

RECORD OF PROCEEDINGS
MUNSON TOWNSHIP TRUSTEES REGULAR MEETING

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO 10148

Held Tuesday, May 9, 2023

The meeting was called to order at 6:30pm by Chair Irene McMullen, with Trustees James McCaskey and Andy Bushman and Fiscal Officer Todd Ray present. Ms. McMullen led the Pledge of Allegiance.

The Trustees signed warrants 19406 through 19434 dated 5/09/2023, totaling \$31,186.00, and the 5/12/2023 bi-weekly payroll EFT vouchers 96 through 103, totaling \$9,487.04.

Cemetery Deeds

The Trustees signed cemetery deed #5-371 dated May 9, 2023 to Thomas J. and Kimberly Naiman Dobeck for Fowlers Mill Cemetery, Section 2, lot 349, graves 9 and 10.

Minutes

Jim McCaskey moved to approve the minutes of the Trustees Regular Meeting held Tuesday, April 25, 2023 as presented. Andy Bushman seconded; with a unanimous vote, the motion carried.

FIRE DEPARTMENT

Trustee and Fire Department liaison Andy Bushman read a statement from Fire Chief Mike Vatty. Vatty reviewed his tenure as Chief and President of the non-profit corporation, and his commitment to the community. He highlighted the continuing increase in service calls that the department responds to year-on-year. He asserted that the corporation’s annual report and financial records are always available, and the Department has never denied a request from Trustees to review documentation related to salaries and expenses. He noted that last week they released documentation proving that the president and treasurer abstain from voting on their own salaries.

In the statement Chief Vatty acknowledged that the Department’s decision to hire legal counsel was made because they felt one Trustee was not impartial. The decision to give notice to terminate the contract with the Township was based on a perception that the Trustees were not making a substantive commitment to move forward. He insisted that the notice was not given 24 hours before the last meeting.

The statement offers to continue negotiations with Trustees McCaskey and Bushman, if Trustee McMullen will recuse. Chief Vatty requested a workshop meeting with the Trustees as soon as possible.

Jim McCaskey responded to the statement. He read from an April 28, 2023 letter to the Trustees from Munson Fire that gives notice of their intent to terminate the contract on September 30, with 90 days to end service on December 31. He interpreted that to mean the Trustees need to be proactive and prepared, come December 31st. He reported that he has been talking with other fire chiefs in the county, and he met with Chief Metz of the Bainbridge Fire Department to discuss a transition to bring the Fire Department into the Township. He stated that he doesn’t want to take over the Fire Department, but he’s not afraid to take over the Fire Department. He said this is the third threat, and he doesn’t respond well to threats, but he believes the Trustees must be ready. He indicated that the Trustees understand that the Fire Department needs more money, and that a workshop meeting is needed.

Ms. McMullen noted that she has still not received all of the documentation she has requested from the Fire Department, and from the Chief’s statement, they are still asking that she not be involved in the negotiations. They are operating on an assumption about her behavior that is totally fabricated and untrue.

Mr. McCaskey again stated that the Trustees know there needs to be a levy on the ballot, and they need to have a stand-alone, workshop meeting to determine the size of the levy.

Ms. McMullen pointed out that she had made a request for records on February 14, and read from the email to the Chief in which she asked for those records. She has not received the requested documents.

Fire Department Treasurer Rich Ferlin spoke and again asserted their position that they are not bound to comply with Sunshine Law requirements and their minutes are not public records. He stated that the Department has been asking the Trustees to increase the levies so there would be more money available, and he claimed that nothing has been done. If the Trustees don’t do something to increase the funding needed to run the department at the level the residents

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expect, then they have no choice but to cancel the contract. The notice to terminate is an option that the Trustees have to pay attention to. The Department needs 3% more money than the expenses from last year to run. He noted that they sent Asst. Prosecutor Susan Wieland 30 months of meeting minutes today.

Chair Irene McMullen pointed out that last year the Trustees acted upon levy motions in July, and she suggested they start on the process a little earlier this year and offered June 6th as a meeting date.

Mr. McCaskey said he felt the meeting should happen in May.

Ms. McMullen named several documents that she still has not received. She has provided legal counsel with the list of documents she requested. Mr. McCaskey offered to get the documents. The Trustees discussed possible dates for meeting.

Mr. McCaskey moved to schedule a Special Meeting for Wednesday, May 31 at 10:00 am. to address all matters related to Fire Department levy and contract. Andy Bushman seconded. With a unanimous vote the motion carried.

Ms. McMullen said that she thinks that each Trustee could take 20 minutes to have their questions answered in the meeting. She listed topics she wished to cover in the meeting, including recent changes to the MFD bylaws and the conflict-of-interest policy in the personnel policy manual.

ROAD DEPARTMENT

Resolution 2023-14 Order Road Widening of Sherman Rd. Sections E-F

Tim Woodcock, with the Geauga County Engineer’s office, presented the Sherman Road widening and paving project drawings and bid package and presented the Board with legislation to move forward for bids.

Andy Bushman moved to approve Resolution 2023-14, to order the Widening and Asphalt Resurfacing of Sections E and F of Sherman Road. He read the resolution aloud. Jim McCaskey seconded; with a unanimous vote the motion carried.

NOPEC Green Ribbon Award for Building Renovation

Ms. McMullen made a motion to apply for the NOPEC Green Ribbon Award for Building Renovation. Andy Bushman seconded. Motion carried with a unanimous vote.

Sutton Place

The Trustees discussed the deteriorating road conditions on Sutton Place. Mr. McCaskey agreed that the road is in terrible shape. Road Superintendent Kirk Walker reported that the crew has been on the road three times already this year making temporary patches. McCaskey recommended making more repairs to get by another year so the road can be placed on the repaving schedule.

The Trustees discussed a request by a road contractor Jet Excavating to stage and store clay pipe and project materials temporarily on Township property on Mayfield Rd. while they replace a series of cross pipes under Mayfield Road. Jim McCaskey noted several problems with recent contractors, and advocated for strict guidelines if the Trustees approve this. One trustee will meet with the contractor and Road Superintendent on site to address concerns.

Mr. McCaskey praised the Road Department for excellent work mulching and tidying up the Town Hall grounds.

TOWNSHIP BUSINESS

Public Records – no additional discussion.

No new business

FISCAL OFFICER

No new business

Other Business

No other business was presented.

Other Meetings

Andy Bushman reported that he attended the Geauga Safety Council meeting on Friday May 5.

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Public Comment

Attorney Charles Royer addressed the Board on behalf of his client, Munson Fire Department, Inc. He wished to respond to the comment made that the Fire Department had not provided meeting minutes. He asserted that on Tuesday May 2 he provided Munson legal counsel Susan Wieland via email the MFD, Inc. Board minutes from one meeting, March 10, 2020, in which Chief Vatty and Treasurer Ferlin’s compensation was approved, and noted that both officers abstained from the vote on their personal compensation.

He provided the Board with a paper copy of that meeting’s minutes.

Mr. Royer went on to report that on this day, May 9, at 9:59 am, he sent another email to Susan Wieland that included more meeting minutes going back to October 13, 2020. He suggested that Ms. Wieland had not communicated this to the Trustees. He stated that they have provided all the meeting minutes. Mr. Royer stated that the Department has never withheld financial records, nor refused to allow Trustees to review any financial documents, but they have questioned the request for meeting minutes going back six years, which they didn’t understand. He indicated that he believes the Trustees have received information about the Fire Department from a former employee, and the Fire Department would like the Trustees to be transparent about that. He restated the Department’s position that they would like to work with Trustees Bushman and McCaskey to resolve this matter, and have Ms. McMullen stand back.

Resident Glenn Kinter gave extensive comments on the role of the Chair, the desires of the residents of the community, and the impression some have that the Chair is leading an anti-Fire Department campaign. He strongly believes there should be a Fire levy on the ballot, and that no amount of questioning of the Fire Department should derail that. He stated his support and respect for Chief Vatty.

Resident John McCaulley asked who approves the invoices for the legal counsel for the Fire Department. He noted that a 1.1 mill levy was mentioned in the meeting today, and wondered if the justification for that amount has been completed.

Andy Bushman replied that he has been working on that; it has not been discussed in a meeting and is not final.

Resident Joan Otto commented that she believes Ms. McMullen has a personal interest in this Fire levy matter, and feels she should set aside her requests for documents and her personal interest so the business can be settled.

Resident Joe Bastulli expressed trust that Mr. Bushman and Mr. McCaskey can ask tough questions of the Fire Department. He believes they can do the due diligence, and he encouraged Ms. McMullen to step back.

Fire Department Treasurer Rich Ferlin stated that he believes the Fire Department will never stop serving and protecting the community regardless the outcome of the levy discussion. They will do it with whatever equipment and money is provided. The downside of “no levy” would be a decline in service because expenses have gone up. But the Department will never walk away from the citizens.

Encumbrances

There were no encumbrances to approve.

Motion to Adjourn

Mr. McCaskey moved to adjourn the meeting at 7:25pm. Mr. Bushman seconded; motion carried with a unanimous vote.

James H. McMullen Chairman Todd R. Ray Fiscal Officer

Resolution No. 2023-14

RESOLUTION TO ORDER
THE ROAD WIDENING OF SECTIONS E-F OF SHERMAN ROAD, TR-0097
Munson Township, Geauga County

WHEREAS, the Munson Township Board of Trustees, Geauga County, has determined by unanimous vote in Resolution # 2019-17 that the public convenience and welfare require the improvement of Sherman Road (TR-0097) in Munson Township, and authorized the Geauga County Engineer to prepare engineering plans in accordance with Section 5573.01 of the Ohio Revised Code; and

WHEREAS, the Geauga County Engineer has completed the specifications and estimates for the improvements, and has filed the specifications with the Board; and

WHEREAS, the Board has reviewed the specifications and estimates and finds them acceptable; and

WHEREAS, the cost of such improvement will not be excessive in view of the public utility thereof; and

WHEREAS, the Board is satisfied that the public convenience and welfare require the proposed improvements.

NOW THEREFORE, BE IT RESOLVED that the Board in accordance with Section 5573.06 of the Ohio Revised Code hereby orders that such improvements proceed.

BE IT FURTHER RESOLVED that the Board hereby adopts the specifications and estimates for such improvements, the costs of which shall be paid from local and/or state funding sources in accordance with Section 5573.07 of the Ohio Revised Code.

BE IT FURTHER RESOLVED that the Fiscal Officer of the Board is hereby ordered to let this project for bids in accordance with Section 5575.02 of the Revised Code. The bids shall be let upon a unit price basis. Bids shall be received by Todd Ray, Fiscal Officer, until 11:00 AM official local time on June 2, 2023. Bids received will be publicly opened and read aloud at 11:05 AM the same day.

BE IT FURTHER RESOLVED that the Fiscal Officer of the Board is hereby instructed to transmit a certified copy of this resolution to the Geauga County Engineer.

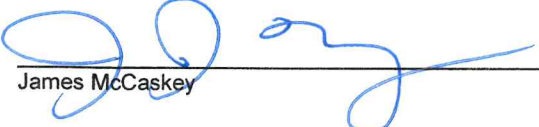
Voting thereon:

Vote:




Andrew J. Bushman





James McCaskey





Irene H. McMullen



I, Todd Ray, the Fiscal Officer of the Board certify that the foregoing is a true and correct copy of the acceptance of the resolution adopted at a legally convened Board meeting held on

May 9, 2023



Todd Ray, Fiscal Officer