

6:00 PM

April 14, 2015

## SOUTH PYMATUNING TOWNSHIP SPECIAL MEETING

A Special Meeting of the South Pymatuning Township Board of Supervisors was held April 14, 2015 at 6:00 PM in the municipal building with Chairperson Rose Lyons, Supervisors Brian Geisel and Roy Masotto, Solicitor William McConnell, Jr., and Secretary/Treasurer Karen Presley in attendance.

The meeting was opened with the Pledge to the Flag.

The purpose of the meeting was to talk about a contract with the South Pymatuning Volunteer Fire Department.

### Public Comments:

Leroy Stambaugh said the members of the fire department have been a disgrace to the fire service and the township by leaving the township without fire protection services for six days. Mr. Stambaugh said the fire department received \$7,250.00 but still closed their doors.

Lindell Bridges said he understood that a verbal agreement was reached with the fire department last year for one mill. He said the captain of the fire department threatened to shut the fire department down at that time if the agreement was not reached. Mr. Bridges wanted clarified what the township provides to the fire department, such as fuel and insurance for the vehicles, workers compensation insurance, and free water. He mentioned the article in *The Herald* in which the fire chief said the department was broke, even though they received a check for \$7,250.00. He said the fire department's books should be audited. Mr. Bridges said the fire department put the lives, safety, and health of township residents in danger for no reason.

Tom Lyons said that the fire department contract was verbally agreed upon at the March 16<sup>th</sup> meeting and then asked the solicitor if it was binding. Attorney McConnell said any agreement in a municipality is tentative until voted on at a public meeting.

Don Morrow said the supervisors and the members of the fire department left themselves wide open for legal action. He asked if the township people would have an opportunity to see the records of the fire department. Mr. Morrow said it is mandated by the state that responders to calls must be documented and public buildings be inspected.

Richard Harris said residents should see where every dime goes for the township since people want to know where every dime goes for the fire department.

Martha Stambaugh said Rose Lyons made three campaign promises and the one about raising taxes is coming true. She stated the fire chief said the fire department answered 300 calls last year and Mrs. Stambaugh said only big cities would have that many calls. She would like the fire department to document which calls are responded to and who responds to the scene.

Rose stated she never said she was raising taxes, but if needed for safety services, she would be in favor.

Steve O'Brien asked the solicitor about liability for the fire department if they have no contract. Attorney McConnell said he was not aware of any liability issues, but said it is a good idea to have some type of formal arrangement.

Richard Harris thought that without an agreement, the township could possibly say they aren't responsible for any liability. The solicitor said that if there is an agreement, he will recommend an indemnification clause to protect the township.

Michaelene Harris said she thought it was mandatory for the township to provide fire protection.

Steve O'Brien said it was in the best interest of the fire department to have a long term contract to apply for grants.

Don Morrow said everyone wants to know that their money is being spent wisely and it boils down to accountability. He said if a contract is needed, there should be periodic reviews to adjust it.

Kurt Toth asked if the township spends more than three mills if it has to be voted on. Attorney McConnell said if a special tax levy is more than three mills it has to be put on the ballot. Mr. Toth wanted to know if the tax payers owned part of everything in the fire station. Attorney McConnell read an agreement dated 1979 between the township and the fire department stating that if the association ever dissolves or ceases to engage in fire fighting activities, the land,

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buildings, and equipment revert back to the township.

Jason Schenker wanted it clarified that the township is paying the loan on a fire truck, gas and insurance for the vehicles, workers compensation, and that the first quarterly payment to the fire station was made.

Becky Ague asked if the Board of Supervisors and the Fire Department Board would be willing to meet and discuss things.

Tina Babnis commended the supervisors for thinking about making fiscally sound decisions with tax payers' money. She gave Brian credit for standing up for his opinion. Ms. Babnis said all the residents are concerned about the township and the volunteer fire fighters.

Chris Lesek said he would rather pay more tax money than rely on neighboring fire departments.

Mark Hoffman said the one mill this year for the fire department does not involve a tax increase. He said they have a shopping list of things they need or are forced to get by various governmental agencies. Mr. Hoffman stated the fire department pays the insurance on the building and the insurance for the equipment on the vehicles with money from the township, fundraisers, or grants. He said that under state law, with the services they provide, the fire department can get 3.5 mills from the township without going to a referendum. Mr. Hoffman said they need the money for the necessary tools to provide their free service. He then stated the body of members voted last night and the fire department still wants a four year contract.

An Executive Session was called at approximately 7:12 PM and the supervisors left the room.

When the supervisors returned, a motion was made by Brian Geisel to enter into a two year contract with the fire department giving them one mill this year and 1.5 mills in 2016. Roy Masotto seconded the motion and said they needed to continue negotiations and he offered to be the liaison. The motion passed with Rose Lyons voting no.

Mark Hoffman suggested a three year contract. Rose did not want to negotiate in public.

A motion was made by Rose Lyons and seconded by Brian Geisel to adjourn the meeting. Motion passed with Roy Masotto voting no. The meeting adjourned at 7:59 PM.

Visitors in attendance:

- |                  |                   |                     |              |                |
|------------------|-------------------|---------------------|--------------|----------------|
| Martha Stambaugh | Leroy Stambaugh   | Amy Higgins         | Becky Ague   | Ethan Koser    |
| Richard Harris   | Michaelene Harris | Barb Meyer          | Don Morrow   | Dennis Sump    |
| Guyla Sump       | Laurel Alexander  | Lindell Bridges     | Joyce Geisel | Bob Layman     |
| Erica Titus      | Troy Titus        | Theresa Basinger    | Mike Derr    | Sam Sabo       |
| Stephen O'Brien  | Darlene Taylor    | Bob Sabo            | Tom Lyons    | Andy Bush      |
| Gary Hall        | Linda Chalupka    | Roselene Yambrovich | Tina Babnis  | Jason Schenker |
| Kurt Toth        | Chris Lesek       | Mark Hoffman        |              |                |

Respectfully submitted,

Karen Presley  
Secretary/Treasurer