

June 12, 2012

Mr. Gerberry 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:**

-Please visit the new and updated Weathersfield Township web site at [www.weathersfieldtp.com](http://www.weathersfieldtp.com). Please visit all departments as they have all been updated.

-Weathersfield Township officials have established a text alert system for instant communications with residents and the media. Free sign up is available at [www.nixle.com](http://www.nixle.com) or by following the link at [www.weathersfieldtp.com](http://www.weathersfieldtp.com).

-Seven properties have been submitted to the Trumbull County Juvenile Court Community Service Restitution Program for high grass mowing. Mowing has begun and will continue throughout the summer.

-The Main St. Chamber held a Weathersfield Business Expo at the 5<sup>th</sup> Season Banquet Center on May 10, 2012.

-Bill Miller, Director of the Planning Commission, attended caucus on May 31, 2012. We discussed sewer lines, water lines, and other items needed in the township.

-Trustee McBride and Blair, and Fiscal Officer Bobovnyk attended the oil and gas symposium that was hosted by State Representative Sean O'Brien at Yankee Lake on May 31, 2012. They were able to learn more about the oil and gas movement in the county and gathered some information for local businesses who may be interested in attempting to capitalize as the drillers begin their work in the valley. The Governor spoke at this event and reiterated his commitment to assist local governments in their efforts to bring new businesses to Ohio or expand our existing businesses.

-Roadside mowing has begun throughout the township.

**Financial Report –Fred Bobovnyk**

1. Monthly report was given to the Board
2. Drawing of warrants
3. Minutes (1 sets)

June 12, 2012

**Administrator's Report – Dave Pugh**

**Administrator  
Report**

**Date**  
**06/12/12**

**Cemetery Report**

In the month of May

| <b>Funerals</b>   | <b>Opening &amp; Closings</b> |            | <b>Sales</b> |
|-------------------|-------------------------------|------------|--------------|
| Resident          | 2                             |            |              |
| Non-Resident      | 1                             |            |              |
| Saturday Funerals |                               |            |              |
| Revenue Total     | 3                             | \$1,400.00 | \$0.00       |

**Total Revenue**

**Total Cost**            36 hours  
                                  0 ot hrs

**Road Dept. Report**

Last month we did the Following:

|                              |          |          |
|------------------------------|----------|----------|
| Checked Signs                | 1 days   |          |
| Cold Patched                 | 3 days   |          |
| Cut Grass                    | 15 days  |          |
| Ditching or roadside cutting | 1 days   |          |
| Plow snow man-hours          | hours    | OT hours |
| Installed pipe               | 80 feet  |          |
| Vacation hours               | 40 hours |          |

**Note:**

The good luck we had over the winter continued this spring. We had very good weather and this helped to hold down over time in the cemetery this spring, we had only 4 hours of ot getting the cemetery inshape after winter.

I have three new cases in NMC the cases can be seen on the website.

June 12, 2012

**Zoning Report – Dave Pugh**

- I. TOTAL – 29
  - Permits – 7
    - Zoning – 7
    - Gas/Oil Well – 0
    - Occupancy – 0
    - Road Cut - 0
    - NCU – 0
  - Violations/Complaints – 8
    - Vehicles – 0
    - Debris – 1
    - Prop. Maint. & high grass – 5
    - Other – 2
  - Variances – 0
  - Conditional Use Permits – 0
  - Zone Change Petitions – 0
  - Zoning Amendments – 0
  - Replat Petitions – 0
  - General Inquiries – 14
  - Other Misc. – 0
  - Appeal - 0

II. FEES COLLECTED (See attachment I and II)

|                            |    |                  |   |
|----------------------------|----|------------------|---|
| Zoning Permit Fees         | \$ | 128.50           | Value (\$): 25,100.00                       |
| 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                 | \$ | 0.00             | Road Cut Permit                             |
| TOTAL:                     |    | <b>\$ 128.50</b> |   |

III. ZONING COMMISSION MEETING May 9, 2012  
 The business meeting was held.

IV. BOARD OF ZONING APPEALS May 10, 2012  
 The meeting was cancelled.

V. OPEN COMPLAINTS/VIOLATIONS – There are twenty five (25) open violation cases.

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

VII. NILES MUNICIPAL COURT – Complaints  
 There are (2) case(s) pending at this time.

VIII. TRUMBULL COUNTY COMMON PLEAS COURT – Appeals/Lawsuits  
 There is (0) case(s) pending at this time.

June 12, 2012

**Police Report – Chief Joe Consiglio**

**WEATHERSFIELD TWP POLICE DEPT  
1451 PROSPECT ST.  
MINERAL RIDGE, OH 44440**

**Arrests**  
**Charge**  
RMS Statistics for Month: 05 Year: 2012

| Code             | Description  | Count      |
|------------------|--|------------|
|                  |  | 25         |
| 2903.11A2        | FELONIOUS ASSAULT - WEAPON OR ORDNANCE   | 1          |
| 2903.21          | AGGRAVATED MENACING  | 1          |
| 2909.05(B)(2)    | VANDALISM  | 1          |
| 2911.12(A)(3)    | BURGLARY   | 4          |
| 2911.13(A)       | BREAKING & ENTERING  | 4          |
| 2911.21          | CRIMINAL TRESPASS  | 1          |
| 2911.21(A)(1)    | CRIMINAL TRESPASS  | 2          |
| 2913.02(A)(2)    | PETTY THEFT  | 1          |
| 2913.02A1        | THEFT - WITHOUT CONSENT  | 1          |
| 2919.25(A)       | DOMESTIC VIOLENCE  | 5          |
| 2919.25A         | DOMESTIC VIOLENCE - KNOWINGLY CAUSE PHYSICAL HARM                                  | 1          |
| 2921.13          | FALSIFICATION  | 3          |
| 2921.31          | OBSTRUCTING OFFICIAL BUSINESS  | 7          |
| 2921.33          | RESISTING ARREST   | 4          |
| 2921.33(A)       | RESISTING ARREST - RESIST OR INTERFERE   | 1          |
| 2923.03          | COMPLICITY   | 2          |
| 2923.12          | CARRYING CONCEALED WEAPON  | 1          |
| 2923.13          | HAVING WEAPONS WHILE UNDER DISABILITY  | 2          |
| 2923.13(A)(2)    | HAVE WEAPON UNDER DISABILITY   | 1          |
| 2923.16(C)       | IMPROPERLY HANDLING FIREARM IN MOTOR VEHICLE                                       | 2          |
| 2923.24          | POSSESSING CRIMINAL TOOLS  | 1          |
| 2925.03(A)(1)    | TRAFFICKING IN DRUGS   | 1          |
| 2925.11          | DRUG ABUSE   | 5          |
| 2925.11(C)(2)(a) | POSSESSION OF DRUGS - SCHEDULE III,IV  | 1          |
| 2925.11(C)(3)(a) | POSSESSION OF DRUGS - MARIJUANA  | 3          |
| 2925.12          | POSSESSION OF DRUG ABUSE INSTRUMENTS   | 2          |
| 2925.14          | DRUG PARAPHERNALIA   | 4          |
| 2925.14(C)(1)    | DRUG PARAPHERNALIA   | 5          |
| 2925.14C1        | ILLEGAL USE OR POSSESSION OF DRUG PARAPHERNALIA                                    | 1          |
| 3767.32          | LITTERING  | 2          |
| 4301.62(B)(4)    | OPEN CONTAINER IN MOVING VEHICLE   | 7          |
| 4301.69          | OFFENSES INVOLVING UNDERAGE PERSONS  | 3          |
| 4511.19          | DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS                                 | 1          |
| 4511.19(A)(1)    | DRIVING UNDER THE INFLUENCE  | 6          |
| 4511.19(A)(6)    | DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS .17 OF 1% OR MORE BY WEIGHT PER | 1          |
| 4511.19(A)(8)    | DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS .17 OF 1 GRAM OR MORE BY WEIGHT | 4          |
|                  | <b>** TOTAL **</b>   | <b>117</b> |

June 12, 2012

**WEATHERSFIELD TWP POLICE DEPT**  
**1451 PROSPECT ST.**  
**MINERAL RIDGE, OH 44440**

**Citations**  
**Charge**  
 RMS Statistics for Month: 05 Year: 2012

| Code               | Description   | Count      |
|--------------------|---|------------|
|                    |   | 1          |
| 4503.11(A)         | EXPIRED TAGS-ANNUAL RENEWAL   | 5          |
| 4503.21            | DISPLAY OF LICENSE PLATES   | 2          |
| 4507.02            | NO OPERATOR'S LICENSE   | 1          |
| 4510.11(A)         | DRIVING UNDER SUSPENSION  | 16         |
| 4510.12            | OPERATING VEHICLE WITHOUT VALID LIC.  | 7          |
| 4510.14            | DRIVING UNDER OVI SUSPENSION  | 1          |
| 4510.16            | FRA SUSPENSION  | 20         |
| 4510.21            | OPER. BEFORE COMPLY WITH REINSTATEMENT  | 1          |
| 4511.12            | OBEYING TRAFFIC CONTROL DEVICES   | 3          |
| 4511.17            | TAMPERING WITH SIGN,DEVICE OR MANHOLE COVER: MARRING FRESH MARKING VIOLATION OF A | 1          |
| 4511.19(A)(1)-A    | DRIVING UNDER THE INFLUENCE - PRIOR   | 3          |
| 4511.19(A)(1)-B    | DRIVING UNDER THE INFLUENCE - TWO PRIORS  | 2          |
| 4511.19(A)(1)-D    | PRIOR FELONY - DRIVING UNDER THE INFLUENCE - 4 OR MORE PRIORS                     | 4          |
| 4511.21            | SPEED LIMITS  | 2          |
| 4511.21            | SPEEDING  | 30         |
| 4511.21(A)         | SPEED LIMITS - REASONABLE   | 1          |
| 4511.22            | SLOW SPEED  | 1          |
| 4511.25            | LEFT OF CENTER  | 1          |
| 4511.27            | RULES GOVERNING OVERTAKING/PASSING  | 1          |
| 4511.34            | SPACE BETWEEN MOVING VEHICLES   | 2          |
| 4511.37            | TURNING IN ROADWAY  | 1          |
| 4511.43(A)         | RIGHT-OF-WAY AT STOP SIGN   | 1          |
| 4511.44            | RIGHT-OF-WAY PUBLIC HIGHWAYS  | 2          |
| 4513.02            | UNSAFE VEHICLES   | 1          |
| 4513.05            | TAIL-LIGHTS AND REAR LICENSE PLATE LIGHTS   | 1          |
| 4513.071           | NO BRAKE LIGHTS   | 1          |
| 4513.15(A)         | FAILURE TO DIM LIGHTS   | 2          |
| 4513.263           | OCCUPANT RESTRAINING DEVICES  | 1          |
| 4513.263(B)(1)     | SEATBELT DRIVER   | 9          |
| <b>** TOTAL **</b> |   | <b>124</b> |

**WEATHERSFIELD TWP POLICE DEPT**  
**1451 PROSPECT ST.**  
**MINERAL RIDGE, OH 44440**

**Crashes**  
**Type**  
 RMS Statistics for Month: 05 Year: 2012

| Type                    | Count     |
|-------------------------|-----------|
| Highway Injury          | 2         |
| Highway PDO             | 12        |
| Private Property Injury | 1         |
| <b>** TOTAL **</b>      | <b>15</b> |

June 12, 2012

**WEATHERSFIELD TWP POLICE DEPT**  
**1451 PROSPECT ST.**  
**MINERAL RIDGE, OH 44440**

**Incident Reports**  
**Type**  
 RMS Statistics for Month: 05 Year: 2012

| Offense   | Offense Code  | Count |
|---|---------------|-------|
| AGGRAVATED MENACING                             | 2903.21       | 2     |
| ALARM DROP                                      | AD            | 1     |
| ANIMAL COMPLAINT                                | AC            | 1     |
| ASSIST FIRE DEPARTMENT                          | AFD           | 1     |
| ASSIST POLICE DEPARTMENT                        | APD           | 8     |
| BREAKING & ENTERING                             | 2911.13(A)    | 1     |
| BREAKING AND ENTERING - COMMIT THEFT OFFENSE    | 2911.13A      | 1     |
| BURGLARY  | 2911.12       | 1     |
| BURGLARY  | 2911.12(A)(3) | 4     |
| CARRYING CONCEALED WEAPON                       | 2923.12       | 1     |
| CARRYING CONCEALED WEAPON                       | 2923.12(A)    | 1     |
| COMPLICITY                                      | 2923.03       | 1     |
| CRASH - NO INJURY - OR PROPERTY DAMAGE          | C2            | 1     |
| CRIMINAL DAMAGING                               | 2909.06(A)(1) | 3     |
| CRIMINAL DAMAGING                               | 2909.06(A)(2) | 1     |
| CRIMINAL MISCHIEF                               | 2909.07       | 2     |
| CRIMINAL MISCHIEF                               | 2909.07(A)(1) | 2     |
| CRIMINAL MISCHIEF - TAMPER, NO PRIVILEGE        | 2909.07A1     | 1     |
| CRIMINAL TRESPASS                               | 2911.21       | 2     |
| CRIMINAL TRESPASS                               | 2911.21(A)(1) | 1     |
| CUSTODY DISPUTE PROBLEMS                        | CUS           | 1     |
| DISPLAY OF LICENSE PLATES                       | 4503.21       | 1     |
| DISTURBANCE                                     | DIS           | 2     |
| DOG BITE  | DB            | 1     |
| DOMESTIC VIOLENCE                               | 2919.25(A)    | 5     |
| DOMESTIC VIOLENCE - KNOWINGLY CAUSE PHYSICAL HA | 2919.25A      | 1     |
| DRIVING IN MARKED LANES                         | 4511.33(A)    | 1     |
| DRIVING UNDER SUSPENSION                        | 4510.11(A)    | 3     |
| DRIVING UNDER THE INFLUENCE                     | 4511.19(A)(1) | 6     |
| DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DR | 4511.19       | 1     |
| DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DR | 4511.19(A)(8) | 2     |
| DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DR | 4511.19(A)(6) | 1     |
| DRUG ABUSE                                      | 2925.11       | 4     |
| DRUG PARAPHERNALIA                              | 2925.14       | 4     |
| DRUG PARAPHERNALIA                              | 2925.14(C)(1) | 3     |
| EXPIRED TAGS-ANNUAL RENEWAL                     | 4503.11(A)    | 1     |
| FAILURE TO DIM LIGHTS                           | 4513.15(A)    | 1     |
| FALSIFICATION                                   | 2921.13       | 2     |
| FELONIOUS ASSAULT - WEAPON OR ORDNANCE          | 2903.11A2     | 1     |
| FRA SUSPENSION                                  | 4510.16       | 7     |
| HAVE WEAPON UNDER DISABILITY                    | 2923.13(A)(2) | 1     |
| HAVING WEAPONS WHILE UNDER DISABILITY           | 2923.13       | 1     |
| ILLEGAL USE OR POSSESSION OF DRUG PARAPHERNALIA | 2925.14C1     | 1     |
| IMPROPERLY HANDLING FIREARM IN MOTOR VEHICLE    | 2923.16(C)    | 1     |
| INCIDENT (OTHER)                                | INC           | 2     |
| JUVENILE - UNRULY                               | 2151.022G     | 1     |
| JUVENILE OFFENSES                               | 2151.022      | 1     |
| JUVENILE RUNAWAY                                | JR            | 1     |
| LANES OF TRAVEL UPON ROADWAYS                   | 4511.25(A)    | 2     |
| LANES OF TRAVEL UPON ROADWAYS: UPON ALL ROADW   | 4511.25       | 7     |
| LITTERING                                       | 3767.32       | 1     |
| LITTERING                                       | 4511.82       | 1     |
| MENACING  | 2903.22       | 3     |
| MISSING ADULT                                   | MA            | 1     |
| NEIGHBORHOOD PROBLEM                            | NP            | 1     |
| NO SEAT BELT                                    | 4513.263      | 1     |
| OBEYING TRAFFIC CONTROL DEVICES                 | 4511.12       | 3     |
| OBSTRUCTING OFFICIAL BUSINESS                   | 2921.31       | 5     |
| OFFENSES INVOLVING UNDERAGE PERSONS             | 4301.69       | 1     |
| OPEN CONTAINER IN MOVING VEHICLE                | 4301.62(B)(4) | 5     |

June 12, 2012

**WEATHERSFIELD TWP POLICE DEPT  
1451 PROSPECT ST.  
MINERAL RIDGE, OH 44440**

**Incident Reports**  
**Type**  
RMS Statistics for Month: 05 Year: 2012

| Offense  | Offense Code     | Count      |
|--|------------------|------------|
| OPERATING MOTOR VEHICLE WITHOUT CONTROL            | 4511.202         | 3          |
| OPERATING VEHICLE WITHOUT VALID LIC.               | 4510.12          | 2          |
| PETTY THEFT  | 2913.02(A)(1)    | 6          |
| PETTY THEFT  | 2913.02(A)(2)    | 6          |
| PETTY THEFT  | 2913.02(A)(3)    | 1          |
| PETTY THEFT  | 2913.02(A)(4)    | 2          |
| POSSESSING CRIMINAL TOOLS                          | 2923.24          | 1          |
| POSSESSION OF DRUG ABUSE INSTRUMENTS               | 2925.12          | 3          |
| POSSESSION OF DRUGS - COCAINE                      | 2925.11(C)(4)(a) | 1          |
| POSSESSION OF DRUGS - CRACK                        | 2925.11(C)(4)(c) | 1          |
| POSSESSION OF DRUGS - MARIJUANA                    | 2925.11(C)(3)(a) | 5          |
| POSSESSION OF DRUGS - SCHEDULE III,IV              | 2925.11(C)(2)(a) | 1          |
| RAPE   | 2907.02(A)(1)(b) | 1          |
| RECOVERED PROPERTY                                 | RP               | 2          |
| RESISTING ARREST                                   | 2921.33          | 3          |
| RESISTING ARREST - RESIST OR INTERFERE             | 2921.33(A)       | 1          |
| RULES FOR DRIVING IN MARKED LANES                  | 4511.33          | 1          |
| RULES GOVERNING OVERTAKING AND PASSING OF VEHIC    | 4511.27          | 1          |
| SEATBELT DRIVER                                    | 4513.263(B)(1)   | 4          |
| SPEED LIMITS                                       | 4511.21          | 1          |
| STOPPING AFTER ACCIDENT (INJURY)                   | 4549.021         | 1          |
| SUSPICIOUS ACTIVITY                                | SPA              | 3          |
| SUSPICIOUS VEHICLE                                 | SPV              | 1          |
| TELEPHONE HARASSMENT                               | 2917.21          | 1          |
| THEFT  | 2913.02(A)       | 1          |
| THEFT - DECEPTION                                  | 2913.02A3        | 1          |
| THEFT - WITHOUT CONSENT                            | 2913.02A1        | 6          |
| THEFT (IF DATA ELEMENT 20 PROPERTY DESC. IS A: MOT | 2913.02          | 1          |
| TRAFFICKING IN DRUGS                               | 2925.03(A)(1)    | 1          |
| UNRULY CHILD                                       | 2151.022         | 1          |
| UNSAFE VEHICLE                                     | 4513.02          | 1          |
| UNWANTED PERSON (S)                                | UW               | 1          |
| VANDALISM  | 2909.05(B)(1)(b) | 1          |
| VANDALISM  | 2909.05(B)(2)    | 1          |
| WARRANT SERVICE                                    | WAR              | 25         |
| WINDOW TINT  | 4513.241(C)      | 1          |
| <b>** TOTAL **</b>                                 |                  | <b>217</b> |

June 12, 2012

**Fire Report – Chief Randy Pugh**

**DISTRICT SUMMARY**

May 2012

| District                             | Situation Type                               | Dollar Loss | # of Incid's | F.S. Injury | Civ. Injury | F.S. Death | Civ. Death |
|--------------------------------------|--|-------------|--------------|-------------|-------------|------------|------------|
| 40                                   | 322 Vehicle accident with injuries           |             | 2            | 0           | 0           | 0          | 0          |
| 40                                   | 444 Power line down                          |             | 2            | 0           | 0           | 0          | 0          |
| 40                                   | 611 Dispatched & canceled en route           |             | 1            | 0           | 0           | 0          | 0          |
| 40                                   | 661 EMS call, party transported by non-fire  |             | 6            | 0           | 0           | 0          | 0          |
| 40                                   | 700 False alarm or false call, other         |             | 1            | 0           | 0           | 0          | 0          |
| 40                                   | 745 Alarm system sounded, no fire - unintent |             | 1            | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Non-Fire in District:</b>  |             | 13           | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Incidents in District</b>  |             | 13           | 0           | 0           | 0          | 0          |
| 41                                   | 111 Building fire                            |             | 1            | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Fires in District:</b>     |             | 1            | 0           | 0           | 0          | 0          |
| 41                                   | 322 Vehicle accident with injuries           |             | 3            | 0           | 0           | 0          | 0          |
| 41                                   | 460 Accident, potential accident, other      |             | 1            | 0           | 0           | 0          | 0          |
| 41                                   | 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>  |             | 12           | 0           | 0           | 0          | 0          |
| 42                                   | 111 Building fire                            |             | 1            | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Fires in District:</b>     |             | 1            | 0           | 0           | 0          | 0          |
| 42                                   | 300 Rescue, emergency medical call (EMS) cal |             | 1            | 0           | 0           | 0          | 0          |
| 42                                   | 322 Vehicle accident with injuries           |             | 1            | 0           | 0           | 0          | 0          |
| 42                                   | 561 Unauthorized burning                     |             | 2            | 0           | 0           | 0          | 0          |
| 42                                   | 661 EMS call, party transported by non-fire  |             | 4            | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Non-Fire in District:</b>  |             | 8            | 0           | 0           | 0          | 0          |
|                                      | <b>Totals for All Incidents in District</b>  |             | 9            | 0           | 0           | 0          | 0          |
| <b>Grand Total for All Incidents</b> |  |             | 34           | 0           | 0           | 0          | 0          |



June 12, 2012

**Attorney's Report – Atty. Dan Daniluk and Atty. Doug Ross****ATTORNEYS' REPORT**

TO: MR. STEVEN J. GERBERRY, TRUSTEE  
MR. MARVIN MCBRIDE, TRUSTEE  
MR. GIL BLAIR, TRUSTEE  
MR. FRED R. BOBOVNYK, FISCAL OFFICER  
MR. DAVID E. PUGH, TOWNSHIP ADMINISTRATOR

FROM: DANIEL P. DANILUK, ESQ.  
DOUGLAS W. ROSS, ESQ.

DATE: May 30, 2012

Below is an updated summary of all active Township litigation files:

1. Bryan M. Dotson v. Weathersfield Township

Discovery continues. A Final Pretrial has been scheduled for October 11, 2012 at 9:30 a.m. and Jury Trial for October 17, 2012 at 9:00 a.m.

2. Weathersfield Township v. W. Richard Mattessich

On April 23, 2012, a Motion to Intervene was filed on behalf of Defendants. On May 3, 2012, a Motion to Stay Plaintiff's Cause of Action and Motion to Compel Arbitration was filed on behalf of Defendants. On May 10, 2012 a Motion for Default Judgment and Memorandum in Opposition to Motion to Intervene was filed on behalf of the Township. On May 24, 2012, a Memorandum in Opposition to OPBA Motion to Stay and Compel Arbitration was filed on behalf of the Township. On May 24, 2012, a hearing was held on the motions, after which we sent the Board a confidential memorandum.

3. Christopher Hall, et al. v. Kris W. Hodge

On May 24, 2012, Christopher Hall was deposed in our office. On May 31, 2012 at 9:00 a.m., the Niles Municipal Court Clerk is scheduled to appear at the offices of Guarnieri & Secrest pursuant to a subpoena duces tecum. On June 6, 2012 at 9:00 a.m., the Rule 30(B)(5) deposition duces tecum of Weathersfield Police Department is scheduled. A status conference is scheduled for June 7, 2012 at 8:30 a.m.

4. Richard Mattessich v. Weathersfield Township, et al.

On May 7, 2012, a lawsuit was filed by Richard Mattessich against the Township. This case may be consolidated with the other pending Mattessich lawsuit.

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

Sincerely,

Daniel P. Daniluk, Esq.

Douglas W. Ross, Esq.

**Special Presentation to honor the Fire Fighters who participated in RIT Training on the weekend of May 4-6, 2012.** Photos of the event may be viewed at [www.weathersfieldtwp.com](http://www.weathersfieldtwp.com).

Participants include: Captain Ray Knepper Lt. Todd Allen FF Chris Streamo  
FF Andrew Bickerstaff FF Greg Rowley FF Michael  
O'Connell FF Dan Shehy Captain Tom Lambert Lt.  
Tim Morris  
FF Dan Lowery FF Anthony Caruso FF Jeff Tucker  
FF Jake Bukovina FF Jessie Humphrey Captain Todd Stitt  
FF Dennis Simpson FF Seth Durig.

June 12, 2012

**New Business:**

12-067 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 May 8, 2012

Mr. Blair seconded the motion.

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

Motion carried.

12-068 Mr. Blair made a motion to accept the resignation of Fire Fighter Michelle  
resign Sines from the Weathersfield Township Fire Department effective May 1,  
M Sines 2012.

Mr. McBride seconded the motion.

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

Motion carried.

12-069 Mr. McBride made a motion to adopt a policy regarding the purchase of Kerr  
employee Cemetery grave sites by qualifying Township employees pursuant to the  
buy graves drafted policy.

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**KERR CEMETERY GRAVE SITE DISCOUNT FOR QUALIFYING TOWNSHIP EMPLOYEES**

Each qualifying Township employee will be given the opportunity to purchase up to four (4) grave sites at Kerr Cemetery at one half (1/2) the then current price for the general public for grave sites, on the terms set forth herein. Residency discounts will also apply, so that a qualifying Township employee who is a Township resident at the time of purchase will pay one half (1/2) the then current Township resident price, and a qualifying Township employee who is not a Township resident will pay one half (1/2) the then current non-resident price. There will be no discount given on grave opening or closing charges or other cemetery charges. A qualifying Township employee who wishes to purchase a grave site at the discount price must make the request in writing to the Township Administrator. A 1099 tax form will be issued for the amount of the discount after the purchase, if and to the extent the discount constitutes income under applicable tax laws. A qualifying Township employee is a person who has been employed by the Township for at least five (5) years and is employed by the Township at the time the purchase of the grave site(s) is made. Elected officials are not qualifying Township employees.

This opportunity is a privilege that has not been bargained for and may be rescinded, revoked, or revised by the Weathersfield Board of Trustees without prior notice to any or all employees.

Mr. Blair seconded the motion.

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

Motion carried.

12-070 Mr. Blair made a motion to approve the Weathersfield Township Investment  
investment policy, per the drafted policy, effective June 12, 2012.

Mr. McBride seconded the motion.

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

Motion carried.

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This document, in conjunction with the Ohio Revised Code, as amended, will govern the investment activities of Weathersfield Township. It will be reviewed periodically for compliance and to assure the flexibility necessary to effectively manage Weathersfield Township accounts.

**Policy Statement and Scope of Policy**

It is the policy of Weathersfield Township to invest public funds in a manner which will guarantee the maximum security of those funds. Meeting the cash flow demands of Weathersfield Township and the highest investment return while conforming to the Ohio Revised Code, are also of primary importance.

**Investment Objectives**

The primary objectives, in priority order, of Weathersfield Township's investment activities shall be:

**Safety**

Safety of principal is the foremost objective of the investment program. Investments of the Township shall be undertaken in a manner that ensures the preservation of capital in the overall portfolio. The objective is to mitigate credit risk and interest rate risk. At no time should the safety of the portfolio's principal be impaired or jeopardized. Safety is defined as the certainty of receiving full par value plus accrued interest, at the securities legal final maturity.

**Liquidity**

Weathersfield Township's investment portfolio will remain sufficiently liquid to enable the Township to meet all operating requirements. Portfolio liquidity is defined as the maturity or ability to sell a security on a short notice near the purchase price of the security. To help retain the desired liquidity, no issue shall be purchased that is likely to have few market makers or poor market bids. Additionally, liquidity shall be assured by keeping an adequate amount of short-term investments in the portfolio to accommodate the cash need of the Township. The portfolio shall also be structured so that securities mature concurrently with cash needs.

**Return on Investments**

Weathersfield Township investment portfolio shall be structured with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the Township's investment risk constraints and the cash flow characteristics of the portfolio. Whenever possible, and consistent with risk limitations and prudent investment management, the Township will seek to augment returns through the implementation of active portfolio management strategies. To attain this objective, diversification is required.

**Delegation of Authority**

Management responsibility for the investment program is hereby delegated to the Fiscal Officer, who shall be responsible for the implementation of the investment program and the establishment of investment procedures consistent with this policy. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Fiscal Officer. The Fiscal Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The Fiscal Officer shall perform periodic oversight functions to assure compliance with this policy. The Fiscal Officer must complete six (6.0) hours annually of educational requirements in accordance with Ohio Revised Code Chapter 135. The amount and type of training shall be approved by the Auditor of State and may be conducted by or provided under the supervision of the Auditor of State and the Ohio Treasurer of State's Center for Public

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Investment Management.

**Ethics and Conflicts of Interest**

Employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Employees and Board members shall disclose any material interest in financial institutions that conduct business with the Township, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the Township's portfolio.

**Authorized Advisors, Financial Institutions and Broker/Dealers**

Weathersfield Township will maintain a list of financial institutions authorized to provide investment services. In addition, a list will be maintained of approved broker/dealers who are authorized to provide investment services to the Township. Any investment advisor must be licensed by the division of securities under Ohio Revised Code Section 1707.141 or registered with the Securities and Exchange Commission. All authorized investment advisors must possess experience in public funds investment management, specifically in the area of state and local government investment portfolios, or must be an eligible institution mentioned in Ohio Revised Code Section 135.03, and must be registered with the Ohio Department of Commerce to do business in the State of Ohio. No public deposit shall be made except in a qualified public depository as established in Ohio Revised Code Chapter 135. In addition, Ohio Revised Code Section 9.24 prohibits any political subdivision from doing business with any financial institution and/or broker/dealer against whom a finding for recovery has been issued by the Auditor of State. A Finding for Recovery Certification search will be performed before funds can be transferred.

Additionally, all financial institutions and/or broker dealers must provide the following information:

- 1) Annual financial statement, as well as most recent quarterly statement.
- 2) Regulatory history, through either the Office of the Comptroller and the Currency for dealer banks or NASD for securities firms.
- 3) Statement of any pending lawsuits materially affecting the firm's business must be acknowledged.
- 4) Resume/Biography of the individual broker assigned to the account.

Financial institutions and broker/dealers will be required to comply with this policy and to pledge to offer for sale only appropriate securities.

Upon the request of the Fiscal Officer, the investment advisor will attend meetings and will discuss all aspects of the Township's portfolio, including bond market conditions affecting the value of the Township's investments. The investment advisor will be required to issue a monthly portfolio report. A description of each security will include security type, issue/issuer, cost (original purchase and current book value), par value (maturity value), maturity date, settlement date (delivery versus payment date of purchased or sold securities), and any coupon (interest) rate. The investment report will include a record of all security purchases and sales. An investment report shall be issued each month, detailing the inventory of all securities, all investment transactions, any income received (maturities, interest payments, and sales), the average-weighted yield and average-weighted maturity of the portfolio.

Investment advisory fees may be paid monthly or quarterly. Such fees may be based upon a fixed-fee arrangement or based upon a percentage of assets under management. If approved by the Fiscal Officer, such fees may be paid from the earnings of the portfolio or paid directly by the Township upon the presentation of an invoice by the investment advisor.

The investment advisor may execute the purchase and/or sale of securities with eligible Ohio financial institutions, primary securities dealers regularly reporting to the New York Federal Reserve Bank, and regional securities firms or broker dealers licensed with Ohio Department of Commerce, Division of Securities, to transact business in the State of Ohio.

The investment advisor, eligible financial institutions, and broker/dealers transacting investment business with the Township are required to sign the approved investment policy thereby acknowledging their agreement to abide by

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the policy's contents.

#### Authorized investments

Weathersfield Township is authorized to invest interim funds of the Township as described in the Ohio Revised Code. Weathersfield Township is also required to be in compliance with the requirements of the Auditor of State of Ohio Compliance Supplement for Deposits and Investments – chapter 5.

Eligible investments are as set forth in the Ohio Revised Code Section 135.14, and include:

1. Obligations issued by the United States including but not limited to; U.S. Treasury Bills, Notes, and Bonds; various federal agency securities including issues of Federal National Mortgage Assn. (FNMA), Federal Home Loan Mortgage Corp. (FHLMC), Federal Home Loan Bank (FMB), Federal Farm Credit Banks (FFCB), Student Loan Marketing Assn. (SLMA), Government National Mortgage Association (GNMA), and other agencies or instrumentalities of the United States. Eligible investments include securities that may be "called" (by the issuer) prior to the final maturity date. Any eligible investment may be purchased at a premium or a discount. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.
2. Commercial paper issues of companies incorporated under the laws of the United States or any state, provided that: such companies have assets in excess of \$500 million; the commercial paper is rated in the highest classification [at the time of purchase] by at least two nationally recognized rating services; and the final maturity of commercial paper is no longer than 180 days from the date of purchase. Banker' acceptances of Banks that are insured by the FDIC and issued by a domestic bank rated in the highest category by one of two nationally recognized rating agencies and which has a final maturity no longer than 180 days. **Note:** The maximum allowable percentage of commercial paper and bankers' acceptances is set in Ohio Revised Code Section 135.14(B)(7) as twenty-five percent of interim moneys.
3. Interim deposits may be made in eligible institutions applying for interim moneys as provided in Ohio Revised Code Section 135.08.
4. No load money market mutual funds, as defined in Ohio Revised Code Section 136.14 (B)(5), rated in the highest category by at least one nationally recognized rating agency, investing exclusively in the same types of eligible securities as defined in Division B(1) or B(2) of Ohio Revised Code Section 135.14, and repurchase agreements secured by such obligations. Eligible money market funds shall comply with Ohio Revised Code Section 135.01, regarding limitations and restrictions.
5. Repurchase agreements with any eligible institution mentioned in Ohio Revised Code Section 135.03, or any eligible securities dealer pursuant to division (M) of Ohio Revised Code Section 135.14, except that such eligible securities dealers shall be restricted to primary government securities dealers. Repurchase agreements executed with eligible broker/dealer will settle on a delivery vs. payment basis with repurchase collateral held at a qualified custodian or agent, designated by the Township. Eligible repurchase collateral is restricted to securities listed in division (B)(1) or (B)(2) of Ohio Revised Code Section 135.14. The market value of securities subject to a repurchase agreement must exceed the principal value of the repurchase amount by at least 2%. Prior to the execution of any repurchase transaction, a master repurchase agreement will be signed by the Township of the eligible parties. Additional restrictions under Ohio Revised Code Section 135.14 (E) apply.
6. Certificate of Savings (CD's) with any eligible institution as provided in Ohio Revised Code Section 135.144, with the full value of the principal and any accrued interest of such CD insured by federal deposit insurance.
7. The state treasurer's Investment pool (Star Ohio), pursuant to Ohio Revised Code Section 135.45.

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8. All investments shall be in accordance with Ohio Revised Code Section 135.14 and other applicable law.

**Diversification**

Weathersfield Township will diversify the portfolio by security and institution, Diversification will be achieved through investment in U.S. Treasury Securities and in obligation of Federal Government Agencies or instrumentalities as described in Ohio Revised Code Section 135.143A (2).

**Maximum Maturities**

To the greatest extent possible, the township will attempt to match its investments with the anticipated cash flow requirements. The Fiscal Officer will not invest in securities exceeding five (5) years in maturity. No investment shall be made that will cause the average duration of the portfolio to exceed three years.

**PROHIBITED INVESTMENTS/OTHER RESTRICTIONS**

The final maturity of all eligible investments is five years, unless the investment is matched to a specific future liability of the Township, and the investment is specifically approved by the Board or designated investment advisory committee.

The following investments are prohibited:

1. The use of derivative securities, as defined in Ohio Revised Code Section 135.14 (C).
2. A repurchase agreement under the terms of which the investing authority agrees to sell securities to a purchaser and agrees with that purchaser to unconditionally repurchase those securities (reverse repurchase agreement).
3. The use of leverage, in which the investing authority uses its current investment assets as collateral for the purpose of purchasing other assets.
4. The issuance of taxable notes for the purpose of arbitrage.
5. Contracting to sell securities not owned by the Township, for the purpose of purchasing such securities at a later date on the speculation that bond prices will decline (short selling).

**Sale of Securities Prior to Maturity**

Portfolio securities may be redeemed or sold prior to maturity under the following conditions:

- To meet additional liquidity needs.
- To purchase another security or securities in order to increase yield or current income.
- To purchase another security or securities in order to lengthen or shorten the average duration of the portfolio.
- To realize any capital gains and/or income.
- To change the asset allocation.

Such transactions may be referred to as a "sale and purchase" or a "bond swap". For purpose of this section, the term redeemed, shall also mean "called" such as in the case of a callable security.

**Procedures for the Purchase and Sale of Securities**

Securities will be purchased by the Township or the Township's designated investment advisor through broker/dealers as determined by the investment advisor. All such investment transactions will be communicated by facsimile transmission to the Township or to an authorized representative, designated by the Fiscal Officer. A purchase or sale of securities will be represented by transaction advisories issued by the Township investment advisor which will describe the transaction, including par value, coupon (if any), maturity date, and cost. A facsimile transmission will also be sent to the Township designated custodian bank and will serve as an

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authorization to said custodian to receive or deliver securities versus payment. Confirmation advisories representing the purchase or sale of securities will be issued by the eligible broker/dealer and sent to the Township, Copies of such advisories will be sent to the Township investment advisor.

The investment advisor is authorized to execute investment transactions with eligible Ohio Financial institutions, primary securities dealers regularly reporting to the New York Federal Reserve Bank, and regional securities firms or broker dealers licensed with the Ohio Department of Commerce, Division of Securities. Investment transactions executed through broker/dealer firms or financial institutions shall be based upon a process utilized by the investment advisor.

**Safekeeping of Securities**

Investments purchased for the portfolio will be delivered to the Township Fiscal Officer using standard delivery procedures. Securities purchased for the Township will be held in safekeeping by a qualified trustee [hereinafter referred to as the "Custodian"], as provided in Ohio Revised Code Sections 135.14 and 135.18. Securities held in safekeeping by the Custodian will be evidenced by a monthly statement describing such securities. The Custodian may safe keep the Township's securities in (1) Federal Reserve Bank book entry form; (2) Depository Trust Company (DTC) book entry form in the account of the Custodian or the Custodian's correspondent bank; or (3) Non-book entry (physical) securities held by the Custodian or the Custodian's correspondent bank. All securities transactions will settle using standard delivery vs. payment (DVP) procedures.

**Internal Control and Compliance**

The Fiscal Officer shall maintain an inventory of all portfolio assets. A description of each security will include type, issue/issuer, cost (original purchase cost and current book value), maturity date, settlement date (delivery versus payment date of purchase or sold securities), and any coupon (interest) rate. The investment report will also include a record of all security purchases and sales. The Fiscal Officer shall establish an annual review process of investment policies and procedures. This review will include the bi-annual audit conducted by the Auditor of State, as well as an internal review for compliance with all investment policies and procedures.

12-071 Mr. Blair made a motion to enter into Executive Session to discuss pending Exe Session litigation at 7:27 p.m.  
Mr. McBride seconded the motion.  
Vote: Mr. Blair –yes Mr. McBride - yes Mr. Gerberry– yes  
Motion carried.

12-072 Mr. McBride made a motion to come out of Executive session at 8:02 p.m.  
Exe Session Mr. Blair seconded the motion.  
Vote: Mr. McBride - yes Mr. Blair –yes Mr. Gerberry– yes  
Motion carried.

12-073 Mr. Blair made a motion to adjourn.  
Adjourn Mr. McBride seconded the motion.  
Vote: Mr. Blair –yes Mr. McBride - yes Mr. Gerberry– yes  
Motion carried.

Caucus: June 28, 2012 at 8:30 a.m.  
Next meeting: July 10, 2012 at 7:00 p.m.

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*Fred R. Bobovnyk, Fiscal Officer*

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*Steven J. Gerberry, Chairman*

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*Marvin J. McBride, Vice-Chairman*

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*H. Gilson Blair, Trustee*