

**BAZETTA TOWNSHIP TRUSTEES
REGULAR MEETING MINUTES**

Date: November 27, 2017 at 7:00pm
Bazetta Township Administration Building
3372 State Route 5
Cortland, Ohio 44410

Present:

Vice Chairman Trustee Frank Parke
Chairman Trustee Ted Webb
Fiscal Officer Rita K. Drew

- Trustee Parke reminded the assemblage of the Public Comment procedures and the meeting is being video and audio recorded

285-17 To accept the minutes from the November 13 Regular Meeting.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

286-17 To accept the minutes from the November 17 Special Meeting.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

287-17 To authorize the Fiscal Officer to pay all outstanding invoices incurred and approve all warrants issued.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

288-17 To approve the payment of a \$12.50 per diem for anyone acting as Cemetery Sexton in the regular Sexton's absence, effective immediately.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

289-17 To approve the attached *Termination of Lease*.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

290-17 To approve the attached *Resolution for Sale of Bazetta Township Property*.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

291-17 To approve the attached *Sale and Purchase Agreement*.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

292-17 To rescind Board Resolution #260-17, to enter into an *IT Services Cooperative Agreement* with West Farmington Township, effective immediately.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

- Trustee Parke asked what Board Resolution #292-17 is for
 - Trustee Webb said it was to stop that agreement from going forward

Correspondence (Copies available upon request):

- Certification from Trumbull County Commissioners of a request with withdraw an annexation petition
- Letter from Ohio Utilities Protection Service regarding the 2018 Annual Assessment
- Copy of letter from Trumbull County Engineer to Trumbull County Commissioners concerning a permit to work in the right-of-way

Administration:

- Trustee Parke said that Bradley's will be here tomorrow to clean the building

Fire Department:

- Chief Lewis reminded the assemblage about smoke detectors
 - There are plenty of them left
 - 10 year lithium battery powered
 - Please call the Fire Department to obtain one

Police Department:

- Nothing to report

Road Department:

- Superintendent Parke said the only thing he had was the resolution below

293-17 To approve the attached *Resolution Authorizing the Road Superintendent to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Program(s) and to Execute Contracts as Required*.

Motion: Trustee Parke
Second: Trustee Webb
Vote: Trustee Hovis – Absent Trustee Parke - Yes Trustee Webb - Yes

Planning Director, Zoning Inspector & Code Enforcement Officer:

- Inspector Mills reported the following
 - Outstanding complaint on Northview Drive
 - Warning letter has been sent
 - Will proceed to take them to court if action is not taken within 30 days

Zoning Commission & Zoning Board of Appeals:

- Trustee Webb stated that they are looking to fill vacant positions on both boards
 - Alternates on Zoning Commission
 - 1 Regular Seat and Alternates on Zoning Board of Appeals

Parks & Recreation Board:

- Trustee Webb said a meeting was held on November 14
 - Discussion revolved around fund raising for next year
 - Will not be meeting in December
 - Will discuss further in January

Asked to be placed on the Agenda:

- None

Public Comment:

- Trustee Webb read the attached statement

294-17 To adjourn the meeting at 7:12pm.

Motion: Trustee Parke

Second: Trustee Webb

Vote: Trustee Hovis – Absent

Trustee Parke - Yes

Trustee Webb - Yes



Attested by: Rita K. Drew, Fiscal Officer

Dated:

12-04-17



Approved by: Chairman Trustee Ted Webb

Dated:

12/11/17

PENDING WARRANT REPORT
 Bazetta Township [2017]

Warrant Number	Warrant Amount	Voucher Number	Payee	Purpose
30849	7945.00	VW30849	Advantage Equipment Inc.	Turnout gear washer
30850	669.00	VW30850	Atwell's Police and Fire Equipment	Equipment/Supplies
30851	138.00	VW30851	Ace Lock & Key	Service/Supplies
30852	1041.80	VW30852	American Tire Distributors	Service/Supplies
30853	307.82	VW30853	Business Card	Supplies
30854	1880.84	VW30854	BE Solutions	Claim Runs
30855	1400.00	VW30855	Bazetta Township	IT Services
30856	116.60	VW30856	Bortnick Tractor Sales, Inc.	Parts/Supplies
30857	726.00	VW30857	Carwell Products, Inc.	Service/Supplies
30858	1412.80	VW30858	Delta Dental	Insurance
30859	1658.22	VW30859	D&T,P.M. & Truck Repair, LLC	Service/Parts
30860	1350.00	VW30860	Finley Fire Equipment	Supplies
30861	71.21	VW30861	Hanley Print & Promotions	Supplies
30862	100.00	VW30862	Robert Holbert	Deposit Refund
30863	20.00	VW30863	George C. Lee	EMS Refund
30864	313.45	VW30864	New Pig Corporation	Supplies
30867	1431.35	VW30867	Ohio Edison	Service
30868	17663.10	VW30868	Ohio Insurance Services Agency	Insurance
30869	3071.03	VW30869	Ohio Treasurer, Josh Mandel	Durst Clagg Rd Improvement
30870	1745.47	VW30870	Ohio Edison	Service
30871	142.47	VW30871	Purchase Power	Postage
30872	400.00	VW30872	Schultz Towing, Inc.	Towing
30873	535.91	VW30873	Southeastern Emergency Equipment	Supplies
30874	324.80	VW30874	Standard Insurance Company RD	Insurance
30875	1233.54	VW30875	Trumbull Co Emergency Management Agency	2018 Assessment
30876	40.62	VW30876	Time Warner Cable-Northeast	Service
30877	3208.88	VW30877	Trumbull County 911	911 Service
30878	479.71	VW30878	Vision Service Plan-(OH)	Insurance
30879	778.90	VW30879	Wex Bank	Fuel
=====				
	50206.52		Total Amount of Pending Warrants	

TERMINATION OF LEASE

Now comes the Board of Trumbull County Commissioners, 160 High Street NW, Warren, Ohio 44481 (hereinafter referred to as the Lessor) and the Board of Bazetta Township Trustees, Bazetta Township Administration Bldg., 3372 State Route 5 NE, Cortland, Ohio 44410 (hereinafter referred to as the Lessee); and

Whereas the Lessor and Lessee previously entered into a Lease dated January 5, 1971 for the premises fully described in the Leaseas recorded in the Trumbull County Recorder's Office at Volume 81 Page 341. The sole purpose of the lease was to allow Bazetta Township to build and use property as a Bazetta Township Fire Station. Said premises is commonly known as 773 Everett Hull Road, Cortland, Ohio 44410, which premises previously served as the site of the Bazetta Township Fire Station; and

Whereas, the Lessor and Lessee desire to terminate the Lease earlier than the originally stated term.

NOW THEREFORE, in consideration of the mutual promises and for other good and valuable consideration exchanged by the parties, each party intends to be legally bound as mutually agreed , as follows:

Lessor and Lessee agree that the Lease will terminate effective December 1, 2017 and that Lessee will deliver possession of the premises to the Lessor on December 1, 2017 at which time Lessor shall take control of the premises and release and discharge the Lessee from any obligations under the Lease.

The parties further agree that this Termination of Lease is binding upon the parties as well as their successors and assigns and supersedes any other prior oral or written agreement of the parties.

WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have freely executed this Agreement.

WITNESS:

TRUMBULL COUNTY COMMISSIONERS

FRANK S. FUDA, PRESIDENT

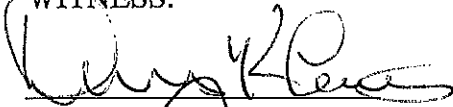
MAURO CANTALAMESSA, COMMISSIONER

DATE: _____

DANIEL E. POLIVKA, COMMISSIONER

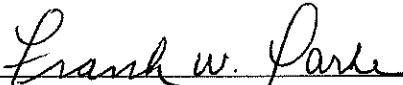
WITNESS:

BAZETTA TOWNSHIP TRUSTEES



PAUL HOVIS





FRANK W. PARKE

DATE: 11-27-17



THEODORE J. WEBB

RESOLUTION FOR SALE OF BAZETTA TOWNSHIP PROPERTY

WHEREAS, Bazetta Township has leased the property located at 773 Everett Hull Road, Cortland, Ohio 44410 from the Board of Trumbull County Commissioners since January 5, 1971 and recorded in the Trumbull County Recorder's Office at Volume 81 Page 341. The sole purpose of the Lease was to allow Bazetta Township to construct a Bazetta Township Fire Station on the property with no rental cost charged to the township. The leased property was used as a fire station until the new Bazetta Fire Station was constructed and opened in November of 2016; and

WHEREAS, the Bazetta Township Fire Station at 773 Everett Hull Road, Cortland, Ohio 44410 along with the materials, equipment and property located there is no longer needed for use as the Bazetta Township Fire Station and has become costly to maintain, making it necessary to terminate the lease and authorize a sale of the materials, equipment, building and any property located there; and

WHEREAS, the Board of Trumbull County Commissioners, is a political subdivision of the state, and willing to purchase and is authorized to purchase property, materials and equipment from Bazetta Township pursuant to ORC 505.10 and 505.101.

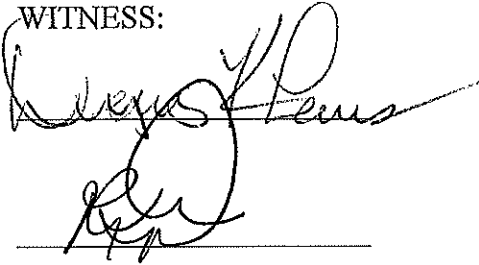
NOW THEREFORE,

1. The Board of Bazetta Township Trustees is hereby authorized and directed to enter into a Termination of Lease with the Board of Trumbull County Commissioners for the former Bazetta Township Fire Station located at 773 Everett Hull Road, Cortland, Ohio 44410 since the property no longer serves as the Bazetta Township Fire Station.
2. The Board of Bazetta Township Trustees further finds and determines that the property, materials, building and equipment at the former Bazetta Township Fire Station at 773 Everett Hull Road, Cortland, Ohio 44410 is no longer need for its intended use and has become costly to maintain. The Board of Trumbull County Commissioners is the owner of the real property on which the former fire station is located and is a political subdivision of the state authorized to make purchases pursuant to ORC 505.10 and 505.101 from Bazetta Township.
3. The Board of Bazetta Township Trustees is hereby authorized and directed to enter into a Sale and Purchase Agreement with the Board of Trumbull County Commissioners for sale of the materials, equipment, building and property located at 773 Everett Hull Road Cortland, Ohio 44410 which previously served as the Bazetta Township Fire Station. The terms of the Sale and Purchase Agreement require the payment of Ten Thousand Dollars (10,000.00) from the Board of Trumbull County Commissioners to the Board of Bazetta Township Trustees as full, final

payment for the purchase of the former Bazetta Township Fire Station and all materials, equipment and property located there.

4. The effective date of the Termination of Lease and Sale and Purchase Agreement shall be December 1, 2017 at which time the Board of Trumbull County Commissioners shall assume ownership control of the property.

WITNESS:




DATE: 11-27-17

BAZETTA TOWNSHIP TRUSTEES

PAUL HOVIS


FRANK W. PARKE


THEODORE J. WEBB

SALE AND PURCHASE AGREEMENT

This Sale and Purchase Agreement is entered into this 27th day of November, 2017 by and between the Board of Bazetta Township Trustees, Bazetta Township Administration Building, State Route 5 NE, Cortland, Ohio 44410 (hereinafter referred to as the Seller) and the Board of Trumbull County Commissioners, 160 High Street NW, Warren, Ohio 44481 (hereinafter referred to as the Purchaser).

Whereas, Bazetta Township has constructed a building for use as the Bazetta Township Fire Station on real property owned by the Board of Trumbull County Commissioners located at 773 Everett Hull Road, Cortland, Ohio 44410 (hereinafter referred to as the "premises") pursuant to a no charge Lease entered into between the parties on January 5, 1971 and duly recorded in the Trumbull County Recorder's Office Volume 81 Page 341; and

Whereas, Bazetta Township has recently built and relocated to a new building to serve as the Bazetta Township Fire Station at another location; and

Whereas, Bazetta Township desires to sell any and all interest that they have in the buildings, structures, appurtenances, and improvements made or constructed at the "premises" including any remaining tangible personal property on the effective date of this agreement.

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES, COVENANTS AND OTHER VALUABLE CONSIDERATION HEREIN, SELLER AND PURCHASER AGREE AS FOLLOWS:

1. Seller shall sell and convey to the Purchaser, all of Seller's right, title and interest in and to all improvements and fixtures located on the "premises" commonly known as the previous site of the former Bazetta Township Fire Station located at 773 Everett Hull Road, Cortland, Ohio 44410, including, without limitation, the buildings, appurtenances and other improvements erected or existing thereon; all other improvements integral to the operation of the building, all materials, apparatus, fixtures, equipment, appliances, air conditioning and heating systems attached to or located on the "premises".
2. Purchaser shall pay to the Seller, the total sum of Ten Thousand and 00/100 Dollars as the full, final and complete purchase price for all of Seller's right, title and interest as fully specified in paragraph 1.
3. The effective date of this Sale and Purchase Agreement shall be December 1, 2017. Seller agrees to pay for any and all utility bills accrued and payable to December 1, 2017.
4. Seller further represents to Purchaser that the "premises" are not subject to any liens, judgments or similar obligations or any order of remediation from any authority.

5. Seller and purchaser are both political subdivisions within the State of Ohio.

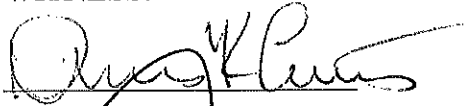
6. Purchaser agrees that the "premises" and all property purchased from the Seller pursuant to the agreement is in an "AS IS" physical condition "WITH ALL FAULTS".

WITNESS WHEREOF, the parties hereto, intending to be legally bound hereby, have freely executed this Agreement.

SELLER:

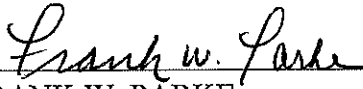
WITNESS:

BAZETTA TOWNSHIP TRUSTEES



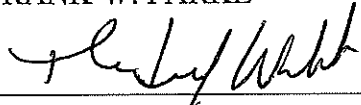
PAUL HOVIS





FRANK W. PARKE

DATE: 11-27-17



THEODORE J. WEBB

ATTEST:

TRUMBULL COUNTY COMMISSIONERS

FRANK S. FUDA, PRESIDENT

MAURO CANTALAMESSA, COMMISSIONER

DATE: _____

DANIEL E. POLIVKA, COMMISSIONER

**A RESOLUTION AUTHORIZING THE ROAD SUPERINTENDENT TO
PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE
OHIO PUBLIC WORKS COMMISSION STATE CAPITAL
IMPROVEMENT AND/OR LOCAL TRANSPORTATION
IMPROVEMENT PROGRAM(S)
AND TO EXECUTE CONTRACTS AS REQUIRED**

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Township of Bazetta is planning to make capital improvements to T.H. 1403 Beaver Trail Resurfacing, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW, THEREFORE, BE IT RESOLVED by the Township of Bazetta:

Section 1: The Chairman of the Bazetta Township Trustees is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Chairman of the Bazetta Township Trustees is authorized to enter into any agreements as many be necessary and appropriate for obtaining this financial assistance.

Passed: November 27, 2017

Trustee Paul Hovis: _____

Trustee Frank Parke: Frank W. Parke

Trustee Ted Webb: Ted Webb

**CHIEF FINANCIAL OFFICER'S CERTIFICATION OF LOCAL FUNDS
LOAN REPAYMENT LETTER**

November 27, 2017

I, Rita K. Drew, Fiscal Officer of Bazetta Township, hereby certify that Bazetta Township has the amount of \$5,500.00 in the General Bond Note Retirement Fund and that this amount will be used to pay the local share for the T.H. 1403 Beaver Trail Resurfacing when it is required.

I, Rita K. Drew, Fiscal Officer of Bazetta Township, hereby certify that Bazetta Township has / will have / will collect the amount of \$55,450.00 in the General Bond Note Retirement Fund and that this amount will be used to pay the Ohio Public Works Commission SCIP or RLP loan requested for the T.H. 1403 Beaver Trail Resurfacing over a 10 year term.



Rita K. Drew
Fiscal Officer, Bazetta Township

**" NOTES" FOR
PUBLIC COMMENT
REGARDING
IT SPECIALIST
POSITION**

As everyone is aware, there was a resolution (273-17) on Monday November 13 to provide a wage increase to the IT Specialist. The resolution past 2 in favor and 1 opposed.

My vote in the matter was the deciding factor. Mr. Hovis has always been in favor of an increase and Mr. Parke has always opposed that position. With my vote, the increase past. I had been working very closely with Mr. Davis over the last few months and truly did believe that the program could work with guidance and attainable goals. The month of October proved it could be possible.

What transpired in the following days created doubt and why Bazetta had to be the lead in this program. I once again met with Mr. Davis on that Friday morning and after an in depth discussion it was decided that the best decision for all parties and for the good of the township, that the raise should be rescinded. Approval of the raise was ill timed because of our tight budget.

An emergency meeting was called on Friday, November 17, at 9:40 am. In attendance was Mr. Parke and myself with Secretary Jean Eddy taking notes. Resolution 283-17 was read and voted on with 2 in favor of rescinding the raise and Mr. Hovis, was absent. This was affective immediately.

Many difficult decisions will need to be made in the weeks and months to come. I promise that I will make every effort, that my decisions, will be what is in the best interest for Bazetta Township.