

The regularly scheduled meeting of the Newbury Township Board of Trustees was called to order at 7:00 p.m., on Wednesday, October 2, 2019 with Glen Quigley, Bill Skomrock and Greg Tropf present.

Fire Department - Fire Chief Ken Fagan reported that this month of October, they had 4 calls, and last month they finished at 64 calls. YTD calls were 477. Mr. Fagan noted that there were more car accidents this year to date than there were all of last year. Trustee Bill Skomrock asked Mr. Fagan what his thoughts were on the contributing factors to the rise in the number of accidents. Mr. Fagan said he could only guess. Mr. Fagan said Trick-or-Treat will be held this year on Thursday, October 31, 2019 from 5:30 pm to 7:30 pm. He added the Fire Department would be visiting Kiwanis Lake from 5:30 pm to 6:00 pm. Scranton Woods from 6:15 pm to 6:45 pm., and Kimberly Estates from 7:00 pm to 7:30 pm. Trustee Glen Quigley asked how many participants they had last year, and Mr. Fagan guessed they saw 75 to 100 children. Mr. Fagan said they see more children when they go to the neighborhoods, rather than the kids coming to the Fire Station. Mr. Quigley asked that the Trick-or-Treat information be posted on the website.

Guest - Mr. Quigley introduced guest Don Rice, who is the Superintendent of the Metzenbaum Center located at 8200 Cedar Road, Chesterland, Ohio. Mr. Rice has been at the Metzenbaum center now for 13 years and has been visiting communities in Geauga County for about 6 years. Mr. Rice held a question and answer session with attendees of the meeting. He shared that The Metzenbaum Center served over 950 people last year. The oldest person they have served to date is 90 years old and the youngest person was 2 months old. He said with today's technology, they can see and diagnose babies while they are still in the womb, and are able to tell if there will be potential problems. He noted their staff includes speech and occupational therapists and developmental specialists, who will get involved with the family. The Metzenbaum Center will get involved with a family when a mother potentially knows she may have a child with special needs. He explained that is a very stressful and tragic time for families; they are feeling a lot of stress, wondering what will happen with their child. At the Metzenbaum Center, their staff can share examples with families of children that functioning fairly typically, in a very normal capacity. He urged that families get involved with the Metzenbaum Center as quickly as they can. The Metzenbaum Center will start with early childhood programs, then transition to school age programs. They provide family home-based services, summer camp supports, etc., while the children are in school. Once they get to the age of 14 to 15, they transition the child to adult programs – work programs, or other plans. Mr. Rice was most proud of the number of people, 142, they have employed in the community, working at jobs that are minimum wage or above. They used to take high school age children and put them in a workshop. When it was time to move out after learning skills, and, after making friends, they did not want to leave because all of their friends were there. When they started working in the community, the kids made friends with their co-workers. Now, they make their friends in the community and there is no need to break that bond. That plan has worked well. In 2012, they had 35 children in that program. As of today, they have 142 children. The biggest and hardest thing they do is residential care, and currently have 208 people in 24/7 care. Mr. Rice noted that it is very expensive care, and they cannot, not serve them. He noted there are some people with this type of care in their 90's and some in their 40's. In some cases, they provide in-home care and other cases care in another setting. That is one of their biggest expenses; residential care and it consumes 60% of their budget. It is matched with federal and state dollars.

At the Metzenbaum center, the biggest revenue source comes from local taxes; 70% of their money comes from levies. Without the levies, they cannot provide those services because the levy dollars are matched up with federal dollars. Without the levy dollars, there are not matching dollars; not serving those folks; it would be a crisis. That is why they are very keenly aware that they need to pass local levies. He said he was not there to promote it, but wanted to let the audience know that the levy was on the ballot as a renewable levy. Mr. Quigley asked what the levy amount was and Mr. Rice said it was a 1-mil levy that was passed in 2015. It is a renewal for continuous term. He noted that by going continuous, and pushing it out, they can go to 2025 or 2026, and push it out 10 or 11 years, rather than potentially only 3 additional years. Mr. Rice added that the renewal stays flat; there is not a safeguard for inflation. It is an outside millage that remains flat. Mr. Quigley asked if the levy provided financial stability and if it enabled them to plan for the term of the levy. Mr. Rice said yes, and noted that if they had to cut things, they have to cut services nobody else does. Mr. Quigley asked if they had to cut - what services would go first. Mr. Rice said they have services that are mandated by the state of Ohio, so those services would stay. Some of the services that are not mandated, such as early intervention, Special Olympics, summer camp programs, wrap around services, etc. He said those services are most helpful for families and they don't want to cut.

Mr. Quigley asked if they had any fundraisers and Mr. Rice said they do. Their total budget is approximately 16.5 million dollars in expenditures. He said it is hard to raise those types of dollars, and noted that their biggest fundraiser might raise \$40,000.00, and that takes a lot of work and effort.

An audience member asked if their facility in Chesterland was a school. Mr. Rice said the Geauga ESC runs the preschool classrooms and Cuyahoga ESC rents out about 5 classrooms. They pay The Metzenbaum Center \$40,000.00 per year for renting classrooms. Mr. Rice said 19 people live there also, in an Immediate Care facility, with 24/7 care. Mr. Rice said they have about 34 acres there with deed restrictions, because it was given by the Metzenbaum Foundation (James and Betsy Metzenbaum who are the aunt and uncle of Howard Metzenbaum, the senator). They gave them 34 out of 100 acres. The remaining acres are the Metzenbaum Park. They have 34 acres, 4 houses, 4 or 5 other buildings, including the former school building. The Department of Aging is using the workshop. They share a Bus Garage with West Geauga. The school is being used by 4 or 5 different local groups. Their goal is to try to find ways for all of the buildings to be used for community centers. Mr. Rice noted that they would like to have the Department of Aging have the 30,000 square foot workshop; and they have to work through the deed restrictions that come with the property. He thought it made great sense, it's a good use for the space and they could move from West Geauga where they currently rent. Mr. Rich said they had signs to support they levy. Residents can call the Metzenbaum Center at 440 729 9406 – they have about 1000 signs – and they will deliver the signs to residents.

BOE/Trustees/Rec Board - Mr. Quigley said that the joint meeting between the Board of Trustees and Board of Education will be tabled, in order to collect additional information. The Trustees will keep the public informed as to what the next step will be. A resident in the audience asked what additional information they were looking for. Mr. Quigley said upon the advice of their attorney, she suggested waiting until they had additional information about the process and way to proceed. Mr. Quigley asked if anyone was present at

the meeting from the Rec Board. No one from the Rec Board was at the Trustee meeting. The School Board did not have a quorum to be at tonight's meeting; they are waiting for information as well. Even though it was scheduled for tonight, they have tabled it until they hear from the attorneys. Mr. Quigley did not know if there would be a special meeting or if it would be at a regular meeting. Mr. Quigley said he had an email list for notifications of meetings, and told the audience if they wanted their names on the list, to let him know, and they will add it, so everyone will know what is going on.

A resident wanted to know if the Rec Board was still functioning as an entity. Mr. Quigley did not know the answer to that.

Township Trustee Greg Trof said he did know the answer – they are taking in money – they have a concession stand at the football games. They are still drawing in money, they have a big banner at the gate. They are still taking applications for volleyball, and they are acting as a Board, which Mr. Trof felt should be addressed tonight. He would love to dissolve the Board tonight, but obviously had to wait for more information. He requested financials and inventory on August 12, 2019, and as of today, he had not heard anything. He asked for the meetings to be on the website, and was told, "We would be happy to inform you of all meetings for a reasonable fee of \$100.00." Mr. Quigley said they could not charge for that and felt that could be a violation of the open meetings act. Mr. Trof stated that the Rec Board had to operate according to their old by laws, or constitution, until the new Board got in. Trof went on to say they voted in 4 members: Chavis, Phill, Melissa and Karl. Trof did not know who the School Board voted in – no one had any documentation of that. He noted that Lauren Louma did not live in the community – therefore she should not be acting as a Board Member until the Board meets and appoints their President, Vice-President, Secretary and Treasurer, and votes on changing by-laws. At the last meeting, they said they have already changed the by-laws. Lauren, Amy and (Trof believed Melissa) changed the by-laws, to allow outsiders in. They appointed the President, Vice-President, and the Secretary and Treasurer. Trof asked how long they were going to let this go on, and noted that the attorney gave them the option if one of the Boards decided to pull out, they could pull out.

Quigley noted that he and Trof read the same email, and asked Trof what the last line in the email said. Trof said he preferred they wait for inventory, but also said they was nothing in Ohio Revised Code (ORC) that stops them. Trof said they could opt right now to put an end to this, and at least let the members that they appointed sit at the table and take votes. Mr. Quigley said was no reason why they shouldn't be recognized. Mr. Trof said they are not being recognized. Mr. Quigley said that was an internal problem of the Rec Board. Mr. Trof said the Trustees are their governing Board. Mr. Quigley said they appointed those people and they should have a seat at the table. Mr. Quigley said he was not going to get into attorney-client privilege material. Mr. Trof said he was not either, and felt this could not go on the way it was going. Mr. Quigley said there is not doubt that it can't go on, and he believed as Mr. Trof did, but right now, he was going to take the advice of their attorney. Mr. Trof said he did not agree with Mr. Quigley, as to how he was interpreting the advice of their attorney, but he was fine with that.

Mr. Quigley asked Mr. Trof what the last line was the attorney said. While Mr. Trof was looking for the last line, Mr. Quigley said they actually shouldn't be discussing it because of attorney-client privilege, and he asked that the conversation end at that. Mr. Trof said that was ok, they will not get into what their attorney said, but felt they should address what the Board was doing; and it was not right. They appointed members. Mr. Quigley said he did not disagree with Mr. Trof. Mr. Trof wanted to know what they were going to do, because tomorrow night there was a Rec Board meeting. Mr. Trof said he would like to see their members voted in, and carry forward with that they voted them in for. Mr. Quigley said he did not know where the authority came from as it was indicated in the email, about what authority they actually have to intervene in this situation, and that is why there is going to be further investigation. Mr. Quigley said they were starting to talk about things they would rather not discuss, because they are legal matters that they have no resolution to at this point. People are trying to work this out, and he would like to see the lawyers work on this. Mr. Trof asked why a Rec Board would have attorneys. Mr. Quigley told Mr. Trof he was asking the wrong person. Mr. Trof noted that the Trustees were the governing Board, and they are supposed to be overseeing this and the Rec Board is out there hiring an attorney. Mr. Trof wondered who they were going to fight – the Trustees or the School Board. Mr. Trof wondered who authorized this, what Board member authorized their attorney. Mr. Quigley said he did not authorize it, and he knew Mr. Skomrock did not authorize it. Mr. Trof said he did not authorize it. Mr. Trof said his point was the Trustees were not stopping it, they are letting it go. Mr. Quigley asked Mr. Trof where the authority was for the Trustees to intervene. Mr. Trof said they are the governing Board, and they could back out. Mr. Quigley asked what that would do. Mr. Trof said that by default, it would stop them and felt that they should step in under the Park Board, get someone in there and take action. Mr. Quigley said there has been communication between their attorney and the Trustees, and he read it one way, and Mr. Trof was reading it another way. Mr. Quigley said they would defer it to the attorney's opinion until she meets with the other attorneys to discuss how this whole thing should be resolved. Mr. Trof said he was fine with that, but he was not fine with letting the Board run the way it is. Mr. Quigley asked Mr. Trof how he would suggest telling them not to do it. Mr. Trof suggested they send an email as The Board of Trustees, as half of their governing Board – and say this is how it should be: "You should hold a meeting, I'm sorry Laruen, you are not a member, you said so yourself. It's not in the by-laws; you are not a member." Mr. Quigley said he had no objection to emailing them on behalf of all three of the Trustees, and asking them to cease and desist any activity until a legal decision comes forth. Mr. Trof said he was great with that, and Mr. Quigley said he would do that tonight. Trustee Bill Skomrock said he wanted to wait until they got the opinion from their attorney. He said the email could be sent from the other two Trustees, but he did not want to put his name on it.

A guest in the audience, Marty, said he did not understand why the Board was stalling on this. Mr. Skomrock said he was not stalling; he was waiting for the advice of their attorney. The resident said, "As a community member, not as a Newbury School Board member, I am the one who is at the school, as a community member. They have had this discussion a couple of times and asked how many more times are we going to, as a community, as Trustees, allow them to embarrass us. It's getting to the point, it's getting counterproductive. It's making us a laughingstock – all of this. So, somebody has to just stop, and just say enough." Mr. Quigley addressed Marty, and said they did do that at a joint meeting. The resident said nothing has happened. Mr. Quigley said he understood. Mr. Trof said they didn't even have the respect to show up there tonight. Mr. Quigley said he was looking for the authority that the Trustees have, and is actually in the email that was sent today. The ORC doesn't even address it and noted that Townships are creatures of statutes and if it is not permitted in ORC, they cannot do it. Mr. Trof said he was not going to get into shutting it down, but felt they, The Trustees, had to oversee that Board. They oversee the BZA, the

Park Board, etc. Mr. Quigley said they oversee the Boards jointly and there was not a quorum of School Board members there tonight. Mr. Tropf said they should make their opinions known. Mr. Quigley said they did make their opinions known at the last meeting. Mr. Tropf said he thought they did too, and made it very clear, and went on to say, "What did they do? – They went on to name their own President, Vice-President, Secretary, Treasurer – we'll see if we are going to vote you two in, and we are going to open a concession stand, and we are going to spend money and do whatever we've been doing. Nothing changed, and they don't even have the respect to come here tonight and see us. Not one of them. Something has to be done, it has to be done immediately. I'm not saying shut it down, but we have to have some oversight – some say in this. It's our responsibility."

Mr. Skomrock asked if kids were playing ball. Mr. Tropf said not right now, soccer is over. Mr. Skomrock said the next stage would not function if Mr. Tropf wanted to do what he just said, and at the previous meeting, The Trustees stated that the kids were going to continue to play. Mr. Tropf said he did not say that the kids would not play – he wants to redo the Board. Mr. Skomrock said it sounded to him like Mr. Tropf wanted to shut it down. Mr. Tropf said he wanted to have a meeting to appoint a President, Vice-President, Secretary and Treasurer – fairly. Mr. Skomrock said Mr. Tropf said he wanted to shut it down. Mr. Tropf said they should have a meeting with the appointed Board members, that they and the School Board appointed, legally, not the ones out of town. They should, as a Board nominate their Board positions, and as the transition goes on, those people will be making the decisions – they were voted on amongst their own members. Mr. Tropf said they do have to transition; they cannot keep dragging their feet on this. "Now volleyball is coming up, and next basketball, then it will be spring soccer – we have to take action, eventually. I'm for the kids playing whatever sport, I'm not for how it is being run right now. It's being run poorly, it's putting a total black mark on the Township, and on the Trustees. This is our job – half of that responsibility is ours. As Glen said at the meeting 4 weeks ago – the reason they are not sitting at the table is because they have no say – we are their voice. Well, we've been pretty quiet. It's time to do something. This has gone on long enough. I'm all for having a meeting, the Rec Board that we appointed, not the members out of town so they can change something that benefits them. Just the 4 or 5 people, sit down and appoint their members, give us the financials and the inventory and work toward a solution of this – not the way it has been going."

Mr. Quigley said, just as conversation, if they close themselves off from any say so in this, by moving tonight to do so, then in some ways, they deny themselves any future oversight. If they all of a sudden say we wash our hands of the whole thing, then they are out. Mr. Tropf agreed and said they would be out. Mr. Quigley said they would have no say-so in the future. Mr. Tropf said, "Let's do it the right way and have the Board meet and appoint the members the way the by-laws state." Mr. Quigley said they cannot have the 4 members that the Trustees appointed meet – he didn't know if it was a quorum. Mr. Tropf said they only have 5 members and Lauren is not a member – she does not live in the community and per the by-laws, she cannot be on the Board.

A resident in the audience, Mike - said at the last meeting, they had enough of the School Board members and they all said they wanted to get out of as well, too. Mr. Quigley said no one was going to take a vote that night; they didn't want to. Mike said, "What was agreed upon that night was 30 days, so they could get the inventory, get the financials. They knew that this October date was set. So did the School Board. He said he could not speak for the other Board members, but everybody knew and we all were trying to be fair with this, that they had 30 days, and they are not even here." Mr. Quigley said, "I would like to meet with their attorney, the School Board members and their attorney, and have a discussion about this with some legal input, as to what they can and can't do, and what are the repercussions for doing nothing or doing something? Does that remove any involvement in the future? I don't want to put that in jeopardy. I don't want to wash my hands of it, and then say, 'You guys said you were out, you have no business now.'"

Mr. Tropf said they should still oversee a Board properly; they can't let people like that do what they are doing to the community. Mr. Quigley said he did not disagree with that. Even though he knew Mr. Skomrock was not in on it, Mr. Tropf said he still wanted to send an email to say – until everyone meets with their legal – everything ceases for right now. There are no sports going on, there is no reason for any activity. We sit tight, meet with legal.

Mr. Quigley said they will ask them respectfully, not to incur any debt. Mr. Tropf thought that "incurring any debt" was a loose term. Mr. Quigley said it may be a loose term, but it is a polite way of saying not to spend money. Mr. Tropf said they were spending money – on an attorney. Mr. Quigley noted they don't know if the attorney was a volunteer, and should not jump the gun.

A member of the audience, who said he was a high school coach and a rec board coach, said he had to do background checks and he had to be trained. He said they didn't know both financially and liability wise, with the longer this drags out, which one of their coaches had background checks, which one was trained on Lindsay law, CPR, etc. He said as a previous board member, they did not always cross their T's and dot their I's, but they were all trained and followed the rules as far as a coaching and liability to the Township and to the School Board. He noted there were background checks and training for every one of the coaches every year.

Mr. Quigley clarified the Trustee positions. Mr. Skomrock said he wanted to wait until they got advice from the attorney and said personally, he was not going to take any action until he heard from the attorney. Mr. Tropf said he wanted to send a respectful letter to them, stating that they cease operations and cease spending money until they meet with attorneys and sit down together and settle the issue. Mr. Tropf said there was a lot of money going out and that money should be spent on fields and on the kids that were playing sports. Mr. Quigley said all they know is they have hired an attorney and they don't know how it is being paid for. It could be a volunteer, could be a member of their group. The question now is compliance – show some sort of respect by at least answering. Mr. Quigley said he would send an email to their attorney tomorrow and will copy Mr. Tropf. Mr. Tropf said he would still like a letter sent to the Board tonight, explaining the position of the Trustees. He said he has been waiting for 7 weeks for financials and inventory.

Mr. Quigley said he wanted to be careful with the process, and get to where they want to be. Mr. Tropf said he was fine with being careful, but felt they had to have some type of control and move forward in the right direction. Mr. Quigley wondered where that control comes from, because according to the email they received today, there may not be any. Mr. Tropf said he did not agree with that. Mr. Skomrock asked where that was spelled out and asked how you can act on something that was not spelled out. Mr. Tropf said this could go on forever. Mr. Skomrock said they should wait for the advice of the attorney. Mr. Tropf said the attorney gave them the option of pulling out. Mr. Quigley said he read the same email, and the last line

stuck out in his mind – wait for more information. Mr. Trof said once they get the inventory list, they should have a special meeting and then move. Mr. Quigley said he was ok with that.

A member of the audience wanted to know why they had to wait for the inventory list – why that would have any impact on this decision. He said soccer balls, basketballs and a couple of machines – and the inventory should not impact any decisions. Another audience member said the inventory is not worth anything.

Mr. Quigley said he has some insights that were shared with him through the school and some of it was their attorney, who advised the School Board members to have certain bits of information prior to any dissolving of this relationship. A member of the audience said he has not heard any of that and he was upset because they were using the same arguments that they used against the old Board, now they are just reversing the arguments.

Mr. Quigley said they all want resolution and they all want resolution sooner rather than later. He said he would defer to the Prosecutor and speak to her tomorrow, and he will copy the other Trustees tomorrow. He is hesitant about doing something without the advice of counsel.

An audience member said she was at the last two Rec Board meetings and she is not comfortable with what was going on. They said things occurred at a previous meeting that she attended that did not occur, and she was at both meetings. She understands the Trustees decision for legal counsel, but she is not certain they are not following the rules the Trustees requested. They should have been here tonight to turn things in and they are not and she was disappointed in that. She felt it behooved the Trustees to have someone there to make sure they are handling things properly, because she felt they didn't need any more inappropriate behavior in this Township. It is unbecoming behavior and she is not happy with it. She said the Trustees told the public that in 30 days ago, that 30 days from now this would be addressed and they are now extending additional courtesies. She did not understand why the School Board wasn't there, and that was upsetting to her. The next time the Rec Board has a meeting, she wants a governing member, either School Board member or Trustee to be there to make sure they are following the procedures.

Mr. Quigley said he would copy the Trustees in the morning on what the Prosecutor has to say. Mr. Quigley said what they were looking for was the authority to do what they wanted to do. He said they could say as of this night, we end this relationship with the joint Rec Board, but what does that get them? Nothing. It does not get them where they want to be. If by saying that and doing that, and all of a sudden everything would materialize, he would do that. But he wants to make sure they continue to have a vested interest in this by being part of this joint relationship. He doesn't want to be on the outside because they divested themselves.

Mr. Trof said they should do the proper things instead of doing nothing. He said he was embarrassed that none of them had the courtesy to show up tonight and cannot fathom how that happened. Mr. Quigley said they have the authority granted to them in the ORC, and if it is not granted, you do not have it. Mr. Trof said there has to be some way to dissolve it. Mr. Quigley said unless you become a legislator and change the law, they have to work with the laws that exist. He noted that he will ask for immediate consideration, because it has reached a point of great concern for the Board members and residents of the community. They would like resolution to this, and would like to meet as a group with both Boards, and the attorneys.

A resident asked if there would be a time frame on the request. Mr. Quigley said he would ask them at their immediate convenience; he didn't know what their schedules were. He would like the School Board lawyer there as well, so they can hear from all parties. It makes sense to have the principals involved in the conversation, and then they can find out what authority they have.

An audience member was concerned about a lawsuit. Mr. Quigley said the Township has insurance and the School Board has insurance. He is not concerned about liability issues, he is more concerned about the process and getting an end to this whole situation.

An audience member said there was a lot of headway at the last meeting, and there should have been resolution at this meeting. The Trustees said she should direct that to the people that weren't here tonight. Mr. Trof said he will go to the Rec Board meeting tomorrow and ask them why they weren't there. Mr. Quigley said they want to end this embarrassing situation and still end up with a Rec program, which he believes they will. It bothers him that people did not show respect. He stated again he did not want to have a meeting without their attorney present. In summary, Mr. Quigley wants to meet on Monday with the Rec Board, School Board, Trustees and attorneys. He thought they should meet at the school. He repeated that he was going to ask; he had no idea what they would say. An audience member repeated her concern that the Rec Board has no supervision, because the member that is running the Board is not a resident. Mr. Quigley said other people have brought up the same questions and concerns, and noted that he has talked to her about that many times. More discussion with audience members about the Rec Board not following the rules. Mr. Quigley said they are not the enforcement agency and said he cannot sit in judgement and hand out some sort of penalty for what they are doing. He went on to say that the Trustees have to act professionally, act as gentlemen, and have tried to set the bar by having intelligent conversation. And if people don't want to meet that, they have to turn to their attorneys. Mr. Quigley said they could talk about this all night long, but nothing will change tonight.

More audience discussion about the behavior of the Rec Board. Audience members were very unhappy with the way the Rec Board was functioning, including financially. Mr. Quigley said they want to start a new program and clean the slate. He thought since it was highly unlikely that the School won't be there, it would fall under the Trustees as a Board, and there will be a Rec program in Newbury. The Trustees have a vision for what that is – they want the facility to be used the way it was intended. They want the kids to have fun and experience sports and educational opportunities. They don't want the current disfunction and disrespect that is being shown. Someone asked Mr. Quigley if they were going to take away the fields. He said no, they are not going to punish the kids for the behavior of the adults.

An audience member asked if the Trustees could make a new Rec Board under Newbury Township Parks and Recreation. Mr. Quigley said there is equipment involved that they would like. Mike, from the audience, said it was used equipment. Mike felt the equipment could be replaced. Mr. Quigley said they would like whatever funds they had to help offset the running of the program. They have a huge cash outlay each year to maintain the facility. It was an agreement that the Rec Board would participate in that and that quickly went away. As a result, the Trustees have taken on more of that financial obligation on themselves. They recently purchased a new mower to cut the grass faster; to have less man hours.

An audience member asked Mr. Quigley if he has talked to anyone on the West Geauga School Board. Mr. Quigley said he has and just started to have an initial conversation about it; nothing official, but the conversation has begun. Mr. Quigley expressed to them that Newbury has the best soccer fields around and they would like Newbury to be the soccer center for this area. He did not hear any objection to that.

Road - Service Director, Doug Zipperman said that Hotchkiss Road is just about done, the signs are down. He said for the most part it went well, noting that there is still seeding and grading to do. There is still some follow up work to do with culvert pipes and driveway pipes. Six driveways have been replaced as part of the project.

Mr. Zipperman said they are part of the county consortium for purchase of salt. Cinders are still hit and miss, so they have used grit and are experimenting with different materials, but they are not the same as cinders. He said that cinders are harder and harder to get – because they come from steel mills and as they become more efficient, there is less waste product. He said sometimes they can get them and sometimes they can't and noted that salt is probably triple the price of cinders. They try to have some reserve with Morton Salt, of whom they used to buy from directly. He just got a proposal from them, so if something happens with the county and they can't get salt from them, they have a backup plan. He wants to check with the fiscal officer to make sure the money is there. The shed is ¾ full of salt. There are approximately 5000 gallons of liquid material that is used for the roads in the winter, they ran out last year, so they bought more right at the end of last year. They went through 12,000 gallons last year. ODOT and others have done studies that show the liquid increases the productivity of the salt, and you are not getting the waste from the salt. It does make a difference – they don't use it continuously. There are 5 snow plow routes and they have the man power and trucks. It takes approximately 3 or 4 hours to do each route. Some residents tell them they plow too much, some residents say they don't plow enough. The new 1-ton truck has some minor details they have to work on for it to be road ready and had to go back for some minor warranty work. It will be on the road this year and the 2000 truck will be listed for sale on Gov Deals.

Mr. Zipperman said they will do some patching and asphalt work on Chatham and Charlton next week. They will put under-road drainage there as well. Mr. Skomrock asked if Nick got back to him. Mr. Zipperman said no, but he was going to move forward; it was October. More discussion followed on the under-road drainage and how it was working. Mr. Zipperman said depending on where they end up with the Hotchkiss funding, he would like to do Munn, Stone and Crestwood straight this year, as long as he has the funds. He asked the county to include those roads in the package when they put it out for bid. Typically, they spend anywhere from \$12,000 to \$20,000 depending on how many line miles they do. If the weather holds out, they will probably do 2 weeks of crack sealing.

North Royalton is selling a wheel cutter, and the Service Department rented one in the past and it worked pretty good for lateral cracks that are only 2 inches wide. A wheel cutter was in the equipment plan earlier, that was about \$16,000 and they did not have the money at the time, so it was put on the back burner. Mr. Zipperman said the North Royalton one was on auction, so they only have a week. Mr. Zipperman said if they had the funds, he would like to bid on it. Mr. Skomrock asked if they were taking bids. Mr. Zipperman said yes. Mr. Quigley said he will email the fiscal officer to see if they had funds. Mr. Skomrock asked what he felt it was worth. Mr. Zipperman said they cost almost \$16,000 new. This one was used for one year. Mr. Zipperman said it was not a do or die situation, but if the opportunity presented itself, and they could get it for half price, they should consider it. Mr. Skomrock asked if it was only one year old. Mr. Zipperman said they only used it one season. Mr. Zipperman said he would still have to check it and make sure that they hydraulics and electrical connections are the same. Mr. Quigley said he would check with the Fiscal Officer and see if they had funds. Mr. Skomrock said if it was only a year old, they should put a good number on it. The top number the trustees agreed to was \$10,000.00.

Park Board – report from Wayne, who said the lighting is in. The memory does not hold, so the lights change colors constantly. Work dates will be decided next week.

Milano Monuments - Mr. Tropf reported that Milano Monuments should be here next week. Mr. Quigley asked Mr. Tropf to copy him on the emails to Doug. Nothing to report of Roberta Ann, he believes that is complete. He believes the Township will owe money. He does not know if she is living in Newbury.

Sheriff /NOPEC - Mr. Skomrock said the sheriff report came in late, the number was 213, and he did not have a chance to review it yet. Everything is pretty much status quo after a quick glance. As soon as he gets the invoice from the fire department, he will submit the invoice through NOPEC for the reimbursement. Mr. Fagan said the spotlights were included. Mr. Skomrock noted that the new LED bulbs were very bright.

Other - Mr. Skomrock received an email yesterday from Miller-Dodson, he was going to present it to the Trustees, but it was more than 270 pages, so he will email it to them. He will have Jodie print it out and put it in a binder. This report has the results from the study. There is information for Mr. Zipperman, Mrs. Mansfield and the fire department. He perhaps will print another copy to have for a spare. There is also an invoice that he will cover with the Fiscal Officer. Mr. Skomrock will email it to the trustees, and Mr. Quigley thought they should review it before they make comments on it.

Mr. Quigley got a notification from NOPEC that their annual meeting is Tuesday, November 12, 2019. They are members of NOPEC, and invited Trustees to go. If no one wanted to go, they can appoint someone to go as a proxy. In the past, Jim Flaiz has been the proxy, but his name was not on the report this year. He will contact Bill Koons, who is the Mayor of South Russell and see if he wants to be the proxy for Newbury. Mr. Skomrock and Mr. Tropf agreed.

Mr. Quigley received notification about a lawsuit for opioids, he just received it this evening. Newbury is part of a class action lawsuit. He thought it was probably more for the county than the Township. He will read it and report back on it – money will be available to cover some of the cost that communities incurred because of opioid addiction. Mr. Fagan said Narcan was supplied by Med Control, so there was no charge. The costs they incur is the time on the call. Mr. Quigley said if possible, if it is permitted, he would like to submit their expense of time, something to be compensated for. Mr. Fagan said they could print out the number of calls where they use Narcan. He will get back to Mr. Fagan after he reads the notification. Mr. Quigley reported that William Nicolet has notified the Township they are being sued for \$1.5 million dollars. There was some correspondence between the Zoning department and property owners. Mr. Quigley has a cardholder agreement for Jodie Swartout, which the Trustees agreed to at the last meeting. Mr. Quigley and the Fiscal officer signed the agreement, and will fill in the agreed upon amount of \$500.00.

The Fiscal Officer requested that the minutes from the last Trustee meetings of September 4, 2019 and September 18, 2019, be approved. Mr. Skomrock made a motion to approve both of the minutes as presented. Mr. Tropf seconded the motion. All in favor, motion passed. Minutes were signed.

Mr. Quigley reported they were presented a resolution by their insurance company. He wanted to wait to talk to the Fiscal Officer to get more information. He noted Newbury was required to have a performance bond and they pay for it separately through a bonding company.

Mr. Quigley presented a 2020 scholarship program application from the Ohio Township Association. Copies were made and distributed to that evening to people that wanted it.

Mr. Skomrock made a motion to adjourn the meeting at 8:40 pm. Mr. Tropf seconded the motion. All in favor. Motion passed.

Warrants approved by signing prior to or at this Meeting:

Warrant Number	Date	Payee	Amount	Status
242-2019	10/4/19	John Boksansky	\$624.04	O
243-2019	10/4/19	Joseph Colini	\$821.76	O
244-2019	10/4/19	Timothy H. Hegedus	\$422.29	O
245-2019	10/4/19	Randal O. Hollis	\$1,207.66	O
246-2019	10/4/19	John H. Mansfield	\$891.92	O
247-2019	10/4/19	Marcia J. Mansfield	\$934.31	O
248-2019	10/4/19	Timothy A. Mansfield	\$1,342.08	O
249-2019	10/4/19	Glen E. Quigley	\$858.53	O
250-2019	10/4/19	Lorraine Sevich	\$561.05	O
251-2019	10/4/19	William J. Skomrock Jr.	\$675.02	O
252-2019	10/4/19	Jodie K. Swartwout	\$404.05	O
253-2019	10/4/19	Gregory J. Tropf	\$711.93	O
254-2019	10/4/19	Douglas J. Zimperman	\$1,508.44	O
256-2019	10/4/19	Middlefield Bank	\$2,534.78	O
257-2019	10/4/19	Treasurer of State	\$511.87	O
34178	10/2/19	Newbury Volunteer Fire Department	\$80,000.00	O
34179	10/2/19	Newbury Volunteer Fire Department	\$1,818.06	O
34180	10/2/19	Newbury Bicentennial Committee	\$500.00	O
34181	10/4/19	Ohio Child Support Payment Central	\$406.93	O
34182	10/4/19	Ohio Public Employees Deferred Comp. Program	\$415.00	O
34183	10/4/19	Delta Dental	\$37.70	O
34184	10/4/19	VSP	\$13.29	O
34185	10/4/19	Ohio Public Employees Retirement System	\$6,172.27	O
34186	10/2/19	M.T. Business Technologies	\$139.34	O
34187	10/2/19	Lorraine Sevich-v	\$6.85	O
34188	10/2/19	1st Ayd Corporation	\$374.14	O
34189	10/2/19	ScapeAbilities (John Suvak)	\$400.00	O
34190	10/2/19	Geauga County Maple Leaf	\$35.75	O
34191	10/2/19	Marshall Power Equipment	\$518.52	O
34192	10/2/19	TAHL&S LLC dba Haueter's Lawn & Sport	\$200.35	O
34193	10/2/19	Fisher Auto Parts	\$330.79	O
34194	10/2/19	Sunrise Springs Water Co. Inc.	\$63.48	O
34195	10/2/19	Premier Paint Technologies, Inc.	\$119.94	O
34196	10/2/19	Cuyahoga Asphalt Materials	\$490.77	O
34197	10/2/19	Cassidy Web Creations	\$150.00	O
34198	10/2/19	Kolsom Tires	\$196.00	O
34199	10/2/19	Geauga Safety Council	\$185.00	O
34200	10/2/19	Northeastern Air Control Inc.	\$5,250.00	O
34201	10/2/19	Patsy Keyes	\$300.00	O
34202	10/2/19	John Boksansky - v	\$132.24	O
34203	10/2/19	Delta Dental	\$339.14	O
34204	10/2/19	VSP	\$119.73	O
34205	10/2/19	Business Card	\$240.11	O
34206	10/2/19	Dominion East Ohio Gas	\$167.36	O

Purchase Orders approved by signing prior to or at this meeting:

Blanket Purchase Orders approved by signing prior to or at this meeting:

PO

Number	Date	Payee	Amount
71-2019	10/3/19	various	\$2,000.00

Mr. Skomrock made a motion to adjourn the meeting at 8:40 pm. Mr. Tropf seconded the motion. All in favor. Motion passed

Glen Quigley - Chairman

William Skomrock, Jr.- Vice Chairman

Greg Tropf

Marcia Mansfield – Fiscal Officer