

YORK TOWNSHIP TRUSTEES		
Colene Conley	Richard Monroe	William Pavlick
Regular Meeting		December 29, 2011

Chairman Richard Monroe called the regular meeting to order at 6:30 p.m.

A resident, Rich Calabrese, was present to express concerns about the snowplowing on his street in Emerald Woods with where the snow is piled and it being an ice skating rink. It would be hard for the school bus to stop on that ice. Rich left after the discussion.

Rick led the pledge of allegiance at 6:35 p.m.

RESOLUTION #11-12-01 – Approve Minutes

Moved by Conley, second by Pavlick to approve the November 17, 2011 regular meeting minutes. Roll: Conley, yes; Pavlick, yes; Monroe, yes.

REPORTS:

Fire Department:

- Chief Ken Barrett asked that Anthony Melillo and Shane Styfurak be sworn in as members of the department. They were previously employed but due to either their schedule or mine unable to be sworn in until this evening. Ken then asked for a short break for refreshments.
- Ken also gave the run report to the trustees. There were 232 calls this year, up 2 from last year's 230.
- They are also doing training on using the Kelly Blue Book for any vehicle fires to be able to put the value on the report so the State Fire Marshall's office will be happy.
- They are just beginning to do the 2011 grant awarding. We are in for a tanker and new SBCA's.
- Ken submitted the reimbursement for the 2010 grant for the washer/dryer and turnout gear. The funds have been received. The turnout gear should arrive by the end of January.
- Ken gave a list of recommendations for one year appointments for the 2012 officers. John Creamer asked to be considered for a lieutenant's position instead of assistant chief.

RESOLUTION #11-12-02 – Appointment of Fire Department Officers

Moved by Conley, second by Pavlick to appoint the following fire department officers for the 2012 year:

Assistant Chief	Guy Roach
Captain	Jason Creamer
Captain	Ed Szoke
Lieutenant	John Creamer
Lieutenant	Ryan McDonnell
Lieutenant	Pat Villeneuve
Engineer	John Kollar

Roll: Conley, yes; Pavlick, yes; Monroe, yes.

- Ken is looking into getting a second Armstrong cable availability. Bev will check with Frontier regarding obtaining free internet thru their package and call Ken. Frontier had called recently upgrading our service and stated we have that available to us.

Zoning:

- Dorothy gave her report to the trustees. (Attached Item A)

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- Dorothy then brought up a issue regarding cul de sacs – our general provisions call for drives to be 10’ off the lot line. That was fine on country straight lots. It causes an issue at the road where they are not still the 10’. George Smerigan from Oxbow Engineering stated that since it is in a PUD area, the trustees can amend the general development plan by a motion so that the drive can be within 5’ of the lot line. This would apply to Shale Creek on the cul de sacs only.

RESOLUTION #11-12-03 – Amend Shale Creek PUD General Development Plan

Moved by Monroe, second by Pavlick to amend the Shale Creek PUD General Development Plan by adding the following to the stipulations and conditions attached to the General Development Plan pursuant to Section 307.06.G.3: Driveways on cul-de-sac lots may extend to within five (5) feet of the side lot line. This stipulation will override the general provision of Section 205.15.F, but only for cul-de-sac lots and only the Shale Creek PUD. Roll: Monroe, yes; Pavlick, yes; Conley, yes.

RESOLUTION #11-12-04 – Accept Resignation and Thank You for Eric Squire

Moved by Monroe, second by Conley to accept Eric Squire’s resignation from the Zoning Board of Appeals and approve the following thank you.

WHEREAS, York Township has observed your hard work and dedication for many years as a member of the Board of Zoning Appeals, and

WHEREAS, that work hasn’t always been under the best of circumstances, and

WHEREAS, the residents of York Township, have benefited from your dedication to the Board of Zoning Appeals,

NOW, THEREFORE BE IT RESOLVED that the York Township Trustees would like to thank you for all of your hard work and dedication as a member of the Board of Zoning Appeals.

Roll Monroe, yes; Conley, yes; Pavlick, yes.:

- Rick commented about the BZA meetings being held on the third Thursday of the month conflicting with the Co. Township Association meeting. The trustees will ask them to move their meetings to the second Thursday of the month.

Fiscal Officer:

RESOLUTION #11-12-05 – Approve Financial Reports

Moved by Conley, second by Pavlick to approve the November financial reports as presented – appropriation status, revenue status and fund status. Roll: Conley, yes; Monroe, yes; Pavlick, yes.

RESOLUTION #11-12-06 – Set Organizational Meeting

Moved by Conley, second by Pavlick to set the organizational meeting for January 5, 2011 at 4:30 p.m. Roll: Conley, yes; Pavlick, yes; Monroe, yes.

RESOLUTION #11-12-07 – Confirm Trustees Paid at Maximum Amount by Law

Moved by Conley, second by Pavlick to confirm the trustees will continue to be paid the maximum amount allowed by law. Roll: Conley, yes; Pavlick, yes; Monroe, yes.

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**RESOLUTION #11-12-08 – Continue Purchase of Health/Dental Insurance,
§125 Plan for Elected Officials and Dorothy Crouch**

Moved by Pavlick, second by Monroe to continue with the following resolution:

WHEREAS, York Township has, and continues to provide full health and dental coverage for their elected officials as provided for in Ohio Revised Code §505.60, and;
WHEREAS, York Township Board of Trustees has agreed to offer cash in lieu of a benefits plan as set forth in Ohio Revised Code §505.603 through a cafeteria plan that meets the requirements of §125 of the “Internal Revenue Code of 1986”, and;
WHEREAS, York Township Board of Trustees will reimburse those who are not eligible, or who pay for other insurance up to \$100 per month per family unit and \$50 per month per single unit, providing it is for the same type of coverage, and;
WHEREAS, such cash payment in lieu of benefits will only be paid pursuant to this plan if the elected official signs a statement affirming that the elected official is covered under another health insurance or health care policy, contract or plan, and;
THEREFORE BE IT RESOLVED that the York Township Board of Trustees hereby adopts a cafeteria plan that meets the requirements of §125 of the Internal Revenue Code and authorizes any qualifying elected official a cash payment in lieu of a benefits plan as set forth in the Ohio Revised Code §505.603, and
FURTHER, BE IT RESOLVED that the qualifying elected official shall sign a statement affirming coverage under another health insurance or health care policy, contract or plan to receive either \$100 per month per family unit or \$50 per month per single unit, providing it is for the same type of coverage.

Roll: Pavlick, yes; Monroe, yes; Conley, yes.

RESOLUTION #11-12-09 – Confirm Township Funds May Be Spent for Refreshments

Moved by Pavlick, second by Conley to confirm that township funds may be expended to purchase coffee, meals, refreshments or other amenities for the trustees, fiscal officer, employees or other persons the trustees deem necessary. Roll: Pavlick, yes; Conley, yes; Monroe, yes.

RESOLUTION #11-12-10 – Authorize Fiscal Officer to make Year End Adjustments

Moved by Conley, second by Pavlick to authorize the fiscal officer to make any and all adjustments necessary to close out the year with adjustments to be presented at the meeting following the closing of the books. Roll: Conley, yes; Pavlick, yes; Monroe, yes.

**RESOLUTION #11-12-11 – Approve 2012 Purchasing Agreement
with Medina Co. Engineer**

Moved by Monroe, second by Pavlick to approve the 2012 Purchasing Agreement with the Medina Co. Engineer. Roll: Monroe, yes; Pavlick, yes; Conley, yes.

RESOLUTION #11-12-12 – Approve 2012 Township Dues

Moved by Pavlick, second by Monroe to approve the 2012 Township Dues of \$215. Roll: Pavlick, yes; Monroe, yes; Conley, yes.

RESOLUTION #11-12-13 – Approve 2012 Animal Fee with Medina Co. SPCA

Moved by Conley, second by Pavlick to approve the 2012 animal service fee with the Medina Co. SPCA at a cost of \$150. Roll: Conley, yes; Pavlick, yes; Monroe, yes.

RESOLUTION #11-12-14 – Approve Transfer of Funds

Moved by Pavlick, second by Conley to approve a transfer of \$5,000 from the General Fund to the Zoning Fund. Roll: Pavlick, yes; Conley, yes; Monroe, yes.

RESOLUTION #11-12-15 – Approve Appropriation Amendments

Moved by Monroe, second by Pavlick to approve the appropriation amendments as follows:

General Fund: Admin.:	Personal Svcs.	(\$1,148.37)	
	Fringe Benefits	293.37	
	Purchased Svcs.	855.00	
	Supplies	(300.00)	
Park:	Supplies	<u>300.00</u>	0.00
Cemetery:	Personal Svcs.	(\$880.00)	
	Purchased Svcs.	<u>880.00</u>	0.00
Zoning:	Personal Services	\$4,024.55	
	Fringe Benefits	(195.85)	
	Purchased Svcs.	(4,932.83)	
	Other	<u>15.00</u>	(\$1,089.13)
Fire & Rescue:	Fire: Personal Svcs.	\$431.48	
	Fringe Benefits	(431.48)	
	Capital Outlay	1,650.00	
	EMS: Fringe Benefits	(530.00)	
	Purchased Svcs.	<u>(1,120.00)</u>	0.00
FEMA Grant:	Capital Outlay		<u>57,680.00</u>
	Total:		<u>\$56,590.87</u>

Roll: Monroe, yes; Pavlick, yes; Conley, yes.

Correspondence:

- Medina Co. Prosecutor – Availability of State Term Schedule
- Medina SWCD – Fall Notes Newsletter
- Akron Regional Air Quality District – November Newsletter
- Grassroots Clippings – December Newsletter
- Reminger Attorneys at Law – Governmental Immunity Denied
- Medina Co. Planning Commission – Shale Creek Modifications Approved
- Medina Co. Farm Bureau – December 17th Meeting
- Bill Schultz – Resignation from Board of Appeals
- Lewis Land Professionals – Sidewalk Replacement Services
- Medical Mutual – Annual Notification of Women’s Health Act
- Ohio Insurance Services Agency – 2011 Dental Rates
- Reminger Attorneys at Law – The Report for Immunity Issues
- Kokosing Materials – Plant Hours
- Medina Co. Sanitary Engineer – Tree Disposal
- Consumers Life Insurance Company – Life Insurance Info
- Richard Hill – Zoning Commission Appointment Consideration
- Medina Co. Prosecutor – Internet Cafes, Phone Card Dealers and Private Gaming Clubs
- Medina Co. Prosecutor – State Term Contracts
- Medina Co. Recorder – Zoning Amendment Filing Requirement

RESOLUTION #11-12-16 – Approve PO’s/BC’s, Payroll and Bills

Moved by Pavlick, second by Conley to approve the payment of the payroll, bills and purchase orders. (Item B) Roll: Pavlick, yes; Conley, yes; Monroe, yes.

RESOLUTION #11-12-17 – Adjourn

Moved by Monroe, second by Pavlick to adjourn at 7:54 p.m. Roll: Monroe, yes; Pavlick, yes; Conley, yes.

Richard Monroe, Chairman

Beverly Fry, Fiscal Officer

Item A

DECEMBER REPORT

Julie Adams House
Sober Living Environment
4325 Erhart Rd

FYI
Working with County to make sure it is in compliance with Co. and Twp. regulations
Left several messages to meet with Tracy Barnes / Owner. 12/29/11 Spoke with owner lease will be done in March and they will be moving, there are several zoning violations to be addressed. Garbage, junk and building changes making the home out of compliance.

American Tower Corporation

Two new dishes to go on existing tower and an H frame at bottom of tower on ground. 6297 Norwalk Rd. Back up for underground wiring.

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VIOLATIONS

P. & M. Ivanecivic
3604 Columbia Rd.

one unlicensed non operable vehicles on property. Letter sent- no response
Violation sent 11/17/11–Re-issued from March 2012 *Vehicle Removed*

K.& D. Bessemmer
Resident
3994 Beck Rd

Miscellaneous junk stored around barn on property
* letter sent. / comp. 4/5/11
*Mr. Bessemer asked for extension to June 5 ' 2011
**Junk has been removed / still one vehicle and now a new un-licensed truck. A new letter will be sent.*

Enzo Maddelena
6268 Spieth Rd.

Miscellaneous junk and vehicles around area by barn needs to be put in barn and junk cleaned up.

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**Letter sent 5/15/11 *Second ltr. sent
Site visit 12/23/11. Will be sending to Prosecutors
Office.*

Bryon / Kim Foster
3995 Lampson

Junk vehicles and misc. junk on property
Re-occurring violation. Letter sent 12/1/11
*Spoke to Mrs. Foster 12/24/11 They are working on
the matter and will take care of it quickly. Site visit
12/26/11. Trucks were loaded ready to leave property.*

M. Harrington
3075 Abbeyville Rd.

Business operating on property / violation sent
Responded right away. *Taken care of until spring*

Dean Smith
5576 Wolff

Business operating on R-1 property/lawn mowing
Violation Sent 11/16/11 Responded and will be in
Dec 5th or 6th to make application. *Application made
for Jan 2012 BZA Mtg*

Justin Budi
4305 Erhart Rd.

Semi parked on property- no home occupation issued
Second letter of violation sent 11/30/11
*Site visit 12/29/11; Truck still on property..
Will be sent to Prosecutor for further assistance.*

Joe Shanno

Junk vehicle on property / Violation sent 11/7/11
5601 Wolff Rd Spoke to Mr. Shanno on 12/5/11 and
second letter has been sent. *12/21/11 Mr. Shanno
came to office and stated the vehicle was taken by the
owner. Site visit 12/24/11 Vehicle was gone.*

B. & B. Walter
2756 Station Rd

Junk vehicle on property / Violation sent 11/30/11
They contacted Wm Pavlick, Trustee, the ground is too
soft to get back there and get it out. They also sent
letter to office. They wanted to put it in the woods, our
code does not allow on the property. *I will send them
letter to discuss the truck removal.*

Mark Haury
Susan Haury
1930 Steigler Rd.

Junk and junk vehicle on property. Violation sent
12/6/11. *Site visit 12/21/11 & 12/26. Some articles
moved but still items along Stiegler and north side of
home.*

Barbara Dennis
7880 Spieth Rd.

Junk and junk vehicle on property
*She responded and there are health issues we
extended the compliance date to May 30, 2012 / Site
visit 12/21/11 and 12/26/11 front yard and in front of
garage was cleaned up. Truck has been moved
and we will give her until May 30, 2011 to finish due to
medical issues*

Rhonda Knotek
3885 Columbia Rd.

Miscellaneous junk around property.
Letter sent 12/27/11 Comp date 1/6/12

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Jaclyn Goldsmith
6567 Norwalk Rd.

Miscellaneous junk around property.
Letter sent 12/27/11 Comp date 1/6/12

Robert Elwin
6496 Norwalk Rd.

Truck trailer body left on property
Letter sent 12/27/11 Comp. Date 1/6/12

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Prosecutors Office

Dressler
7333 Spieth Rd.

A home occupation was granted to Mr. Kerns with conditions. *New Court Date 2/2012*
Meeting with Prosc. Office to discuss changes & new violations on property also new violations pertaining to home occupation

Item B

WARRANT NUMBER	DATE	VENDOR	AMOUNT
134-2011	12/1/2011	FMB - REPO fees	2.29
135-2011	12/2/2011	FMB - Dec. loan	3,164.08
136-2011	12/2/2011	FMB - Dec. loan	1,544.06
137-2011	12/9/2011	Ohio Edison	1,228.88
138-2011	12/12/2011	Columbia Gas	177.88
139-2011	12/12/2011	Frontier	256.42
140-2011	12/12/2011	Verizon Wireless	64.66
141-2011	12/14/2011	LMRE	11.47
142-2011	12/14/2011	FMB - Nov. analysis fee	25.05
143-2011	12/15/2011	Allied Waste	161.56
144-2011	12/22/2011	Payroll	10,243.41
145-2011	12/22/2011	Payroll	4,403.19
146-2011	12/22/2011	Powernet Global Communications	8.43
147-2011	12/28/2011	Armstrong	38.92
148-2011	12/30/2011	WalMart - park supplies	78.52
E01064	12/22/2011	Christine Barnes	340.61
E01065	12/22/2011	Kenneth Barrett	667.75
E01066	12/22/2011	Colene S. Conley	810.44
E01067	12/22/2011	Dorothy A. Crouch	2,271.41
E01068	12/22/2011	William J. Crouch	245.64
E01069	12/22/2011	Ronald W. Fabich	309.96
E01070	12/22/2011	Beverly E. Fry	1,125.87
E01071	12/22/2011	Kathleen M. Gibbons	324.02
E01072	12/22/2011	Richard E. Hill	233.31
E01073	12/22/2011	David R. Hull	251.97
E01074	12/22/2011	C. Nevada Johnson	244.22
E01075	12/22/2011	Mary E. Lenarth	365.67
E01076	12/22/2011	James T. Miller	228.63
E01077	12/22/2011	Roger J. Mittler	317.28

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E01078	12/22/2011	Richard M. Monroe	810.44
E01079	12/22/2011	William Edward Pavlick	810.44
E01080	12/22/2011	Marilyn K. Pendolino	289.31
E01081	12/22/2011	Eric D. Squire	319.35
E01082	12/22/2011	Lowell E. Wolff	277.09
W00046	12/22/2011	FirstMerit Bank	1,127.23
W00047	12/22/2011	Ohio Department of Taxation	220.83
W00048	12/22/2011	Public Employers Retirement System	3,055.13
16902	12/29/2011	Timothy J. Kettler dba	125.00
16903	12/29/2011	B & B Trophy & Awards	30.00
16904	12/29/2011	Belenky, Inc.	11,875.00
16905	12/29/2011	Boyert's Greenhouse	209.88
16906	12/29/2011	Burnham & Flower Insurance Group	741.00
16907	12/29/2011	Company Health Care	490.50
16908	12/29/2011	Croston, Tom DBA	1,800.00
16909	12/29/2011	Delta Dental	207.51
16910	12/29/2011	Diamond Business Machines	167.31
16911	12/29/2011	Dobson Excavating, Greg	1,700.00
16912	12/29/2011	Finley Fire Equipment Co., Inc.	908.96
16913	12/29/2011	Fire Engineering	67.00
16914	12/29/2011	Fire Force, Inc. - VOID	1,197.30
16915	12/29/2011	Fire Service, Inc.	60.75
16916	12/29/2011	FirstMerit Bank	332.17
16917	12/29/2011	Home Depot Credit Services	258.70
16918	12/29/2011	Homestead Insurance Agency, Inc.	114.00
16919	12/29/2011	Lenarth, Mary	8.88
16920	12/29/2011	Life Force Management, Inc.	221.36
16921	12/29/2011	Medical Mutual of Ohio	5,991.03
16922	12/29/2011	Medina Co. Engineer	5,161.62
16923	12/29/2011	Medina Co. Health Department	125.00
16924	12/29/2011	Medina Co. Sanitary Engineer	35.70
16925	12/29/2011	Medina Co. SPCA	150.00
16926	12/29/2011	Medina Co Township Association	215.00
16927	12/29/2011	Medina General Hospital	5,386.14
16928	12/29/2011	Medina Hardware	36.39
16929	12/29/2011	Miller & Company	246.33
16930	12/29/2011	NAPA	151.05
16931	12/29/2011	NFPA	165.00
16932	12/29/2011	National Fire Codes Subscription Service	855.00
16933	12/29/2011	Northcoast Signworks	569.00
16934	12/29/2011	Ohio State Firefighters Association	75.00
16935	12/29/2011	Ohio Township Association	90.00
16936	12/29/2011	Old Schoolhouse Catering	207.50
16937	12/29/2011	Oxbow Engineering, Inc.	540.00
16938	12/29/2011	Pallotta Ford	52.00
16939	12/29/2011	Ron Pfaff Electric	3,972.00
16940	12/29/2011	Ohio Public Entity Consortium	28.00
16941	12/29/2011	Rapid 2-Way, Inc.	460.00
16942	12/29/2011	Repro Depot	79.00
16943	12/29/2011	Staples	88.84
16944	12/29/2011	Stonewall Uniform	664.00

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16945	12/29/2011	Stop'n Go	211.17
16946	12/29/2011	Styfurak, Shane	2,517.50
16947	12/29/2011	Treasurer, State of Ohio	795.00
16948	12/29/2011	Warren Fire Equipment	20.00
16949	12/29/2011	York Service	37.00
16950	12/27/2011	Eva Chapman	100.00
16953	12/28/2011	Misprinted Warrants 16951 to 16953	0.00
16954	12/29/2011	Fire Force, Inc.	1,029.30
16955	12/29/2011	Radio Shack	325.87
16956	12/29/2011	Stop'n Go	298.97
Total:			<u>86,950.18</u>