

# RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held \_\_\_\_\_ 20\_\_\_\_\_

## MINUTES OF ELLSWORTH TWP BOARD OF TRUSTEE'S

### REGULAR MEETING

August 12, 2020

Chairman Fredrick Houston called the August 12th regular meeting of the Ellsworth Trustees to order at 7:00 pm. A roll call was taken to establish a quorum: Chairman Fredrick Houston - present, Vice Chairman Robert Toman - present, Trustee William Spellman – excused absence. Also present were Fiscal Officer James DeCenso, Zoning Inspector Wayne Sarna, Road and Maintenance Supervisor Matt Stroney, ZBA Chairman Jim Tripp, and Fire Chief Ted Smith. The Pledge of Allegiance was recited.

MINUTES: Fiscal Officer DeCenso presented the minutes from the last regular meeting held July 8, 2020. No one in attendance requested that the minutes be read. Trustee Toman made a motion to accept the meeting minutes. Trustee Houston seconded the motion. The roll call vote was all in favor.

Chairman Houston recognized Fred Schrock from the VFW Post #3571 who introduced the new Commander, Dominic DiLoreto. Commander DiLoreto thanked the Township and particularly Matt Stroney for the assistance in setting up the Veterans memorial at the Ellsworth Cemetery for Memorial Day. Mr. DiLoreto then presented flags to Chairman Houston and Fire Chief Ted Smith as that ceremony was unable to be performed on Memorial Day, due to the Covid-19 pandemic.

FISCAL REPORT: Fiscal Officer James DeCenso reported that July's receipts were \$67,686 and expenditures were \$58,490. Included in July's receipts was \$31,000 in property tax advances, \$6,565 in Cable Franchise Fees and the \$5,062 from the Ohio CRF Grant. Expenditures included the OTARMA annual insurance premium of \$14,662 and \$5,325 in repairs from the April wind damage. Total receipts through the first seven months of 2020 were \$330,190 and total expenditures were \$360,101. Excluding the BWC grant purchases and the additional payment to ODOT SIB in 2020, normal-operational expenditures were \$280,290. The total gross fund balance as of July 31, 2020 was \$582,119. Accounting for the increased principle payment on the ODOT loan in February, the outstanding loan balance has been reduced to \$50,805. A net gross fund balance is \$531,314 and the General Fund contingency balance is \$-0-. He then presented for approval invoices paid by VISA of \$364.25 from Municipal Signs for five new Stop Signs, and \$294.82 from Graybar for LED Light packs on the buildings. Also presented was \$1,735.74 from TSI Western Star for a new alternator on the Ambulance, \$1,675.00 from Atty. Fimmamore for Zoning related items, \$119.00 for a roll of stamps and PO Box 122 renewal, \$8,387.50 to the Mahoning County Sheriff for the 2020-2021 school year resource officer, \$85 cost overrun on the previously approved repairs to the Fire Station overhead door and \$900.00 to Sealmaster for the Road Crack Sealing materials and machine rental. Trustee Toman made a motion to approve the \$13,561.31 requested. Trustee Houston seconded the motion. The roll call vote was all in favor. The Fiscal Officer and the Board discussed the upcoming payment due on the ODOT SIB. The current interest rate on the loan is 3% while the current bank interest is 0.3%. Everyone agreed that it would be prudent to pay the loan off. Mr. DeCenso will calculate a payoff total and report back to the Board prior to the end of the meeting. The Fiscal Officer then notified the Board, of a Mahoning County request to join a class action suit in the Purdue Pharma bankruptcy proceeding. To be awarded any part of a judgement, a resolution is necessary to authorize the County Prosecutor to execute and file documents on behalf of the Township in the claim process. Trustee Houston made a motion to create the necessary resolution to authorize the Mahoning County Prosecutor to file any documents on behalf of Ellsworth Township. Trustee Toman seconded the motion. The roll call vote was all in favor. Mr. DeCenso reported that he continues to monitor EMS revenue and will update an earlier analysis as soon as he receives July's data from Quest Advantage.

ROAD and MAINTENANCE: Mr. Matt Stroney reported that there was one burial last month in Berlin Township in which he assisted. He reported that the Fire bay door #3 opener has been replaced. He also reported that he has had additional conversations with Warren Glass to replace the windows in the Fire Hall. The quote should be coming soon. Mr. Stroney then thanked Western Reserve Landscape for applying fertilizer to the ballfields and the front Fire Station lawn at no charge. He also thanked ODOT for sweeping the Old Ellsworth School parking area. Mr. Stroney then notified the Trustees of the damage to the black top area around the Recycle Bins. The damage is caused by the loading/unloading of the bins by the Green Team vendor. He suggested that the concrete area be expanded to replace the damaged area. He then reported to the Board that the Township



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## Regular Trustee Meeting August 12, 2020 Continued

Roads have been crack sealed. He thanked Trustee Toman, Fiscal Officer DeCenso and the Ellsworth Fire Department for their assistance. He will continue with sealing the Ellsworth School parking area, the Town Hall parking lot, and the cemetery roads. He then discussed some needed spot repairs of the Township roads along with sweeping off excessive gravel and then applying a sealant to the road surfaces. This would greatly enhance the lifetime of the roads. He reviewed quotes that he received from Everbrite Inc of \$600 to sweep the roads and \$8,000.00 to repair and reseal all the Township roadways. Mr. Stroney and the Trustees discussed some of the issues on Elias Lloyd with drainage ditch issues. After additional discussion, Trustee Toman made a motion to accept the road renovation bids from Everbrite for \$8,600.00. Trustee Houston seconded the motion. The roll call vote was all in favor.

ZONING REPORT: Mr. Wayne Sarna reported that four permits were issued since the last meeting. He had issued permits for an accessory structure on Palmyra Rd; above ground pool on Berlin Station Rd; a deck addition to an above ground pool on Akron Canfield Rd and a 4' fence to the front of property on Salem Warren Rd. Mr. Sarna advised the Board that he has received a public records request for all records, correspondence, and communication in the Zoning office regarding the denial of an industrial site plan for a proposed cement batch plant on Salem Warren Rd. He is in the process of gathering all requested data and will review with Atty Fimmamore before turning over the requested records to the appellant's attorney. He reported that he is also monitoring the condition of the house and property at 11535 W. Akron Canfield Rd for uncut grass and maintenance of the farmhouse. He reported that a previous complaint of an accessory building location on N Palmyra Rd has been resolved and the structure has been properly relocated. Also, that a building permit has now been properly issued. Mr. Sarna reviewed a complaint regarding a Carry/Concealed Weapons class that is in operation at 4050 Baily Road. He sent a violation letter to the property owner that the shooting range business was being operated on Agricultural/Residential property which is in violation of Ohio Revised Code. He also advised the Board of a nuisance complaint as to property located at 10691 Berlin Station Rd for excessive debris, unused fencing, wood, expired license for a boat and trailer and other unused equipment in the open. He has sent a letter to the owner and will reinspect in 30 days. Mr. Sarna and the Board then discussed earlier proposals of a Transient Vendor policy. Mr. Sarna provided the policy as resolved in Jackson Township and asked that the Trustees consider their policy as a model. Trustee Toman read the pertinent parts of the policy to the audience. After additional discussion regarding a reasonable fee, Trustee Toman made a motion to approve the proposed Transient Vendor policy with a \$75.00 fee, modeled after the Jackson Township policy, effective August 13, 2020. Trustee Houston seconded the motion. The roll call vote was all in favor. The Board discussed the need to purchase signage to advise the public that a permit is needed for Transient Vendors.

The Board then discussed the need for a nuisance abatement policy in the Township. Mr. Sarna and Atty. Fimmamore had previously provided a package of information to each of the Trustees. Trustee Toman explained that the policy should include instructions and procedures as prescribed in: ORC 505.86 Dwelling Structures and Buildings; ORC 505.87 Overgrown Vegetation (lawn mowing) Garbage, Refuse and Other Debris; and ORC 505.871 Junk Motor Vehicles. Trustee Toman then made a motion to adopt a Township Nuisance Abatement Policy to include ORC505.86; ORC 505.87 and ORC 505.871 instructions and procedures. Trustee Houston seconded the motion. The roll call vote was all in favor.

FIRE DEPARTMENT: Chief Edward Smith reported that in July, there were 24 calls including 19 EMS calls with 8 transports of which the Township transported all 8. He also reported that the Department provided mutual aid 6 times to surrounding communities, once using both ambulances. Chief Smith then advised the Board that the 911 dispatch agency has donated an 800MHz radio to the Department. There is a monthly fee for use of the 800MHz radio infrastructure. Also, that they are selling some used radios for \$600.00 ea. These are \$3,000.00 new. The Chief would like to purchase two used radios. The Chief then advised that the truck pump tests were completed, and no issues were detected. He also advised that he received an application from a paramedic, Michael Wyss. Asst Chief Blosser continues to gather quotes for firefighter gear. University Hospital donated two glucometers, some IV solutions and two AED batteries for the truck units. The Chief reported that 18 days of 23 were covered by On-call personnel. Four transports were taken by On-call personnel. The Board then reviewed the proposed Agreement with the 911 dispatch for the radios and monthly fees. Trustee Toman made



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a motion to approve the purchase of two used 800MHz radios at \$600.00 ea., and to enter into a 15-month (with two - one year options to renew) Agreement effective October 1, 2020 with the Austintown-Boardman-Mahoning County Joint Communications District for the infrastructure use for three radios at the cost of \$218.35 each per year. Trustee Houston seconded the motion. The roll call vote was all in favor. Trustee Toman made a motion to approve the application of Michael Wyss to join the Ellsworth Fire / EMS Department. Trustee Houston seconded the motion. The roll call vote was all in favor.

### COMMITTEE REPORTS:

Trustee Toman advised that the Crime Watch program is up to 2,467 members. He reported that there has been a rash of smashed mailboxes in the area. He also discussed the Zoning issue with the concealed weapon and shooting range on Baily Road.

Trustee Spellman had given his printed report to Chairman Houston to read at the meeting. Trustee Spellman reported that he spoke to the County Engineer about road salt for the upcoming winter season and asked if the County could supply 30 tons to the Township. An answer is forthcoming. Trustee Spellman confirmed his support for the road cleaning and renovations. He also reported that the April wind damage insurance claim is in its final stages.

Trustee Houston reported on recommendations proposed by the OTARMA risk management consultant that visited the Township June 16<sup>th</sup>. He reported on three recommendations. 1) Using a common complaint form when an official takes a complaint from a citizen and filing those in a central file. The Fiscal Officer indicated that he would find out if the forms are considered public records. A sample form was passed out to the Trustees, Zoning Inspector and Fire Chief. 2) Obtain annual BMV records on any person authorized to drive a Township vehicle. The Fiscal Officer reported that the Fire Chief has begun to acquire all the necessary paperwork and that he would file the requests with the Ohio BMV. The \$5.00 fee for each driver is reimbursable by OTARMA at the next renewal. 3) Cracks in the surface of the asphalt where the basketball hoop is located at the old school park, need to be repaired. The Maintenance Supervisor will obtain quotes to remedy the problem.

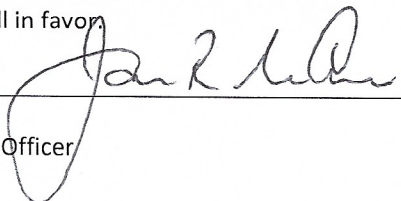
### OLD BUSINESS:

The Fiscal Officer discussed the payoff procedure for the ODOT SIB Loan. His calculated the payoff at \$50,804.23. The Township would save approximately \$1,100 in interest by paying off the loan early. Trustee Toman made a motion to approve up to \$51,000.00 as the loan payoff. Trustee Houston seconded the motion. The roll call vote was all in favor.

### NEW BUSINESS:

The next meeting will be held at 7:00 pm on Wednesday, September 9, 2020 at the Fire Hall.

At 9:30 pm, Trustee Toman made a motion to adjourn. Trustee Houston seconded the motion. The roll call vote was all in favor.

  
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Fiscal Officer

  
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Chairman

  
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Trustee

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Trustee