

Trustee Regular Meeting  
February 21, 2023

Chairman Swedyk called the meeting of the Hinckley Township Board of Trustees to order at 6:30 p.m. on February 21, 2023. Present were Trustees Swedyk, Augustine and Ascherl, Fiscal Officer Catherwood, Police Chief Centner, Road Superintendent Behary and Fire Chief Grossenbaugh. 60 people attended in person and eight virtual.

All present pledged Allegiance to the Flag.

### **FIRE**

Trustee Ascherl administered the Oath of Service to newly appointed Assistant Chief Barrett and Lieutenant Tom Kolar and Lieutenant Jared Solomon.

Ms. Ascherl made a motion to approve a one-year agreement with “When I Work” scheduling software at a cost of \$1,140.00, effective February 2023 to February 2024. This replaces the current ESO scheduling software. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion to approve appropriations for a repair not to exceed \$900.00 on 37-2 through Burgess Ambulance, Inc. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion to approve the resignation of Firefighter/Paramedic Noah Milleman as his standards and practices did not work out. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion to approve the hiring of Firefighter/Paramedic Mariyah Balog at a rate of \$14.78 per hour with a one-year probation effective immediately. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

### **SPECIAL GUEST**

Mr. Swedyk introduces Elisabeth Hiser, a Stream Restoration Ecologist for the Cleveland Metroparks. Ms. Hiser presented a proposal to address runoff, erosion and stabilize the streambank upstream of Rising Valley at the east end of Eastwood Road. The Cleveland Metroparks are currently researching grant opportunities for this project. If funding is found the project may occur within the three years.

### **MEETING MINUTES**

Mr. Swedyk made motions to approve the following:

- February 7, 2023 Regular Meeting, as amended. Ascherl second. Vote: ASCH- yes, S-yes, AUG - yes
- February 17, 2023 Special Meeting. Ascherl second. Vote: ASCH- yes, S-yes, AUG - yes

Trustee Regular Meeting  
February 21, 2023

•January 10, 2023 Special Meeting for the purpose of a work session. Augustine second. Vote: ASCH- yes, S-yes. AUG – yes

### ZONING

Ms. Augustine informed the Trustees that the Oath of Office has been administered to Board of Zoning Appeals Alternate Robert Romanofsky.

### TRUSTEES

Ms. Augustine made a motion to accept the resignation of Martha Catherwood as a Hinckley Township representative on the CRA Housing Council effective February 10, 2023. Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

The Township received three letters of interest for two openings to represent Hinckley Township on the CRA Housing Council. After a brief discussion it was determined that Nancy Mandilakis had researched the role thoroughly and both Denise Klag and Shawn Pepera were qualified.

Mr. Swedyk made a motion to appoint Nancy Mandilakis to fill the unexpired term of Martha Catherwood to the CRA Housing Council. Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Augustine made a motion to appoint Denise Klag to fill the unexpired term of Jim Dolance to the CRA Housing Council. Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Augustine provided the Trustees a proposal from a consulting firm offering their services to explore grants that may be used to install city water in the town center. She stated that she was contacted by a resident who provided the reference for the consulting firm. She recommended property owners in the town center send letters to the Township if they are experiencing hardship due to poor water quality.

Ms. Augustine moved the adoption of the following **RESOLUTION NO. 022123-01**

**A RESOLUTION TO ACCEPT THE MATERIAL TERMS OF THE  
SUBDIVISION SETTLEMENT PARTICIPATION FORMS CONSISTENT WITH THE  
TERMS OF THE ALLERGEN, CVS, TEVA, WALMART AND WALGREENS  
SETTLEMENT AGREEMENTS**

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 which include the Pharmacies and manufactures; 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 companies within the Opioid Pharmaceutical Supply Chain which include the Pharmacies and manufactures accountable for the damage caused by their misfeasance, nonfeasance and malfeasance; and

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 at a special meeting held on July 29, 2021; and

WHEREAS, settlement agreements have been presented to the State of Ohio and Local Governments by Allergan, CVS, Teva, Walmart and Walgreens (collectively the “Settling Defendants) to resolve governmental entity claims in the State of Ohio using the structure of the One Ohio MOU; and

WHEREAS, Hinckley Township agrees and understands that the five separate Settlement Agreements which include Allergan, CVS, Teva, Walmart and Walgreens will be binding on the Settling States, Settling Defendants, Participating Subdivisions, and Participating Special Districts.

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

Section 1. The Board of Trustees of Hinckley Township hereby consents to the proposed Settlement Agreements with Allergan, CVS, Teva, Walmart and Walgreens, and the Board hereby authorizes the Medina County Prosecutor to indicate Hinckley Township’s consent to its participation in the proposed Settlement Agreements with Allergan, CVS, Teva, Walmart and Walgreens, by executing any required documents the Township’s legal counsel, Medina County Prosecutor’s Office, finds to be appropriate.

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.

Trustee Regular Meeting  
February 21, 2023

Ms. Ascherl seconded the motion. Upon roll call on the adoption of the Resolution, the vote was as follows: Swedyk – yes; Ascherl – yes; Augustine - yes

Ms. Augustine informed all that the deadline for Citizen of the Year nominations is March 22, 2023. Additional information is on the Township website.

Ms. Augustine announced that Buzzard Day will be March 19th.

Ms. Ascherl reminded the audience that on February 3, 2023 new Kimble rates went into effect, as follows: \$69.99 per quarter for unlimited service and \$22.83 per quarter for the bag service (bags are \$3.31/each).

Ms. Ascherl informed the Trustees that she has spoken with an attorney that specializes in real estate and annexation law. The attorney's name is Al Schrader and he was recommended by John Slagter who had previously represented the Township in several zoning matters. Mr. Slagter is unable to serve the Township due to a conflict of interest. Mr. Schrader's rate is \$250.00 per hour and is happy to meet with the Trustees to discuss the Township options for the annexation petition at the West 130<sup>th</sup>/Center Road property.

Following a brief discussion as to past efforts to address tax abatement's at this property, Trustees decided to pursue outside counsel for this matter.

Ms. Ascherl made a motion to hire Al Schrader to represent the Township in objecting the annexation petition submitted at the West 130<sup>th</sup>/Center Road property, Augustine second. Vote: ASCH=yes, S=yes, AUG=yes

The Trustees agreed to schedule a Special Meeting on February 27, 2023 at 8:00 a.m. to meet with Mr. Schrader.

Mr. Swedyk stated the road repair agreement with North Royalton for repairs on Boston Road is at the Medina County Prosecutors Office for review.

Mr. Swedyk suggested relocating the May 2<sup>nd</sup> Regular Trustee Meeting to the old fire station due to Election Day. The Trustees also decided to cancel the May 16<sup>th</sup> meeting due to lack of a quorum.

#### **FISCAL OFFICER**

Mr. Swedyk made a motion to approve hiring Shred-It at a cost not to exceed \$500.00 to dispose of records previously approved for destruction. Ascherl second. Vote: ASCH- yes, S=yes, AUG=yes

Mrs. Catherwood stated the fund status is \$7,231,765.03.

Mrs. Catherwood informed the Trustees that the 2022 financials are available for the public to view on Ohio Checkbook.

**PUBLIC**

Resident John Kalas asked Ms. Augustine the name of the resident who provided her the reference for the town center water information . Ms. Augustine replied the resident’s name is Chris Brubaker.

Mr. Swedyk made a motion to pay the bills/payroll in the amount \$25,623.97. Ascherl second.  
Vote: ASCH=yes, S=yes, AUG=yes

Mr. Swedyk made a motion to adjourn at 7:54 p.m. Augustine second. Vote: ASCH=yes, S=yes, AUG=yes

The Board reviewed and signed purchase orders, payroll and bills.

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