

The Board of Liberty Township Trustees met in Regular Session at the township administration office on Tuesday, October 11, 2022 at 6:00 p.m. with the following members in attendance, Mr. Arnie Clebone, Mr. Gregory Cizmar and Mr. Devon Stanley, presiding.

Fiscal Officer Matthew Connelly gave his financial report and reminded the Board we had some large expenses, like the 2022 Paving Program, to be paid soon.  
The Auditor performing our 2020/2021 audit has extended his deadline to October 31<sup>st</sup>. Mr. Connelly provided all information when requested.

Administrator Mrs. Martha Weirick thanked everyone involved with the Fall Festival held last Saturday. Because of the volunteer's hard work and those who took time out of their day to participate, the event was a complete success.

The rates for natural gas and electricity have dramatically gone up, industry wide, due to unprecedented rate fluctuations for both natural gas and electricity. NOPEC is still the townships natural gas supplier. However, NOPEC could not compete with Ohio Edison's rates, so they released all NOPEC customers from their contract with NOPEC allowing those customers to revert to Ohio Edison or find another provider.

The township insurance committee and trustees agreed to continue employee health care with Medical Mutual of Ohio through Sept. 30, 2023.

The Trustees and Safety Forces are hosting an open house Oct. 31<sup>st</sup> from 4 p.m. 5 p.m. at the Township Administration Building. Neighborhood Trick or Treat is Oct. 31<sup>st</sup> from 5 p.m. – 7 p.m.

Fire Chief Doug Theobald presented his report. The Fire Department will be in the schools this week promoting Fire Prevention week. The Chief thanked the local businesses for their donations, which covered the cost of the fire prevention handouts.

Both the Fire Chief and the Police Chief, along with the School Resource Officers, Principals and Superintendent of Liberty Schools are working to developing a safety plan and identify any areas needing upgrades. With the help of the Fire Department, the school has applied for a grant to cover some of costs of those upgrades.

For the past 3 days, the majority of our firefighters participated in live fire training held at the air base. Chief applied for a MARCS radio grant to acquire 6 radios. If they receive the grant, it's a 100% grant with no cost to local taxpayers.

Chief is working with Sheppard of the Valley to construct a disaster plan and hold a disaster drill. Chief thanked the Fiscal Officer Matt Connelly and Trustee Clebone for their help with next year's budget.

Police Chief Toby Meloro presented his report which included statistics of calls, responses, searches, and arrests. In addition, the department participated in an interdiction last weekend with Mahoning and Trumbull County units resulting in multiple citations and arrests.

Coffee with a Cop will be held at C Waffles, Belmont Ave., Sunday, October 23<sup>rd</sup> from 10:00 a.m. – 2:00 p.m.

Road Superintendent Mr. Wayne Hickman is working to finalize the Squaw Creek project. The contractor needs information from the consultant on where the plantings and bench are going and grade an area. Crack Seal is working well. So far Mansell Drive and Klines Drive have been addressed. RT Vernal milled Lamplighter and started on the 2022 Paving Program.

Zoning and Code Officer Mr. Jim Rodway offered his report. He informed everyone there are three active timbering crews currently working in Liberty Township – Crews Hood, Virginia Trail & off Sampson Drive.

Motion to approve the minutes of the September 12 and September 23, 2022 Regular meetings.

Motion: Mr. Cizmar. Second: Mr. Stanley.

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

Motion to approve warrant/eft expenditures for the month of September 2022 in the amount of \$657,983.42 warrants #24259 through #24443 inclusive.

Motion: Mr. Stanley. Second: Mr. Clebone.

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

Motion to approve the Purchase Order Listing for the month of September 2022.

Motion: Mr. Stanley. Second: Mr. Cizmar.

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

22-146 - Motion to hire part-time Firefighter/ EMT Nicholas Foard at \$14.00 per hour regular / \$17 per hour Holiday rate, no benefits, pending favorable pre-employment drug test and favorable

background test complete. First day worked is hire date.

Motion: Mr. Stanley. Second: Mr. Cizmar.

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

22-147 - Motion to hire part-time Firefighter/Paramedic Steve Fender at \$17 per hour regular / \$20 per hour Holiday rate, no benefits, pending favorable pre-employment drug test and favorable background test complete. First day worked is hire date.

Motion: Mr. Stanley. Second: Mr. Clebone.

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

22-148 - Motion to adopt a Resolution to Amend the Township Resolution adopted May 20, 1975 imposing a three percent hotel excise tax within Liberty Township to update the definition of hotel

**Resolution to Amend the Township Resolution adopted May 20, 1975** imposing a three percent excise tax within Liberty Township

**WHEREAS**, on May 20, 1975, the Liberty Township Board of Trustees, pursuant to Ohio Revised Code Section 505.56 and Section 5739.01, enacted a Resolution levying an excise tax of three percent on hotel accommodations within the Township, and

**WHEREAS**, the Resolution imposed the tax on lodging for transient guests in hotels as defined in Ohio Revised Code 5739.01, and

**WHEREAS**: House Bill 197 enacted by the 133 General Assembly, effective March 27, 2020 enacted Revised Code 5739.091 which authorizes a board of township trustees that has adopted a hotel excise tax to adopt at any time a resolution expanding the definition of "Hotel" as set forth in Ohio Revised Code Section 5739.01.

**NOW, THEREFORE, BE IT RESOLVED THAT** the Liberty Township Resolution adopted May 20, 1975 imposing a three percent excise tax within Liberty Township is hereby amended as follows:

**Section 1:** For purposes of the Liberty Township hotel excise tax, Liberty Township adopts the definition of "hotel" as set forth in Ohio Revised Code Section 5739.01 and expanded in Ohio Revised Code Section 5739.091 as:

"Hotel" means every establishment kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered to transient guests, including the following:

(1) Establishments in which fewer than five rooms are used for the accommodation of guests;

(2) Establishments at which rooms are used for the accommodation of guests regardless of whether each room is accessible through its own keyed entry or several rooms are accessible through the same keyed entry; and, in determining the number of rooms, all rooms are included regardless of the number of structures in which the rooms are situated or the number of parcels of land on which the structures are located if the structures are under the same ownership and the structures are not identified in advertisements of the accommodations as distinct establishments. For the purposes of division (A)(2) of this section, two or more structures are under the same ownership if they are owned by the same person, or if they are owned by two or more persons the majority of the ownership interests of which are owned by the same person.

**Section 2:** The Board of Trustees hereby determines that it is necessary to levy a three percent (3%) Excise Tax effective June 1, 1975 at 12:01 AM on transactions by which lodging by a hotel or motel is to be furnished to transient guests at all hotels within the unincorporated area of the Township.

**Section 3:** All hotels or motels affected by this resolution shall do the following: a) Obtain tax forms from Township Fiscal Officer, (b) submit to the Township Fiscal Officer a statement and payment of the tax, (c) tax is due and payable to said clerk by the end of each month for the preceding month, (d) a penalty of Ten Percent (10%) for payments not received by the due date.

**Section 4:** All funds arising from such excise tax shall be deposited in the Township Treasury and may be used for any lawful purpose.

Motion to approve the Amendment to the Township Hotel Excise Tax: Mr. Clebone. Second: Mr. Stanley.

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

22-149 - Motion: FIRST READING OF LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO  
PROPOSED AMENDMENTS TO HOME RULE RESOLUTION NO. 15-001

**AMENDMENT TO HOME RULE RESOLUTION 15-001 REGARDING LIBERTY  
TOWNSHIP STREET LIGHT USE FEE**

**WHEREAS**, The Board of Trustees of Liberty Township passed, by unanimous vote, a resolution on May 14<sup>th</sup>, 2007 to place the issue of adopting a limited home rule government on the ballot pursuant to Ohio Revised Code Section 504.01(A);

**WHEREAS**, the electors of Liberty Township voted on November 6<sup>th</sup>, 2007 to establish a limited home rule government pursuant to Ohio Revised Code Section 504.01(A);

**WHEREAS**, The Board of Trustees of Liberty Township, Trumbull County, Ohio adopted Home Rule Resolution 15-001 establishing a Street Light Use Fee effective October 10th, 2015; and;

**WHEREAS**, The Board of Trustees now determines pursuant to R.C. 504.12 to amend Resolution 15-001 to permit the Street Light Use Fee to be used for lighting roads, sidewalks, and parking lots in township parks and other public areas of the township to increase public safety in public areas of the Township.

**NOW, THEREFORE, BE IT RESOLVED, THAT** Resolution 15-001 is hereby amended as follows, pursuant to the authority of the limited self-government of townships (Chapter 504 Ohio Revised Code) and approved upon First and Second readings and filing with the Township Fiscal Officer.

**SECTION 1: ESTABLISHMENT OF STREET LIGHT USE FEE**

Liberty Township, Trumbull County, Ohio, hereby establishes a Street Light Use Fee. The street light system consists of all street lighting facilities owned by the Township and all street lighting facilities for which the Township purchases and supplies electrical energy. The operation of such street light system shall be under the supervision of the Road Department. The Street Light Fee does not apply to any street lighting district currently subject to property owner assessments within the unincorporated areas of the township or street lighting districts to be formed in the future pursuant to Ohio Revised Code Section §515.02. et seq. "Street lighting system" shall mean a series of light posts and lights owned, operated and maintained by the township and all street lighting facilities for which the Township purchases and supplies electrical energy which are installed adjacent to public streets or public parks or other public areas within the township and are used to provide adequate lighting on public streets, public parking lots and public walkways to promote the safety of drivers and pedestrians.

The township is authorized to establish a street lighting fee pursuant to its Home Rule authority for the purpose of paying the costs of the electrical utility charges to maintain the street lighting system and to implement and administer the assessment of the street lighting fee.

The purpose of the street lighting system is to protect the health, safety, and welfare of the township's residents, visitors, and the general public by casting adequate lighting onto township streets and public areas so as to promote safe travel for vehicles and pedestrians.

The township street lighting system is not intended to act as security lighting for private properties.

The Street Light Fee does not apply to any street lighting district currently subject to property owner assessments within the unincorporated areas of the township or street lighting districts to be formed in the future pursuant to Ohio Revised Code Section §515.02. et seq.

**SECTION 2: RATES AND COLLECTION OF FEES:**

The record owner of each parcel of real property as appears on the Trumbull County Tax Duplicate which is subject to this fee shall be charged an annual street lighting fee assessment of Fifteen Dollars (\$15.00) per parcel for the purposes stated and provided herein.

Said lighting fee assessment shall be certified by the Township Fiscal Officer to the Trumbull County Auditor to be placed annually upon the tax duplicate for the subject parcels for collection in semi-annual installments together with any accrued interest on unpaid assessments to be collected with all other property taxes and assessments and returned to the Lighting Assessment Fund of the Township

for expenditure for the purposes stated and provided herein.

Delinquent assessments shall be charged a late fee penalty in the amount charged for all other delinquent real estate property taxes and assessments.

**SECTION 3: NO LIABILITY**

The township shall not be liable for injury or damages to persons or property caused by any deficiency or failure in supplying electricity for the street light system and the maintenance thereof whether occasioned by shutting off the system for the purpose of making repair, maintenance and or installation of lighting fixtures, weather-related incidents, failure of service outside the control of the township or from any other cause whatsoever.

**SECTION 4: EFFECTIVE DATE OF AMENDMENT TO RESOLUTION**

The Amendments to Resolution 15-001 shall be effective thirty (30) days from the date of adoption upon both First and Second Readings, and publication thereof.

Date of First Reading of as Amended: October 11, 2022

Date of Second Reading as Amended:

Effective Date of Amendment to Resolution 15-001:

Motion to approve First Reading: Mr. Stanley. Second: Mr. Clebone.

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

22-150 - Motion to approve the transfer of a C-1 and C-2 Liquor Permit to DoorDash Essentials LLC, 3551 Belmont Avenue, Liberty Township, Youngstown, Oh 44505 as allowed under Ohio's Transfer for Economic Development purposes (TRES), and to authorize the Township Administrator to execute the TRES Transfer Form.

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

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

22-151 Motion to pass the following resolution for trash/grass abatements:

**BE IT RESOLVED**, that the Board of Trustees hereby determines that the owner's maintenance of vegetation, garbage, refuse and other debris upon the following properties constitutes a nuisance:

Address:	Parcel No.:
2510 Fifth Avenue	12-285470

**BE IT FURTHER RESOLVED**, that notice of this Board's intent to provide for the abatement, control, or removal of said vegetation, garbage, refuse or other debris constituting said nuisance be given to all owners of the land and holders of liens of record upon said land in accordance with **Section 505.87 (B) O.R.C.**; and

**BE IT FURTHER RESOLVED**, that upon proper notice, and failure of the property owner to abate said nuisance within seven days, the Board of Trustees provide for the abatement, control, or removal of said vegetation, garbage, refuse or other debris constituting said nuisance in accordance with **Section 505.87 (B) O.R.C.**

Motion: Mr. Stanley. Second: Mr. Cizmar.

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

Trustee Devon Stanley thanked everyone for their contributions to make this year's Fall Festival a complete success.

Trustee Arnie Clebone commended the Police Chief on community policing. Chief responded by thanking the Board. It's working because we have a Board of Trustees who supports the safety forces. Trustee Clebone hopes the plantings and minor modifications for stream restoration at Churchill Park will be done before this season comes to an end.

Trustee Greg Cizmar reminded everyone the car auction was ending today. Trustee Cizmar still receiving quotes to restore the Churchill Park bathrooms.

Motion to adjourn 6:35 p.m.

Motion: Mr. Cizmar. Second: Mr. Stanley.

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

Next business meeting: Friday October 21, 2022 8:30am

---

MATT CONNELLY, FISCAL OFFICER

---

DEVON STANLEY, CHAIRPERSON