

The Board of Liberty Township Trustees met in a Caucus/Regular Session on September 17, 2018 at 6:30 p.m. caucus 7:00 p.m. regular meeting at the township Administration Building with the following members present, Mrs. Jodi K. Stoyak, Mr. Gregory Cizmar, and Mr. Arnold Clebone, presiding.

The caucus session, where attendees have the opportunity to speak about any issues of concern commenced at 6:30 p.m. and ended at about 7 PM. During the half hour caucus session a number of people in the audience expressed their support and opposition to Toby Meloro being appointed as the Interim Police Chief.

The regular session commenced at 7PM.

Fiscal Officer Steve T. Shelton's financial report. Copy of Cash Summary available. Provided Board with financial update to review. Discussed Budget concerns.

Administrator's Report – Mr. Ungaro informed the Board of growth possibilities.  
Fire Department – Chief Gus Birch. Presented report for review.  
Police Department – Interim Chief Toby Meloro presented report for review.  
Road Department – Tim Monroe, Interim Foreman update of road repairs & progress.  
Zoning Department – Code Officer Mr. Jim Rodway presented report for review and addressed residents concerns.

Motion made by Mr. Cizmar to approve the following minutes: July 30, 2018 Regular (evening) Meeting; the August 2, 2018 Regular Meeting, August 9, 2018 Regular Meeting, August 15, 2018 Special Meeting, August 16, 2018 Regular Meeting, August 23, 2018 Regular Meeting, August 30, 2018 Regular Meeting, September 6, 2018 Regular Meeting, and the September 13, 2018 Regular Meeting.

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

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. \*\*Mrs. Stoyak, Yes. Motion carried.

\*\*Mrs. Stoyak will only approve the minutes of the meetings she attended: July 30, 2018 & August 15, 2018.

Motion made by Mrs. Stoyak to approve warrant/eft expenditures for the month of July 2018 in the amount of \$470,860.90 warrants #17284 through #17429 inclusive and for the month of August 2018 in the amount of \$696,677.47 warrants #17430 through #17600 inclusive.

Motion: Mrs. Stoyak. Second: Mr. Cizmar.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

18-115 Motion made by Mrs. Stoyak to acquire the following properties from the Trumbull County Land Bank, for a total cost of \$532.46. The parcels adjoin the Liberty Township Fire Station on Belmont Avenue Parcel Numbers: 12-699996, 12-699995, 12-699994, 12-699993, 12-699992, 12-699991, 12-699990, 12-699989.

Motion: Mrs. Stoyak. Second: Mr. Cizmar.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

18-116 Motion made by Mr. Clebone to TABLE to extend the \$175.00 tool allowance for Mechanic/Maintenance Supervisor Keith Siefert from October 1, 2017 through September 30, 2019.

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

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Mrs. Stoyak, Yes. Motion carried.

18-117 Motion made by Mrs. Stoyak to accept the amount and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor for the calendar year 2019.

Motion: Mrs. Stoyak. Second: Mr. Cizmar.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

18-118 Motion made by Mr. Clebone to TABLE the resolution of support for HB 602 – the Clean Water Fair Pricing Act and forward the resolution to our state representatives, the Ohio Senate President Larry Obhof and the Ohio House Speaker Ryan Smith until he speaks with Representative Glen Holmes.

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

Roll Call: Mr. Clebone, Yes. Mr. Cizmar, Yes. Mrs. Stoyak, Yes. Motion carried.

18-119 RESOLUTION No. 18-119 TOWNSHIP IMPOUND LOT AND FEES

**WHEREAS**, R.C. §4513.61 authorizes a township chief of police to order into storage any motor vehicle that has come into the possession of the chief of police as a result of the performance of the chief's duties, or that has been left on a public street, or that constitutes an obstruction to traffic; and,

**WHEREAS**, Liberty Township from time to time has a need to tow, impound or otherwise remove vehicles seized, immobilized or ordered to be removed from public or private property by the Liberty Township Chief of Police and/or forfeited pursuant to Chapter 29 and Chapter 45 of the Ohio Revised Code; and,

**WHEREAS**, Liberty Township established Police Department Guidelines and Rotation Towing Policy effective May 22, 2007, amended by Resolutions 14-73, 14-77, and 15-87, which allow the township to collect certain fees for towing and impound of motor vehicles towed, removed, ordered into storage or impounded within the township; and

**WHEREAS**, Liberty Township incurs expenses as a result of processing, impounding and storing such vehicles; and,

**WHEREAS**, Liberty Township has determined that an increase in the Administrative fee is necessary to adequately provide for the cost of the processing; and

**WHEREAS**, Liberty Township has determined that the Police Department Guidelines and Rotation Towing Policy should be amended to provide that the cost of towing should be paid by the vehicle owner directly to the tow company before claiming the vehicle.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF LIBERTY TOWNSHIP THAT:**

**Section 1: Fees:** Effective immediately, the following impound lot fee schedule is established:

Administrative Fee:	\$75.00
Storage Fee:	\$25.00 per day for cars
	\$50.00 per day for Commercial Vehicles or Boats
	\$100.00 per day for semi-trailers
After Hours Fee:	\$150.00 (to pick up any time other than
	Monday-Friday 8:00 AM to 3:00 PM)
Passenger Vehicle Tow (standard or flatbed)	\$135.00 flat rate
Commercial Vehicle tow set by Tow Company	

**Section 2: Payment of Towing Fee**

Any vehicle impounded shall be towed by a commercial towing company, to be contacted by the Police Officer in rotation from the Township list of licensed towing companies. At the time of the tow, the vehicle driver will be notified of the name, address and telephone number of the towing company. The vehicle owner must pay the tow fee directly to the towing company and bring the original receipt documenting payment to the Township to obtain release of the vehicle.

**Section 3: Adoption of Resolution**

The Board of Trustees of Liberty Township finds and determines that all formal actions of this Board concerning and relating to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code §121.22. Pursuant to Ohio Revised Code §504.10, the Board of Trustees of Liberty Township hereby dispenses with the requirement that this Resolution be read on two separate days and authorizes the adoption upon its first reading.

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

Roll Call: Mr. Cizmar, Yes. Mr. Clebone, Yes. Mrs. Stoyak, NO (\*\*see remarks below). Motion carried.

\*\*Remarks from Trustee Stoyak: Resolution regarding the Impound Lot 18-119.

I would like to table this resolution so that the board, law director and fiscal officer with the interim police chief can thoroughly research the ability of putting together a bid package as part of a complete revamping of the towing and impoundment process to better serve the police and citizens. Asking to go to two different places to recover their impounded car is not in the best interest of our citizens. There should also be specific terms in the contract that would benefit the township, i.e., township vehicles to be towed, etc.

It also states in this resolution that there is a rotation list. In Thursday's meeting I questioned this and there is only one towing company that we use. This company was paid over \$40,000 this past year. When I stated this at the meeting on 9/13/18 Mr. Clebone stated that he should have received \$60,000. ORC 9.24 (a) states that the only contracts subject to the provisions of the statute are those contracts in which the cost for the goods, services, or construction exceeds \$25,000 and (b) provides an exception to this rule and applies the statute to a contract awarded to any person who, in the previous fiscal year, received contracts from the state agency or political subdivision, the aggregate of which exceeded \$50,000. **Consequently, state agencies and**

political subdivisions should immediately review their contracts awarded in the previous fiscal year in order to identify persons to whom this aggregating provision applies.

This ORC was the reason I stated that this should be re-bid and reinvestigated by all of the above-named persons to make certain our township is abiding by this law. It would be good business sense for our township to see if by bidding this out we could reduce our costs or improve our profits. If the majority of the board moves to go forward with this as is I will have to vote no.

**18-120 RESOLUTION DECLARING PROPERTY TO BE INSECURE, UNSAFE, STRUCTURALLY DEFECTIVE AND/OR UNFIT FOR HUMAN HABITATION AND ORDERING AND PROVIDING FOR ABATEMENT AND AUTHORIZING THE DEMOLITION OF INSECURE AND/OR UNSAFE BUILDINGS OR STRUCTURES ON THE PROPERTY LOCATED AT 1189 TOWNSEND, LIBERTY TOWNSHIP, TRUMBULL COUNTY, OHIO**

WHEREAS, Ohio Revised Code Section 505.86 authorizes a 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 Building Inspector has inspected the property located at 1189 Townsend, Liberty Township, Trumbull County, Ohio, and has declared the residential dwelling structure on the property to be structurally deficient by reason of the Roof System, and has declared the residential dwelling to be a serious hazard dangerous to human life, insecure and unsafe due to structural defects;

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:

SECTION 1. The structure on the property located at 1189 Townsend, Liberty Township, Trumbull County, Ohio, Permanent Parcel No. 12-539751, (hereinafter "the Property") is hereby determined to be unsafe and structurally defective and unfit for human habitation thereby constituting a direct threat to the public health and safety pursuant to Section 505.86 of the Ohio Revised Code.

SECTION 2. The Liberty Township Board of Trustees hereby orders the Property Owner to abate the nuisance by demolition and removal of said structures, pursuant to Section 505.86 of the Ohio Revised Code.

SECTION 3. The Zoning Inspector is hereby instructed to notify the Property owner and all lienholders of record by certified mail, return receipt requested, of the Township's declaration of nuisance and demand to abate said nuisance by demolition, pursuant to RC 505.86(B) and(C).

SECTION 4. If the Property Owner or Lienholders of record fail to provide for the demolition and removal of said nuisance structures within thirty days of the notice, the Township Administrator is hereby authorized to obtain proposals from contractors for the demolition and removal of this Structure and to execute an agreement for demolition and removal of the structures.

SECTION 5. The total cost of the removal of the structures and all associated site restoration work shall be assessed to the owner(s) of record and the Liberty Township Fiscal Officer 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 are 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.

SECTION 6. Pursuant to Ohio Revised Code Section 504.10, the Board of Trustees of Liberty Township hereby dispenses with the requirement that this Resolution be read on two separate days and authorizes the adoption upon its first reading. Pursuant to Ohio Revised Code Section 504.11 this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, or welfare of Liberty Township, in order to eliminate hazardous and/or dangerous conditions at the aforementioned Property.

SECTION 7. That 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.

SECTION 8. 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. Mrs. Stoyak, Yes. Motion carried.

Trustees Stoyak Remarks for September 17, 2018:

In August I was contacted by Ginny Pasha, the President of Trumbull County United Way, asking for a home of a resident that may need some help with landscaping. I contacted Jim Rodway and he provided me with 1533 Keefer Road. Jim and I met there around 9:30 and the volunteers of United Way got to work and mowed and trimmed bushes and today looks much better.

The Mary Rush Senior Watch Committee met in August and planned the Annual Breakfast for September 5 at St. Marks Church. The Mary Rush Senior Watch was organized 10 years ago spearheaded by Mr. Ungaro and myself and became very organized with the assistance of the police, fire and administration to keep it going. Over the years we have added many options to our program and it has been inquired and emulated by other communities. It is financed by the Senior Levy. Martha types and sends in a grant each year and our community receives \$5000. A few months ago I was pondering how nice it would be to have a handicapped door for our building. Some of our Liberty Historical Society members have difficulty with our door once a month as well as other members of our community. I called Judy McGuire our president of the Historical Society to see what she thought about the idea. She affirmed that it was a good idea and said would help financially if need be. I also mentioned this idea to Pat and Martha and others on the administration side who concurred. I asked a friend of mine, Holly Small, who has written many grants in her past job and she was on board. I got some prices from DeSalvo on what the project would initially cost and it was about \$7100. An employee from DeSalvo called me to let me know that if I became my own general contractor I could save a lot of money. He then gave me the names of the two key companies I needed to complete the job and the price came down to \$4100 as long as the electric line could be utilized.

This task became a bit frustrating because the grant that Holly wrote to the Thomases Family endowment only provided me with \$2000. Then Martha and I got to work on figuring out who to send letters for donations. We received \$500 from Simco, \$100 from Sam D. Roth, \$2000 from Cafaro and \$500 from Drs. Perni. Needless to say we were on our way to getting our first ever Handicapped Accessible door for the township. Everything was installed today and it is my hope that the community will enjoy this for many years to come.

I organized a township ribbon cutting to thank ODOT and Eastgate Regional Council of Governments for funding the township with many projects over the years. ODOT was specifically thanked for the \$4 million dollars that was invested into Belmont Avenue. The owner of the Liberty Plaza came who Pat and I met 10 years ago. Thank you also to Jim Rodway and Chief Birch for attending the event and the board. I want to also thank Pat Ungaro and Martha Weirick for assisting me all the way in obtaining the funds and contacting everyone involved for this special day in Liberty Township. It was a huge success and very well publicized by WFMJ and the Tribune Chronicle.

On August 30, 2018 my husband and I met with Gary Newbrough at the Trumbull County Engineers Office to discuss the idea of Trumbull County potentially taking over the Girard Water system which services parts of Liberty Township. It was an excellent meeting and Gary has already spoken to the Mayor and is awaiting city council to discuss this with them. The plan will be to have Trumbull County and Girard pay for a feasibility study to see how much the system is worth. Then depending on interest rates at that time, Trumbull County will take out a loan for the amount necessary to purchase the system from Girard. Residents of the area in Liberty Township who now pay \$17.35 per 1000 gallons for water would pay \$8.22 per 1000 gallons for water. This would ultimately cut the price to our residents in half. I will keep in contact with Gary to make certain the ball keeps rolling before the contract is up in the year 2000.

On August 30<sup>th</sup> I also met with John McGoran of Republic Services. There are current issues with recycling certain materials. This has been on national news recently due to China not accepting some materials that they used to take. I will be continuing talks with him and Brent Bowker the General Manager here locally regarding changes that may need to take place. Our contract will be up again next September, 2019. We have kept garbage and recycling for all township residents at the same price over the past 10 years. They have been good partners for Liberty Township. We have one of the best prices for garbage and recycling and our residents love the program. Our contract states that if there are any changes when the contract expires we will have to go out to rebid. I have requested that our law director review the contract that Mark Finamore initially wrote so that she is informed about this contract. I have invited Brent Bowker to our October 15<sup>th</sup> meeting to address the board and the public about possible needed education about recycling.

I attended Marcia Levy's lecture on Historical Homes of Liberty. I was so impressed I asked Judy McGuire if she wanted her to speak at our next Historical Society meeting. She spoke on September 6<sup>th</sup> to our members and did a great job. Much research has been done by her in order to provide this lecture. A huge thank you to Marcia for providing this special information to our township.

On Friday the 14<sup>th</sup> I attended a ribbon cutting for Molly Maid. They have expanded and moved to

a new office double the size where they were. This has become an interesting trend in our township where small businesses continue to grow, remodel and stay in our township. It is something we need to continue to encourage as well

Motion made by Mrs. Stoyak to adjourn at 8:17 p.m.

Roll Call: Mrs. Stoyak, Yes. Mr. Cizmar, Yes. Mr. Clebone, Yes. Motion carried.

Next business meeting: Thursday, September 20, 2018 at 7:30 a.m.

Next evening business meeting: October 15, 2018 at 6:30 p.m. caucus/7:00 p.m. meeting.

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STEVE SHELTON, FISCAL OFFICER

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ARNOLD CLEBONE, CHAIRPERSON