

## **BAZETTA TOWNSHIP TRUSTEES REGULAR MEETING MINUTES**

Date: June 8, 2010 at 7:30pm  
Bazetta Township Administration Building  
3372 State Route 5 NE  
Cortland, Ohio 44410

Meeting called to order at 7:30pm.

Present:

Vice Chairman Trustee Frank Parke  
Trustee Don Urchek  
Fiscal Officer Rita K. Drew

Minutes to be suspended or accepted as written:

May 25, 2010 Regular Meeting Minutes  
June 3, 2010 Special Meeting Minutes  
June 7, 2010 Special Meeting Minutes

- Zoning Commission Chairman Webb said he believed that there were illegal actions taken during the June 3 Meeting and presented documents regarding such
  - Concern that the meeting was called to discuss only a job description
  - Acceptance of a resignation and Petition for Certification was not on the agenda
  - Asked for a motion to have these two motions rescinded and expunged from the record and have them be resubmitted in a proper meeting
  - Trustee Urchek stated that he agreed that illegal actions were taken and he would like to take the actions Zoning Commission Chairman Webb suggested
  - Trustee Parke said the Trustees had asked Atty. Finamore about this during the meeting and he said it was acceptable
  - Trustee Urchek said he does not think that Atty. Finamore was correct and that the township has been doing this incorrectly for some time
  - Trustee Urchek said he could not discuss what happened during the Executive Session
    - Concern that there were 3 members of the Teamsters union present
    - Concern that a portion of the meeting was pre-arranged
  - Trustee Parke said he did not think action should be taken until Trustee Hovis returns
- Robin Hineman asked if Trustee Parke had read the documents presented
  - Trustee Parke said he will stand by Atty. Finamore's interpretation of the Sunshine Law
- Trustee Urchek said he would not accept the minutes

**183-10** To accept the minutes from the May 25 Regular, June 3 Special, and June 7 Special Meetings.

**Motion:** Trustee Parke  
**Second:** None  
**Vote:** None

**184-10** To rescind Board Resolutions **177-10** and **180-10**.

**Motion:** Trustee Urchek  
**Second:** None  
**Vote:** None

- Fiscal Officer Drew explained that both motions failed since neither was seconded

**185-10** To authorize the Fiscal Officer to pay all outstanding invoices incurred and approve all warrants issued.

**Motion:** Trustee Urchek

**Second:** Trustee Parke

**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustee Urchek asked Chief Miller to explain the change in Police Department hours
  - Chief Miller said the hours will have to be adjusted because there is only one secretary
  - Chief Miller reminded that Linda Burkey resigned and he has not been able to contact her
- Trustee Urchek wanted to table the motion because of possible illegal actions at the June 3<sup>rd</sup> meeting where Linda Burkey’s resignation was accepted
- Chief Miller stated that these are going to be the hours regardless of what the Trustees decide
- Trustees Parke and Urchek agreed that Chief Miller has the right to run the Police Department

**TABLED** To revise Police Department Hours of Operation to 8:00am-2:00pm on Monday and 8:00am-1:00pm on Tuesday-Thursday, effective immediately until a new part-time Police Department Secretary can be hired.

- Trustee Urchek would like to amend the job description and not rescind because even if the township hires a new person, the same problem will exist
  - Concern with the portion that says the person in the position has to do work at specific physical locations
  - Impossible to do zoning work solely in the Zoning Office
- Trustee Parke asked Trustee Urchek if he was willing to table this until all Trustees were present
  - Trustee Urchek said he was not happy with this
- Trustee Parke said that he was opposed to changing the job description because all three Trustees had already agreed to it
- Robin Hineman asked if the township still needed the job description
  - Trustee Urchek said he talked to Atty. Finamore, who told him that he complimented the language and not the content of the job description
  - Trustee Parke said the job description was necessary in case the position is ever filled again
- Parks & Recreation Secretary Benoit asked why the township had bought Deanna Boggess a laptop
  - Chief Miller said the township did not buy the laptop, it was donated by the Police Department
- Robin Hineman asked how much Zoning Inspector Nuss worked in the Zoning Office
  - Zoning Inspector Nuss replied that he was only physically in the building 5-6 hours per work
  - Trustee Parke said Zoning Inspector Nuss’ job required him to work outside the building
- Parks & Recreation Secretary Benoit asked why these paragraphs could not be taken out so that anyone who takes the job in the future does not have this problem
- Cheryl Tennant said that no other townships require zoning work be done from the building

**186-10** To amend the job description for Zoning/Fill-In Administration/Police Department Secretary as attached.

**Motion:** Trustee Urchek

**Second:** Trustee Parke

**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustee Parke asked if Chief Miller wanted to hire a secretary who would be shared

- Chief Miller said he wants a single secretary to do one job only at the Police Department
- Trustee Urchek said he wanted to table this until Chief Miller could speak with Linda Burkey
  - Chief Miller said he made repeated attempts to contact her, but she was not returning them

**187-10** To hire a part-time fill-in Administrative Secretary.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

**188-10** To hire a part-time Police Department Secretary.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

**189-10** To hire a part-time Zoning Commission and Zoning Board of Appeals Secretary.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustees Urchek said he did not want to hire three separate secretaries
- Trustee Parke asked Trustee Urchek what he wanted to do
  - Trustee Urchek said he would like to see one person fill the Zoning and Administration positions, with Zoning being primary
- Fiscal Officer Drew stated that, in order to do this, Resolutions **187-10** and **189-10** would need to be rescinded and a new resolution created
- Trustee Park stated he would like the new resolution to note that the secretary would be for the Zoning boards, not Zoning in general

**190-10** To rescind Board Resolutions **187-10** and **189-10**.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

**191-10** To hire a part-time Zoning Commission, Zoning Board of Appeals, and fill-in Administration Secretary, as needed.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustee Urchek asked Deanna Boggess if she agreed to Resolution **192-10**
  - Deanna Boggess said she did

**192-10** To hire Deanna Boggess solely as a part-time Police Department Secretary working under the Police Department Secretary job description, with the understanding that she will continue to perform zoning duties until a new secretary is hired, not to exceed 6 months, effective immediately at a pay rate of \$9.00 per hour.

**Motion:** Trustee Urchek  
**Second:** Trustee Parke  
**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustee Parke asked about a motion to do mosquito spraying in the township
- An unnamed resident asked how effective the mosquito spraying would be
- Trustee Parke stated that Timber Creek residents are taking up a petition to get the township to spray
  - Both the Administration Building and Trustee Hovis have received many calls requesting it
  - Spraying had not been done for several years
  - Cost would be roughly \$2500 for 2 applications and would require quite a few man hours to mark off those properties that do not want to be sprayed
- Robin Hineman asked Trustee Parke to tell residents what happened to her
  - Trustee Parke said that her property was sprayed despite having been marked not be sprayed
- Trustee Parke asked for a poll of those present
  - Roughly 20% of the residents in the audience actively wanted mosquito spraying
- Trustee Parke said the only thing the spray would kill is whatever is in flight at the time
- Zoning Appeals Board Chairman Swiatkwich commented on the hazards from the chemicals used to spray and noted problems with the spray causing cancer
- Trustee Parke said that he was not in favor of doing this
- An unnamed resident asked if people could be made responsible for their own property
  - Robin Hineman suggested calling the Trumbull County Health Department

**Correspondence (Copies available upon request):**

- Petition for Amendment of Certification from Teamsters Local #377 to State Employment Relations Board to include a clerical employee in the bargaining unit
- 2009 Abbreviated Annual Report of Trumbull County Engineer
- Memo from Trumbull County Prosecuting Attorney regarding filing date changes for township levies
- Letter from State Employment Relations Board requesting a written statement regarding Petition for Amendment of Certification from Teamsters Local #377
- Invitation from Cortland Lions Street Fair to participate in Opening Ceremonies on June 24, 2010

**Administrative Reminders:**

- Northview Drive Paving Project is scheduled to begin tomorrow
  - Parking during the project has been arranged at Home Savings and Loan
  - Notices were hand delivered to all Northview Drive residents
- Trustee Urchek said he had gotten a complaint that a resident had not received notice this morning
- An unnamed resident said they did not get enough notice
- Road Superintendent Parke apologized
  - He did not get the notice from the contractor until last night after regular business hours
  - He talked to the Trustees last and drafted the notice last night
  - He printed the notice this morning and got it out as quickly as he could
  - The contractor was supposed to give 3 days notice
- Road Superintendent Parke apologized again
- Road Superintendent Parke said the paving will be done in one day – tomorrow assuming no rain
- Robin Hineman complained that residents would have to walk down Route 46 to park
  - Trustee Parke said this was the best solution that we could come up with and said that the road would only be closed for a few hours
  - Road Superintendent Parke said the contractor will be laying 3.75” on Wednesday and will berm the road and do driveways on Thursday
  - Road Superintendent Parke said traffic will be able to get through on Thursday and construction will be clogging up the road for part of the day on Wednesday
- Trustee Parke said they will start at the top of the street, go to Route 46, and be done in about 4 hours

- Road Superintendent Parke reminded residents that the township is somewhat at the mercy of when the contractor can do the work
- Road Superintendent Parke reminded residents that the Police Department will be providing extra patrols while residents are parking away from their homes
- Road Superintendent Parke apologized again for the lack of notice
- Trustee Urchek also apologized

#### **Zoning Inspector:**

- Zoning Inspector Nuss reported the following
  - 3 permits issued since the last meeting
  - 4-5 messages per day regarding zoning issues
  - 2 fence permits issued
  - 2 transient vendor permits issued
- Trustee Urchek asked if there was a permit for the ice cream truck
  - Zoning Inspector Nuss said there was
- Trustee Parke asked if there were complaints about high grass
  - Zoning Inspector Nuss said there were
- An unnamed resident complained that whoever is cutting for Trumbull County is doing a poor job

#### **Zoning Commission:**

- Zoning Commission Chairman Webb had nothing to report
- Trustee Urchek asked Zoning Commission Chairman Webb about the secretary situation
  - Zoning Commission Chairman Webb said that he was satisfied

#### **Road Department:**

- Road Superintendent Parke requested to seek quotes to purchase a new dump truck to replace the 1988 International currently in use
  - Truck is beginning to show some wear
  - Once Jim Goodhart retires, the township will have no one able to repair it
  - Wants to get quotes to see if it is cost effective to purchase rather than continue to repair
- Trustee Urchek said he does not want to do this for several reasons
  - Road Superintendent Parke promoted an Assistant Road Superintendent
  - Road striping was being paid for out of the General Fund which he disagreed with
  - Does not want to approve the getting the quotes for purchases if there is no money in the budget for striping
- Road Superintendent Parke said he cannot find out if there is enough money in the budget without getting the quotes to see what a new truck would cost
- Robin Hineman asked if the new Assistant Road Superintendent got a raise
  - Road Superintendent Parke said he had received a raise
    - Amounted to about \$2,000 per year, about \$1.30 per hour
    - Current rate is at \$18.96 per hour
  - Road Superintendent Parke said he does many other things besides running the department - grants, roads, cemetery, park, Bureau of Workers Compensation, Safety Committee, Health Insurance Committee – and he needs an assistant to run the department when he is not there just as the Trustees need someone to run meetings in Trustee Hovis' absence
- Robin Hineman questioned Robyn Metheny being the Road Department Secretary
  - Fiscal Officer Drew noted that it has been part of her job description since 1996
- Robin Hineman said she believed the township should be paying more money for the Zoning Secretary and Zoning Inspector than for an Assistant Road Superintendent
- Robin Hineman said the township needs to consider the importance of zoning

- Trustee Parke noted that the township has excellent people in all departments

**193-10** To permit Road Superintendent Parke to seek quotes for a new dump truck to replace the 1988 International currently in use.

**Motion:** Trustee Urchek

**Second:** Trustee Parke

**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes      Trustee Urchek - Yes

- Road Superintendent Parke asked that he be allowed to hire an inspector from Miller Yount to inspect the Northview Drive Project
  - Noted that \$48 per hour is the union wage that is required to be paid
  - Noted that Miller Yount did not bid on the project so there is no conflict of interest
- An unnamed resident asked how many hours would be required
  - Road Superintendent Parke said roughly 30
- An unnamed resident asked how much the Northview Drive Project cost
  - Road Superintendent Parke said the bid was roughly \$62,000
- Trustee Parke the township has always had an inspector, but our previous inspector passed away
- An unnamed resident said it was a very good idea to have an inspector in place during the project
- Parks & Recreation Board Member Urchek asked who would be paying for this
  - Trustee Urchek said he thought it should be paid for by the Road Department
  - Trustee Parke talked about the tight budget in the Road Department
    - Trying to save money to pay for an employee retirement
    - Trying to save money to buy a replacement dump truck
    - Department only receives enough levy money to pave once every 3-4 years
  - Fiscal Officer Drew said the entire project is being paid from the General Fund
- Trustee Urchek thinks this is not sending a good signal
  - Road Superintendent Parke asked what Trustee Urchek means by this
  - Trustee Urchek noted that the Road Department gave the new Assistant Road Superintendent a raise and then could not afford to pay for striping
  - Road Superintendent Parke said he and Fiscal Officer Drew had budgeted for the raise, but not for striping because the General Fund has always paid for striping
- Chief Lewis asked rhetorically whose buildings the township buildings are
  - They belong to the township as a whole
  - Same is true of the roads
  - They belong to the township as a whole and should be paid by the township
- Trustee Urchek said he wants to support the Road Department, but that they have to watch their budget and do what they can to get more money into the Department
  - Road Superintendent Parke noted the following
    - In the past few years, the Road Department saved money to purchase the salt shed and a dump truck, all without having to take out loans
    - He and Fiscal Officer Drew did not allocate all of his carryover from last year just so that he would have the money to purchase a new truck if he had to or to cover any emergencies that might arise
    - The township mechanic works for other township departments, but the Road Department has to pay for all of his vacation, sick time, personal time, etc.
    - The same is true of other Road Department employees because they also work for the park, cemeteries, administration, zoning, etc.
    - He is doing everything that he can to save money in his department
    - He reduced his staff by an entire employee by not replacing Trustee Parke when he retired from the department last year

- Trustee Urchek said he is not knocking Road Superintendent Parke job
  - Road Superintendent Parke said he is just trying to defend himself and his department
- Trustee Urchek complimented Road Superintendent Parke for all the work his department does

**194-10** To hire Steve Bellish from Miller Yount Construction to inspect township pavement and blacktop at a rate of \$48 per hour, for a maximum of 30 hours.

**Motion:** Trustee Urchek

**Second:** Trustee Parke

**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

- Trustee Urchek said he is done with his time study
  - He has had enough of it
  - It has caused to many hard feelings and difficulties in the township
  - It did help him learn what certain employees do
  - Asked for the job study so he could better understand what township employees do
- Road Superintendent Parke said he hoped residents could leave this meeting knowing that things can get better and that we can work together, instead of against each other, to make them better
  - An unnamed resident said there seems to be more listening and more discussion from the current Trustees than previous Trustees
- An unnamed resident asked for an update on the situation on a neighbor's property where the ditch is not filled in
  - Road Superintendent Parke said that he was aware of the situation and had discussed it with the Trustee and the Road Department today

**Fire Department:**

- Chief Lewis had nothing to Report
- Art Kreller asked about the tornado sirens
  - Chief Lewis said the following
    - They are set off by 9-1-1
    - Only time they are set off is if there is a tornado warning, not merely a watch, and if the warning is for Trumbull County
    - The only local siren is located in the Bazetta Township Park
- An unnamed resident asked why the sirens do not go off at the Fire Department like they used to
  - Trustee Urchek said this is because they are not hooked into the 9-1-1 system and that the sirens used to be triggered remotely
  - Chief Lewis said it would cost roughly \$6000 per station to hook the sirens to 9-1-1 and noted they only have a 1 mile radius where the one in the park has a 2 mile radius
- Howard Wetzel said 9-1-1 can segregate the county so only certain parts of the county go off
  - Chief Lewis and Trustee Parke agreed that this is true
- Trustee Urchek said the township is doing the best it can with what it has

**Police Department:**

- Chief Miller had nothing to report

**Parks & Recreation Board:**

- Parks & Recreation Board Secretary Benoit presented the attached April 16, 2010 Meeting Minutes
  - Trustee Hovis provided information for an electrician who can do the work the park needs
  - Trustee Parke said he would contact him and report back to the Parks & Recreation Board
  - Trustee Parke recommended a company who could have signs made

- Parks & Recreation Board Secretary Benoit asked if Coca-Cola® could provide a recycling container for soda machine in the park
  - Fiscal Officer Drew said that she did not know, but that she will contact them and find out
- Parks & Recreation Board Member Urchek asked what was being done with the dirt in the parking lot
  - Trustee Parke said that Parks & Recreation Vice Chairman Musick and Parks & Recreation Board Member Governor asked him not to sell the dirt in the parking lot because they are going to use some of it to redo the driveway in the park and for other things
- Parks & Recreation Board Member Urchek asked who will do the work
  - Road Superintendent Parke said that he would do it whenever he had the opportunity
- Parks & Recreation Board Member Urchek asked where the money will come from
  - Road Superintendent Parke said will come from the park
  - Robin Hineman asked why this is
  - Trustee Parke said that when the Roads Department works in other departments, those department pay for the work being done
  - Trustee Parke said the park must pay for work being done in the park
- Parks & Recreation Board Member Urchek discussed “Bring Your Own Picnic”
  - Signs and fliers are being made
  - Event will happen on the 4<sup>th</sup> Sunday in June, July, and August at 1:00pm
  - Requested that this be placed on the website

**Safety Committee:**

- Chief Lewis and Road Superintendent Parke had nothing to report

**Health Insurance Committee:**

- Chief Lewis said the new agent has been in contact with Fiscal Officer Drew and himself
- Chief Lewis said new ID cards and benefits statements are being prepared and township employees should be receiving these soon

**Asked to be placed on the Agenda:**

- None

**Public Comment:**

- Police Department Secretary Boggess asked about the Teamsters Petition
  - Trustee Urchek said it gives clerical employees the ability to join the union
  - Trustee Urchek was unsure if part time employees could be allowed in
  - Trustee Parke said that they would have to look into that
  - Trustee Urchek asked Michael Pirois if the Administrative Secretary could be in the union
    - Mr. Pirois said he was unsure, but did say the Trustees had been against it when it came up a few years ago
  - Cheryl Tennant noted that this about the position, not an individual person
- Parks & Recreation Board Secretary Benoit asked if the check register could be attached to the Meeting Agendas as had been done in previous years
  - Trustee Urchek said this could be done, but he would check with other Trustees
- Cheryl Tennant asked who would take the clerical spot if someone were to retire
- Robin Hineman asked why the Trustees considered the Teamsters Petition
  - Trustee Parke said that it was not up to the Trustees - if an employee wanted to join the union, all they had to do was submit a card to enter the union
  - Trustee Parke said that the State Employment Relations Board (SERB) has yet to rule on the petition for amendment

- Trustee Urchek said he was concerned that no preliminary work had done before the resolution was passed last week
- Trustee Parke said all that had been done was that the Trustees approved sending the petition to SERB and that the petition would have gone forward even without their approval
- Cheryl Tennant said that the Trustees did not want the secretaries in the union when Michael Piros was a Trustee
- Trustee Parke said he did not know if clerical workers will be in the same union as the Road Department or if they will be in a separate union
- Robin Hineman asked why Zoning Inspector Nuss and Chief Miller did not attend the meeting on the June 3<sup>rd</sup> to discuss the job description
  - Zoning Inspector Nuss said he did not receive an invitation to the meeting
  - Chief Miller said he was invited, not required, to attend the meeting and he chose not to go - he did not want to go and he chose not to go
  - Trustee Urchek said he received an email from Chief Miller saying that he would attend
  - Chief Miller said he originally planned to attend, but then changed his mind
- Robin Hineman asked why Zoning Inspector Nuss was not invited
  - Trustee Parke said Trustee Hovis is the liaison for the zoning and she would have to ask him
- Robin Hineman made a public documents request for all of Trustee Hovis' and Fiscal Officer Drew's outgoing e-mails to any township employees or elected officials from May 1 to June 7
  - Fiscal Officer Drew said she would inform Trustee Hovis of the request, but that she cannot access his e-mail account
- An unnamed resident asked what the rate change was on the Assistant Road Superintendent
  - Road Superintendent Parke said the change was from \$16.64 to \$18.96
  - The resident said Road Superintendent Parke said the rate change was \$1.30
  - Road Superintendent Parke apologized for stating the wrong amount and said the employee assumed a lot more responsibility, especially in the cemetery
- Trustee Urchek stated the following
  - Apologized for the commotion that he has caused
  - Doing the best that he can
  - Believes Trustees are acting too quickly and not thinking about their actions
  - Cannot do his job if people will not talk to him
  - If he makes a mistake, he will admit it
  - Knows he made a mistake tonight that he will pay for later
  - Wants to work with the residents
  - Takes exception to a threat that was levied against him in the last meeting
  - As long as the people are behind him, he has to sit up here and make these decisions

**195-10** To adjourn the meeting at 9:17pm.

**Motion:** Trustee Urchek

**Second:** Trustee Parke

**Vote:** Trustee Hovis – Absent                      Trustee Parke - Yes              Trustee Urchek - Yes

\_\_\_\_\_ Dated: \_\_\_\_\_  
 Attested by: Fiscal Officer Rita K. Drew

\_\_\_\_\_ Dated: \_\_\_\_\_  
 Approved by: Vice Chairman Trustee Frank Parke