

The Board of Liberty Township Trustees met in Regular Session at the township administration office on Monday, October 10, 2023 at 6:00 p.m. with the following members in attendance, Mr. Arnie Clebone and Mr. Gregory Cizmar presiding. Mr. Devon Stanley was absent.

Fiscal Officer's offered his financial report. Matt reported he balanced as of the end of September. A minimal amount of money is kept in the checking account with most in a savings sweep account earning interest. He reviewed the township purchase policy noting any large purchase must be signed off by the administrator, trustees, and himself. He also evaluated State Purchasing buying, explained how and when bids are required and when it is necessary to involve the law director. Fiscal Officer Connelly announced the \$400,000 savings by changing employee health care providers. He began working on the 2024 Budget. Matt doesn't anticipate any one-time large expenses next year, union contracts will all have been settled, and is working with department heads on their budget proposals.

Fiscal Officer Matthew Connelly read a statement from Trustee Stanley who was absent due to an injury. Remarks from Trustee Stanley: Please don't forget to announce that the Trumbull County Commissioners voted unanimously to approve our grant request for \$450,000. That request came about through our involvement with the Ohio Township Association and the Council of Governments because the commissioners who attended those meetings informed us of the available funds. Lastly, we had a consensus among the Trustee to address and upgrade the township parks and were willing to eliminate any smaller requests in hopes we would get the entire amount requested. We not only were approved, but Liberty's grant is the highest among Trumbull County Townships. Matt concluded, the grant will be reviewed by Trumbull County's attorneys, barring any oversights, we should be receiving the ARP Grant.

**Reports:**

Administrator Mrs. Martha Weirick reported the 2023 Scrap Tire Collection was a success collecting over 900 tires this year. She, along with the Fiscal Officer and IT person, Joel Davis, met with our insurance company to discuss cyber risks by reviewing our safety procedures. She reminded residents not to blow leaves onto the streets and ditches, as it clogs drainage and creates problems. She mentioned upcoming events that can be found at the bottom of the minutes \*\*.

Fire Captain Phil Lucarell represented the Fire Department in Chief Theobald's absences. He provided his report including the run stats for the month.

Police Chief Toby Meloro presented his report and asked if anyone had questions.

Road Mr. Wayne Hickman thanked Martha for mentioning the constant battle to keep drainage ditches free of debris. The 2023 Road Resurfacing Program is at the Trumbull County Engineers Office and will soon be out for bids. The roads will be paved next year. Road personnel are continuing to put down hot mix at drive approaches, street sweep, clear drain and vegetation, repair and prepare equipment for winter and cut grass. Trumbull Avenue, between Utah and Belmont Avenue, will be closed for a culvert replacement sometime in 2024, Wayne wanted to make the Board aware. He said the County would notify surrounding businesses as it could be closed for a few weeks.

Zoning and Code Enforcement Director Mr. Jim Rodway presented his report and asked if anyone had questions.

**New Business:**

Motion to approve the minutes of the Friday, September 29, 2023 Regular meeting and the October 3, 2023 Special Meeting.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

Motion to approve warrant/eft expenditures for the month of September 2023 in the amount of \$597,263.02 warrants #25426 through #25554 inclusive.

Motion: Mr. Cizmar. Second. Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

Motion to approve the Purchase Order Listing and the Then and Now Certificates for the month of September 2023.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

23-132 Motion to adopt the following resolution to declare the residential structure at 1599 Liberty Avenue a nuisance as it is unfit for human habitation and ordering demolition:

**RESOLUTION DECLARING THE RESIDENTIAL STRUCTURE LOCATED AT 1599 LIBERTY AVENUE, LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO TO BE A NUISANCE AS UNFIT FOR HUMAN HABITATION AND ORDERING DEMOLITION**

WHEREAS, Ohio Revised Code Section 505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by demolition and removal of said structures; and;

WHEREAS, on September 27, 2023, the Trumbull County Board of Health declared the residential structure (hereinafter “the Structure”) located at 1599 Liberty Avenue, Liberty Township, Trumbull County Ohio, Permanent Parcel No. 12-665900, (hereinafter “the Property”) to be unfit for human habitation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Liberty Township, Trumbull County, Ohio, by authority of Section 505.86 of the Ohio Revised Code, as follows:

**SECTION 1.** The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation.

**SECTION 2.** The Liberty Township Board of Trustees hereby orders the Property Owner, Equity Trust Company, to immediately abate the nuisance by demolition and removal of the Structure.

**SECTION 3.** The Zoning Inspector is hereby instructed to notify the Property owner and all lienholders of record (hereinafter “Party in Interest”) by certified mail, return receipt requested, or as otherwise provided by law, of the Township’s declaration of the Structure as a nuisance unfit for human habitation and demand to demolish the Structure, and of their right to request a hearing in writing within twenty days after the notice is mailed.

**SECTION 4.** If the Property Owner or other Party in Interest fails to request a hearing before the Board within twenty days or provide for the demolition and removal of said nuisance Structure within thirty days of issuing notice, the Township Zoning Inspector is hereby authorized to contract for the demolition and removal of the Structure and site restoration.

**SECTION 5.** The total cost of the removal of the Structure and all associated site restoration work shall be assessed to the Property Owner(s) of record and the Liberty Township Fiscal Officer shall certify the total costs, together with a proper description of the lands, to the county auditor who shall place the costs upon the tax duplicate. The costs are a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the township general fund.

This Resolution shall take effect immediately, or upon the earliest date as otherwise allowed by law.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

23-133 Motion to declare the residential structure at 1480 W. Liberty Street a nuisance as it is unfit for human habitation and ordering demolition:

**RESOLUTION DECLARING THE RESIDENTIAL STRUCTURE LOCATED AT 1480 W. LIBERTY STREET, LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO TO BE A NUISANCE AS UNFIT FOR HUMAN HABITATION AND ORDERING DEMOLITION**

WHEREAS, Ohio Revised Code Section 505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and;

WHEREAS, on September 27, 2023, the Trumbull County Board of Health declared the residential structure (hereinafter “the Structure”) located at 1480 W. Liberty Street, Liberty Township, Trumbull

County Ohio, Permanent Parcel No. 12-243400, (hereinafter “the Property”) to be unfit for human habitation;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Liberty Township, Trumbull County, Ohio, by authority of Section 505.86 of the Ohio Revised Code, as follows:

SECTION 1. The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as unfit for human habitation.

SECTION 2. The Liberty Township Board of Trustees hereby orders the Property Owner, Terry Paroz, Trustee under the Gail L. Halstead Family Trust dated April 27, 2022, to immediately abate the nuisance by repair or demolition and removal of the Structure.

SECTION 3. The Zoning Inspector is hereby instructed to notify the Property owner and all lienholders of record (hereinafter “Party in Interest”) by certified mail, return receipt requested, or as otherwise provided by law, of the Township’s declaration of the Structure as a nuisance unfit for human habitation and demand to repair or demolish the Structure, and of their right to request a hearing in writing within twenty days after the notice is mailed.

SECTION 4. If the Property Owner or other Party in Interest fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal of said nuisance Structure within thirty days of issuing notice, the Township Zoning Inspector is hereby authorized to contract for the demolition and removal of the Structure and site restoration.

SECTION 5. Within thirty days of issuance of notice, a Party in Interest may enter into an agreement with the Board of Township Trustees to perform the repair or demolition of the Structure.

SECTION 6. The total cost of the removal of the Structure and all associated site restoration work shall be assessed to the Property Owner(s) of record and the Liberty Township Fiscal Officer shall certify the total costs, together with a proper description of the lands, to the county auditor who shall place the costs upon the tax duplicate. The costs are a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the township general fund.

This Resolution shall take effect immediately, or upon the earliest date as otherwise allowed by law.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

23-134 Motion to adopt the following resolution to declare the residential structure at 520 Catherine Street a nuisance requiring repair or demolition, and removal of fallen trees and junk motor vehicles:

**RESOLUTION DECLARING THE RESIDENTIAL STRUCTURE LOCATED AT 520 CATHERINE STREET, LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO TO BE A NUISANCE AND REQUIRING REPAIR OR REMOVAL OF THE STRUCTURE AND REMOVAL OF FALLEN TREES AND JUNK VEHICLES**

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by repair or demolition and removal of said structures; and;

WHEREAS, Ohio Revised Code §505.87 authorizes a Township Board of Trustees to provide for the abatement, control, or removal of vegetation, garbage, refuse, and other debris from land in the township, if the board determines that the owner's maintenance of that vegetation, garbage, refuse, or other debris constitutes a nuisance; and

WHEREAS, Ohio Revised Code §505.871 authorizes the Board of Trustees to require the removal of junk motor vehicle(s) in the township: and

WHEREAS, the Property located at 520 Catherine Street Liberty Township, Trumbull County, Ohio, Parcel No. 12-535100 (hereinafter “the Property”), was inspected by the Trumbull County Building Department, which issued a determination on May 22, 2023 that the dwelling structure on the Property sustained damage from falling trees causing structural failure to the bearing walls and roof system,

creating a serious hazard that is dangerous to human life and the Structure is unsafe due to structural defects; and

WHEREAS, the Property has been inspected by the Township Zoning Inspector, who has determined that there are fallen trees on the property creating a nuisance and a hazard, and the motor vehicle located on the Property is a "junk motor vehicle" which is defined in Ohio Revised Code §505.173 as a vehicle meeting all of the following criteria: being (1) three model years old or older, (2) apparently inoperable, and (3) extensively damaged, including but not limited to, any of the following: missing wheels, tires, engine or transmission.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Liberty Township, Trumbull County, Ohio as follows:

Section 1: The Structure on the Property is hereby determined to be a nuisance and a threat to the public health and safety as structurally unsafe due to the structural damage caused by the trees falling on the Structure.

Section 2: The Board of Trustees determines that the fallen trees and associated debris on the Property constitute a nuisance, which is dangerous, unsafe, and unsightly to the neighborhood and community and which negatively impacts property values and the general welfare of the community and must be abated pursuant to O.R.C. §505.87.

Section 3: The Board of Trustees determines the motor vehicle on the Property, a 2000 Chevrolet Blazer VIN 1GNNDT13W8Y2313948, registered to Robert Austin (deceased) is a "junk motor vehicle" as defined in Ohio Revised Code Section 505.173 as a vehicle meeting all of the following criteria: being (1) three model years old or older, (2) apparently inoperable, and (3) extensively damaged, including but not limited to, any of the following: missing wheels, tires, engine or transmission.

Section 4: The Liberty Township Board of Trustees hereby orders the Property Owners, the heirs of Robert Lee Austin and Cheryle L. Austin, to immediately abate the nuisance by repair or demolition and removal of the Structure, removal of the trees and debris, and removal of the junk vehicle.

Section 5. The Zoning Inspector is hereby instructed to notify the Property Owners and all lienholders of record (hereinafter "Party in Interest") by certified mail, return receipt requested, or as otherwise provided by law, of the Township's declaration of the Structure as a nuisance and demand to repair or demolish the Structure, to remove the trees and debris, and the junk vehicle and of their right to request a hearing in writing within twenty days after the notice is mailed.

Section 6: If the Property Owner or other Party in Interest fails to request a hearing before the Board within twenty days or provide for the repair or demolition and removal of said nuisance Structure, the trees and debris, and the junk vehicle, within thirty days of issuing notice, the Township Zoning Inspector is hereby authorized to contract for the repair or demolition and removal of the Structure, removal of the fallen trees and debris, removal of the junk vehicle, and site restoration.

Section 7. The total costs incurred by the Township for the repair or demolition of the structure, the abatement, control, or removal of the fallen trees and debris, the removal of the junk vehicle, including the costs incurred in providing notice, the cost of a lien search and the amount paid for labor, materials and equipment shall be paid out of the Township general fund. The Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

Section 8. All formal actions relative to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

This Resolution shall take effect immediately upon adoption.

Motion: Mr. Cizmar. Second. Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

23-135 Motion to hire Thomas Martin as a probationary Police Officer per the agreement between the Liberty Township Trustees and the OPBA effective 10/29/23 pending pre-employment drug testing.

His rate at hire will be \$22.97 per hour. Effective with the new Police contract, he will be placed on Step 2 of the pay scale.

Motion: Mr. Cizmar. Second. Mr. Clebone.

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

23-136 Motion to request the Zoning Commission consider amending the Township Zoning Resolution to adopt requirements for exterior property maintenance.

Motion: Mr. Clebone. Second. Mr. Cizmar.

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Motion carried.

Several residents spoke of deteriorating homes in their neighborhood. The homes in question are either tied up in court or waiting for a declaration from the Board of Health.

Trustees Arnie Clebone's remarks: He is concerned about his neighborhood's decline which is still a sought-after neighborhood. "We can do lots more and lots better." He is recommending to the Board we consider hiring a 2<sup>nd</sup> person in the Zoning Department. "It's too much for one person to handle." Trustee Clebone desires very clear codes and is frustrated to have to wait. He would rather work with the people at the beginning of deterioration., "act sooner and take a more pro-active initiative." He added, "Liberty has expensive homes, and some not so expensive homes, but still have value." Some concerns he mentioned are not having a code for garbage cans left in front of houses. He would like to see a code, enclosing cans or keeping them out of sight. He would like to adopt maintenance codes similar to Weathersfield and is recommending "this Board to ask the Zoning Commission's involvement, involve public with open hearings and request recommendations to the Trustees." Trustee Clebone referred to the minutes approved earlier and his previous comments. He offered to anyone in attendance who may be interested in reviewing his previous comments. Trustee Clebone asked Trustee Cizmar for his support on requesting the Zoning Commission review other township's codes and bring improved code suggestions to the Board of Trustees for approval.

Trustee Cizmar was not opposed to the idea of assessing, for example, the Boardman Townships code offered by Clebone (at another meeting) for the Board consideration, as long as one sentence is omitted which contains verbiage "anything else unsightly or unsanitary in nature." Trustee Cizmar said one person's opinion on what is unsightly may differ from another person's opinion.

Attorney Poteet explained procedurally how this could be accomplished (resulting in the above resolution 23-136).

Trustee Clebone's thanked all those who helped with the \$450,000 ARP Park Upgrade Grant application sent to the Trumbull County Commissioners. He mentioned Road Superintendent Wayne Hickman's help with detailed drainage improvements, as well as, the other trustee's assistance in moving the grant application along.

Also mentioned was the progress on fund raising with a goal of \$450,000 for a new ambulance. The funds would be coming from several foundations as well as individual citizens.

He met an agent from the Youngstown Rotary Club on a possible pollination garden to be located at Churchill Park to encourage bees to pollinate. He is proposing a small garden.

Trustee Cizmar reported on the most recent impound auction. The baseball fields received 330 tons of dirt to upgrade ballfields. He mentioned it was necessary to do some additional drainage work at Center Park.

Motion to adjourn at 6:4 p.m.

Next business meeting Friday, October 20, 2023 at 8:30 a.m.

\*Liberty Township Fall Festival and Craft Show...Saturday, October 21<sup>st</sup> from 12 – 3 p.m. Music, food, crafts, children's games, and pumpkins...

\*\*Neighborhood Trick or Treat October 31<sup>st</sup> from 5 p.m. – 7 p.m.

OPEN HOUSE: Childrens come dressed in your favorite costume and meet your Police and Fire personnel from 4 p.m. – 5 p.m. on October 31<sup>st</sup> at the Township Police Station before you head out to the Neighborhood Trick or Treat.

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MATTHEW CONNELLY, FISCAL OFFICER

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DEVON STANLEY, CHAIRPERSON