket premium expenses per Resolution 2008-16. This would be discussed further at the next Trustees meeting.

Announcements

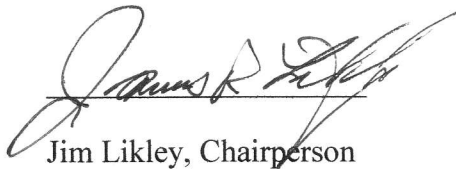
- December 3, 2009 Trustees Regular Meeting @ 7:00 p.m.
- December 8, 2009 Zoning Commission Regular Meeting @ 7:30 p.m.
- December 30, 2009 End of Year Trustees Meeting @ 7:00 p.m.

Having no further business before the Board, **Trustee Sims made a motion to adjourn. It was seconded by Trustee Kratzer.**

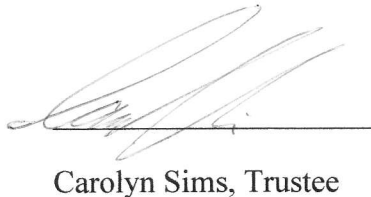
ROLL CALL-Sims-yes, Kratzer-yes, Likley-yes. Motion carried.

The meeting was officially adjourned at 9:14 p.m.

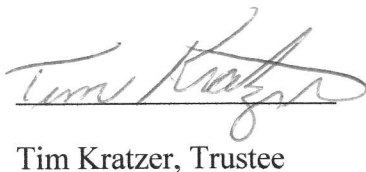
Respectfully Submitted, Kim Ferencz, Westfield Township Admin. Assistant



Jim Likley, Chairperson



Carolyn Sims, Trustee



Tim Kratzer, Trustee