

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, February 9, 2021 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 congratulate of Fire Department and Chief Lambert for receiving a grant to help purchase MARC's radios for our department.**
- The **Trustees would like to announce the dates for this year's Spring Clean-Up Program which will be held the week of May 17, 2021.** Residents should put their material out on the same night as their regular pickup.
- The **Trustees would like to announce the dates for this year's Scrap Tire Pickup Program.** Curbside collection will begin on Monday, May 17, 2021 and continue through Friday, May 21, 2021. There is a limit of four car tires (off rims) per household, large truck tires will NOT be accepted. You can also drop-off your tires between 8:00 AM and 3:00 PM during the collection week at the Township Administration Building at 1451 Prospect Street, Mineral Ridge, Ohio 44440.
- The **Trustees have scheduled a drive-by Easter Egg handout for our resident's that will be held on Saturday, April 3, 2021 beginning at 1:00 PM at the Community Park and Gazebo.**
- The **Trustees would like to remind our residents about the Annual Fish Fry** that the Mineral Ridge Fire Association is hosting each Friday from 5:00 PM to 7:00 PM during lent. This year's fish fry will be a drive-by pick up only event.
- The **Trustees received notification from Armstrong regarding an upcoming rate increase.**
- 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 Chief Michael Naples
- 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 Potet
- 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:

21-011 Motion to **approve the consent agenda**, which includes the following:

- **Minutes from the Reorganizational Meeting** Tuesday, January 12, 2021 at 6:30 PM;
- **Minutes from the Regular Meeting** Tuesday, January 12, 2021 at 7:00 PM;

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- ***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

- 21-012 Motion to ***transfer \$20,000.00 from the General Fund to the Road and Bridge Fund*** effective January 22, 2021; and to ***transfer \$1,282.58 from the General Fund to the Capital Projects Fund*** effective January 22, 2021.

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

- 21-013 Motion to ***renew the annual service agreement with the Mahoning Valley Crisis Response Team (MVCRT)*** and to contribute \$2,000.00. This fee is paid by all the law enforcement agencies within the response area of the MVCRT

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

- 21-014 Motion to ***accept the resignation of Firefighter*** Heather Pugh effective February 7, 2021. The board Trustees would like to thank Heather for her 10 years of service with our fire department and to the residents of our community. Heather is relocating to Akron and will be unable to continue as a firefighter at this time.

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

- 21-015 Motion to ***accept the retirement of Firefighter*** Dean Ritchie effective January 22, 2021. The board Trustees would like to thank Dean for his 18 years of service with our fire department and to the residents of our community. Dean no longer has the time to commit to the fire department due to his full-time work and his family commitments.

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

- 21-016 Motion to ***promote Michael Chambers, Jackson Lambert, Maddison Herbert, and Trenton Zickerfoose from probationary Firefighter to Firefighter*** effective today's date. The board of Trustees would like to thank each of them for their interest in becoming a Weathersfield Township Firefighter and for their volunteerism and commitment to the residents of our Township.

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

- 21-017 Motion to ***hire Nathan Paulsey as a Probationary Firefighter*** effective February 11, 2021. Nathan 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 Nathan should be promoted to Firefighter. The Board of Trustees would like to thank Nathan for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

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21-018 Motion **to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to apply for the 2021 Scrap Tire Grant from the Geauga-Trumbull Solid Waste Management District.** The total grant amount that is available for Weathersfield Township is \$2,274.00.

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

21-019 Motion to **authorize Township Administrator David Rouan to take the necessary steps pursuant to law to dispose of a 1991 International fire rescue truck** which is not needed for public use, is obsolete, or is unfit for the use acquired; and in the opinion of the Board, the rescue truck has fair market value of less than two thousand five hundred dollars.

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

21-020 Motion to **authorize Township Administrator David Rouan, effective February 3, 2021, to take the necessary steps pursuant to law to dispose of a 2001 International 4700 dump truck** which is not needed for public use, is obsolete, or is unfit for the use acquired; and in the opinion of the Board, the dump truck has fair market value of less than two thousand five hundred dollars.

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

21-021 Motion to **adopt the updated Trumbull County Multi-Jurisdictional Hazard Mitigation Plan.**

WHEREAS natural, technological, and man-made hazards can affect Weathersfield Township;

WHEREAS significant structural, historical, and economic losses could result from an occurrence of a natural, technological, or man-made hazard events;

WHEREAS undertaking mitigation projects during pre-disaster periods could decrease the total losses Weathersfield incurs as a result of said hazard occurrences;

WHEREAS Weathersfield Township has a strong interest in reducing losses from future hazard occurrences;

WHEREAS the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five years; and

WHEREAS a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Trumbull County, Ohio.

THEREFORE Weathersfield Township has partnered with the county to update the existing *Trumbull County Multi-Jurisdictional Hazard Mitigation Plan* in an effort to further identify, define, and characterize the hazards affecting the Town as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

NOW BE IT RESOLVED THAT Weathersfield Township does hereby adopt the updated *Trumbull County Multi-Jurisdictional Hazard Mitigation Plan*.

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

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21-022 Motion to adopt a Transient Vendor Resolution.

WHEREAS, Ohio Revised Code §505.94 authorizes the Board of Trustees of Weathersfield Township to require the registration of transient vendors within the unincorporated area of the Township and regulate the time, place and manner in which these vendors may sell; and

WHEREAS, the Board of Trustees of Weathersfield Township has determined that requiring registration of transient vendors in the unincorporated territory of the Township and regulating the time, place and manner in which transient vendors may sell is in the best interest of the citizens of the Township and will promote the health, safety and welfare of the township.

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

Section 1. Definitions.

1. **Transient Vendor** means any person who opens a temporary place of business for the sale of goods or who, on the streets or while traveling about the unincorporated area of Weathersfield Township, sells or offers for sale goods, solicits orders for future delivery of goods, or attempts to arrange an appointment for a future estimate or sales call. Transient Vendor **does not** include any of the following:
 - a. Any person who represents a tax-exempt business or organization, including but not limited to any entity exempt from taxation under Ohio Revised Code §5709.04;
 - b. An auctioneer or an auction company licensed under Chapter 4707 of the Ohio Revised Code;
 - c. The dissemination of ideas, thoughts, literature, communications or messages regarding any cause, issue, religion, or political candidate;
 - d. A person expressly invited by an owner or tenant to visit the premises;
 - e. Sales agents calling upon commercial establishments in the usual course of business.
2. **Goods** means goods, wares, services, merchandise, periodicals, and other articles sold. Goods does not include literature or publications distributed at no charge.

Section 2. Registration.

1. Every Transient Vendor must register at the Township Office and obtain a Certificate of Registration before conducting business in the unincorporated area of Weathersfield Township.
2. Each Transient Vendor shall truly and accurately provide the following information for registration:
 - a. Company Name, address and telephone number
 - b. Evidence of a current State of Ohio Vendor's license
 - c. Name and copy of driver's license or other identification of each vendor
 - d. Year, make, model, color and license plate number of each vehicle used in solicitation within the township
 - e. Statement of the goods to be offered for sale
3. The registration fee is \$150.00.
4. Upon satisfactory completion of the registration application and payment of the fee, the Township shall issue a Transient Vendors Certificate of Registration which shall be valid for 90 days from the date of registration.
5. Registered Transient Vendors must carry a copy of their Transient Vendors Certificate of Registration while soliciting within the Township.

Section 3. Conduct of Solicitation.

1. While conducting business within the Township, a Transient Vendor shall not:
 - a. Obstruct or interfere with public travel on, or public use of any public street, road, sidewalk or way;

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- b. Enter any private property where there is a sign stating "No Solicitors", No Trespassing, or otherwise clearly prohibiting Transient Vendors;
 - c. Remain on any property after being told to leave;
 - d. Engage in any coercive, abusive, or misleading conduct or conduct in violation of any Federal or State laws governing home solicitation sales;
 - e. Possess, sell, offer to sell, or solicit orders for, any product or thing in violation of law.
2. Transient Vendors may conduct solicitations in the Township only between the following hours:
 - a. During the months of May through September, from 9:00 AM to 8:00 PM
 - b. During the months of October through April, from 9:00 AM to 6:00 PM

Section 4. Penalties

1. A Transient Vendor's Certificate of Registration may be revoked if the Transient Vendor makes any false statements in the application for registration or violates any of the requirements of this Resolution.
2. A Transient Vendor may be issued a criminal citation for violation of this Resolution, and any violation of this Resolution is a minor misdemeanor, as provided in R.C. 505.99.

Section 5. Notification and adoption

1. The township Fiscal Officer shall provide a certified copy of this Resolution to the Trumbull County Prosecutor.
2. Any procedures and application forms created pursuant to this Resolution may be altered from time to time and any such alterations shall not change the provisions of this Resolution.
3. All actions of the Board relating to the passage of this Resolution were adopted in an open meeting of the Board in compliance with R.C. 121.22.
4. This Resolution shall be in full force and effect immediately upon adoption.

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

- 21-023 Motion to ***designate Trustee Marvin McBride as the alternate for the chairman of the board of Trustees to attend the annual meeting of the Trumbull County Combined Health District Advisory Council and is hereby delegated the authority to vote on behalf of the chair pursuant to Ohio Revise Code §3709.03.***

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

- 21-024 Motion to ***amend Resolution #20-045 that established the Weathersfield Township Emergency Paid Sick Leave and FMLA-Public Emergency Leave Policy and Resolution #20-074 that amended said policy to include an additional 80 hours of Emergency Paid Sick Leave to provide for a revised ending date for said policy until December 31, 2021.***

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

- 21-025 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 – 2019 Township Road Improvements Project and Oakview Manor Area Resurfacing Phase 1 & 2.*** The advertisement for bids will be sometime this spring.

Motion by: Marvin McBride Seconded by: Rich Harkins

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

21-026 Motion to ***adopt and amend the Weathersfield Township Police Department Policies Section 16 Motor Vehicle Pursuits and Section 17 Use of Deadly Force.***

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

Public Comments:

Open Comments

Next Meetings: Regular Meetings Every Thursday at 12:00 PM; and Tuesday, March 9, 2021 at 7:00 PM.

Adjournment:

21-027 Motion to ***adjourn the meeting.***

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

Fred Bobovnyk, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Marvin J. McBride, Trustee