

Trustee Regular Meeting
April 4, 2023

Chairman Swedyk called the meeting of the Hinckley Township Board of Trustees to order at 6:31 p.m. on April 4, 2023. Present were Trustees Swedyk, Augustine and Ascherl. Fiscal Officer Catherwood, Road Superintendent Behary and Fire Chief Grossenbaugh. 27 people attended in person and three virtual.

MEETING MINUTES

Mr. Swedyk moved to approve the following:

- March 21, 2023 Regular Meeting minutes as amended. Ascherl second. Vote: ASCH- yes, S-yes, AUG – yes
- March 16, 2023 Special Meeting minutes. Ascherl second. Vote: ASCH- yes, S-yes, AUG – abstain
- March 28, 2023 Special Meeting minutes. Ascherl second. Vote: ASCH- yes, S-yes, AUG – no

SPECIAL GUESTS

Bryan Pevose introduced himself as the Gaffney Family attorney and informed the audience that the Gaffney's had purchase several Hinckley Town Center properties with the intention to redevelop them and reinvigorate the center of town. He introduced David Krebs from Oak Architects to discuss the preliminary plans.

Mr. Krebs presented several preliminary plans for the properties and discussed the project scope which focuses on a winery, specialty shops and the incorporation of greenspace. He stressed that the project was in the conceptual phase of development.

Ms. Augustine thanked the Gaffney's for presenting their proposal and Ms. Ascherl stated that this was a unique opportunity for the Township.

Following Mr. Krebs, Bethany Dentler of the Medina County Economic Development Corporation discussed the lack of public water within the proposed redevelopment area and discussed an economic development tool known as Tax Increment Financing (TIF). TIFs are used to fund public infrastructure and are allowed by statute. She presented a brief overview of how a TIF works.

Due to the upcoming Medina County Commissioner Public Hearing for the annexation petition, Ms. Augustine suggested the Board rescind the motion supporting the CRA Compensation Agreement from June of 2022 and forwarding a new motion. Ms. Ascherl agreed saying that she had discussed the same with legal counsel.

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Ms. Augustine made a motion to adopt **Resolution #040423-01**, rescinding Resolution #060722-01. Swedyk second. Vote: ASCH- yes, S-yes, AUG – yes

Ms. Augustine made a motion to adopt **Resolution #040423-02**, as follows:

**AUTHORIZING THE TOWNSHIP TO SUPPORT A COMMUNITY REINVESTMENT
AREA AGREEMENT AND COMMUNITY REINVESTMENT AREA
COMPENSATION AGREEMENT WITH ISOMER GROUP, INC.**

WHEREAS, the Medina County Board of Commissioners has previously authorized designation of Community Reinvestment Area #5 within Hinckley Township for the encouragement of development of real property and the acquisition of personal property located in the Community Reinvestment Area by Resolution No. 95-631; and

WHEREAS, Isomer Group, Inc. is desirous of constructing an expansion to a manufacturing building to be located within said Community Reinvestment Area;

WHEREAS, the Hinckley Township Board of Trustees is desirous of providing Isomer Group, Inc. with said incentives available for the development of a project in the Hinckley Township Community Reinvestment Area #5 pursuant to Section 3735 of the Ohio Revised Code; and

WHEREAS, the Hinckley Township Board of Trustees is also desirous of supporting a resolution by the Medina County Board of Commissioners to enter into a Community Reinvestment Area Agreement and a Community Reinvestment Area Compensation Agreement with Isomer Group, Inc. to accomplish these goals.

NOW, THEREFORE, BE IT ORDAINED BY THE HINCKLEY TOWNSHIP BOARD OF TRUSTEES, MEDINA COUNTY, OHIO THAT:

1. The Board of Trustees supports the Medina County Board of Commissioners to enter into a Community Reinvestment Area agreement with Isomer Group, Inc. pursuant to the terms set forth in Exhibit “A” attached hereto and made a part hereof.
2. The Board of Trustees supports the Medina County Board of Commissioners to enter into a Community Reinvestment Area Compensation agreement with Isomer Group, Inc. as approved by the Brunswick City School District pursuant to the terms set forth in Exhibit “B” attached hereto and made a part hereof.

Swedyk second. Vote: ASCH- abstain due to Discount Drug Mart being a customer of the company she works for, S-yes, AUG – yes

Medina County Health Department Commissioner Krista Wasowki reviewed the Health Department’s 2022 Annual Report with the Board and offered to answer any questions.

FIRE

Ms. Ascherl made a motion to enter into a 1-year HVAC Maintenance Agreement with Jackson Comfort Heating and Cooling at an amount not to exceed \$804.00. The Department has chosen Plan 2 which includes one heating complete maintenance visit and one cooling complete maintenance visit (April 1, 2023 to march 31, 2024). Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion to enter into a 1-year Emergency Apparatus Service Schedule “B” agreement with W.W. Williams for Engine 31 and 31-2 and Tanker 32 at a cost not to exceed \$5.800.00 for all three vehicles. Schedule :B: service includes bumper-to-bumper inspection, filters, fluid changes, pump test and ground ladder test. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Ascherl made a motion to approve moving FF/EMT’s Brandon Ciresi and Craig Burrows from Cadet pay to their full rate of pay (\$16.23/hour) per the Organizational Meeting Minutes affective April 2, 2023. Augustine second. Vote: ASCH- yes, S-yes, AUG-yes

Chief Grossenbaugh presented the 2023 First Quarter Activity Report which included; 139 EMS related incidents and 62 fire related incidents. Total YTD incidents are 186. The average emergency response time is 7 minutes 48 seconds.

Chief Grossenbaugh announced that there will be a Red Cross Blood Drive in April and that the Department was awarded for their high turnout at the blood drives.

SERVICE

Mr. Swedyk made a motion to adopt **Resolution #040423-03**, approving as submitted the:

**RESOLUTION AUTHORIZING PARTICIPATION IN ODOT
COOPERATIVE PURCHASING PROGRAM**

WHEREAS, Section 5513.01(B) provides the opportunity for Counties, Townships, Municipal Corporations, Conservancy Districts, Township Park Districts, Park Districts created under Chapter 1545 of the Revised Code, Port Authorities, Regional Transit Authorities, Regional Airport Authorities, Regional Water and Sewer Districts, County Transit Boards, State Universities or Colleges to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies or other articles.

NOW, THEREFORE, be it resolved by The Hinckley Township Board of Trustees that:

SECTION 1.

That the Hinckley Township Board of Trustees hereby requests authority in the name of Hinckley Township to participate in the Ohio Department of Transportation contracts for the purchase of machinery, materials, supplies or other articles which the Department

has entered into pursuant to Ohio Revised Code Section 5513.01(B).

SECTION 2.

That the Hinckley Township Board of Trustees is hereby authorized to agree in the name of Hinckley Township to be bound by all terms and conditions as the Director of Transportation prescribes.

SECTION 3.

That the Hinckley Township Board of Trustees is hereby authorized to agree in the name of Hinckley Township to direct the Hinckley Township Fiscal Officer to directly pay vendors, under each such contract of the Ohio Department of Transportation in which Hinckley Township participates, for items it receives pursuant to the contract.

SECTION 4.

That the Hinckley Township Board of Trustees agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The Hinckley Township Board of Trustees agrees to waive any claims, actions, expenses, or other damages arising out of its participation in the cooperative purchasing program which the Hinckley Township Board of Trustees may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

Mr. Swedyk made a motion to adopt **Resolution #040423-04**, for 900/Ton of road salt through the Ohio Department of Transportation (ODOT) in accordance with the following terms:

**RESOLUTION AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2023**

WHEREAS, the Hinckley Township Board of Trustees (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and

b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and

c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the road salt contract; and

d. The Political Subdivision's electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and

e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically submitted salt quantities from its awarded salt supplier during the contract's effective period; and

f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and

g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Monday, May 1 by 5:00 p.m. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email:

Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract.

Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

ZONING

Ms. Augustine asked the Board if they were ready to move forward with the 25 River Road nuisance Resolution. Mr. Swedyk replied that he had talked with Ms. Carroll at the Medina County Prosecutors Office and she stated that cost estimated could be gathered using photographs of the property and to date Mr. Swedyk has not received an idea as to what costs

the Township may incur to undertake this nuisance violation. Ms. Ascherl added that if there is a possible septic system violation why isn't the Medina County Health Department following through on their open nuisance violation. She is also concerned about the safety of Township employees who may be required to access the property.

In response to Mr. Swedyk's concerns about costs, Ms. Augustine replied that the Township will not incur costs since all costs are assessed on the property owners property taxes. Mr. Swedyk replied that the upfront costs are incurred by the Township and it may take years to recoup the costs through a property tax assessment. According to Ms. Carroll, Mr. Zabloutny has received salvage company and property cleanup companies from her office and should be able to obtain cost estimates. He will wait on the estimates before further discussion.

Ms. Augustine made a motion to obtain a title search for 25 River Road from Centennial Title Agency in the amount of \$100.00. Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Augustine made a motion to approve a training appropriation in the amount of \$30.00 for Mr. Zabloutny to attend OTA Training on May 24: Zoning Inspectors' Webinar Rehabbing Zoning Ordinances:" Does Yours Need an Intervention?". Ascherl second. Vote: ASCH- yes, S-yes, AUG-yes

Ms. Augustine informed the audience that there will be discussion at the April 6, 2023 Medina County Planning Commission meeting regarding the lot splits on Arborcrest.

TRUSTEES

Ms. Augustine presented the following:

- ODOT is looking into a traffic study for the Hinckley Elementary traffic on Ridge Road and signage at Stony Hill and 606 indicating that cross traffic does not stop. ODOT indicated that Highland Schools would be responsible for traffic on Ridge Road outside of the school.
- The Memorial Day Parade press release for the *Hinckley Record*

Ms. Augustine made a motion to approve appropriations not to exceed \$200.00 for Memorial Day. This appropriation is considered a proper public purpose. Ascherl second. Vote: ASCH-yes, S-yes, AUG-yes

Ms. Augustine commented that the TIF discussion was an interesting idea and the Board should reach out to Bethany Dentler with any questions.

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Further discussion ensued as to a motion made for the Board to approve submissions for the Hinckley Record Trustees Corner prior to publication. Due to the Board not coming to an agreement as to this topic it was decided to discontinue the Township newsletter and the *Hinckley Record* Trustees Corner article.

Ms. Ascherl provided the Board with a draft of the New Resident letter from the Trustees that the Hinckley Women's Club delivers to new residents. She noted that there were minor changes.

Ms. Ascherl provided the audience with information regarding the Medina County Solid Waste District 2023 Community Clean-Up and Voucher Program. Anyone interested can contact the Township for a disposable voucher for a gate rate of \$50.00 per ton in effect from April 3, 2023 until July 31, 2023.

Mr. Swedyk made a motion to approve the Rocky River Watershed Council annual membership renewal and supporting donation for 2023 in the amount of \$500.00. Augustine second. Vote: ASCH=yes, S=yes, AUG=yes

Mr. Swedyk made a motion to approve the purchase of sludge for the Town Hall wastewater treatment plant to replenish the bacterial supply for effective treatment in an amount not to exceed \$750.00. Ascherl second. Vote: ASCH=yes, S=yes, AUG=yes

Mr. Swedyk indicated there was some confusion in the interpretation of the Hinckley Township Subdivision Standards approved in 2022. The verbiage indicates that the Trustees must approve the type of pavement for a subdivision by Resolution. The Medina County Prosecutors Office has recommend removing this line through an amendment to the Resolution.

FISCAL OFFICER

Mrs. Catherwood informed the Board, in accordance with ORC Section 507.021, she will be hiring a Fiscal Officer Assistant for the purpose of taking meetings minutes. The length and frequency of the Trustee meetings over the last several years has greatly increased and she is unable to continue and maintain her current workload. There are very few Fiscal Officers in the County who still take their own minutes, she has maintained this practice to save the Township money. The recommended rate of pay for this position is \$25.00/hour and the annual cost is estimated at \$4,000.00 based on the current meeting schedule.

Mrs. Catherwood stated the fund balance is \$7,020,058.45.

PUBLIC

Frank Sidari (Michelle Ridge) expressed his dissatisfaction for the pavement work that was performed on his road last summer. He would like the road to be asphalt; rather than chip and seal. Mr. Swedyk replied that the contractor is aware of the problems on the road and are returning to repair.

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Mr. Swedyk made a motion to pay the bills in the amount of \$63,509.53. Ascherl second. Vote: ASCH-yes, S-yes, AUG-yes

Mr. Swedyk made a motion to adjourn at 8:12 p.m. Ascherl second. Vote: ASCH-yes, S-yes, AUG-yes

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

