

MINUTES OF MEETING HELD DECEMBER 22, 2022

At a regular meeting of the Board of Trustees of Boardman Township, Mahoning County, Ohio, held on the above date at 5:00 p.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.

RESOLUTION 22-12-22-01: Motion was made by Mr. Calhoun to approve the minutes of the regular meeting held December 7, 2022.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-02: 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 22-12-22-03: Motion was made by Mr. Calhoun to approve appropriation transfers and supplementals as shown on the resolution of the minutes.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-04: Motion was made by Mr. Calhoun to move to approve all changes to the appropriations and revenues to close out the 2022 year end financials.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-05: Motion was made by Mr. Calhoun to appropriate funds in the amount of \$27,659,459.00 for all regular and necessary expenditures pending the filing of the statutory appropriate resolution in March, as attached to these minutes.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-06: Motion was made by Mr. Calhoun to adopt the Board of Trustee meetings for calendar year 2023, as attached to these minutes and to notify the public and media in accordance with Ohio Law.

Seconded by Mr. Costello.

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

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RESOLUTION 22-12-22-07: Motion was made by Mr. Calhoun to approve, based on the recommendation of Township Administrator Jason Loree, a resolution authorizing the employment of Attorney Matthew G. Vansuch as additional legal counsel under Ohio Revised Code Sections 309.09(B)(1) and 504.15 to advise and represent the Township on matters relating to the exercise of its limited home rule authority and on zoning or other matters when referred by the Township's law director, as attached to these minutes.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-08: Motion was made by Mr. Calhoun to authorize Fiscal Officer William D. Leicht to endorse the "Notice to Legislative Authority", Ohio Division of Liquor Control, for a transfer of D1, D2, D3, D3A, and D6 Liquor Permits from Oaks 2 LLC, 1738 Boardman Poland Road and Patio, Boardman Township, Youngstown, Ohio, 44514 to Quench 2 LLC, 1738 Boardman Poland Road and Patio, Boardman Township, Youngstown, Ohio, 44514 Filing Date 11-17-2022, Permit No. 7137993, Receipt No. F28762.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-09: Motion was made by Mr. Calhoun to authorize Fiscal Officer William D. Leicht to endorse the "Notice to Legislative Authority", Ohio Division of Liquor Control, for a transfer of D5 and D6 Liquor Permits from Bieber Parrott Seidner LLC, dba Belleria Pizza and Italian Restaurant, 8485 Market Street, Boardman Township, Youngstown, Ohio, 44512 to Bella Market, LLC, dba Belleria Boardman, 8485 Market Street, Boardman Township, Youngstown, Ohio, 44512, Filing Date 12-09-2022, Permit No. 0582276, Receipt No. F28863.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-10: Motion was made by Mr. Calhoun to authorize, based on the recommendation of Jason Loree, Interim Director of Planning & Zoning, the attached resolution which authorizes the additional legal counsel to file for a lien upon the properties of violators of HR 099-02 as amended who have not paid the fine imposed by the Mahoning County Court within ten days after judgement imposing the fine became final under Ohio Revised Code Section 504.08(B).

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-11: Motion was made by Mr. Calhoun to authorize, based on the recommendation of Jason Loree, Interim Director of Planning & Zoning, the attached resolution which authorizes a lien upon the properties of violators of Resolution 15-04-27-13 who have not paid the abatements costs under Ohio Revised Code Section 505.87(F).

Seconded by Mr. Costello.

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

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RESOLUTION 22-12-22-12: Motion was made by Mr. Calhoun to adopt, based upon the recommendation of Marilyn Sferra Kenner, P.E., Road Superintendent, Change Order Number 1 and Final for the 2022 Resurfacing of Various Roads in Boardman Township project to adjust the contract for final quantities. This change order increases the original contract for Karvo Companies, Inc., in the amount of \$130,339.94 from \$1,047,293.95 to \$1,177,633.89. The change order amount will be paid from account 2021-330-420-0000.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-13: Motion was made by Mr. Calhoun to adopt a resolution to amend the Environmental Design Group contract that provides engineering inspection and testing services for the 2022 Road Resurfacing Projects in the amount of \$1,913.40 and based upon the recommendation of Marilyn Sferra Kenner, Road Superintendent. This amendment is necessary for additional hours needed to provide inspection services. The original contract amount was \$36,200.00 for a final contract amount of \$38,113.40. The cost for this service will be from account 2021-330-420-0000.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-14: Motion was made by Mr. Calhoun to approve a Memorandum of Understanding (MOU) with the Ohio Attorney General's Office, Bureau of Criminal Investigation (BCI) to provide a temporary room to conduct evidence intake for area police agencies until BCI's new facility in Boardman is completed.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-15: Motion was made by Mr. Calhoun to pay Lexipol LLC, the amount of \$16,191.95 for the annual maintenance of policy and procedure software for the Boardman Police Department, at the recommendation of Chief of Police Todd Werth, out of account line item 2081-210-599-0000.

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-16: Motion was made by Mr. Calhoun to pay Strategic Sourcing, Inc. the amount of \$17,850.00 for the purchase of six (6) mobile data terminals (MDT's) for Boardman Police Department cruisers, at the recommendation of Chief of Police Todd Werth, out of account line item 2081-760-740-0010.

Seconded by Mr. Costello.

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

Road Superintendent Marilyn Kenner had no formal business to bring before the Board. She did state that we are prepared for the coming snow storm.

Fire Chief Mark Pitzer did not attend the meeting.

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

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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. Costello stated that the next board meeting will take place on Monday, January 9, 2023, at 5:30 p.m. at the Boardman Township Government Center.

RESOLUTION 22-12-22-17: Motion was made by Mr. Calhoun to adjourn into Executive Session at 5:51 p.m. for purposes of discussing **Personnel** (Zoning Department Board of Zoning Appeals, Architecture Review Board, and Zoning Commission board appointments; Police Department employment; Police Department employment).

Seconded by Mr. Costello.

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

RESOLUTION 22-12-22-18: Motion was made by Mr. Costello to adjourn Executive Session at 5:20 p.m. and return to Open Session.

Seconded by Mr. Calhoun.

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

RESOLUTION 22-12-22-19: Motion was made by Mr. Costello to adopt, based on the recommendation of Jason Loree, Interim Director of Planning & Zoning, to make the following appointments to the Board of Zoning Appeals for the terms indicated: Marilyn Scheetz – January 1, 2023 to December 31, 2027; Matthew Gambrel (Alternate) – January 1, 2023 to December 31, 2023; Tom Varley (Alternate) January 1, 2023 to December 31, 2023.

Seconded by Mr. Calhoun.

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

RESOLUTION 22-12-22-20: Motion was made by Mr. Costello to adopt, based on the recommendation of Jason Loree, Interim Director of Planning & Zoning, to make the following appointments to the Architecture Review Board for the terms indicated: Kedar Bhide – January 1, 2023 to December 31, 2027; Edwin Beach - January 1, 2023 to December 31, 2027.

Seconded by Mr. Calhoun.

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

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RESOLUTION 22-12-22-21: Motion was made by Mr. Costello to adopt, based on the recommendation of Jason Loree, Interim Director of Planning & Zoning, to make the following appointments to the Zoning Commission for the terms indicated: John Burgan – January 1, 2023 to December 31, 2027; Michael Fagan (Alternate) January 1, 2023 to December 31, 2023.

Seconded by Mr. Calhoun.

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

RESOLUTION 22-12-22-22: Motion was made by Mr. Costello to rehire, pursuant to the Boardman Police Department’s Post Retirement Employment Program (PREP), Captain Ed McDonnell based upon the recommendation of Chief of Police Todd Werth. The rehire date will be on or after January 1st, 2023 after his effective retirement through the Ohio Public Employees Retirement System (OPERS).

Seconded by Mr. Calhoun.

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

RESOLUTION 22-12-22-23: Motion was made by Mr. Costello to provide sixty days of public notice of intent to rehire Captain Albert Kakascik through Boardman Police Department’s Post Retirement Employment Program (PREP), at the recommendation of Chief of Police Todd Werth.

Seconded by Mr. Calhoun.

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

RESOLUTION 22-12-22-24: Motion was made by Mr. Calhoun to adjourn at 6:41 p.m.

Seconded by Mr. Costello.

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

Chair

William D. Leicht, Fiscal Officer