

BRUNSWICK HILLS TOWNSHIP TRUSTEES
REGULAR MEETING

March 8, 2022

The Brunswick Hills Township Board of Trustees met in regular session on Tuesday, March 8, 2022 at Brunswick Hills Township Town Hall.

Board of Trustees Chair Chris Kusnerak, Vice Chair Trica Murphy, Trustee John Witthuhn, Fiscal Officer Katherine Esber, Fire Chief Strazzo, Police Chief Sopkovich, Service Foreman Paul Magovac and Zoning Inspector Evelyn Cycz present.

Kusnerak called the meeting to order at 7:00 PM and noted the meeting was properly advertised.

Kusnerak advised employees and residents the mask mandate has been lifted.

PRESENTATION:

None

MINUTES:

No minutes to approve

(For detailed information on special or off camera items, review the posted minutes on the website: www.brunswickhillstwp.org)

DEPARTMENT REPORTS:

Zoning Department:

Cycz read the zoning report for February 2022. The transient vender license and vender permits were discussed in some detail. Attached as Exhibit 1 is the proposed Resolution to establish registration of the transient vendors in its draft form. There is more discussion to be held on this as well as the zoning restrictions, setbacks, time-frame for permits and zoning districts to allow for transient vendors. The Board of Trustees, Police Department, Fire Department and Zoning Boards will all have input into the resolution.

Police Department:

Chief Sopkovich asked for approval to purchase the Employee Assistance Program offered by HelpNet for all employees of the Police Department. He indicated the cost is \$2.38 per employee per month and would be paid from the police medical line item. The program offers a variety of programs for support and counseling for employees and their families. Strazzo and Magovac advised they are also interested in the program for their employees. The Board agreed to get more information on the program and consider all Township employees as a whole before they move forward with any approval.

Sopkovich asked the Board to approve Officer Fisher, the SRO, to attend School Resource

Officer training in Liberty Township on July 25 – 29, 2022, with a Purchase Order to OSROA for \$399.00 from the training line item. Kusnerak moved to approve the training. Murphy seconded. Witthuhn – abstained. Murphy – yes. Kusnerak – yes. Motion carried

Fire Department:

Strazzo read the run report for February 2022.

Strazzo requested the purchase of 2 full sets of turnout gear from Fire Force in the amount of \$6,340 to be purchased from PO 28. Kusnerak moved to approve the purchase. Witthuhn seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Strazzo requested the purchase of miscellaneous gear items from Fire Force in the amount of \$1,934 from PO 28. Witthuhn moved to approve. Kusnerak seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Strazzo requested the purchase of Pediatric King Vision intubation camera in the amount of \$859.98. Department currently received 1 from Southwest General at no charge and this purchase will be for the second squad. Purchase to be paid from BC 69. Kusnerak moved to approve the purchase. Murphy seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Strazzo requested the approval for Firefighters Koneval and Lohr to attend Fundamentals of Pump Operations training on March 19, 2022 from 8 am to 4 pm at the Hinckley Fire Department. The training is provided for free through the State of Ohio Fire Academy. Witthuhn moved to approve the training. Murphy seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Strazzo requested the Board accept the resignation of FF Dan Woll effective 3/31/2022. Kusnerak moved to approve the resignation and thanked him for his service. Murphy seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Strazzo requested and Executive Session for employee interview.

Announcement – Strazzo stated the Fire Department now has certified car seat technicians, so if residents need to have their child restraint devices checked please contact the Fire Department. Strazzo thanked the Fidget Circle group from Valley City for the donation of autism blankets to the Fire Department.

Service Department:

Magovac read the road report for February 2022.

Magovac requested a letter to the Medina County Engineer's Office asking for OPWC funding on Kingsbury Road for 2023 paving. Witthuhn moved to approve the letter. Murphy

seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.
Magovac asked for specific 2021 PO's be closed.

Magovac brought up the OUPS program for the 811 System. This is the Ohio Utility Public Service for immediate notification of anytime they are marking a property for various items such as driveways or decks being constructed at a cost of approximately \$1,000 annually. Magovac mentioned that he will be included in the notifications from OUPS, along with Strazzo, Payne and Cycz.

TRUSTEES' REPORT:

Christina Kusnerak:

Kusnerak advised she attended the annual Health Department Advisory Council meeting. Kusnerak asked for the BWC Memo be approved. Murphy moved to approve the memo. Murphy seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

Trica Murphy:

Murphy mentioned she will be attending the luncheon offered by Northern Medina County Chamber Alliance for a presentation on economic development in the area communities.

John Witthuhn:

Witthuhn mentioned that due to the increase in fuel prices and added fuel costs from the recent storms, we needed to increase the credit limit for the Wex fuel account. Witthuhn brought up the Cummins invoice which was not completely paid for in 2021, requiring the need for T&N PO amounts of \$179.68 from the General Fund and \$371.00 from the Police Department to pay the invoice. Witthuhn also requested a PO for the contracted 2022 service from General Fund for \$179.68. The Fire Department and Police Department already have approved PO's for the 2022 service. Witthuhn moved to approve the PO's. Murphy seconded. Witthuhn – yes. Murphy – yes. Kusnerak – yes. Motion carried.

FISCAL OFFICER:

Kusnerak and Esber set the date and time for the Records Commission meeting for 6:45 p. on March 22, 2022.

Esber presented the financial reports.

Witthuhn moved to approve payment listing dated February 28, 2022, as mentioned, in the amount of \$ 28,344.48. Murphy seconded. Witthuhn – yes, Murphy – yes. Kusnerak – yes. Motion carried.

Witthuhn moved to approve payment listing dated March 8, 2022, as mentioned, in the amount of \$ 8,219.44. Kusnerak seconded. Kusnerak – yes. Murphy – yes. Witthuhn – yes.

Motion carried.

Witthuhn moved to approve, as mentioned, payroll dated March 8, 2022 in the amount of \$67,601.90. Kusnerak seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

FO Esber Mentioned the Township was balance for January 2022.

OLD BUSINESS:

None

NEW BUSINESS:

None

MISCELLANEOUS & CORRESPONDENCE: Witthuhn mentioned the Brunswick Area Historical Society is looking for members and could be reached at 330-441-0292 for information.

UPCOMING MEETINGS:

Trustee: Match 22at 7PM

BZA: April 6 at 7PM

Zoning Commission: April 7 at 7PM

Special: Records Commission Retention Meeting
March 22, 2022 at 6:45 PM

PUBLIC INPUT:

None

OFF CAMERA:

Kusnerak motioned to go off camera at 8:20PM for the signing of Warrants & Purchase Orders and any other business brought before the board. There will be an Executive Session off camera for employee interviews, purchase of land and employee discipline. Witthuhn seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Witthuhn motioned to go into Executive Session at 8:26PM to consider purchase of property, employee discipline and employment interviews. Applicants, Chief Strazzo and Magovac were invited. Kusnerak seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Kusnerak motioned to come out of Executive Session at 10:25PM. Murphy seconded. Murphy – yes. Witthuhn – yes. Kusnerak – yes. Motion carried.

Witthuhn moved to approve FF Michael Eberl as a fulltime Firefighter, pending successful

completion of all preemployment requirements. Murphy seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Kusnerak moved to offer Mark Jeffers an alternate position on the Board of Zoning Appeals, pending successful completion of all preemployment requirements. Murphy seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Murphy moved to offer Sally Galanek a parttime position as Township Administrative Assistant at a rate of \$15.00 per hour, pending successful completion of all preemployment requirements. Kusnerak seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Kusnerak moved to authorize Witthuhn to follow up with the Attorney Rogers regarding the purchase of property and act on behalf of the Board of Trustees. Murphy seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Witthuhn motioned that the employee will receive a one-day suspension without pay and authorize Murphy to act on behalf of the Board. Murphy seconded. Murphy – yes. Witthuhn – yes. Kusnerak – no, due to reasons stated in Executive Session. Motion carried.

Kusnerak moved to authorize Murphy to complete the tax map form and submit to Medina County. Witthuhn seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Kusnerak moved to adjourn at 10:35PM. Murphy seconded. Murphy – yes. Kusnerak – yes. Witthuhn – yes. Motion carried.

Christina Kusnerak, Chair Trustee

Trica Murphy, Vice-Chair Trustee

John Witthuhn, Trustee

Katherine Esber, Fiscal Officer

EXHIBIT 1

RESOLUTION TO ESTABLISH REGISTRATION OF TRANSIENT VENDORS NO. _____

Whereas, the Ohio Revised Code grants township boards of trustees by resolution the power to enact registration regulations of Transient Vendors under authority of Section 505.94 of the Ohio Revised Code and

Whereas, there are transient vendors within Brunswick Hills Township, and

Whereas, the Township seeks to reasonably regulate the **TIME, PLACE AND MANNER** in which these vendors may sell, offer for sale, or solicit orders for future delivery of goods, and

Whereas, the Board has the power to further adopt reasonable registration fees.

BE IT THEREFORE RESOLVED THAT:

Brunswick Hills Township shall adopt a Transient Vendors Resolution under the following terms, rules and conditions:

1. **All Transient Vendors** who do business within the Township of Brunswick Hills, Medina County, Ohio shall register with the Brunswick Hills Police Department, 505 Substation Road, Brunswick Hills, Ohio 44212.
2. **A Transient Vendor** means or is defined as any person who opens a temporary place of business for the sale of goods or who, while on the street, roads or highways found within the Township or while traveling about the Township, sells, offers for sale, or solicits orders for future delivery of goods where payment is required prior to delivery of the goods, except that Transient Vendor does not include any person who represents a business or organization including but not limited, to any entity exempted from taxation under Section 5709.04 of the Ohio Revised Code, that first notifies the Board of Township trustees that its representatives are present in the Township for the purpose of selling, offering for sale, or soliciting orders for future delivery of goods, or an auction company licensed under Section 4707 of the Ohio Revised Code.
3. The Brunswick Hills Police Department shall maintain a registration log where all Transient Vendors shall register at least (48) hours prior to their coming into the Township to sell, offer for sale, or solicit orders for their goods. The registration can be made Monday through Friday, at the Brunswick Hills Police Department, 505 Substation Road, Brunswick Hills, Ohio 44212.

4. **Transient Vendors** shall be permitted to sell, offer for sale, or solicit orders, door to door, or location to location:
 - a. Between the hours of 8:00 A.M. to 7 P.M. (Door to Door)
 - b. If a set location the businesses hours.

5. **Transient Vendors** shall make a payment for their registration fee at the time they register at the Police Department. It is a nonrefundable fee. All payments shall be made in cash for the exact amount, money order or check made payable to the Township of Brunswick Hills in one of the following amounts:
 - a. An individual permit for 1 Year: \$75

6. **Transient Vendors** shall be required to fill out a Transient Vendor Application at the time they register. The application forms shall be filled out in person by each Vendor.

7. Each individual person who sells, offers for sale, or solicits orders for goods shall be required to register according to this Resolution even though he may be one or more of several Transient Vendors who sell, offers for sale, or solicits orders for goods for the same group, company, or other business entity. Each separate Transient Vendor shall be required to separately and individually pay the registration fee provided in Item 5 above, even though he/she is one of several persons who sell, offer for sale, or solicits orders for goods for the same group, company, or other business entity or entities, or firms.

8. The permit will be valid for 1 year and shall commence on the date of the application.

9. All companies, corporations, businesses or business entities shall provide to their Transient Vendors, to be given to the Police Department, a written statement signed by a person with authority that the Transient Vendor is in fact authorized to sell, offer for sale, or solicit for its goods within the Township for it, or under its authority or agency.

10. Any Transient Vendor Application or log that contains false or untrue information shall give the Township cause for that registration to be canceled and it shall be grounds for prosecution under Section 505.99 of the Ohio Revised Code.

11. **Transient Vendor Working At A Fixed Location:** All Transient Vendors who sell, offer for sale, or solicit orders for future delivery of goods where payment is required prior to delivery of the goods, who establishes a temporary place of business within the Township, shall in addition to the other requirements mandated herein:
 - a. Establish the temporary place of business in an area zoned for the same. No temporary place of business shall be established in areas zoned residential. If unsure please contact the Zoning Office at 330-225-3781.

- b. Not violate any Township Zoning Regulations in regards to signs.
 - c. Not sell, offer for sale, or solicit orders for future delivery between 7:00 P.M. and 8:00 A.M.
 - d. Contact the Fire Department to see if an inspection is needed. Inspectors telephone number is 330-225-9095.
12. Any Transient Vendor who violates any of the terms, conditions, or requirements of this Resolution, shall give the Township grounds to cancel the registration and it shall be grounds for prosecution under Section 505.99 of the Ohio Revised Code.
 13. Any Township Trustee, or the Chief of Police, or his designated officer in charge during his absence or being otherwise unavailable, shall have the authority to take actions to terminate, cancel registrations, or initiate prosecution under Item 10 and 12 above.
 14. Should any one or more parts of this Resolution be adjudged unconstitutional or otherwise unenforceable by any Court or other body or person empowered to so rule, this shall not invalidate those other parts or sections herein.
 15. The term “he” as used herein shall refer to both the female and male gender.
 16. No Transient Vendor shall together with, or in combination with, twelve (12) or more persons who are Transient Vendors, operate within the Township at any one time, whereby they are all selling, offering for sale, or soliciting the same goods.
 17. No Transient Vendor shall open a temporary place of business that is in derogation or violation of any Township Zoning Resolution.
 18. All Transient Vendors shall appear in person at the Brunswick Hills Police Department, or notify them that their activity under their registration is completed and terminated. The Brunswick Hills Police Department employee who receives this information shall so note in the “log” of Transient Vendors in the proper place.
 19. The Transient Vendors log shall be a public record open for inspection.
 20. This Resolution shall be effective within thirty (30) days of its adoption after proper publication. Those in violation are subject to the penalties of Section 505.99 of the Ohio Revised Code. The Chief of Police shall establish the administrative mechanism to implement this Resolution, to include but not limited to, briefing Township employees, establish log and application files.
 21. Transient Vendors shall not sell, offer for sale, or solicit orders for goods where the dwelling

property, building, or other structure has made notice by means of a sign that its owners or occupants do not want salesmen, or solicitations, or transient salesmen or vendors, and such sign is reasonable calculated by its size and placement to notify the Transient Vendors of this fact. An example of this, but not limited to this, are signs that say “**NO SALESMEN**” or “**NO SOLICITATIONS**”.

22. All “Brunswick Hills Township” identification signs at the entrance to the Township that are maintained by the Township shall have placed upon them by the Road Department a sign reasonably calculated to inform the passer-by in a vehicle or otherwise traveling:

23. Notification is required to be made by exempted businesses or organizations under this resolution and Section 505.94 of the Ohio Revised Code, to the Township Trustees in writing, that its representatives are present in the Township for the purpose of selling, offering for sale, or soliciting of orders for future delivery of goods or an auction. Such notification shall be addressed to the Board of trustees marked – **ATTENTION CHIEF OF POLICE**. The Chief of Police shall make a log and record all such notices of exempted business or organizations for the Trustees.

Motion made to adopt by _____

And Seconded by _____

Trica Murphy

Christina Kusnerak

John Witthuhn

FISCAL OFFICER _____

Katherine Esber

DATE _____