

## MINUTES OF MEETING HELD DECEMBER 30, 2019

At a regular meeting of the Board of Trustees of Boardman Township, Mahoning County, Ohio, held on the above date at 9:30 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.

Residents addressed the Board with their concerns regarding the Community Entertainment District (CED) for the Southern Park Mall.

**RESOLUTION 19-12-30-01:** Motion was made by Mr. Costello to approve the minutes of the regular held December 6, 2019.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-02:** Motion was made by Mr. Costello to approve and pay the following bills and payroll.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-03:** Motion was made by Mr. Costello to approve appropriation transfers and supplementals as shown on the resolution of the minutes.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-04:** Motion was made by Mr. Costello to approve all changes to the appropriations and revenues to close out the 2019 year end financials.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-05:** Motion was made by Mr. Costello to appropriate funds in the amount of \$9,245,059.15 for all regular and necessary expenditures pending the filing of the statutory appropriate resolution in March, as attached to these minutes.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-06:** Motion was made by Mr. Costello to adopt the Board of Trustee meetings for calendar year 2020, as attached to these minutes and to notify the public and media in accordance with Ohio Law.

Seconded by Mr. Calhoun.

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

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**RESOLUTION 19-12-30-07:** Motion was made by Mr. Costello to authorize Fiscal Officer William D. Leicht to endorse the "Notice to Legislative Authority", Ohio Division of Liquor Control, for a transfer of the D1, D2, D3, and D6 Liquor Permit from Bruno's Restaurant, Inc., dba Bruno's Restaurant, 1984 Boardman Poland, SE, Boardman Township, Boardman, Ohio, 44514, to VIP 1 Group, LLC, 1984 Boardman Poland SE, Boardman Township, Boardman, Ohio, 44514, Filing Date 12-03-2019, Permit No. 9283395, Receipt No. F23386.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-08:** Motion was made by Mr. Costello to authorize Fiscal Officer William D. Leicht to endorse the "Notice to Legislative Authority", Ohio Division of Liquor Control, for a transfer of C2, C2X Liquor Permit from Rite Aid of Ohio, Inc., dba Rite Aid Discount Pharmacy #3114, 3032 Mahoning Road, Canton, Ohio, 44705, to Rite Aid of Ohio, Inc., dba Rite Aid 3123, 307 Boardman Canfield Road, Boardman Township, Boardman, Ohio, 44512, Filing Date 12-05-2019, Permit No. 740156031142, Receipt No. F23404.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-09:** Motion was made by Mr. Costello to adopt a resolution to hire CT Consultants to provide engineering and construction management services for West Huntington Drive Phase 2 in the amount of \$25,000 based upon the recommendation of Marilyn Sferra Kenner, Road Superintendent. This project is a continuation of the Huntington Drive project that was funded earlier this year through an Ohio Public Works Commission Emergency Grant.

Seconded by Mr. Calhoun.

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

**RESOLUTION 19-12-30-10:** Motion was made by Mr. Costello to approve, based on the recommendation of Police Chief Todd Werth, the purchase and to begin the process to finance and acquire a protective armored police vehicle for use by Boardman Police Department's Narcotics Enforcement Unit (NEU) from Lenco Armored Vehicles for \$225,000.00, from a line item expense number to be determined by the Fiscal Office.

Seconded by Mr. Calhoun.

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

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**RESOLUTION 19-12-30-11:** Motion was made by Mr. Costello to approve the Community Entertainment District (CED) application as attached from Washington Prime in accordance with Ohio Revised Code 4301.80.

Seconded by Mr. Calhoun.

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

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

**Motion carries 3-0.**

Road Superintendent Marilyn Kenner had no formal business to bring before the Board.

Fire Chief Mark Pitzer had no formal business to bring before the Board.

Police Chief Todd Werth had no formal business to bring before the Board.

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.

There was no Old Business.

Under New Business, Mr. Moliterno reminded everyone that the next meeting is scheduled for January 13 at 5:30 p.m.

**RESOLUTION 19-12-30-12:** Motion was made by Mr. Calhoun to adjourn into executive session at 11:20 a.m. for purposes of discussing Personnel (Zoning Board of Appeals Appointments; Zoning Commission Appointment; Zoning Site Plan Review Appointments; Zoning employment; and Administration employment) and **Pending Litigation**.

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>	

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**RESOLUTION 19-12-30-13:** Motion was made by Mr. Costello to adjourn Executive Session at 12:31 p.m. and return to Open Session.

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>	

**RESOLUTION 19-12-30-14:** 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 Zoning Commission for the term indicated: Nancy Terlesky – January 1, 2020 to December 31, 2024.

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 19-12-30-15:** 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: Brian Racz - January 1, 2020 to December 31, 2024 and Bill Harris (Alternate) – January 1, 2020 to December 31, 2020.

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 19-12-30-16:** 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 Site Plan Review Board for the terms indicated: Edwin Beach - January 1, 2020 to December 31, 2022 and Kedar Bhide, P.E. – January 1, 2020 to December 31, 2022.

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>	

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**RESOLUTION 19-12-30-17:** Motion was made by Mr. Calhoun to approve, based on the recommendation of Director of Zoning and Development Krista Beniston, the offer of employment to Lukas Darling for the AFSCME union position for full-time Property Enforcement Officer with a start date of Monday, December 16, 2019.

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 19-12-30-18:** Motion was made by Mr. Calhoun to approve and authorize the Mahoning County Prosecutor's Office to sign the attached proposed Agreed Judgment Entry to be filed in the Mahoning County Court of Common Pleas, Case No. 2019 CV 01157, Chirag Enterprises v. Board of Trustees of Boardman Township, Ohio. Based upon the work conducted at the property and the inspection conducted by the Boardman Township Fire Department, the parties agree that the nuisance has been abated. As a result, and pursuant to the terms of the Agreed Judgment Entry, the Board will not proceed with the Nuisance Abatement Order issued on May 28, 2019 and the property owner will dismiss the appeal.

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 19-12-30-19:** Motion was made by Mr. Calhoun to approve the Boardman Township Non-Bargaining Employee Compensation and Benefits Manual, as attached.

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>	

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**RESOLUTION 19-12-30-20:** Motion was made by Mr. Calhoun to adjourn at 12:34 p.m.  
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>	

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Chair

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William D. Leicht, Fiscal Officer