

# 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

November 9, 2022

Chairman William Spellman called the November 9, 2022, regular meeting of the Ellsworth 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 were Fiscal Officer James DeCenso, Road and Maintenance Supervisor Tom Hoffman, Fire Chief Ted Smith, and Zoning Inspector Wayne Sarna. The Pledge of Allegiance was recited.

Chairman Spellman recognized Fred Schrock, Ellsworth Fire Chaplin, and member of VFW Post # 9571, who spoke about the importance of Veteran's Day and thanked the Trustees for their recent proclamation honoring the VFW. He also reminded the audience of the upcoming Wreaths for Veterans program that will be held at the Ellsworth cemetery at 10:00 am on Saturday, December 3<sup>rd</sup>.

MINUTES: Fiscal Officer DeCenso presented the minutes from the last regular meeting which was held October 12, 2022. No one in attendance requested that the minutes be read. **Motion 2022-100:** Trustee Toman made a motion to accept the meeting minutes. Trustee Houston seconded the motion. The roll call vote was all in favor.

FISCAL REPORT: Fiscal Officer James DeCenso reported that October's receipts were \$22,610 and expenditures were \$55,913. Receipts include \$2,174 of Bank interest as the annual rate has risen to 3.08%. Expenditures included the SRO payment to the Mahoning County Sheriff of \$10,004 and \$4,000 for the new chairs at the Fire Hall and Town Hall. The total gross fund balances as of October 31, 2022, was \$861,416, including \$205,645 in the ARPA fund; \$291,696 in Fire/EMS Ops and Equipment funds and \$290,258 in Road funds. The General Fund balance is \$73,817 (includes Cemetery and Zoning funds). He reported that the unencumbered General Fund balance is now at \$5,975. The Fiscal Officer then requested a motion to approve a \$750 budget for the Trick-or-Trunk event. The \$750 was received from a grant from NOPEC, earlier in the year. **Motion 2022-101:** Trustee Toman made a motion to approve the \$750 budget as presented. Trustee Houston seconded the motion. The roll call vote was all in favor. The Fiscal Officer then reported that the current appropriated balance of the Zoning fund legal account was below \$200 and that future 2022 anticipated legal fees may exceed the balance. He requested the Board to authorize a \$2,000 transfer from the General Fund to the Zoning Fund, in the event additional legal consults are needed regarding the Basista site plan appeal. **Motion 2022-102:** Trustee Toman made a motion to authorize the Fiscal Officer to transfer \$2,000 from the General Fund to the Zoning Fund, in the event that the Township incurs any legal fees that exceed the current Zoning Fund account balance during 2022 and before any 2023 appropriations are posted. Trustee Houston seconded the motion. The roll call vote was all in favor. Mr. DeCenso also reported that the 2022 appropriation approval of \$20,800 for seasonal employees, has a current balance of \$1,737 and additional funds may be needed prior to yearend. **Motion 2022-103:** Trustee Houston made a motion to authorize the Fiscal Officer to reallocate appropriate General and/or Road Funds to pay any remaining 2022 seasonal employee expenses that may exceed the original approved appropriations as needed. Trustee Toman seconded the motion. The roll call vote was all in favor. The Board then discussed the ballot approval of the recent Fire/EMS tax levy. The Board thanked the residents for their strong approval and will begin to set in place the process to staff the Fire Station on a continued basis as additional qualified personnel become available. Since the tax monies do not become available until February or March of 2023, the Board discussed using ARPA funds to pay staffing needs until the new funds become available. **Motion 2022-104:** Trustee Houston made a motion to authorize the use of ARPA funds to pay all staffing payroll expenses until the end of 2022 with no limits for the number of shifts. Trustee Toman seconded the motion. The roll call vote was all in favor. Mr. DeCenso then reviewed the 2023 Group Medical Plan with Medical Mutual. The 2023 rates are being increased by 23.75%. The Board instructed the Fiscal Officer to gather other quotes for review. Mr. DeCenso then reviewed the 2023 Ohio BWC rates, which will include a new code for clerical. This should help to mitigate the expected increase in premiums due the significant increase in Fire/EMS wages paid in 2022. He will prepare for the next meeting, a review with actual premium amounts needed for the 2023 estimate, which is payable by December 21<sup>st</sup>. He will also need to file the 2022 "True-Up" report and any additional premiums in January 2023. Mr. DeCenso then reviewed the final 2020-2021 state audit findings. He discussed the auditors' initial findings regarding the reimbursement to him of

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## Regular Trustee Meeting November 9, Continued

his wife's Medicare Part B and Medicare Supplement premiums that he pays out of pocket. The auditors' challenged the ability for the Township to reimburse for a spouse's individual policy when the Township maintains a Group policy for "family" coverage. Mr. DeCenso challenged the findings based on non-existent Medicare family coverages and that he had obtained opinions from the previous auditor and also from the Ohio State Auditor's staff, prior to the Township implementing a premium reimbursement policy. Upon review by the Ohio Auditor's office, it was ruled that the reimbursement policy was within the scope of Ohio Revised Code and the findings were dropped. In other matters, the audit did find examples where non-emergency purchases or commitment of purchases were made without the production of a purchase certificate issued by the Fiscal Officer. Mr. DeCenso reviewed this on-going matter and will utilize more Blanket Certificates within the 2023 Budget.

ROAD and MAINTENANCE: Mr. Tom Hoffman reported that there was one burial in October and was assisted by Berlin Township. He also reported that his department trimmed and cut down three trees around the Columbarium. He reported that Ron Zielinski had installed two foundations in the cemetery. He reported that he caulked and glued the window sashes in the Fire Hall. He reported that both boilers were inspected in October, as the boiler in the Road Department Building was missed in May, when the original inspection was done. Also that the bearings in the circulating pump for the boiler in the Road Building went bad. He ordered a new motor pump assembly and replaced it. He rebuilt the old assembly and will keep it as a backup. He had reported to ODOT that the traffic signal at 224 and 45 appeared to be coming loose. ODOT repaired the wiring the next day. He worked with Trustee Toman on a drainage issue on North Elk Rd. Trustee Toman also gave an update on the issue. It appears that the original piping is the incorrect size. It is suggested that a catch basin be installed which may correct the problem. Mr. Hoffman reported that the Christmas tree is in the shop and will be ready for the tree lighting ceremony.

ZONING REPORT: Mr. Wayne Sarna advised the Board that he had issued two Zoning permits since the last meeting. Permits were issued to Meyers Equipment for a commercial sign, and another commercial sign at 11105 W. Akron Canfield Rd. He indicated that there are two other potential sign permits that need to be purchased. He has written letters to those establishments. He reported that the Basista Holdings site plan appeal is still pending. He also reported on the property at 10610 Akron Canfield Rd. The realtor has advised Mr. Sarna that the property may be in the process of selling. Mr. Sarna also reported that the Carol Miller property on Palmyra Rd has sold and that he has advised the buyer that the mobile home must be removed. He then reported on four other on-going complaints within the Township.

FIRE DEPARTMENT: Chief Edward Smith reported that there have been 332 emergency calls in the Township since the beginning of the year. For October, there were 32 calls of which two were cancelled and 21 were EMS related. There were 20 transports during the month including some from Berlin, and 13 were transported by Ellsworth. The remaining seven were transported by other departments. He reported that both Dustin Hellman and Isabel Schors are currently doing well with their EMT schooling. The Chief then submitted invoices of \$750 to MCCTC for Mr. Hellman's tuition; \$3,100 to Berlin township for fire gear for Caleb Quinn, \$3,562.82 to Emergency Reporting for the reporting software renewal; and \$128.60 to Eastern Medical for Oxygen cylinders. **Motion 2022-105:** Trustee Houston made a motion to approve the \$7,541.42 requested, with the invoice to Berlin township to be paid when funds are available. Trustee Toman seconded the motion. The roll call vote was all in favor. Chief Smith reported that since the Levy was approved, he has distributed five applications to potential applicants. He thanked the Levy Committee members for their work in educating the public about the need for the Levy and their work in getting out the vote. The Chief then reported on the Trick-or-Trunk event held at the Fire Station. It was estimated that 400 kids attended. He thanked everyone who assisted in the event.

### COMMITTEE REPORTS:

Trustee Toman discussed the information that was sent out from the Mahoning County Prosecutor's office regarding the County Roads Sales tax that was enacted in 2022. He reported that the County does not automatically disburse monies to the townships for their projects, but rather must get projects approved by the County Engineer and then apply for reimbursement upon completion. He then again reviewed the water drainage issue on Elk Rd.



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## Regular Trustee Meeting November 9, Continued

Trustee Houston reported on his discussions with Western Reserve Landscape for 2022-2023 snow removal and salting. Mr. Jeff Williams has proposed a guaranteed amount of 100 hours at \$125.00 per hour. That represents a guaranteed amount of \$12,500.00. Additional hours would be billed at \$100.00 per hour. His services would also include salt storage on his property. The Board discussed other options and vendors that have been contacted. Only one other vendor responded and proposed over \$200 per hour. The Board discussed the history of Western Reserve Landscape and the dedicated work that Mr. Williams and his crew have provided to the Township over the years. **Motion 2022-106:** Trustee Houston made a motion to approve the snow removal Agreement with Western Reserve Landscape as presented. Trustee Toman seconded the motion. The roll call vote was all in favor. The Board then discussed a salt Agreement with Arms Trucking for the same 2022-2023 season. **Motion 2022-107:** Trustee Toman made a motion to approve an Agreement with Arms Trucking for 30 tons of road salt at \$92.50 per ton, for the 2022-2023 season. Trustee Toman seconded the motion. The roll call vote was all in favor.

Chairman Spellman discussed the NOPEC aggregation program, and the upcoming fee increases from First Energy. He also reviewed a request from Utility Pipelines (Knox Energy) to expand natural gas access within the Township. They may begin marketing to residents soon.

### OLD BUSINESS:

No old business was discussed.

### NEW BUSINESS:

The Township tree lighting will be Saturday, December 3<sup>rd</sup> at 6:00 pm with refreshments served afterwards at the VFW Post. The Veterans for Wreaths ceremony will also be held on Saturday, December 3<sup>rd</sup> at 10:00 am at the Ellsworth Cemetery.

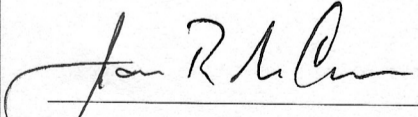
The Board and Fire Chief Smith discussed some planning for the 24/7 staffing at the Fire Station. It was determined that sleeping quarters need to be established for the staff. The Chief's office could be converted into sleeping quarters and the EMS office will become the Chief's office. **Motion 2022-108:** Trustee Houston made a motion to spend up to \$1,000.00 from the Fire Fund, to furnish and equip appropriate sleeping quarters at the Fire Station. Trustee Toman seconded the motion. The roll call vote was all in favor.

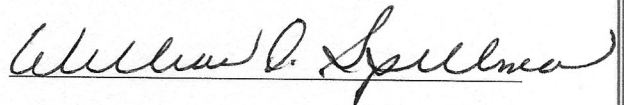
The next regular meeting will be Wednesday, December 14, 2022.

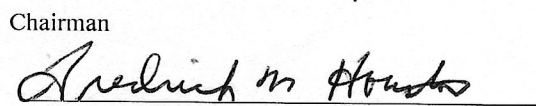
At 9:05 pm **Motion 2022-109:** Trustee Spellman made a motion pursuant to ORC 12.22(G)(2) to adjourn to Executive Session to discuss potential legal matters with the Township. Trustee Toman seconded the motion. The roll call vote was all in favor. The Board requested that the Zoning Inspector and the Fiscal Officer attend.

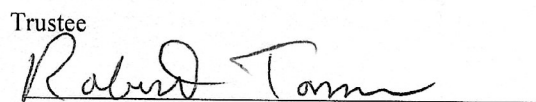
At 9:32 pm **Motion 2022-110:** Trustee Toman made a motion to return to Regular Session. Trustee Houston seconded the motion. The roll call vote was all in favor.

With no further business, at 9:23 pm, **Motion 2022-11:** Trustee Toman made a motion to adjourn. Trustee Houston seconded the motion. The roll call vote was all in favor.

  
Fiscal Officer

  
Chairman

  
Trustee

  
Trustee

Trustee