

RECORD OF PROCEEDINGS
MINUTES OF ORGANIZATIONAL MEETING/GENERAL BUSINESS
JANUARY 4TH, 2018
7:00 PM

The Medina Township Board of Trustees held an Organizational Meeting at the Medina Township Hall on January 4th, 2018, and conducted the business of the Township. Vice-Chairman DeMichael called the meeting to order at 7:00 pm with the following Trustees in attendance: Ken DeMichael, Mike Stopa and Mark Radice. Also in attendance were the Fiscal Officer, Police Chief, Road Superintendent, Zoning Inspector and the general public.

Oaths of Office for Mike Stopa and Mark Radice - Trustees

Mrs. Ventura administered the oath of office to Mike Stopa and Mark Radice.

Roll Call

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

ORGANIZATIONAL

Election of Officers

Mr. DeMichael motioned to turn the gavel over to the Fiscal Officer as we contemplate the officers for this year. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Mrs. Ventura opened the floor for nominations of Chairman of the Board. Mr. Radice motioned to nominate Ken DeMichael. Mr. Stopa seconded the motion. Roll call vote: Mr. Radice aye, Mr. Stopa aye, Mr. DeMichael abstain.

Mr. DeMichael opened the floor for Vice-Chair. Mr. Radice nominated Mike Stopa. Mr. DeMichael seconded the motion. Roll call vote: Mr. Radice aye, Mr. DeMichael aye and Mr. Stopa abstain.

Pledge

Mr. DeMichael led the Pledge of Allegiance.

Moment of Silence

Mr. DeMichael asked for a moment of silence for our military both home and abroad and for our first responders as well.

Executive Session

Mr. DeMichael motioned to go into Executive Session with the three (3) Trustees and discuss our slate of appointments for 2018. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. The Board entered into Executive Session at 7:06 pm. The Board reconvened from Executive Session at 8:36 pm. Mr. DeMichael motioned to come back from Executive Session where no decisions were made. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Acceptance of Mike Stopa's Resignation from BZA

Mr. Radice motioned to accept Mike Stopa's resignation from the BZA which has already been submitted since he is now an elected official and he won't be able to continue in that spot. Mr. DeMichael seconded the motion. Roll call vote: Mr. Radice aye, Mr. DeMichael aye and Mr. Stopa abstain.

Slate of Appointments

Resolution No. 01042018-001

Mr. DeMichael motioned to put forth a resolution for the organizational minutes and make it continuing until all nominations are finished.

Building Superintendent:	Mark Radice
Cemetery Superintendent:	Mark Radice
War Memorial Superintendent:	Mark Radice
Service Dept. Liaison:	Mark Radice
Fire Liaison:	Mike Stopa
LST Representative:	Ken DeMichael
	Mark Radice, Alternate
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Slate of Appointments Con't

Police Commissioner	Ken DeMichael
Medina Countywide Emergency Mgmt. Agency:	Mark Radice
	Mike Stopa, Alternate
Zoning Liaison	Mike Stopa

Mr. DeMichael said with the rest of the appointments they will remain the same until our February 8 meeting with the following exceptions: Kim Ferencz and Bill Thorne will not be re-appointed.

Chairperson of the Zoning Board

Chairperson of the Zoning Boards will no longer get paid \$40.00 per meeting for attending Trustees meetings where site plans are considered, County Planning Commission meetings where zoning issues within the boundaries of Medina Township are under consideration and for attending the Zoning Board of Appeals meetings (copy of agenda and sign in sheet to be submitted).

Additional Pay for Alliss Strogin

There will be no additional pay for Alliss Strogin. Additional pay for 2018, Zoning Commission Zoning Chairperson, Alliss Strogin will be paid \$40.00 per meeting, all that will be taken out, we feel that that's the Zoning Inspectors job.

FEES

Cemeteries

Cemetery lot excavating for cremation:	\$150.00 with a limit of four (4) per lot, however that rate will increase to \$250.00 on weekends and holidays.
Cemetery lot excavating:	\$450.00 and weekends and holidays it will be \$650.00
Cemetery lots:	\$400.00 for Medina Township Residents
Cemetery lots:	\$1,200.00 for Non-Residents
Headstone footer:	\$350.00

Sports Fields Fees

The charge is \$60.00 per time slot (3-hours) for Medina County Residents and \$70.00 per time slot (3-hours) for organizations that reside outside of Medina County. Soccer Field charge is \$20.00 per hour. Tournaments on Fridays will be \$60.00 per field, Saturdays and Sundays will be \$250.00 per day and fields will be dragged and lined once per day.

Zoning Fees

The Zoning Fees will be pursuant to the Appendix V of the Medina Township Zoning Resolution.

Mileage

Mileage for use of personal vehicles on township business will be paid at the IRS rate for 2018 if the township vehicle is not available.

Employee Pay Periods

Employees pay periods are as follows: Bi-weekly, monthly or yearly.

Regular Meetings

Regular meetings will be held every other Thursday at 7:00 pm starting January 11th, 2018.

Reports

Department reports will be due the first meeting of every month.

Mailbox Replacement

Township residents will be reimbursed for mailbox replacement when a mailbox is damaged during snow removal operations. The Service Department will repair, if possible, or replace with a standard mailbox and post or compensate the owner for damage up to a maximum of \$40.00 for the cost of materials, standard box and post with owner responsible for the installation of the mailbox.

Appointments and Reappointments of Zoning Commission and Zoning Board of Appeals Members

The Zoning Commission and the Zoning Board of Appeals, we will make those appointments at the January 11 Trustees Meeting. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Mr. DeMichael said there are several openings on the Zoning Boards and he would like an advertisement as soon as possible because we would like to fill those next week in time for the 16th and 17th meetings. Also advertise for the Zoning Commission Secretary position as well.

Zoning Process

Mr. Stopa said pursuant to the Zoning the way things are going to start working in the township, The zoning process is going to be as follows: The Zoning Inspector is now going to be responsible for all zoning requests to approve or deny the requests from the person making it, so now they will no longer go to the Zoning Commission, Elaine or the Zoning Inspector will have that authority to approve or deny the request, if it is denied it will go on to the Board of Zoning Appeals like normal. The Zoning Board will now be responsible for, as requested, to review and change any zoning codes in Medina Township. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice.

Sports Fields Rental Agreement

Mr. DeMichael said he has a Medina Township Sports Field Rental Agreement that he motioned to put in place and I will incorporate it by reference this one page document. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice. Mr. DeMichael said these are recommendations primarily from Denny, he has been doing this a number of years and he thanked Denny for doing this.

Fire District Committee

Mr. Stopa said as Fire Commissioner we've gone in to look at a District Committee. It was determined that the Trustees would each appoint a person to be on the Committee along with one of the Commissioners or one of the Trustees acting as the fourth person. Mr. Stopa said at this time Mr. Ostmann your services are no longer needed on the committee. Our assignments are going to be as follows: Shawn Kasson, Scott Vargo and Tim McGoldrick will now be appointed to the Fire District Committee along with Mark Radice moving into the Trustees position. Mr. DeMichael seconded the motion. Voting aye thereon: Mr. Stopa, Mr. DeMichael and Mr. Radice.

OTHER BUSINESS

Health Care Plan and Appropriations for 2018

Mr. DeMichael motioned to keep our health care plan as well as the appropriations for 2018 the same as 2017. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Resolution for Fiscal Officer to Issue Purchase Orders, Blankets and Super Blankets

Resolution #01042018-002

Mr. DeMichael put forth the following resolution for Fiscal Officer to issue purchase orders and blankets and super blankets, Resolution #01042018-002. Mr. DeMichael motioned to pass Resolution #01042018-002 giving the Fiscal Officer authority to issue purchase orders, blankets and super blankets up to the amount appropriated pursuant to the Ohio Revised Code 5705.41 for the balance of 2018 and through January 31, 2019. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

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THEN AND NOWS

Jason Stroll – Emergency Repair of Repeater & Wolff Bros. Supply – Hose Faucet for Bays at FS#6

Mr. DeMichael motioned to approve a then and now purchase order for Jason Stroll, total amount is \$935.23 and a then and now purchase order for Wolff Bros. Supply total amount is \$180.61. Mr. Radice seconded the motion. Mr. DeMichael said Jason Stroll was for the repeater repair and the other is Fire Department Station #6 hose and faucet for bays. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

Approval of Regular Purchase Orders and Blanket Certificates

Mr. DeMichael motioned to approve Regular Purchase Orders #2-2018 through #12-2018 and Blanket Certificates 1-2018 through 69-2018 and incorporate the four (4) page list by reference. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

Approval of Accounts Payable

Mr. DeMichael motioned to approve accounts payable checks #28864 through check #28884, total amount is \$105,278.81. Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

NEW BUSINESS

Resolution for the OPWC Grant Funding for Paving Substation Road

Mr. DeMichael offered that we put forth the following Resolution:

Resolution No. 01042018-003

**RESOLUTION AGREEING TO COOPERATE WITH MEDINA
COUNTY FOR ENGINEERING AND CONTRACT ADMINISTRATION
FOR OHIO PUBLIC WORKS COMMISSION PROJECT**

WHEREAS, the Medina Township Board of Trustees has determined that their portion of T.H. 38 Substation Road is in need of resurfacing; and

WHEREAS, in order to secure funding through the Ohio Public Works Commission the Township was able to submit the resurfacing project for approval in conjunction with Medina Township in Medina County; and

WHEREAS, Medina County has agreed to act as Engineer for the project as well as administrator of the bid process and financial documents; and

WHEREAS, Medina County, through the office of the Medina County Engineer, will perform all engineering and related services in relation to the resurfacing of T.H. 38 Substation Road; and

WHEREAS, Medina County will certify to the Ohio Public Works Commission through the Board of County Commissioners that any and all invoices have been approved for payment; and

WHEREAS, Board of Medina County Commissioners will execute a contract with the lowest and best bidder for the project, as determined by the County Engineer, certify as a condition of the contract that the necessary funds for said project, as determined by the Ohio Public Works Commission grant, are available; and

WHEREAS, Medina Township agrees to pay one hundred percent (100%) of the local match for their portion of Substation Resurfacing Project of the Ohio Public Works Commission grant, including any change orders that may be entered into by Medina Township.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Medina Township that it agrees to be included in an Ohio Public Works Commission Grant Application for the Substation Resurfacing Project in Medina County.

BE IT FURTHER RESOLVED that Medina Township agrees to make available the necessary funds for its portion of the local match of the Ohio Public Works Commission grant and any change orders that may be agreed to by the Township.

Mr. Radice seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Radice and Mr. Stopa.

PUBLIC COMMENT

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

Jeff Cacioppo (3535 Cook Road) commented on the Medina Creative Housing lease and said the outgoing Trustees have handcuffed the new Board with the Weymouth School. He said he had his attorney review the contract and it is flawed. He presented Trustees with an Assessment of Cost Guidelines document and he did an aerial infrared of the roof and parking lot. He asked that the Board void the contract and he has information that he would like to make public record. Mr. DeMichael said anything he submits would be made public record. Mr. DeMichael said he has asked the Prosecutors Office about making the contract void and he did not get exactly a favorable response but Trustees are looking at different avenues. Mr. Cacioppo feels there are many issues with the contract and he suggested going outside the Prosecutor's office and hiring an outside attorney. Mr. DeMichael said he is willing to listen to his recommendations 100%.

John Basilone (4971 Shady Brook Run) said he has attended meetings and a decision on what to do with the building was never made and a lease was never discussed and feels it is in very poor taste to enter into a lease. He asked if the lease can be broken by the sale of the building or is it binding. Mr. DeMichael said it has been suggested that it is not but we are looking for other opinions and he feels it is unfortunate that it was done at the last meeting and it is not in line with the other MOU. Mr. Basilone asked if Mr. DeMichael knew about it and Mr. DeMichael said no. Mr. Basilone asked if our Law Director is gone and was told yes. He asked if we will be using the County Prosecutor and he was told yes.

Dave Clardy (3497 Old Weymouth Road) said he read the original MOU and the new lease with Medina Creative Housing. He explained what Medina Creative Housing pays in rent and their credits for snow plowing and lawncare. He said no one discussed the lease and the agenda was changed after 4:00 pm but no one said who authorized this lease or the change to the agenda. Mr. DeMichael said it states on the lease that it was prepared by Bill Thorne.

John Basilone said it is terrible with this issue going into 2018. If they have to hire other attorneys it will cost the Township money. He said he had respect for the previous Trustees but it was a bad move on their part.

Dave Clardy said he filed a motion with the court regarding the deed restrictions on the property stating it would devalue the property.

John Cacioppo said the school is embarrassing and it continues to decay. He would like to see the environmental studies of the building.

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

OTHER BUSINESS

Police Cars

Mr. DeMichael said there was no discussion about taking the money out of the general fund for the police cars and feels the safety services levy should pay for the cars. Mrs. Ventura said funds from the Safety Services Levy will not begin until the end of January and it won't be a large amount or be substantial until March or April. There were differing opinions about doing an advance that goes beyond the calendar year and UAN told her it was an illegal transaction. She spoke with the Prosecutor's Office and Bill Thorne had been looking into it but she did not get an answer until the 21st of December. At that time she had talked to UAN again because she didn't know what she was going to do and the Prosecutor's got back to her and said it is legal you just have to be sure you have the correct verbiage and we did because when you do an advance the UAN system recognizes the entire amount as funds that are already spent. What would have happened is we would have been starting 2018 with about \$15,000.00 in the Police fund and we couldn't do that because then we would be exceeding our appropriations which is illegal and you cannot do an override so she would not have been able to pay a bill after \$15,000.00. Mr. DeMichael said his point was, we had our paid legal counsel offer an opinion that I believe essentially we opted to go one way and then had to turn around and do a 180. Mrs. Ventura said, in all fairness we had actually reached out to Local Government Services and the person had walked her through the wording of the resolution and said have it checked by legal counsel. Mr. Thorne was not our legal counsel at that time and Mr. Thompson was here at the meeting and he okayed it. Mrs. Ventura was at training in March and was then told it was not illegal.

Police Cars Con't

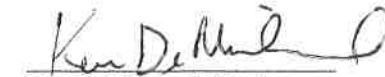
Mrs. Ventura said Mr. Thorne has been working on it and found legal precedence that you can do it but this took a lot of time getting an answer out of LGS. Mr. Thorne said yes and met with Forrest Thompson because he was the one who signed off on it initially. Mrs. Ventura said she is still waiting for the Prosecutor's Office to put this in writing since they signed off on it but she hasn't gotten it yet. She said the LST money that we did the same thing with is fine because they have the funds minus what is tied up already to go forward into 2018 but you cannot, it is illegal to appropriate more than what your available resources are and that \$182,000.00 was not an available resource until we did this transfer. There was nothing we could do. We would have been able to pay part of the first round of salaries and that was it, we would not have had any more money to pay any other bill. Mr. DeMichael asked what the original plan was for paying for these cars. Mrs. Ventura said she was not in office at that time but the original plan was that there would be a three (3) year payback for \$60,000.00 per year. The signed lease agreement had interest and fees. The first year we paid roughly \$11,000.00 in interest and fees and if we would have gone the full three (3) years it would have been a total of approximately \$20,000.00. She didn't think the Township would want to pay the \$9,000.00 in interest and fees. Mr. DeMichael said that just about pays Mrs. Ventura's salary. Mrs. Ventura said it actually pays his.

Mr. DeMichael motioned to adjourn the meeting. Mr. Stopa seconded the motion. Voting aye thereon: Mr. DeMichael, Mr. Stopa and Mr. Radice.

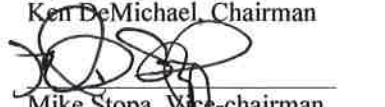
There being no further business to come before the Board the meeting was adjourned at 9:22 pm.



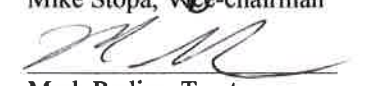
Angela Ventura, Fiscal Officer



Ken DeMichael, Chairman



Mike Stopa, Vice-chairman



Mark Radice, Trustee