

## **BLOOM TOWNSHIP BOARD OF TRUSTEES MEETING 04/13/22**

**CALL TO ORDER:** by Brian Randles, Chair. Members present were Trustees Carol Moore, Randles, Jason Smith; as well as Fiscal Officer Holly Mattei, Administrator Anne Cyphert, Fire Chief Thomas Williams, and Road Supervisor Steve Green. Several members of the public were also present. We recited the Pledge of Allegiance and paused for a moment of silence in honor of our military serving around the world.

- Motion by Smith, second by Moore to enter into Executive Session under 121.22 to discuss compensation, benefits and retirement of an employee. After the Executive Session, our regular meeting continued.

### **PUBLIC COMMENT AND PRESENTATIONS:**

- Carrie Brown, County Auditor, 210 E. Main Street provided the board with an update regarding her office duties including conveyance fees, tax estimations, and a directory, as well as an update on Budget Hearing changes.

### **FISCAL OFFICER: Holly Mattei**

- Motion by Smith, second by Moore to receive and file meeting minutes of the 3/23/22 meeting. Motion carried 3-0.
- Motion to approve payments in the amount of \$46,410.61 and charges in the amount of \$129,370.53. Motion carried 3-0.
- The month of February has been reconciled.
- Motion by Smith, second by Moore to approve a within-fund transfer of \$5,000 from line item 2111-760-740-0000 (Machinery, Equipment and Furniture) to line item 2111-220-323-0551 (Vehicle Repairs and Maintenance). Motion carried 3-0.

### **RESOLUTION #15-22 – TO INCREASE APPROPRIATIONS FOR FY 2022 FOR FUND 2902**

**WHEREAS**, the Board of Bloom Township Trustees continually monitors the budget and appropriated amounts, and from time to time during the year the Board needs to appropriate additional funds; and

**WHEREAS**, a Bloom Township firefighter recently retired and additional funds need to be appropriated to cover all required payouts upon retirement;

**NOW THEREFORE BE IT RESOLVED** by the Bloom Township Board of Trustees that \$113,002.27 be appropriated from unappropriated funds to be placed in the following accounts: 2902-220-290-0000 – Other – Employee Fringe Benefits

ROLL CALL: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.

Motion by Moore, second by Smith

**RESOLUTION #16-22 to Approve Participation in the OneOhio Region 18 Governance Structure Under The OneOhio Memorandum of Understanding (Resolution on file with the Fiscal Officer).**

ROLL CALL: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.

### **RESOLUTION #17-22: A RESOLUTION AUTHORIZING THE PAY UNUSED SICK LEAVE OF A FORMER EMPLOYEE:**

**WHEREAS**, the Board of Trustees for Bloom Township, Fairfield County, Ohio (“the Board”) and the Bloom Township Professional Firefighters IAFF Local 3465 entered into a collective bargaining agreement (“CBA”) effective April 1, 2019 through March 31, 2022, which was lawfully entered into pursuant to Revised Code Chapter 4117; and

**WHEREAS**, Section 35.1 (B) of the CBA states: An employee at the time of retirement or separation from active service with Bloom Twp. Fire Department may elect to be paid in cash for one half (1/2) of the value of his or her accrued but unused sick leave credit. The maximum amount of accumulation for the purpose of payment upon separation from service shall be 150 days. Sick leave paid upon separation from service shall be paid at 50% of actual [sic]. One day shall = (24) hours. In the event a Firefighter dies or is disabled in the line of duty, all unused sick leave shall be paid, regardless of time of service to the Township. Example: If a member retires with 100 days of sick leave he will be paid for 50 days at his regular hourly rate.

(Emphasis added.); and

**WHEREAS**, Ohio Revised Code Section 124.39 (C) permits political subdivisions to adopt policies allowing employees to receive payouts for unused sick leave; and

**WHEREAS**, the Board established a policy for paying out unused sick leave to its bargaining unit members when it approved the CBA, and specifically, when it approved Section 35.1 (B) of the CBA; and

**WHEREAS**, the Ohio Attorney General in Opinion 90-074 opines that, regardless of Ohio Revised Code Section 124.39, employees of political subdivisions are entitled to receive payment for unused sick leave in accordance with a provision in an agreement under Revised Code Chapter 4117; and

**WHEREAS**, Lt. Ralph Nunley honorably served Bloom Township for many years; and

**WHEREAS**, Lt. Nunley retired from his service with Bloom Township on March 19, 2022; and

**WHEREAS**, prior to his retirement, Lt. Nunley became disabled; and

**WHEREAS**, the reason for Lt. Nunley’s disability is well-documented with the Township; and

**WHEREAS**, at the time of his retirement, Lt. Nunley had 4,681.52 hours of unused sick leave.

**THEREFORE BE IT RESOLVED THAT:**

1. The Board has determined that Lt. Nunley became disabled in the line of duty for purposes of Section 35.1 (B) of the CBA; and
2. The Board directs Fiscal Officer Holly Mattei to pay all of Lt. Nunley's unused sick leave in accordance with Section 35.1 (B) of the CBA and this Resolution.

ROLL CALL: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.

**TRUSTEE REPORTS:**

- Brian: DAC Meeting Report: He attended the meeting. The next meeting will be in May. The Lancaster contract is at 3%. However, Carrie Brown believes it is higher than that, perhaps 5%.
- Brian: Firefighter Interviews: He would like to be the trustee to observe. No objections were stated. Chief will finalize the details with him.

**ADMINISTRATOR'S REPORT: Anne Cyphert**

- Memorial Day Festival: Finishing touches being planned now.
- COBRA Update: She and FO Mattei have worked hard.
- Savvy Update: We now have 568 subscribers. The postcard we sent last fall made a difference.
- Stone Hill Estates: RPC needs comments by this Friday. She and the trustees asked the Road Supervisor to make sure he meets the deadline and responds with all concerns.
- HB 564: This summary was given to the trustees.

**FIRE CHIEF'S REPORT: Thomas Williams**

- Motion by Moore, second by Smith to promote Kyle Alexander to Lieutenant, effective April 23, 2022, which means his first day would be April 24, 2022.  
ROLL CALL: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.
- Apparatus repairs updates were provided to the board.
- Full-time interviews will be conducted on April 20, 2022. Would like to hire by May 7, 2022.
- Motion by Smith, second by Moore to hire Anthony Mastracci as part time firefighter upon completion of a successful interview and pre-employment requirements.  
ROLL CALL: Moore: Yes Randles: Yes Smith: Yes Motion carried 3-0.

**ROAD DEPT SUPERVISOR'S REPORT: Steve Green**

- New Tractor has been delivered. All parts have been delivered as well. Eric McCrady from County Engineers, met with him to look at all the road list he gave to him for summer paving projects. We should have some kind of an Engineers cost estimate by our next meeting date. Like everything else at this time, the price of Asphalt is going to go up this year, but he's having trouble gaining an exact cost per ton. This is the reason for a little delay.
- Motion by Moore, second by Smith to approve payment to Mobile Equipment and Lube the price of \$2,316.10 for tear out and replacement of the radiator in the Number 5 Shop Truck. Motion carried 3-0.
- Discussion of new Loader Bucket for the 5225 John Deere Tractor to be used for backup for loading salt, dirt etc. Fiscal Officer Mattei stated we need a current State bid before this can be approved.

Steve added: This would be a big help because at this time we have to drive our JCB Loader out to the township every time we need to load stone or whatever the case may be. As well as giving us another loader option if we break down.

- Motion by Smith, second by Moore to enter into Executive Session: under ORC 121.22 to discuss salary benefits and union negotiations. Motion carried 3-0.

After the Executive Session, the chair adjourned the meeting.

**Special Meeting: 04/14/22:** The special meeting was called by all trustees for the purpose of discussing fire department union negotiations. Members present were Brian Randles, Carol Moore, and Jason Smith. Holly Mattei, Fiscal Officer; Anne Cyphert, Administrator, and members of the union negotiation team were also present. Motion by Smith, second by Moore to enter into Executive Session under ORC 121.22 for the purpose of discussing union negotiations. Motion carried 3-0.

Following the Executive Session, the chair adjourned the meeting.