

The Board of Liberty Township Trustees met in Regular Session at the township administration office on Monday, June 10, 2024 at 6:00 p.m. with the following members in attendance, Mr. Arnie Clebone, Mr. Devon Stanley, and Mr. Gregory Cizmar presiding.

Liberty Township Fire Captain Inspector Cathy Macchione retired. Captain Inspector Cathy Macchione has been a member of the Liberty Township Fire Department for 26 years and was the 1st female firefighter to be promoted to full time status in Liberty Township. We would like to express our gratitude and appreciation for her years of dedicated service to the Liberty Township Residents. Congratulations and best wishes on your retirement.

Law Director Cherry Poteet Swears in Liberty Township Probationary Firefighters: Alec Coman, Eric Layszaz, & Dylan Campell. Congratulations!

Police Chief Toby Meloro swears in Pastor Randy Bartlett as a Chaplain for the Police Department. Congratulations!

Michael Wellendorf, MPA, Government Relations Specialist, Akron Children's Hospital discussed the MOU (see resolution 24-75 below) with the Board of Trustees. The non-profit hospital provides pediatric care for disadvantaged children on Medicare and Medicaid.

Fiscal Officer Matthew Connelly reviewed the Cash Summary Report and current bank reconciliation. Mr. Connelly reminded everyone the Fire Renewal on this evening's agenda is a renewal, meaning no new taxes. Matt stated the Stair Chairs received a few weeks ago were paid mostly from a Workers Compensation grant. He also mentioned receiving funds from the NOPEC reimbursable grant to pay for a partial roof replacement behind the maintenance garage which needed replaced. He added we are in the middle of our biannual State Audit and he is currently working with the department heads on the Alternative Tax Budget due in July.

Administrator Mrs. Martha Weirick presented her report. She reminded everyone Thursday, June 13th Music in Churchill Park is at 7:00 p.m. and the Senior Watch Open House will be held at the administration building on July 17th at 11:00 a.m.

Fire Chief Doug Theobald reported the stair lift chairs were in operations within two hours of receiving them. Chief Theobald wanted to give credit to two of our part time firefighters, Scott Thomas and Tommy Gibbs. They are full-time firefighters for the City of Youngstown. Both firefighters rescued several people from the collapsed Realty Building, which experienced significant damages after a catastrophic gas explosion. We are proud of them and pleased to have them work part time for Liberty Township too. Chief applied for more grants, including a \$25,000 State Grant that he is optimistic in getting. Chief is working with Auburn Carrer Center who will train our recent hires to become paramedics. Auburn Center is able to work around our work schedules, which helps us avoid overtime. In addition, the Trumbull County Job and Family Services will pay for a huge % of their classes, saving the township significantly. Doug wanted to thank the Road Department and Trustees for the much-improved nearly complete parking lot and front approach. He mentioned the financial problems that are plaguing Steward Health. He is hoping the current situation will stabilize, since they transport patients to both Trumbull Memorial and Sharon Regional Hospitals.

Police Chief Toby Meloro presented his report. Chief Meloro wanted to take a moment to acknowledge his management team for the recent Golden Award presented by Lexipol. Captain Ray Buhala took the lead and made it his mission to keep our police department personnel updated on Lexipol Policies and Procedures. The Liberty Police Department has been recognized by Lexipol for their hard work and accomplishments, placing the department into the top 5% of departments using Lexipol.

Road Superintendent Mr. Wayne Hickman wished to bring attention to and thank one of our Road Workers, Bill Hause. Over the weekend though a social media site, he became aware of a problem which had developed on a township street. On his own time, he went to the site and was able to take care of the hazardous situation. Foust did a great job, Wayne reported, replacing a culvert on Trumbull Avenue in just 4 days. All of the 2023 paving is complete except for Hazelwood and the Fire Departments lot which will be done this week. He's working with the Trustees on the 2024 local funded road project and 2025's OPWC Paving Program. He referred to the Refuge request for property to develop soccer fields. Wayne feels it would be an asset. The Road Crew continues working on drainage, catch basins, grass, street sweeping and other road work.

Zoning and Code Enforcement Director Mr. Jim Rodway Report was absent.

Motion to approve the minutes of the Friday, May 31, 2024 Regular meeting.

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 May 2024 in the amount of \$848,908.27 warrants #26127 through #26209 inclusive.

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

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

Motion to approve the Purchase Order Listing and Then & Now Certificates for May 2024.

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

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

24-69 Motion to hire Dustin Beauchene as a part time firefighter paramedic, at a rate of \$22.00 per hour, pending pre-employment drug testing and positive background check. First day worked will be his hire date.

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

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

24-70 Motion to adopt a Resolution of Necessity for Renewal of a Fire Department Levy (Renewal Levy 1.5 Mills)

RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX IN EXCESS OF THE TEN MILL LIMITATION FOR FIRE PURPOSES

WHEREAS, at an election 2000, voters of Liberty Township approved a 1.5 mill tax levy outside of the ten-mill limitation for firefighting purposes, for a period of five years; and that levy has been periodically renewed, most recently at the election on November 5, 2019; and

WHEREAS, the authority to levy that 1.5-mill tax will expire with the levy on the 2024 duplicate for collection in calendar year 2025; and

WHEREAS, this Board finds that the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the fire department of Liberty Township, Trumbull County, Ohio and it is necessary to renew the existing 1.5 mill levy in excess of the ten-mill limitation in order to continue receiving revenue for fire department purposes; and

WHEREAS, a Resolution declaring the necessity of levying a tax outside the ten-mill limitation must be passed and certified to the Trumbull County Auditor under R.C. §505.37, R.C. 5705.19(I) and R.C. 5705.191 in order to permit the Board to submit the renewal levy to the voters and must request that the County Auditor certify to the Board of Trustees the information required under R.C. §5705.03.

NOW THEREFORE BE IT RESOLVED, by the Board of Trustees of Liberty Township, Trumbull County, Ohio, all members elected thereto concurring, that it is necessary to levy a renewal tax in excess of the ten-mill limitation for the benefit of Liberty Township for Fire Purposes. As provided in R.C. 5703.03(B)(1) the Board states as follows:

(a) The proposed rate of the tax shall be 1.5 mills for each one dollar of taxable value.

(b) The purpose of the tax shall be:

Providing and maintaining fire apparatus, appliances, buildings or sites therefore, or sources of water supply and materials therefore, or the establishment or maintenance of lines of fire alarm telegraph, or the payment of permanent, part-time or volunteer firefighting personnel or fire fighting companies to operate the same, including the payment of fire fighter employers contributions required under R.C. 742.34 or to purchase ambulance equipment, or to provide ambulance, paramedic or other emergency medical services operated by a fire department or fire fighting company.

(c) The tax is a renewal levy.

(d) The sections of the Revised Code authorizing submission of the question of the tax are: R.C. §505.37, R.C. §5705.19(I) and R.C. §5705.191.

(e) The tax is for a five-year period of time.

(f) The tax is to be levied upon the entire territory of Liberty Township.

(g) The date of the election at which the question of the tax shall appear on the ballot is November 5, 2024.

(h) The ballot measure shall be submitted to the entire territory of Liberty Township.

(i) The tax year in which the tax will first be levied is 2025 and the calendar year in which the tax will first be collected is 2026.

(j) Liberty Township is wholly located in Trumbull County, Ohio.

BE IT FURTHER RESOLVED that the Fiscal Officer shall certify a copy of this Resolution to the County Auditor with the request that said County Auditor prepare a Certificate of Estimated Property Tax Revenue, certifying to this Board of Trustees pursuant to Ohio Revised Code §5705.03 the following:

(a) The total current tax valuation of Liberty Township.

(b) The following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission:

(i) The levy's rate, 1.5 mills, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the county auditor's appraised value.

(ii) The cost per \$100,000 based on the estimated effective tax rate for residential/agricultural (Class 1) properties (even though not all properties are residential/agricultural (Class 1) properties

(c) The dollar amount of revenue, rounded to the nearest dollar, that would be generated by a levy of 1.5 mills for each one dollar of taxable value.

(d) An estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the taxing authority remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the auditor to the county budget commission.

BE IT FURTHER RESOLVED upon certification of the County Auditor and adoption of a Resolution to Proceed by the Board of Trustees that the provisions of said tax levy be submitted under the authority of Ohio Revised Code §5705.03, §5705.19(I) and §5705.191 to the electors of the entire territory of said Liberty Township, in accordance with Ohio Revised Code §5705.25, in the General election to be held on November 5, 2024.

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

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

24-71 MOTION TO ADOPT A RESOLUTION TO PROCEED WITH DEMOLITION OF THE STRUCTURES AT 2018 PLEASANT VALLEY, NILES OHIO 44446, PERMANENT PARCEL NO. 12-665750, IN LIBERTY TOWNSHIP, AS THEY ARE UNSAFE, STRUCTURALLY DEFECTIVE AND UNFIT FOR HUMAN HABITATION

WHEREAS, Ohio Revised Code Section 505.86 authorizes a Township 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 securing or demolition and removal of said structures; and;

WHEREAS, the Trumbull County Board of Health at their meeting on November 15, 2023, declared the structures (house and garage) located at 2018 Pleasant Valley, Niles Ohio 44446, Permanent Parcel No. 12-665750 ("the Property") to be Unfit for Human Habitation; and

WHEREAS, by Resolution adopted on October 27, 2023, the Board of Trustees of Liberty Township determined the structures on the Property to be unsafe and structurally defective and ordered the Property Owner to demolish or repair the structures within thirty days; and

WHEREAS, the Property owner was notified by certified mail, return receipt requested, of the Township's declaration of nuisance, right to request a hearing, and the demand to abate said nuisance by demolition, pursuant to RC 505.86(B) and(C) and there are no lienholders of record of the Property; and

WHEREAS the Property Owner requested a hearing before the Board of Trustees. The hearing was held on May 13, 2024 at 6:00 PM; and

WHEREAS, the hearing was recorded, and at the hearing, the Board of Trustees received evidence, including photographs of the property, copies of the Notices sent to the Property Owner, a letter from the property owner, and the testimony from the Property Owner.

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:

The house and garage on the Property located at 2018 Pleasant Valley, Niles Ohio 44446, Permanent Parcel No. 12-665750, are unsafe and structurally defective and unfit for human habitation thereby constituting a direct threat to the public health and safety.

Mr. Silvestri admitted at the hearing that the structures on the property are unfit for habitation, as the house has a hole in the roof, and has no functioning electric, plumbing, septic or HVAC systems and the roof is caved in on the garage. Mr. Silvestri requested time to determine the cost of repairing the structures, and what the house would sell for if repaired. If he determined it was not financially beneficial to repair the house, he stated that he would like to demolish it himself.

The Board agreed to give Mr. Silvestri two weeks to provide a plan to repair the structures, with estimates, deadlines, and proof of funds to complete the work. Mr. Silvestri was to provide the plan to the township Zoning Inspector by May 27, 2024.

Mr. Silvestri has not contacted the township Zoning Inspector and has not provided any plan to repair the structures.

The Board finds that the structures must be demolished and removed to protect the health and safety of the township residents.

The Property Owner shall be notified in writing of the Board's decision, and of the Board's Order to demolish and remove the structures. A party in interest who requested and participated in the hearing and who is adversely affected by the Order of the Board may appeal the order under Chapter 2506 of the Revised Code.

If the Property Owner does not demolish and remove the structures within thirty days of the adoption of this Resolution, the structures may be demolished and removed by the Township or the Trumbull County Land Bank.

The total cost of the demolition of the structures and all associated site restoration work shall be assessed to the owner(s) of record and the Liberty Township Fiscal Officer or the Trumbull County Land Bank 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 will 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.

This Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this 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, or upon the earliest date as otherwise allowed by law.

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

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

24-72 MOTION TO ADOPT A RESOLUTION TO PROCEED WITH DEMOLITION OF THE STRUCTURES AT 6196 BELMONT AVENUE, GIRARD OH, 44420 PERMANENT PARCEL NO. 12-100940, IN LIBERTY TOWNSHIP, AS THEY ARE UNSAFE, STRUCTURALLY DEFECTIVE AND UNFIT FOR HUMAN HABITATION

WHEREAS, Ohio Revised Code Section 505.86 authorizes a Township 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 securing or demolition and removal of said structures; and;

WHEREAS, the Trumbull County Board of Health at their meeting on November 15, 2023, declared the structure (house) located at 6196 Belmont Avenue, Girard, OH 44420, Permanent Parcel No. 12-100940 (“the Property”) to be Unfit for Human Habitation; and

WHEREAS, by Resolution adopted on October 27, 2023, the Board of Trustees of Liberty Township determined the structures on the Property to be unsafe and structurally defective and ordered the Property Owner to demolish or repair the structures within thirty days; and

WHEREAS, the Property owner was notified by certified mail, return receipt requested, of the Township’s declaration of nuisance, right to request a hearing, and the demand to abate said nuisance by demolition, pursuant to RC 505.86(B) and(C) and there are no lienholders of record of the Property; and

WHEREAS the Property Owner requested a hearing before the Board of Trustees. The hearing was held on May 24, 2024 at 8:30 AM; and

WHEREAS, the hearing was recorded, and at the hearing, the Board of Trustees received evidence, including photographs of the property, copies of the Notices sent to the Property Owner, the letter from the Property Owner requesting a hearing, and the testimony from the Property Owner.

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:

The house on the Property located at 6196 Belmont Avenue, Girard, OH 44420, Permanent Parcel No. 12-100940, is unsafe and structurally defective and unfit for human habitation thereby constituting a direct threat to the public health and safety.

Mr. Marziani admitted at the hearing that the structure on the property “right now, as it stands is a nuisance, but it could be repaired.” He stated that he has owned the property for speculation since 1994 as it is in a commercial district. Mr. Marziani testified that the house has been ransacked, with the siding removed, standing water in the basement, missing windows, and no utilities. He testified that to fix it up to sell, he would need to have it fumigated as there are animals living in the property, and he would need to tie into the sewer and water systems. To make the house sellable, he stated he would need to add another bedroom, remove the chimney, add a deck and porch, new bathrooms, plumbing, HVAC and electrical systems. He estimated that it would cost \$100,000-\$200,000 to fix the house, but he did not have estimates for the work and did not know what it would sell for. He submitted an estimate to clean up the landscape and clear out the inside. He had not talked to the Trumbull County Building Department about permits.

Mr. Marziani requested time to determine the cost of repairing the structure, and what the house would sell for if repaired. He stated that if it is not economically feasible to repair the structure, he would tear it down.

The Board agreed to give Mr. Marziani two weeks to provide a plan to repair the structures, with estimates, deadlines, and proof of funds to complete the work. Mr. Marziani was to provide the plan to the township Zoning Inspector by June 7, 2024.

Mr. Marziani has not contacted the township Zoning Inspector and has not provided any plan to repair the structures.

The Board finds that the structures must be demolished and removed to protect the health and safety of the township residents.

The Property Owner shall be notified in writing of the Board’s decision, and of the Board’s Order to demolish and remove the structures. A party in interest who requested and participated in the hearing and who is adversely affected by the Order of the Board may appeal the order under Chapter 2506 of the Revised Code.

If the Property Owner does not demolish and remove the structures within thirty days of the adoption of this Resolution, the structures may be demolished and removed by the Township or the Trumbull County Land Bank.

The total cost of the demolition of the structures and all associated site restoration work shall be assessed to the owner(s) of record and the Liberty Township Fiscal Officer or the Trumbull County Land Bank 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 will 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.

This Board hereby finds and determines that all formal actions relative to the passage of this Resolution were taken in an open meeting of this 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, or upon the earliest date as otherwise allowed by law.

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

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

24-73 Motion to increase Fire Appropriations line # 2111-220-590-0070 Other State Grants in the amount of \$23,428.22, which is the amount received for the BWC Stair Chairs Grant.

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

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

24-74 Motion to accept the resignation of probationary firefighter Bryan Harris effective June 10, 2024.

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

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

24-75 Motion to approve the Memorandum of Understanding between the Liberty Township Board of Trustees and Children's Hospital Medical Center of Akron as presented by Michael Wellendorf, MPA, Government Relations /specialist, Akron Children's Hospital.

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

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

Trustee Arnie Clebone reminded everyone of the Liberty Community and Historical Society 5:30 p.m. meeting on June 20th at the administration hearing room where Marsia Levy will give a lecture on the large homes of the Northside.

Motion to adjourn into executive session at 6:59 p.m. to consider the appointment, promotion, employment, dismissal or compensation of a public employee.

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

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

Motion to adjourn from executive session and end the meeting at 7:23 p.m.

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

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

Next business meeting June 21, 2024 at 8:30 a.m.

Music in Churchill Park: The Youngstown Vegas Band, Thursday, June 13th @ 7:00 p.m.

Liberty Community & Historical Society meeting at 5:30 p.m. on June 20th at the administration hearing room. Marcia Levy to give a presentation on large homes of the Northside.

Liberty Township Senior Watch Open House, Wednesday, July 17th at 11:00 a.m.

MATTHEW CONNELLY, FISCAL OFFICER

GREG CIZMAR, CHAIRPERSON