

NEWTON TOWNSHIP BOARD OF TRUSTEES  
4410 NEWTON FALLS BAILEY ROAD  
NEWTON FALLS, OH 44444  
SPECIAL MEETING  
JANUARY 28, 2021

The Newton Township Board of Trustees met in a special meeting on Thursday, January 28, 2021 at the Township Administration Building with Trustees Augusta, Lutz, Nemet and Fiscal Officer Montgomery present. Augusta led the Pledge of Allegiance and called the meeting to order at 9:12 a.m.

ALSO PRESENT: no members of the general public were present.

The purpose of this meeting was to consider a demolition resolution for 5204 Cleveland Avenue, discuss the purchase of furniture and equipment, approve minutes, and supplemental appropriations.

APPROVAL OF MINUTES

Nemet moved to suspend the reading of the December 02, 2020 rescheduled monthly meeting minutes and approve as submitted. Second by Augusta.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Augusta moved to suspend the reading of the December 22, 2020 special meeting minutes and approve as submitted. Second by Lutz.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Augusta moved to suspend the reading of the December 28, 2020 monthly/year-end meeting minutes and approve as submitted. Second by Nemet.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Lutz moved to suspend the reading of the January 04, 2021 organizational/business meeting minutes and approve as submitted. Second by Nemet.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

BUSINESS

**21.01.27** Augusta moved to adopt the following:

RESOLUTION TO DEMOLISH STRUCTURES WHICH ARE UNSAFE, STRUCTURALLY DEFECTIVE AND UNFIT FOR HUMAN HABITATION AND TO ABATE NUISANCE AND REMOVE JUNK VEHICLES PURSUANT TO R.C. 505.86, R.C. 505.87 AND R.C. 505.871 PROPERTY LOCATED AT 5204 Cleveland Avenue, Newton Falls, Ohio 44444 NEWTON TOWNSHIP, TRUMBULL COUNTY, OHIO

WHEREAS, Ohio Revised Code §505.86 authorizes a Board of Trustees to declare structures within the Township to be a nuisance by reason of being insecure, unsafe, structurally defective, or unfit for human habitation, and to provide for the abatement of said nuisance by securing or demolition and removal of said structures after thirty days' notice ; and;

WHEREAS, Ohio Revised Code §505.87 authorizes a Board of Trustees to declare real property in the Township which is not maintained and contains accumulations of vegetation, garbage, refuse or other debris a nuisance and provide for the abatement of such nuisance after seven days' notice to the landowner; and

WHEREAS, Ohio Revised Code §505.871 authorizes a Board of Trustees to provide for the removal of any vehicle in the Township determined to be a junk motor vehicle after fourteen days' notice; and

NEWTON TOWNSHIP BOARD OF TRUSTEES  
4410 NEWTON FALLS BAILEY ROAD  
NEWTON FALLS, OH 44444  
SPECIAL MEETING  
JANUARY 28, 2021

WHEREAS, the Board of Trustees of Newton Township Ohio is familiar with the Property located at **5204 Cleveland Avenue**, Newton Falls, Newton Township, Trumbull County, Ohio, (hereinafter "the Property"), and the Board hereby finds that the Property is in violation of the above sections of the Ohio Revised Code, and the Board hereby determines to abate, control and remove the nuisances.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Newton Township, Trumbull County, Ohio as follows:

**Section 1:** The Board of Trustees determines that the structures on the Property located at **5204 Cleveland Avenue**, Newton Falls, Newton Township, Trumbull County, Ohio, (hereinafter "the Property") are abandoned, insecure, unsafe dilapidated, dangerous and/or structurally deficient and must be demolished and removed pursuant to O.R.C. §505.86.

**Section 2:** The Board of Trustees determines that the accumulation of vegetation, garbage, refuse and other debris upon the Property located at 5204 Cleveland Avenue, Newton Falls, Newton Township, Trumbull County, Ohio constitutes a nuisance which must be abated pursuant to O.R.C. §505.87.

**Section 3:** The Board of Trustees determines that the motor vehicles on the Property including a trailer, a slide-in camper, a red Chevrolet truck, a blue truck, a blue van, a gray car, and a boat are "junk motor vehicles" as defined in O.R.C. §505.173 as they are (1) three model years old or older, (2) apparently inoperable, and (3) extensively damaged, and the vehicles constitute a nuisance which must be removed pursuant to O.R.C. §505.871.

**Section 4:** The Township Fiscal Officer shall give notice of this Resolution to the owners of the Property by publication in a newspaper of general circulation in the township and by posting a notice on the principal structure on the land.

**Section 5:** If within the time permitted by law the Property owner fails to abate the above-declared nuisances the Board shall provide for the demolition of the structures on the Property, the removal of the vegetation, garbage, refuse, debris, and junk vehicles from the Property, and may employ a contractor to perform such work.

**Section 6.** The total costs incurred by the Township for the abatement, control, or removal of the structures, vegetation, garbage, refuse, debris and junk vehicles, including all associated site restoration work, the costs incurred in providing notice, the cost of the lien search and the amount paid for labor, materials and equipment shall be paid out of the Township general fund. The Township Fiscal Officer shall certify the total costs incurred to the county Auditor who shall place the costs upon the tax duplicate to be a lien upon such lands from and after the date of entry. The costs shall be collected as other taxes and returned to the Township general fund.

**Section 7.** All formal actions relative to the passage of this Resolution were taken in an open meeting of the Board, and that all deliberations of this Board and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

This Resolution shall take effect immediately upon adoption.

Second by Lutz.

Discussion: This Resolution was added to address the debris and scrap vehicles to clean the property in its entirety.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

A brief discussion was held regarding the need to update to better quality office phones and to split the line between the fiscal and zoning offices. A separate permanent line will be established for the fiscal

NEWTON TOWNSHIP BOARD OF TRUSTEES  
4410 NEWTON FALLS BAILEY ROAD  
NEWTON FALLS, OH 44444  
SPECIAL MEETING  
JANUARY 28, 2021

office and Nemet will look into the best options for phones. Chairs are needed for the road department break room. The Board chairs are currently being used. The Board determined it would be best to move the old Board chairs (worn but good shape) to the road department for their use and replace the Board chairs in the meeting room. Augusta presented information on task chairs from Grainger that he proposed would be a good fit for the meeting room.

**21.01.28** Augusta moved to purchase 6 task chairs from Grainger for a total of \$1,203.30 (\$200.55 ea.)

Second by Nemet.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0.

Lutz moved to suspend the reading of the January 04, 2021 organizational/business meeting minutes and approve as submitted. Second by Nemet.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

**21.01.29** Augusta moved to adopt the following:

ADDITIONAL TEMPORARY/SUPPLEMENTAL APPROPRIATION RESOLUTION  
FOR FISCAL YEAR 2021

Additional Temporary 2272/Supplemental 1000 Appropriations in the following funds upon the recommendation of the Fiscal Officer (to comply with the legal level of authority of salaries; benefits; other):

<u>Fund</u>	<u>Salaries</u>	-	<u>Benefits</u>	-	<u>Other</u>	-	<u>Capital Projects</u>	-	<u>Total Supplemental Appropriation</u>
1000 General Fund	\$0.00		\$0.00		\$1,200.00		\$0.00		\$1,200.00
2272 Coronavirus Relief Fund	\$0.00		\$0.00		\$800.00		\$0.00		\$800.00
Total	\$0.00		\$0.00		\$2,000.00		\$0.00		\$2,000.00

Motion seconded by Lutz.

**Roll Call:** Augusta, Yes Nemet, Yes Lutz, Yes MOTION CARRIED 3-0

Upon adoption of Supplemental Appropriations, Permanent Appropriations were amended as follows:

NEWTON TOWNSHIP BOARD OF TRUSTEES  
4410 NEWTON FALLS BAILEY ROAD  
NEWTON FALLS, OH 44444  
SPECIAL MEETING  
JANUARY 28, 2021

<u>Fund</u>	<u>Salaries</u>	-	<u>Benefits</u>	-	<u>Other</u>	-	<u>Capital Projects</u>	-	<u>Total Appropriations</u>
1000 General	\$15,000.00		\$25,000.00		<b>\$61,200.00</b>		<b>\$0.00</b>		<b>\$101,200.00</b>
2011 Motor Vehicle	\$0.00		\$0.00		\$12,000.00		\$0.00		\$12,000.00
2021 Gasoline Tax	\$35,000.00		\$0.00		\$20,000.00		\$0.00		\$55,000.00
2031 Road & Bridge	\$9,500.00		\$25,000.00		\$45,000.00		\$0.00		\$79,500.00
2041 Cemetery	\$9,000.00		\$2,500.00		\$10,000.00		\$0.00		\$21,500.00
2081 Police	\$0.00		\$0.00		\$20,000.00		\$0.00		\$20,000.00
2111 Fire	\$0.00		\$0.00		\$1,000.00		\$0.00		\$1,000.00
2231 Motor Vehicle Perm	\$0.00		\$0.00		\$14,000.00		\$0.00		\$14,000.00
2272 Coronavirus Relief Fund	\$0.00		\$0.00		<b>\$800.00</b>		<b>\$0.00</b>		<b>\$800.00</b>
<b>Total</b>	<b>\$68,500.00</b>		<b>\$52,500.00</b>		<b>\$184,000.00</b>		<b>\$0.00</b>		<b>\$305,000.00</b>

BE IT RESOLVED that appropriations may be reallocated as necessary by the Fiscal Officer within the legal level of authority of appropriations as presented.

Nemet moved to adjourn the meeting at 9:08 a.m. Second by Lutz.

**Roll Call:** Augusta, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

These meeting minutes have been lawfully approved as submitted on this date: March 03, 2021.

Respectfully submitted  
Susan D. Montgomery  
Fiscal Officer

Official copy available by request.

NEWTON TOWNSHIP BOARD OF TRUSTEES  
4410 NEWTON FALLS BAILEY ROAD  
NEWTON FALLS, OH 44444  
SPECIAL MEETING  
JANUARY 28, 2021