Minutes of the Weathersfield Township Trustees Regular Meeting Held on Tuesday, February 13th, 2018 at 7:00 PM

Call to order: Mr. Blair

Pledge: X

Roll Call: H. Gilson Blair - Present Steven J. Gerberry - Present

Marvin J. McBride - Present Fred R. Bobovnyk - Present

Correspondence/Announcements:

• The Trustees have scheduled the Annual Easter Egg Hunt for Saturday, March 24th, 2018 at 2:00 PM at the Community Park and Gazebo.

- The *Trustees would like to announce the dates for the 2018 Flag Day Festival.* The 2018 Flag Day Festival dates will be June 14th, 15th, 16th, and 17th 2018. The 2017 Flag Day Parade will be on Friday, June 15th.
- The Trustees are pleased to announce the dates for the 2018 Spring Clean-Up Program. The program will begin on Monday, May 14th, 2018 and continue through Friday, May 18th, 2018. Residents should put their items out on their regular night.
- The Trustees would like to mention the correspondence they received from Armstrong regarding a rate adjustment.
- The *Trustees would like to announce the Trumbull County Emergency Management Agency Advisory Board Meeting* that will be held on Wednesday 21st, 2018 at the TCEM Office on North River Road.
- The Trustees would to announce that the next Council of Governments Meeting will be held on Wednesday, February 28th, 2018 at 5:30 PM at the Howland Township Administration Building.
- The Trustees would like announce that the Trumbull County Engineer's Office will be replacing the Bridge on Austintown-Warren Road this June.

 The bridge replacement is expected to be completed before the start of the 2018-2019 School Year that begins in September.
- Mr. Blair mentioned that he attended the OTA Conference and that it went very well.
- Mr. Blair Mentioned that we have a trip to Columbus planned for next week for lobbying purposes.

Reports:

- Financial Report Fred Bobovnyk
- Administrator's Report David Rouan
- Zoning Report Melissa Murphy
- Police Report Chief Michael Naples
- Fire Report Assistant Chief Ken Boring
- Attorney's Report Attorney Cherry Poteet
- Regional Chambers Report Trustee

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

Old Business:

None

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.

New Business:

18-012 Motion to *approve the consent agenda*, which includes the following:

- Minutes from the Regular Meeting on January 9th, 2018 at 7:00 PM;
- Minutes from the Special Meeting on January 9th, 2018 at 6:30 PM;

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- To transfer \$4,650.00 from the General Fund to the Gas Tax Fund effective December 27th, 2017;
- To transfer \$5,000.00 from the General Fund to the Cemetery Fund effective December 27th, 2017;
- To *transfer \$1,000.00 from the General Fund to the Gas Tax Fund* effective January 24th, 2018;
- To transfer \$10,000.00 from the General Fund to the Road Fund effective January 24th, 2018;
- To transfer \$4,100.00 from the General Fund to the Gas Tax Fund effective February 7th, 2018;
- To transfer \$20,000.00 from the General Fund to the Road Fund effective February 7th, 2018;
- Drawing warrants upon our treasury and paying township bills;
 and
- Then and Now's per list provided.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

18-013 Motion to **go into Executive Session** at 7:23 PM to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

18-014 Motion to *come out of Executive Session* at 8:02 PM.

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

18-015 Motion to enter in to an agreement with the Weathersfield Local School District for the purpose of providing a School Resource Officer.

This Agreement is entered into this 13th day of February, 2018, by and between the Board of Education of the Weathersfield Local School District ("School Board") and the Board of Trustees of Weathersfield Township ("Township").

WHEREAS, the Township operates the Weathersfield Township Police Department ("Police Department"); and

WHEREAS, the School Board operates the Weathersfield Local School District, a public school district within the Township; and

WHEREAS, the School Board and the Township seek to promote school and community safety.

NOW, THEREFORE, the School Board and Township agree to have a Weathersfield Township Police officer serve as a School Resource Officer ("SRO") in the Weathersfield Local School District pursuant to the agreed upon terms and conditions:

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

18-016 Motion to hire and promote part-time police officer Kenney Griffin, Jr. to a full-time police officer position within the Weathersfield

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Township Police Department effective February 19th, **2018**. The full-time police officer position shall receive the rate of pay, benefits, and other considerations as set forth in the collective bargaining agreement by and between the board of Trustees and the OPBA as adopted by Resolution #16-143.

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to accept, pursuant to R.C. 505.10 and R.C. 3313.411(C), the property owned by the Weathersfield Local School District and no longer needed for school purposes, located along State Route 46 pursuant to the prepared survey and legal description. The agreed upon terms of the transfer are that all costs and expenses for the transfer, including the cost of the survey and deed preparation, are to be paid by Weathersfield Township, and the deed shall provide that the property shall revert to the Weathersfield Local School District if Weathersfield Township discontinues using the property for public purposes. The Township Administrator is authorized and directed to take such actions and execute such documents as are necessary to consummate the transaction.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to authorize Township Administrator David Rouan to prepare the application and apply for, on behalf of the board of Trustees, the Ohio Department of Natural Resources NatureWorks 25th Round Grant – the NatureWorks Grant Program provides for 75% State funding and 25% local funding. The proposed grant project is to help offset the cost for the purchase of two additional lots that adjoin the existing Community Park property to the north. The additional property is a major component of a larger plan for a Community Park. This larger plan has been discussed and developed by our community members for nearly ten years. The estimated total cost for the property acquisition is \$43,500; the grant request is 75% or \$32,625.00 and the local match is 25% or \$10,935.00. The Township requested and received a Waiver of Retroactivity that will permit the grant application to proceed. The waiver is valid for two grant cycles.

Whereas, the State of Ohio through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the State of Ohio NatureWorks grant program and

Whereas, the Weathersfield Township Trustees desires financial assistance under the NatureWorks Grant Program,

Now, Therefore be it resolved by the Weathersfield Township Trustees;

That the Weathersfield Township Trustees approves filing this application for financial assistance:

That David A. Rouan, Township Administrator is hereby authorized and directed to execute and file an application with the Ohio Department of Natural Resources and to provide all information and documentation required to become eligible for possible funding assistance; and

That the Weathersfield Township Trustees does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the **NatureWorks Grant Program**.

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Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Motion to authorize Township Administrator David Rouan to execute, on behalf of the board of Trustees, and file with the Ohio Utilities Commission the Renewal Certification Application for Ohio Natural Gas and Electric Governmental Aggregators, effective January 24th, 2018 and

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Motion to authorize Township Administrator David Rouan to execute, on behalf of the board of Trustees, an agreement with Armstrong Business Solutions for a three year term for a new telephone system at the administration building. With an effective date of January 24th, 2018. This system includes 14 new handset stations, additional new technology, and free service and training during the term of the agreement. The additional monthly cost for the new telephone system is \$99.84 or a total of \$3,594.24 over the three term at which time the Township will own the system at no additional cost.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

18-021 Motion to authorize Township Administrator David Rouan to serve on the 2018 Weathersfield Township Flag Day Festival Committee.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to authorize Township Administrator David Rouan and Township employees to assist with the planning, preparation, set-up, operation, take-down, and other matters regarding the festival during regular Township work hours and to schedule additional hours during the evening or over the weekend on an as-needed basis at the direction and discretion of the Township Administrator.

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to *authorize the use of the community park property* for the 2018 Weathersfield Township Flag Day Festival beginning on the morning of Monday, June 11th, 2018 and ending Monday, June 17th, 2018. The property can be used for any purpose associated with the aforementioned festival.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to *authorize the closure of TH51 (Stewart Street)* beginning at SR46 and continuing west approximately 264 lineal feet. The road closure will begin on the morning of Wednesday, June 13th, 2018 and end Monday, June 17th, 2018. The purpose of the road closure is so that the area can be used for the 2018 Weathersfield Township Flag Day Festival. This area may be used for any purpose associated with the

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aforementioned festival. This road closure will not adversely affect the ingress and egress of the two home owners that live on TH51 (Stewart Street) as they will have access to ingress and egress from TH427 (Campbell Drive) and CH75B (Depot Street) via Stadium Drive.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Motion to authorize *Police Chief Michael J. Naples, Jr. to purchase five new 2018 Ford Police Interceptor Utility Vehicles* through Lebanon Ford of Lebanon, Ohio at a purchase price of \$28,134.00 each (including the delivery fee) for a total of \$140,670.00, which is the State purchase price; to utilize Ford Municipal Lease/Purchase to finance the vehicles over a four (4) year term; and to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to execute the Master Lease Purchase Agreement with Ford Motor Credit company pursuant to the terms and conditions set forth in the agreement.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Motion to authorize Police Chief Michael J. Naples, Jr. to enter into an agreement with Rowley Rescue & Response of Niles, Ohio for a not to exceed amount of \$9,000.00 each for the purchase and installation of the necessary equipment for the five new 2018 Ford Police Interceptor Utility Vehicles.

Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Motion to authorize Police Chief J. Michael Naples, Jr. to enter into an agreement with Inventive Designs of Mineral Ridge, Ohio for a not to exceed amount of \$1,000.00 each for the purchase and installation of the necessary graphics for the five new 2018 Ford Police Interceptor Utility Vehicles.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to authorize the Trumbull County Engineer's Office and the Trumbull County Commissioners to advertise for bids on behalf of Weathersfield Township for Ohio Public Works Commission Project CF17V (Township Wide Road Improvements Project). The advertisement for bids will be sometime this spring.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Abstain Marvin McBride - Yes Motion passed

Motion to adopt a resolution to **prohibit the use of engine retarding**devices pursuant to and in accordance with ORC Sections 505.17(A)
and 4513.221(E)(4) on all sections of CR78A (Deforest Townline Road) within the Township.

WHEREAS, Revised Code Section 505.17 authorizes Boards of Township Trustees to make such regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under Revised Code Section 4513.221; and

WHEREAS, Revised Code Section 4513.221 (E)(4) authorizes Boards of Township Trustees to regulate in the unincorporated area of the township noise from passenger cars, motorcycles, or other vehicles that use internal combustion engines by prohibiting racing the motor of any vehicle using an internal combustion engine in such a manner that the exhaust system emits a loud, cracking, or chattering noise unusual to its normal operation; and

WHEREAS, the Board of Trustees of Weathersfield Township, Trumbull County, Ohio, has received complaints regarding loud noises emitted by trucks using diesel engine retarding devices known as 'Jake brakes', which reduce the trucks' rate of speed, but cause the vehicles motor to race in such a manner as to cause the trucks' exhaust system to emit loud, cracking, or chattering noises unusual to the normal operations; and

WHEREAS, trucks have been reported to create such noise along CR78A (Deforest Townline Road) within the Township; and

WHEREAS residents have complained that these noise emissions have occurred at all times of the day and night, and the Board of Trustees finds that the noise generated by such 'Jake breaks' constitutes a nuisance and is detrimental to the public health, welfare, safety, and quality of life within Weathersfield Township.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO, THAT the use of engine retarding devices is prohibited on all sections of CR78A (Deforest Townline Road) within the Township pursuant to and in accordance with ORC Sections 505.17(A) and 4513.221(E)(4).

The Fiscal Officer is hereby directed to provide a certified copy of this resolution to the Trumbull County Engineer's Office.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Abstain Marvin McBride - Yes Motion passed

Whereas, a request has been made to this Board that the statuary vehicular speed limit established by Ohio Revised Code Section 4511.21, is greater than that considered reasonable and safe on Seaborn Street (TH 1261) between Main Street (SR 46) and Union Street (TH 557);

Whereas, this Board has caused to be made an engineering and traffic investigation upon those sections of road as described above; and

Whereas, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 MPH is unrealistic.

Now therefore, be it resolved by the Board of Weathersfield Township Trustees of Trumbull County, Ohio that:

Section 1) By virtue of the provisions of Ohio Revised Code Section 4511.21 the Director of Transportation is herby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Seaborn Street (TH 1261) between Main Street (SR 46) and Union Street (TH 557) in Trumbull County, Ohio.

Section 2) That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed

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limit on the sections of road described in Section 1 hereof, standard signs, properly posted, and giving notice thereof will be erected.

The Fiscal Officer is hereby directed to provide a certified copy of this resolution to the Trumbull County Engineer's Office.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Abstain Marvin McBride - Yes Motion passed

Whereas, a request has been made to this Board that the statuary vehicular speed limit established by Ohio Revised Code Section 4511.21, is greater than that considered reasonable and safe on Ohltown Girard Road (TH 65B) between Ohltown Girard Road (TH 65A) and the dead end 0.33 miles east;

Whereas, this Board has caused to be made an engineering and traffic investigation upon those sections of road as described above; and

Whereas, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 MPH is unrealistic.

Now therefore, be it resolved by the Board of Weathersfield Township Trustees of Trumbull County, Ohio that:

Section 1) By virtue of the provisions of Ohio Revised Code Section 4511.21 the Director of Transportation is herby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Ohltown Girard Road (TH 65B) between Ohltown Girard Road (TH 65A) and the dead end 0.33 miles east in Trumbull County, Ohio.

Section 2) That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the sections of road described in Section 1 hereof, standard signs, properly posted, and giving notice thereof will be erected.

The Fiscal Officer is hereby directed to provide a certified copy of this resolution to the Trumbull County Engineer's Office.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Abstain Marvin McBride - Yes Motion passed

Motion to appoint firefighter Tom Lambert and firefighter Ken Boring to the Volunteer Fire Fighters' Dependents Fund (VFFDF) Board as the legislative authority appointments by the Weathersfield Township Board of Trustees. These two individuals have been appointed to serve a one year term commencing on January 1st, 2018.

Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Motion to *accept the resignation of Firefighter Jonathon Thacker* effective February 13th, 2017. Jonathon no longer has the time to serve as a Firefighter with our department due to family commitments. The board Trustees would like to thank Jonathon for his years of service to our fire department and to the residents of our community.

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> Seconded: Marvin J. McBride Made by: Steven J. Gerberry Steve Gerberry – Yes Marvin McBride - Yes Vote: Gil Blair – Yes

Motion passed

18-034 Motion to acknowledge and accept the termination of the Cooperative Agency Use Agreement by and between Weathersfield Township and Bazetta Township regarding IT services, pursuant to the agreed upon language. Bazetta is no longer able to provide IT services to Weathersfield pursuant to the terms and conditions of the agreement and is requesting that the agreement be terminated effective February 10th, 2018. The reason for the agreement termination is because the individual that provided the IT services has left the employ of Bazetta Township.

> Made by: Marvin J. McBride Seconded: Steven J. Gerberry Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

18-035 Motion to enter into an IT Services Agreement with Joel E. Davis of Cortland, Ohio pursuant to the terms and conditions set forth in the agreement, for a term commencing February 11th, 2018 and ending on December 31st, 2018, the agreement may be extended by mutual consent for a term as agreed by both parties. The hourly rate for the agreed upon services shall be \$60.00 per hour during normal business hours Monday through Friday from 8:00 AM to 4:00 PM (excluding holidays) and \$80.00 per hour outside of the normal business hours. This is the same individual that has provided IT services to the township for the last four years and is at the same rate as previously charged.

> Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes Motion passed

Public Comments:

Note: All public comments are on file in the Fiscal Officer's office.

Next Meetings:

Next Work Sessions: Every Thursday at 7:00 AM (Except for Caucus Thursday)

Thursday, March 1st, 2018 at 8:00 AM. **Next Caucus:**

Regular Meeting: Tuesday, March, 13th, 2018 at 7:00 PM. **Next Meeting:**

The Trustees open forum begins at 6:15 PM.

Adjournment:

Motion to adjourn the meeting. 18-036

> Made by: Steven J. Gerberry Seconded: Marvin J. McBride Vote: Gil Blair – Yes Steve Gerberry – Yes Marvin McBride - Yes

Motion passed

Fred Bobovynk, Fiscal Officer	H. Gilson Blair, Trustee
Steven J. Gerberry, Trustee	Marvin J. McBride, Trustee