

The Atwater Township Trustee held their regular scheduled meeting at the Atwater Town Hall held at 1219 St. Rte. 183 Atwater, Ohio 44201 on May 10, 2011.

ATTENDANCE

Attending were Chairman John Kovacich, Trustee Dan Derrberry, Trustee Lynn Whittlesey, Fiscal Officer Tracy Magrell, Fire Chief Mel Russell, Zoning Inspector Jim Donovan, Mel Russell, Martha Bevard, Al Kinsey and Tom Yankovich representing Ellet Sign Co.

John called the meeting to order at 7:00 pm.

Roll call: Dan; yes. Lynn; yes. John; yes.

Pledge and Prayer were offered by all.

Tracy read the minutes of the April 26th regular meeting.

Dan made a motion to accept the minutes with corrections. Second by John.

Roll call: Dan; yes. Lynn; yes. John; yes. Motion carried.

FINANCIAL

Financial reports were presented. John made a motion to accept the financial reports including the April bank reconciliation. Second by Dan.

Roll call: Dan; yes. Lynn; yes. John; yes. Motion carried.

COMMUNICATIONS

Chris Meduri sent a letter stating that the invoices incurred that had recently been sent to the township for court costs were the responsibility of the township. The township were the plaintiffs in the case.

ZONING

New business.

Mr. Kinsey requested to put a sign in front of his restaurant in the property known as the commons to replace the temporary sign that is now in place. Mr. Kinsey and Mr. Y presented photos of the sign and a map detailing their proposal. Trustees explained the property known as "The Commons" to Mr. Kinsey and why we have not allowed other businesses to place signs on this property.

Old Business

Jim Donovan turned in his report for the month of April.

Trustees received a letter from Chris Meduri stating that the 6311 Elm Street property had three additional leans on it. Chris sent letters to them notifying them of our intention to demolish the property. Chris suggesting a waiting period until June 1, 2011 to allow these three companies to reply.

John received a complaint about barking dogs and asked Jim if there is something in zoning that addresses this. Jim will look into.

PO

None at this time.

FIRE DEPARTMENT

Old Business

Mel requested Tom Eland attend Dive School training. The total cost is \$614.99. Equipment cost is \$199.99 and \$415.00 for the class.

Dan made a motion to allow Tom Eland to attend Dive School training as requested by Mel with a total cost of \$614.99. Second by John.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Mel stated that pager equipment was returned by Scott Beans. There is still two other former cadets that have not yet turned in their pagers. Letters have been mailed to them and attempts to reach them by phone. Mel is continuing to work on this.

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Mel said the man door at the FD has been replaced. The painting will be completed weather permitting.

Held
Paula is still working on physicals for new employees with a company in Alliance and is waiting on answers from them. ²⁰

John made a motion to approve the appropriation of Special Revenue Funds from the NOPEC grant. \$15925.90 to the Road Special Revenue Fund and \$34,074.10 to the FD Special Revenue Fund. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Dan spoke regarding changes made on the truck purchase and heating for the NOPEC grant. Total for the truck purchase and heating for the FD are now at \$49,964.78. Dan is continuing to work on these matters as there were questions on the heating.

Dan said the roof repairs are expected to be made on the Historical Building on May 24, 2011.

New Business

Mel turned in his Incident Report for the month of April. There were a total of 20 incidents.

Dan initiated a discussion on the time clock for the FD and the costs involved. Trustees also discussed the possibility of one full time employee at the FD. Dan will look into this to see if it would change the status of the FD. Trustees tabled until the next meeting.

Dan said demolition has begun on the FD ceiling for insulation.

ROAD DEPARTMENT

Old Business

John stated he has not yet received an answer on the questions regarding whose responsibility is it to maintain the bridge on German Church Rd.

Trustees discussed the upcoming Issue II project application. Work on North Bank Street has been submitted.

John and Tim prepared and mailed the Sodium Chloride Contract to ODOT for the upcoming year for 200 tons.

RESOLUTION 4-2011

John made a motion to accept Resolution 4-2011

Whereas: section 5513.01 (B) of the Ohio Revised Code provides the opportunity for political subdivisions including counties, townships, municipal corporations, port authorities, regional transit authorities, state colleges/universities and county transit boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles.

Now therefore be it resolved, intending to be legally bound that John Kovacich hereby requests authority in the name of Atwater Township to participate in the Ohio Department of Transportation's contract for Rock Salt and agrees;

- 1) To purchase an established salt tonnage, indicated below, exclusively from the vendor awarded the rock salt contract in which said political subdivision is located;
- NOTE: By executing this agreement and providing an estimated tonnage the political subdivision recognizes the contract will contain a min/max tonnage provision, as determined by the director at the time of the bid but will not exceed 80/120 respectively, for which the political subdivision will be responsible.

- 2) To be bound to the terms and condition of the contract;
- 3) To be responsible for the payment directly to the vendor for the quantities purchased under the contract; and
- 4) To be responsible for resolving all disputes arising out of participation in the contract and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from of arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01 (B)

Minimum order-1-truckload/22-tons without pier

Stock pile location-1199 SR 183, stockpile capacity-75 tons, Tons required-200.

Participating political subdivisions are intended beneficiaries under this contract and are real parties in the interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in the contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating political subdivision cannot change its position during this contract period. Termination of participation is effective upon expiration date of the contract. Failure of a political subdivision to purchase its requirements from the awarded vendor or comply with the terms of this contract may invalidate participation for the following winter season.

Second by Lynn.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

Lynn discussed the township street lights that the location and wattage information we currently have does not match the invoices we receive from Ohio Edison. Lynn is working to resolve this. There is one South of Fairview and two at the old town hall location that could possibly be removed. There are seven new possible locations for streetlights.

CEMETERY AND REAL ESTATE

Old Business

Lynn received an estimate for \$300.00 for necessary repairs and paint to the town hall walls that were damaged during a rental.

Tracy is still working to resolve the matter with Dominion regarding the township paying sales tax.

Departments are working on compiling lists of items to be taken to auction. A legal notice must be in place to deem these items of no use to the township.

New Business

Trustees discussed the ball fields at the park. Discussions including concessions, porta potties and mowing were discussed. Dan stated that the trash removal and mowing of the ball fields are the responsibility of the Baseball Association.

ADMINISTRATIVE

New Business

John made a motion to accept PO 99-2011 to expire 12/31/2011 for the FD to allow Jesse Baughman to attend Fire Instructor Class in the amount of \$55.00. Second by Lynn.
Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept PO 96-2011 to expire 12/31/2011 to reimburse Dan Derreberry medical insurance premium in the amount of \$3,000.00. Second by Lynn.
Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept PO 100-2011 to expire 12/31/2011 to J&J Roofing in the amount of \$5,990.00 to tear off and replace roof on the Historical Building. Second by Lynn.
Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept PO 97-2011 to expire 12/31/2011 to Comfort Systems in the amount of \$7,848.00 to remove existing insulation at the FD. Second by Lynn.
Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept PO 98-2011 to expire 12/31/2011 to Pauli Electric for \$16,225.00 for the NOPEC Grant work at the FD. Second by Lynn.
Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

RECORD OF PROCEEDINGS

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John made a request to accept PO-96-2011 thru 100-2011 totaling \$33,118.00. Motion by John. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried. 20

John made a motion to accept payment of warrants 30033 thru 30071 totaling \$15,676.08. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to accept receipts 110-124 totaling \$44,589.60. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

ANNOUNCEMENTS

John announced the upcoming PCTA Meeting will be held Friday May 20, 2011 at 6:00 pm at the Portage County Engineer Facility in Ravenna.

John made a motion to pay bills at 9:28 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to go back into regular session at 9:29 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Motion carried.

John made a motion to adjourn at 9:30 pm. Second by Dan.

Roll call vote: Dan; yes. Lynn; yes. John; yes. Meeting adjourned.

X Trustee

X Fiscal Officer