

MINUTES OF MEETING HELD DECEMBER 11, 2017

At a regular meeting of the Board of Trustees of Boardman Township, Mahoning County, Ohio, held on the above date at 4:00 p.m. at the Boardman Township Government Center, 8299 Market Street, Boardman, Ohio, the following members were present: Mr. Calhoun, Mr. Moliterno, and Mr. Costello. The public and news media were given proper notice regarding this meeting.

RESOLUTION 17-12-11-01: Motion was made by Mr. Moliterno to approve the minutes of the regular meeting held November 27, 2017.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-02: Motion was made by Mr. Moliterno to approve and pay the following bills and payroll.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-03: Motion was made by Mr. Moliterno to approve appropriation transfers, adjustments, and supplementals as shown on the resolution of the minutes.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-04: Motion was made by Mr. Moliterno to authorize, based upon the recommendation of Township Administrator Jason Loree, the payment of \$6,104.97 to TSI, Suite 102, 6001 Southern Boulevard, Boardman, Ohio, 44512, for the Annual Maintenance Agreement (1-16-2018 to 1-15-2019) for the township-wide phone system. This funding will come from the following line item expense numbers: \$2,197.79 from 2192-220-420-0008; \$122.09 from 1000-110-420-0000; \$3,174.59 from 2081-210-420-0000; \$183.15 from 1000-130-420-0000; and \$427.35 from 2031-330-420-0000.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-05: Motion was made by Mr. Moliterno to authorize and execute, based upon the recommendation of Township Administrator Jason Loree, the Agreement by and between the Mahoning County Prosecutor and Boardman Township for the purpose of the Mahoning County Prosecutor to serve as the Township's Law Director pursuant to Ohio Revised Code Section 504.15 in the amount of \$75,000.00 (line item expense # 1000-110-311-0000), payable in two equal installments of \$37,500, due on or before June 1, 2018, and December 1, 2018, with the contract being effective January 1, 2018, to December 31, 2018, including all related terms and conditions therein.

Seconded by Mr. Calhoun.

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

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RESOLUTION 17-12-11-06: Motion was made by Mr. Moliterno to authorize the renewal of the contractual agreement with the Ohio Township Association Risk Management Authority (OTARMA) statewide insurance pool for legal, third party claims, auto, wrongful acts, property liability, and Police Professional Liability insurance coverage for calendar year 2018 through Cailor-Fleming Insurance Agency, at a cost of \$124,771.00.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-07: Motion was made by Mr. Moliterno to approve the Resolution, based upon the recommendation of Fire Chief Mark Pitzer, for the disposal of property that is not needed for public use, is obsolete, or is unfit for Township use and sell one Automated External Defibrillator (AED) by private sale, as attached to these minutes.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-08: Motion was made by Mr. Moliterno to approve the Resolution, based upon the recommendation of Police Chief Jack Nichols, for the disposal of property that is not needed for public use, is obsolete, or is unfit for Township use and sell one automobile by private sale, as attached to these minutes.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-09: Motion was made by Mr. Moliterno to approve an emergency resolution authorizing all actions necessary to support the continuation of a governmental electric aggregation program with opt-out provisions pursuant to section 4928.20, Ohio Revised Code, directing the Township Administrator of Boardman Township to execute an electric supply agreement with FirstEnergy Solutions.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-10: Motion was made by Mr. Moliterno to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, the Resolution attached to the minutes to Initiate the Rezoning of 44 Parcels of Property in and around the Alburn Heirs Plat from the Residential R-2 Zoning District to a Residential R-1 Zoning District.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-11: Motion was made by Mr. Moliterno to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, the Resolution attached to the minutes to Initiate the Rezoning of 77 Parcels of Property in and around the Boardman Park Planned Replat from the Residential R-2 Zoning District to a Residential R-1 Zoning District.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-12: Motion was made by Mr. Moliterno to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, the Nuisance Resolution attached to the minutes, declaring 111 Forest Park Drive a nuisance as it is unsecured and ordering the abatement of same.

Seconded by Mr. Calhoun.

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

RESOLUTION 17-12-11-13: Motion was made by Mr. Moliterno to adopt based upon the recommendation of Mr. David Mickey of ms consultants, the proposal from J. Herbert Construction Inc. dated December 11, 2017 in the amount of \$51,017.42 attached to this resolution, for ceiling revisions and pre-emption signal on Market Street. This change order increases the current contract amount from \$3,541,615.69 to \$3,592,633.11 from a line item expense account to be determined by the Fiscal Officer.

Seconded by Mr. Calhoun.

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

Road Superintendent Marilyn Kenner had no formal business to bring before the Board. She did state that her department is ready for the snow that is forecasted.

Fire Chief Mark Pitzer had no formal business to bring before the Board. He did state that there was a fire last week on Glenwood with no injuries.

Police Chief Jack Nichols had no formal business to bring before the Board. He did state that mandatory training is taking place around the township for the next few weeks.

Director of Zoning and Development Krista Beniston had no formal business to bring before the Board.

Township Administrator Jason Loree 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. He did state that he will have the 2018 temporary appropriations ready for the next board meeting.

There was no Old Business.

Under New Business, Mr. Costello stated that the next meeting will take place on Thursday, December 28, at 5:30 p.m., at the Government Center.

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RESOLUTION 17-12-11-14: Motion was made by Mr. Moliterno to adjourn into Executive Session at 4:30 p.m. for purposes of discussing **Collective Bargaining** (Police Department Patrol; Police Department Rank) and **Personnel** (Police Department employment; Road Department employment; Zoning Board of Appeals Appointments; Zoning Commission Appointment; Zoning Site Plan Review Appointment).

Seconded by Mr. Calhoun.

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

Present in Executive Session with the Trustees at various times was Township Administrator Jason Loree, Road Superintendent Marilyn Kenner, Police Chief Jack Nichols, Director of Zoning and Development Krista Beniston, Fire Chief Mark Pitzer, Todd Werth, and Fiscal Officer William D. Leicht.

RESOLUTION 17-12-11-15: Motion was made by Mr. Calhoun to adjourn Executive Session at 6:03 p.m. and return to Open Session.

Seconded by Mr. Moliterno.

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

RESOLUTION 17-12-11-16: Motion made by Mr. Moliterno to redact Resolution #17-06-29-035.

Seconded by Mr. Calhoun.

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

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RESOLUTION 17-12-11-17: Motion was made by Mr. Calhoun to make a conditional offer of employment for the position of Boardman Township Chief of Police to Todd Werth with a start date to be determined. The conditions for this offer of employment are a successful completion of a background check, receive OPOTA certification by February 28, 2018, CVSA, a physical examination, a psychological examination, a pre-employment drug screen, and an agreed-upon Memorandum of Understanding.

Seconded by Mr. Moliterno.

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

RESOLUTION 17-12-11-18: Motion was made by Mr. Calhoun to adopt the Resolution to allow Joseph Cappy, Second Assistant Superintendent of the Road Department, to carry over five (5) vacation days to 2018, as attached to these minutes.

Seconded by Mr. Moliterno.

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

RESOLUTION 17-12-11-19: Motion was made by Mr. Calhoun to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, to make the following appointments to the Board of Zoning Appeals for the terms indicated: Raymond Cmil – January 1, 2014 to December 31, 2018; John Shultz – January 1, 2016 to December 31, 2020; Marilyn Scheetz – January 1, 2018 to December 31, 2022; and Bill Harris (alternate) – January 1, 2015 to December 31, 2019.

Seconded by Mr. Moliterno.

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

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RESOLUTION 17-12-11-20: Motion was made by Mr. Calhoun to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, to make the following appointment to the Zoning Commission for the term indicated: John Burgan – January 1, 2018 to December 31, 2022.

Seconded by Mr. Moliterno.

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

RESOLUTION 17-12-11-21: Motion was made by Mr. Calhoun to adopt, based on the recommendation of Krista Beniston, Director of Zoning and Development, to make the following appointments to the Site Plan Review Board for the terms indicated: Michael Fagan – January 1, 2018 to December 31, 2020 and Margaret Wellington - January 1, 2018 to December 31, 2018.

Seconded by Mr. Moliterno.

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

RESOLUTION 17-12-11-22: Motion was made by Mr. Moliterno to adjourn at 6:05 p.m.

Seconded by Mr. Calhoun.

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

Chair

William D. Leicht, Fiscal Officer