

February 11 , 2014

Mr. Blair called the meeting to order.

**Roll call:** H. Gilson Blair - present                      Steven J. Gerberry – present  
 Marvin J. McBride - present                                  Fred R. Bobovnyk – present

**Correspondence/Announcements:**

- Update on Weathersfield Township Flag Day Festival
- Spring Clean-Up will be Monday, May 5, 2014 through Friday, May 9, 2014
- Armstrong Cable rate adjustment
- We were awarded a \$35,000.00 grant through ODOT-LTAP. The grant is a 100% grant for the purchase of the remaining signs necessary for the sign replacement program in the Township.
- Weathersfield Business Network meeting is scheduled for Wednesday February 19, 2014 @ 6:00pm
- Zoning Commission will be meeting tomorrow @ 6:30pm for a re-organizational meeting and @ 7:00pm to consider a zone change request
- Zoning Board of Appeals will meet this Thursday @ 7:00pm to consider a variance request
- Fire Department toured the new school facilities
- Congratulations to Fred Bobovnyk on his recognition in the Who's Who of Township Officials in the OTA's January/February 2014 issue of the Ohio Township News
- Seeking additional funds through the AG's Moving Ohio Forward Program
- HALCON began flaring operations today

**Financial Report – Fred Bobovnyk**

1. Monthly report was given to the Board
2. Drawing of warrants
3. Minutes (3 sets)
4. Then and Nows
5. Review rates for natural gas aggregate

**Administrator's Report – Dave Rouan****Administrator's Monthly Report – February 2014****Administrative Actions**

There are a number of motions for the Board to consider tonight.

**Administrative Announcements**

1. The Trustees were awarded a \$35,000.00 grant through ODOT-LTAP. The grant is a 100% grant for the purchase of the remaining signs necessary for the sign replacement program in the Township.
2. The Zoning Commission will be meeting tomorrow @ 6:30pm for a re-organizational meeting and @ 7:00pm to consider a zone change request.
3. The Board of Zoning Appeals will meet this Thursday @ 7:00pm to consider a variance request.
4. We will be seeking additional funds through the Attorney Generals Moving Ohio Forward Grant Program for two homes.
5. Spring Clean-Up will be Monday, May 5, 2014 through Friday, May 9, 2014.
6. The Township met with the residents of Austintown-Warren Road/South Main Street and Dominion East Ohio Gas in an effort to obtain natural gas service for this area. Dominion will be conducting some preliminary planning and engineering for this project over the next several weeks.
7. The Weathersfield Business Network (WBN) will be next Wednesday, February 19<sup>th</sup>, 2014 at 6:00 PM here at the administration building.
8. The Weathersfield Festival Committee will be meeting next Tuesday, February 18<sup>th</sup>, 2014 at 6:00 PM here at the administration building.
9. We are continuing to work with the city of Niles to establish a Joint Economic Development District (JEDD).

**Highway Department**

1. We completed 10 Work Orders during the month of January.
2. We plowed and treated the roads numerous times during January.
3. Monthly check of the roadways and signs were completed.
4. General maintenance on various fleet vehicles and our trucks are ready for the winter weather.

**Cemetery**

1. See attached Cemetery Report

Respectfully submitted:

Dr. David A. Rouan, AICP  
 Township Administrator

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**Cemetery Report - Dave Rouan**

*January 2014*

**Cemetery Report**  
Sales/Financial Report  
Statistics Summary

Cemetery: Kerr Cemetery  
Total Deeds: 0  
Total Locations: 1  
Total Purchase Plans: \$0.00  
Total Perpetual Care Plans: \$0.00  
Opening Cost \$400.00  
OT Cost \$0.00

Purchase Plan	Nbr Deeds	Pct Of Total	Total	Prptl Care Plan	Nbr Deeds	Pct Of Total	Total
<None>	0	100.00 %	\$0.00	<None>	0	100.00 %	\$0.00

**Report Filter Criteria**

Cemetery: Kerr Cemetery  
Status Date Range: 01/01/2014 to 01/31/2014

*Total \$400.00*

**Zoning Report – Melissa Ritchie**

**WEATHERSFIELD TOWNSHIP ZONING OFFICE  
MONTHLY REPORT · JANUARY 2014**

**I. TOTAL – 8**

- Permits – 1
  - Zoning – 1
  - Gas/Oil Well – 0
  - Occupancy – 0
  - Road Cut – 0
  - NCU – 0
- Violations/Complaints – 0
  - Vehicles – 0
  - Debris – 0
  - Prop. Maint. & high grass – 0
  - Other – 0
- Variances – 1
  - Conditional Use Permits – 0
  - Zone Change Petitions – 0
  - Zoning Amendments – 1
  - Replat Petitions – 0
  - General Inquiries – 5
  - Other Misc. – 0
  - Appeal – 0
  - Gas/Oil Well Registration – 0

**II. FEES COLLECTED (See attachment I and II)**

Zoning Permit Fees	\$	20.00	Value (\$): 5,200.00
Occupancy Permit Fees	\$	0.00	
C.U.P Application Fees	\$	0.00	
Variance Application Fees	\$	0.00	
Zone Change Fees	\$	0.00	
Special Hearing Fees	\$	0.00	<i>(appeal and conditional use hearing)</i>
Zoning Maps - Full	\$	0.00	# Sold 0
Zoning Maps - Neighborhood	\$	0.00	# Sold 0
Zoning Maps - Index	\$	0.00	# Sold 0
Zoning Regulation Book	\$	0.00	# Sold 0
Copies	\$	0.00	# Sold 0
Misc. Fees	\$		
<b>TOTAL:</b>	<b>\$</b>	<b>20.00</b>	

**III. ZONING COMMISSION MEETING** January 8, 2014  
A business meeting was cancelled.

**IV. BOARD OF ZONING APPEALS** January 9, 2014  
A business meeting was cancelled.

**V. OPEN COMPLAINTS/VIOLATIONS** – There are (34) open violation cases.

**VI. HEALTH DEPARTMENT** – There are (5) open cases involving properties in Weathersfield Township.  
Septic – 0  
Health – 5

**VII. NILES MUNICIPAL COURT** – Complaints  
There are ( ) case(s) pending at this time.

**VIII. TRUMBULL COUNTY COMMON PLEAS COURT** – Appeals/Lawsuits  
There is ( ) case(s) pending at this time.

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**Police Report – Chief Joe Consiglio**

*Township of Weathersfield*  
 Police Department  
 Monthly Report for January 2014

**TRUMBULL COUNTY E911** Report Dates from 01/01/2014 to 01/31/2014  
 Number of Calls Report by Department-Complaint (All Units)

Department: 1100	Complaint Code	Description	Number
	ABC	ABANDONED 911 CALL	5
	AC	ANIMAL COMPLAINT	10
	AD	ALARM DROP	72
	APD	ASSIST POLICE DEPARTMENT	6
	AS	ASSAULT	1
	ATL	ATTEMPT TO LOCATE	2
	BE	BREAKING AND ENTERING	5
	BO	BURGLARY	7
	BOLO	BE ON THE LOOKOUT	2
	CZ	CRASH PROPERTY DAMAGE	24
	C6	CRASH WITH REPORTED INJURIES	1
	CD	CRIMINAL DAMAGING	4
	CE	CHILD ENDANGERING	1
	CELL	CELL PHONE CALLS	2
	CKW	CHECK WELFARE	7
	CP8	COURT PAPER SERVICE	1
	CT	CRIMINAL TRESPASS	1
	DA	DRUG ACTIVITY	1
	DAV	DISABLED VEHICLE	25
	DM	DELIVER MESSAGE OR NOTIFICATION	1
	DOM	DOMESTIC	14
	E-BACK	BACK PAINS	1
	E-MENT	MENTAL	1
	FOT	FIGHT	2
	F-INF	FIRE INFORMATION	1
	HAR	HARASSMENT	1
	HS	HIT SKIP	1
	INF	INFORMATION	17
	INV	INVESTIGATION	8
	ITX	INTOXICATED PERSON	3
	JD	JUVENILE DELINQUENT OR UNRULY	1
	JR	JUVENILE RUNAWAY	2
	LD	LOOKOUT	1
	MEN	MENTALLY IMPAIRED PERSON	1
	MIS	MISDIALED 911 CALL	4
	NC	NOISE COMPLAINT	1
	NP	NEIGHBOR PROBLEM	1
	PRK	PARKING VIOLATION/COMPLAINT	3
	PRW	PROWLER	1
	PSAP	PSAP MISROUTED CALLS	1
	REPO	REPORT ON STATION	3
	RC8	REPORT ON STATION	3
	RP	RECOVERED PROPERTY	2
	RV	RECOVERED VEHICLE	1
	S18	RETURN PHONE CALL	41
	SBH	SHOTS BEING HEARD	2
	SC	SPOT CHECK	6
	SHF	SHOPLIFTING	3
	SOL	SOLICITATION	1
	SPA	SUSPICIOUS ACTIVITY	14
	SPP	SUSPICIOUS PERSON	8
	SPV	SUSPICIOUS VEHICLE	16

Date Created: 02/03/2014 Page 1 of 2

**TRUMBULL COUNTY E911** Report Dates from 01/01/2014 to 01/31/2014  
 Number of Calls Report by Department-Complaint (All Units)

Department: 1100	Complaint Code	Description	Number
	STB	STANDBY	8
	TC	TRAFFIC CONTROL	1
	TPV	THEFT FROM VEHICLE	1
	TH	TELEPHONE HARASSMENT	2
	THE	THEFT	4
	THR	THREATS	6
	TRA	TRANSPORT PERSON OR PRISONER	10
	TRC	TRAFFIC REGULATION COMPLAINT	16
	TS	TRAFFIC STOP	228
	TV	THEFT OF VEHICLE	2
	UNK	UNKNOWN PROBLEM	6
	USP	UNSECURED PROPERTY	4
	UTI	UTILITY PROBLEMS OR COMPLAINTS	1
	UNV	UNWANTED PERSON OR PERSONS	4
	VR	VEHICLE RELEASE	1
	WAR	WARRANT SERVICE	3
		<b>GRAND TOTAL</b>	<b>888</b>

Citations issued in January: 102

Number of Arrests in January: 33

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**Fire Report – Chief Randy Pugh**

District Summary							
January 2014							
District	Situation Type	Dollar Loss	# of Incid's	F.S. Injury	Civ. Injury	F.S. Death	Civ. Death
40	322 Vehicle accident with injuries		1	0	0	0	0
40	324 Motor vehicle accident with no injuries		1	0	0	0	0
40	650 Steam, other gas mistaken for smoke, oth		1	0	0	0	0
40	651 Smoke scare, odor of smoke		1	0	0	0	0
40	661 EMS call, party transported by non-fire		7	0	0	0	0
<b>Totals for All Non-Fire in District:</b>			11	0	0	0	0
<b>Totals for All Incidents in District</b>			11	0	0	0	0
41	111 Building fire		1	0	0	0	0
41	130 Mobile property (vehicle) fire, other		1	0	0	0	0
<b>Totals for All Fires in District:</b>			2	0	0	0	0
41	322 Vehicle accident with injuries		4	0	0	0	0
41	324 Motor vehicle accident with no injuries		3	0	0	0	0
41	412 Gas leak (natural gas or LPG)		1	0	0	0	0
41	553 Public service		1	0	0	0	0
41	561 Unauthorized burning		1	0	0	0	0
41	651 Smoke scare, odor of smoke		1	0	0	0	0
41	661 EMS call, party transported by non-fire		13	0	0	0	0
41	745 Alarm system sounded, no fire - unintent		1	0	0	0	0
<b>Totals for All Non-Fire in District:</b>			25	0	0	0	0
<b>Totals for All Incidents in District</b>			27	0	0	0	0
42	111 Building fire		1	0	0	0	0
42	112 Fires in structures other than in a buil	1,000	1	0	0	0	0
42	151 Outside rubbish, trash or waste fire		1	0	0	0	0
<b>Totals for All Fires in District:</b>			3	0	0	0	0
42	322 Vehicle accident with injuries		1	0	0	0	0
42	412 Gas leak (natural gas or LPG)		1	0	0	0	0
42	500 Service Call, other		2	0	0	0	0
42	553 Public service		1	0	0	0	0
42	661 EMS call, party transported by non-fire		3	0	0	0	0
42	700 False alarm or false call, other		1	0	0	0	0
42	745 Alarm system sounded, no fire - unintent		2	0	0	0	0
42	746 Carbon monoxide detector activation, no		1	0	0	0	0
<b>Totals for All Non-Fire in District:</b>			12	0	0	0	0
<b>Totals for All Incidents in District</b>			15	0	0	0	0

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**Attorney’s Report – Atty. Dan Daniluk and Atty. Doug Ross**

**ATTORNEYS’ REPORT**

**TO: MR. GIL BLAIR, CHAIRMAN  
MR. STEVEN J. GERBERRY, VICE CHAIRMAN  
MR. MARVIN MCBRIDE, TRUSTEE  
MR. FRED R. BOBOVNYK, FISCAL OFFICER  
MR. DAVID ROUAN, TOWNSHIP ADMINISTRATOR**

**FROM: CHERRY LYNNE POTEET, ESQ.**

**DATE: February 11, 2014**

Below is a report of this month’s litigation activity.

- 1. **Richard Mattessich v. Weathersfield Township**  
Case No. 2014 CV 00233  
Trumbull County Ct. C.P. Judge Rice

Mr. Mattessich has refiled this lawsuit against the Township alleging that he was disabled or perceived as having a disabling condition, and Weathersfield Township discriminated against him. He is asserting claims of violation of RC 4112.01, defamation, false light invasion of privacy and intentional infliction of emotional distress. This case was settled in part in December 2012, voluntarily dismissed by Mr. Mattessich in September 2013, and was refiled on February 3, 2014.

If you have any questions or comments regarding this Attorneys’ Report or any pending Township legal matters, please feel free to contact us.

Sincerely,

Cherry Lynne Poteet, Esq.

**New Business:**

14-026 Mr. McBride made a motion to approve the consent agenda, which includes  
Consent the following:  
Agenda

- Drawing warrants upon our treasury and paying township bills
- Minutes of the Regular Meeting on January 14, 2014.
- Minutes of the Special Meeting on January 28, 2014.
- Minutes of the Special Meeting on January 30, 2014.
- Then and nows

	<b>THEN</b>	<b>NOW</b>	<b>AMOUNT</b>
Advanced Lightwave	01/21/14	02/03/14	\$607.08
Advanced Lightwave	10/25/13	02/05/14	\$59.50
The Vindicator	01/25/14	02/05/14	\$107.00
VSP Vision Care	01/16/14	02/06/14	\$402.81
On Demand Drug Testing	01/31/14	02/07/14	\$35.00
Pilot Travel Center	12/15/13	12/23/13	\$146.03
Inventive Sign	01/08/14	01/16/14	\$235.00
Klaben Ford	12/27/13	01/22/13	\$209.52
ComDoc	01/17/14	01/28/14	\$149.37

Mr. Gerberry seconded the motion.

Vote: Mr. McBride – yes Mr. Gerberry -yes Mr. Blair - yes

Motion carried.

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14-027 Mr. Gerberry made a motion to authorize Township Administrator David Rouan  
 Festival to serve on the Weathersfield Township Flag Day Festival Committee and to  
 Committee authorize Township employees, including the Township Administrator, to  
 assist with the set-up, operation, and take-down of the festival grounds on an  
 as-needed basis at the direction and discretion of the Township Administrator  
 Mr. McBride seconded the motion.  
 Vote: Mr. Gerberry – yes Mr. McBride –yes Mr. Blair – yes  
 Motion carried.

14-028 Mr. Gerberry made Motion to authorize Township Administrator David Rouan  
 OTARMA to apply for a grant in the amount of \$500.00 through OTARMA for the  
 grant for fire purpose of purchasing equipment for the fire department. Fire Chief Pugh  
 shall let the Administrator know which piece of equipment to include in the  
 MORE grant application  
 Mr. McBride seconded the motion.  
 Vote: Mr. Gerberry – yes Mr. McBride –yes Mr. Blair – yes  
 Motion carried.

14-029 Mr. Gerberry made motion to amend Resolution 13-172 to provide that  
 OPERS Weathersfield Township will pick up the statutorily required contribution to  
 pickup the Ohio Public Employees Retirement System for employees of the Township  
 who are hired on or before December 31<sup>st</sup>, 2013.

WHEREAS, In Resolution 08-046, effective April 8, 2008, the Trustees of Weathersfield Township, pursuant to federal and Ohio laws, determined to “pick up” (assume and pay) the statutorily required contribution by such elected officials and covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, Weathersfield Township amended that Resolution on June 26, 2008 by Resolution 08-071, to provide that the pick-up shall apply to full-time employees only, and

WHEREAS, Weathersfield Township has determined that the pick-up shall be provided only to employees were hired on or before December 31, 2013.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO, THAT:

The “pick up” by Weathersfield Township provided by Resolutions 08-046, 08-071, and 13-172 *shall not apply to elected officials of Weathersfield Township and* shall apply only to persons who are hired as full-time employees of Weathersfield Township on or before December 31, 2013. OPERS contributions for employees who are hired after December 31, 2013 will be deducted from the employee’s salary and remitted to OPERS on a “pre-tax” basis.

Mr. McBride seconded the motion.  
 Vote: Mr. Gerberry – yes Mr. McBride –yes Mr. Blair – yes  
 Motion carried.

14-30 Mr. McBride made a motion supporting the issue on the May 2014 ballot  
 SCIP bonds which authorizes the renewal of the sale of bonds by the State of Ohio to  
 renewal fund the State Capital Improvement Program (SCIP) as administered by the  
 OPWC Ohio Public Works Commission (OPWC) and encouraging the voters of the  
 State of Ohio to vote yes on the issue.

**WHEREAS**, Weathersfield Township, is a community that is represented by the Eastgate Regional Council of Governments which is the administrative agency for the District 6 Public Works Integrating Committee (D6PWIC) which consists of all of the communities in Mahoning and Trumbull Counties, Ohio; and

**WHEREAS**, the D6PWIC has annually reviewed and selected projects to receive SCIP funding since 1988; and

**WHEREAS**, since 1988 there have been over 600 SCIP funded water, sewer, highway, and bridge projects in Mahoning and Trumbull Counties and these projects have used over \$134,000,000 ; and

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**WHEREAS**, these SCIP funds were matched with over \$141,000,000 in local, state, and federal funds and these monies were used to repair, replace, and construct vital infrastructure projects in every city, village and township in Mahoning and Trumbull Counties.

**NOW, THEREFORE, BE IT RESOLVED** by Weathersfield Township, Trumbull County, State of Ohio, that the board of Weathersfield Township Trustees hereby endorses the issue on the May 2014 ballot that renews the sale of bonds by the State of Ohio to fund the State Capital Improvement Program (SCIP) and encourages all voters in Mahoning and Trumbull Counties to vote yes on the issue. Furthermore the board of Weathersfield Township Trustees requests that the Fiscal Officer forward a copy of this resolution to Eastgate Regional Council of Governments.

Mr. Gerberry seconded the motion.

Vote: Mr. McBride -yes      Mr. Gerberry– yes      Mr. Blair - yes  
Motion carried.

14-031      Mr. Gerberry made a motion to advance \$10,000 from the General Fund to the  
advance to      Cemetery Fund effective January 31, 2014.  
Cemetery      Mr. McBride seconded the motion.  
Vote: Mr. Gerberry - yes      Mr. McBride -yes      Mr. Blair– yes  
Motion carried.

14-032      Mr. McBride made a motion to adjourn.  
Adjourn      Mr. Gerberry seconded the motion.  
Vote: Mr. McBride -yes      Mr. Gerberry– yes      Mr. Blair - yes  
Motion carried.

Caucus:                      February 27, 2014 at 8:30 a.m.  
Next meeting:              March 11, 2014 at 7:00 p.m.

\_\_\_\_\_  
*Fred R. Bobovnyk, Fiscal Officer*

\_\_\_\_\_  
*H. Gilson Blair, Chairman*

\_\_\_\_\_  
*Steven J. Gerberry, Vice-Chairman*

\_\_\_\_\_  
*Marvin J. McBride, Trustee*