

# AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO  
82 OHLTOWN ROAD  
AUSTINTOWN, OH 44515

## REGULAR MEETING OF JANUARY 25, 2021

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday, January 25, 2021 at Town Hall, 82 Ohltown Road, Austintown, Ohio.

The meeting opened at 6:00 P.M. with a salute to the flag led by Chairperson Steve Kent.

Roll Call was as follows: Mr. Davis, present; Mr. Carano, present; and Mr. Kent, present.

Mr. Kent introduced the Board Members, Department Heads, and Sergeant at Arms.

**RESOLUTION #21-01-25-01:** Motion by Mr. Carano to approve Minutes of the Reorganization and Regular Meeting of January 11, 2021.

Mr. Davis seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes; and Mr. Kent, yes.

### ADMINISTRATOR'S REPORT

#### DEPARTMENT BUSINESS

#### ROAD DEPARTMENT AND CEMETERY

#### POLICE DEPARTMENT

#### FIRE DEPARTMENT

Chief Frost thanked the Senior Center for the temporary setup for the Fire Dept. during this time.

#### ZONING DEPARTMENT

**RESOLUTION #21-01-25-02:** Motion by Mr. Davis to approve the following:

#### RESOLUTION

The **Board of Trustees of Austintown Township**, Mahoning County, Ohio, meeting on **Monday, January 25, 2021**, did adopt the following Resolution:

**WHEREAS:** The Board of Trustees of Austintown Township has determined that the following properties constitute a public nuisance pursuant to Ohio Revised Code 505.87:

**5 North Beverly Avenue (OV)**

**Parcel No. 48-011-0-032.000**

Used discarded living room couch and chair stored at curb for over two weeks must be removed and discarded properly;

**528 Impala Drive**

**Parcel No. 48-009-0-225.000**

Large piles of branches. Logs and tree limbs stored on a vacant Parcel that must be removed;

**3376 Sandalwood Court**

**Parcel No. 48-003-0-049.000**

A broken hanging limb placing property and life at risk, along the northern side of garage that must be removed;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Austintown Township that the above referenced property constitutes a public nuisance and the property owners are hereby **ORDERED** to abate, control, or remove said nuisances. If said nuisances are not abated, controlled or provision for abatement, control, or removal is not made within **SEVEN (7) DAYS** from the below date of adoption, the **BOARD OF TRUSTEES** will provide for the abatement, control, or removal, and any expenses incurred **-\$500 minimum-**by the Board of Trustees in performing that task will be entered upon the tax duplicate and will be a lien upon the land from the date of entry.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Kent, yes; and Mr. Carano, yes.

**RESOLUTION #21-01-25-03:** Motion by Mr. Davis to approve the minutes of the public hearing for final determination of Amendment 2020-04-Z-Bergman.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

**PARK DEPARTMENT**

**SENIOR CENTER**

Director, Jim Henshaw commended the Mahoning County board of Health on their vaccine operation at the Senior Center.

**FISCAL OFFICER**

**RESOLUTION #21-01-25-04:** Motion by Mr. Carano to approve December's Reports submitted to Board at the January 11, 2021 meeting.

- a. Fund Status
- b. Revenue Status
- c. Appropriation Status

Mr. Davis seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes; and Mr. Kent, yes.

**NEW BUSINESS**

**RESOLUTION #21-01-25-05:** Motion by Mr. Davis to approve the budget of Austintown-Boardman-Mahoning County Joint Communications District – see attached

Mr. Carano seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Kent, yes; and Mr. Carano.

**RESOLUTION #21-01-25-06:** Motion by Mr. Davis approving the additional disbursements (\$110,500.00) from Mahoning County to the COG – see attached

Mr. Carano seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

**RESOLUTION #21-01-25-07:** Motion by Mr. Davis to approve Advance(s) from General Fund (1000) to:

- \$10,000.00 to Maintenance (6001)
- \$15,000.00 to Zoning (2181)
- \$100,000.00 to Road (2031)
- \$150,000.00 to Police (2081)

Mr. Carano Seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Davis, yes; and Mr. Carano, yes.

**PUBLIC RESPONSE**

**OFF CAMERA: NONE**

**ON CAMERA:** Troy Rhodes – Ohio Edison; 539 Canfield

**REMARKS FROM THE BOARD MEMBERS**

**FISCAL OFFICER LAURA L. WOLFE:**

- Nothing to add

**TRUSTEE KENNETH A. CARANO:**

- Talked about vaccination locations and procedures
- Mentioned the passing of Jim Berni and requested a moment of silence

**TRUSTEE JAMES C. DAVIS:**

- Commended Mahoning County Board of Health and Ryan Tekac

**TRUSTEE STEVEN E. KENT:**

- Brian Beany – 100<sup>th</sup> win for Austintown Fitch Basketball
- Todd Simons – 1,000<sup>th</sup> points
- Commended Coach Beany

**RESOLUTION #21-01-25-08:** Motion by Mr. Carano to Recess to Executive Session at 6:35 P.M. for the following:

- A. To consider the appointment, employment, discipline, or compensation of public employees
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

Mr. Davis seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes; and Mr. Kent, yes.

**RESOLUTION #21-01-25-09:** Motion by Mr. Davis to reconvene from Executive Session at 8:00 P.M.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Kent, yes; and Mr. Carano, yes.

**RESOLUTION #21-01-25-10:** Motion by Mr. Carano to approve Fraternal Order of Police, Lodge 126 Addendum to Collective Bargaining Agreement of 2020 – 2022.

Mr. Davis seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

**RESOLUTION #21-01-25-11:** Motion by Mr. Davis to approve 1.5% wage increase retroactive to January 1, 2021 for the Administrator, Chief of Police, Fire Chief, Zoning Inspector, and Senior Center Director, Henshaw.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes;

and Mr. Kent, yes.

**RESOLUTION #21-01-25-12:** Motion by Mr. Carano to reduce Medical Premium contribution for the Department Heads, and elected Officials to 20%.

Mr. Davis seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Kent, yes; and Mr. Carano, yes.

**RESOLUTION #21-01-25-13:** Motion by Mr. Davis to change COVID-19 return to work time for those who test positive from 14 days to 10 days as permitted by most recent CDC and ODH guidelines

Mr. Carano seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

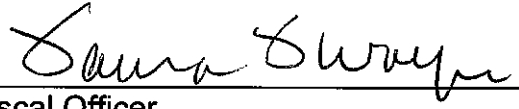
**RESOLUTION #21-01-25-14:** Motion by Mr. Carano to adjourn meeting at 8:05 P.M.

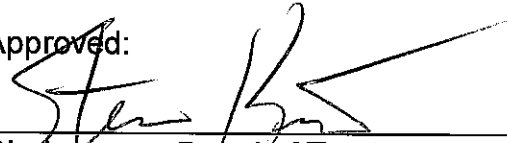
Mr. Davis seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes; and Mr. Kent, yes.

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This is to certify that the foregoing is an accurate record of the proceedings of the board of township trustees at its meeting held on the date listed above.

Date: 02-08-21

  
\_\_\_\_\_  
Fiscal Officer

Approved:   
\_\_\_\_\_  
Chairperson, Board of Trustees

**RESOLUTION APPROVING BUDGET OF AUSTINTOWN-BOARDMAN-MAHONING COUNTY JOINT COMMUNICATIONS DISTRICT**

The Board of Trustees of Austintown Township, Mahoning County, Ohio, met in Regular Session on the 25 day of January, 2021, at the Austintown Township Administration Building with the following members present:

Jim Davis

Ken Carano

Steve Kent

Mr Davis moved for the adoption of the following Resolution:

**WHEREAS**, the Boards of Trustees of Austintown Township, Ohio, and Boardman Township, Ohio and the Board of Commissioners of Mahoning County, Ohio (District members) have established a regional council of governments pursuant to Chapter 167 of the Ohio Revised Code for the purpose of creating and operating the Austintown-Boardman-Mahoning County Joint Communications District (District); and

**WHEREAS**, under Section 7(C) of the Operating Agreement entered into by the members of the District (District Operating Agreement), the District's Board of Directors is required each year to establish a budget and to forward said budget to the governing boards of the District's members for approval; and

**WHEREAS**, the District's Board of Directors has forwarded the 2021 District budget, as set forth in the resolution attached hereto as Exhibit A, to the Board of Austintown Township Board of Trustees for approval and the Board of Trustees finds that it is in the best interests of the citizens of Austintown Township to approve same;

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Trustees of Austintown Township, Ohio does hereby approve the 2021 Budget for the Austintown-Boardman-Mahoning County Joint Communications District as set forth in the Resolution of the District's Board of Directors as attached hereto as Exhibit A.

Mr Carano seconded the Motion and the roll call being called upon its adoption the vote resulted as follows:

Jim Davis	<u>yes</u>
Ken Carano	<u>yes</u>
Steve Kent	<u>yes</u>

Adopted this 25 day of January, 2021.

Laura L. Wolfe  
Laura L. Wolfe, Fiscal Officer

THE STATE OF OHIO

MAHONING COUNTY SS:

I, Laura L. Wolfe, Fiscal Officer of Austintown Township, do hereby certify that the foregoing is taken and copied from the Record of Proceedings of said Regular Meeting; that the same has been compared by me with the Resolution on said Record and it is a true and correct copy thereof.

Witness my signature, this 25 day of January, 2021.

Laura L. Wolfe  
Laura L. Wolfe, Fiscal Officer

ATTEST:

\_\_\_\_\_



# EXHIBIT A

## **RESOLUTION APPROVING BUDGET FOR 2021 FOR THE AUSTINTOWN-BOARDMAN-MAHONING COUNTY JOINT COMMUNICATIONS DISTRICT**

**WHEREAS**, the Boards of Trustees of Austintown Township, Ohio, and Boardman Township, Ohio and the Board of Commissioners of Mahoning County, Ohio (COG members) have established a regional council of governments (COG) pursuant to Chapter 167 of the Ohio Revised Code for the purpose of creating and operating the Austintown-Boardman-Mahoning County Joint Communications District; and

**WHEREAS**, a Board of Directors of the COG has been established by the governing bodies of the COG members; and

**WHEREAS**, under Section 7(C) of the Operating Agreement entered into by the members of the COG (Operating Agreement), the COG Board of Directors is required each year to establish a budget and to determine amounts to be paid by the members towards operation of the COG, including the total amounts to be paid by Mahoning County to Austintown and Boardman towards the operation of the COG's dispatching centers;

**NOW, THEREFORE, BE IT RESOLVED**, that Austintown and Boardman Townships shall continue to contribute the items of cost as set forth in Section 7(B) of the Operating Agreement;

**BE IT FURTHER RESOLVED**, that Mahoning County shall continue to contribute the items of cost as set forth in Section 7(B) of the Operating Agreement;

**BE IT FURTHER RESOLVED**, that the Board of Directors of the Austintown-Boardman-Mahoning County Joint Communications District, pursuant to Section 7(C) and a mutually agreeable formula, hereby approves, subject to the approval of the governing boards of the COG members, the following amounts to be paid by Mahoning County to the COG, in 2021, to be disbursed by the COG to Austintown and Boardman towards operation of the COG dispatching centers:

To be paid to Austintown - \$438,900

To be paid to Boardman - \$357,500;

**BE IT FURTHER RESOLVED**, that the Board of Directors agree that the amounts paid to Boardman and Austintown for the year 2021 shall not exceed ten percent (10%) of the above listed amounts.

**BE IT FURTHER RESOLVED**, that said budget shall be forwarded to the governing boards of the COG members for approval.

It was moved by Chief Gavalier, and seconded by Chief Werth,  
that the foregoing Resolution be approved this 12<sup>th</sup>nd day of January, 2021.

Roll call voting resulted:

A Y E

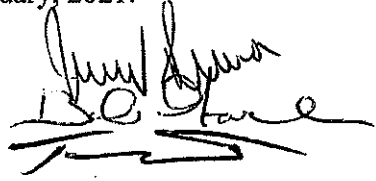
Sheriff Greene:

A Y E

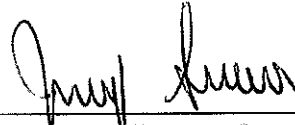
Chief Gavalier:

A Y E

Chief Werth:



**WHEREUPON**, the President of the Board of Directors declared the foregoing  
Resolution be duly adopted this 12<sup>th</sup>nd day of January, 2021.

  
\_\_\_\_\_  
Sheriff Jerry Greene

**RESOLUTION APPROVING ADDITIONAL DISPURSEMENTS FROM THE COG  
TO AUSTINTOWN & BOARDMAN TOWNSHIPS**

**WHEREAS**, on December 30, 2020 the Mahoning County Commissioners (Commissioners) approved Resolution 20-12-044, A Resolution To Provide Additional Funding From The Justice Fund (002) To The Austintown-Boardman-Mahoning County Joint Communications District (COG), said resolution is hereby incorporated as if fully re-written here; and

**WHEREAS**, Resolution 20-12-044 provides an additional \$300,000 to the COG to support the additional expenses related to the additional positions and equipment necessary during the transition stage; and

**WHEREAS**, Under the funding formula used by the COG, to generate the 2021 annual budget, as described in Section 7(3) of the March 31, 2016 COG Operating Agreement, Austintown Township is receiving \$438,900 and Boardman Township is receiving \$357,500;

**WHEREAS**, in support and recognition of the services provided to the COG by Austintown and Boardman Township, the Board of Directors of the Austintown-Boardman-Mahoning County Joint Communications District support the disbursements outlined below;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Directors of the Austintown-Boardman-Mahoning County Joint Communications District find it necessary to supplement the personal and equipment costs related to the services provided by Austintown and Boardman Township to the COG;

**BE IT FURTHER RESOLVED**, that the Board of Directors of the Austintown-Boardman-Mahoning County Joint Communications District, disburse the \$300,000 of additional funding to Austintown and Boardman towards the additional personal and equipment costs related to the services provided to the COG:

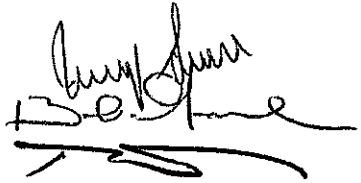
- To be paid to Austintown - \$109,500.00
- To be paid to Boardman - \$188,500.00;

**BE IT FURTHER RESOLVED**, that this is a one-time disbursement and is not guaranteed beyond 2021.

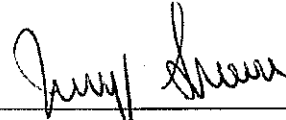
It was moved by Chris Conner, and seconded by Chris Worth, that the foregoing Resolution be approved this 12<sup>th</sup> day of January, 2021.

Roll call voting resulted:

AYE Sheriff Greene:  
AYE Chief Gavalier:  
AYE Chief Werth:

Handwritten signatures of Sheriff Jerry Greene, Chief Gavalier, and Chief Werth, all in black ink.

**WHEREUPON**, the President of the Board of Directors declared the foregoing Resolution be duly adopted this 12th day of January, 2021.

Handwritten signature of Sheriff Jerry Greene in black ink.

Sheriff Jerry Greene

RESOLUTION  
RES 20-12-044

A RESOLUTION TO PROVIDE ADDITIONAL FUNDING  
FROM THE JUSTICE FUND (0200) TO THE  
AUSTINTOWN-BOARDMAN-MAHONING COUNTY JOINT COMMUNICATIONS DISTRICT

WHEREAS, the Mahoning County Board of Commissioners adopted Resolution 16-03-040 on March 31, 2016 establishing a Regional Council of Governments for the purpose of creating the Austintown-Boardman-Mahoning County Joint Communications (ABM) District; and

WHEREAS, Ohio Revised Code section 167.06(A) states that "the governing bodies of the member governments may appropriate funds to meet the expenses of the council. Services of personnel, use of equipment, and office space, and other necessary services may be accepted from members as part of their financial support;" and

WHEREAS, the ABM District is still in the transitioning stage of buildout of the Boardman and Austintown 911 Dispatch Centers which require cash flow and additional positions and equipment; and

WHEREAS, the Board of Mahoning County Commissioners is one of the governing bodies of the ABM and acknowledges the need as presented by the ABM Board of Directors; and

WHEREAS, the Board of Mahoning County Commissioners determines that it is in the best interests of the citizens of Mahoning County to provide additional funding to the ABM District and that said action is in furtherance of the important public purpose of providing public safety dispatch services to the citizens;

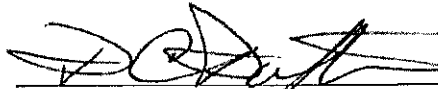
NOW, THEREFORE, BE IT RESOLVED that the Board of Mahoning County Commissioners hereby authorizes the transfer of \$300,000.00 from the Justice Fund to the ABM District as requested by the Executive Director of the ABM District.

BE IT FURTHER RESOLVED, that the funds transferred to the ABM District will be unrestricted and disbursed at the direction of the Board of Directors for the ABM District.


It was moved by Mr. Traficanti, and seconded by Mrs. Rimedio-Righetti, that the foregoing Resolution be approved this 30th day of December, 2020.

Roll call voting resulted:	Mr. Ditzler:	aye
	Mrs. Rimedio-Righetti:	aye
	Mr. Traficanti:	aye

WHEREUPON, the President of the Board declared the foregoing Resolution be duly adopted this 30th day of December, 2020.

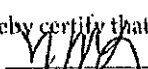
  
DAVID C. DITZLER,  
PRESIDENT OF THE BOARD

ATTEST:

  
NANCY M. LABOY,  
CLERK OF THE BOARD

JR. VOL. 108, PAGE 833

cc: Auditor's Office  
OMB

As Clerk of the Board of Mahoning County Commissioners, State of Ohio, I hereby certify that this is a true and correct copy of the original now on file in the Mahoning County Commissioners Office.  CERTIFIED COPY.