

The Board of Liberty Township Trustees met in Regular Meeting by teleconference on October 8, 2020 with the following members in attendance, Mr. Devon Stanley, Mr. Arnold Clebone and Mr. Gregory Cizmar, presiding.

In accordance with the instructions issued by Governor DeWine, to limit the risk of community transmission of the virus COVID-19, all members of the public are invited to present their questions or concerns to the Township in writing, by email, or by telephone at any time.

Motion to approve the minutes of October 1, 2020 Regular meeting.

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

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

20-148 Motion to adopt the following resolution to *prohibit the use of engine retarding braking devices pursuant to and in accordance with ORC Sections 505.17(A) and 4513.221(E)(4) on all sections of SR 11 within Liberty Township.*

WHEREAS, Revised Code Section 505.17 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; and

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; and

WHEREAS, the Board of Trustees of Liberty Township, Trumbull County, Ohio, has received complaints regarding loud noises emitted by trucks using diesel engine retarding braking devices commonly 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; and

WHEREAS, trucks have been reported to create such noise along SR 11 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 engine retarding braking devices constitutes a nuisance and is detrimental to the public health, welfare, safety, and quality of life within Liberty Township.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO, THAT the use of engine retarding braking devices is prohibited on all sections of SR11 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 Ohio Department of Transportation so that signs indicating the prohibition can be installed.

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

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

Motion to adjourn to discuss litigation and the possibility of appointment of public employees at 8:36 a.m.

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

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

Motion to adjourn from executive session and resume regular session at 9:23 a.m.

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

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

20-149 Motion to un-table resolution 20-133 to promote Firefighter Ralph McMahan to the rank of Lieutenant effective 10/8/20.

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

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

20-150 Motion to un-table motion 20-134 to promote Firefighter Chuck Wise to the rank of Lieutenant effective 10/8/20.

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

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

Motion to adjourn at 9:27 a.m.

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

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

Next meeting Thursday, October 15, 2020 @ 8:30 a.m. via zoom teleconference.

STEVE SHELTON, FISCAL OFFICER

GREG CIZMAR, CHAIRPERSON