

The Board of Lake Township Trustees met in regular session at 5:00 p.m. at 12360 Market Avenue North, Hartville, Ohio. The meeting was open to the public and streamed live via Facebook with the following members present:

John Arnold, President
Steve Miller, Member

Also Present:

Matt Erb	Sam Miller
Ralph Van Horn	Jacob Popio
Victoria Popio	Seth Marana

John Arnold called the regular meeting.

- The board tabled approving the minutes of the March 11, 2024, Regular meeting as submitted until Jeremy Yoder is in attendance.

24-101 A resolution was made by John Arnold authorizing payment and processing of payroll for March 29, 2024. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-102 A resolution was made by John Arnold approving the Financial (Fund/Appropriation/Revenue Status and Cash Summary by Fund) Reports as March 25, 2024 reports will be attached to the minutes and made a part thereof. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-103 A resolution was made by John Arnold authorizing all EXPENDITURES as of March 25, 2024 in the amount of \$319,233.03 reports will be attached to the minutes and made a part thereof. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- The Board noted that included approximately \$200,000.00 for the last of our salt purchasing commitment for the season. The Board noted that we have enough salt stored to possibly get through the next two winters.

CORRESPONDENCE

1. Ford Motor Company – information on certain 2019 and 2016 For Police Interceptor Utility vehicles
2. American Transparency – public records request
3. Stark Economic Development Board – weekly legislative news
4. Jordan Grubb – seeking information for use of the Greentown Park baseball fields
5. Paul Kankiewicz – question about electrical line clearance
6. Stark County Health Department – District Advisory Council Survey reminder; scrap tires / Aultman Avenue
7. Richard Harper c/o Office of Congresswoman Emilia Sykes – thank you for allowing him to attend the March 11th meeting
8. Stark County Engineer’s Office – Frank Avenue & Strausser Street closure announcement; salt order status for 2023/2024 Season and information for upcoming 2024/2025 Season; Applegrove Street & Frank Avenue closure announcement
9. Dean Plevrakis – street light outage question/inquiry
10. U.S. Bankruptcy Court Southern District of New York re: ENDO International plc, et al.
11. Stark County EMA – Stark County Eclipse Planning Taskforce Meeting
12. Stutler Leasing, Inc. – information about their services
13. NEFCO – information packet for the March 20, 2024 *Regular Meeting of the General Policy Board*
14. Stark County Prosecutor’s Office – press release for upcoming Crime Prevention Breakfast to be held on March 27th
15. CESO – question about the *Lake Township Road Department Storage Building* project
16. Ohio Department of Commerce – Cable TV Consumer Hotline for cable television complaints
17. Ohio Department of Administrative Services – weekly report of new contracts and amendments
18. Hanover Insurance Corp. – Notice of Conditional Approval
19. Jim Fedorka – question about garbage collection in Lake Township
20. AT&T – inquiry about Lake Township Right of Way permitting fees
21. Stark County Township Association – recap of March 21, 2024 meeting; April 18th meeting notice
22. Chevrolet – notice of defect existing in certain 2022 and 2023 model year Chevrolet Silverado vehicles

DEPARTMENT REPORTS

Police Department

- None

Road Department

- None

Zoning Department

- None

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

24-104 A resolution was made by John Arnold amending resolution No. 24-099 to reflect the total amount of \$18,422,251.43 instead of \$18,542,568.66. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-105 Trustee Arnold motioned the following resolution:

WHEREAS, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

- **Accepting the March 19, 2024, Estimate from Spray Foam Solutions, Inc. and authorizing an expenditure, for the Lake Township Administrative Offices, in the amount of \$12,170.00 for insulation of a large storage garage at 12360 Market Avenue, as detailed in said Estimate/Proposal.**

(the “Project”).

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution No. 22-138 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.
2. The “Project” is hereby authorized and shall be paid for from the ARPA Funds in an amount not to exceed: \$12,170.00 .
3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

✓ **General government administration, staff, and administrative facilities**

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- The Board noted that we are converting a previously unusable space at the township hall into a usable space.

24-106 A resolution was made by John Arnold accepting the March 22, 2024, Estimate No. 1386 from Bio-Scene Recovery, Inc. for the cleanup of property located at 3750 Carl Street NW, Uniontown, if the owner fails to abate said nuisance as determined pursuant to Resolution No. 24-097. If owner fails to abate said nuisance, and cleanup by the township is necessary, final payment to Bio-Scene Recovery, Inc. shall be by further Resolution of the Board. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- Trustee Miller noted that the situation at 3750 Carl Street has been an ongoing nuisance; it gets cleaned up and then goes right back to a nuisance condition. He spoke with our legal counsel who advised that we could file a lawsuit against the owner of the property as well as the individual perpetrating the situation.

24-107 A resolution was made by Steve Miller authorizing legal counsel to initiate a lawsuit in the ongoing nuisance matter located at 3750 Carl Street NW, Uniontown. Said property is owned by Eleanor M. Douglas. Seconded by John Arnold. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- Trustee Miller explained that if the courts side with us and agree that this is an ongoing nuisance they would put an injunction on the property saying it cannot return to the state it has been in. If it does, we can notify the court and they would hold the parties in contempt of court. This could result in legal ramifications and fines.

24-108 A resolution was made by John Arnold determining that certain property is no longer needed by the township; therefore, directing that the following item(s) be sold by public “absolute auction” by Kiko Auctioneers www.kikoauctions.com, pursuant to Ohio Revised Code Section 505.10. The following property will be sold “as is” to the highest bidder by “absolute auction”, subject to the terms as listed in the Kiko Auctioneers “Auction Sales Contract” and as listed on the auction site(s):

- 2003 Gradall XL3100 Rubber-tired Hydraulic Excavator detailed as follows:
 - 2,740 hours
 - 961 miles
 - Air brakes
 - Locking Differential
 - Includes 66” bucket
 - Includes 24” bucket
 - Fixed thumb grapple
 - Serial No. 0317340
 - 35,000 lb. class
 - 9-speed standard Eaton-Fuller transmission

Auction will be held on Friday, April 26, 2024, at 10:30 a.m. at 323 SR 43, Mogadore, OH 44260.

Item(s) will sell at public “absolute auction” to the highest bidder without reserve and shall not require a minimum bid.

The Board will sell the items in compliance with all provisions of Ohio Revised Code Sections 102 and 2921.

Notice will be published in the Hartville News the week of April 5th, 2024, and published on the Lake Township internet website at www.laketwpstarkco.com, click on the “News” tab to access this notice. Advertisements for auction will be posted on Kiko website and other media outlets as determined by Kiko Auctioneers. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- 24-109 A resolution was made by John Arnold authorizing the Board to execute an *Auction Sale Contract* (Contract) with Kiko Auctioneers for a public “absolute auction” of a 2003 Gradall XL3100 Rubber-Tired Hydraulic Excavator. Said auction to be held on April 26, 2024 at 323 SR 43, Mogadore, Ohio 44260. The Board accepts that the scheduled commission is 6% of the total sale with a 10% Buyers Premium as detailed in said “Contract”. Additionally, the Board authorizes a fee of \$100.00 to Kiko Auctioneers for costs associated with advertising, preparing, and promoting the *2003 Gradall Excavator* at auction. The Board further acknowledges that said “Contract” has previously been reviewed and approved by legal counsel as to form and legal sufficiency. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- 24-110 A resolution was made by John Arnold hiring Mark Grimes as an auxiliary Road Department employee at an hourly rate of \$16.00 per hour and pursuant to the provisions contained in Resolution No. 24-037, adopted December 26, 2023, and subject to all provisions of the Lake Township Trustees and the Lake Township Employee handbook. Employment is contingent upon completion of a successful drug test. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

- 24-111 A resolution was made by John Arnold accepting the March 8, 2024, Quote from Austinburg Truck Center (aka A & S Truck Center) and authorizing an expenditure, for the road department, in the amount of \$134,390.00 for the purchase of a 2025 MACK Granite Cab & Chassis, with extended warranty, as detailed in said Quote. Said purchase is through Sourcewell Cooperative Purchasing Contract No. 060920-MAK. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-112 A resolution was made by Steve Miller accepting the following quotes from Hybrid Heating & Cooling and authorizing expenditures, for the police department, as follows:

- Estimate No. 4039: Restroom exhaust system \$2,185.00
- Estimate No. 4038: Restroom wall heaters \$1,680.00
- Estimate No. 4037: One-year service agreement for current furnace & air conditioning units \$1,480.00

Seconded by John Arnold. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-113 A resolution was made by Steve Miller accepting the Quote No. 005117 from 415 Group and authorizing a continuing monthly charge, for the police department, for Microsoft Entra ID P1 Licenses. Seconded by John Arnold. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-114 Trustee Miller motioned the following resolution:

WHEREAS, the Township has received a distribution of monies (the “ARPA Funds”) from the American Rescue Plan Act of 2021 (“ARPA” or the “Act”); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

- **Accepting the March 12, 2024, Estimate from CKP Heating and Cooling, LLC. and authorizing an expenditure, for the Lake Township Administrative Offices, in the**

amount of **\$11,765.00** for HVAC and electrical for a mini-split system in the new storage area at 12360 Market Avenue, as detailed in said Estimate/Proposal. (the "Project").

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Township elected to use the standard allowance by way of Resolution No. 22-138 and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services.
2. The "Project" is hereby authorized and shall be paid for from the ARPA Funds in an amount not to exceed: **\$11,765.00** .
3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

✓ **General government administration, staff, and administrative facilities**

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.
5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021

Seconded by John Arnold. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-115 A resolution was made by John Arnold authorizing, pursuant to [Article 20/Training](#) of the FOP Contract, an expenditure for 1-night lodging for Sergeant Allais and Officers Beverage and Molea to attend *The Phoenix Project* seminar in Columbus, Ohio on April 26, 2024. The Board further authorizes lodging and attendance of this seminar for Kim Berry, pursuant to the provisions contained in [Article III-General Regulations/Seminars](#) of the Lake Township Employee Handbook. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-116 Trustee Arnold motioned the following resolution:

WHEREAS, the Lake Township Board of Trustees contract for the township's property and casualty insurance, which includes the public official bonds; and

WHEREAS, the current policy is due to expire on April 1, 2024; and

WHEREAS, Wichert Insurance and Ramsburg Insurance have submitted an Insurance and Risk Management Proposal from Selective Insurance Company and Hanover Insurance Company for the contract year 2024 with an annual premium of \$90,703.00, which reflects a 7% increase from the previous contract year.

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of Lake Township, Stark County, Ohio, accept the renewal policy for the township's property and casualty insurance with Selective Insurance Company and Hanover Insurance Company, through Wichert Insurance and Ramsburg Insurance for a contract period of one year, beginning April 1, 2024 extending through April 1, 2025.

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-117 A resolution was made by John Arnold authorizing correspondence be forwarded to Andrew and Kristina Henley in reference to his Fire Loss Claim No. 35-62D4-97W at 3626 Broad Vista Street NW, Uniontown. Said correspondence will include notification that the Township is in receipt of a check in the amount of \$4,131.29 from State Farm Fire and Casualty Company, which funds will be held by the township until such time the Lake Township Fire Prevention Officer and Zoning Administrator have authorized the Fiscal Officer to release the funds. In addition, this letter will include a request that they meet with the Lake Township Fire Prevention Officer and Zoning Administrator in order to expedite this process. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

24-118 A resolution was made by John Arnold accepting the Yard Waste Service Agreement with Earth 'n Wood Products, Inc./Kurtz-Bros Inc. and authorizing the Board President to execute said Agreement, for a 36-month period for transportation and disposal of yard waste collected at the Lake Township Yard Waste facility. Said cost of service will be as follows:

- January 1-December 31, 2024: \$166 per container exchange/dump trailer
- January 1-December 31, 2025: \$171 per container exchange/dump trailer
- January 1-December 31, 2026: \$176 per container exchange/dump trailer

Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

MEETING REPORTS/MISCELLANEOUS

- Trustees Miller and Arnold along with the Zoning Administrator attended the annual Stark County Regional Planning Banquet.
- Trustee Arnold attended the Stark County Township Association meeting which included a presentation from the Stark County Engineer talking about this year’s projects and pricing used for the paving programs.
- Trustee Arnold spoke about a situation encountered here at the township hall. Verizon tunneled through our septic system when they were co-locating on the tower behind the building. They were 7 ½’ outside of their easement. The road department had to excavate and repair the systems. We will be holding Verizon responsible for the cost of the repairs.

FISCAL OFFICER’S REPORT

24-119 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders, Vouchers, and Reconciliations. Seconded by Steve Miller. Roll call votes were:

John Arnold	yes
Steve Miller	yes

PUBLIC SPEAKS

Ralph Van Horn II, 654 Pontius St NW, Mogadore: Mr. Van Horn addressed the Board regarding the lack of sewer and water in some areas of the township. He would like to see a 20-year plan for improvement to the infrastructure in the township. The Board explained that those improvements are initiated by the county sewer district or private money. The township does not have a sewer district, but they could have a conversation with the county.

- There will be no public speaks through the Facebook Live streaming; however, the Trustees still welcome your “public speaks” comments to be emailed to info@laketwpstarkco.com

24-120 A resolution was made by John Arnold to adjourn the meeting at 5:34 p.m.
Seconded by Steve Miller. Roll call votes were:

John Arnold yes
Steve Miller yes

Matt Erb, Fiscal Officer

John Arnold, President

-absent-

Jeremy Yoder, Vice President

Steve Miller, Member
