

RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, July 11, 2023 at 7:00 PM

Call to order: Steve Gerberry

Pledge: Completed

Prayer: Completed

Roll Call: Steven Gerberry - Present
Edward Whittaker - Present

Richard Harkins - Present
Fred Bobovnyk - Present

Correspondence/Announcements:

- The **Trustees would like to remind our residents that yoga in the park will continue each Saturday at 9:00 AM**, weather permitting, through Saturday, August 26, 2023.
- The **Trustees would like to remind our residents that the Warren-Trumbull County Public Library Bookmobile has returned to our Community Park** and will be there on the following dates; Wednesday, July 19; Wednesday, August 9; and Wednesday, August 30 from 11:00 AM until Noon on each of those days.
- The **Trustees would like to remind our residents that the Community Document Shredding Event will be held on Saturday, September 9, 2023 from 9:00 AM until 11:00 AM at the community park**. This event was made possible by a Go-Green Community Grant that the Trustees secured from the Geauga-Trumbull Solid Waste Management District.
- The **Trustees would like to remind our residents that the 2023 Residential Tree Limb Chipping Program is underway**. The 2023 Residential Tree Limb Chipping Program will continue through Friday, October 27, 2023. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for a Friday pick-up. Please keep the following rules and procedures in mind:
 - This program is intended for residential tree limbs up to 3 inches in diameter.
 - The tree limbs must be placed at the curbside with all the cut ends aligned with each other toward the street.
 - No shrubs, stumps, roots, lumber, or railroad ties will be accepted. All tree limbs must be free from vines.
 - We are not a tree removal service; if you are having a tree professionally removed let them do the entire job, you must have them take the tree limbs as well.

Reports:

- Financial Report – Presented by Fred Bobovnyk
- Administrator’s Report – Presented by David Rouan
- Zoning Report – Presented by Kelly Clarke
- Police Report – Presented by Police 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 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:

- 23-080 Motion to **adopt the following Proclamation of the Weathersfield Township Trustees:**
In recognition of the remarkable life and extraordinary achievements of Corporal Thomas A. Bettura, a true American hero and a member of the greatest generation, we, the Weathersfield Township Trustees, hereby proclaim our sincere appreciation and gratitude for his unwavering dedication to his family, community, and our great nation.

Born on July 14, 1923, in Brier Hill Youngstown, Corporal Thomas A. Bettura grew up amidst the challenges and triumphs of his time. In 1943, during World War II, he bravely joined the

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United States Army, serving in the 1st Amphibious Brigade, D Company as the company bazooka man. Thomas' commitment to duty and resilience were evident as he played a crucial role in the invasion of Normandy, France, on June 6, 1944, with his fellow brothers.

Marching alongside 133,000 soldiers, Corporal Bettura valiantly stormed Utah Beach and fearlessly advanced on the battlegrounds. His short stature did not deter him as he waded through chin-deep water, carrying his bazooka and rockets on his shoulders, ensuring their preservation and effectiveness.

Throughout WWII, Corporal Thomas A. Bettura participated in five campaigns across Northern France and Central Europe, including the liberation of Buchenwald Concentration Camp in Weimar Germany on April 11, 1945. His actions and those of his fellow brothers led to the freedom of over 21,000 people, a testament to their heroism and unwavering commitment to justice.

Upon his honorable discharge from the Army in 1945, Corporal Bettura was recognized for his exceptional service, earning the Gold Star for completion of five campaigns and the Arrowhead for the initial assault on Normandy. His sacrifices and valor are etched in history, serving as a shining example for future generations.

Beyond his military service, Corporal Thomas A. Bettura continued to make a profound impact on his community. He married his beloved wife Stephanie Gawdyda, and together they raised a loving family. Corporal Bettura's commitment to his faith was evident through his fifty-year tenure as an usher at St. Rose Church in Girard.

As Corporal Thomas A. Bettura approaches his 100th birthday in July, we stand in awe of his extraordinary life, marked by selflessness, bravery, and dedication. In an era where the term "hero" is often misused, we acknowledge Corporal Bettura's true heroism and commend him for his unwavering devotion to his family, community, and our great nation.

Therefore, on behalf of the Weathersfield Township Trustees and the entire community, we express our deepest respect and gratitude to Corporal Thomas A. Bettura. May his legacy forever inspire us to uphold the values of courage, sacrifice, and service.

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

23-081 Motion to **approve the minutes from the Regular Meeting that was held on Tuesday, June 13, 2023 at 7:00 PM.**

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

23-082 Motion to **approve the drawing warrants upon our treasury and paying township bills.**

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

23-083 Motion to **approve the Then and Now's pursuant to the list provided by the Fiscal Officer.**

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

23-084 Motion to **transfer \$20,000.00 from the General Fund to the Road and Bridge Fund effective June 16, 2023.**

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

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23-085 Motion to **establish the distribution and allocation of revenue generated from the 2023 Levy for the purpose of providing and maintaining police, fire, and EMS protection in the following manner: 76% police and 24% fire and EMS.** The percentage of distribution and allocation of the levy revenue can be modified and/or amended by the board of Trustees in the future.

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

23-086 Motion to Motion to **adopt the Alternative Tax Budget Information for the Fiscal Year Commencing January 1, 2024** in the following manner:

1. General Fund on a level of control at the line item basis;
2. All remaining funds on a fund basis; and
3. To obtain a Certificate of Official Resources and to request the certificate states that our appropriations do not exceed our Certificate of Official Resources from the Trumbull County Budget Commission.

Weathersfield Township			
Schedule 1			
Statement Of Fund Activity			
General Fund			
Description	Actual FY January 1 - December 31, 2022	Budgeted FY January 1 - December 31, 2023	Budgeted FY January 1 - December 31, 2024
Beginning Unencumbered Balance:	\$382,569.94	\$317,353.86	\$278,823.51
Revenues			
Helath Department	\$25,498.23	\$25,095.79	\$25,000.00
Property Taxes	\$340,999.80	\$342,975.74	\$342,000.00
Local Government	\$0.00	\$0.00	\$0.00
All Other Receipts	\$275,853.52	\$257,118.12	\$360,000.00
Total Resources:	\$1,024,921.49	\$942,543.51	\$1,005,823.51
Expenditures			
Total Expenditures & Encumbrances	\$707,567.63	\$663,720.00	\$710,000.00
Ending Unencumbered Balance:	\$317,353.86	\$278,823.51	\$295,823.51
Police Fund			
Description	Actual FY January 1 - December 31, 2022	Budgeted FY January 1 - December 31, 2023	Budgeted FY January 1 - December 31, 2024
Beginning Unencumbered Balance:	\$493,071.17	\$411,810.21	\$233,959.38
Revenues			
Property Taxes	\$1,045,704.85	\$1,049,473.67	\$1,548,257.60
All Other Receipts	\$566,066.37	\$609,178.00	\$710,000.00
Total Resources:	\$2,104,842.39	\$2,070,461.88	\$2,492,216.98
Expenditures			
Total Expenditures & Encumbrances	\$1,693,032.18	\$1,836,502.50	\$1,926,502.50
Ending Unencumbered Balance:	\$411,810.21	\$233,959.38	\$565,714.48
Fire Fund			
Description	Actual FY January 1 - December 31, 2022	Budgeted FY January 1 - December 31, 2023	Budgeted FY January 1 - December 31, 2024
Beginning Unencumbered Balance:	\$230,205.70	\$238,980.82	\$241,895.88
Revenues			
Property Taxes	\$383,499.91	\$384,815.06	\$541,344.51
All Other Receipts	\$8,734.92	\$10,650.00	\$10,000.00
Total Resources:	\$622,440.53	\$634,445.88	\$793,240.39
Expenditures			
Total Expenditures & Encumbrances	\$383,459.71	\$392,550.00	\$540,000.00
Ending Unencumbered Balance:	\$238,980.82	\$241,895.88	\$253,240.39

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Weathersfield Township				
Schedule 2				
Statement Of Fund Activity				
Fund Name	Beginning Estimated Unencumbered Fund Balance	2024 Total Estimated Receipts	Total Resources Available for Expenditure	Total Estimated Expenditures and Encumbrances
MVL	\$2,819.80	\$67,075.00	\$69,894.80	\$67,042.79
Gas Tax	\$7,863.09	\$140,500.00	\$148,363.09	\$148,363.09
Road & Bridge	\$4,426.08	\$138,000.00	\$142,426.08	\$138,000.00
Cemetery	\$3,704.05	\$124,000.00	\$127,704.05	\$127,660.00
Garbage & Waste Disposal District	\$10,100.00	\$0.00	\$10,100.00	\$0.00
Drug Law Enforcement	\$28,411.60	\$16,000.00	\$44,411.60	\$16,000.00
Enforcement & Education	\$3,701.02	\$500.00	\$4,201.02	\$500.00
Coronavirus Relief Fund	\$0.00	\$0.00	\$0.00	\$0.00
American Rescue Plan	\$0.00	\$0.00	\$0.00	\$0.00
Lighting Districts	\$1,294.33	\$55,000.00	\$56,294.33	\$55,828.00
OneOhio	\$0.00	\$2,160.23	\$2,160.23	\$2,160.23
Bond/Note Retirement Fund	\$0.00	\$0.00	\$0.00	\$0.00
Capital Projects	\$0.00	\$0.00	\$0.00	\$0.00
Public Works	\$0.00	\$263,735.00	\$263,735.00	\$263,735.00
Total:	\$62,319.97	\$806,970.23	\$869,290.20	\$819,289.11

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

23-087 Motion to Motion to **accept a \$50 donation from an anonymous donor to the Police Department.**

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

23-088 Motion to **approve and authorize a contribution of an amount not to exceed \$96,703.56 to the Trumbull County Sanitary Engineer’s Office for completion of work associated with the Heaton Chute Sanitary Sewer Project and for additional road resurfacing in the Heaton Chute area** and that the American Rescue Plan Act Fund shall be used to pay for the contribution and road resurfacing.

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

23-089 Motion to **authorize the payment for the local share of the 2023 Resurfacing Program for the Ohio Public Works Commission Project CF28AA from the American Rescue Plan Act Fund in the amount of \$80,753.79.**

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

23-090 Motion to adopt a **RESOLUTION AUTHORIZING 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

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WHEREAS, Weathersfield Township is planning to make capital improvements to TH65 A (Ohltown Girard Road aka West Webb Road), 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: Edward Whittaker Seconded by: Rich Harkins

Vote: Steven Gerberry - Abstained Richard Harkins - Yes

Edward Whittaker - Yes

Motion Carried

- 22-091 Motion to adopt a **RESOLUTION CERTIFYING 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**

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 TH65 A (Ohltown Girard Road aka West Webb Road), 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 \$223,690.00 in Federal Aid Highway – Surface Transportation Block Grant Funds and that this amount will be used to pay for the 80% match for herein above described project when it is required.

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: Rich Harkins Seconded by: Edward Whittaker

Vote: Steven Gerberry - Abstained Richard Harkins - Yes

Edward Whittaker - Vote

Motion Carried

- 23-092 Motion to **authorize Township Administrator David Rouan to enter into a cooperative agreement, effective June 15, 2023, with Austintown Township to submit an application to the Ohio Public Works commission for the TH65 C & D (Ohltown Girard Road aka County Line Road) project.**

Motion by: Edward Whittaker Seconded by: Rich Harkins

Vote: Steven Gerberry - Abstained Richard Harkins - Yes

Edward Whittaker - Yes

Motion Carried

- 23-093 Motion to adopt a **RESOLUTION AUTHORIZING DAVID ROUAN, TOWNSHIP ADMINISTRATOR, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR**

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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, Weathersfield Township is planning to make capital improvements to TH65 C & D (Ohltown Girard Road aka County Line Road), 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: Edward Whittaker
Vote: Steven Gerberry - Abstained Richard Harkins - Yes Edward Whittaker - Yes
Motion Carried

23-094 Motion to adopt a **RESOLUTION CERTIFYING 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**

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 TH65 C & D (Ohltown Girard Road aka County Line Road), 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 \$831,250.00.00 in Federal Aid Highway – Surface Transportation Block Grant Funds and that this amount will be used to pay for the 80% match for herein above described project when it is required.

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

23-095 Motion to **authorize Township Administrator David Rouan to take the necessary steps pursuant to law to dispose by auction the following three (3) dump trucks with plows; a 2003 International TK740, a 1997 International TK490, and a 1997 International TK490** which are not needed for public use, are obsolete, or are unfit for the use acquired.

Motion by: Rich Harkins Seconded by: Edward Whittaker

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Vote: Steven Gerberry - Yes Richard Harkins – Yes Edward Whittaker - Yes
Motion Carried

- 23-096 **Motion to authorize the purchase of a new 2023 Case 580SN 4WD T4 Final Tractor/Loader/Backhoe** from Southeastern Equipment Co., Inc. of 6415 Promler Avenue NW, North Canton, Ohio 44720 a total purchase price of \$123,593.28; Township Administrator David Rouan is hereby authorized to execute, on behalf of the board of Trustees, all necessary documentation and agreements to effectuate the purchase; and the American Rescue Plan Act Fund shall be used to pay for the purchase. This purchase is being made in accordance with ORC §9.48.

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

- 23-097 Motion to **authorize Township Administrator David Rouan effective July 5, 2023, on behalf of the board of Trustees, to apply for a \$2,500.00 FY2024 Cemetery Grant through the Ohio Department of Commerce Division of Real Estate and Professional Licensing (REPL)**, the Township will provide a local match in the amount \$2,500.00. If awarded, the funding will be utilized to cover various expenses associated with the repairs of the headstones in Kerrs cemetery.

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

- 23-098 Motion to **adopt a DECLARATION OF NUISANCE AND TO ABATE NUISANCE AND REMOVE GRASS AND WEEDS PURSUANT TO Ohio Revised Code (O.R.C.) §505.87**

**PROPERTY LOCATED AT:
3624 South Main Street, Mineral Ridge,
Weathersfield Township, Trumbull County, Ohio 44440**

WHEREAS, O.R.C. §505.87 authorizes a Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance; and

WHEREAS, the Property located at **3624 South Main Street, Mineral Ridge, OH 44440** Weathersfield Township, Trumbull County, Ohio, Parcel No. 21-155750 (hereinafter "the Property"), has been inspected by the Township Zoning Inspector, who has taken photos of the property showing that the grass is unmowed and there are overgrown bushes and weeds.

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

Section 1: The Board of Trustees determines that the accumulation of vegetation, including unmowed grass, overgrown bushes and weeds, upon the Property constitutes a nuisance, which is dangerous, unhealthy, and unsightly to the neighborhood and community and which negatively impacts property values and the general welfare of the community, and must be abated pursuant to O.R.C. §505.87.

Section 2: The Owners of the property are ordered to immediately abate, control or remove the overgrown vegetation and mow and maintain the grass on the Property.

Section 3: The Township Fiscal Officer shall give notice of this Resolution to the owners of the Property by publication in a newspaper of general circulation in the Township and by posting a notice on the principal structure on the land. The Property Owner to be notified is: SABIR Properties, Inc.

Section 4: If within **seven days** the Property owner fails to abate, control, or remove the overgrown vegetation and mow and maintain the grass on the Property, the Board shall provide for the removal of the vegetation, and mowing of the grass, and may employ a contractor to perform such work.

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Section 5. The total costs incurred by the Township for the abatement, control, or removal of the vegetation, and mowing, including the costs incurred in providing notice, the cost of a lien search and the amount paid for labor, materials and equipment shall be paid out of the Township general fund. The Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

Section 6. All formal actions relative to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including §121.22 of the O.R.C.

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

Public Comments:

Open Comments

Next Meetings:

Next Meetings: Thursday, July 20, 2023, at 3:30 PM; Thursday, August 3, 2023 at 3:30 PM; and Tuesday, August 8, 2023 at 7:00 PM.

Adjournment:

23-099 Motion to *adjourn the meeting*.

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

Fred Bobovnyk, Fiscal Officer

Steven J. Gerberry, Trustee

Richard T. Harkins, Trustee

Edward K. Whittaker, Trustee