

WESTFIELD TOWNSHIP BOARD OF TRUSTEES
SEPTEMBER 15, 2008
REGULAR MEETING-7:00 PM

Chairperson of the Board of Trustees Carolyn Sims called to order the regular meeting of the Westfield Township Board of Trustees to order at 7:00 p.m. Trustee Sims, Likley and Kratzer were present as well as Fiscal Officer Evans. The following were also in attendance: Ron Oiler

Public Comments

Mr. Mark Goffinet with Auditor Mike Kovack's Office. Mr. Goffinet stated if anyone sustained storm damage from yesterday's storms, one could possibly be eligible for a break on your tax bill. The damage must be structural in nature (not trees or shrubs) and he had applications with him for evaluation deduction for damaged homes/property. Auditor Kovack's office urges anyone who has sustained damage to fill out the form and return it to the Auditor's Office in timely fashion.

FISCAL OFFICER REPORT

Fiscal Officer Evans stated the Trustees had in front of them the Cash Summary Report by Fund which lists total receipts, expenditures and the checking account balance to date. The Trustees have been presented the bills for payment this evening as well as a Fund Status Report. The bills were in the amount of \$3,614.37.

Trustee Kratzer made a motion to pay the bills in the amount of \$3,614.47. It was seconded by Trustee Likley.

ROLL CALL- Kratzer-yes, Likley-yes, Sims-yes. Motion carried.

List of Received Correspondence

- New Flood Plain Map as of August 2008
- The Ohio Township Association Magazine-New partition fence regulations
- Planning and Zoning Workshop Nov. 14, 2008 to be held in Cleveland. This has been offered to the zoning board members to attend. Mr. Ron Oiler stated he would be attending.
- Conservation Practices Tour in southwestern Medina County-October 3, 2008

Fiscal Officer Evans stated the Trustees agreed to participate in an internet auction to sell the 1980 International Tractor. The cost to participate in the auction is \$184.00 but the Trustees must have a Resolution before this can be done. The minimum bid will be \$9600.00.

Trustee Sims made a motion to approve a Resolution to participate in an internet auction to sell the Township's 1980 International Tractor with the cost to

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participate being \$184.00. The minimum bid for the Tractor to be \$9600.00. It was seconded by Trustee Likley.

ROLL CALL-Sims-yes, Likley-yes, Kratzer-yes. Motion Carried.

Fiscal Officer Evans stated per the Trustees request she sent a letter to Mr. Joe Hanna regarding a past due bill in the amount of \$924.00 for the ditch enclosure installed in front of his property located at 5818 Buffham Rd. in 2006. This would be the final request for payment. Mr. Hanna had until Sept. 30, 2008 to pay the bill or another course of action may be taken.

Fiscal Officer Evans stated she was also sending a third invoice to Mr. Carrasco for non-payment in the amount of approximately \$800.00.

IRS Appeal Update

Fiscal Officer Evans stated the Board of Trustees had a special meeting on the IRS Appeal and will ask the Pros. Office to go the final phase to see if the penalties could be appealed. The amount of the penalties and interest was approximately \$32,000

NEW BUSINESS

Trustee Sims stated yesterday there was a severe storm. Many trees came down and were in the road especially on Clayton Rd. where there were down power lines. Road Superintendent Lee Evans and his brother Kevin were very diligent in handling this weather situation and the aftermath of down power lines and trees.

FEMA FLOOD PLAIN MAP

Trustee Sims stated this was map received by Dan Wilhoute from the Engineer's Office that Fiscal Officer Evans mentions previously. Trustee Likley stated the FEMA Flood Plain Map needed to be forwarded to the Zoning Commission for formal adoption in the Natural Hazard Overlay District. per the Zoning Resolution language this will be the current map for the Natural Hazard Overlay District until a new update occurs.

Trustee Sims stated there was also an attachment that this new Flood Plain Map may have an effect on individual's home owners insurance. This information will be placed on the Bulletin Board.

Zoning Board Alternate

Trustee Sims stated Kevin Primer stepped down from the Zoning Commission because his mother became ill. She has since passed away and Mr. Primer has taken a different work schedule and has asked to come back to the Zoning Commission. Trustee Sims told him his position had been filled by former Zoning Commission alternate Sue Brewer. Trustees Sims stated that the Trustees might want to consider putting him back on the

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Zoning Commission as an alternate because of the time and training the Township has incurred for Mr. Primer to be a member. There was discussion on the amount of meetings/training and pay Mr. Primer went to and received. Fiscal Officer Evans stated Mr. Primer was paid in February for one workshop and one meeting. Trustee Likley stated he has tried to get a hold of Mr. Primer but has not been able to get in touch with him. He added if Mr. Primer is due additional monies and can give us dates that we can verify then there should be no issue with paying him for his service. Trustee Kratzer stated he sent an e-mail to the Zoning Secretary and Fiscal Officer Evans and thought the issue was resolved but believed there may be a few more workshops/meetings that he needed to be paid for. Trustee Likley stated he would investigate the matter further.

Trustee Sims made a motion to appoint Mr. Kevin Primer as alternate to the Zoning Commission. It was seconded by Trustee Likley.

Discussion on the Motion. Trustee Kratzer stated previous to Mr. Primer stepping down from his position, he was concerned with some of the e-mails that went back and forth between the Zoning Commission. Trustee Kratzer stated he had a problem with one of Mr. Primer's e-mails as well as Mr. Miller's so he would prefer to wait until other applications come in before an alternate to the Zoning Commission is named.

Trustee Likley stated he had some concern with that e-mail situation as well. He did address this and it is reasonable to expect all the zoning members to communicate with respect to each other and others. Trustee Likley stated he felt Mr. Primer showed interest and desire in sitting on the Commission, going to training and serving the community. Trustee Sims stated that the Trustees have already advertise twice for zoning board members and there was only one response and added the Township has already invested time and effort in Mr. Primer for training.

ROLL CALL-Kratzer-yes, with reservations, Sims-yes, Likley-yes. Motion Carried.

Westfield Terrace

Zoning Inspector Harris was not able to be present this evening. Trustee Sims asked if anyone knew the mowing status and schedule for Westfield Terrace? Trustee Likley stated he knew that it was to be mowed twice a year, once in the spring and once in the fall. Trustee Sims asked Trustee Likley to ask ZI Harris to look into those dates. Fiscal Officer Evans stated there was a Resolution. The mowing was to be done once before July 4th and once before September 15th.

OLD BUSINESS

Project Update-Buffham Rd. Ditch (Soft Shoulder)-Trustee Sims stated she believed the individual was Mr. Klingen and the Trustees had a block wall they had to replace. She added she also received a drainage complaint from Mr. Minor across the street. Mr. Klingen also proposed enclosing his own ditch and not have Road Superintendent Lee Evans do the work. Trustee Sims stated she talked with Mr. Evans and he contacted the

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County Engineer's Office to see if this was possible and pulled a ditch enclosure permit. He then got in touch with Mr. Klingen and gave him the information. Mr. Klingen then asked Lee if he could wait a week before doing the actual work of fixing the wall until he had a chance to investigate his options. The Township will give Mr. Klingen a week to get back to us about how he wanted to proceed, but this project needed to be concluded soon.

Trustee Kratzer stated he was out of town and received a voice mail from the Gregoire's about John Minor. Trustee Kratzer stated he left Lee Evans a message to check this out and he then received another call from the Gregoire's and that they gave permission to pull the smaller pipe out. Mr. Evans has expressed concern if he pulled out the smaller pipe it may cause damage to the other pipe. Trustee Sims interjected it was a steel pipe sleeved into an existing pipe. However it is so corroded that she could just take her foot and crush it. Mr. Evans interjected it was 15" corrugated with 12" well casing slid inside. He added there use to be an 8" inside slid inside the 12"...Because it has been inside for so many years there was no way he could pull the 12" without damaging the 15". Trustee Likley agreed. Trustee Kratzer stated Gregoire would pay to completely replace all the pipe if Lee wanted to do it. This would be a win situation for the Minor's also because it would be all brand new pipe.

Mr. Evans suggested dropping a concrete catch in and then he could step that other 15" pipe a little lower so the water would carry a little quicker to the creek. Trustee Likley asked if the catch basin would be part of the 15" pipe the Township would be replacing? Trustee Likley stated the cost of the catch should be figured into the total cost. Mr. Evans stated he would have Cliff Gregoire sign the estimate so he was aware of the cost. Trustee Sims stated every time she has been out to see the drainage issue the pipe has been functioning. Mr. Minor has contacted her several times with this complaint and hopefully now it will be resolved.

Zuber Prosecution Update

Zoning Inspector Harris was absent. Trustee Likley stated he spoke with ZI Harris and on Wednesday, September 17, 2008 at 9:00 a.m. ZI Harris, Lee Evans, Mr. Zuber and his attorney and Trinna Devanney from the Pros. Office will be meeting out at the Zuber property to stake it into quadrants to assess the clean up that would need to be completed to bring this property into compliance. Trustee Likley stated the time-frame for each quadrant to be cleaned up began on September 12, 2008 and to be completed within 45 days. Mr. Evans stated they would be taking pictures and notes.

There was also discussion about the Bombard property on Greenwich Rd. which was being used as rental property, and the numerous "items" on the property. Mr. Evans stated he took pictures of that property as well and forwarded them to ZI Harris for further action. Trustee Sims stated the Trustees would need to follow up with ZI Harris on this issue as well. Trustee Sims continued that Mr. Bombard has asked that his

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variance request be reconsidered which was denied by the BZA a few years ago. The property is unique in that it is zoned Highway Commercial (HC) but it is a small lot and Mr. Bombard does not feel he fits any of those permitted uses in that District because it is such a small lot. The Pros. Office wrote the BZA a letter explaining the criteria required to consider such a request. The Pros. Office did not feel that what Mr. Bombard submitted was sufficient for the BZA to make such a determination so more information was needed by the applicant before a meeting date could be set by the BZA. Zoning Secretary Ferencz set Mr. Bombard a letter explaining the need for additional information.

Cell Tower Update

Mr. Evan stated they (Verizon) were preparing a site plan showing the tower and the required tree mound. He also contacted the surveyor to set the stakes on the property. Mr. Evan stated he talked to the neighbor (Wolfgang) and he wanted a 6 ft. mound with specific trees. Trustee Likley stated white pines were a sound tree that grew fairly quickly and if spaced properly would provide an adequate screening. Trustee Kratzer stated the other neighbor Todd Hoglin did not have an issue with the tower either.

Westfield Landing variance requests

Trustee Sims stated there were questions from the Chair of the BZA (Schmidt) and those would have to be addressed. Ms. Lynn Methlie, realtor for the owners of the property was present. Trustee Sims stated she did not have the questions with her but as she recalled the Chair would like a history of the property from a representative. Trustee Likley stated there was a memorandum from ZI Harris that gave a very brief history of the parcels and the subdivision but did not know if that answered all of the questions Chairman Schmidt had. Ms. Methlie asked for the list of the questions so they could be answered and submitted. Trustee Sims stated what was more important and also suggested by the Pros. Office is to know who is legally authorized to represent the estate for the variances to be requested by the BZA? This information would need to be presented when the variances were heard before the BZA.

Comprehensive Plan Consultant

Trustee Sims stated she has not gotten information from NorthStar about a resident survey. She added she did not want to make any decisions until she received the scope of services from Northstar. As soon as she got the information she would forward it to the other Trustees via the info@westfieldtownship.org web address and would put it on the next Trustee meeting agenda for discussion.

Issue 2 Money for Buffham Rd.

Tabled until next meeting.

Township Newsletter Cost Estimate

Tabled until next meeting. Trustee Kratzer stated that this estimate needed to be received before the next meeting as that would be October so the newsletter could get out in a timely fashion. Trustee Kratzer even suggested a special meeting to be held to address this issue. Trustees Sims and Likley agreed. Trustee Likley stated he would like to move away from meeting on Friday morning unless absolutely necessary and meet in the evening if needed.

Website Contract

Trustee Likley stated that the website contract is up on October 11, 2008. Trustee Kratzer stated he had contacted two individuals who were working up a cost estimate to host the website locally. Trustee Likley stated he wanted to move away from a third party in the maintenance portion of the website and to move forward with that being done "in-house." Trustee Likley stated that the software question needed to be asked in that if the software the Township was using affects the hosting capability. The current web administrator Greg Anderson is using the current version of Dreamweaver. Trustee Kratzer stated that he would like this to be placed on the next agenda.

MISC.

Trustee Sims suggested instead of bulk mailing packets sent out to the Zoning Commission and BZA that an outdoor mailbox system could be established to be used for drop off by residents and applicants as well as pick up for board members similar to the one across from the Guilford Fire at Rt. 3 and Greenwich Rd. The cost is anywhere from \$700 on up based on the options and it would basically pay for itself after approximately 140 bulk mailings out to board members. Trustee Kratzer stated that he was unsure if it would be utilized by the zoning board members based on their location in the Township and gas prices. If something is mailed out the Township has proof it was mailed but added he was concerned if a zoning member did not come up to the Townhall to pick up their mail until the night of the meeting. Trustee Sims stated she would hope that would not be the case and that board members would show due diligence to pick up their mail prior to such meetings.

Trustee Sims stated that she felt there should be a mailbox out front of the Townhall that is key locked. She added she then began looking at such locked mailboxes that would also accept parcels and this idea came up. This could also lead to the elimination of the P.O. Box for the Township as well. Trustee Sims stated this was just for discussion and wanted to see if the Trustees were interested in this option.

White Road RR Crossing

Trustee Kratzer stated an e-mail was received by Leah Dalton (PUCO Columbus Rail Division Chief) looking for an accident report on the incident that happened on the White Rd. RR Crossing in 2006. He added he forwarded it to Fire Chief Snoddy for further information. Trustee Likley stated the PUCO was interested in upgrading that RR

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Crossing so any information the Township could give Ms. Dalton would be helpful. Trustee Sims stated she and Lee Evans were working on this.

Trustee Sims stated when the Trustees were sending e-mails they also needed to be sent to info@westfieldtownship.org.

Outstanding Meeting Minute Approval

August 15, 2008 meeting minutes-**Trustee Kratzer made a motion to approve the August 15, 2008 meeting minutes as presented. It was seconded by Trustee Likley. ROLL CALL- Kratzer-yes, Sims-no, Likley-yes. Motion carried.**

August 18, 2008 meeting minutes-**Trustee Likley made a motion to approve the August 18, 2008 meeting minutes as amended (minor typographical errors). It was seconded by Trustee Kratzer. ROLL CALL- Kratzer-yes, Sims-no, Likley-yes. Motion carried.**

August 27, 2008 meeting minutes. Trustee Likley stated he did not have a chance to review these minutes and asked that they be tabled for approval until the next meeting. Trustee Kratzer and Sims agreed. The minutes from the Trustees September 5, 2008 meeting would be tabled for approval until the next Trustee meeting.

The outstanding drafts of Trustee meeting minutes were as follows:
September 3, 2008
Sept. 12, 2008

Announcements

September 17, 2008 at 7:00 p.m. Special Trustee meeting on the Fire Consultant Report

September 18, 2008 at 4:30 pm. Highway Engineer's Dinner

September 23, 2008 at 7:30 p.m. BZA variance hearing on Grubbis/Westfield Landing variance requests

September 25, 2008 at 7:30 p.m. Zoning Commission-Con't of Public Hearing on Kratzer Map Amendment (Please note the public participation portion of the hearing has been closed and will only be for deliberation of the Zoning Commission)

October 6, 2008 Regular Trustee Meeting at 7:00 p.m.

Public Comment

Mr. Jim Zukero from Summit Insurance in Hudson addressed the Trustees. He stated in 2004 the Board of Trustees had the foresight to join OTARMA. OTARMA provides Ohio Townships with property and liability insurance. He then went into a brief explanation on the different types of insurance OTARMA offered as well as claim information. Westfield Township's insurance anniversary date is August 12th and any inventory adjustments made by that date would need to be updated with the insurance

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company. Mr. Zukero encouraged the Trustees to visit OTARMA.org and all the information and training videos offered on the site.


Fiscal Officer Evans asked if the official's liability insurance cover errors and omissions? Mr. Zukero stated absolutely. Fiscal Officer stated currently the Board of Trustees had a claim against the former Clerk. The Trustees are asking for \$10,000 from the former Clerk due to interest and penalties that had to be paid to the IRS. The former Clerk did not pay the IRS so the Township now has interest and penalties against them. Mr. Zukero stated he would look into this and speak with the Pros. Office and report back to Fiscal Officer Evans further and she could then report back to the Board. Trustee Sims asked that the response to the Fiscal Officer Evans be forwarded via e-mail to the Trustees before the next meeting if received.

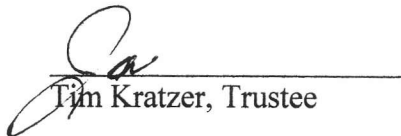
Trustee Likley made a motion to adjourn. It was seconded by Trustee Sims. ROLL CALL-Likley-yes, Kratzer-yes, Sims-yes. Motion carried.

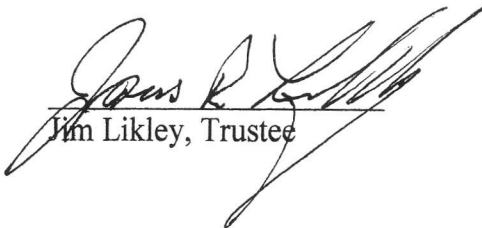
The meeting was officially adjourned at 8:35 p.m.

Respectfully Submitted,
Kim Ferencz, Westfield Township Admin. Ass't.

Approved as amended January 15, 2009


Trustee Carolyn Sims, Chairperson


Tim Kratzer, Trustee


Jim Likley, Trustee