

**RECORD OF PROCEEDINGS
MINUTES OF REGULAR MEETING
MAY 8TH, 2014**

The Medina Township Board of Trustees met in regular session at the Medina Township Hall on May 8th, 2014, to conduct the business of the Township. Chairman Todd called the meeting to order at 7:05 pm with the following Trustees in attendance: Michael D. Todd, Ken DeMichael and Ray Jarrett. Also in attendance were Fiscal Officer DeHoff, Police Chief Arbogast, Fire Chief Crumley, Asst. Fire Chief Kasson, Road Foreman Miller, Zoning Inspector Ridgley and the general public.

Roll Call

Mr. Todd asked for a roll call of all members present. Trustees present were Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Pledge

Mr. Todd led the Pledge of Allegiance.

Moment of Silence

Mr. Todd asked for a moment of silence for our military personnel at home and overseas.

OTHER BUSINESS

Approval of Accounts Payable

Mr. Todd motioned to approve warrant #25168 to #25205 total amount of \$24,955.35. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Approval of Payroll

Mr. Todd motioned to approve payroll checks #18621 to #18678 total amount of \$45,318.81 with \$7,015.81 going to union dues, OPERS, Deferred Comp and post-tax health. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett, and Mr. DeMichael.

Approval of March 2014 Bank Reconciliation

Mr. Todd motioned to approve the bank reconciliation for the month of March 2014, and incorporate by reference the five (5) page document dated May 8, 2014, at 8:20 am. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Approval of Minutes

Mr. Todd motioned to approve the April 10, 2014, Public Hearing minutes and the April 10, 2014, Regular Meeting minutes. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

OLD BUSINESS

New Police Department Update

Chief Arbogast said he sent the Trustees a tentative schedule for the rebid for the Police Department. There will be three (3) legal notices and the plan is to have the bid opening on June 5. Mr. Todd said to get everything ready.

Electric Bill Discussion

Mr. Todd tabled the electric bill discussion.

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OLD BUSINESS CON'T

Remsen Building Roof

Mr. Todd said Creative Housing has expressed an interest in obtaining that portion of the building but wants the roof fixed. They don't know how much damage there is and David Wadsworth, Clerk of Courts of the County has also expressed concerns about the leak because he has records stored in that portion. Mr. Jarrett asked what Creative Housing would do with the building. Mr. Todd said he really doesn't know. Mr. DeMichael spoke to Dianne DiPasquale today and told her they would put a hold on a decision until next meeting.

Street Light at Intersection of Rivendale

Mr. Todd asked the status of the streetlight at the intersection of Rivendale and Fenn Road. Mr. Miller spoke to the developer, Doug Hasslinger, and he was told that the people are interested in getting the streetlight. Mr. Todd asked Mr. Miller to have Mr. Hasslinger come to the next Trustees meeting.

Vending Machines at Blakslee Park

Trustees are waiting for an opinion from the Prosecutor's Office.

PURCHASE ORDERS/TRAINING REQUESTS

Fire Force – Red Leather Boots

Mr. Jarrett motioned for a purchase order requisition in the amount of \$2,112.00 and this is for the eight (8) Fire Dex red leather boots for the Fire Department. Vendor information is Fore Force out of Columbiana, Ohio. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. DeMichael and Mr. Todd.

Finley Fire Equipment – Air Pak – Pak-Tracker Receivers

Mr. Jarrett motioned for a purchase order requisition in the amount of \$10,000.00. This is for a Pak-tracker charger, communication bracket and thread savers. Mr. Todd seconded the motion. Chief Crumley explained that these are all part of the SCBA grant they received so the department is in compliance with the grant. Mr. Jarrett said the vendor information is Finley Fire out of McConnelsville, Ohio. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

Finley Fire Equipment – Receiver Charger and Pak-Track Receiver

Mr. Jarrett motioned for a purchase order requisition for \$3,080.00, vendor information, Finley Fire Equipment and this is for two (2) receiver chargers and two (2) Pak-track receivers. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. DeMichael and Mr. Todd.

Finley Fire Equipment – Receiver Charger and Pak-Tracker

Mr. Jarrett motioned for a purchase order requisition in the amount of \$3,350.00. Vendor information is Finley Fire Equipment this is for two (2) receiver chargers two (2) Pak-tracker receivers, one (1) communication bracket and five (5) thread savers. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. DeMichael and Mr. Todd.

ACLS Certification – Michael Friscone

Mr. Jarrett motioned to appropriate \$250.00 to have Michael Friscone attend the Parma Medical Center ACLS training certification for May 13 and May 20 in the amount of \$250.00. Mr. Todd seconded the motion. Voting aye thereon: Mr. Jarrett, Mr. Todd and Mr. DeMichael.

Shearer Equipment – Stihl Trimmer and Chain Saw for Service Department

Mr. DeMichael motioned to approve a purchase order requisition for the Service Department; the vendor is Shearer Equipment, for a new Stihl trimmer and chain saw, \$575.92. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd. Mr. Miller said that was state pricing.

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PURCHASE ORDERS AND TRAINING REQUESTS CON'T

Reilly Sweeping, Inc. – Service Department

Mr. DeMichael motioned to approve a purchase order requisition for the Service Department; vendor is Reilly Sweeping. This is for the street sweeping of various township roads and to clean up winter debris along curbs. Total amount is \$1,050.00. Mr. Todd seconded the motion. Mr. Todd asked if this was in subdivisions and if he told the company what streets they wanted cleaned. Mr. Miller said Mr. DeMichael talked to him about it and there is a list on the back of the proposal. Mr. Jarrett asked if this is a one-time cleaning and Mr. Miller said yes.

CRI Technologies – Six (6) Kenwood 2-way Radios for the Service Department

Mr. DeMichael motioned to approve a purchase order requisition for six (6) new Kenwood Mobile Radios for the Service Department. The vendor is CRI Technologies, total amount is \$4,200.00. Mr. Jarrett seconded the motion. Mr. Todd asked if they were radios for the trucks and Mr. Miller said they are mobile radios that will go in each of the bug dump trucks. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd.

America's Best Siding – Liner Panels for New Service Department Storage Building

Mr. DeMichael motioned to approve a purchase order requisition for metal liner panels for the ceiling of the new storage building. Vendor is America's Best Siding, total amount is \$2,200.00. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Jarrett and Mr. Todd. Mr. Miller said the Service Department will do the work.

Medina City Fireworks Contribution

The Trustees discussed the donation for Medina City Fireworks. Mr. Jarrett said he would like to donate \$2,000.00 for the fireworks and \$500.00 to the Medina County Food Bank. Mr. DeMichael said that that is not a bad idea but we have donated \$2,500.00 to the fireworks all along. Mr. Todd said he would go with \$2,500.00 because that is what they have always done but, if they were to make donations to local charities, which we are allowed to do, we should probably set up some comprehensive strategy and it should be discussed separately. Mr. Jarrett said hopefully we will get more donations from our community when we have our countywide food drive starting in August. Mr. Todd motioned to approve \$2,500.00 payable to the City of Medina for the Township's contribution for the 2014 Medina City Fireworks display. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

REPORTS/DEPARTMENT HEAD COMMENTS

Reports

Mr. Todd tabled the reports until the next meeting.

Proposal for Improvement of T.H. 37 Remsen Road – Engineer's Estimate

Mr. Miller presented the proposal for the improvement of T.H. 37 Remsen Road, from S.R. 42 to T.H. 115 Hamlin Road, T.H. 115 Hamlin Road to T.H. 109 Foskett Road and also to do T.H. 141 Huffinan Road from Remsen Road to Fenn Road and from Fenn Road to S.R. 3. The Trustees discussed the funding of the projects. Mr. Todd said there is enough money to do one of the road projects. Mr. Miller asked to do Remsen because it is the worst road in the township. Mr. DeMichael said as long as it is not a problem with what the county is doing. Mr. Jarrett asked what the completion date would be. Mr. Miller said September 27 if they remain on schedule, it has not gone out for bid yet because it is an OPWC bid. The Trustees asked that Mr. Miller let them know how he wants to move forward with the projects at the next meeting.

State Fire Marshall's Training Grant for 2013 Award

Chief Crumley read a letter from the State Fire Marshall's Office congratulating the department on being awarded the 2013 State Fire Marshall's Training Grant in the amount of \$3,600.00 as reimbursement for successfully completing approved courses.

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DEPARTMENT HEAD COMMENTS CON'T

Watkins Road Compressor Station Variance Suppression System

Mr. Todd said Mrs. Bilek asked about the variance on the Watkins Road station occupancy permit. Mr. Todd said it was his understanding that they were going to use foam not a water material. Chief Crumley said he didn't know and he would have to check with Charles Huber to see what was going on. Mr. Todd said they have requested an answer but have not gotten an answer to that specific request. There is no foam in there and the variance does not require them to put foam in there.

Loan of Antique Secretary to Weymouth Preservation Society

Mr. Miller asked if we could loan the antique secretary to the Weymouth Preservation Society. The Trustees agreed. Mr. Todd motioned to loan the secretary that is currently in the township meeting room to the Weymouth Preservation Society. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

Weymouth Preservation Society Report

Mrs. McKiernan said the Society received an award from the Cleveland Restoration Society and AIA Cleveland Honor for the rehabilitation of Weymouth School. The windows are finished and it was a wonderful job. The company also power washed the algae on the north side of the building. The plaster is finished and they will be back to power wash the dust off the sidewalk. They need the entire ceiling in the museum room painted but it is too high for anyone to reach so they got a quote for labor only of \$850.00. Mr. McKiernan was able to get the paint donated from Sherwin Williams. Mr. Todd said they need a quote in writing and they will make a decision at their next meeting. Mrs. McKiernan said they applied for a \$750.00 grant for a historical marker and they will hear from them Friday. A grant was written to the Medina Community Fund and they will be receiving some funds. She discussed what would be on the marker. She asked all to attend the plant sale May 10. The big fundraiser will be a gingerbread house tour in the fall. She thanked the Trustees for their support.

Ohio Ethics Training Session Discussion

Mrs. DeHoff spoke with Susan Wilke who agreed to hold an Ohio Ethics seminar on August 17, 2014. The suggested times are 10:00 am to 11:30 am and again from 1:00 pm to 2:30 pm or 1:00 pm to 2:30 pm and again from 6:00 pm to 7:30 pm. Other Townships, City and County entities will be invited. Mr. Todd suggested doing the second time frame. It will be more convenient for people. Mr. Jarrett will draft a flyer and send it to the Medina County Township Association members. Mrs. DeHoff said they want to target the employees because they're the ones that deal with this on a daily basis. Mr. Jarrett asked if she would provide Ohio Commission pamphlets for all the employees. Mrs. DeHoff said it will be held at the Masonic Community. Mr. Jarrett asked who all will be attending from our Township. Mr. Todd said all employees will attend and they should try to attend during their working hours and those who are unable to attend need to get permission releasing them from attending this training.

Disciplinary Action for James Kuruc

Mr. Todd said there was disciplinary action taken against Firefighter James Kuruc. Mr. Todd read the letter into the record (see attached). Mr. Todd motioned to incorporate the letter dated April 11, 2014, into the record. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael.

PUBLIC COMMENT

Mr. Todd motioned to open the floor for public comment. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Dan Tizzano (5021 Grande Blvd) lives across the street from Medina Creative Pet Play and works from his home. The barking is incessant and non-stop. He has spoken to Dianne DiPasquale and she said she will try to put something into effect to help stop the barking. Mr. DeMichael has been working on this problem and said there are some long term things Ms. DiPasquale has in mind.

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PUBLIC COMMENT CON'T

Jim Bilek (3414 Hamlin Road) asked if there was a meeting scheduled with Chris Coop of Sunoco, who requested it and what was the basis of the meeting. Mr. Todd said Mrs. Ridgley contacted Sunoco and Sunoco met with the neighbors about the flaring issue. Mr. Bilek asked the Trustees if they had any intentions of revoking the permit. Mr. Todd said his understanding was that Mr. Bilek was going to bring his concerns to Mrs. Ridgley to review. Mrs. Ridgley said she only permitted the two buildings and she did not have to issue permits she did it just for future records. Mr. Bilek asked if the letter was sent regarding the noise regulation. He asked about the Comprehensive Plan notification. Mr. Todd said it has to be a legal notice. He asked what the date of the public hearing would be and was told it will be decided after the public comment period which is June 12, 2014. He asked Mr. Jarret if he has a legal obligation to uphold Medina Township Zoning Resolution. Mr. Jarrett said yes.

Sandra Bilek (3414 Hamlin Road) commented on Mrs. Ridgley's statement about issuing the Sunoco permit and that Mr. Huber did give Sunoco the final occupancy permit. There was discussion about the various fire suppression systems. She also commented on the same issue that is going on in Pennsylvania and she is still concerned with the liability to the Township. Mr. Todd read the response from the Prosecutor's Office regarding that question. Mr. Jarrett asked Mrs. Bilek if the flaring had to be done every thirty-seven (37) miles and if not can the flaring be captured and contained. All Mrs. Bilek said was she said spoke with Sean Badis from Akron Regional Air Quality and he was concerned with the location of the pumping station. Mr. Jarrett asked Mr. Bilek if Mrs. Ridgley never issued a permit where would we be today with this discussion. Mr. Bilek said he didn't know, he hoped it would be the same situation as in the Commonwealth of Pennsylvania and you would have been aware of what was coming.

Linda Kenski (3586 Watkins Road) had asked if they are actually running ethane through the pipeline. Mrs. Ridgley read from the letter received from Sunoco that stated they are running product through the line as of December 2013. Mrs. Kenski feels there was deception and Mr. Todd said there was no deception because Mrs. Ridgley only deals with the footprint. The Building Department handles the actual building and what goes inside. Mrs. Kenski said all Mr. Huber is concerned with is the building Code. She said the Trustees don't seem to hear their concerns. Mr. Todd said they hear your concerns and all he is saying is that finding a resolution to your concerns is not as easy as the concern. What the Bilek's are alluding to and their opinion is, and to some extent he agrees and doesn't agree, is that if Mrs. Ridgley hadn't issued the permit that they wouldn't have been able to get the Building Department permit. Whether Mrs. Ridgley has the ability to issue the permit or not, whether they needed it or not that is easy for Mr. Huber to say because it is after the fact. The reality is that his job is to enforce the Building Code and our job is to enforce the site and be sure it complies with the zoning code. We have no authority to say what goes inside the building. There was more discussion about the need for pumping stations every thirty-seven (37) miles.

Robin Gray (4074 Remsen Road) asked if they have plans in the future of changing the horsepower of the pumping. Mr. Todd said they don't have that answer. She asked if ethane was a public utility. Mr. Todd said the Attorneys have told them it is not a public utility. Ms. Gray asked if the Trustees can do anything and she was told the Attorneys have said the township cannot do anything it is regulated by the Federal Government.

James Apana (3993 Dogleg Trail) believes that the energy companies are entities unto themselves and feel they can do whatever they like. He wanted to commend the Trustees for the effort and determination they are doing trying to resolve this complicated problem knowing they have limited authority. He said the Trustees are trying to solve a bad situation that was not caused by them and are being buried under all of this.

Mr. Todd motioned to close the floor for public comment. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

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Executive Session

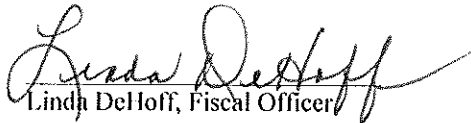
Mr. Todd motioned to go into Executive Session to discuss employee compensation with the Board of Trustees and the Fiscal Officer. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. The Board entered into Executive Sessions at 8:43 pm.

Mr. Todd motioned for the Medina Township Board of Trustees to reconvene from Executive Session at 9:02 pm where the Board of Trustees was present with the Fiscal Officer discussing employee compensation.

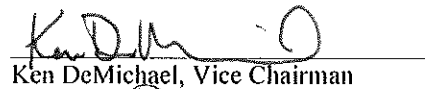
Employee Pay Raises

Mr. Todd motioned to approve a 2% pay raise for Township personnel that are not on the pay scale i.e. Firefighters and collective bargaining unit employees with the exception that Keith Kessler will be given a \$1.00 pay raise effective the next full pay period. Mr. DeMichael seconded the motion. Mr. Jarrett asked when the next pay period was. Mr. Todd said it will be May 18, 2014. Voting aye thereon: Mr. Todd, Mr. DeMichael and Mr. Jarrett.

Mr. Todd motioned to adjourn the meeting. Mr. Jarrett seconded the motion. Voting aye thereon: Mr. Todd, Mr. Jarrett and Mr. DeMichael. The meeting adjourned at 9:03 pm.


Linda DeHoff, Fiscal Officer


Michael D. Todd, Chairman


Ken DeMichael, Vice Chairman


Ray Jarrett, Trustee