

Trustee Regular Meeting – August 6, 2019

Chairman Becky Lutzko called the meeting of the Hinckley Township Board of Trustees to order at 6:30 p.m. on August 6, 2019. Present were Trustees Becky Lutzko, Jim Burns and Ray Schulte, Fiscal Officer Martha Catherwood, 16 residents and 3 reporters. All joined the Pledge to the Flag.

Ms. Lutzko noted that the meeting is being taped for transcription purposes only.

Ms. Lutzko made a motion to approve the minutes from the July 16, 2019, Regular Meeting as written. Burns second. Vote: B-yes, S-yes, BCL-yes.

Ms. Lutzko made a motion to approve the minutes from the July 22, 2019, Special Meeting as written. Schulte second. Vote: B-yes, S-yes, BCL-yes.

BID OPENING for the Collection, Transportation and Delivery for Disposal or Processing of Residential Solid Waste and Recyclable Materials Generated in and Collected from Residential Units in Hinckley Township, and Township facilities.

At this time, Chairperson Lutzko provided four bid packages to Beth Biggins-Ramer to open and present to the public. The bidders were C. Martin, Republic Services, Kimble and Rumpke. The bid results are presented as Appendix A in the August 6, 2019 Minutes.

POLICE DEPARTMENT

Ms. Lutzko made a motion to hire retired Sergeant John Huff on a part-time basis. John has agreed to oversee the Police Department Armory and Firearm range duties. Burns second. Vote: B-yes, S-yes, BCL-yes.

Ms. Lutzko made a motion to approve appropriations for the Service Department to install river stone on the riparian area on the west side of the police station. The request is for materials (river stone) not to exceed \$600.00. Schulte second. Vote: B-yes, S-yes, BCL-yes.

Ms. Lutzko made a motion to approve appropriations to purchase a new data storage for the Police Department network server at a cost of \$1,612.69 through TAC Computer. Schulte second. Vote: B-yes, S-yes, BCL-yes. Chief Centner explained that the current unit is running at near capacity and the new unit will fill an urgent need to achieve multiple back-up needs.

Chief Centner requested approval to sell the body armor and outer carrier that the Hinckley Police Department previously issued to Tre DeHart as part of his employment for DeHart to use in connection with his employment the Shreve Police Department, at a cost of \$500.00. Chief Centner indicated that the expense of tailoring this equipment for another to use would be cost prohibitive, and that he had confirmed this request with Shreve Chief of Police Ron Kiner. Fiscal Officer Catherwood asked Chief Centner if the purchase was being made by the Shreve Police Department or Mr. DeHart. Chief Centner indicated Mr. DeHart. Mrs. Catherwood explained that a purchase could be made by the Shreve Police Department without placing the item for competitive bidding; this is not the case with a private purchaser. The request was tabled for Chief Centner to discuss with Chief Kiner.

FIRE DEPARTMENT

Chief Grossenbaugh informed the Trustees that Marie Vicory has completed her probationary period and will be moved to her full pay rate and that Kurt Higginbotham has completed his first six months and will receive a rate of pay that corresponds to his certification as outline in the 2019 Trustee Organizational Minutes.

Ms. Lutzko made a motion approving appropriations to purchase five 100 length lightweight yellow hoses, two 50 length lightweight yellow hoses, one aluminum anodized forestry nozzle and one polished aluminum adapter from Flashover Fire Apparatus & Equipment Co. at a total cost of \$874.50. Schulte second. Vote: B-yes, S-yes, BCL-yes.

Ms. Lutzko made a motion approving Assistant Chief Gerbasi to have a cell phone through Hinckley Fire department for the fire inspection calls he receives. Burns second. Vote: B=yes, S=yes, BCL=yes.

Ms. Lutzko made a motion approving a request for Travel Appropriations for Chief Grossenbaugh to attend Bowling Green State Fire School (Pump Operations and Water Supply), to include lodging for a total of **\$935.40**. Burns second. Vote: B=yes, S=yes, BCL=yes. Chief Grossenbaugh noted that he is not requesting a mileage reimbursement.

Ms. Lutzko made a motion to purchase a Mule Litter Wheel w/ Handle Set, including shipping from **Rescue Technology** at a cost of **\$1,462.50**. Schulte second. Vote: B=yes, S=yes, BCL=yes. Ms. Lutzko asked Chief Grossenbaugh if he had obtained additional quotes. Chief Grossenbaugh indicated he had and that Rescue Technology was \$200.00 less than the closest other quote.

SERVICE DEPARTMENT

Road Superintendent Haigh presented the Service Department Monthly Report for July, which included weekly Township property maintenance, ditching on Bellus, Meadow Drive, River Woods and King Road. Concrete repairs were undertaken on Ridgemont Trail, Lakecrest and McKee Trail. The Kobak Field fence was repaired and there was one burial.

Mr. Burns made a motion for an emergency repair to the CAT 420F by **Ohio CAT** at a cost of **\$1,829.29** (including fees to diagnose problem, replace thermostat, clean radiator and cleaning system, top off fluid and repair to the latch and cable assembly). Lutzko second. Vote: B=yes, S=yes, BCL=yes.

Mr. Burns made a motion to approve **Resolution #080619-01** to partially close Bellus Rd. to all, but local traffic from August 12 thru 21. The closures are adjacent to addresses 1680, 1700, 1764, 1900, 2064 and 2122 to 2122 on Bellus Rd. These areas are where cross culvert construction will be completed. Lutzko second. Vote: B=yes, S=yes, BCL=yes.

Mr. Burns made a motion requesting appropriations for pipe and material from **Wolff Bros.** for the Bellus Culvert project for an amount not to exceed **\$3000.00**. Lutzko second. Vote: B=yes, S=yes, BCL=yes.

Mr. Burns made a motion requesting appropriations to purchase cold patch for Bellus Road Cross culvert projects for a cost not to exceed **\$2,200.00** from **Kokosing**. Lutzko second. Vote: B=yes, S=yes, BCL=yes.

As a topic for discussion, Mr. Haigh presented a spreadsheet to the Trustees representing potential cost savings if the Service Department completes the berming portion of the contracted Melway obligation on Stony Hill Road. Mr. Haigh is confident that the Service Department can complete the task, resulting in an approximate \$18,000.00 savings depending on total Service Department hours.

Mr. Burns made a motion to approve a Stony Hill Road paving construction change order to remove the berming obligation from the contract entered into with Melway for a credit of \$23,400 pending written receipt of Melway's approval. This would reduce the total approved contract cost from \$351,122.60 to \$327,722.60. Schulte second. Vote: B=yes, S=yes, BCL=yes.

ZONING

Mr. Schulte informed the Trustees that the Zoning Commission would be reviewing preliminary site plans for the new Hinckley Elementary School and 1st Aid School Supply Warehouse.

CEMETERY

The Trustees signed a Maple Hill Cemetery Deed for Nemchak, four lots.

Mr. Schulte presented the 2017 and 2018 Lutheran Cemetery Association Annual Reports.

TRUSTEES

Mr. Burns stated that TriMor will be starting the Valley Brook concrete replacement project on August 12, discussion occurred regarding a letter to the affected residents with information on handicap access and parking spots. Ms. Lutzko asked for clarification as to whether TriMor was proposing that the project be completed in one phase or two phases. Mr. Burns introduced Jacob Garber from TriMor. Mr. Garber replied that TriMor would like to do the concrete removal and stabilization in one phase and the concrete installation in two phases. He added that if the removal has begun and it is found that the soil is not stable enough for residents to access their homes on the sub base, stabilization would occur in multiple phases to allow resident timely access to their homes.

The Trustee asked if there are any cost savings to the Township to complete the project in one phase. Mr. Garber replied that there is no difference in the quoted price to complete the project in one vs. two phases (as quoted). Mr. Burns replied that he is inclined to do all aspects of the project in two phases.

Ms. Lutzko cited concerns about one-phase construction due to the length of the project area and the negative impacts on those with physical limitations. Mr. Garber replied that he takes all these factors into consideration and when TriMor initiates the stabilization portion of the project if cars are unable to access their home due to soft soils he will initiate a plan to complete the stabilization into multiple phases. TriMor's preference is to remove and stabilize in one phase.

Ms. Lutzko indicated that last year, during the Brookside Boulevard concrete replacement project, the soil was found to be too soft for cars to travel over following concrete removal. Mr. Garber agreed and stated that they will not know if they will find the same situation on Valley Brook, if they do, he assured the Trustees that TriMor would stop the process and stabilize the soil to that point before continuing.

After a brief discussion, the Trustees agreed that they would prefer the entire project be completed in two phases, per the original contract specifications.

Mr. Burns made a motion to approve **Resolution #080619-02**, which enters into an Agreement between Hinckley Township and the City of Broadview Heights for Boundary Roads. Lutzko second. Vote: B=yes, S=yes, BCL=yes. The Agreement has been entered into the Public Record within the Minutes.

Mr. Burns informed the Trustees that TriMor has issued Valley Brook construction change orders to reuse 11 catch basin castings for a saving of **\$4,180.00** referenced as Change Order #2 reduction, and, to use #304 recycled concrete as a base for a savings of **\$3,195.00**, referenced as Change Order #1 reduction. The total savings of \$7,375.00 will reduce the original TriMor contract amount of **\$419,855.00** to a new amount of **\$412,480.00**.

Mr. Burns suggested tabling a discussion regarding the Hinckley Township Non-Union Employee Manual review. Ms. Lutzko suggested a Special Meeting for this discussion.

Mr. Burns informed the Trustees that the water well at Kobak Field is operating poorly. Mr. Haigh will contact Depew Well Drilling to assess the situation.

The Trustees signed the contract with Set in Stone for the Laurie Lane, David Drive, and Galilee Oval concrete replacement.

Trustee Regular Meeting – August 6, 2019

Mr. Burns reported that Otisco Engineering is continuing their work on the Administration Building/Police Department septic tank replacement. He also presented the Trustees with a draft ODNR Capital Improvement Grant application for Kobak Field improvements. The proposed improvements include the installation of drainage and handicap ramps. Mr. Burns will be updating the project timeline and present a final version at a future meeting. The Township has been granted \$13,000.00 pending submission of the grant application.

Mr. Burns asked the Trustees if they would approve an OPWC grant request submission to the Medina County Engineers Office for a full-width concrete replacement from the north end of Salem Court to the Providence Drive intersection. He also would like to send an OPWC request for the Administration Building/Police Station Sewage Treatment Plant replacement. Mr. Schulte asked if the Forest Drive cul-de-sac proposal was considered for an OPWC grant request, Mr. Burns responded that the Medina County Engineers Office indicated that the Forest Drive project would not rank high in the scoring since it was a low traffic, non-thru roadway. The Trustees agreed to forward the Salem Court and Sewage Treatment Plant replacement onto the Medina County Engineers Office.

Mr. Schulte indicated that a Special Meeting would be held on August 12 at 6:30 p.m. to discuss the Bid Tabulation and Content of Bids for Residential and Township Properties Solid Waste Collection.

Mr. Schulte informed the Trustees that the Medina County Commissioners has approved contracting with The Cornice Company to undertake the Hinckley Historical Society Building Alteration Project for \$103,255.00. At this time, Mr. Schulte made a motion to approve Resolution #080619-03, contracting with The Cornice Company to undertake the Hinckley Historical Society Building Alteration Project for \$103,255.00. The project is funded through a Community Development Block Grant and an Ohio Facilities Commission Grant. Lutzko second. Vote: B=yes, S=yes, BCL=yes.

Mr. Schulte thanked the Board, the Hinckley Historical Society Officers, Kevin Robinette and Medina County Planning Services for all their support and expertise throughout the Hinckley Historical Society Building Alteration Project planning process.

Mr. Schulte informed the Trustees that the \$1,000.00 Ohio Department of Commerce Grant for cemetery monument has been submitted for consideration.

Ms. Lutzko made a motion to adjourn into Executive Session to discuss Police Personnel: Discipline. Schulte second. Vote: B=yes, S=yes, BCL=yes.

The Trustees entered into Executive Session at 8:52 p.m. The Trustees returned from Executive Session at 9:03 p.m.

Ms. Lutzko made a motion to accept the resignation of Benjamin Rucinski as a Hinckley Township Police Patrolman. Burns second. Vote: B=yes, S=yes, BCL=yes.

Ms. Lutzko informed the Trustees that the health insurance FormFire updates have been completed and Mike Troyan will be providing an Executive Summary of Township healthcare options to assist in decision-making.

Ms. Lutzko has scheduled several tentative dates to reopen negotiations with the Police Department unions. The Township labor attorney has suggested including a fact-finder in the negotiations as a way to expedite the process. She added that healthcare costs remain significant part of the Union discussions

FISCAL OFFICER

Mrs. Catherwood requested the following Resolutions:

Ms. Lutzko made a motion to approve **Resolution #080619-04**, amending the 2019 Permanent Appropriations by an amount of **\$449,885.00** added to Fund 4401 Public Works Commission Project. Schulte second. Vote: B-yes, S-yes, BCL-yes.

After a brief discussion, Ms. Lutzko made a motion to approve **Resolution #080619-05**, paying First Energy (Ohio Edison) \$4,310.00 for expenses incurred to repair underground facilities located near 2565 Bethany Lane, Hinckley, Ohio due to excavation activities by Hinckley Township on 08/27/2018. Schulte second. Vote: B-yes, S-yes, BCL-yes.

The Trustees are paying the charge under protest to avoid collection proceedings and are awaiting an upcoming PUCO hearing on the matter prior to making a decision on how to proceed in the charge dispute.

Mrs. Catherwood stated the fund balance is \$5,833,687.29.

FLOOR

Resident Jack Swedyk asked the Trustees if they were going to use the recycled 304s for the Valley Brook base. Mr. Burns replied that the County Engineer has indicated this was an acceptable material and the Trustees decided to approve the change order reduction. Mr. Swedyk indicated he agreed with the resident who had cautioned against using the recycled 304s at the last meeting. Mr. Swedyk indicated his concern with using cold patch to fill the cross culverts on Bellus Road that are being repaired. He recommended asphalt, feeling it would hold up better over the winter.

Ms. Lutzko made a motion to pay the bills for **\$61,172.92**. Burns second. Vote: B-yes, S-yes, BCL-yes.

There being no further discussion, Ms. Lutzko made a motion to adjourn at 9:07 p.m. Burns second. Vote: B-yes, S-yes, BCL-yes.

The Board reviewed and signed purchase orders, the July Bank Reconciliation and bills.

The minutes of the meeting were approved by:

CITY OF BROADVIEW HEIGHTS, OHIO

RESOLUTION NO. 2019-15

INTRODUCED BY MAYOR AND ENTIRE COUNCIL

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO
A MAINTENANCE AGREEMENT BETWEEN THE CITY OF BROADVIEW
HEIGHTS AND HINCKLEY TOWNSHIP
FOR BOUNDARY ROADS
AND DECLARING AN EMERGENCY


WHEREAS, the City Council has determined that it is in the best interest of the City to enter into a maintenance agreement between the City of Broadview Heights and Hinckley Township for Boundary Roads.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROADVIEW HEIGHTS, COUNTY OF CUYAHOGA AND STATE OF OHIO:


SECTION 1. The Mayor is hereby and herein authorized to enter into a maintenance agreement between the City of Broadview Heights and Hinckley Township for Boundary Roads as delineated in Exhibit "A" attached hereto and made a part hereof as if fully rewritten.

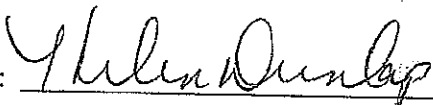
SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, peace, safety and welfare for the reason stated in the Preamble hereof, and provided it receives the affirmative vote of five (5) or more of the members of Council and signature of the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Feb. 4, 2019


ROBERT BOLDT, PRESIDENT OF COUNCIL

DATE FILED
WITH MAYOR: Feb. 4, 2019

APPROVED: 
SAMUEL J. ALAI, MAYOR

ATTEST: 
HELEN DUNLAP, CLERK OF COUNCIL

DATE APPROVED: Feb. 4, 2019

MAINTENANCE AGREEMENT
BETWEEN
HINCKLEY TOWNSHIP AND THE CITY OF BROADVIEW HEIGHTS
FOR BOUNDARY ROADS

WHEREAS, Section 9.482 of the Ohio Revised Code provides that any political subdivision may enter into an agreement with another political subdivision to exercise any power, perform any function or render any service, for the contracting subdivision which it could perform or render; and

WHEREAS, HINCKLEY TOWNSHIP and the CITY OF BROADVIEW HTS. agree that the efficient maintenance of boundary roads requires a formal maintenance agreement; and

WHEREAS, it is agreed that the general maintenance responsibility should be defined for the full width of the road right-of-ways for each section of roadway maintained; and

WHEREAS, it is agreed that a policy and system for the issuance of highway-related permits is in the best interest of public health and welfare; and

WHEREAS, HINCKLEY TOWNSHIP and the CITY OF BROADVIEW HTS. mutually agree that a formal agreement regarding the maintenance of portions of said roads by the other constitutes adequate consideration for entering into this agreement;

NOW, THEREFORE, the parties in exchange for the following terms and agreement, each to the other, enter into this formal agreement:

SECTION I. - DEFINITION - GENERAL MAINTENANCE RESPONSIBILITY:

- a. Pavement maintenance, *limited to minor surface treatment* including blade patch, chip and seal, and crack sealing.
- b. Vegetation control, including weeds, brush and trees.

- c. Application of pavement markings, except there shall be no changes in existing street marking patterns on the defined road without prior written agreement of both parties.
- d. Guardrail repair and installation.
- e. Erection and repair of all uniform traffic control devices, except that the maintaining agency shall not be responsible for erection of additional regulatory signing or additional regulatory devices required as a result of the other party's legislative actions.
- f. Public health and welfare (dirt, obstacles, liquid spills, etc.)
- g. Minor pavement base repair.
- h. Repair of berms and roadside ditches.
- i. Cleaning, repairing and replacing of culverts and drainage systems.
- j. Winter maintenance operations including, but not limited to, snow and ice removal, and application of abrasives.

SECTION II. - ROADWAY MAINTENANCE SECTIONS:

Upon the completion and signing of this agreement, the jurisdiction having responsibility for General Maintenance Operations on boundary roads as defined in SECTION I., shall be as follows:

A. HINCKLEY TOWNSHIP GENERAL Maintenance Sections:

(1) Boston Rd. (T.H 13 South side) – which splits Medina County and Cuyahoga County. Hinckley Township will maintain between the westerly road right-of-way boundary line of Broadview Rd (SH 176) to a location 125 feet east of the stream/culvert centerline. The stream/culvert centerline is located approximately 4475 feet west of the westerly road right-of-way boundary of Broadview Rd.

B. CITY OF BROADVIEW HTS. GENERAL Maintenance Sections:

(1) Boston Rd. (W. Boston Road North side) – which splits Medina County and Cuyahoga County. City of Broadview Heights will maintain from the westerly right-of-way boundary line of Broadview Rd (SH 176) to points west within its jurisdiction.

SECTION III. - ISSUANCE OF HIGHWAY USE PERMITS:

Highway use permits, utility permits and driveway permits shall be issued in accordance with rules and regulations of the subdivision in which the property is located.

SECTION IV.

HINCKLEY TOWNSHIP and the CITY OF BROADVIEW HTS. further agree that in the event it is believed necessary and desirable that more extensive or unusual maintenance, repair, reconstruction or improvement should be performed, which is of such magnitude as to be beyond the scope of work considered in this agreement to be general maintenance, then such work may be performed by contract or by one or the other political subdivisions upon the following conditions:

- A. Upon mutual written agreement of the parties hereto, as to the necessity, either HINCKLEY TOWNSHIP and the CITY OF BROADVIEW HTS. shall proceed to do the work by contract, or by means of their own work forces. Bids for contracted work may be obtained for and by each party mentioned herein for consideration.
- B. After completion of the work, the entire cost shall be prorated to each subdivision.

SECTION V.

This agreement shall be in effect for an indefinite term following ratification by the HINCKLEY TOWNSHIP BOARD OF TRUSTEES and the CITY OF BROADVIEW HTS. City Council. It may be revised by mutual agreement between the parties in writing. Either party giving sixty (60) days written notice to the other may rescind it. However, any contracted services already legislatively approved shall be administered as per this contract unless agreed to otherwise.

SECTION VI.

No later than ninety (90) days after any annexation or detachment involving this highway is recorded, HINCKLEY TOWNSHIP and CITY OF BROADVIEW HTS. will meet and review SECTION II of this agreement. Any necessary adjustments to balance maintenance responsibility will be made at that time. Confirming legislation will be passed by both jurisdictions and copies attached to the agreement until such time as the agreement is revised.

IN WITNESS WHEREOF, the HINCKLEY TOWNSHIP and CITY OF BROADVIEW HTS.
have caused this agreement to be executed in duplicate as of the dates written below:

HINCKLEY TOWNSHIP
BOARD OF TRUSTEES

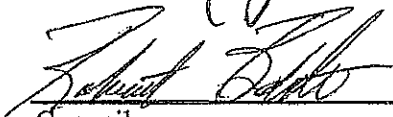
CITY OF BROADVIEW HTS.

James Burns



Mayor

Becky Chattin Lutzko



Council

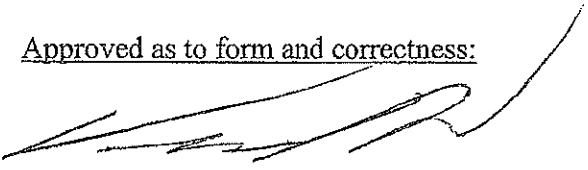
Ray Schulte

Council

Approved as to form and correctness:

Approved as to form and correctness:

Brian M. Richter
Assistant County Prosecutor



City of Broadview Heights
Law Director