

## RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, October 10, 2023 at 7:00 PM

---

**Call to order:** Steve Gerberry

**Pledge:** Completed

**Prayer:** Completed

**Moment Of Silence:** For former Police Chief Sam Pagano who passed this past weekend.

**Roll Call:** Steven Gerberry - Present                      Richard Harkins - Present  
Edward Whittaker - Present                      Fred Bobovnyk - Present

**Correspondence/Announcements:**

- The ***Trustees would like to announce that they were awarded a \$2,500.00 FY2024 Cemetery Grant through the Ohio Department of Commerce Division of Real Estate and Professional Licensing (REPL).*** The Township will provide a local match in the amount of \$2,500.00 and the the funding will be utilized to cover various expenses associated with the repairs and leveling of some headstones in Kerrs cemetery.
- The ***Trustees would like to announce that they have scheduled another roadside trash pickup with the Mineral Ridge High School National Honor Society that will take place on Friday, October 27, 2023.*** The Board would like to thank Trustee Gerberry for coordinating this event.
- The ***Trustees would like to remind our residents that the Weathersfield Local School District will host their annual Spirit Day Parade this year on Thursday, October 19, 2023, the parade begins at 6:30 PM.*** The route for the parade is from Ohltown McDonald Road south along Main Street (SR46) to Depot Street. There will be a bonfire immediately following the parade at the Community Park.
- The ***Trustees would like to remind our residents that the annual Trick or Treat event will be held on Tuesday, October 31, 2023 from 5:00 PM until 7:00 PM.*** Our safety forces will be out during this time to help ensure a safe event for our residents.
- The ***Trustees would like to remind our residents that the 2023 Residential Tree Limb Chipping Program is underway.*** The 2023 Residential Tree Limb Chipping Program will continue through Friday, October 27, 2023. For tree limb pick-up, you must call the Township by Thursday of each week to be placed on the list for a Friday pick-up. Please keep the following rules and procedures in mind:
  - This program is intended for residential tree limbs up to 3 inches in diameter.
  - The tree limbs must be placed at the curbside with all the cut ends aligned with each other toward the street.
  - No shrubs, stumps, roots, lumber, or railroad ties will be accepted. All tree limbs must be free from vines.
  - We are not a tree removal service; if you are having a tree professionally removed let them do the entire job, you must have them take the tree limbs as well.

**Reports:**

- Financial Report – Presented by Fred Bobovnyk
- Administrator's Report – Presented by David Rouan
- Zoning Report – Presented by Kelly Clarke
- Police Report – Presented by Police Captain Kris Hodge
- Fire Report – Presented by Fire Chief Tom Lambert
- Lane LifeTrans Report – Presented by Lane's Chief Tom Lambert
- Law Director's Report – Presented by Cherry Poteet

Note: All reports are on file in the Fiscal Officer's office.

Comments from the public will be heard on agenda items at this time; there will still be an opportunity for individuals to address the Board during our public comments part of the meeting.

## RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, October 10, 2023 at 7:00 PM

---

### Old Business:

None

- Swearing-In of police officer Simon Irwin. Simon was hired on June 13, 2023.
- Swearing-In of police officer Isaiah Brazofsky. Isaiah was hired on June 13, 2023.
- Acknowledgement of the promotion of Suzan Hunt from probationary firefighter to firefighter. Susan was promoted on August 7, 2023.

### New Business:

23-129 Motion to ***promote Ted Pedigrew from probationary Firefighter to Firefighter*** effective today, October 10, 2023. The board of Trustees would like to thank Ted for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

23-130 Motion to ***hire Bruce Gaus as a Probationary Firefighter*** effective today, October 10, 2023. Bruce will be trained and evaluated over the next six months by the Fire Chief and his fire officers. At the conclusion of the six-month probationary period, the Fire Chief will determine if Bruce should be promoted to a Firefighter. The board of Trustees would like to thank Bruce for his interest in becoming a Weathersfield Township Firefighter and for his volunteerism and commitment to the residents of our Township.

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

23-131 Motion to ***approve the minutes from the Regular Meeting that was held on Tuesday, September 12, 2023 at 7:00 PM.***

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

23-132 Motion to ***approve the drawing warrants upon our treasury and paying township bills.***

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

23-133 Motion to ***approve the Then and Now's pursuant to the list provided by the Fiscal Officer.***

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

23-134 Motion to ***authorize Township Administrator David Rouan to apply for a \$500.00 grant from OTARMA for safety equipment within our fire department.***

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

23-135 Motion to ***authorize Township Fiscal Officer Fred Bobovnyk to advertise for bids for the construction of the Multi-Jurisdictional Training and Community Center*** at the Township Park located at 1388 Stewart Street, Mineral Ridge, Ohio 44440. The

## RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, October 10, 2023 at 7:00 PM

Township has secured \$500,000.00 from the FY2020-2021 Ohio Capital Budget Appropriation and \$300,000.00 from the Appalachian Regional Commission which totals \$800,000.00 in grant funds available for the construction of the center.

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

- 23-136 **MOTION TO *ADOPT A RESOLUTION THAT WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES' RETIREMENT SYSTEM FOR THE EMPLOYEES OF WEATHERSFIELD TOWNSHIP WHO ARE POLICE PATROL OFFICERS OR POLICE SERGEANTS* PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2).**

WHEREAS, pursuant to federal and Ohio laws, the federal and state income taxes on a portion of the wages or salaries of the employees of WEATHERSFIELD TOWNSHIP will be deferred if WEATHERSFIELD TOWNSHIP "picks up" (assumes and pays) the contributions statutorily required to be made by such elected officials and covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, WEATHERSFIELD TOWNSHIP will not incur any additional costs in the picking up of such contributions.

NOW THEREFORE BE IT ORDAINED BY WEATHERSFIELD TOWNSHIP, TRUMBULL COUNTY, OHIO, THAT:

SECTION 1: Effective January 1, 2024, the full amount of the statutorily required employee contributions to OPERS shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to OPERS) by WEATHERSFIELD TOWNSHIP. This "pick up" by WEATHERSFIELD TOWNSHIP shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by WEATHERSFIELD or of being excluded from the "pick up". WEATHERSFIELD TOWNSHIP shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2: The "pick up" by WEATHERSFIELD TOWNSHIP provided by this resolution shall apply to all persons that are employed as Police Patrol Officers or Police Sergeants by WEATHERSFIELD TOWNSHIP who are or become contributing members of OPERS.

SECTION 3: WEATHERSFIELD TOWNSHIP'S method of payment of salary to employees who are Police Patrol Officers or Police Sergeants who are participants in OPERS is hereby modified as provided in Section 4, in order to provide for a salary reduction pick up of employee contributions to OPERS.

SECTION 4: The total salary for each employee Police Patrol Officer or Police Sergeant shall be the salary otherwise payable under the WEATHERSFIELD TOWNSHIP policies. Such total salary of each employee shall be payable by WEATHERSFIELD TOWNSHIP in two parts: (a) deferred salary and (b) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by OPERS to be paid as an employee contribution by that employee, and shall be paid by the WEATHERSFIELD TOWNSHIP to OPERS on behalf of that employee as a pick up and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. WEATHERSFIELD TOWNSHIP shall compute and remit its employer contributions to OPERS based upon an employee's total salary. The

## RECORD OF PROCEEDINGS

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, October 10, 2023 at 7:00 PM

total combined expenditures of WEATHERSFIELD TOWNSHIP for such employees' total salaries payable under applicable WEATHERSFIELD policies and the pick-up provisions of this resolution shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

The current PERS Pickup – Fringe Benefit Plan will be eliminated and the PERS Pickup – Salary Reduction Plan will be implemented. The Salary Reduction Plan does not add any additional cost or expense to the Township.

Motion by: Edward Whittaker    Seconded by: Rich Harkins

Vote: Steven Gerberry - Yes    Richard Harkins - Yes                      Edward Whittaker - Yes

Motion Carried

23-137 **MOTION TO ADOPT A RESOLUTION REQUESTING THE BOARD OF TRUMBULL COUNTY COMMISSIONERS TO PROHIBIT CONSTRUCTION OF AN ECONOMICALLY SIGNIFICANT WIND FARM, LARGE WIND FARM, AND LARGE SOLAR FACILITY IN THE UNINCORPORATED AREA OF WEATHERSFIELD TOWNSHIP**

WHEREAS, Ohio Revised Code Section 303.58(A)(1), (2), and (3) authorize the Board of County Commissioners to adopt a resolution designating all or part of the unincorporated area of a county as a restricted area, prohibiting the construction of an economically significant wind farm, large wind farm, and large solar facility; and

WHEREAS, Ohio Revised Code Sections 303.57(A) and 4906.13(A) define an economically significant wind farm for purposes of Ohio Revised Code Section 303.58 as: “wind turbines and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of five or more megawatts but less than fifty megawatts. The term excludes any such wind farm in operation on June 24, 2008. The term also excludes one or more wind turbines and associated facilities that are primarily dedicated to providing electricity to a single customer at a single location and that are designed for, or capable of, operation at an aggregate capacity of less than twenty megawatts, as measured at the customer's point of interconnection to the electrical grid” and

WHEREAS, Ohio Revised Code Sections 303.57(B) and 4906.01(H) define a large wind farm for purposes of Ohio Revised Code Section 303.58 as: “an electric generating plant that consists of wind turbines and associated facilities with a single interconnection to the electrical grid that is a major utility facility” and

WHEREAS, Ohio Revised Code Sections 303.57(B) and 4906.01(G) define a large solar facility for purposes of Ohio Revised Code Section 303.58 as: “an electric generating plant that consists of solar panels and associated facilities with a single interconnection to the electrical grid that is a major utility facility” and

WHEREAS, Ohio Revised Code Section 4906.01(B)(1)(a) defines a major utility facility as used in Chapter 4906 in relevant part as: “an electric generating plant and associated facilities designed for, or capable of, operation at a capacity of fifty megawatts or more” and

WHEREAS, the development of economically significant wind farms, large wind farms, and large solar facilities can impact the health safety and welfare of property owners in the vicinity of such developments; and

WHEREAS, the Township Trustees believe that the development of economically significant wind farms, large wind farms, and large solar facilities within the unincorporated area of Weathersfield Township is not in the best interest of the residents of the Township.

NOW THEREFORE BE IT RESOLVED, the Township Trustees request the Board of Trumbull County Commissioners, as authorized by Ohio Revised Code Section 303.58(A)(1), (2), and (3), to adopt a resolution designating the entire unincorporated area of Weathersfield Township, Trumbull County, as shown on the map attached as EXHIBIT A as a restricted area, prohibiting the construction of any economically

**RECORD OF PROCEEDINGS**

Minutes of the Weathersfield Township Trustees Regular Meeting

Held on Tuesday, October 10, 2023 at 7:00 PM

---

significant wind farms, large wind farms, or large solar facilities as defined by Ohio Revised Code Sections 303.57(A) and (B), 4906.13(A), and 4906.01 (G) and (H).

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

**Public Comments:**

Open Comments

**Next Meetings:**

Next Meetings: Thursday, October 19, 2023, at 3:30 PM; Thursday, November 9, 2023 at 3:30 PM; and Tuesday, November 14, 2023 at 7:00 PM.

**Adjournment:**

23-138 Motion to ***adjourn the meeting.***

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

\_\_\_\_\_  
Fred Bobovnyk, Fiscal Officer

\_\_\_\_\_  
Steven J. Gerberry, Trustee

\_\_\_\_\_  
Richard T. Harkins, Trustee

\_\_\_\_\_  
Edward K. Whittaker, Trustee