

March 12, 2013

Mr. Blair called the meeting to order.

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

Moment of silence for Warren accident victims.

Correspondence/Announcements:

- Update on Warren Avenue site.
- Audible siren at the Mineral Ridge Fire Station is being used to notify firefighters of calls.
- Cemetery update
- Spring cleanup week of May 6, 2013 during regularly scheduled garbage day.
- Follow Weathersfield Township on Nixle.com
- Update regarding Heaton Initiative.
- Limb chipping will begin Friday, April 5, 2013. Contact the Township at least one day in advance to be placed on the list. The program will continue through Friday, October 25, 2013.

Financial Report – Fred Bobovnyk

1. Monthly report was given to the Board
2. Drawing of warrants
3. Then and Nows
4. Advance (1)
5. Minutes (2 sets)

Administrator's Report – Dave Rouan

Administrator's Monthly Report – February 2013

Administrative

1. We need to pass a motion naming the Administrator as the Moving Ohio Forward Grant Program project manager.
2. Spring Clean-Up has been set for the week of May 6th, 2013 and will occur with the regular garbage pick-up dates.
3. The 2013 Residential Tree Limb Chipping Program will occur every Friday beginning Friday April 5th, 2013 and will continue through Friday October 25th, 2013. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for Friday pick-up.
4. The Emergency Management Plan is completed and will be ready for acceptance by the Board at their next regular meeting. We have had excellent cooperation with our police, fire, Mineral Ridge schools, the County EMA, and the city of Niles EMA. Our next step will be to conduct a table top exercise sometime in May or June.
5. The bids for the construction and erection of the new communications tower are ready to be accepted once we get the commitment of funds from the city of Niles. The proposal from Staley's Communication, Inc. for the completion of the purchase and installation of the remaining radio equipment is ready for acceptance. The proposal for the remaining construction management and inspection from MS Consultants is ready for acceptance as well.
6. The 2013 Scrap Tire Grant application is completed and is due on March 15, 2013.

Zoning

1. See attached Zoning Report.

Road Department

1. Snow removal and ice control throughout February.
2. Cold patching of roads.
3. Removed debris from the ditches.
4. Monthly check of the roadways and signs were completed.
5. General maintenance on various fleet vehicles.
6. We have begun preparing our equipment for the spring season.

Cemetery

1. See attached Cemetery Report

Respectfully submitted:

Dr. David A. Rouan, AICP
Administrator

March 12, 2013

**Sales/Financial Report
Statistics Summary**

Cemetery: Kerr Cemetery
 Total Deeds: 3
 Total Locations: 7
 Total Purchase Plans: \$1,050.00
 Total Perpetual Care Plans: \$0.00
 Opening Cost \$2,200.00
 OT Cost \$200.00

Purchase Plan	Nbr Deeds	Pct Of Total	Total	Prptl Care Plan	Nbr Deeds	Pct Of Total	Total
<None>	3	100.00 %	\$1,050.00	<None>	3	100.00 %	\$0.00

Report Filter Criteria
 Cemetery: Kerr Cemetery
 Status Date Range: 02/01/2013 to 02/28/2013

Zoning Report – Dave Rouan

**WEATHERSFIELD TOWNSHIP ZONING OFFICE
MONTHLY REPORT · FEBRUARY 2013**

I. TOTAL – 15

Permits – 4 Zoning – 4 Gas/Oil Well – 0 Occupancy – 0 Road Cut – 0 NCU – 0 Violations/Complaints – 0 Vehicles – 0 Debris – 0 Prop. Maint. & high grass – 0 Other – 0	Variances – 2 Conditional Use Permits – 0 Zone Change Petitions – 0 Zoning Amendments – 0 Replat Petitions – 0 General Inquiries – 9 Other Misc. – 0 Appeal – 0
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II. FEES COLLECTED (See attachment I and II)

Zoning Permit Fees	\$ 164.00	Value (\$): 27,300.00
Occupancy Permit Fees	\$ 0.00	
C.U.P Application Fees	\$ 0.00	
Variance Application Fees	\$ 550.00	
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	\$ 20.00	Road Cut Permit
TOTAL:	\$ 734.00	

III. ZONING COMMISSION MEETING February 13, 2013
 The meeting was cancelled.

IV. BOARD OF ZONING APPEALS February 14, 2013
 A public hearing was held for 2 variances.

V. OPEN COMPLAINTS/VIOLATIONS – There are sixteen (16) 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 () case(s) pending at this time.

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

Prepared by S. Craver on 3/1/2013

March 12, 2013

Police Report – Chief Joe Consiglio

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

Citations
Charge
RMS Statistics for Month: 02 Year: 2013

Code	Description	Count
4503.11(A)	EXPIRED TAGS-ANNUAL RENEWAL	3
4503.21	DISPLAY OF LICENSE PLATES	2
4510.11(A)	DRIVING UNDER SUSPENSION	13
4510.12	OPERATING VEHICLE WITHOUT VALID LIC.	6
4510.14	DRIVING UNDER OVI SUSPENSION	1
4510.16	FRA SUSPENSION	7
4511.12	OBEYING TRAFFIC CONTROL DEVICES	4
4511.19(A)(1)	DRIVING UNDER THE INFLUENCE	1
4511.19(A)(1)-A	DRIVING UNDER THE INFLUENCE - PRIOR	2
4511.19(A)(1)-B	DRIVING UNDER THE INFLUENCE - TWO PRIORS	1
4511.21	SPEED LIMITS	1
4511.21	SPEEDING	15
4511.33(A)	DRIVING IN MARKED LANES	1
4511.37	TURNING IN ROADWAY	2
4511.62(A)(1)	DRIVING VEHICLE ACROSS RAILROAD CROSS	1
4513.03	NO LIGHTS	1
4513.241(C)	WINDOW TINT	1
4513.263(B)(1)	SEATBELT DRIVER	8
	** TOTAL **	70

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

Arrests
Charge
RMS Statistics for Month: 02 Year: 2013

Code	Description	Count
2911.21	CRIMINAL TRESPASS	16
2913.02(A)(4)	PETTY THEFT	1
2919.27	VIOLATION PROTECTION ORDER	1
2921.13(A)(1)	FALSIFICATION	1
2921.33	RESISTING ARREST	1
2925.11	DRUG ABUSE	5
2925.11(C)(3)(a)	POSSESSION OF DRUGS - MARIJUANA	1
2925.11(C)(6)	POSSESSION OF DRUGS - HEROIN	1
2925.12	POSSESSION OF DRUG ABUSE INSTRUMENTS	2
2925.14	DRUG PARAPHERNALIA	3
4301.62(B)(4)	OPEN CONTAINER IN MOVING VEHICLE	5
4511.19(A)(1)	DRIVING UNDER THE INFLUENCE	2
4511.19(A)(8)	DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS .17 OF 1 GRAM OR MORE BY WEIGHT	1
	** TOTAL **	42

March 12, 2013

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

Incident Reports

Type

RMS Statistics for Month: 02 Year: 2013

Offense	Offense Code	Count
AGGRAVATED MENACING	2903.21	1
AGGRAVATED ROBBERY	2911.01(A)(1)	1
ANIMAL COMPLAINT	AC	1
ASSAULT	2903.13(A)	1
BURGLARY	2911.12(A)(1)	1
BURGLARY	2911.12(A)(3)	2
BURGLARY	2911.12(A)(4)	1
CRASH - NO INJURY - OR PROPERTY DAMAGE	C2	3
CRIMINAL DAMAGING	2909.06(A)(1)	1
CRIMINAL MISCHIEF	2909.07	1
CRIMINAL TRESPASS	2911.21	2
CUSTODY DISPUTE PROBLEMS	CUS	1
DEATH INVESTIGATION	S 21	1
DEATH PRIOR TO ARRIVAL	DOA	1
DISTURBANCE	DIS	1
DRIVING LEFT OF CENTER	4511.30	1
DRIVING UNDER SUSPENSION	4510.11(A)	3
DRIVING UNDER THE INFLUENCE	4511.19(A)(1)	2
DRIVING UNDER THE INFLUENCE - PRIOR	4511.19(A)(1)-A	1
DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DR	4511.19(A)(8)	1
DRUG ABUSE	2925.11	5
DRUG PARAPHERNALIA	2925.14	3
FALSIFICATION	2921.13(A)(1)	1
IMPROPER REGISTRATION	4503.21	1
INJURY INVESTIGATION	S 23	1
JUVENILE - UNRULY	2151.022G	1
JUVENILE/UNRULY	JUV	1
LANES OF TRAVEL UPON ROADWAYS: UPON ALL ROADWA	4511.25	2
LOST PROPERTY	S 45	1
OPEN CONTAINER IN MOVING VEHICLE	4301.62(B)(4)	5
PETTY THEFT	2913.02(A)(1)	5
PETTY THEFT	2913.02(A)(4)	1
POSSESSION OF DRUG ABUSE INSTRUMENTS	2925.12	2
POSSESSION OF DRUGS - HEROIN	2925.11(C)(6)	1
POSSESSION OF DRUGS - MARIJUANA	2925.11(C)(3)(a)	1
PROPERTY DAMAGE	S 54	1
RECOVERED PROPERTY	RP	1
RESISTING ARREST	2921.33	1
RIGHT-OF-WAY WHEN TURNING LEFT	4511.42	1
SPEED LIMITS - ASSURED CLEAR DISTANCE	4511.21(A)-D	1
SUSPICIOUS ACTIVITY	SPA	1
SUSPICIOUS VEHICLE	SPV	1
THEFT - DECEPTION	2913.02A3	1
THEFT - WITHOUT CONSENT	2913.02A1	1
THEFT (IF DATA ELEMENT 20 PROPERTY DESC. IS A: MOTO	2913.02	1
UNSAFE VEHICLE	4513.02	1
VIOLATION PROTECTION ORDER	2919.27	1
WARRANT SERVICE	WAR	16
WINDOW TINT	4513.241(C)	1
	** TOTAL **	87

March 12, 2013

Fire Report – Chief Randy Pugh

District Summary							
February 2013							
District	Situation Type	Dollar Loss	# of Incid's	F.S. Injury	Civ. Injury	F.S. Death	Civ. Death
40	322 Vehicle accident with injuries		1	0	0	0	0
40	324 Motor vehicle accident with no injuries		1	0	0	0	0
40	550 Public service assistance, other		1	0	0	0	0
40	611 Dispatched & canceled en route		1	0	0	0	0
40	651 Smoke scare, odor of smoke		2	0	0	0	0
40	661 EMS call, party transported by non-fire		4	0	0	0	0
40	700 False alarm or false call, other		1	0	0	0	0
Totals for All Non-Fire in District:			11	0	0	0	0
Totals for All Incidents in District			11	0	0	0	0
41	113 Cooking fire, confined to container		1	0	0	0	0
41	130 Mobile property (vehicle) fire, other		1	0	0	0	0
41	132 Road freight or transport vehicle fire	142,000	1	0	0	0	0
Totals for All Fires in District:			142,000	3	0	0	0
41	322 Vehicle accident with injuries		1	0	0	0	0
41	500 Service Call, other		1	0	0	0	0
41	651 Smoke scare, odor of smoke		2	0	0	0	0
41	661 EMS call, party transported by non-fire		8	0	0	0	0
41	671 Hazmat release investigation w/ no hazma		1	0	0	0	0
41	745 Alarm system sounded, no fire - unintent		1	0	0	0	0
Totals for All Non-Fire in District:			14	0	0	0	0
Totals for All Incidents in District			142,000	17	0	0	0
42	161 Outside storage fire		1	0	0	0	0
Totals for All Fires in District:			1	0	0	0	0
42	322 Vehicle accident with injuries		1	0	0	0	0
42	351 Extrication of victim(s) from building/s		1	0	0	0	0
42	661 EMS call, party transported by non-fire		4	0	0	0	0
Totals for All Non-Fire in District:			6	0	0	0	0
Totals for All Incidents in District			7	0	0	0	0
Grand Total for All Incidents		142,000	35	0	0	0	0

March 12, 2013

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

ATTORNEYS’ REPORT

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

FROM: DANIEL P. DANILUK, ESQ.

DATE: February 28, 2013

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

- 1. Richard Mattessich v. Weathersfield Township
Case No. 2012CV 01049
Trumbull County Ct. C.P. Judge McKay

A Stipulated Entry amending the Complaint to remove all claims against Defendant Joseph P. Consiglio in his individual capacity was filed February 8, 2013. Abe Cantor is planning to schedule depositions of Mr. and Mrs. Mattessich. The case is set for Final Pretrial April 5, 2013 and Jury Trial April 29, 2013.

- 2. Weathersfield Township v. Richard Mattessich
Case No. 2012CV 00572
Trumbull County Ct. C.P. Judge Logan

On February 20, 2013, Judge Logan issued an order stating that the matter has been settled and dismissed with prejudice.

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.

New Business:

13-029 Mr. Gerberry made a motion to approve the consent agenda, which includes
Consent the following:
Agenda

- Drawing warrants upon our treasury and paying township bills
- Then and Nows.
- Minutes of the Regular Meeting on February 12, 2013.
- Minutes of the Budget Hearing on February 28, 2013.

	<u>THEN</u>	<u>NOW</u>	<u>AMOUNT</u>
Staley Communications	02/27/13	03/11/13	\$ 517.17
Trumbull Cty Treasurer (Cty Engineer)	01/29/13	03/07/13	\$1,428.16
MS Consultants (tower)	01/23/13	02/04/13	\$1,076.34
Trumbull SWCD	03/07/13	03/12/13	\$2,454.00

Mr. McBride seconded the motion.

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

Motion carried.

March 12, 2013

- 13-030 Mr. McBride made a motion to accept the resignation of Part-Time Police
resign Fields Officer Allan Fields effective March 7, 2013.
Mr. Gerberry seconded the motion.
Vote: Mr. McBride -yes Mr. Gerberry – yes Mr. Blair - yes
Motion carried.
- 13-031 Mr. Gerberry made a motion to hire Carmen Altobelli as a Part-Time Police
hire Altobelli Officer effective March 12, 2013.
Mr. McBride seconded the motion.
Vote: Mr. Gerberry -yes Mr. McBride – yes Mr. Blair - yes
Motion carried.
- 13-032 Mr. McBride made a motion to designate Township Administrator David
designate Rouan as the authorized signatory for the Moving Ohio Forward Grant
Rouan Move Program and naming David Rouan as the Weathersfield Township Moving
OH Forward Ohio Forward Grant Program Project Manager. Said motion is intended to give
David Rouan authority to sign and execute the prior documentation necessary
for the implementation of the Moving Ohio Forward Grant Program.
Mr. Gerberry seconded the motion.
Vote: Mr. McBride -yes Mr. Gerberry – yes Mr. Blair - yes
Motion carried.
- 13-033 Mr. Gerberry made a motion to authorize Administrator Dave Rouan to apply
scrap tire for the scrap tire grant sponsored through the Trumbull Geauga Solid Waste
Management District.
Mr. McBride seconded the motion.
Vote: Mr. Gerberry– yes Mr. McBride -yes Mr. Blair - yes
Motion carried.
- 13-034 Mr. McBride made a motion to enter into a settlement agreement for the
Southside removal of material with regard to a notice of violation and a notice of appeal
Environmental with regard to the property located at 1780/1806 Niles-Warren River Road,
agreement pursuant to the language of the agreement.
Mr. Gerberry seconded the motion.
Vote: Mr. McBride -yes Mr. Gerberry– yes Mr. Blair - yes
Motion carried.
- 13-035 Mr. Gerberry made a motion to approve an advance of \$10,000 from the Road
repay advance and Bridge Fund to the General Fund to repay an advance on 01/30/13,
effective 03/07/13.
Mr. McBride seconded the motion.
Vote: Mr. Gerberry– yes Mr. McBride -yes Mr. Blair - yes
Motion carried.
- 13-036 Mr. Gerberry made a motion to go into Executive Session at 7:43 p.m.
Exec. In to consider the appointment, employment, dismissal, discipline, promotion,
demotion, or compensation of a public employee or official and to discuss
pending litigation.
Mr. McBride seconded the motion.
Vote: Mr. Gerberry -yes Mr. McBride – yes Mr. Blair - yes
Motion carried.
- 13-037 Mr. Gerberry made a motion to come out of Executive Session at 8:43 p.m.
Exec Out Mr. McBride seconded the motion.
Vote: Mr. Gerberry -yes Mr. McBride – yes Mr. Blair - yes
Motion carried.

March 12, 2013

13-038 Mr. McBride made a motion to adjourn.
Adjourn Mr. Gerberry seconded the motion.
Vote: Mr. McBride -yes Mr. Gerberry- yes Mr. Blair - yes
Motion carried.

Caucus: March 28, 2013 at 8:30 a.m.
Next meeting: April 9, 2013 at 7:00 p.m.

Fred R. Bobovnyk, Fiscal Officer

H. Gilson Blair, Chairman

Steven J. Gerberry, Vice-Chairman

Marvin J. McBride, Trustee