

# WESTFIELD TOWNSHIP BOARD OF TRUSTEES

APRIL 2, 2009

## REGULAR MEETING-7:00 PM

(as amended 6/18/09)

Chairperson of the Board of Trustees Jim Likley called to order the regular meeting of the Westfield Township Board of Trustees at 7:00 p.m. Trustee Sims, and Likley were present as well as Fiscal Officer Evans. The following were also in attendance: Ken Beckman, Carol Rumburg, Dwayne Kramer, Dennis Delagrange, Mary Steidl, the Kerr's, Ron Oiler, Seth Miller, Stan Scheetz, Gene Paul Scott, Bruce Smith and Heather Sturdevant.

Chair Likley announced that Trustee Kratzer's mother passed away today so Trustee Kratzer would not be in attendance at tonight's meeting. Our thoughts and prayers are with Mr. Kratzer and his family.

### Public Comments

None.

### FISCAL OFFICER REPORT

#### List of Correspondence

- Letter from the Pros. Office regarding the lot split for the airstrip. There could have been written documentation to the effect that multiple lot splits may not have airstrip use in conformance with Case no. 4c0v576 decided by the Medina Common Pleas Court on October 12, 2006. The property owner should be aware that the Trustees may seek enforcement to prohibit multiple lots on the airstrip.
- Letter from the Pros. Office to Kevin Daugherty concerning the constitutional rights of Mr. Kratzer
- Letter from OTARMA regarding a new safety act for pools and spas
- Letter from SUMA Care on the changes in federal regulations to report to Medicare and Medicaid for the purpose of coordination of benefits
- Sanitary Engineer's Office has scheduled a meeting April 8, 2009 at 7:00 p.m. at the Westfield Elementary School regarding the Westfield Rd. well.
- Sheriff's Contract. Westfield Township was billed for 208 calls. This is the dispatch contract that needed to be signed by the Trustees. The amount of the contract is \$9,091.00. Westfield Township had 79.3% of the total calls.

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 \$128,771.26.

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Fiscal Officer Evans stated the new tractor came in last week. The cost is \$94,583.34. The March fire shared expenses are in the amount of \$11,062.27. The Sheriff Dispatch Fee is \$9,091.00

**Trustee Sims made a motion to pay the bills as presented in the amount of \$128,771.26. It was seconded by Chair Likley.**

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

Fiscal Officer Evans stated the Township received the first half of real estate taxes. We have \$192,161.86 in our checking account and \$840,871.33 in our investment account.

### Nelson Property Re-imbusement

Fiscal Officer Evans stated she could not get the information off the internet to see if an assessment has been filed on the tax bill for the Township's cost for demolition of the Nelson property, so she would be physically going down to the Auditor's, Treasurer's and Recorder's Office to seek that information.

### IRS Update

Fiscal Officer Evans stated that she has not heard back from the IRS if they were going to abate the penalties for the Township. She has gotten communication that the IRS is continually moving money from one quarter one year to another. The IRS is constantly stating you had an overpayment in this quarter/year so we are applying it to x quarter and x year for underpayment.

Chair Likley stated at the meeting on the 19<sup>th</sup> a motion was passed to write a letter to the Pros. Office to pursue the bond. Has that letter been written? Fiscal Officer stated yes, but we have not heard anything. Fiscal Officer Evans stated she has replied to IRS and forwards that information to the Pros. Office. Chair Likley asked for a follow-up letter sent to the Pros. Office to see the status of that pursuit.

Trustee Sims asked if she was to understand that the IRS has sent the Township correspondence as she did not see that in the list of correspondence? Fiscal Officer Evans stated she just received the letter yesterday. She added she was sending them the 941 and bank deposits again. Again Fiscal Officer Evans stated the IRS keeps moving money around and it seems ridiculous. Trustee Sims stated there was discussion about a refund of a portion of the penalties owed. Fiscal Officer stated she received a transcript from IRS that that there was a refund and it was applied to 2004 but the Township has not received any refund. Fiscal Officer Evans stated Westfield Township does not owe the IRS anything as she has all her documents that the Township has paid accordingly. The IRS has taken our 2008 tax payments that we made (that was when this was discovered) and went back to 2003 and 2004. Trustee Sims stated in order to keep track of all this; the Trustees decided not to pay the lump sum but wrote individual checks for each quarter. Fiscal Officer Evans stated the payments were on the transcript but then IRS says they moved the money somewhere else. She added it is going to take a long time to clear this up but she was sure Westfield Township did not owe the IRS. Trustee Sims stated she would feel more comfortable

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if the Trustees received any/and all correspondence from the IRS to stay apprised of the situation.

Trustee Sims suggested that maybe this situation with the IRS would prompt a special meeting be scheduled with the Pros. Office. Fiscal Officer Evans stated she spoke with Bill Thorne and Trina Devanney and they were abreast of the situation. Chair Likley stated he thought Mr. Karris was handling this situation at the Pros. Office as he was the one present when the Trustees made the motion to pursue the bond. Fiscal Officer Evans stated she always spoke with Ass't Pros. Devanney regarding the IRS issue. Trustee Sims continued that the Trustees went through the process to find the amount of money owed for each quarter and sent a check for the principal and a check for the interest so there would be no confusion to bring each one of those penalties into compliance. A lien was also put on the Townhall. Fiscal Officer Evans stated it was paid. Trustee Sims stated a special meeting should be set with the Pros. Office as soon as possible. The Trustees set a tentative date of April 20, 2009 at 9:00 a.m. to discuss the IRS issues. Chair Likley asked that Fiscal Officer Evans contact the Pros. Office to see if they could attend this meeting. Trustee Sims asked that Fiscal Officer Evans ask the Pros. Office to bring any correspondence they have received or sent to the IRS. Also the IRS file should be made available for the Trustees to review and make copies to be prepared for this meeting. Fiscal Officer Evans just asked that the file be kept in order.

#### **Fire Dept. Report**

Jack Snoddy presented a power point presentation about the facts on the need for a replacement fire levy. He stated he was present this evening as a friend of the Fire Dept. and not the Fire Chief. In sum the levy will be for an additional 1 mil for a total of 2.5 mils. The Fire Dept. has 31 volunteer members and 1 full-time member. We cover 25 sq. miles which includes Westfield Township, the Village of Westfield Center and Gloria Glens Village. The two biggest issues during the day were Cloverleaf Schools and Westfield Companies where coverage was at a maximum with the number of students and employees. Cloverleaf's school population is 3,770 students and staff. Westfield Township does not cover the school district as there are buildings in Lodi and Seville. However within 2 yrs. we will cover all of those students. The Fire Dept. also is involved in community service such as Safety Town and CPR training. Regarding equipment, our newest truck is a 2000 pumper tanker. We also have a 1990 rescue engine and a 1981 Pierce engine which covers the Township. We have two ALS (Advanced Life Support) squads. They are on a 10 yr. rotational basis.

The current levy was introduced in 1997 and brings in \$79,578. Gloria Glens pays us \$9,000 a yr. for fire coverage. Westfield Center pays approximately 35% of our budget which is \$64,000. Last year for EMS billing we brought in \$35,000. This is non-resident billing only. The deficit to reach our operating budget of \$210,000 comes out of Westfield Township's General Fund. This year it would be approximately \$21,000. Next year with the new truck purchase we are projecting it could nearly deplete the Township General Fund. Mr. Snoddy continued that last summer we hired TG Fire & EMS to do a comprehensive study for a cost of approximately

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\$9,000. They looked at our operations, equipment and training practices. Some of the findings of the study were: Equipment is outdated and does not meet safety standards, facilities are outdated, response times need to be improved; and current funding is inadequate to maintain or improve service.

Their long-term recommendations were as follows: Establish apparatus replacement program, establish a capital improvement fund for buildings and vehicles, and reconsider station location.

Jack Snoddy showed pictures of fires in relation to the response times. He added this levy is a real need for the community. The cost of the levy to the homeowners would be \$78.75 based on property value at \$100,000. The amount the levy would generate is \$189,000. The current cost to a homeowner is \$30.72. One of the main goals if the levy is passed is to hire part-time people to work approximately 20-25 hrs. a week during the day which is our biggest risk. We need to also rotate the equipment to keep the firefighters and residents of Westfield Township safe.

### **Opening of Stone Bids**

Fiscal Officer Evans stated the Township received 3 stone bids and open the bids from the following:

Osbourne, National Limestone from Findley Ohio and Willowvail from Spencer Ohio. (see attached document of vendors, materials and bids.)

Trustee Sims asked what Mr. Evans thought the major use of material would be this year? Mr. Evans responded 67's, 8's, and 9's to mix with salt and 304's and 411's for widening.

Chair Likley stated it appeared the pick up price was actually the delivery price for Osborne. The Trustees asked Fiscal Officer Evans to confirm that the prices submitted by Osbourne were transposed.

Trustee Sims stated that due to Trustee Kratzer absence this evening, the Trustees would give Trustee Kratzer the opportunity to review the bids as well as the other Trustees and would table any decision on the bids at the next Trustees meeting scheduled for April 16, 2009 at 7:00 p.m.

### **Opening of Mow Bids**

Fiscal Officer Evans stated the Township received 7 mow bids and opened up the bids from the following: Metech Property Maintenance from West Salem, GPS Landscaping from Wadsworth, Maureen Dobbin from Medina Ohio, Absolute Lawn Care and Imagescape LLC from Sullivan Ohio, Backyard Basics from Seville Ohio, and Environmental Enhancement from Seville Ohio. (see attached document of vendors, materials and bids.)

Trustee Sims again stated that due to Trustee Kratzer absence this evening, the Trustees would give Trustee Kratzer the opportunity to review the bids as well as the other Trustees and would table any decision on the bids at the next Trustees meeting scheduled for April 16, 2009 at 7:00 p.m.

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### Fire Committee

Chief Snoddy gave the March Dept. Report. There were 23 runs total- 8 fire, 1 mutual fire, 1 mutual ad squad, 1 MBA, 1 of our own MBA and 11 EMS runs.

The Fire Committee will be sending out post cards regarding the fire levy on the May ballot. They have procured a mailing list of registered voters in the Township from the Board of Elections and well as a list of those who voted in the last 8 elections. They may attempt to go door to door. The labels were provided and printed as well for the mailings.

Fire Truck Status-Chief Snoddy stated Fire Safety Service does not have the paperwork from Smeile for the pre-bid meeting. The truck committee will probably not meet until the following week because the majority of the members are off for Spring break. We are still expecting a November delivery for the truck.

Chief Snoddy continued we are continuing to meet and prepare with Buck Adams for the disaster drill for Westfield Companies. This will take place on April 29, 2009 at 9:00 a.m. The drill is going to be held in their back parking lot. Hazmat will be there, technical rescue, and police to coordinate traffic. The Red Cross will set up shelters and there will be participation by the 3 hospitals as well. Chief Snoddy added that the Dept. would be running a mass casualty incident at Westfield Companies in conjunction with Lodi, Seville and Wadsworth. An observer's area will be set up for those to watch these drills. The Townhall will be used as a shelter as well as the Rec Center. Trustee Sims stated she received a call from a gentleman from the Red Cross to come and inspect the building for the use as a shelter. Fiscal Officer Evans stated the Township did receive a call from that gentleman. Chief Snoddy stated they would also be asking some residents to evacuate as part of the drill. Chief Snoddy added that Mr. Evans would probably be contacted as well to simulate if certain roads had to be closed due to such a disaster. Chief Snoddy stated that Westfield Twp. Fire and Rescue would be the "hosts" for this drill. Chair Likley stated he would be in attendance and felt it would be a great opportunity for all to train and prepare in the event a disastrous event would occur. Trustee Sims concurred.

Chief Snoddy stated that they would also be involved doing controlled burns and training on 6 houses in Gloria Glens. This would be in conjunction with Lafayette, Seville, Lodi and Rittman. If anyone wants to observe the controlled burns the dates are April 25<sup>th</sup>, May 9<sup>th</sup> and May 16<sup>th</sup>. The training will start at 9:00 am. Two roads would be closed off where the burns would take place so one would have to walk to an area that would be secured off into an observed area. Two houses would be burned to the ground on each of those days provided there is no flooding and we can get to them.

Chief Snoddy stated several of the homes that we are going to burn have been remodeled prior to the buyout by the government. Four of the 6 houses have water heaters and furnaces and windows that are less than 5 yrs. old. Some of the fire guys did not understand why those items could not be removed and taken. FEMA has rules that this is government property and the items

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must remain. There may be some arrangements being made by Habitat for Humanity because they are non-profit. Some of the guys in the Dept. felt they would be getting some of the items in the homes. Chief Snoddy stated he received a call today from The Gazette and a disgruntled fire fighter felt it was stupid that the items could not be taken from the target burn houses and voiced his opinion to the newspaper. Chief Snoddy stated the newspaper called him and EMA and we almost lost this training opportunity. He stated he was very disappointed. The homeowners could not even take items that they did not put on a pre-inventory list. There were homeowners in Gloria Glens that were concerned that the firefighters were going to take items and Chief Snoddy stated that he tried to put this issue to rest and did not make any comment to the Gazette.

Regarding inspections, the State Fire Marshall got called to KT Tire this week. Chief Snoddy stated they received an anonymous call that KT Tire employees were smoking in unapproved areas and dumping hazardous waste in the creek and storing flammable items to close to their baking oven. He added he and the Fire Marshal investigated these allegations. It appears KT Tire dismissed 3 employees and with 2 of them it did not go very well. The State Fire Marshall and the EPA were then notified of these alleged violations. Chief Snoddy commented that KT Tire is one of the best places we have and they cannot afford not to be. A report by the Fire Marshal will probably be forwarded to Westfield Township. There was no evidence of dumping or hazardous materials.

Chief Snoddy stated next week he would be attending NIMS classes as Fire Chief Mon-Thursday for 8 hrs. and on Friday he will be attending another fire drill.

### **Fire Committee Report**

Chair Likley stated the Fire Committee would be meeting on Sunday, April 5, 2009. Ms. Heather Sturdevant stated she contacted Bill Thorne on Monday regarding the Fire Chief's contract and he only had a few more comments to make and she should have them by tomorrow and would forward to the members accordingly.

### **Draft By-Laws for Fire Committee**

Chair Likley stated the Fire Committee did not have by-laws. By-laws have been drafted and forwarded to Bill Thorne and comments received so that will be discussed at the meeting on Sunday as well.

### **Zoning Report**

ZI Harris stated for the month of March he wrote 3 permits and there was 1 lot split. He added he went to court yesterday regarding the Zuber property violations. The judge found Mr. Zuber in contempt per the agreement Mr. Zuber has with the Township to clean up his property. ZI Harris continued that once you are found in contempt of court in a case like this there is a purge period. That means you give the appellant x amount of time to rectify the issue. Mr. Zuber may still be fined and have to serve jail time, but the judge did not want to impose jail time at this time. We

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agreed on a purge period of 90 days. During these 90 days Mr. Zuber will be charged a \$100.00 a day fine if the cleanup is not completed within that time-frame. Depending on how much of the property is cleaned the fine would be reduced. That would be determined in June and the next court date is set for July 2<sup>nd</sup>. ZI Harris stated he and Ass't Evans would go out and take pictures to prove or disprove compliance close to the end of the 90 days. If after the 90 days the property is still not clean-up Mr. Zuber would have to pay the \$9,000.00 fine, potentially serve jail time and they would have to come up with another time-frame for clean up completion. The judge reiterated to Mr. Zuber that he must comply with the order.

Trustee Sims stated it was mentioned previously that Mr. Zuber was going to build a building to house some of the items on the property. ZI Harris stated that was mentioned but to date Mr. Zuber has not come in for a zoning permit to build a building.

**Junk Vehicle Language**

ZI Harris stated he handed out the language to the Trustees and the Pros. Office stated it would be up to the Trustees to decide how you want to proceed. ZI Harris stated the language allows such vehicles to be removed within 14 days. The Township can also contract with a tow company prior to have the vehicles removed. Trustee Sims stated she felt the language was aggressive so it did warrant further review.

**Zoning Commission**

Ms. Heather Sturdevant stated she contacted the Pros. Office and the Dept. of Planning Services regarding clarification on the proposed signage text and matrix. This process should now be expedited and the Commission should be able to set a public hearing in the not to distant future. Also, the Commission has found several errors in the zoning Resolution text and will be moving forward with them as well.

Regarding potential changes to the zoning code, the Commission is going to wait until they hear back from the resident survey (Comp Plan) before moving forward. Ms. Sturdevant stated the Village would like to be included in the survey and wondered if their response would be weighted differently from those who actually live in the unincorporated area of the Township. The Village has also offered to help defray some of the postage costs for the survey.

Chair Likley stated the Mayor of the Village puts out a monthly newsletter and possibly the survey could be incorporated in that newsletter. He added that the results of the survey should be identified separately either as a Village Resident or Township Resident; as the Village wants and needs may be different than the Township's Ms. Sturdevant stated there was a map on the draft survey depicting the different quadrants and Mark Majewski from North Star stated an area could be put on the map reflecting the Village.

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Trustee Sims stated the Village are residents inside the Township but have their own zoning and long range plan. We have two Villages-Westfield Center and Gloria Glens and their wants, needs and future plans may be different from Westfield Township but should be understood. The option that was presented to her was a sub-survey. The Village results would not be included in the results of the unincorporated area of the Township as that is the zoning the Steering committee is looking at.

Chair Likley stated he would like someone to follow up with the Village putting a survey in the resident's sewer bill or the Mayor's newsletter and to do something similar for Gloria Glens as well. Trustee Sims stated the returns for all the surveys should all go to the same location which she believed was going to be Mr. Majewski.

Mr. Evans stated Rick Robbs sent an e-mail to the Township reiterating the interest and need for the Village to be included in the survey. This issue and the cost involved needed to be brought before Council. Chair Likley stated he would see Rick Robbs on Sunday so he would speak with him.

Mr. Beckman asked if each registered voter was going to get a survey or each household? Trustee Sims stated each household. It doesn't matter if you vote or don't vote. Each resident would get a survey. Mr. Beckman stated what if the members of the household have different responses to the questions? Chair Likley stated it was also discussed having an electronic survey with a pin number but the mechanics have not been worked out. However, there would be an additional cost to the Township to do this.

Trustee Sims stated there was talk at the Comp Plan meeting of having an A and B category so you and your spouse could answer separately if you chose to. To go further would make the process too complex. She added she spoke with Mr. Kratzer after the last meeting and several residents on the Comp Plan Steering Committee were not pleased with the draft survey prepared by the Planner. She suggested using Appendix 1 and or 2 from the survey that was done in 1995. Ask those same questions again and see what the responses are. Trustee Kratzer also spoke to Mr. Majewski that he too was not happy with the draft survey. Chair Likley stated he also spoke with Mr. Majewski and possibly the using of the previous survey with some new, relevant questions for today's issues might be the way to go. He added he would like this to be brought to the Steering Committee member's attention and questioned that he did not know how much input the Committee had in preparing the latest draft survey.

Ms. Rumburg (Steering Committee Member) stated that Mr. Majewski sent out a memo to the Committee members to review the proposed draft and forward any comments, questions and suggestions to him by April 3, 2009. She stated she was of the understanding that this was just the beginning since the committee did not formally discuss this at their last meeting. She added the Committee was still gathering data at the next Steering Committee meeting. This appeared to her to just be at the preliminary stage regarding the survey.



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Trustee Sims stated her concern was the 1995 survey was 4 pages long and it would need to be paired down. Chair Likley stated that he had confidence in the Steering Committee working with Mark Majewski that a survey could be drafted that would be satisfactory to the majority of committee members and the like.

Ms. Sturdevant stated that Ms. Brewer received information from the Division of Wildlife in Twinsburg regarding the eagles nest and that it would be best to do the roadwork on Westfield Landing Rd. in July when the nest would be empty. Ms. Brewer was out of town but would bring that information to the Township when she returned. Trustee Sims stated she spoke with Tom James and they collectively have decided to wait until after June to do the roadwork as if not there would be the potential that the adult eagles would abandon the nest hatchlings and all. Mr. Evans interjected that was not an issue as motor paving is usually not done until late June/July.

### **Comp Plan Update (Survey)**

Trustee Sims stated that she spoke with Mr. Majewski after the last Comp Plan meeting and felt the Board of Trustees should give him direction or recommendations regarding a resident survey. Chair Likley stated he felt the old survey should be submitted for Steering Committee review and consideration. Additional questions may be needed to address relevant issues the Township now or will face regarding land use and development of the Township.

Trustee Sims stated that Trustee Kratzer had concerns about the recently proposed draft survey especially in terms of questions being unbiased. By having the Steering Committee review the previous survey, possibly some of those concerns could be alleviated. Trustee Sims added that she thought the question of whether there should be more industrial or commercial development should be separated to ask opinion on each of those types of development separately. Also she felt that Mr. Kratzer should ask his question i.e. if residents were interested in large commercial chain development or big box development.

Chair Likley stated that the proposed survey was not satisfactory. The old survey with some new relevant questions added should be the next step regarding the drafting of the survey. The job of drafting the survey is the Steering Committee in conjunction with the Planner Mr. Majewski. The end result is to have a Comp Plan that can direct this Board and future Boards of Trustees and zoning to make the decisions for the Township.

Trustee Sims stated the previous survey should be reviewed by the Board of Trustees, Zoning Commission and Steering Committee as there seems to be a heightened interest in wording of this survey. Trustee Sims stated the 1995 survey be used as the basis for drafting a current survey.

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Mr. Oiler stated he too believed that the job of drafting a new survey should be the responsibility of the Steering Committee working in conjunction with the Planner Mr. Majewski. Let the Steering Committee move forward. Trustee Sims stated the Zoning Commission should also be involved as they will have to write text around the survey questions. Ms. Sturdevant stated it was already discussed by the Commission to come up with any questions or topics they would like to see possibly addressed on the survey and forward those questions to Ms. Brewer and or Mr. Miller who are ZC members as well as sit on the Steering Committee.

### **Road Report**

Mr. Evans stated the CO2 Sensor the shop went bad. He could get it rebuilt again (it has already been replaced once) for \$471.00. A new sensor (which detects more than just CO2) would cost \$848.00. Trustee Sims stated she would like a second bid. Chair Likley agreed. Mr. Evans stated there were not many other places this sensor could be purchased, but he would try to find somebody else. Chair Likley stated he would be looking at buying a new sensor than having it rebuilt.

Replay Surface Sealant-Mr. Evans stated the product (Replay) would cost \$11,702.00 to do the east end of Buffham Rd. Mr. Evans stated he did call the County if they had any knowledge or experience with such product. Back in the early 90's there was a similar oil based product but it was not used because it was cheaper at that time to chip and seal. Now it isn't. This is a different product which has not been introduced in Medina County. Mr. Evans stated he had an engineer's study from Missouri on the product. Chair Likley stated this decision would warrant a vote by the full Board therefore it would be tabled until the next Trustee meeting until Trustee Kratzer was present.

Mr. Evans stated that Buffham Rd. from house 6811 to the house at 6926 Buffham Rd. would need 1 inch leveling course of 404 hotmix because of the shade of the trees. Also, the culverts needed to be leveled. These two projects need to be done. Chair Likley stated these issues were pointed out to him by Mr. Evans when they went on the road tour. Chair Likley stated the Buffham Rd. project is warranted as the shading from the trees never allows the road to dry out. The rest of the estimates will be addressed at the next Trustees meeting.

**Chair Likley made a motion to proceed with the Buffham Rd. repair work from the residents located at 6811 Buffham Rd. to 6926 Buffham Rd. for 1 inch leveling course of hot mix at a cost not to exceed \$9,707.50. Also approving to level existing culverts as follows: Buffham Rd. (2) near house #6574; Kennard Rd. (1) near house #7111; Kennard Rd. (1) near house #7220; Kennard Rd. (1) 300' east of Friendsville Rd.; Stuckey Rd. near House #6060; Kennard Rd. shim spot on south side between house #7828 to house #7840. This will be completed with 404 hotmix- 35 ton @\$53.50 for a total cost not to exceed \$6,822.50. It was seconded by Trustee Sims.  
ROLL CALL-Sims-yes, Likley-yes. Motion carried.**

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Berm Box-Trustee Sims asked why Westfield needed their own berm box when we have borrowed Lafayette's when we needed it and that relationship seems to have worked out well. Mr. Evans stated what if he wanted to use the berm box and Lafayette did not have it on their truck. It was a lot easier if he had one if he wanted to use it. Trustee Sims stated she believed the Townships are being encouraged to use each other mutual assistance instead of purchasing individual equipment. Chair Likley stated Mr. Evans had a used box in the shop and also got a quote for a new box. This would be tabled until the next Trustee meeting.

Chair Likley stated the Township is now in possession of the new tractor and he had the opportunity to come inspect it and it was a great piece of equipment.

### **Bald Eagle**

Trustee Sims stated the concern was that people were parking on the soft shoulder to view the eagles and their nest and it was suggested NO PARKING signs could be placed along Westfield Landing Rd.

### **Park Maintenance Agreement**

This would be tabled until the next Trustee meeting as Trustee Kratzer was handling this issue.

### **Domain Name Registration**

Kim Ferencz stated she forwarded the webmaster, Mr. Don Krolikowski and cc'd the prior webmaster Mr. Anderson the motion made at Trustees March 16, 2009 meeting which stated as follows:

'Trustee Kratzer made a motion to transfer the ownership of the website domain name to Westfield Township. The length of time to be 10 yrs. at a cost of \$17.99 per year which will be a one time fee paid up front. It seconded by Trustee Sims.

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

She stated she also asked Mr. Krolikowski to contact Mr. Anderson so the transfer of the ownership of the domain name to the Township could take place. Kim Ferencz stated she has not heard back from Mr. Krolikowski but would follow up with him on Monday morning.

Chair Likley stated as an additional page to the website that information on the fire levy could be posted. Kim Ferencz stated Fire Chief Snoddy's PowerPoint present was uploaded to Mr. Krolikowski to be put on the website.

Trustee Sims stated if TG Fire report was taken off the website to find out why and have it put back on the website. Trustee Sims also asked Kim Ferencz to follow up with the gentleman from the Red Cross as they were interested in using the facility as a shelter for their drill. She also asked that the Westfield Water System Informational Meeting be posted on the web as well under News & Events.

**Time Warner Resolution**

Chair Likley stated the Township can collect a franchise fee which in return would allow the Township meetings to be broadcast on a public access channel. Trustee Sims stated she felt it was a good idea to pursue. Chair Likley stated the Township could record the different Township meetings and submit it to the public access channel and the meetings could be broadcast. Ms. Sturdevant stated possibly the fire levy could be advertised or even the Fire Dept. clambake. Chair Likley stated that the franchise fee could be collected by the Township regardless of having meetings broadcast on the public access channel, but he was hesitant to do that without providing additional service to the residents of the Township. Chair Likley stated he would follow up with Time Warner accordingly.

**Meeting Minutes to be approved:**

February 5, 2009

March 16, 2009

March 23, 2009

These minutes would be tabled until the next Trustees meeting to give Trustee Kratzer the opportunity to review and take action on.

**Meeting Minutes to be received:**

September 3, 2008

September 12, 2008

October 10, 2008

Kim Ferencz stated she did not have audio for September 3, 2008 and September 12, 2008 and would need access to that audio to move forward.

**Announcements**

April 5, 2009-Fire Committee meeting @7:00 p.m. at Fire Station

April 8, 2009- County well development meeting @ 7:00 p.m. at Westfield Elementary. This is a resident meeting to discuss the possible ramifications of pumping from the aquifer. Residents need to be aware of the County's effort to ensure the monitoring of the wells. Trustee Sims stated she contacted Jim Rabe from ODNR who was involved in initial test pump 10 yrs. ago. when she was a resident and got involved. We invited ODNR to come up and they ended up monitoring 23 wells. We have now invited ODNR to come back out and monitor those same 23 wells again. They will monitor any fluctuations in the aquifer from then and now. They will measure water quantity and quality. Trustee Sims stated she has also encouraged residents to have their private wells independently monitored on their own aside from ODNR and the County.

Trustee Sims stated she has also met with the Farm Bureau and understands their concerns regarding the Wellhead Protection Plan Draft. A large part of this plan has to do with education of the farmers regarding potential contaminates from gas and oil wells as well as other items.

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Trustee Sims stated this will be the first time the County will be able to extend water lines to the unincorporated areas of the Township without annexation.

### MISC.

Trustee Sims stated Mr. Schrader the annexation attorney provided information on House Bill 318 and House Bill 458 and their effects on a Township. This information as been provided free of charge. She continued that Mr. Schrader also drafted a response to Mayor Landis of Seville memo to Council members and the Board of Public Affairs indicating Mayor Landis did not think there ought to be a meeting between the Westfield Township Trustees and the Council Members and Board of Trustees. (Attached to approved minutes).

Trustee Sims also asked Chair Likley to follow up on the documents that she numbered and set out as exhibits to be attached to the meeting minutes as Administrative Ass't Ferencz stated she did not receive those documents. Trustee Sims stated that the letters from the IRS are correspondence and that correspondence should be forwarded to the Trustees just like all other correspondence.

Trustee Sims stated the check for Vestige LTD for the electronically stored data and was only for \$550.00 but the bill was \$575.00. Fiscal Officer Evans would need to issue a check in the proper amount for the bill. Chair Likley stated he would follow up with Fiscal Evans accordingly. Fiscal Officer Evans was still in attendance and stated there was a separate check written for \$25.00. It was listed on the payment register. She stated the original check was made out in February as she thought that document that was received was the invoice but it was not. An invoice was then received for \$575.00 so a check had to be made out for \$25.00.

Trustee Sims stated she also submitted receipts for reimbursements for refreshments for the Comp Plan that she would need to be compensated for. Fiscal Officer Evans stated she did not know who or what the receipts were for so she would handle that for the next meeting

Trustee Sims again asked about the attachments she labeled and had sitting in front of the Trustees from the March 5, 2009 meeting. Kim Ferencz stated she did not have those documents. That was the night of the funeral for Mr. Kerry Illes that she attended. Fiscal Officer Evans stated she attached whatever documents what she passed out to the Trustees. Trustee Sims stated whatever the Trustees pass out and mark as exhibits needed to be given to Kim and attached to the minutes accordingly. Trustee Sims stated she was entering the documents from Mr. Schrader as exhibits this evening, i.e. Mr. Schrader's response to Mayor Landis memo as well as the letter to the Pros. Office concerning the pursuit of the former clerk's bond. Copies were made accordingly and marked as exhibits to be attached to the approved Trustee meeting minutes. Chair Likley would follow up with Fiscal Officer Evans regarding the attachments submitted by Trustee Sims at the March 5, 2009 Trustees meeting.

**Page 14 Westfield Township Regular Trustees Meeting 4/2/09**

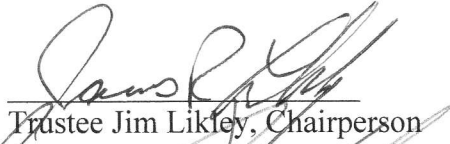
**Announcements**

April 14, 2009 Zoning Commission Regular Monthly Meeting @ 7:30 p.m.  
April 15, 2009 BZA Workshop with Bill Thorne at AU Center in Lafayette  
April 16, 2009 Trustee Meeting @ 7:00 p.m.

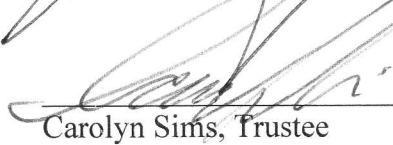
**Trustee Sims made a motion to adjourn. It was seconded by Chair Likley.  
ROLL CALL-Sims-yes, Likley-yes. Motion carried.**

The meeting was officially adjourned at 9:47 p.m.

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



Trustee Jim Likley, Chairperson



Carolyn Sims, Trustee