

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

April 19, 2023

Chairman Fredrick Houston called the April 19, 2023, 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 - present. Also present were Fiscal Officer James DeCenso and Zoning Inspector Wayne Sarna. The Pledge of Allegiance was recited.

MINUTES: Fiscal Officer DeCenso presented the minutes from the last Regular meeting which was held March 8, 2023. No one in attendance requested that the minutes be read. **Motion 2023-47:** Trustee Toman made a motion to accept the minutes from the last meeting. Trustee Houston seconded the motion. The roll call vote was all in favor.

FISCAL REPORT: Fiscal Officer James DeCenso reported that March's receipts were \$338,392 and expenditures were \$104,302. Receipts included \$295,000 in the 1st half property tax advances. Expenditures included the \$14,716 payment to Do-Cut for the new mower and \$29,209 to Myers for the power cot system and installation into the new ambulance. Mr. DeCenso indicated that his preliminary review of the new Fire/Ems tax levy collections, were on target with projections. The total gross fund balance as of March 31, 2023, was \$824,960, including \$55,538 in unencumbered ARPA funds; \$381,494 in Fire/EMS Operation and Equipment funds and \$291,498 in Road funds. The General Fund balance is \$82,142 (including Cemetery and Zoning funds). The Fiscal Officer presented \$3,130.93 in invoices for approval. Mr. DeCenso requested some additional time to review the last two items and will bring the matter up again later in the meeting. The Fiscal Officer then discussed the need to pass a resolution to certify the reimbursement from Norfolk Southern RR for expenses related to the Township's participation in the February 3rd train derailment in East Palestine Ohio program. The Mahoning County Prosecutor and the city of East Palestine have approved a reimbursement schedule, to which Chief Smith has calculated a reimbursement of \$120,912.20. The amount of reimbursement is in accordance with the Township's Hazardous Material / WMD Cost Recovery Plan, which was approved in March (Motion 2023-43) and ORC 3745.13. Mr. DeCenso commented that the amount seems high, but the Department will need to replace six complete sets of gear and breathing apparatus. The amount also includes the use of Fire Apparatus on two occasions. The Prosecutor's office opined that this settlement would not preclude any future claims related to equipment or related health matters to participating members of the department. **Motion 2023-48:** Trustee Toman made a motion to certify and accept the reimbursement of \$120,912.20 from Norfolk Southern for Township costs associated with the train derailment that occurred February 3, 2023, in East Palestine Ohio as per the Township's Cost Recovery Plan and ORC 3745.13. Trustee Spellman seconded the motion. The roll call vote was all in favor. The Fiscal Officer then discussed an amended Record Retention Program for the Township. He had previously emailed the 32-page document received from the Mahoning County Prosecutor's office to the Trustees for review. The Retention Schedule had been compiled by the Ohio History Connection and is recommended to act as the Township's policy. **Motion 2023-49:** Trustee Toman made a motion to accept and approve the recommended record retention schedule received from the Ohio History Connection as the Township's Record Retention Policy, effective immediately. Trustee Spellman seconded the motion. The roll call vote was all in favor. The Board requested that the Fiscal Officer supply the schedule to all of the Township's affected departments. Mr. DeCenso then requested a motion to approve the 2023 NOPEC Community Event Sponsorship Program. **Motion 2023-50:** Trustee Toman made a motion to accept the 2023 \$1,000 NOPEC Community Grants and to approve the Wreaths for Veterans Program for \$250 and the Township's Trick-or-Trunk event for the remaining \$750. Trustee Spellman seconded the motion. The roll call vote was all in favor. Chairman Houston reminded the Board and the audience that most of the Township's funds are in restricted accounts that only be used for specified legal purposes and that less than 10% of the total (the General Fund) is available for discretionary spending.

ROAD and MAINTENANCE: In Mr. Hoffman's absence, his Road and Maintenance report was read by Chairman Houston. He listed that there were two burials in the Township in March, with assistance from Berlin township. He also assisted Berlin with one of their burials. He reported that he has been working on cemetery clean up including dressing graves to prepare for seeding. He reported that he would need 163 flag pipes for documented veterans' graves. His reported on two quotes to replace the front glass doors to the Fire Station

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Regular Trustee Meeting April 19, 2023, Continued

Hall. AM Door quoted \$7,514 and Warren Glass quoted \$5,800. The Fiscal Officer indicated that there is a \$3,656 grant available from NOPEC for an energy saving expense. The Board indicated that they would review these at a later date. Mr. Hoffman's report continued that the new refrigerator for the Fire Station has been received and that the new LED signage in front of the station is up and working. He reported that a Fire Station bay door spring had broken and that it had been repaired by Murdock. He continued that the new mower has been picked up and is in service. He has installed new flags at the Town Hall and Fire Station and ordered flags for road display from the VFW. He reported that Warren Fire has completed their inspection of all of the extinguishers. He reported that on March 25th, high winds had knocked over a tree onto one of the ballfield outfield fences. After removing the tree, he priced the necessary materials from Easterly Fence to repair it at \$259.82. The Fiscal Officer indicated that he would add that amount to his list of invoices to be reviewed later in the meeting.

ZONING REPORT: Mr. Wayne Sarna advised the Board that he wrote three Zoning permits since the last meeting, including a privacy fence on Akron Canfield Rd; a single-family dwelling on S Salem Warren Rd.; and a commercial sign on Akron Canfield Rd. He reported on a letter he received from Atty Ross, who represents the Lewis site plan. He indicated that they are waiving their two appeal requests for the property on S Salem Warren Rd and are requesting a refund of \$800. Mr. Sarna reported that he is waiting for the title search information from Atty Finamore on the property at 10610 Akron Canfield Rd before continuing with the approved demolition process. He can then schedule the necessary hearing for the property owner(s) before the Board of Trustees. Mr. Sarna then reported on seven other properties that he is reviewing for recent violations. He also reported on a phone call from a Mahoning County Sheriff Detective regarding his citations against a goat farm on W Akron Canfield Rd regarding the goats getting out of their fenced area. Mr. Sarna explained that the property is zoned as Agricultural and that there are no relevant zoning regulations with the recent citations.

FIRE DEPARTMENT: In Chief Smith's absence, his Fire and EMS report was read by Chairman Houston. It listed that there were 42 emergency calls in the Township in March of which 13 were EMS related. There were 10 transports during the month of which 9 were provided by Ellsworth. The Chief had received an application from Nicholas Heitzer, a Medic w/FF II certification. The Chief's report also included positive updates on members who are currently in class for various medical and firefighting certifications. The Board advised the audience that the Department only has part-time personnel on the roster. This eliminates the high cost of healthcare and other benefits to any first responder that works less than 1,976 hours per year. His report included the need to purchase replacement turnout gear and air packs to replace those from the East Palestine events. The Board discussed the pros and cons of renting versus purchasing replacement gear. The Township had earlier exercised a rental Agreement while further action is reviewed. The Board agreed to continue the review with Chief Smith at the next meeting. In the event that the current rental Agreement would expire prior to a long-term strategy position, the Board discussed approving an additional amount as a contingency to allow another three months of rental. **Motion 2023-51:** Trustee Toman made a motion to approve up to \$4,000 from the Fire Fund to renew the rental of turnout gear for up to another three months if needed. Trustee Spellman seconded the motion. The roll call vote was all in favor. Chief Smith's report also requested the purchase of a software subscription from Timeclock Plus LLC, called Aladtec. The software would include scheduling, truck and drug logs, and station Inventory. Mr. Hoffman could also have access for his vehicle safety checks and inventory. The Chief indicated that this program is superior to and would replace the current Emergency Reporting software that the Department has been using at a cost of nearly \$4,000 per year. The annual cost for Aladtech is \$5,400 with a onetime set-up fee of \$1,180. Trustee Spellman indicated that he had spoken to Chief Smith about this change and agreed that it would be beneficial to the Township. **Motion 2023-52:** Trustee Spellman made a motion to approve a \$6,580 expenditure for the Aladtech software as presented. Trustee Toman seconded the motion. The roll call vote was all in favor. The Board recognized and thanked the Fire Department members for their cleaning up of trees over the last two weekends of high winds. Chairman Houston recognized Fred Schrock, who is the Department's Chaplin. Mr. Schrock described his work with the Department and areas that he would like to be more involved in. The Board thanked him for his work. The Fiscal Officer then reviewed invoices submitted by Chief Smith. The total submitted is \$3,766.48, including \$1,025 to Bearcom to remove the radio from the old ambulance and install it into the new ambulance. This invoice was to be discussed at the last meeting. Also submitted was \$2,390 to

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MCCTC for D. Hellman's FF II training and D. Ashburn's EMT training; \$115.60 for medical supplies and \$235.88 to Sebring tire for the emergency repairs that were discussed last month. **Motion 2023-53:** Trustee Toman made a motion to approve the \$3,766.48 in Fire and EMS invoices as presented. Trustee Spellman seconded the motion. The roll call vote was all in favor.

COMMITTEE REPORTS:

Trustee Spellman reported on the County Land Bank meeting that he had attended and discussed the Ohio program on brownfield remediation. He had contacted the owners of the old Guttman Oil Co to attempt to get them to participate in the State's program. He discussed the possible need to increase the use of temporary workers in the Township to assist with ongoing projects. Some health issues are limiting the hours of the existing crew. He discussed the water issues in the Elk Rd and West Hill areas and reported that the County Engineer's office is now involved. The Board discussed the need to assist the County by gathering pertinent data from each property owner. The Board discussed the use of the Township's share of the road sales tax monies to pay for any necessary repairs.

The Board opened the floor to residents of the Elk Rd area to listen to their concerns about their flooding issues. Many of the questions cannot be answered until the County Engineer's Office provides an engineered solution. The County may then also need to work with the residents as some of the issues may include work on private property. The Board agreed to contact the Engineer's office to help facilitate their efforts. Also discussed was the deterioration of the roadway on the hill of Gault Rd that connects State Rt 224 and Elk Rd. The Board recommended residents to contact the Engineer's office while they do the same.

Trustee Toman discussed the recent auction sale of the 1995 International Fire Truck for \$17,750.00. He also reported on recent communication from First Energy regarding their announced price increase of electricity consumption effective June 1st. Their rate will increase to \$0.1239 from the current \$0.0600 per kilowatt hour. He reported that NOPEC is still the Township's aggregate electric supplier and has a rate of \$0.0645 per kilowatt hour through 2023. First Energy will begin moving households back to NOPEC unless the resident opts out by May 2, 2023. Residents can cancel NOPEC at any time without a penalty. Residents should be aware of other fees and/or penalties that other electric suppliers may charge. Comparative rates and information is available to consumers at the PUCO's website, Apples to Apples.

The Board and Dee Tripp discussed solar farms under the jurisdiction of the State and some recent changes to Township and/or County Zoning authority of business/farms that produce under 50 Megawatts of electricity.

OLD BUSINESS:

The matter to repair/replace the baseball field fences was tabled until Mr. Hoffman is available.

NEW BUSINESS:

The Board recognized Carol Check who announced that Tim Foor will be at the Ellsworth Cemetery on May 21st from 9:00am to 4:00pm to clean and or repair certain headstones in the Ellsworth Cemetery and his fee will be \$600.00. He will also need 1/8th ton of aggregate to use for his repair work. The Board agreed to add the \$600.00 fee to the Invoices submitted by the Fiscal Officer that has not yet been discussed nor approved.

The Fiscal Officer then re-stated the total amount of invoices submitted earlier to include the additional \$600.00. He also discussed an included invoice from the MCTA of \$320.00 for elected members and \$31.00 for any auxiliary members. The Board Agreed to add up to five auxiliary members, who can be named later. The new amount to approve is therefore \$3,390.75. **Motion 2023-54:** Trustee Toman made a motion to approve the \$3,390.75 in invoices as presented by the Fiscal Officer. Trustee Spellman seconded the motion. The roll call vote was all in favor.

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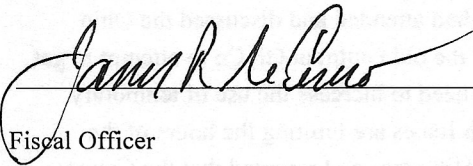
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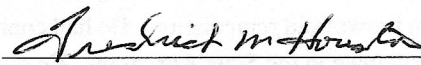
Regular Trustee Meeting April 19, 2023, Continued

The next regular meeting will be Wednesday May 10, 2023, at 7:00 pm.

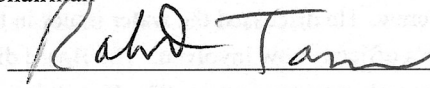
With no further business, at 9:24 pm, **Motion 2023-55:** Trustee Toman made a motion to adjourn. Trustee Spellman seconded the motion. The roll call vote was all in favor.



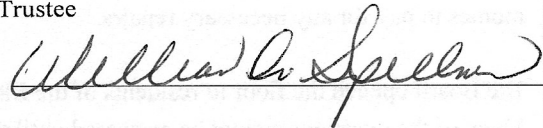
Fiscal Officer



Chairman



Trustee



Trustee