

## RECORD OF PROCEEDINGS

For the Weathersfield Township Trustees Regular Meeting

To be held on Tuesday, November 13, 2018 at 7:00 PM

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**Call to order:** Gil Blair

**Pledge:** Completed

**Prayer:** Gil Blair

**Moment of Silence:** For Jimmie "JW" Aleshire

**Roll Call:** Marvin J. McBride – Present                      Steven J. Gerberry - Present  
H. Gilson Blair - Present                                      Fred R. Bobovnyk - Present

**Correspondence/Announcements:**

- The ***Trustees would like to announce that the First Annual Oktoberfest went very well despite the cold temperatures.***
- ***The Trustees would like to invite everyone to their annual Holiday Tree Lighting Ceremony*** that will be held at the community park in the gazebo on Saturday, December 1<sup>st</sup>, 2018 beginning at 6:00 PM. In addition to the tree lighting the Trustees are providing hot chocolate, a bonfire, holiday songs, and a very special visit from Santa Claus.
- The ***2018 Trick or Treat event went very well and there are no incidents to report.***
- ***The Trustees would like to remind our residents that the Warren-Trumbull County Public Library Bookmobile will be at our Community Park twice a month and this will continue through Monday, May 13<sup>th</sup>, 2019.*** Please see our social media and website for specific dates and times.
- The ***Trustees would like to remind our residents to be sure to have their house numbers clearly displayed on both sides of their mailbox and to have the house numbers clearly displayed on the front of their home.*** This helps our safety forces easily identify their location when responding to an emergency at their home.
- The ***Trustees want to congratulate the Mineral Ridge High School girls cross country team for their appearance and placing in the State Track and Field event.***

**Reports:**

- Financial Report – Presented by Fred Bobovnyk
- Administrator's Report – Presented by David Rouan
- Zoning Report – Presented by Melissa Murphy
- Police Report – Presented by Chief Michael Naples
- Fire Report – Presented by Chief Ken Boring
- Law Director's Report – Presented by Cherry Poteet
- Regional Chambers Report – Presented by Guy Covellio

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:**

18-141 Motion to ***approve the consent agenda***, which includes the following:

- ***Minutes from the Budget Meeting*** Tuesday, October 9, 2018 at 6:45 PM;
- ***Minutes from the Regular Meeting*** Tuesday, October 9, 2018 at 7:00 PM;
- Approve ***Corrected Minutes*** as follows:

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1) Regular Meeting September 13<sup>th</sup>, 2017 at 7:00 PM, Resolution #17-096 – Vote:  
Mr. Blair – Yes; Mr. McBride – Yes; and Mr. Gerberry – Abstained

- To **transfer \$10,000.00 from the General Fund to the Road Fund** effective October 10<sup>th</sup>, 2018;
- **Drawing warrants upon our treasury and paying township bills;** and
- **Then and Now's pursuant to the list provided by the Fiscal Officer.**

Motion by: Marvin McBride      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
Motion Carried

- 18-142 **Whereas ARCONIC Titanium & Engineered Structures is transforming aviation**, including the key components of the F-35 Joint Strike Fighter jet, at its Ingot & Mill Products Operations in Weathersfield Township;

**Whereas ARCONIC Titanium & Engineered Structures employs many Weathersfield residents**, generates significant tax revenue for Weathersfield Township and the Weathersfield Local School District, and supports many Township companies in its supply chain, value chain, and need for professional services;

**Whereas ARCONIC has recently made significant investments in its Weathersfield facility resulting in substantial employment gains in the Township**, and continues to make investments in its Weathersfield operations, all under the leadership of Vice President of Operations Ryan Behenna; and

**Whereas ARCONIC's Vice President of Operations Ryan Behenna was recently honored with the Youngstown Warren Regional Chamber Business Professional of the Year Award** presented by the Administrator of the United States Small Business Administration;

**Now Therefore Be It Resolved** that the Weathersfield Township board of Trustees hereby recognize **Ryan Behenna with their Business Leader of the Year Award**.

Motion by: Steve Gerberry      Seconded by: Marvin McBride  
Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
Motion Carried

- 18-143 Motion **to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to enter into a five year lease beginning January 1<sup>st</sup>, 2019 and continuing through December 31<sup>st</sup>, 2023 with the McKinley Heights Mutual Benefit Association**, an Ohio not-for-profit corporation, in consideration of the rents reserved, hereby demises and leases for the five year term of the demised premises to the Township of Weathersfield, a political subdivision of the County of Trumbull, and State of Ohio, to have and to hold the demised premises unto the Township, upon the covenants, conditions and limitations, which the Township covenants to perform and observe, pursuant to the terms and conditions specifically set forth in the lease. This lease continues at the same rates and increases as set forth in the prior five year lease.

Motion by: Steve Gerberry      Seconded by: Marvin McBride  
Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
Motion Carried

- 18-144 Motion **to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to enter into a five year lease beginning January 1<sup>st</sup>, 2019 and continuing through December 31<sup>st</sup>, 2023 with the Mineral Ridge Volunteer Fire Department Company**, Incorporated aka Mineral Ridge Volunteer Fire Department, Incorporated, an Ohio not-for-profit corporation, in consideration of the rents herein reserved, hereby demises and leases for the five year term of the demised premises to the Township of Weathersfield, a political subdivision of the County of Trumbull, and State of Ohio, to have and to hold the demised premises unto the Township, upon the covenants, conditions and limitations, which the Township covenants to perform and observe, pursuant to the terms

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and conditions specifically set forth in the lease. This lease continues at the same rates and increases as set forth in the prior five year lease.

Motion by: Steve Gerberry

Seconded by: Marvin McBride

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

- 18-145 Motion to **authorize Township Administrator David Rouan to purchase 10 Motorola Fire Pagers from BEARCOM of Youngstown, Ohio** for an amount of \$4,536.59 and to enter into a lease agreement with Lease Corporation of America of Troy, Michigan for a term of 24 months pursuant to the terms and conditions of the lease agreement. These pagers are replacing older pagers that are no longer reliable.

Motion by: Steve Gerberry

Seconded by: Marvin McBride

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

- 18-146 Motion to **authorize Township Administrator David Rouan to purchase 17 Motorola APX6000 Model 2.5 Portable Radios and 16 Motorola APX4500 Mobile Radios from BEARCOM of Youngstown, Ohio** for an amount of \$128,739.10, effective October 31<sup>st</sup>, 2018. This purchase is being made through the State Purchasing Program and includes an additional 40% discount from the State Purchasing Price which is \$24,019.97; this additional 40% discount is only available until December 31<sup>st</sup>, 2018. This purchase price includes all associated equipment, accessories, installation, and programming of the radios. These radios's are the new MARCS System radios and will be used by the police department. This purchase is being made in lieu of a \$70,000.00 upgrade of the existing radio system that is needed. Additionally, this conversion to the MARCS Radio System will be mandated by the state of Ohio in the near term and any investment into the existing radio system would not be a wise financial investment for the Police Department.

Motion by: Marvin McBride

Seconded by: Steve Gerberry

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

- 18-147 Motion **to authorize Township Administrator David Rouan, on behalf of the board of Trustees, to execute a Memorandum of Understanding (MOU) agreement with the Champion Township Fire Department, effective October 11<sup>th</sup>, 2018.** The purpose of this MOU is for the Weathersfield Township Fire Department to participate with the Regional Grant Application to the Assistance to Fire Fighters Grant through FEMA for new MARCS Radios. The Township's portion of the grant request is for \$153,385.50 and will require a 10% match of \$15,338.55 if the grant is awarded.

Motion by: Steve Gerberry

Seconded by: Marvin McBride

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

- 18-148 Motion **to authorize Fire Lieutenant Michael O'Connell, on behalf of the board of Trustees, to apply for the Assistance to Fire Fighters Grant through FEMA** for new fire hose, nozzles, and other equipment. The grant request is for \$87,448.00 and will require a 10% match of \$8,744.80 if the grant is awarded.

Motion by: Marvin McBride

Seconded by: Steve Gerberry

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

- 18-149 Motion to **accept the resignation of Firefighter Christopher M. Streamo** effective November 30<sup>th</sup>, 2018. Chris has been promoted to the assistant fire chief at the Youngstown Air Reserve Base and he will no longer have the time to serve as a Firefighter with our department. The board Trustees would like to thank Chris for his 25 years of service to our fire department and to the residents of our community.

Motion by: Marvin McBride

Seconded by: Steve Gerberry

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Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-150 Motion to **accept the resignation of Firefighter Kyle Elks** effective September 26<sup>th</sup>, 2018. Kyle has moved to Hubbard and will be unable to continue to serve on our fire department. The board Trustees would like to thank Kyle for his years of service to our fire department and to the residents of our community.

Motion by: Name                      Seconded by: Name  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-151 Motion to **go into Executive Session** at 7:34 PM to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

Motion by: Marvin McBride                      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-152 Motion to **come out of executive session** at 7:59 PM.

Motion by: Steve Gerberry                      Seconded by: Marvin McBride  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-153 Motion **to acknowledge and pay a \$3,500.00 stipend to all members of the Ohio Patrolmen Benevolent Association, the Ohio Civil Service Employees Association, the Police Chief, the Police Captain, the Administrator, the Fire Chief, and the Administrative Assistants.**

Motion by: Marvin McBride                      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-154 Motion to **provide and pay a uniform allowance of \$400.00 for all Firefighters within the Fire Department and to provide and pay a uniform allowance of \$500.00 for all Fire Officers within the Fire Department.**

Motion by: Steve Gerberry                      Seconded by: Marvin McBride  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-155 Motion **to promote Lynda Briach from the position Police Clerk to the position of Administrative Assistant II within the Police Department effective November 12<sup>th</sup>, 2018.** This position will continue to be paid from the Police Fund and Lynda Briach shall assist the other Administrative Assistants as necessary and as directed.

Motion by: Marvin McBride                      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes  
Motion Carried

- 18-156 Motion to **hire and promote part-time police officer Thomas Martin to a full-time police officer position within the Weathersfield Township Police Department effective November 12<sup>th</sup>, 2018.** The full-time police officer position shall receive the rate of pay, benefits, and other considerations as set forth in the collective bargaining agreement by and between the board of Trustees and the OPBA as adopted by Resolution #16-143.

Motion by: Marvin McBride                      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes                      Steve Gerberry - Yes                      Marvin McBride - Yes



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Motion Carried

18-157 WHEREAS, pursuant to Ohio Revised Code Section 505.17 and Chapter 4521, the Board of ***Trustees of Weathersfield Township, Trumbull County, Ohio has adopted a Vehicle Parking Resolution***, establishing noncriminal parking infraction violations; and

WHEREAS, ***Ohio Revised Code Section 4521.04 permits a Board of Trustees***, with the consent of the municipal court having territorial jurisdiction over the township ***to establish a parking violations bureau*** to handle all parking infractions occurring within the unincorporated area of the township;

NOW THEREFORE, BE IT RESOLVED THAT, ***the Weathersfield Township Board of Trustees hereby requests the Niles Municipal Court to authorize Weathersfield Township to establish a Parking Violations Bureau*** to handle all parking violations within the unincorporated area of Weathersfield Township, ***and upon such approval, hereby establishes the Weathersfield Township Parking Violations Bureau.***

### Section 1: AMENDMENT OF PRIOR RESOLUTION

Resolution 18-122, adopted September 11, 2018, is hereby amended by substituting any reference in such resolution to the Parking Violations Bureau of the Niles Municipal Court with the Weathersfield Township Parking Violations Bureau established pursuant to this Resolution. The provisions of this resolution prevail over any conflicting provision previously adopted.

### Section 2: Parking Violations Bureau

#### Establishment of Parking Violations Bureau

1. The Weathersfield Township Parking Violations Bureau is hereby established in accordance with Ohio Revised Code Chapter 4521. The Weathersfield Township Parking Violations Bureau has jurisdiction over all parking infractions that occur within the unincorporated territory of Weathersfield Township, including all violations of Weathersfield Township Parking Resolution 18-122.
2. Violations of the Weathersfield Township Parking Resolution shall not be considered a criminal offense for any purpose.
3. The Weathersfield Township Board of Trustees shall, as necessary, appoint a violations clerk, hearing examiner, and necessary clerical employees. No person shall be employed as a hearing examiner unless the person is an attorney admitted to the practice of law in this state or formerly was employed as a law enforcement officer.
4. The fine, penalties, fees, and costs established for a parking infraction shall be collected by the Weathersfield Township Parking Violations Bureau for all parking infractions occurring within the jurisdiction of the Bureau. All fines, penalties, fees, and costs collected by the Weathersfield Township Parking Violations Bureau shall be disbursed to the Township Fiscal Officer for deposit in the Township General Fund.

Motion by: Steve Gerberry

Seconded by: Marvin McBride

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

18-158 Motion to ***appoint Carol Sopkovich, an attorney admitted to the practice of law in Ohio, as the Hearing Examiner*** for the Weathersfield Township Parking Violations Bureau, pursuant to Ohio Revised Code Section 4521.05.

Motion by: Steve Gerberry

Seconded by: Marvin McBride

Vote: Gil Blair - Yes

Steve Gerberry - Yes

Marvin McBride - Yes

Motion Carried

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18-159 Motion to **appoint Lynda Briach as the Violations Clerk** for the Weathersfield Township Parking Violations Bureau, pursuant to Ohio Revised Code Section 4521.05.

Motion by: Marvin McBride      Seconded by: Steve Gerberry  
 Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
 Motion Carried

18-160 Motion to **rehire the Daniluk Law Firm as the Township's legal counsel for a term of one year** beginning January 1<sup>st</sup>, 2019 and continuing through December 31<sup>st</sup>, 2019 pursuant to the same terms and conditions and at a rate of \$3,500.00 a month.

Motion by: Steve Gerberry      Seconded by: Marvin McBride  
 Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
 Motion Carried

18-161 Motion to **reassign the General Fund Street Light that is located at the intersection of TH63 (Niles Carver Road) and TH65 (Ohltown Girard Road) to the Ridge Heights Lighting District Fund.**

Motion by: Marvin McBride      Seconded by: Steve Gerberry  
 Vote: Gil Blair - Yes      Steve Gerberry - Yes      Marvin McBride - Yes  
 Motion Carried

18-162 Motion to **adopt a resolution to prohibit the use of engine retarding devices pursuant to and in accordance with ORC Sections 505.17(A) and 4513.221(E)(4) on all sections of CR28 (Tibbit's Wick Road) within the Township and on all sections of US422 (Youngstown-Warren Road) within the Township.**

**WHEREAS**, Revised Code Section 505.17 (A) authorizes Boards of Township Trustees to make such regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under Revised Code Section 4513.221;

**WHEREAS**, Revised Code Section 4513.221 (E)(4) authorizes Boards of Township Trustees to regulate in the unincorporated area of the township noise from passenger cars, motorcycles, or other vehicles that use internal combustion engines by prohibiting racing the motor of any vehicle using an internal combustion engine in such a manner that the exhaust system emits a loud, cracking, or chattering noise unusual to its normal operation;

**WHEREAS**, the Board of Trustees of Weathersfield Township, Trumbull County, Ohio, has received complaints regarding loud noises emitted by trucks using diesel engine retarding devices known as 'Jake brakes', which reduce the trucks' rate of speed, but cause the vehicles motor to race in such a manner as to cause the trucks' exhaust system to emit loud, cracking, or chattering noises unusual to the normal operations;

**WHEREAS**, trucks have been reported to create such noise along CR28 (Tibbit's Wick Road) within the Township and along US422 (Youngstown-Warren Road) within the Township; and

**WHEREAS** residents have complained that these noise emissions have occurred at all times of the day and night, and the Board of Trustees finds that the noise generated by such 'Jake breaks' constitutes a nuisance and is detrimental to the public health, welfare, safety, and quality of life within Weathersfield Township.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO, THAT** the use of engine retarding devices is prohibited on all sections of CR28 (Tibbit's Wick Road) within the Township and on all sections of US422 (Youngstown-Warren Road) within the Township pursuant to and in accordance with ORC Sections 505.17(A) and 4513.221(E)(4).

The Fiscal Officer is hereby directed to provide a certified copy of this resolution to the Trumbull County Engineer's Office.

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Motion by: Marvin McBride      Seconded by: Gil Blair  
Vote: Gil Blair - Yes              Steve Gerberry - Abstained      Marvin McBride - Yes  
Motion Carried

**Public Comments:**

Note: All public comments are on file in the Fiscal Officer’s office.

**Next Meetings:**

Next Work Sessions:      Every Thursday at 7:00 AM. (Except for Caucus Thursday)

Next Caucus:              Thursday, November 29, 2018 at 8:00 AM.

Next Meeting:              Regular Meeting: Tuesday, December 18, 2018 at 7:00 PM  
The Trustees open forum begins at 6:15 PM.

**Adjournment:**

18-163 Motion to *adjourn the meeting*.

Motion by: Marvin McBride      Seconded by: Steve Gerberry  
Vote: Gil Blair - Yes              Steve Gerberry - Yes              Marvin McBride - Yes  
Motion Carried

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Fred Bobovynk, Fiscal Officer

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H. Gilson Blair, Trustee

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Steven J. Gerberry, Trustee

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Marvin J. McBride, Trustee