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:

-Spring clean-up in the township is ongoing this week.

- -Please visit the new and updated Weathersfield Township web site at www.weathersfieldtwp.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 or by following the link at www.weathersfieldtwp.com.
- -Seven properties have been submitted to the Trumbull County Juvenile Court Community Service Restitution Program for high grass mowing. Mowing will begin the first week of June.
- -Weathersfield Township Fire Fighters participated in a RIT Training Program on the weekend of May 4- May 6. A special thanks to Mr. Parilla for allowing the Fire Department to use his property.
- -Communication is ongoing with the Department of Commerce regarding high speed internet access at Westwood Lake Park.
- -Trustees, Administrator, and Fiscal Officer attended a meeting with the Trumbull County Engineer to discuss projects and happenings in the township. The meeting was held April 11, 2012.
- -The Main St. Chamber will be holding a Weathersfield Business Expo at the $5^{\rm th}$ Season Banquet Center on May 10, 2012.
- -Chief Pugh attended the FDIC Fire Convention in Indianapolis.
- -Administrator Pugh will be attending a one day work session at the OTA offices on June 1, 2012.

Financial Report -Fred Bobovnyk

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

Administrator's Report - Dave Pugh

Administrator Report

Date 05/08/12

Cemetery Report

In the month of April	2012	일일 공통 그리고 그 경기 때문이다.	
Funerals	Ope	ening & Closings	Sales
Resident	5	\$1,800.00	\$700.00
Non-Resident	3	\$1,850.00	\$0.00
Saturday Funerals	1	\$600.00	
Revenue Total	9	\$4,250.00	\$700.00

Total Revenue \$4,950.00

Total Cost 96 hours 12 ot hrs

Road Dept. Report

Last month we did the Following:

Checked Signs 1 days
Cold Patched 4 days
Cut Grass 10 days
Ditching or roadside cutting 3 days
Plow snow man-hours 0 hours
Installed pipe 100 feet
Vacation hours 40 hours

OT hours

Note:

Zoning Report - Dave Pugh

WEATHERSFIELD TOWNSHIP ZONING OFFICE MONTHLY REPORT · April 2012

I. TOTAL - 28

Permits - 8
Zoning - 7
Gas/Oil Well - 0
Occupancy - 1
Road Cut - 0
NCU - 0
Violations/Complaints - 8

Vehicles – 1 Debris – 3

Prop. Maint. & high grass -1Other -3 Variances - 0

Conditional Use Permits – 0 Zone Change Petitions – 0 Zoning Amendments – 0 Replat Petitions – 0 General Inquiries – 12 Other Misc. – 0 Appeal - 0

II. FEES COLLECTED (See attachment I and II)

Zoning Permit Fees	\$	124.45	Value (\$): 13,636.00
Occupancy Permit Fees	\$	35.00	
C.U.P Application Fees	\$	0.00	
Variance Application Fees	\$	0.00	
Zone Change Fees	\$	0.00	
Special Hearing Fees	\$	0.00	(appeal and conditional use hearing
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	L: \$	159.45	

III. ZONING COMMISSION MEETING April 11, 2012

The meeting was cancelled.

IV. BOARD OF ZONING APPEALS April 12, 2012

The meeting was cancelled.

- $V. \ \ OPEN\ COMPLAINTS/VIOLATIONS-There \ are \ twenty \ five \ (25)\ open\ violation\ cases.$
- VI. HEALTH DEPARTMENT There are three (3) open cases involving properties in Weathersfield Township.
 Septic 2
 Health 1

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.

<u>Police Report – Chief Joe Consiglio</u>

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

	Arrests
	Charge
RMS Sta	istics for Month: 04 Year: 2012

Code	Description	Count
		11
2909.06(A)(1)	CRIMINAL DAMAGING	1
2911.12	BURGLARY	1
2911.21	CRIMINAL TRESPASS	7
2911.21A1	CRIMINAL TRESPASS	1
2913.02(A)(1)	PETTY THEFT	9
2917.11	DISORDERLY CONDUCT	1
2919.22(A)	ENDANGERING CHILDREN	1
2919.25(A)	DOMESTIC VIOLENCE	3
2919.25A	DOMESTIC VIOLENCE - KNOWINGLY CAUSE PHYSICAL HARM	2
2925.03(C)(3)(a)	TRAFFICKING IN DRUGS - MARIJUANA	1
2925.11	DRUG ABUSE	3
2925.12	POSSESSION OF DRUG ABUSE INSTRUMENTS	4
2925.14	DRUG PARAPHERNALIA	4
2925.14(C)(1)	DRUG PARAPHERNALIA	2
4301.62	OPEN CONTAINER LAW	1
4301.62(B)(4)	OPEN CONTAINER IN MOVING VEHICLE	2
4511.19(A)(1)	DRIVING UNDER THE INFLUENCE	4
4511.19(A)(6)	DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS .17 OF 1% OR MORE BY WEIGHT PER	1
4511.19A1	DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DRUGS	1
	** TOTAL **	60

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

	Citations	
	Charge	
RMS Sta	tistics for Month: 04	Year: 2012

Code	Description	Count
4503.11(A)	EXPIRED TAGS-ANNUAL RENEWAL	3
4507.02	NO OPERATOR'S LICENSE	1
4507.30	FICTICIOUS ID	1
4510.11(A)	DRIVING UNDER SUSPENSION	11
4510.12	OPERATING VEHICLE WITHOUT VALID LIC.	3
4510.14	DRIVING UNDER OVI SUSPENSION	1
4510.16	FRA SUSPENSION	2
4510.21	OPER. BEFORE COMPLY WITH REINSTATEMENT	2
4511.12	OBEYING TRAFFIC CONTROL DEVICES	3
4511.13(A)(1)	SIGNAL LIGHTS	1
4511.19(A)(1)	DRIVING UNDER THE INFLUENCE	2
4511.19(A)(1)~A	DRIVING UNDER THE INFLUENCE - PRIOR	4
4511.20.1	RECKLESS OPERATION OFF STREETSAND HIGHWAYS;: COMPETITIVE OPERATION. THIS SECTION D	1
4511.202	OPERATING MOTOR VEHICLE WITHOUT CONTROL	1
4511.21	SPEEDING	26
4513.03	NO LIGHTS	1
4513.22	FAULTY EXHAUST	3
4513.241(C)	WINDOW TINT	2
4513.263(B)(1)	SEATBELT DRIVER	6
4513.31	SECURED LOAD	2
4519.40	OPER ON PRIVATE PROPERTY	1
4549.021	STOPPING AFTER ACCIDENT (INJURY)	1
4549.08	FICTIOUS PLATES	1
	TOTAL **	79

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

Crashes
Туре
RMS Statistics for Month: 04 Year: 2012

Туре	Count
Highway Injury	3
Highway PDO	7
* TOTAL **	10

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

	Incident Reports	
	Туре	
RMS S	atistics for Month: 04 Year: 2012	

Offense	Offense Code	Count
GGRAVATED BURGLARY	2911.11	1
GGRAVATED ROBBERY	2911.01(A)(1)	1
LARM DROP	AD	1
SSAULT	2903.13	1
SSAULT	2903.13(A)	. 1
SSIST POLICE DEPARTMENT	APD	1
TTEMPTED SUICIDE	AS	1
BREAKING & ENTERING	2911.13(A)	2
BREAKING & ENTERING	2911.13(B)	1
BREAKING AND ENTERING - COMMIT FELONY	2911.13B	1
BURGLARY	2911.12	2
BURGLARY	2911.12(A)(1)	1
BURGLARY	2911.12(A)(3)	2
RIMINAL DAMAGING	2909.06(A)(1)	2
CRIMINAL MISCHIEF	2909.07	3
RIMINAL MISCHIEF	2909.07(A)(1)	4
RIMINAL TRESPASS	2911.21	4
RIMINAL TRESPASS	2911,21A1	1
EATH PRIOR TO ARRIVAL	DOA	260.00
DISORDERLY CONDUCT	2917.11	1
OMESTIC VIOLENCE	2919.25(A)	2
DOMESTIC VIOLENCE - KNOWINGLY CAUSE PHYSICAL HA		2
DRIVING UNDER SUSPENSION	4510.11(A)	1
PRIVING UNDER THE INFLUENCE	4510.11(A) 4511.19(A)(1)	4
DRIVING UNDER THE INFLUENCE OF ALCOHOL/DR		
DRIVING WHILE UNDER THE INFLUENCE OF ALCOHOL/DR		1
DRUG ABUSE	2925.11	
DRUG PARAPHERNALIA	The state of the s	1
DRUG PARAPHERNALIA	2925.14	2
	2925.14(C)(1)	2
NDANGERING CHILDREN	2919.22(A)	1
EXPIRED TAGS-ANNUAL RENEWAL	4503.11(A)	1
ALLURE TO DIM LIGHTS	4513.15(A)	1
AULTY EXHAUST	4513.22	2
ELONIOUS ASSAULT	2903.11	1
FICTIOUS PLATES	4549.08	2
NCIDENT (OTHER)	INC	2
IUVENILE - UNRULY	2151.022G	3
IUVENILE RUNAWAY	JR	1
ANES OF TRAVEL UPON ROADWAYS: UPON ALL ROADW		4
ITTERING	3767.32	1
MENACING	2903.22	4
MISUSE OF CREDIT CARDS	2913.21(A)(1)	1
NO TAIL LIGHTS	4513.05	1
DBEYING TRAFFIC CONTROL DEVICES	4511.12	1
OPEN CONTAINER IN MOVING VEHICLE	4301.62(B)(4)	2
OPEN CONTAINER LAW	4301.62	1
PETTY THEFT	2913.02(A)(1)	15
PETTY THEFT	2913.02(A)(2)	1
POSSESSION OF DRUG ABUSE INSTRUMENTS	2925.12	3
POSSESSION OF DRUGS - COCAINE	2925.11(C)(4)(a)	1
POSSESSION OF DRUGS - MARIJUANA	2925.11(C)(3)(a)	4
POSSESSION OF DRUGS - SCHEDULE I,II	2925.11(C)(1)(a)	1
POSSESSION OF DRUGS - SCHEDULE III,IV	2925.11(C)(2)(a)	2
RECOVERED VEHICLE	RV	1
SOLID WASTE - OPEN BURNING/DUMPING	3734.03	1
STOPPING AFTER ACCIDENT (INJURY)	4549.021	1
SUSPICIOUS ACTIVITY	SPA	2
AIL-LIGHTS AND REAR LICENSE PLATE LIGHTS	4513.05	1
ELEPHONE HARASSMENT		
ELEPHONE HARASSMENT	2917.21(A)(3)	1
LEEF HORE HARASSWENT	2917.21(A)(5)	1

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

	Incident Report	8
	Туре	
RMS Star	tistics for Month: 04	Year: 2012

Offense	Offense Code	Count
THEFT	2913.02(A)	1
TRAFFICKING IN DRUGS - MARIJUANA	2925.03(C)(3)(a)	1
WARRANT SERVICE	WAR	11
WINDOW TINT	4513.241(C)	1
	** TOTAL **	126

Fire Report - Chief Randy Pugh

District Summary

	120	

ıct	Situ	ation Type	Dollar Loss	# of Incid's	F.S. Injury	Civ. Injury		Civ. Death
40	142	Brush, or brush and grass mixture fire		1	0	0	0	0
		Totals for All Fires in District:		1	0	0	0	0
40	322	Vehicle accident with injuries		2	0	0	0	0
40	411	Gasoline or other flammable liquid spill		1	0	0	0	0
40	661	EMS call, party transported by non-fire		7	0	0	0	0
		Totals for All Non-Fire in District:		10	0	0	0	0
	Tot	als for All Incidents in District	1177	11	0	0	0	0
41	142	Brush, or brush and grass mixture fire		1	0	0	0	0
		Totals for All Fires in District:		1	0	0	0	0
41	251	Excessive heat, scorch burns with no ign		1	0	0	0	0
41	311	Medical assist, assist EMS crew		1	0	0	0	0
41	322	Vehicle accident with injuries		2	0	0	0	0
41	460	Accident, potential accident, other		2	0	0	0	0
41	561	Unauthorized burning .		3	0	0	0	0
41	651	Smoke scare, odor of smoke		3	0	0	0	0
41	661	EMS call, party transported by non-fire		11	0	0	0	0
		Totals for All Non-Fire in District:		23	0	0	0	0
	Tot	tals for All Incidents in District		24	0	0		0
42	322	Vehicle accident with injuries		3	0	0	0	C
42	661	EMS call, party transported by non-fire		4	0	0	0	(
42	700	False alarm or false call, other		2	0	0	0	C
		Totals for All Non-Fire in District:		9	0	0	0	C
Totals for All Incidents in District				9	0	0	0	C
Grand Total for All Incidents			44	0	0	0	C	

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:

April 26, 2012

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

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 March 14, 2012, a Complaint for Declaratory Judgment was filed on behalf of Weathersfield Township against Richard Mattessich. On March 21, 2012, a Praecipe for Additional Service was filed with the Court requesting personal service of the Complaint upon Mr. Mattessich. OPBA filed a motion to intervene and a counterclaim requesting that the case be ordered to arbitration.

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

On February 24, 2012, a lawsuit was filed against Patrolman Kris Hodge by Christopher Hall claiming that his civil rights were violated. Discovery is in process.

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.

New Business:

12-055 Consent

Agenda

Mr. McBride made a motion to approve the consent agenda, which includes the following:

- Drawing warrants upon our treasury and paying township bills
- Minutes of the Regular Meeting on April 10, 2012
- Minutes of the Zoning Hearing on April 10, 2012.
- Minutes of the Special Meeting on April 27, 2012.

Mr. Blair seconded the motion.

Vote: Mr. McBride -yes Mr.

Mr. Blair - yes

Mr. Gerberry – yes

Motion carried.

12-056

Mr. Blair made a motion to accept the resignation of Part-Time Officer resign Telego Stephen A. Telego Jr. from the Weathersfield Township Police Department effective April 21, 2012.

Mr. McBride seconded the motion.

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

Motion carried.

12-057 on job injury policy

Mr. McBride made a motion to adopt a policy and procedure requiring all employees who are injured on the job to orally report the injury to the employee's immediate supervisor as soon as practical and to sign and file written notice of the injury with the Township Administrator by the end of the shift on which the injury occurred, and to require the Township Administrator to make available to all employees a notice form for such reporting.

Mr. Blair seconded the motion.

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

Motion carried.

12-058 Applications demo homes

Mr. Blair made a motion to authorize the Township Administrator to prepare and submit any and all required applications and related documents to obtain funds available pursuant to the abandoned/vacant property demolition program

established by the Ohio Attorney General's Office.

Mr. McBride seconded the motion.

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

Motion carried.

12-059 Mr. McBride made a motion to authorize the Fiscal Officer to advertise for

bids for the 2012 Weathersfield Township paving program. advertising

2012 hotmix Mr. Blair seconded the motion.

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

Motion carried.

12-060 advertising Mr. Blair made a motion to authorize the Fiscal Officer to advertise for bids for any and all components associated with the communication tower.

Bids tower Mr. McBride seconded the motion.

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

Motion carried.

12-061

Mr. McBride made a motion to adopt a resolution establishing the video video service service provider fee to be paid by any video service provider offering video service in the Township pursuant to a video service authorization and authorizing the Township Administrator to give notice to the video service provider of the video service provider fee provider fee per the legal language

> A RESOLUTION ESTABLISHING THE VIDEO SERVICE PROVIDER FEE TO BE PAID BY ANY VIDEO SERVICE PROVIDER OFFERING VIDEO SERVICE IN THE TOWNSHIP PURSUANT TO A VIDEO SERVICE AUTHORIZATION AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO GIVE NOTICE TO THE VIDEO SERVICE PROVIDER OF THE VIDEO SERVICE PROVIDER FEE

WHEREAS, the General Assembly enacted Section 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide uniform regulatory framework for the provision of cable television and/or other video service (the "Video Law"); and

WHEREAS, pursuant to O.R.C. Section 1332.23, any new video service provider intending to provide video service to subscribers in the Township must apply for and obtain a video service authorization from the Director of the Ohio Department of Commerce; and

WHEREAS, under O.R.C. Section 1332.32, a video service provider that is providing service to subscribers in the Township pursuant to a state-issued video service authorization must pay the Township a video service provider fee ("VSP Fee") based on a percentage of the provider's "gross revenues" derived from providing video service in the Township, not to exceed five percent (5%) of such revenues; and

WHEREAS, the Video Law requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the Township (The "VSP Fee Percentage") or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee Percentage shall be zero percent (0%) of gross revenues unless the Township determines by Resolution that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and

WHEREAS, O.R.C. Section 1332.32(C)(2) further requires the Township to provide all video service providers offering service in the Township with notice of the VSP Fee requirements within ten (10) days of receiving notice from the video service provider pursuant to O.R. C. 1332.27(A) that it will begin offering service in the Township; and

WHEREAS, the Video Law provides that advertising revenues will not be included in the gross revenues upon which the VSP Fee Percentage is applied unless the Township specifically enacts a Resolution uniformly applicable to all video service providers requiring that advertising revenues also be included in the gross revenues base; and

WHEREAS, the Video Law requires the Township to promptly notify affected video service providers of the Ordinance that requires the inclusion of advertising revenues in the gross revenues base and that requirement will not take effect until the first day of the first calendar quarter that begins more than thirty (30) days after giving such notice of the Resolution; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee percentage and of the inclusion of advertising revenues in the VSP Fee gross revenues base, the Township finds it necessary to authorize the Township Administrator to provide notice of the VSP Fee to a video service provider within ten (10) days of the Township receiving notice that a video service provider will begin providing service in the Township.

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

SECTION 1. All video service providers providing video service in the Township pursuant to a video service authorization obtained from the Director of the Ohio Department of Commerce shall pay a Video Service Provider Fee ("VSP Fee") in the amount of three percent (3%) of gross revenues as defined in O.R.C. Section 1332.32(B) of the Video Law. For purposes of calculating the VSP Fee, the provider's gross revenues shall include advertising revenues in accordance with Section 1332.23(B)(2)(g) of the Video Law. The VSP Fee percentage and Video Law gross revenues definition shall apply equally to all video service providers and cable television operators providing video service in the Township.

SECTION 2. The VSP Fee shall be paid quarterly, not sooner than forty-five (45) days nor later than sixty (60) days after the end of each calendar quarter.

SECTION 3. The Township Administrator is authorized and directed to provide any video service provider with notice of the VSP Fee percentage and gross revenues definition as determined herein, by certified mail, no later than ten (10) days after receipt of notice from a video service provider that it will begin providing video service in the Township pursuant to a state-issued video service authorization.

Mr. Blair seconded the motion.

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

Motion carried.

12-062 Mr. Blair made a motion to transfer \$30,000 from the General Fund to the

transfer Road and Bridge Fund effective April 12, 2012

Mr. McBride seconded the motion.

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

Motion carried.

Mr. McBride made a motion to donate \$100.00 to the Mineral Ridge VFW donations

Post #4192 and \$50.00 to the Girard American Legion Post #235 for

flags decorating the Veterans' graves on Memorial Day. The Mineral Ridge VFW

places flags at Kerr Cemetery and Ohltown Cemetery and the Girard American

Legion places flags at Welsh Hill Cemetery.

Mr. Blair seconded the motion.

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

Motion carried.

12-064 Exe Session Mr. Blair made a motion to enter into Executive Session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or

compensation of a public employee or official at 7:50 p.m.

Mr. McBride seconded the motion.

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

Motion carried.

12-065

Mr. McBride made a motion to come out of Executive session at 8:50 p.m.

Exe Session Mr. Blair seconded the motion.

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

Motion carried.

12-066 Adjourn Mr. Blair made a motion to adjourn. Mr. McBride seconded the motion.

Vote: Mr. Blair –yes M

Mr. McBride - yes Mr. Gerberry– yes

Motion carried.

Caucus: May 31, 2012 at 8:30 a.m.

Next meeting: June 12, 2012 at 7:00 p.m.

Fred R. Bobovnyk, Fiscal Officer

Steven J. Gerberry, Chairman

Marvin J. McBride, Vice-Chairman

H. Gilson Blair, Trustee