

WESTFIELD TOWNSHIP TRUSTEES

Regular Meeting

May 3, 2010

7:00 pm

Chairman Oiler opened the meeting by asking for roll call.

Trustees present: James Likley, Ronald Oiler, and Gary Harris.

Attached is a sign in sheet for guests.

Trustee Oiler asked those in attendance to stand and Pledge Allegiance to the Flag.

Trustee Oiler recognized Rick Robbs from the Village of Westfield Council.

FISCAL OFFICER'S REPORT:

The bills in the amount of \$12,131.31 were presented for approval. Likley asked what was random testing. Fiscal officer answered it was drug testing for township employees that are drivers.

Trustee Likley made a motion to pay the bills, seconded by Trustee Harris. Roll call: Oiler, aye; Likley, aye; Harris, aye.

Fund status report: Checking \$401,356.88 Investment: \$536,657.00

CORRESPONDENCE:

- Letter from County Treasurer announcing the Fix-It Fund Home Improvement Loan program. Information is on the table at the rear of the room.
- Letter from County Sanitary Eng. Tipping fee for government entities that collect trash in an annual clean-up program. The rate increased from \$4.75 to \$29.75.
- Letter from NOACA announcing projects within Medina County wanted comments.

RESOLUTION 2010-13 A RESOLUTION TO APPROVE REQUISITION POLICY

Trustee Likley made a motion to adopt Resolution 2010-13, seconded by Trustee Oiler. Roll call: Oiler, aye; Likley, aye; Harris, aye.

RESOLUTION 2010-14 A RESOLUTION DIRECTING LIFE FORCE MANAGEMENT, INC. WHO IS COLLECTING BILLINGS ON BEHALF OF THE WESTFIELD FIRE AND RESCUE DEPARTMENT TO ONLY SOFT BILL TOWNSHIP RESIDENTS.

Trustee Oiler made a motion to adopt Resolution 2010-14, seconded by Trustee Harris. Roll call: Harris, aye; Likley, aye; Oiler, aye.

RESOLUTION 2010-15 A RESOLUTION REQUESTING THE MEDINA COUNTY AUDITOR'S OFFICE TO ESTIMATE FIRE LEVY REVENUE

Fiscal Officer prepared this resolution because at this time it is necessary to move forward with analyzing the need for fire department funding.

Discussion: Likley felt it was appropriate. Harris agreed.

Trustee Oiler made a motion to adopt Resolution 2010-15, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.

LOAN FOR NEW TRUCK - Westfield Bank is willing to loan the money if we secure the loan with a CD in the amount of the loan at 2.55%. The CD will earn .55%; therefore end result of interest paid will be 2%. The amount the CD earns fluctuates. The necessary steps to take per Bill Thorne: 1. Resolution stating amount; amount does not exceed 1/10 of township's total revenue; County Auditor certifies that the debt charge is in the township's annual tax budget; unanimous approval of trustees; trustees and fiscal officer must sign the note. (ORC rules attached to minutes)

MINUTES

March 29, 2010

Oiler's correction- page 1, #1 change make to **made** - page 3, 1st line strike **thing**; change come to **coming** and hasn't to **haven't**.

Trustee Harris made a motion to approve the March 29, 2010 minutes as corrected, seconded by Trustee Oiler. Roll call: Likley, aye; Oiler, aye; Harris, aye.

April 5, 2010

Likley's amendment- page 2 – Add **According to Bill Thorne the BZA does not have the final say. Likley's question was that what was said. Harris replied: I don't think that was what I meant to say.**

Page 4 – **Add Trustee Harris seconded the motion.**

Trustee Likley made a motion to approve April 5, 2010 minutes as amended, seconded by Trustee Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye.

April 14, 2010

Trustee Oiler made a motion to approve April 14, 2010 minutes as presented, seconded by Trustee Harris. Roll call: Oiler, aye; Harris, aye; Likley, aye.

April 19, 2010

Likley's correction – page 4 add **come** between words can – before in line 12. May 2nd should be **May 3rd**

Likley's deletion – page 4 remove last 2 lines and the sentence at the top of page 5 **Trustee Likley asked if all the zoning members had an option to get paid semi-annually or annually. Trustee Likley's point: All members should have the option to get paid quarterly, semi-annually or annually. The answer was yes.**

Likley's dialogue addition in place of the above sentences that are to be removed: **Likley: I have a question about zoning members pay. Is there any issue paying quarterly? Martha: I had one member request to be paid annually. Likley: Are we doing that? Martha: Yes. Likley: Was it not the discussion, decision and unanimous vote of this board to pay quarterly? Martha: Unless someone asks that they don't want to be paid that way. Oiler: They have right to request. Likley: Will all members be able to choose when they get paid? Oiler: That's up to the Fiscal Officer. Martha: Doesn't matter to me. Harris: didn't we decide to pay quarterly? Likley: that's my point. If we are going to adjust for one it should be available for all.**

Fiscal Officer asked did the dialogue change the two sentences that were to be removed. Likley replied, No but it reaffirms my reason for the vote and what had transpired in the payment to our board members. It was decided and discussed during our organizational meeting and was adjusted for one of the board members and without it coming before this board. Fiscal officer stated she had asked Bill Thorne and anyone – **anyone** can ask to be paid as requested.

Trustee Likley made a motion to approve April 19th, 2010 as amended, seconded by Trustee Oiler. Roll call: Harris, no; Oiler, aye; Likley, aye.

April 22, 2010

Trustee Oiler made a motion to approve April 22, 2010 as presented, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.

CEMETERY & PARK

Trustee Likley reporting: Lee provided an estimate by Chippewa Valley Tree Service to remove a locust tree and stump in the cemetery. The tree has apparently been struck by lightning and is half dead. A crane will be used to assure that there will not be any damage to the headstones.

Trustee Likley made a motion to authorize \$350 to remove tree and \$50 to remove the stump at the cemetery. Lee Evans interjected provided he can get in to grind the stump without damaging stones and/or graves. If they can't get in with heavy equipment the stump will have to rot.

The above motion was seconded by Trustee Oiler. Roll call: Harris, aye; Oiler, aye; Likley, aye.

Trustee Likley reporting: Park Maintenance – Have spoken with Ms. Edington – There were some increases in the fertilization and the occurrences of mowing. Last year it was mowed 37 times and the bid was for 30 times. This year it is 35 not to exceed 42 times. Price per occurrence did not increase for mowing. Fertilization quote was low bid.

Trustee Likley made a motion to recommend park maintenance for 2010 by the Village of Westfield Center: \$2,765-\$3,318 mowing, \$1,265 for fertilization, weed control in flower beds \$1,000, Spring & Fall clean up is \$32/man, snow removal if snow is over 3 inches at \$53 per occurrence (same as last year).

Likley's comments: Park looks great, trees are budding out.

Trustee Oiler seconded the above motion. Roll call: Oiler, aye; Harris, aye; Likley, aye.

FIRE REPORT

Trustee Oiler reporting:

- March – total 19 calls April – total 20 calls
- Billable calls through March 17th \$4,140.00 Billable calls through April 21st \$8,797.00
- Bills that were approved at the fire committee April 22, 2010 in the amount of \$4,036.94
- At the fire committee meeting the fire chief job description was reviewed.
- Training update - EMS training on C-Pap units; fire training on grass fires; pump training and EVOC training;
- Akron Brass gave demo on water flow; EMS training (Lodi Hospital)
- Reviewed 18 candidates for fire chief and selected 6 to be interviewed.
- New truck: In Nebraska and is in the finishing room; should be arriving in Huntsville for fire apparatus installation middle of May; should be arriving in Westfield about June 1st; there will then be a one month driver training and in service approximately July 1st.

Heather reporting:

- ✓ Fire Chief Search – narrowed down to 6 candidates. Waiting for 1 candidate to call back to see if he is still interested in the position. Date for interviewing will be May 15, 2010 beginning at 9:00 am – 4:00 pm at the Village Hall in Westfield Center. The interim chief wants to review all the applications and wanted to make sure we were not missing out on anyone.
- ✓ Moral is good at the fire department as you can see from March –April we went from 6-1 automatic mutual aid calls. Volunteers are feeling comfortable with the way things are going and happy with the process. That is a true testament to Mark William’s leadership ability.
- ✓ Out of town residents – Currently we are not set up for collection agency. I will be calling several different collection agencies to get their percentage of what they collect – no extra fee is added. A form letter would need to be set up. I have 3 examples. The trustees had made the determination that Mark (interim fire chief) should make the decision of who would be sent to collection. Mark’s response was – he is a volunteer fire fighter and he doesn’t feel anyone needs to be turned over to collection. If it is up to him, he will just sign off on all of them and write off the balance. I have started to compile a list so you would know how much money we are talking about. You may want to wait until a new chief is in place and revisit this issue. Trustee Likley interjected: the reason we made the decision for the chief to handle collection was due to the HEPPA violation. Once it comes to this board it becomes a public document. We should hold off until a new chief is in position. Trustee Oiler, Harris and fire committee representative, Heather agreed to hold off until a new chief is in position.
- ✓ C-Pap Machine: Mark has found a new way to do the same thing for a patient that is safer for the patient and costs a whole lot less money. Since that C-Pap machine wasn’t used it has been decided to return that second unit as well. We will be receiving a credit of about \$3,000 into one of our accounts. There is a cost of a disposable piece that costs about \$75 per time and does not have a capital cost. We will have money left available in the state grant. Mark will look to what we can use that for. Trustee Oiler added that the C-Pap training was held in Seville.
- ✓ April bills – A bill for \$649.02 is for a health class for some of the students. They are taught CPR and mouth to mouth. They buy a disposable mouth piece and the students get extra credit if they purchase one of those mouth pieces to take home. We should see a credit as in the past they sold all of them and that should be the case again.
- ✓ Presented a fund status report. It included from Jan. to March expenditures. Jan. \$5,559.88; Feb. \$11,633.88; March \$17,154.66. Y-T-D spent \$35,458.42. We should come in under budget even though we will be hiring a chief. Everyone in the fire department is very budget conscious. A copy of the report is on file in the fiscal officer’s office.
- ✓ Heather went to a training session and made aware that the US Agriculture Dept. has millions of dollars available in grant funding for emergency services. Since we do not have any capital money set aside, Mark & I are looking into applying for a new squad though this grant funding. Even if it’s matching funds it cuts the amount that we would have to spend for a new squad. Mark will be putting together a committee to determine what we need for a new squad and look to get approval to get a grant writer to assure the best possibly of getting a grant approved. Trustee

Likley asked that as grants are received that they somehow get listed into the budget so that fire committee, council and this board can track the grants. Likley commented the report is very good. Likley also stated that soft billing was considered when the budget for the fire department was created to meet the township's share of the budget.

Trustee Oiler shared that it looks like the township should be able to meet our share of the fire dept. budget if the soft billing comes in as estimated.

Martha stated Gloria Glens check came in this week of \$8,008.78 and that amount could be subtracted from the budget and then budget shared. Likley stated that was one of the items in the draft contract that was created by Bill Thorne. Martha related that the residents need to see we are meeting the current expenses BUT there is not anything left to be put aside for capital expenditures in the future. When the township asks for the renewal of our present 1.5 mill levy and ½ mill increase, that ½ mill is to set aside for equipment that will need to be replaced in the future. \$150,000 came out of General Fund to pay our share of the new fire apparatus that should be here in a month or so. A squad will be the next item to be replaced.

- ✓ Martha asked for a consensus of the trustees to prepare a resolution that would make the \$150,000 that was advanced to fire fund a permanent transfer. When the township puts the levy on the ballot to create an unincorporated fire district, then we would not have to pay that \$150,000 back to General Fund. All the revenue collected from the levy would stay in the fire levy fund. That would be my recommendation as fiscal officer. All trustees agreed a resolution may be prepared.
- ✓ **Trustee Oiler made a motion to accept the FIRE CHIEF JOB DESCRIPTION as presented, seconded by Trustee Harris.** Discussion: Likley thought is well written but some of things might change as the management of the department changes and that could be addressed at that point.
Roll call: Likley, aye; Oiler, aye; Harris, aye.

- ✓ May 15, 2010 @ 9:00 am special meeting at Village of Westfield Center council chambers to interview the 6 candidates for fire chief. Likley asked to review the resumes` of the 6 candidates. Likley asked if the number of candidates that are assessed, if the cost would be lower accordingly. Heather responded by saying that the cost depends on the number of people that go through the assessment center.
- ✓ Likley stated Gloria Glens paid their portion of the contract and that there was some conversation and some indication that they might make up some of that difference. Martha mentioned that she will take the Gloria Glens check and turn it over to the Village of Westfield Center because it should come off the top of the budget. Martha will also take the township's sheriff invoice to the village and let that be paid out of the one fund.

ROADS

Lee reporting:

- ❖ I submitted the information to the county to get the bid package put together to chip & seal this year.
- ❖ Issue 1 funding for Buffham Road – County is still working on it

- ❖ Notice survey markings on Buffham Rd west of Lake at the culvert over ditch. They will redraft that curve so it doesn't throw people toward the ditch. As far as moving it, I am not sure if they want to try and straighten it out. We had thought about it before but with the soil content the way it is it may cheaper to leave it alone because the road may not stay in the swamp. We will wait and see, I'm sure they will look into it. Likley mentioned also guard rail along that area.
- ❖ Elevation shots at bridge on Buffham Rd. east of Lake by Chippewa Creek. County getting preliminary steps out of the way and put it on the shelf and as money becomes available they will have it ready to go. At least we are couple of years closer than we were before in getting that curve straightened out and not have the narrow bridge in the curve.
- ❖ Nelson made a mess on three trees at the Horner residence on Buffham Road. If township paid to have trees taken down the homeowner will take care of stump removal. Lee got an estimate of \$300 from Chippewa Valley Tree Service to take the trees down. **Trustee Oiler made a motion to sign the requisition for \$300 to allow Chippewa Valley Tree Service to remove the above mentioned trees, seconded by Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**
- ❖ My furry friends are back on Garman Road by the railroad tracks (beavers). I have the permit to trap and talked with the land owner and he will e-mail written permission. They have been real busy – there are 3 dams. The water is backed up to the top of the culvert pipe on Garman Road. Likley asked if there were any services that would be willing to come out and live trapping the beavers. Lee replied, he didn't know. Lee stated he just needs to get rid of the beavers and remove the dams before it starts raining.
- ❖ Likley asked the status of the installation of the RR gate on White Road. Lee noted they have put gravel, electric and the base in for the gates early in the year but does not know when they will proceed.
- ❖ Lee will call URS to get a time line for the railroad bridge replacement on Mudlake Road.

ZONING

Matt Witmer, Zoning Inspector reporting:

- 2 building permits were issued in the month of April (1 addition and the permit for the elementary school minus the sign) Matt noted that we now have the letter from Bill Thorne as to how the BZA is to handle the sign issue. The hearing should be set very soon.
- Continuing complaint on Seville Road. A certified letter has been sent and he now has 30 days and I will go back and view his progress.
- I have tried to contact the property owner at Greenwich & Lake Roads without success. As soon as I speak to them, I will follow up with a letter asking them to get that cleaned up.
- Trustee Harris notified me of a house at 9684 Hulbert Road that the roof collapsed last year during construction and nothing had been done. I viewed it and it appeared to be very unsafe, I contacted the building department and an inspector inspected the building and found many violations. A letter was sent to the owner that they have 30 days to tear it down or hire an engineer to give

instructions on how to fix it. Apparently the electric was still live and laying on the ground. That was corrected immediately.

- BZA hearing for North Coast Premier Soccer's back 71+ acres on May 6, 2010. Now that has been set the front 38+ acres, in the LC zone will be addressed.

Trustee Likley thanked Matt for his dedication and the good job that he is doing. Trustee Likley asked that as he prepares the letters to be sent out to residents possibly run them by Mr. Thorne just to get his assurance that he is satisfied with them. Ask Mr. Thorne to point out if there is anything that I should be doing or not doing.

OLD BUSINESS

Trustee Harris – Comprehensive Plan will be reviewed at the zoning commission's regular meeting May 11, 2010 with Mark Majewski, Northstar Planner.

NEW BUSINESS – None

RESIDENT COMMENTS

Heather Sturdevant, chairperson for the zoning commission requested a 2nd alternate for the zoning commission. We have a zoning commission member that their job takes them out of town and we feel that they should not be punished because they can't make the meetings because of their job. We feel that when important things come before our board such as the comprehensive plan and that member cannot attend and another member needs to be absent, to insure we have a full board. We feel that is only fair to the other board members as well as the residents. Trustee Likley noted we have a few applications on file. Fiscal Officer will make copies and give to the trustees for their consideration. A second alternate for the BZA should be considered also. Kathy LaMar will not be able to attend the BZA hearing May 6, 2010 because of the passing of her father and that is the day of the funeral.

Heather mentioned that the web site has not been updated. The team had wonderful things put together for the web site and there isn't anything showing and that was a big disappointment. Trustee Likley was in contact with the web master, Don Krolikowski last week and of as this morning all the text for the changes has been re-typed into a format that he could cut and paste and re-sent to him per his request last week. Trustee Likley stated he is not satisfied either. I have had several e-mails, phone calls to Mr. Krolikowski and his response is that he is swamped and very busy. For the price I guess we have to be a little lenient. He is making a mirror site and making all the changes once they are complete he will have us have a final review. When it does go on line everything is complete on it. I have my concerns on that as well. When I see the cost of web services to other communities (\$2,500/year) and he is providing the service for \$450 this year.

The minutes that have been approved are up to date. He has requested that the minutes be submitted in word and not scanned. Trustee Likley stated that is because scanned copies cannot be word searched.

Trustee Likley had send an e-mail to Patrice Theken at Planning Services to provide possible language that they may have prepared through out the county regarding noise controls and where the township could possibly go with a resolution or zoning code language. Right now as residents call because of noise we refer them to the Sheriff's Dept. We do have some latitude in writing that language of what I have found in the ORC for the most part it refers to establishments that have a D permit (an alcohol permit). Trustee Likley asked Heather to follow up as chair of the zoning commission to pursue that with Patrice.

Resident, Dennis Delagrange commented that the web site calendar is correct but the link "Meetings" still have the trustees meeting on the 1st & 3rd Thursday. Ms. Micklas and Martha will contact Don to get that corrected.

ANNOUNCEMENTS

Zoning Commission regular meeting (Comp Plan)	May 11, 2010	7:30 pm
Special Trustees meeting/Open truck bids/Gen Bus	May 12, 2010	9:00 am
Trustees regular meeting	May 17, 2010	7:00 pm

20 year Rededication Ceremony at the Vietnam Veterans Memorial 620 N. Broadway, Medina	May 31, 2010	1:30 pm
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DRAFT FIRE CONTRACT

Trustees and Martha made a few corrections to send back to Bill. A copy is attached. Martha will take the corrections to Bill Thorne tomorrow to keep it moving forward.

There being no further business to come before this board, **Trustee Likley made a motion to adjourn @8:55 pm, seconded by Trustee Harris. Roll call: Likley, aye; Oiler, aye; Harris, aye.**

Approved May 17, 2010