

## MINUTES OF MEETING HELD JULY 10, 2013

At a regular meeting of the Board of Trustees of Boardman Township, Mahoning County, Ohio, held on the above date at 11:00 a.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio, the following members were present: Mr. Calhoun, Mr. Costello, and Mr. Moliterno. The public and news media were given proper notice regarding this meeting.

Trustee Larry Moliterno had the pleasure of reading, on behalf of the Board, a proclamation honoring AMVETS Post 44 Commander Jan C. Brown, on being named the 2013 All-State AMVETS Commander.

**RESOLUTION 13-7-10-01:** Motion was made by Mr. Calhoun to approve the minutes of the regular meeting held June 24, 2013.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-02:** Motion was made by Mr. Calhoun to approve the minutes of the special meeting held June 26, 2013.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-03:** Motion was made by Mr. Calhoun to approve and pay the following bills and payroll.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-04:** Motion was made by Mr. Calhoun to approve appropriation transfers and appropriation supplementals as shown on the resolution of the minutes.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-05:** Motion was made by Mr. Calhoun to approve, based upon the recommendation of Fiscal Officer William D. Leicht, the 2013 Second Half Tax Collection advances from the County Auditor on the following dates to be in compliance with the Ohio Revised Code 321.34: July 26, 2013; August 2, 2013; August 9, 2013; and August 16, 2013.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-06:** Motion was made by Mr. Calhoun to file an objection to the "Notice to Legislative Authority", Ohio Division of Liquor Control, for a new C1 and C2 Liquor Permit for MACS Convenience Stores, LLC, dba Circle K Store 5690, Southwest Corner of Shields Road and Market Street, Boardman Township, Boardman, OH 44512, Filing Date 6-19-2013, Permit No. 540541905690, Receipt No. A15167, on the basis this precinct is dry for this permit application and the applicant is required to seek a ballot initiative.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

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**RESOLUTION 13-7-10-07:** Motion was made by Mr. Calhoun to initiate a petition to amend to the Boardman Township Zoning Ordinance and Map as per the Resolution attached to the minutes herein, to rezone the attached 136 parcels from a Residential R-2 District to a Residential R-1 District, in accordance with Section 519.12 of the Ohio Revised Code and direct Sarah Gartland, Zoning Inspector, to forward the petition to the Mahoning County Planning Commission and Boardman Township Zoning Commission.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-08:** Motion was made by Mr. Calhoun to authorize, based upon the recommendation of Zoning Inspector Sarah Gartland, that we adopt the Resolution attached to the minutes herein, notifying the owners of said properties, in accordance with Section 505.87 of the Ohio Revised Code, that said properties are declared to be a public nuisance and directing the cleaning of garbage, junk, and debris and/or cutting of high grass and weeds or removal of fallen tree branches throughout said properties, as presented herein and indicated in their entirety for the record.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-09:** Motion was made by Mr. Calhoun to award, based on the recommendation of Road Superintendent Larry Wilson, Road Inspector Tom Simpson, and Engineer Gary Diorio, the 2013 Joint Paving contract to Butch and McCree Paving of Hillsville, PA, for a bid of \$9,700.00 per day milling and a unit price of \$130.40 for a total price of \$1,084,582.40, from line item expense # 2231-330-420-0000.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-10:** Motion was made by Mr. Calhoun to approve, based on the recommendation of Township Administrator Jason Loree, the payment of \$12,912.00 from line item expense # 1000-120-599-0000 for the completion of the Phase II Permit Storm Sewer Connectivity Map done by the County Engineer's Office.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-11:** Motion was made by Mr. Calhoun to approve, based upon the recommendation of Zoning Inspector Sarah Gartland, the purchase of one Snapper Field and Brush Mower from Agnew's Lawn and Garden, 7700 Market Street, Boardman, Ohio, in the amount of \$2799.00 from line item expense #1000-120-599-0000 for the use of the Boardman Township Zoning Department.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

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**RESOLUTION 13-7-10-12:** Motion was made by Mr. Calhoun declaring it necessary to levy a renewal of the 2.2 mill Police and Fire Levy in excess of the ten mill limitation and requesting certification from the Mahoning County Auditor, as attached to these minutes.

Seconded by Mr. Costello.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
<b>Mr. Calhoun</b>	<b>X</b>	
<b>Mr. Costello</b>	<b>X</b>	
<b>Mr. Moliterno</b>	<b>X</b>	

**RESOLUTION 13-7-10-13:** Motion was made by Mr. Costello declaring it necessary to levy a renewal of the 3.2 mill General Fund Levy in excess of the ten mill limitation and requesting certification from the Mahoning County Auditor, as attached to these minutes.

Seconded by Mr. Calhoun.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
<b>Mr. Calhoun</b>	<b>X</b>	
<b>Mr. Costello</b>	<b>X</b>	
<b>Mr. Moliterno</b>	<b>X</b>	

Road Superintendent Larry Wilson had no formal business to bring before the Board. He did thank the Board for their time and attention to getting the Road Repaving project started so quickly.

Fire Chief George Brown had no formal business to bring before the Board. He did thank Mr. Calhoun and Mr. Costello for attending the recent firefighter training. In addition, he stated that the fire grant has recently won two grants for equipment and training.

Police Chief Nichols had no formal business to bring before the Board. He did express his thanks and appreciation to Prosecutor Paul Gains for taking the time on July 4<sup>th</sup> to review the Cook Avenue case.

Zoning Inspector Sarah Gartland had no formal business to bring before the Board. She stated that demolitions would be starting shortly for the Move Ohio Forward grant and that more would be taking place in August.

Township Administrator Jason Loree had no formal business to bring before the Board. He did state that he is working with the Prosecutor's Office on the PACE grant to establish a Special Improvement District – the first of its kind in Mahoning County. In addition, he updated the Board on the Energy Conservation project, stating that Johnson Controls is working on its audit of the Township buildings and would be presenting their findings soon.

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Fiscal Officer William D. Leicht had no formal business to bring before the Board. Fiscal Officer William D. Leicht had no formal business to bring before the Board other than the distribution of the revenue and expense reports.

There was no Old Business.

Under New Business, Mr. Costello stated that the next meeting would take place on Monday, July 29, at 5:30 p.m. in the Boardman Township Government Center.

**RESOLUTION 13-7-10-14:** Motion was made by Mr. Costello to adjourn into Executive Session at 11:32 a.m. for purposes of discussing **Personnel** (Zoning employment); Land Acquisition; and Pending Litigation.

Seconded by Mr. Calhoun.

Roll Call	Aye	Nay
Mr. Calhoun	X	
Mr. Costello	X	
Mr. Moliterno	X	

Present in Executive Session with the Trustees at various times was Township Administrator Jason Loree, Fiscal Officer William D. Leicht, and Zoning Inspector Sarah Gartland.

**RESOLUTION 13-6-10-15:** Motion was made by Mr. Calhoun to adjourn Executive Session at 2:46 p.m. and return to Open Session.

Seconded by Mr. Costello.

Roll Call	Aye	Nay
Mr. Calhoun	X	
Mr. Costello	X	
Mr. Moliterno	X	

The following motions were passed from Executive Session:

**RESOLUTION 13-6-10-16:** Motion was made by Mr. Calhoun to approve special counsel to Boardman Township for the PACE bonds at a cost not to exceed \$5,000.00 as outlined in the letter dated July 2, 2013, titled "Proposal for Engagement as Special Counsel to the Township for PACE bonds.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-6-10-17:** Motion was made by Mr. Costello to approve, based upon the recommendation of Zoning Inspector Sarah Gartland, the hiring of Lisa Evanglista, effective immediately, as a full-time Zoning Secretary in accordance with the AFSCME contract, pending the successful completion of a physical examination, drug test, and background investigation.

Seconded by Mr. Calhoun.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

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**RESOLUTION 13-6-10-18:** Motion was made by Mr. Calhoun to approve, based upon the recommendation of Zoning Inspector Sarah Gartland, the hiring of David Wilson, effective immediately, as a part-time Zoning Grass Crew Leader, at a rate of \$15.00 per hour, not to exceed 28 hours per week.

Seconded by Mr. Costello.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-6-10-19:** Motion was made by Mr. Costello to approve, based upon the recommendation of Zoning Inspector Sarah Gartland, the hiring of George Michael Passos, effective immediately, as a part-time Zoning Grass Crew, at a rate of \$10.00 per hour, not to exceed 28 hours per week.

Seconded by Mr. Calhoun.

Mr. Calhoun, Aye; Mr. Costello, Aye; Mr. Moliterno, Aye.

**RESOLUTION 13-7-10-20:** Motion was made by Mr. Costello to adjourn at 2:53 p.m.

Seconded by Mr. Calhoun.

<b>Roll Call</b>	<b>Aye</b>	<b>Nay</b>
<b>Mr. Calhoun</b>	<b>X</b>	
<b>Mr. Costello</b>	<b>X</b>	
<b>Mr. Moliterno</b>	<b>X</b>	

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Chair

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William D. Leicht, Fiscal Officer