

The Chester Township Board of Trustees met in regular session **Thursday, December 14, 2023** in the Town Hall Meeting Room at 6:00 P.M. Chairman Craig Richter presided. Administrator Purchase was appointed Clerk pro tem.

**Roll Call:** Present: Trustee Richter, Trustee Mazzurco, Trustee Radtke  
Absent: Fiscal Officer Jarrett

**Pledge of Allegiance to the Flag**

The Board led the audience in reciting the Pledge of Allegiance to the Flag.

**Leading Motion #: 2023-479**

**Executive Session**

**2023-479.** Mr. Richter moved to enter into executive session at 6:01 P.M. pursuant to Ohio Revised Code 121.22 (G) (1) to consider the appointment and compensation of public employees. Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

Administrator Purchase and Fire Chief Shaw were invited into the executive session. The Board reentered public session at 6:43 P.M.

**Approval of Minutes**

**2023-480.** Mr. Richter moved to approve the minutes of the Board of Trustees meeting(s) dated November 16, 2023, November 22, 2023 and November 30, 2023 as presented to the Board by the Fiscal Officer.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

**Public Comments/Questions**

No public comments at this time.

**Township Administrator**

Mr. Purchase shared the furnace is fixed at Town Hall. The one furnace is 27 years old and will need to be replaced. This will be revisited in January of 2024. Hoping to put through NOPEC. Some street lights are out in the Township, so LED lights should be replacing them. Looking into converting old lights in center of town to LED lights through First Energy and utilizing NOPEC funds.

A resident asked what the noise policy is in a residential area regarding when someone can start a project. Chairman Richter said we do not have a noise ordinance. Trustee Radtke said he would be glad to provide the section in zoning that relates via e-mail. It was stated the noise is coming from garbage trucks at 5:15 A.M.

### **Department Business – Road**

**2023-481.** Mr. Richter moved to approve After the Fact the resignation of seasonal employee Gary Huston effective November 13, 2023.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

**2023-482.** Mr. Richter moved to approve Road Department expenditures as listed below.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

PO #	Type	Amount	Payable To	Purpose
309-2023	Reg	\$2,316.29	Geauga Highway Co.	CS-CHE-V-2023 CHG ORDER & FNL PAYMENT

Mr. Purchase added he completed the grant funding request for the salt dome and is now working on the grant for the roof of the road department building. Estimating approximately \$300,000 project cost with a request for 50% or \$150,000 from the State of Ohio. It was confirmed the bones are good on the building and it can sustain a new roof. Trustee Radtke said we may want a true analysis including the cost and may want to consider an additional levy to request replacement only of the existing fleet. Mr. Purchase held a meeting today with several people including representatives from the Village of Gates Mills regarding the County Line Road project. Gates Mills is in agreement that it makes sense to do County Line Road in conjunction with Chester. Chester Township may have a number closer to \$975,000 plus about \$100,000 because of the concrete headwalls. It is not an actual pipe, it's a concrete basin and water travels underneath it. Gates Mills appears to be on board with splitting the cost. Road Superintendent Onyshko and Township Administrator Purchase will meet tomorrow and discuss what road projects may be able to be pushed back in 2024. Conversation continued regarding the cost of different projects. Mr. Mazzurco thinks the \$300,000 estimated project cost for the roof may be low with the electrical and additional work needed. Mr. Purchase reminded the Board that our estimates need to be as close to actual as possible. Mr. Purchase said it was made clear at the meeting that Townships could send in as many projects as they want since there is no limit. The parking lot for the Park was discussed briefly. It was suggested maybe putting in for \$300,000 for parking lot paving.

### **Department Business – Fire**

**2023-483.** Mr. Richter moved to approve Fire Department expenditures as listed below.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

PO #	Type	Amount	Payable To	Purpose
301-2023	Reg	\$28.00	Treasurer, State of Ohio (EPA)	Invoice 12597405

### **Department Business – Police**

**2023-484.** Mr. Richter moved to approve the order of two 2024 Dodge Durango Police Vehicles from Ganley Village CDJRF, 2115 Mentor Ave., Painesville, Oh. 44077. The total cost of these vehicles, upon 2024 delivery, will be \$79,660.00 (\$39,830.00 each).

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

**2023-485.** Mr. Richter moved to approve Police Department expenditures as listed below.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

PO #	Type	Amount	Payable To	Purpose
307-2023	Reg	\$405.60	Highcom	Balance of Inv 23-16153
308-2023	Reg	\$224.00	Communications Services	Balance of Invs #39473-39561

## Department Business – Zoning

Trustee Richter attended the BZA meeting on Monday, December 11<sup>th</sup> and a discussion took place regarding the designation so they can identify different BZA, Zoning Commission, etc. and discussed a ZU designation for conditional uses. Cases coming forward will now have the ZU prefix for Conditional Permits. Mr. Purchase noted there may be some modification coming regarding the numbering system.

**2023-486.** Mr. Richter moved to void Resolution 2023-470 the Resolution Initiating Amendment of the Township Zoning Resolution to Add Article 15, Park Districts both Passive and Active.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

**RESOLUTION 2023-487.** Form No. 25 - Resolution to Initiate an Amendment to the Chester Township Zoning Resolution O.R.C. Section 519.12(A)

Mr. Richter moved the adoption of the following motion:

That an amendment to the Chester Township Zoning Resolution, identified as number Z-2023-2 consisting of 22 pages, marked Exhibit A and attached hereto and incorporated herein as though fully rewritten, be hereby initiated by the Chester Township Board of Trustees this 14<sup>th</sup> day of December, 2023.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

Mr. Purchase said this amendment will actually be two (2) amendments. The first one is to create a language for parks and get it into the zoning resolution. Then mapping will be done identifying the parcels. Linda Crombie of the Planning Commission thinks better to do in two (2) separate amendments.

## New Business

Issue 2 Resolutions – Trustee Richter shared some information on Issue 2 including talk of taking away a fee which would be the taxes that would go to the municipalities. Another topic of discussion was the number of plants an individual can grow. It does not affect the resolutions. The Prosecutor has not sent out a resolution yet.

### **Resolution # 2023- 488.**

*A RESOLUTION TO PROHIBIT ADULT-USE CANNABIS OPERATORS AND MEDICAL MARIJUANA CULTIVATORS, PROCESSORS, AND RETAIL DISPENSERIES WITHIN THE UNINCORPORATED AREAS OF CHESTER TOWNSHIP, GAUGA COUNTY*

Trustee Craig Richter, moved that the following Resolution be adopted:

**WHEREAS**, on November 7, 2023, voters in Ohio approved State Issue 2, which enacts new Chapter 3780 of the Ohio Revised Code, effective thirty days from the date of the election; and

**WHEREAS**, Chapter 3780 authorizes and regulates recreational adult-use cannabis in the state of Ohio; and

**WHEREAS**, R.C. 3780.25 authorizes townships to prohibit or limit the number of adult-use cannabis operators (as defined in R.C. 3780.01) within the unincorporated area of the township; and

**WHEREAS**, Medical marijuana is regulated in Ohio by Chapter 3796 of the Ohio Revised Code; and

**WHEREAS**, R.C. 3796.29 similarly authorizes townships to prohibit or limit the number of marijuana cultivators, processors, or retail dispensaries licensed under Chapter 3796 within the unincorporated area of the township; and

**WHEREAS**, the Board of Trustees finds it to be in the best interest of the township to prohibit adult-use cannabis operators licensed under Chapter 3780, as well as cultivators, processors, and retail dispensaries licensed under Chapter 3796, within the unincorporated area of the township;

Now, therefore, be it RESOLVED, as follows:

- 1) All terms used in this resolution shall be defined in the same manner as R.C. Chapter 3780, as it pertains to adult-use cannabis. All terms used in this resolution but not defined in those chapters shall be construed, for purposes of this resolution, in a manner consistent with the use of such terms in both chapters.
- 2) Adult-use cannabis operators, as well as cultivators, processors, and retail dispensaries of medical marijuana are hereby prohibited from operating within the unincorporated area of Chester Township, Geauga County, Ohio
- 3) It is the intent of the Board of Trustees to limit operations described in Section 2 above to the maximum extent permitted by R.C. 3780.25, and RC 3796.29, any other applicable provisions of state law. This resolution shall be construed in a manner that gives maximum effect to that intent.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

Chesterland Post Office – An e-mail was received noting they were moving forward with renaming of the Chesterland Post Office. Trustee Radtke said once again the fallen soldier had a very limited connection to Chester Township. Trustee Radtke shared his communication with Senator Brown's office and the Congressman's office as well as Senator Vance's office explaining the Board's opposition. He plans on reaching out to Congressman Joyce tomorrow.

**2023-489.** Mr. Richter moved to approve a change order request from Geauga Highway Co. and payment of the second and final invoice in the amount of \$9,116.48 for the Asphalt Seal Coat of Various Roads as listed below, as recommended by the Geauga County Engineer.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

CONTRACT	ORIGINAL CONTRACT	TOTAL ADDS	TOTAL DEDUCTS	REVISED CONTRACT
RS-CHE-V-2023	\$163,975.00	\$8,680.43	\$6,364.14	\$166,291.29

**2023-490.** Mr. Richter moved to approve a change order request from Chagrin Valley Paving and payment of the final invoice in the amount of \$42,094.50 for the Asphalt Surface of Various Roads as listed below, as recommended by the Geauga County Engineer.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

CONTRACT	ORIGINAL CONTRACT	TOTAL ADDS	TOTAL DEDUCTS	REVISED CONTRACT
RS-CHE-V-2022	\$895,965.00	\$31,859.50	\$46,978.00	\$880,846.50

**2023-491.** Mr. Richter moved to approve “After the Fact”, \$4,450.00 from Township Appropriated Line Item 100-760-730-1200 (Improvement of Sites Township Hall/Mem Bldgs/Ground) and made payable to J & B Construction and Remodeling LLC. 17417 Tavern Road, Middlefield, Ohio 44062 for the completed installation and addition of a new window, into the northeast corner office of the town hall. Mr. Mazzurco seconded. Vote unanimous.; motion passed.

**2023-492.** Mr. Richter moved to approve the request for real estate collection tax advances for the following dates and the respective funds: January 19, 2024, February 16, 2024, June 26, 2024 and July 12, 2024

Funds – General; Road and Bridge; Police Department; and Fire Department.

Mr. Mazzurco seconded.

**Roll Call Vote:** Mr. Richter, yes; Mr. Mazzurco, yes; Mr. Radtke, yes. Motion passed.

**2023-493.** Mr. Richter moved to approve and sign, After the Fact, the Proclamation for Rosemary Balazs, a former Township Trustee for her years of service and dedication to the community.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

**2023-494.** Mr. Richter moved to approve and sign, After the Fact, the Proclamation for Officer Timothy “Sean” Day, for his years of service and dedication to the community.

Mr. Mazzurco seconded. Vote unanimous.; motion passed.

### **Township Park**

- Joseph Fornaro – Re-appointed to Park Board by Judge Timothy Grendell
- Steve Averill was appointed Wednesday to fill the current vacancy

Mr. Mazzurco added he received the bill for the work done trimming the trees and the total is \$400.00 and the bill will be submitted for payment.

### **Financial Items**

**2023-495.** Mr. Richter moved to approve the financial transactions below.  
Mr. Mazzurco seconded. Vote unanimous.; motion passed.

INTRA-FUND TRANSFERS				
Fund	Amount	From Account	To Account	Purpose
FD-Corona Relief Fund	\$20,000.00	2282-510-599-0019	2282-220-190-0019	Perm to book monies to acct
PD	\$630.00	2081-760-730-0000	2081-210-430-0000	Invoices through Y/E
GEN	\$2,000.00	1000-760-730-1202	1000-310-351-0000	Electricity through Y/E
GEN	\$200.00	1000-760-720-1202	1000-120-351-0000	Electricity through Y/E
PD	\$6,400.00	2081-930-930-0000	2081-210-190-0000	For S Day FT payout
FD	\$11,000.00	2111-220-221-0000	2111-220-190-6002	Perm 12/19 payroll
PD	\$10,000.00	2081-210-420-0400	2081-210-190-0000	Perm 12/19 payroll
PD	\$40,950.00	9 accounts (all police)	2081-210-190-0000	Perm 12/19 payroll

PURCHASE ORDERS					
Dept	PO #	Type	Amount	Payable To	Purpose
Gen	302-2023	Reg	\$200.00	Illuminating Co	Electricity
Gen	303-2023	Reg	\$2,000.00	Illuminating Co	Electricity
Gen-FD	304-2023	Reg	\$125.00	Kimble Recycling & Disposal Inc	Trash Pickup
Gen	306-2023	Reg	\$698.55	Nolan Heating & Cooling LLC	Repair Town Hall Furnace

**\*\*\* Adjust Regular Purchase Order \*\*\***

*#305-2023; Adjust Date 12/11/2023, Issue Date 12/11/23, Original Total \$7,000.00, Current Adjusted Amt. \$700.00, Current Balance \$6,300.00.*

*Vendor: J & B Construction*

*Purpose: To pay Nolan Heating Inv.*

CHECKS		
Date	Starting No.	Ending No.
12-14-23	87427	87427
12-19-23	87416 (after fact)	87426
Fiscal Officer's note: the last check number used on 11/30/23 was 87415		

**\*\* Check # 87369 payable to Deferred Comp was VOIDED.**  
*(check never received by them)*  
**Check # 87416 was issued as a replacement. \*\***

EFT DIRECT DEPOSITS			
Date	Starting No.	Ending No.	Description
12/19/2023	2106-2023	2106-2023	Day payout, RD longevity, Reg payroll
12/19/2023	2135-2023	2139-2023	Day payout, RD longevity, Reg payroll
12/19/2023	2156-2023	2226-2023	Day payout, RD longevity, Reg payroll

ON – LINE PAYMENT VOUCHERS		
Date	Starting No.	Ending No.
12/14/23	2108-2023	2259-2023

VOUCHERS & WITHHOLDINGS				
Voucher	Payee	Amount	Dated	Description
2228-2023	First National Bank EFTPS	\$21,439.94	12/19/2023	Employee & employer withholding – Federal
2237-2023	Ohio Department of Taxation	\$96.40	12/22/2023	Employee & employer withholding – Local School Dist
2238-2023	Treasurer, State of Ohio	\$8,066.94	12/22/2023	Employee & employer withholding – State

2104-2023	Public Employees Retirement System	\$55,199.78	12/28/2023	Employee & employer withholding – Retirement
2105-2023	Ohio Police & Fire Pension Fund	\$19,314.07	12/28/2023	Employee & employer withholding – Retirement
2235-2023	FNB Commercial Credit Card	\$192.07	12/12/2023	December 2023 payment
2236-2023	Regional Income Tax Agency	\$5,879.43	12/20/2023	Employee and Employer Withholding

### **Fiscal Officer's Report**

<b>Chester Township Bank Reconciliation</b>			
<b>Reconciled date</b>		<b>11/30/2023</b>	
Prior UAN Balance			6,444,025.14
Actual Receipts	+	539,640.08	
Transfers for UAN Only	+	650,000.00	
Total Receipts	=		1,189,640.08
Payments	-	951,995.73	
Transfers for UAN Only	-	650,000.00	
Total Payments	=		1,601,995.73
Adjustments	+		90,393.67
Adjustments	-		80.54
<b>Current UAN balance as of</b>	<b>11/30/2023</b>		<b>\$6,121,982.62</b>
Other adjusting factors	+		-
Other adjusting factors	-		-
<b>Adjusted UAN balance as of</b>	<b>11/30/2023</b>		<b>\$6,121,982.62</b>
Entered bank balances as of	11/30/2023		\$6,264,700.67
Deposits in transit	+		0.00
Outstanding payments	-		142,718.11
Outstanding adjustments	+		0.00
Outstanding adjustments	-		0.00
Other adjusting factors	+		0.06
Other adjusting factors	-		0.00
<b>Adjusted bank balances as of</b>	<b>11/30/2023</b>		<b>6,121,982.62</b>
Check		0.00	

<b>Chester Township Bank Balances</b>			
<b>As of</b>		<b>11/30/2023</b>	
Business Banking			\$400,000.00

FNB Sweep Account			830,993.51
Star Ohio			5,033,707.16
<b>Total</b>			<b>\$6,264,700.67</b>

Check

0.00

#### **Open/Ongoing Items**

Add NOPEC Sponsorship Money to next meeting

#### **Upcoming Items/Deadlines**

Special Meeting BZA – Training 12/19/23 7:00pm – 9:00pm

GCTA Dinner 1/10/24 – Auburn Township

Festival of Trees (voting open to public)

#### **Discussions**

Thank You Letter – WG Chamber of Commerce; Still working on

Cedar Road – Speed Zone Study Request; Mr. Purchase submitted an updated letter and the old documentation from the study years ago. Documentation was attached with recommendations of when we would suggest the study be conducted.

Government Update – 12/14/23 CR; 12/27/23 KR; 1/11/24 JM

#### **ADJOURNMENT:**

There being no further business before the Board, Mr. Richter adjourned the meeting at 7:35 P.M.

Respectfully submitted,

absent

Patricia Jarrett, Fiscal Officer

1-11-24 Motion # 2024-11

Approval Date

Craig Richter, Chairman

Joseph C. Mazzurco, Vice-Chairman

Ken Radtke, Jr., Trustee