

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

MINUTES OF ELLSWORTH TOWNSHIP BOARD OF TRUSTEES	
Held _____	_____ 20____
REGULAR MEETING	

March 12, 2025

Chairman William Spellman called the March 12, 2025, regular meeting of the Ellsworth Township Trustees to order at 7:00 pm. A roll call was taken to establish a quorum: Chairman William Spellman – present, Vice Chairman Fredrick Houston – present, Trustee Robert Toman – present. Also present was Fiscal Officer James DeCenso, Assistant Fire Chief Jillian Smith, Assistant Chief Zack Williams, Zoning Inspector Wayne Sarna, and several zoning commission members. The Pledge of Allegiance was recited.

**FIRST ENERGY PRESENTATION:** Representatives from First Energy were in attendance to inform the residents of Ellsworth about the energy upgrade that will involve residents on Route 45 beginning at the substation and traveling north to Kirk Road, and on to the Kimberly substation on Mahoning Avenue. Troy Rhoades from external affairs as advocate for townships, Jay Salem – transmission planning, and Justin from real estate gave a slide presentation and answered questions from residents. The substation will increase by 4 to 5 times in size, the present 38.5 foot poles will be replaced with 90 foot poles. Easements will be 32.5 feet from the center of Route 45 to property lines. Any dead, dying, or diseased trees and limbs will be removed and the owner compensated. The goal being to construct an infrastructure with backup capabilities for the township. The project is scheduled to begin August 1, 2025, at the Ellsworth substation and to be completed about April 30, 2027. Any questions may be sent to email at: [transmissionproject@firstenergycorp.com](mailto:transmissionproject@firstenergycorp.com) or by calling 1-888-311-4737.

Regular Trustee Meeting of March 12, 2025, continued @ 8:07 pm

**MINUTES:** The Fiscal Officer presented the Minutes from the last two regular meetings of January 11, 2025, and February 12, 2025. **MOTION 2025-19:** Trustee Toman made a motion to accept the minutes from the two previous regular Trustee meetings. The motion was seconded by Trustee Houston. The roll call was all in favor.

**FISCAL REPORT:** Fiscal Officer James DeCenso stated that copies of the minutes are available and will also be on the township website. He reported that revenue for the month of February 2025 was \$122,018 with a bank interest of \$2,824 included. The interest rate was 4.65%. This sum also included \$77,000 collected from property taxes. Expenses for the month were \$95,307.00 which included the 2023-24 maintenance contracts of Fire Dept radios in the amount of \$11,357.00 and \$17,728.00 paid to The BWC for 2024 final premiums. The Township Funds' total is \$886,592. He then presented invoices for approval: Arms Trucking supplied an additional 23.8 tons of salt in the amount of \$1,969.45; while attending the OTA conference in Columbus Mr. DeCenso purchased a package of blank cemetery deeds for \$30.00; 2025 Mahoning County Hazmat Service in the amount of \$212.80; and an invoice for \$810.00 to Sedgewick, Inc. for Workers Comp management services. This Agreement is through the OTA. The total of invoices requested is \$3,022.25. **MOTION 2025-20:** Trustee Toman made a motion to approve the payments of the above invoices totaling \$3,022.25. The motion was seconded by Trustee Houston. The role call was all in favor.

Mr. DeCenso presented the 2025 appropriations at \$1,889,675.41. The resources to support the 2025 budget is derived from the funds carried over from 2024 of \$834,577 and the projected 2025 revenues of \$1,055,098. Included in the total appropriations is \$275,000 that is set aside for fire and EMS capital equipment. The Fiscal Officer also requested the necessary authority to transfer from the General Fund up to \$2,500 to the Cemetery Fund as required and up to \$12,000 to the Zoning Fund as required and also to create blanket (non-specific) purchase orders in the respective Funds for Maintenance, Repairs and EMS Supplies. **MOTION 2025 -21:** Trustee Toman made the motion to approve the 2025 permanent appropriations of \$1,889,675.41 and to authorize the Fiscal Officer to transfer funds from the General Fund to the Cemetery and the Zoning Funds as described above and to include the authority of the Fiscal Officer to create blanket purchase orders as needed. Trustee Houston seconded the motion. The roll call vote was all in favor.

The Fiscal Officer reported that the books are now closed for 2024 and that all of the required reports have been forwarded to the Ohio State Auditor. Copies are available if anyone would like to obtain one. They will also be available on the township website.

The township has deposited in escrow, \$43,540.00 received from Progressive Insurance as per ORC 3926.86. This money is set aside for the eventual cleanup of the property on Huxley Rd. as needed. The Township has been in contact with the county prosecutor's office to make certain that this matter is handled in the proper manner. The Township has the authority to make the property safe. The Fire Chief will inspect the property and report to the Board any recommendations. The Ohio Revised Code is explicit in stating that the Township can use these funds to clean up or to reimburse the estate for their cleanup costs. The Fiscal Officer suggested that the Township should keep in contact with the Sheriff's department and the family. Presently nothing appears to have been filed in the probate courts.



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Held Regular Trustee Meeting March 12, 2025, Continued 20

**ROAD and MAINTENANCE:** Joe Serensky is on unpaid vacation. Trustee Houston has been the contact person. There was a burial at Berlin. There is a possibility that the parking lot will be sealed this year. Need to replace the ground filler under the swing sets on playground. There was an emergency repair to the water tanks by Mahoning Valley Water. **MOTION 20215-22:** Trustee Toman made a motion to approve the expenditure of \$1,174.50 to Mahoning Valley Water for emergency repairs to the water system in the Road Dept. building. The motion was seconded by Trustee Houston. The roll call vote was all in favor.

**ZONING REPORT:** Inspector Wayne Sarna issued two zoning permits since his last report. A permit was issued for a 1,867 sq. ft. single family home with a three-car garage at 11170 N. Kiwatani Trail in Diehl Lake. The fee collected was \$1,045.00. The second permit was for a carport at 11140 S. Kiwatani Trail and the amount collected was \$50.00.

A zoning appeal of 9352 Akron-Canfield Road where a fire occurred in November has been requested by the owner, Carrie Howard. She would like to replace the destroyed manufactured home with a new foundation and new manufactured home. The fee for a ZBA hearing is \$450.00. **MOTION 2025-23:** Trustee Houston made a motion to waive the \$450.00 ZBA fee due to hardship in this case. The motion was seconded by Trustee Toman. The roll call vote was all in favor.

Mr. Sarna spoke with the owner of an abandoned house at 12082 Palmyra Road. The owner stated that he would remove it when he got to it and set no timeline. Mr. Sarna is requesting the Fire Chief to inspect the house for the purpose of condemning the property. At 5843 Gault Road there is an issue of accumulated debris at the front of home and neighboring garage. The daughter of the property owner requested an extension of the March 1, 2025, deadline. The property will be reinspected on March 31, 2025. The prosecutor's office has responded to his request of foreclosure on 11830 Palmyra Rd. The foreclosure is due to back property taxes in the total amount of \$4,651.48 with \$3,682.64 being delinquent. The property is empty. The prosecutor's office will locate the current address for the owner. The property also has a buildup of accumulated debris. Mr. Sarna has received numerous emails and texts from the property owner of parcels 23-052-N-022.00-0; 23-052-N-012.00-0; and 23-052-N-013.00-0 inquiring about changing the Land Use Plan on these parcels from agriculture to business in order to install a small solar farm. Mr. Sarna responded by providing the procedure to apply for a zone change and that the owner had applied for the change but then withdrew his application. He was also provided with the information that the Land Use Plan cannot be changed just for specific parcels, and that the zoning commission and/or Trustees are responsible for any changes to the Land Use Plan.

He is continuing to monitor work at 9753 Palmyra Road for an application to construct a deck or porch in the spring of 2025. Also monitoring work at 11632 Ellsworth Road regarding the home and issues being corrected. The zone change application for 8890 Knauf Road was scheduled to be heard by the trustees but withdrawn. A letter to neighbors will be sent to notify them that the change was withdrawn.

An anonymous letter dated 3/1/2025, regarding zoning complaints against five (5) properties was received: 3935 S. Bailey Road for excessive junk and debris – this property is not in Ellsworth; 4050 S. Bailey Road for an abandoned pickup truck and a wire fence with no permit; 4145 S. Bailey Road for accumulated junk/trash, and numerous trailers, autos, and trucks; 4223 S. Bailey Road for an abandoned home and deteriorated garage; and 4289 S. Bailey Road for two trailers parked by existing garage without a residential structure. Violation letters were sent to the above addresses. A response from 4050 S. Bailey Road was received and the owner does have a permit for fence.

A complaint was received regarding an abandoned pickup truck and automobile sitting in the driveway at 10960 W. Western Reserve Road. A letter of violation was sent.

A letter was received from the Mahoning County Auditor requesting the procedure for obtaining permits on new construction, demolition, agricultural and zoning permits.

Mr. Sarna reported on the main issues discussed at the last Zoning Commission meeting: the home destroyed by fire that was discussed earlier; new zoning permit fees; upcoming meetings in 2025 pertaining to land use changes to the Sandstrom property on Route 224.

Mr. Sarna reported that he discussed with a resident an issue with the driveway entrance onto Gault Road that is directly over the property line of Candance Neff who sold her property. The entranceway to Gault Road has been in existence for over 21 years. It appears that an easement or right of way needs to be entered into between the parties to avoid any issues. Another choice would be a new driveway approach cut out onto Gault Road.

**FIRE / EMS:** Assistant Fire Chief Jillian Smith reported that 38 calls were received last month. 23 calls were fire related, and 15 were EMS calls. The Department received an application from Erin Gilmour who is a



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Paramedic/Firefighter II. **MOTION 2025-24:** Trustee Houston made a motion to accept the application of Erin Gilmour as a probationary medic/firefighter. The motion was seconded by Trustee Toman. The roll call vote was all in favor. Chief Smith then advised the Board that Advanced EMT certificates have been earned by D. Hellman and M. Gensemer.

Chief Smith requested approval for purchases of EMS supplies from Bound Tree in the amount of \$1,289.72 and \$510.00 to send six (6) Department members to the annual Fire Chiefs' Symposium at a cost of \$85.00 each.

**MOTION 2025-25:** Trustee Toman made the motion to approve the \$1,799.72 requested. The motion was seconded by Trustee Houston. The roll call vote was all in favor. The Board was questioned whether the COLA and 4% work related increases received in January 2025 were set up to occur annually in the future. The Board advised that any wage increases would be determined on an annual basis. The Chief reported that Grant work is ongoing by Assistant Fire Chief Smith and Assistant Chief Williams. Also, the four junior firefighters who are attending EMT classes are doing well.

The department is transitioning to new software involving scheduling and payroll. Assistant Chief Williams is handling the Ohio Fire Chiefs reports for the feasibility study. Over 1000 calls from 2023 and 2024 are being reviewed as part of a three-township feasibility study for a proposed Western Mahoning County Fire District.

Chairman Spellman then recognized Angela Javorsky, the Zoning Commission secretary, who reported that the commission has reviewed the new proposed zoning fees. There is a fundamental change from cost per square foot to property valuation. The Commission presented the new fees to the trustees. **MOTION 2025-26:** Trustee Houston made the motion to adopt the zoning fee schedule as proposed and revised on March 11, 2025, by the Zoning Commission. The motion was seconded by Trustee Toman. The roll call vote was all in favor. The Commission would like to set up a public meeting for input on land use. Mrs. Javorsky requested approval for \$250.00 for training webinars sponsored by the Ohio Township Association.. **MOTION 2025-27:** Trustee Toman made a motion to purchase the OTA training format for all Township departments in the amount of \$250.00 for the year. The motion was seconded by Trustee Houston. The roll call vote was all in favor.

The Zoning Board of Appeals will set a date for their Hearing.

**COMMITTEE REPORTS:** Trustee Toman reported the crime reports are online. He also posted as to the reason(s) that electric bills are rising. The Elk Road project is projected by the engineers to cost \$40,000. He and the Board then discussed any need to hire an outside contractor to cut the Cemetery grass this summer. The Board felt that the work should be done with in-house labor. **MOTION 2025- 28:** Trustee Houston made a motion to use in-house labor to mow the Ellsworth and Geeburg Cemeteries in 2025 and not to renew the services of Mr. Dreiling. The motion was seconded by Trustee Toman. The roll call vote was all in favor.

Trustee Houston reported that the Township is still waiting on the county to address the property tax status of the new property at 10774 Akron-Canfield Road. The Fiscal Officer will submit the forms to get the property changed to a nontaxable entity.

Chairman Spellman discussed the restoration of cemetery headstones by Jim Foor as brought to him by the Historical Society. **MOTION 2025-29:** A motion was made by Trustee Toman to approve the restoration of cemetery headstones in the amount of \$600.00 from the Township and \$600.00 from the Ellsworth Historical Society and to apply for any Ohio Cemetery Grants that may be available for this purpose. The motion was seconded by Trustee Houston. The roll call vote was all in favor.

Three garage doors with six windows were installed on the pavilion. The cost was \$4,341.00 as was approved last month.

Trustees met with the Sanitary Engineer to discuss funding to assist residents with the cost of connecting to the new sewer line. Trustee Houston is to be the contact person on this matter.

A discussion was held on the amount of rent for the new pavilion which is now enclosed and heated. Trustee Houston asked the Fire Department to set the capacity of the building. **Motion 2025-30:** Trustee Toman moved to approve a fee of \$100 per use for the outside pavilion for residents and a fee of \$200 per use for nonresidents with an additional refundable security deposit of \$50.00 from both residents and nonresidents. Trustee Houston seconded the motion. The roll call vote was all in favor.

Fiscal Officer DeCenso reported that the bi-annual audit of 2022-2023 has been completed and the audit firm has reported four noncompliant issues: 1) All elected officials are required to attend public records training; and that 2) the Township's public records policy must be posted; 3) The Township's record policy must be made part of the

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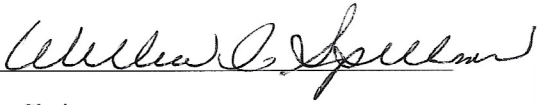
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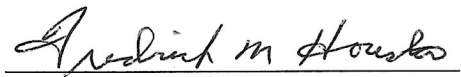
employee handbook; and 4) that the Township errored by allowing a former employee to carry over more than the 80 hours of vacation annually as permitted by the Township’s Vacation Policy as approved in 2008 and again in 2011. The auditors indicated that this issue could be resolved by a retroactive elimination of that policy. **MOTION 2025-31:** Trustee Toman made a motion to remove the policy from the Employee Handbook (from both the 2008 and 2011 versions) that limited any annual vacation carry over. Trustee Houston seconded the motion. The roll call vote was all in favor. The final issue found by the auditors was that the Fiscal Officer had posted the \$134,262.00 received from Norfolk and Southern Railroad in 2023, into the wrong account. However, the monies were posted to the correct Fund.

The next meeting will be Wednesday, April 9, 2025, at 7:00 pm at the Township Hall.

With no further business, at 10:15 pm, **MOTION 2025-32:** Trustee Toman made a motion to adjourn the meeting. Trustee Houston seconded the motion. The roll call was all in favor.

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Fiscal Officer

  
Chairman

  
Trustee

  
Trustee