

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 8, 2020 at 7:00PM

Call to order: Steve Gerberry

Pledge: Completed

Prayer: Steve Gerberry

Roll Call: Marvin J. McBride - Present Steven J. Gerberry - Present
 Rich Harkins - Present Fred R. Bobovnyk - Present

Correspondence/Announcements:

- The **Trustees would like to mention that the virtual Tree Lighting Ceremony went well.**
- **The 717 Credit Union virtual ribbon cutting for their new Personal Teller Machine** at the community park went very well.
- The **Trustees would like to remind our residents that they are keeping a list of residents that are interested in switching their electric service to Ohio Edison/First Energy.** Please contact the Township if you would like to be added to this list.

Reports:

- Financial Report – Presented by Fred Bobovnyk
- Administrator’s Report – Presented by David Rouan
- Zoning Report – Presented by Melissa Murphy
- Police Report Presented by Captain Kris Hodge
- Fire Report – Presented by Fire Chief Tom Lambert
- Lane LifeTrans Report – Presented by Lane's Chief Tom Lambert
- Law Director’s Report – Presented by Cherry Poteet
- Regional Chambers Report – Presented by Steve Gerberry

Note: All reports are on file in the Fiscal Officer’s office.

Comments from the public will be heard on agenda items at this time; there will still be an opportunity for individuals to address the Board during our public comments part of the meeting.

Old Business:

None

New Business:

20-117 Motion to **approve the consent agenda**, which includes the following:

- **Minutes from the Regular Meeting** Tuesday, November 12, 2020 at 7:00 PM;
- **Drawing warrants upon our treasury and paying township bills;** and
- **The Then and Now’s pursuant to the list provided by the Fiscal Officer.**

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-118 Motion to **extend the agreement, as authorized in Resolution Number 15-162, with Browning Ferris Industries of Ohio Inc. dba Republic Services of Youngstown for the collection and disposal of RESIDENTIAL WASTE and RECYCLABLE MATERIAL, for single and two-family dwelling structures within the unincorporated area of Weathersfield Township** pursuant to and in accordance with the original bid package, specifications, bid, and contract documents. The extension includes a \$0.44 increase (2.9%) bringing the monthly bill to \$15.65, all other pricing remains the same. The exclusive contract for collection and disposal of residential refuse and garbage, with recycling, shall be for an additional period of two (2) years commencing January 1, 2021

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and ending December 31, 2022. This is the last extension that was authorized in the original agreement.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-119 Motion to ***establish the following rules for the scheduling and notice of meetings of the board of Trustees for 2021 calendar year:***

REGULAR MEETINGS – The regular monthly meetings of the board of Trustees will be held on the second Tuesday of each month at 7:00 PM and every Thursday at 12:00 PM. All meetings will be held at the Township administration building or by virtual technology as permitted by law. Notice of these regular meetings will be posted on the Township bulletin board and website. Any changes to this meeting schedule will be posted on the Township bulletin board and website.

SPECIAL MEETINGS – Notice of special meetings of the board of Trustees will be posted on the Township bulletin board, website, and will be provided by email to the local newspapers (the Youngstown Vindicator and the Warren Tribune-Chronicle) and any other person that requests same, at least twenty-four (24) hours in advance of such meeting, except in an emergency in which case the notice shall be given as soon as practicable.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-120 Motion to ***set the date and time for the board of Trustees Reorganizational*** meeting for Tuesday, January 12, 2021 at 6:30 PM.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-121 Motion to ***request an advance on the 2020 Real Estate Property Tax:***

WHEREAS, the township Board of Trustees of Weathersfield Township is authorized to request an advance of Real Estate Property Taxes and Delinquent Real Estate Property Taxes pursuant to ORC Section 321.34

WHEREAS, the Township Board of Trustees of Weathersfield Township does hereby request an advance of Real Estate Property Taxes and Delinquent Real Estate Property Taxes pursuant to ORC Section 321.34.

NOW, THEREFORE BE IT RESOLVED that the Township Board of Trustees of Weathersfield Township does hereby request the Trumbull County Auditor to advance any Real Estate Property Tax and Delinquent Real Estate Property Tax money in the Treasury of the Trumbull County to the account of the Township of Weathersfield.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-122 Motion to ***request an advance on the 2020 Personal Property Tax:***

WHEREAS, the Township Board of Trustees of Weathersfield Township is authorized to request an advance of Personal Property Taxes and Delinquent Personal Property Taxes pursuant to ORC Section 321.34;

WHEREAS, the Township Board of Trustees of Weathersfield Township does hereby request an advance of Personal Property Taxes and Delinquent Personal Property Taxes pursuant to ORC Section 321.34.

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NOW, THEREFORE BE IT RESOLVED that the Township Board of Trustees of Weathersfield Township does hereby request the Trumbull County Auditor to advance any Personal Property Tax and Delinquent Personal Property Tax money in the Treasury of the Trumbull County Auditor to the account of the Township of Weathersfield.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-123 Motion to ***request an advance on the 2020 Estate Taxes:***

WHEREAS, the Township Board of Trustees of Weathersfield Township is authorized to request an advance of Estate Taxes pursuant to ORC Section 321.34 and:

WHEREAS, the Township Board of Trustees of Weathersfield Township does hereby request an advance of Estate Taxes pursuant to ORC Section 321.34.

NOW, THEREFORE BE IT RESOLVED that the Township Board of Trustees of Weathersfield Township does hereby request the Trumbull County Auditor to advance any Estate Tax money in the Treasury of the Trumbull County Auditor to the account of the Township of Weathersfield.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-124 Motion to ***approve membership in the Ohio Township Association, National Association of Towns and Townships, Trumbull Township Association, Government Finance Officers Association, Ohio Township Administrators Network, NE Ohio Township Association*** for Trustees, Fiscal Officer, Administrator, and others as designated by the Board.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-125 Motion to ***approve payment of expenses to attend conferences and other work-related events***, on a case-by-case basis, for the Trustees, Fiscal Officer, Administrator, and others as designated by the Board. Those individuals wishing to attend a conference and other work-related events shall receive written approval from the board of Trustees prior to booking the event.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-126 Motion ***to acknowledge and authorize Township full-time employees and their respective dependents who are not covered by a collective bargaining agreement are hereby entitled to the same rights and coverage under any and all insurance policies and insurance programs*** procured and/or administered by the Weathersfield Township Board of Trustees for the benefit of its full-time employees covered by collective bargaining agreements as aforesaid, including the right to reimbursements, to contributions, and participation in the Medical Expense Reimbursement Plan (MERP); and to acknowledge and authorize Township full-time employees who are not covered by a collective bargaining agreement are hereby entitled to the same annual pay raises, if any, as those full-time employees covered by collective bargaining agreements.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

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20-127 Motion to ***set mileage reimbursement rate at the maximum permitted by the IRS for 2021.***

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-128 Motion to ***adopt the Weathersfield Township Trustees salaries*** for 2021 to be set at the maximum amount permitted by the ORC Section 505.24 and to be paid in equal monthly payments.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-129 Motion to ***adopt the Weathersfield Township Fiscal Officer's salary*** for 2021 to be set at the maximum amount permitted by the ORC Section 507.09 and to be paid in equal monthly payments.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-130 **MOTION TO AUTHORIZE DAVID ROUAN, TOWNSHIP ADMINISTRATOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED:**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Weathersfield Township is planning to make capital improvements to the Oakview Manor Area Resurfacing Phase II Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Weathersfield Township:

Section 1: David Rouan, Township Administrator, is hereby appointed the Chief Executive Officer for the project;

Section 2: Fred R. Bobovnyk, Fiscal Officer, is hereby appointed the Chief Financial Officer for the project;

Section 3: David Rouan, Township Administrator, is hereby authorized to apply to the OPWC for funds as described above; and

Section 4: David Rouan, Township Administrator, is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Abstained Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-131 **MOTION TO CERTIFY THE NECESSARY AMOUNT TO BE USED TO PAY THE LOCAL SHARE NECESSARY TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM:**

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WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Weathersfield Township is planning to make capital improvements to the Oakview Manor Area Resurfacing Phase II Project, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by Weathersfield Township:

Section 1: Weathersfield Township has the amount of \$116,685.00 in the General Fund and that this amount will be used to pay the local share for the herein above described project when it is required; and

Section 2: Fred R. Bobovnyk, Fiscal Officer, is hereby directed to complete the Chief Financial Officer's Certification of Local Funds for the project.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Abstained Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

20-132 Motion to **reappoint Linda Ference to a five (5) year term on the Township Zoning Commission**, term commencing January 1st, 2021 and term ending December 31st, 2025; and to set the Zoning Commission rate of compensation at \$25 per meeting attended for the commission members and for the alternate commission members. The Trustees would like to thank Linda for his interest in continuing to serve in this position.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

Zoning Commission	
Member	Term Ending
Dave Sylak	December 31 st , 2021
Joe Carl	December 31 st , 2022
William Holland	December 31 st , 2023
William Henning	December 31 st , 2024
Linda Ference	December 31 st , 2025
Alternate Member	Term Ending
Jonathan Noel	December 31 st , 2021

20-133 Motion to **reappoint Richard Cross to a five (5) year term on the board of Zoning Appeals**, term commencing January 1st, 2021 and term ending December 31st, 2025; and to set the board of board of Zoning Appeals rate of compensation at \$25 per meeting attended for the board members and for the alternate board members. The Trustees would like to thank Richard for his interest in serving on the board.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

Board of Zoning Appeals	
Member	Term Ending
Eric Gelsomino	December 31 st , 2021
Jamie Bailey	December 31 st , 2022
Cathy Zapka	December 31 st , 2023
Charles Colburn	December 31 st , 2024
Richard Cross	December 31 st , 2025
Alternate Member	Term Ending
Patrick Glunt	December 31 st , 2023

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- 20-134 Motion **to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to enter into an agreement with the Regional Chamber, pursuant to the terms and conditions as they are set forth in the agreement for Government Services**; the term of the agreement shall be for 12 months, commencing January 1st, 2021; the contract amount will be for \$7,500.00; and this motion is subject to final legal counsel approval of the agreement. The Trustees believe that this investment in our community will assist with our advocacy at the state house regarding important local government issues.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-135 Motion to **elect David Rouan and Michael J. Naples, Jr. as Board Members for the 2021 Volunteer Firefighters' Dependents Fund**, as administered by the Department of Commerce Division of State Fire Marshal, **as the legislative authority appointments; and to acknowledge the election of Fire Chief Thomas Lambert and Fire Captain Raymond Knepper as the elected Board Members by the Fire Department**. The two legislative authority appointments shall serve a one-year term commencing on January 1st, 2021. The Fiscal Officer is hereby directed to complete and file the 2021 Volunteer Firefighters' Dependents Fund Certificate of Current Assessed Valuation form no later than January 31st, 2021.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-136 Motion pursuant to R.C. 309.09 (B) **to employ Cherry Lynne Poteet, Esq. as the Township Legal Counsel, effective January 1, 2021, to represent the Township** and its officers, boards, and commissions in their official capacities and to advise them on legal matters, on an annual basis, for the sum of \$3,500.00 per month, which is hereby appropriated for such purpose.

Motion by: Rich Harkins Seconded by: Marvin McBride
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-137 Motion to authorize **Township Administrator David Rouan to purchase, effective October 26, 2020, a new 2020 Ford F-550 Dump Truck with a stainless steel spreader and 9' plow** through Klaben Ford Lincoln of Warren, Inc. of Warren, Ohio for a total purchase price of \$80,285.00, which is below the State purchase price, this purchase is made in accordance with ORC §9.48; to authorize the use of Ford Municipal Lease/Purchase to finance the vehicle over a four (4) year term if necessary; and to authorize Township Administrator David Rouan to execute the Master Lease Purchase Agreement with Ford Motor Credit company pursuant to the terms and conditions set forth in the agreement on behalf of the board of Trustees.

Motion by: Marvin McBride Seconded by: Rich Harkins
 Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
 Motion Carried

- 20-138 Motion to **authorize all actions necessary to withdraw from the Trumbull County Electric Aggregation Program:**

Whereas, the Ohio Legislature has enacted electric deregulation legislation which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate the retail electrical loads located with the respective jurisdictions and to enter into service agreements to facilitate for these loads the purchase and sale of electricity ("Governmental Aggregation"); and

Whereas, such legislative authorities may exercise such authority jointly with any other legislative authorities;

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Whereas, the Board of Trumbull County Commissioners ("Trumbull County Program"), in accordance with Section 4928.20, Ohio Revised Code, was certified as an electric governmental aggregator as of June 23, 2009;

Whereas, the Trumbull County Program initiated their first electric aggregation program in October 2009, such program remaining in effect to the present, and including Weathersfield Township residents located in the unincorporated areas of the Township; and

Whereas, Weathersfield Township was certified as an electric governmental aggregator as of April 4, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Weathersfield Township, Trumbull, County, Ohio that:

Section 1: The Board finds and determines that it is in the best interest of Weathersfield Township, its residents, businesses, and other electric consumers located within the corporate limits of the Township to make an electric governmental aggregation program available to every resident in the Township.

Section 2: The Board determines to notify the Trumbull County Program, its consultant, Buckeye Energy Brokers, Inc. and its current supplier, Energy Harbor, to release current Weathersfield Township program participants in the Trumbull County program to be effective with the end of the current electric generation supply agreement with Energy Harbor, said term ending March 2022. Such notification shall be in writing and shall be delivered by certified mail, return receipt requested or by overnight carrier.

Section 3: It is hereby found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board and that the deliberations of this Board and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.

Motion by: Rich Harkins Seconded by: Marvin McBride
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Status

- 20-139 Motion to ***accept the retirement of Firefighter Calvin Sigley*** effective November 16, 2020. The board Trustees would like to thank Calvin for his 32 years of service with our fire department and to the residents of our community.

Motion by: Marvin McBride Seconded by: Rich Harkins
Vote: Steve Gerberry - Yes Rich Harkins - Yes Marvin McBride - Yes
Motion Carried

- 20-040 Motion to ***certify that, as of December 31, 2020, the Township was responsible for maintaining 40.169 miles of public roads.*** This certification is made in accordance with Ohio Revised Code § 4501.04.

Motion by: Rich Harkins Seconded by: Marvin McBride
Vote: Steve Gerberry - Abstained Rich Harkins - Yes Marvin McBride - Yes
Motion Status

Public Comments:

Open Comments

Next Meetings: Regular Meeting Every Thursday at 12:00 PM; Tuesday, January 12, 2021 at 7:00 PM; and Reorganizational Meeting – Tuesday, January 12, 2021 at 6:30 PM.

Adjournment:

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20-141 Motion to *adjourn the meeting*.

Motion by: Name

Seconded by: Name

Vote: Steve Gerberry - Vote

Rich Harkins - Vote

Marvin McBride - Vote

Motion Status

Fred Bobovnyk, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Marvin J. McBride, Trustee