

Westfield Township Trustees

Regular Meeting
July 16, 2012 7:00pm

Trustee Harris opened the meeting by asking those in attendance to stand and Pledge Allegiance to the Flag.

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

Also in attendance were: Gayle Foster, Tim Kratzer and Mr. and Mrs. Kerr.

WELCOME GUESTS

Mr. Jim Zuccaro from OTARMA stated that Westfield Township has been with OTARMA since 2004 and due to that they will receive a voucher this year. The Board of Directors voted to return part of Westfield Township's Reserve Fund. The amount expected is \$1028.00. Mr. Zuccaro went on to discuss new and increased coverage options including Law Enforcement Coverage which would include the Township's relationship with the Sherriff's office. This coverage would cost \$135.00 annually. He discussed Cyber Liability Coverage which includes any type of electronic communication and Moral Obligation to Pay coverage. OTARMA defends the Township with the Sovereign Immunity Clause wherever possible. With this type of coverage, if the Board of Trustees feels that a resident was immensely aggrieved and vote as such, OTARMA will pay up to \$2500.00. The Township has \$3 million dollars in liability coverage as part of their policy. The Township also has Injunctive Relief coverage up to \$50,000.00. He stressed that the OTARMA plan is not an insurance company's plan, it is a plan made up by and guided by Township Officials. Mr. Zuccaro then addressed adding the Fire Department to the Township's policy. The vehicles would be insured at instant vehicle replacement cost. He went into detail about the current fire vehicles the department has and stated that if one of those was destroyed, there is no upper limit of what could be spent to replace those vehicles even though they are insured at around \$450,000.00. He then went on to state that the current EMS vehicles as well as some of the fire vehicles are at stated value. If the Township were to increase their insured value from \$130,000.00 to \$160,000.00 the underwriter would add them to the instant vehicle replacement program. The coverage includes several other perks including pollution and hazmat coverage. The annual premium would be \$7322.00. Adding the fire department to the Township's current coverage would bring the total premium to \$12,822.00. Mr. Zuccaro stated that if the levy was passed and a new fire district created that the district would have a separate policy under OTARMA's sister group called The Public Entities Pool. The concept is the same as OTARMA. Trustee Likley asked if Mr. Zuccaro represented PEP as well. Mr. Zuccaro stated that he was in fact the representative for PEP as well. He also added that around a 3% portion of the Township's contribution went to the OTA in order to fund their efforts as well such as lobbying, staff etc.

Mr. Likley stated that the Township is not in a current position to make a decision on Insurance for the Fire Department at this time. He then asked if it was the recommendation of the fiscal officer to place the fire department's insurance under this coverage at this time. Mrs. Evans stated that was not her recommendation at this time as the current policy was paid for through May of 2013. She stated that if

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the levy passes and we create a fire district, we will need to change the insurance on January 1, 2013 as we will have a new entity. At this point she is gathering information only. Ms. Evans asked if the voucher credit would be higher if we added the fire department. Mr. Zuccaro stated that it would not. The only members that receive that credit are vested members who have been with OTARMA for six or more years.

FIRE DEPARTMENT REPORT

Trustee Likley reporting

- ✓ The Fire Chief is currently out of town at a conference.
- ✓ Trustee Likley met with the Fire Association to advise them that the Township is pursuing a Fire Levy and that their participation would be appreciated.

Cemetery and Park

Trustee Oiler reporting:

- ✓ Trustee Oiler wanted it reflected in the record that the first Wednesday following the fourth of July every year, the park will be rented to Westfield Center unless they inform us differently. This does not exempt them from filling out the rental form for the Township's liability purposes and so that we are aware who is in the park on that day.
- ✓ Trustee Oiler wanted to review the park situation for the record as well. He stated that the Township owns the park and that there is a gentleman's agreement that Westfield Center and Westfield Township both have use of the park and that if a private individual wants to use the park; they contact Westfield Township and fill out a rental agreement.
- ✓ The maintenance of the park falls on Westfield Township but because of the relationship between the entities, Westfield Center will out of good faith on a big ticket item either cover half the expense or a portion of the item as well of half of the daily maintenance such as mowing.
- ✓ Trustee Likley presented two additional bids for the sidewalk project at the park that he solicited. Road Supervisor Evans suggested that as they had just received the new bids that the Trustees table their discussion until they had an opportunity to review the bids. The Road Supervisor is still awaiting one bid that he requested.

Trustee Harris asked Mr. Evans if he had the opportunity to speak with either of the companies for the bids that Trustee Likley submitted. Mr. Evans stated that he did not. Trustee Likley stated that at the last meeting even though the work is for less than \$25,000.00 and does not require posting of the bid, that as they only had one bid at the time, that Mr. Evans solicit more bids for the project in order to give more contractors the opportunity to bid on the project. They now have bids from Westfield Construction, Marrone Construction, CJ Concrete and Venus Concrete. He stated that he believed that they should all have the same concept of the scope of the project. He went on to state that as there were no specifications for the project that each company was going off of the direction given by either Mr. Evans or himself. Trustee Oiler stated that on two of the bids he did not see what type of pad they are going to use for the ADA compliance. The other two quotes showed that the pad type would be brick that could be replaced easily instead of the plastic or rubber pad. As there was concern that all

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contractors may not be quoting on the same project specifications, Trustee Likley asked Road Supervisor Evans to draw up specifications of the project and communicate them to all companies that placed a bid. Trustee Harris asked if all companies were going to haul away all of the old concrete. Mr. Evans stated that the ones he spoke to were going to haul away the old concrete but that he did not know about the ones Trustee Likley contacted. Trustee Likley stated that they would. Trustee Harris also asked as grass and dirt are disturbed, are the companies that bid going to replace and reseed those areas. Mr. Evans stated that the ones he spoke with had the procedure to follow laid out for them. Mr. Evans stated that the bid from Venus, which Mr. Likley received, did not say anything about that. Trustee Harris asked what the benefit of a brick pad would be over a rubber or plastic pad. Mr. Evans stated that the benefit was with a rubber or plastic pad were used, if a section was broken, the whole thing would have to be replaced. If a brick pad was used, just the broken segment would require replacement instead of the whole thing. Mr. Likley stated that at this point he did not feel that the Township could accept more bids but that they should allow the current bidders to resubmit based on the specifications that he asked Mr. Evans to create.

- ✓ Trustee Oiler stated that the next item he wanted to discuss was once the sidewalk project was completed, were the Trustees going to still allow the car show to be held there and have vehicles driving across the new sidewalks causing potential damage. He felt that is what has torn up the sidewalks in the first place. He felt that by continuing to allow that to happen is wasting \$17,000.00. Trustee Harris felt the same way. Trustee Oiler stated that this is especially concerning as the Village has its own larger park now with 150 parking spaces and that they could hold the car show there. Trustee Likley stated that if there were the means for the cars to get into the park without driving over the concrete it would be fine for them to continue using the park. The Trustees agreed that as the permit has already been signed for this year's car show they would not have the work completed until after Labor Day.
- ✓ Trustee Likley stated that he met with Village Council at their last meeting. They had some concern with the condition of the sidewalks in the park. They have offered to pay for half of the expenses for the project and have committed to paying that. Trustee Likley welcomed the offer.

Roads:

Lee Evans Reporting

- ✓ Mr. Evans presented a form for the Trustees to sign for ODOT when they had the bridges closed and had detour routes stating that there was no damage to the detour routes. Mr. Evans has inspected the roads and could note no noticeable damage.
- ✓ Lytle came in and completed the chipping and sealing work that needed to be done.
- ✓ Westfield Landing Road is the only road left to complete along with some road striping and RR and school crossings.
- ✓ Mr. Evans has been out mowing and trying not to make a mess due to the weather.
- ✓ Trustee Likley asked what steps needed to be taken to look at getting a posted speed limit on Westfield Landing Road due to the increased amount of traffic that is being

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seen. He suggested 35 MPH. Mr. Evans stated that will be very difficult to accomplish. To make it legal, a traffic study needs to be done and then there is a form that needs to be filled out. It then gets submitted to ODOT for approval. It could take up to a year and very well may be denied. Trustee Likley stated he would like to be proactive and try to reduce the limit. The other two trustees agreed. Mr. Evans will begin the process.

- ✓ Mr. Evans stated that he has been out mowing Ballash and other roads in the township that are asphalt. On chipped and sealed roads the mowing cannot be done in hot weather with no rain as it gets too soft and does damage to the road. He will get to those areas on a day when it is cooler or there is rain. Trustee Oiler stated that a complaint was received from Mr. May and that Mr. Evans would be mowing that road as soon as it cooled off so as to not damage the road.
- ✓ Trustee Oiler stated that they received a complaint regarding a ditch needing cleaned out where a gas line comes through on Seville Road. As that is a county road that needs to be handled between the property owner, the gas company and the county.

Zoning:

Gary Harris Reporting.

- ✓ Mr. Witmer is still working on the Lesiak and Hughes situations with the prosecutor's office.
- ✓ Mr. Witmer and Bill Thorne have been trying to set up a meeting with North Coast Soccer but Mr. Sweeny never got back to them to set up a date.
- ✓ Trustee Likley confirmed that the other Trustees received Bill Thorne's response to Trustee Likley's request on Wind Energy.

Fiscal Officer Report

- Fiscal Officer Evans stated that the Trustees have a copy of the bills totaling \$6,199.83.
- Mr. Evans received a call from PCS which is the company who did sealing for us last year. They sent the bill to the wrong address. Mr. Evans had her fax the bill.

Trustee Likley made a motion to pay the bills as submitted. Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

- In the fund status report it was noted that the Township has received a small portion of the second half taxes. The largest portion of those taxes is due shortly.
- The fiscal officer stated that she received correspondence from the Medina County Sanitary Engineers Office. There will be a meeting July 17, 2012 at the Westfield Township Hall of the Water Consortium. The meeting will begin at 7:00pm.
- Ms. Evans also received a letter from Mr. Alan Michelson who represents Creston regarding lost real estate taxes due to Annexation. He asked that the Township submit the amount due for his review and they can then discuss repayment.

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- Ms. Evans received a letter from the State of Ohio Department of Motor Vehicles regarding the motor vehicle tax which will start being collected in January of 2013.

Meeting Minutes:

Trustee Oiler made a motion to approve the June 18, 2012 public hearing meeting minutes for small wind energy as submitted. Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee oiler-yes, Trustee Harris-yes.

Trustee Likley made a motion to approve the June 18, 2012 public hearing meeting minutes for swimming pools as amended. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Harris made a motion to approve the June 18, 2012 regular meeting minutes as amended. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Likley-yes.

Trustee Likley made a motion to approve the June 28, 2012 special meeting minutes as submitted. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Oiler made a motion to approve the July 2, 2012 public hearing meeting minutes for small wind energy as submitted. Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Likley made a motion to approve the July 2, 2012 regular meeting minutes as submitted. Trustee oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Old Business: - Nothing

New Business:

Trustee Oiler stated that they needed to discuss the regular meeting scheduled for Labor Day to decide if they wanted to have the meeting on a holiday. All three Trustees decided that they would like to reschedule the meeting.

The Trustees rescheduled the September 3, 2012 regular meeting for September 6, 2012 at 7:00pm.

Trustee Likley stated that the Fire Advisory Board meeting was on the website as being held on July 26, 2012 and the date should be July 24, 2012, 7:00pm at the Village Hall.

Fiscal Officer Evans stated that the 2013 Budget was the next item that needed to be discussed. Ms. Evans relayed the following information to the Trustees and the Public.

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GENERAL FUND: As noted the local government was reduced by 25% as well as estate tax is almost becoming non-existent. As noted in the past, there is about a \$50,000.00 less carryover each year. The revenues are still exceeding expenditures despite escalating costs.

MOTOR VEHICLE; GASOLINE TAX; ROAD & BRIDGE FUNDS: that are used for road maintenance are remaining stable.

CEMETERY AND ZONING FUNDS: are remaining stable with a transfer from general fund each year due to the revenues that are received are not sufficient to support itself.

FIRE LEVY FUND: has noticed a decrease in EMS revenue from 2011. This is due partly because there was prior year collections in 2011. This year the amount of revenue is steady but not as much as the year before. As the budget is prepared for the coming year, we notice we may not have as large of a carry over, making it more difficult to attain the desired budget to operate the department and there is nothing left to save for capital equipment making it necessary for the township to ask for a 2.5 mill fire levy to operate the WESTFIELD FIRE AND RESCUE DISTRICT. IF THE 2.5 MILL FIRE LEVY IS PASSED BY THE VOTERS OF THE UNINCORPORATED AREA OF WESTFIELD TOWNSHIP, THE CURRENT 1.5 MILL FIRE LEVY WILL NOT BE COLLECTED. In the workshop, it was discussed as to the possibility of reducing the present fire budget. The trustees and fiscal officer will be looking at how much will need to be trimmed.

PERMISSIVE MOTOR VEHICLE TAX: is used for the maintenance of the roads. A portion of the township's share of the tax the county collects and the 2013 year; the township will be collecting a \$5.00 tax on registrations and will receive all of that revenue. The projected additional revenue will be \$18,000.00.

COUNTY ENGINEER LOCAL SUPPORT FUND: is for new culverts for the roads. There is not additional revenue.

FIRE AND AMBULANCE FUND: This is grant funding for training and EMS supplies for the fire department, which has been reduced by \$500.00 for the 2013 year.

COST RECOVERY FUND: This is revenue that is collected from auto insurance for accidents. They are billed for rescue and fire equipment and personnel at the scene of an accident. The revenue varies and is kept in a reserve for capital purchases.

Trustee Likley stated that in review of the budget workshop under expenditures with the fire levy. Public safety and other was amended and capital outlay was amended. He wanted to know why that was changed.

Fiscal Officer stated that they had to look at the total expenditures. They had to increase the numbers so as not to have a negative balance in that category. She explained that you cannot send in a budget with a negative balance in any category. She said to note that the capital was not in the budget as the capital was pulled aside. That is the reason for the change. She then showed the Trustees the expenditures for the Fire Department to date so far this year. She noted that out of the \$243,500.00 there was \$112,830.40 left to spend. If it is not all spent, there could be a larger carryover. She pointed out that the vehicle for \$41,000.00 does not enter into that number. It is a separate line item altogether. If the chief was to spend all of that funding, the township's portion of that is \$66,569.70. In the fund balance there is almost \$89,000.00. The township has the money to pay their share and the second half taxes

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have yet to be collected. Fiscal Officer Evans recommended that the Trustees not amend the fire budget. All three Trustees agreed to leave the fire budget alone at this time.

Trustee Likley made a motion that the 2013 projected budget be forwarded to the County Auditor as prepared. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Oiler made a motion to pay \$5500.00 to OTARMA plus \$135.00 for the addition of Sherriff Protection Coverage. Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Likley stated that he feels the Township has a duty to notify its residents of meetings. In receiving notification from the Gazette of their new policy, he is concerned that that won't happen. The only other daily publication is out of Wadsworth. He questioned whether or not the township should try to publish regular meeting notices in the Wadsworth paper to ensure that they are compliant with the state and township regulations. The concern with publishing in another paper is that it is believed that less than 1% of the township's population subscribes to a paper other than the Gazette or the Post. The township will continue to send the information to the Gazette but realizes that they may not print the information. The Township will also place all notices on the Website and on the Bulletin Board in front of the Township Hall to try to ensure that the residents are informed.

Announcements:

Water Consortium Meeting –July 17, 2012 at 7:00 pm

Zoning Commission Public Hearing Outdoor Wood Fired Boilers- July 31, 2012 at 7:30pm

Trustees Public Hearing Wind Energy –August 6, 2012 at 6:30 pm

Trustee Regular meeting August 6, 2012 at 7:00pm

Zoning Commission Regular meeting-August 14, 2012 at 7:30pm

Trustee Likley made a motion to go into executive session at 8:55 pm for the purpose of the Investigation of charges or complaints against a public employee. Trustee Harris seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris yes.

Trustee Oiler made a motion to come out of executive session at 9:25pm. Trustee Likley seconded the motion. ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Trustee Harris stated that there was no decision made in executive session.

Trustee Harris made a motion to adjourn the meeting at 9:30pm. Trustee Oiler seconded the motion.

ROLL CALL: Trustee Likley-yes, Trustee Oiler-yes, Trustee Harris-yes.

Approved August 6, 2012