

Trustee Meeting

November 16, 2021

Chairman Burns called the meeting of the Hinckley Township Board of Trustees to order at 6:41 p.m. on November 16, 2021. Present were Trustees Burns, Augustine and Kalina, Fiscal Officer Martha Catherwood, Fire Chief Grossenbaugh, Police Chief Centner, Road Superintendent Mike Behary, one member of the press, nine residents in person and four residents remote via Zoom. All present pledged Allegiance to the Flag.

Mr. Burns made a motion to approve the Regular Meeting Minutes of November 2, 2021. Kalina second. Vote: A-yes B-yes K-yes.

FIRE

Ms. Augustine made a motion requesting appropriations of \$74.00 to the Granger Fire Department for inside winter storage of the safety trailer at the Medina County Fairgrounds. The fee is shared between Hinckley, Granger and Sharon Township Fire Departments. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine made a motion requesting appropriations from Fire Safety Services, as follows:

- Not to exceed \$2,000.00 for one axe, two Halligan Bars and three nozzles
- Not to exceed \$350.00 for turnout gear boots for FF/Paramedic Kurt Higginbotham

Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine made a request to amend the motion for turnout gear boots for FFs Bonnett and Moskalski from \$620.00 to \$639.00 to Fire Safety Services. The additional \$19.00 is for shipping Kalina second. Vote: A-yes, B-yes, K-yes

The 63-month lease with ComDoc for a Xerox Veralink C605 Color Laser Multifunction Printer was tabled.

Ms. Augustine made a motion to adopt **Resolution #111621-01**, listing Engine 31-3 (Original number was 31-2) on GovDeals from November 17 – December 6, 2021. The sale's reserve price is set at \$15,000. Engine 31-3 is a 2000 International 4800 Series 4x4 Pumper. The vehicles vin number is 1HTSEADR9YH257683. Kalina second. Vote: A-yes, B-yes, K-yes

Chief Grossenbaugh stated that due to a shortage of fire department vehicles it may be a good time to sell.

Chief Grossenbaugh added that the annual Fire Association Boot Drive will be held on November 28, 2021, proceeds will go toward senior basket distribution and aid to residents who may suffer a catastrophe throughout the year.

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Mr. Burns asked Chief Grossenbaugh about how the department will address the new Ohio State firework legislation. Chief Grossenbaugh replied that he is assessing what other departments are doing and will report this information back to the Trustees. Mr. Burns stated that the Township does have the right to add restrictions to the legislation.

SERVICE

Mr. Behary informed the Trustees that he has submitted a \$102,000.00 ODOT grant application on behalf of the Township. He suggested the Township contribution be set at \$100,000.00. If granted, the total estimated project cost is \$202,000.00 and will be used to repave the western portion of Bellus Road.

Mr. Burns made a motion to adopt **Resolution #111621-02**, setting the Township match of the Bellus Road-ODOT grant application at \$100,000.00, if received. Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Behary informed the Trustees that he has received eight applications for the full-time service department worker vacancy and he would like to extend the application period into December.

Mr. Burns made a motion to amend the advertising period for a full-time Service Department worker to December 7, 2021, rather than the previous deadline of November 15, 2021. Augustine second. Vote: A-yes, B-yes, K-yes

Mr. Behary discussed revising the Township subdivision specifications to include curbs and gutters in future developments. He feels that the addition of the curbs will keep vehicles on the roadway and reduce right-of-way maintenance repairs. Mr. Burns stated that due to the narrow roads in Township subdivisions it is difficult for snowplows to not tear up lawns, resulting in necessary repairs.

Mr. Kalina stated that he is visually not a fan of curbs, feeling it doesn't have a "rural" feel. However, after reviewing the rationale for the change he can see the reason to do so. Mr. Behary explained that he would also like to see islands installed within cul-de-sacs to reduce the amount of pavement that will need maintained. The Trustees discussed the size of islands within current Township cul-de-sacs, as well as outlining future maintenance responsibilities.

ZONING

The Trustees reviewed and signed a parcel lot split for the Kopchak property.

CEMETERY

The Trustees signed the deeds for Herman and Kendall

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Mr. Burns made a motion to adopt **Resolution #111621-03**, authorizing the purchase of four non-resident cemetery lots to Zemaitis (previous resident). Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Burns made a motion to adopt **Resolution #111621-04**, authorizing the purchase of one non-resident cemetery lot to Batke (previous resident). Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Burns informed the Trustees that the Indigent Burial Policy Resolution was currently at the Medina County Prosecutors Office for review.

TRUSTEES

Mr. Kalina made a motion in the amount of \$150.00 for Jani-King to complete a Covid-related deep cleaning of the Township administrative offices. Augustine second. Vote: A-yes, B-yes, K-yes

Mr. Kalina stated that he has met with those zoning appointees whose terms are expiring in 2021 and, at this time, all are interested in maintaining their positions. He added that there will be a Board of Zoning Appeals continued hearing on November 23, 2021 regarding the former yoga studio on Ridge Road.

Ms. Augustine made a motion to purchase holiday wreaths and decorations for an amount not to exceed \$150.00 from the Greensmith Garden Center. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine thanked the Hinckley Garden Club for their fantastic job in decorating, she added that the group would like to add Memorial Park to the areas they maintain for the Township.

Ms. Augustine informed the Trustees that due to the inability to find a contractor the Senior Snow Plow Program will not be offered this season.

Ms. Augustine stated that due to the perception of a Sunshine Law violation during the November Zoning Commission meeting, she made a public records request of the two individuals involved. She stated that she acted as an agent of the board and asked for consensus from the boards that the action she took was one that the board agreed too. The trustees were in agreement with Ms. Augustine. After a review of the documents received, no Sunshine Law violations were committed.

Ms. Augustine made a motion to adopt **Resolution #111621-05**, approving the 2022 Kimble Opt-out list consisting of 159 properties. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine shared the total number of opt-outs and denials over the last three years. She

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informed the Trustees that the Kimble Vacant and Commercial Properties opt-out process has been streamlined and property owners will not need to notify the Township annually.

Ms. Augustine made a motion to accept the resignation of Christine Medwid effective December 30, 2021. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine made a motion to go into executive session to discuss Administrative, Police and Zoning Employment and Compensation at the end of the meeting. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine stated that she had met with the two Trustees-Elect and they had visited Township departments today.

Mr. Burns provided information on the following:

- There is a \$7 million grant program available in the State of Ohio for electric charging stations. It was agreed that Mr. Burns would provide detailed information at the next meeting
- The final submission for the Kobak LED lighting grant is complete.
- The Prosecutor's Office has met with Mr. Gibson's lawyer to work out the details of the property donation to the Township
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The Fiscal Officer advised the Board that the notice requirements of Section 121.22 of the Revised Code and the implementing rules adopted by the Board pursuant thereto were complied with for the meeting.

Mr. Burns moved the adoption of the following **Resolution #111621-06**:

A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

WHEREAS, Hinckley Township is a political subdivision of the State of Ohio formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are separately engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

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WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, Hinckley Township approved the One Ohio Memorandum of Understanding (“MOU”) relating to the allocation and the use of the proceeds of any potential settlements described; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors Ortho–McNeil-Janssen Pharmaceuticals, Inc., Janssen Pharmaceutical, Inc., Janssen Pharmaceuticals. Inc., and Johnson & Jonson (collectively “Janssen”) pursuant to the Settlement Agreement dated July 21, 2021 (“Janssen Settlement”); and

WHEREAS, the Hinckley Township Board of Trustee (“Board”), approves the townships participation in the July 21, 2021 Janssen Settlement and hereby authorizes the Medina County Prosecutor’s Office to execute the attached Settlement Participation Form.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Hinckley Township, Medina County, Ohio, that:

Section 1. The Medina County Prosecutor is hereby authorized to indicate Hinckley Township’s consent to participation in the July 21, 2021 Janssen Settlement, by executing the attached Settlement Participation Form.

Section 2. It is hereby found and determined that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board or committees, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with the law.

Section 3. This Resolution shall be in full force and effect from and immediately after its adoption.

Ms. Augustine seconded the motion. Vote: A=yes, B=yes, K=yes

FISCAL OFFICER

Mr. Burns made a motion to adopt **Resolution #111621-07**, to submit a request amending the Hinckley Township Certificate of Estimated Resources to the Medina County Auditor for the purpose of appropriating remaining CARES Act funds (2272) in the amount of \$28.95. Upon receipt of the Amended Certificate of Estimated Resources the 2272 Revenue and Appropriation Budgets will be amended to reflect the grant monies, Kalina second. Vote: A=yes, B=yes, K=yes

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Mr. Burns made a motion to reimburse the Hinckley Fire Department Community Benefit Fund \$676.00 for the Senior Snow Plow second submission, dated November 3, 2021. Augustine second. Vote: A-yes, B-yes, K-yes

Mr. Burns made a motion to approve **Resolution #111621-08**, accepting the ARPA federal funds and authorizing the Fiscal Officer to request funding through the grant portal. Augustine second. Vote: A-yes, B-yes, K-yes

Mrs. Catherwood explained that this language was recently sent by the State Auditor to be done retroactively. The Township had previously made a motion to accept the funds using similar language.

Mr. Burns made a motion to authorize payment to Amazon Prime in the amount of \$179 (plus any applicable taxes) for an annual Business Prime membership. Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Burns made a motion to authorize the Fiscal Officer request the Capital One Rewards balance of \$192.96 as a cash back receipt which will be deposited per use percentage in the respective funds. Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Burns made a motion to adopt **Resolution #111621-09**, which approves the reallocation of \$5,000.00 from 1000-760-740-0000 (Machinery, Equipment, Furniture) to 1000-130-150-0000 (Compensation of Board and Commission Members). Augustine second. Vote: A-yes, B-yes, K-yes

Mrs. Catherwood stated that the reallocation was due to additional meetings for the zoning boards.

A motion to adopt **Resolution # 111621-10**, approving the Purchase Order Listing as follows:

Blanket Certificate # 86 -2021, Purchase Order # 94 to 99-2021

For the amounts and to the vendors as submitted. Augustine second. Vote: A-yes, B-yes, K-yes

Mrs. Catherwood stated the funds status is \$6,346,656.62.

Mr. Burns made a motion to pay the bills in the amount of \$65,753.46. Kalina second. Vote: A-yes, B-yes, K-yes

There being nothing from the audience, at 8:01 p.m. the Trustees went into Executive Session.

Ms. Augustine made a motion to adjourn out of Executive Session at 8:38 p.m. and reconvene the regular meeting.

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Ms. Augustine made a motion to hire Robert Gabriel as a full-time probationary police officer effective the first payroll of 2022 at a rate of \$24.89/hour. Kalina second. Vote: A-yes, B-yes, K-yes

Ms. Augustine made a motion to increase the pay scale for Jacob Ghetto based on Mr. Getto's four years of experience. Effective February 2, 2022 his wages will increase to \$24.89/hour and upon his 1-year anniversary his wages will increase to \$29.94/hour. Kalina second. Vote: A-yes, B-yes, K-yes

Mr. Kalina commented that this will bring Mr. Getto's wages on line with other patrol officers with the same experience.

Mr. Kalina made a motion to accept applications from interested parties for an open Zoning Commission alternate position. The posting will be from November 22 2021 to December 3, 2021. Burns second. Vote: A-yes, B-yes, K-yes

Mr. Burns made a motion to adjourn at 8:41 pm. Augustine second. Vote: A-yes, B-yes, K-yes

The Board reviewed and signed purchase orders and bills.

The minutes of the meeting were approved by:
