

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

---

**Call to order:** Steve Gerberry

**Pledge:** Completed

**Prayer:** Steve Gerberry

**Roll Call:** Steven Gerberry - Present                      Richard Harkins - Present  
Edward Whittaker - Present                      Fred Bobovnyk - Present

**Correspondence/Announcements:**

- The **Trustees would like mention that their annual Christmas Tree Lighting event was a big success and was well attended.** The Trustees would like to thank St. Mary's church and Cheryl Basista for hosting the Holiday Trunk or Treat event.

**Reports:**

- Financial Report – Presented by Fred Bobovnyk
- Administrator's Report – Presented by David Rouan
- Zoning Report – Presented by David Rouan
- Police Report – Presented by Police 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

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:**

22-171 Motion to **approve the minutes from the Regular Meeting that was held on Tuesday, November 8, 2022 at 7:00 PM.**

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

22-172 Motion to **approve the drawing warrants upon our treasury and paying township bills.**

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

22-173 Motion to **approve the Then and Now's pursuant to the list provided by the Fiscal Officer.**

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
Motion Carried

22-174 Motion to **transfer \$1,524.64 from the General Fund to the Public Works Commission Projects Fund** effective November 15, 2022 and to **transfer \$30,000.00 from the General Fund to the Road and Bridge Fund** effective December 6, 2022.

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

- 22-175 Motion to ***authorize the payment for the local share of the 2022 Resurfacing Program for the Ohio Public Works Commission Project CF08Z from the American Rescue Plan Act Fund in the amount of \$73,393.93.***

Motion by: Rich Harkins    Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Abstained    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-176 **RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION FOR FIRE AND POLICE PURPOSES**

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Weathersfield Township Trumbull County, Ohio and it is necessary to levy taxes in excess of the limitation; and

WHEREAS, a Resolution declaring the necessity of levying a tax outside the ten-mill limitation must be passed and certified to the County Auditor under R.C. §505.50, R.C. §505.37, R.C. 5705.19(JJ) and R.C. 5705.191 outside the ten mill limitation must be passed and certified to the County Auditor in order to permit the Board to consider the levy of such a tax and must request that the County Auditor certify to the Board of Trustees the total current tax valuation of Weathersfield Township and the dollar amount of revenue that would be generated by the tax; therefore;

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of Weathersfield Township, Trumbull County, Ohio, all members elected thereto concurring, that it is necessary to levy an additional tax in excess of the ten-mill limitation for the benefit of Weathersfield Township. As provided in R.C. 5703.03(B)(1) the Board states as follows:

(a) The proposed rate of the tax shall be 3.95 mills for each one dollar of taxable value.

(b) The purpose of the tax shall be:

For providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs; and

For providing and maintaining motor vehicles, communications, other equipment, buildings, and sites for such buildings used directly in the operation of a police department, for the payment of salaries of permanent or part-time police, communications, or administrative personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.33 of the Revised Code, for the payment of the costs incurred by townships as a result of contracts made with other political subdivisions in order to obtain police protection, for the provision of ambulance or emergency medical services operated by a police department, or for the payment of other related costs.

(c) The tax is an additional levy.

(d) The sections of the Revised Code authorizing submission of the question of the tax are: R.C. §505.50, R.C. §505.37, R.C. §5705.19(JJ) and R.C. §5705.191.

(e) The tax is for a continuing period of time.

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

- (f) The tax is to be levied upon the entire territory of Weathersfield Township.
- (g) The date of the election at which the question of the tax shall appear on the ballot is May 2, 2023.
- (h) The ballot measure shall be submitted to the entire territory of Weathersfield Township.
- (i) The tax year in which the tax will first be levied is 2023 and the calendar year in which the tax will first be collected is 2024.
- (j) Weathersfield Township is wholly located in Trumbull County, Ohio.

BE IT FURTHER RESOLVED that the Fiscal Officer shall certify a copy of this Resolution to the County Auditor with the request that said County Auditor certify to this Board of Trustees pursuant to Ohio Revised Code §5705.03 the following:

- (a) The total current tax valuation of Weathersfield Township.
- (b) The following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission:
  - (i) The levy's rate, 3.95 mills, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the county auditor's appraised value.
- (c) The dollar amount of revenue, rounded to the nearest dollar, that would be generated by a levy of 3.95 mills for each one dollar of taxable value.
- (d) An estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission.

BE IT FURTHER RESOLVED upon certification of the County Auditor and adoption of a Resolution to Proceed by the Board of Trustees that the provisions of said tax levy be submitted under the authority of Ohio Revised Code §5705.03, §5705.19(JJ) and §5705.191 to the electors of the entire territory of said Weathersfield Township, in accordance with Ohio Revised Code §5705.25, in the special election to be held on the 2<sup>nd</sup> day of May, 2023.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

- 21-177 Motion to **authorize Township Administrator David Rouan to execute, on behalf of the board of Trustees, the necessary health insurance documents to continue coverage with Medical Mutual Insurance of Ohio**, commencing January 1<sup>st</sup>, 2023 for a term of one (1) year, term ending December 31<sup>st</sup>, 2023.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

- 22-178 Motion to **hire Evan Erb as a Probationary Firefighter** effective December 5, 2022. Evan will be trained and evaluated over the next six months by the Fire Chief and his fire officers. At the conclusion of the six-month probationary period, the Fire Chief will determine if Evan should be promoted to a Firefighter. The board of Trustees would like to thank Evan for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

- 22-179 Motion to **hire Nicholas Clementi as a Probationary Firefighter** effective December 5, 2022. Nicholas will be trained and evaluated over the next six months by the Fire Chief and his fire officers. At the conclusion of the six-month probationary period, the Fire Chief

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

---

will determine if Nicholas should be promoted to a Firefighter. The board of Trustees would like to thank Nicholas for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

Motion by: Edward Whittaker    Seconded by: Rich Harkins

Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes

Motion Carried

- 22-180 Motion to **hire Jeffery T. Rober as a part-time police officer** within the Weathersfield Township Police Department effective November 17, 2022. The part-time police officer position shall receive the rate of pay, benefits, and other considerations as set forth in the policies and procedures as adopted by the board of Trustees. Jeffery works for the Mahoning County Sheriff's Office as a Deputy Sheriff.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker

Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes

Motion Carried

- 22-181 Motion to **establish the following rules for the scheduling and notice of meetings of the board of Trustees for 2023 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 on the following Thursday's at 3:30 PM; January 5, January 19, February 9, February 23, March 9, March 23, April 6, April 20, May 4, May 18, June 8, June 22, July 6, July 20, August 3, August 17, September 7, September 21, October 5, October 19, November 9, December 7, and December 21. 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 newspaper (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: Edward Whittaker    Seconded by: Rich Harkins

Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes

Motion Carried

- 22-182 Motion to **set the date and time for the board of Trustees Reorganizational** meeting for Tuesday, January 10, 2023 at 6:30 PM.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker

Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes

Motion Carried

- 22-183 Motion to **request an advance on the 2022 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 §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 §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.

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

---

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-184 Motion to ***request an advance on the 2022 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 §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 §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 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: Rich Harkins    Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-185 Motion to ***request an advance on the 2022 Estate Taxes:***

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

WHEREAS, the Township Board of Trustees of Weathersfield Township does hereby request an advance of Estate Taxes pursuant to ORC §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: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-186 Motion to ***approve membership in the Ohio Township Association, National Association of Towns and Townships, Trumbull Township Association, Ohio Township Administrators Network, NE Ohio Township Association, and the Coalition of Large Ohio Urban Townships*** for Trustees, Fiscal Officer, Administrator, and others as designated by the Board.

Motion by: Rich Harkins    Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-187 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: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes    Edward Whittaker - Yes  
 Motion Carried

22-188 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***

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

**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: Rich Harkins                      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-189 Motion to **set mileage reimbursement rate at the maximum permitted by the IRS for 2023.**

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-190 Motion to **adopt the Weathersfield Township Trustees salaries** for 2023 to be set at the maximum amount permitted by the ORC §505.24 and to be paid in equal monthly payments.

Motion by: Rich Harkins                      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-191 Motion to **adopt the Weathersfield Township Fiscal Officer's salary** for 2023 to be set at the maximum amount permitted by the ORC §507.09 and to be paid in equal monthly payments.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-192 Motion, pursuant to ORC §309.09 (B), **to employ Cherry Lynne Poteet, Esq. as the Township Legal Counsel, effective January 1, 2023, 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: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-193 Motion to **elect David Rouan and Michael J. Naples, Jr. as Board Members for the 2023 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 1, 2023. The Fiscal Officer is hereby directed to complete and file the 2023 Volunteer Firefighters' Dependents Fund Certificate of Current Assessed Valuation form no later than January 31, 2023.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes  
 Motion Carried

22-194 Motion to **certify that, as of December 31, 2022, the Township was responsible for maintaining 40.164 miles of public roads.** This certification is made in accordance with Ohio Revised Code §4501.04.

**RECORD OF PROCEEDINGS**

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

Motion by: Rich Harkins      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes      Edward Whittaker - Yes  
 Motion Carried

22-195 Motion to **reappoint Joe Carl to a five (5) year term on the Township Zoning Commission**, term commencing January 1, 2023 and term ending December 31, 2027; 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 Joe for his interest in continuing to serve on the commission.

Zoning Commission	
Member	Term Ending
Jonathan Noel	December 31, 2023
William Henning	December 31, 2024
Linda Ference	December 31, 2025
Dave Sylak	December 31, 2026
Joe Carl	December 31, 2027
Alternate Member	Term Ending
Brad Lang	December 31, 2026

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes      Edward Whittaker - Yes  
 Motion Carried

22-196 Motion to **appoint Donald Johnson to a five (5) year term on the board of Zoning Appeals**, term commencing January 1, 2023 and term ending December 31, 2027; 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 Donald for his interest in serving on the board.

Board of Zoning Appeals	
Member	Term Ending
Cathy Zapka	December 31, 2023
Charles Colburn	December 31, 2024
Richard Cross	December 31, 2025
Patrick Glunt	December 31, 2026
Donald Johnson	December 31, 2027
Alternate Member	Term Ending
Open	

Motion by: Rich Harkins      Seconded by: Edward Whittaker  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes      Edward Whittaker - Yes  
 Motion Carried

**Public Comments:**

Open Comments

**Next Meetings:**

Next Meetings: Thursday, December 22, 2022, at 3:30 PM; Thursday, January 5, 2023 at 3:30 PM; Tuesday, January 10, 2023 at 6:30 PM, and Tuesday, January 10, 2023 at 7:00 PM.

**Adjournment:**

22-197 Motion to **adjourn the meeting**.

Motion by: Edward Whittaker    Seconded by: Rich Harkins  
 Vote: Steven Gerberry - Yes    Richard Harkins - Yes      Edward Whittaker - Yes

**RECORD OF PROCEEDINGS**

For the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, December 13, 2022 at 7:00 PM

---

Motion Carried

\_\_\_\_\_  
Fred Bobovnyk, Fiscal Officer

\_\_\_\_\_  
Steven J. Gerberry, Trustee

\_\_\_\_\_  
Richard T. Harkins, Trustee

\_\_\_\_\_  
Edward K. Whittaker, Trustee