

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

73

Meeting held on August 13, 2013 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, August 13, 2013 at 7:00 P.M. Chairman Bettile opened the meeting with the Pledge of Allegiance. There were three residents present. Attendance sheet is available upon request.

*Inasmuch as these meetings are recorded, these minutes are to provide information of the most salient points, and are not intended to describe all conversations and testimony verbatim. Recording of the meetings are available for listening in the Township Hall, and a copy may be obtained upon request of the Fiscal Officer.*

### Attendance Roll Call

Chairman Bettile requested attendance be called by the Fiscal Officer:

Ms. Cartwright	present,
Mr. Maszczak	present,
Mr. Bettile	present

**MINUTES:** Chairman Bettile requested corrections or additions to the minutes of the two zoning hearings of July 9, 2013, regular meeting of July 9, 2013 and special meeting of August 9, 2013. Minutes with corrections were accepted as presented.

**THE ZONING REPORT:** Chairman Bettile requested questions or comments on the Zoning report. The report was tabled, since the report was presented to the Board today and they didn't have proper time to review. Ms. Cartwright asked Mr. Rogers to determine why the zoning hearing minutes were so late.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Bettile requested questions or comments on the Administrator/Road Superintendent report. Mr. Rogers gave updates on the two OPWC projects he is recommending for 2014 - (Last year's project that was not funded, Pheasant Run Culvert Replacement Project and Tippecanoe Estate Storm Water Management Project to be done in phases. A third option is Pebble Beach Storm Sewer Replacement involving the turnpike drain off and most likely will become our 2015 project). Mr. Rogers answered questions from the Board.

**FISCAL OFFICERS REPORT:** Chairman Bettile called on the Fiscal Officer, Carmen I. Heasley, to present the financials. She reviewed one purchase order for the paving program, three super blanket certificates, warrants, electronic payments, two within fund transfers; one transfer of funds from the General Fund to cover loan payment with PNC and advance to cover the paving program.

Fiscal Officer discussed the Summerwind Streetlighting District Phase 2 [Trustees received copy of the petition, the affidavit, notice to the Trustees, legal advertisement for tonight's hearing and the contract between the Township and Ohio Edison.] Fiscal Officer noted that Ohio Edison has asked that before the contract is signed that they be first permitted to have their legal review the contract. Ms. Cartwright asked that the contract be also reviewed by the Prosecutor's Office before it's signed by the Board.

# RECORD OF PROCEEDINGS

MINUTES OF THE

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The Township has one certificate of deposit coming due on August 27, 2013 and has provided the Board with recommendations from Farmers National Bank for investments that are available now, since we do not have another meeting scheduled before that date. Fiscal Officer has recommended that we take funds from the checking account now and when the CD matures move funds back to the checking account. Board didn't see a problem with investing now before CD is due; as long as funds are available.

**Correspondence:** Fiscal Officer reported that the 2013-2014 State Co-op Salt Program came in at \$27.50 per ton.

Teamsters advised that the healthcare provided to the members will remain at \$222.00 per week per employees.

Fiscal Officer reported receiving a letter from Jeff Fusco of Canfield asking we recognize two employees – Keith Rogers and Dave Morrison for outstanding service while performing their respective duties.

Coventry Health Care sent five months in advance the yearly contract for signatures. Fiscal Officer has asked Ms. Cartwright to discuss this contract with Mr. Morvay and report back to the Board his recommendations for proper motion.

**NEW BUSINESS  
RESOLUTION 2013-08-13-125**

**Nuisance Properties**

Mr. Maszczak moved to approve under the authority of the ORC 505.87 as pursuant to Resolution #2010-04-13-98 the following as nuisance properties: 5343 Shields Road; 6102 St. Andrews. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**RESOLUTION 2013-08-13-126**

**No Parking Signs**

Mr. Bettile moved to approve the installation of two (2) No Parking signs in the cul-de-sac on west end of Sugarbush Drive. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**RESOLUTION 2013-08-13-127**

**Pheasant Run Culvert Replacement Project**

Ms. Cartwright moved to approve Keith Rogers, Twp. Administrator/Superintendent to submit application to the Ohio Public Works Commission for funding to replace the storm culvert on Pheasant Run. The amount of Local Share will be 60% with 40% Grant. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright asked Mr. Rogers for the estimated budget for this project. Mr. Rogers stated that last year the amount was \$90,000.00. [Twp share will be \$54,000.00 and OPWC share will be \$36,000.00.] Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

75

Meeting held on August 13, 2013 at 7:00 P.M.

### **RESOLUTION 2013-08-13-128**

#### **Tippecanoe Estates Storm Sewer Replacement Project**

Ms. Cartwright moved to approve Keith Rogers, Twp. Administrator / Superintendent to submit application to the Ohio Public Works Commission for funding the replacement of storm sewer infrastructure in the Tippecanoe Estates Development. The amount of (Local Share will be 60% with 40% Grant) or (Local Share of 40% with 40% Grant and a 20% Loan). The Motion was seconded by Mr. Maszczak. Discussion: Mr. Bettile plans to attend the next OPWC meeting and will deal with the percentages. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-08-13-129**

#### **Bollard Installation**

Mr. Maszczak moved to approve the purchase of four (4) bollards from the Youngstown Pipe Company to be installed around the fuel island located in the lower lot of the Public Works Department as part of the Good House Keeping to prevent damage to the fuel tank that could cause an accidental fuel spill. The cost is not to exceed \$ 700.00. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Maszczak noted consulting with the Fire Chief that this project will meet the State Fire Marshall's requirements for the number of bollards to aid in the protection of the existing fuel tank. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-08-13-130**

#### **Community Park Sanitary Sewer Project**

Ms. Cartwright moved to accept the best low bid for the Township Community Park Sanitary Sewer and Lift Station Project from Xpress Underground for \$127,600.00 for the installation of the proposed sanitary sewer for the park. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that this project is scheduled to start once the necessary permits are in place and Mr. Rogers is working on that and will report to the Board. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-08-13-131**

#### **Generator Repair at Fire Station II**

Mr. Maszczak moved to approve Professional Engine of Canfield to perform a diagnostic check of the generator's cylinder head to determine if the cylinder head is cracked or the cylinder head gasket went bad. The cost for this is \$1,000.00. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak noted that the generator is currently out of service and this test will aid in the determination of the next step for this unit. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-08-13-132**

#### **2013 Paving Program**

Ms. Cartwright moved to proceed with the Township's 2013 Resurfacing Program comprised of Whispering Meadows Drive, St. Ursula Drive, Garda Lane, St. Rosario Drive, St. Angela Place, Revere Run, Canfield Township Public Works and Fire Station number two on Messerly Road, Dorado Beach from Shields Road to Villa Rosa in conjunction with both Austintown and Boardman Township's resurfacing

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program with Canfield Twp’s portion of \$261,636.00 payable to Butch & McCree Paving Inc. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak asked if we shouldn’t address resolution of April 23, 2013. Ms. Cartwright noted that resolution didn’t list the cost or include all streets. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-133

#### Project Signs

Mr. Bettile moved to approve the purchase of (5) five 4’x 8’ signs for any Township project from Municipal Sign Company at a cost of \$350.00 per sign totaling \$1,750.00. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-134

#### Equipment Purchase

Ms. Cartwright moved to approve the purchase of a portable cement mixer from SealMaster for a cost not to exceed \$3,400.00 for the Public Works Department. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that with the increase in concrete work being done by the Public Works Department it has been found to be cost effective for this purchase. Fiscal Officer asked if they would like to see this paid from the Road Fund or the General Fund. They agreed that it is a Public Works expense. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-135

#### RUMA with the County

Mr. Maszczak moved to enter into the Road Use Maintenance Agreement with the Mahoning County Engineer’s Office to include the Township roads. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak noted that RUMA is a bond that covers Township road repairs in the event the Township allows Vibrosis testing in the road right-of-way and any damage occurs during this testing process. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-136

#### First Night Canfield

Ms. Cartwright moved to approve First Night Canfield’s request to hold their closing firework display at the Township Park for its New Years Eve event. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that the Township will be listed in their insurance and a copy will be sent to the office for our records. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-137

#### Purchase Order

Mr. Bettile moved to approve purchase order PO 45-2013 for the total amount of \$261,636.00 for the purpose of encumbering the funds of the Township and made payable to Butch & McCree Paving Inc. to cover the 2013 Paving Program. The Motion was seconded by Ms. Cartwright. Discussion: Fiscal Officer noted that we may qualify for a discount if we pay this expense timely. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

77

Meeting held on August 13, 2013 at 7:00 P.M.

### RESOLUTION 2013-08-13-138

#### Super Blanket Certificates

Mr. Maszczak moved to approve purchase order BC 41-2013 - BC 43-2013 for the total amount of \$3,000.00 for the purpose of encumbering the funds of the Township with respect to the Zoning Fund. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-139

#### Warrant Payments

Ms. Cartwright moved to approve Warrants #8941 thru #8997 including electronic payments #164-2013 thru #187-2013 for the grand total of \$137,748.66 as general & payroll obligations of the Township. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-140

#### General Fund Transfer

Mr. Bettile moved to approve the transfer of \$50,000.00 from the General Fund #1000-910-910-0000 to the Road Fund revenue #2141-931-0000 to cover PNC payment and Public Works expenses until property tax funds become available. This transfer was part of the 2013 Budget. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-141

#### Summerwind Street Lighting District Phase 2

Mr. Maszczak moved and seconded by Mr. Bettile as follows:

Whereas; Notice is hereby given that, on Tuesday, July 23, 2013 a petition praying that the Board of Canfield Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district of Bella Jean, That's Life Lane & Nicolina Way and;

Whereas; On Friday, July 26, 2013, that Fiscal Officer notified the Board of Township Trustees of the date of such filing and delivered to them a copy of the petition and;

Whereas; Notice is further given that the petition specified the metes and bounds of the district, but included no lands more than 660 feet frontage, nor any lands not abutting on the streets and public ways in the district and;

Whereas; Notice has been further placed in *The Vindicator* on July 29, 2013 and notified residents of said district by mail that a hearing will be held by the Board of Canfield Township Trustees on August 13, 2013 at 7:00 pm, 21 S. Board St., Canfield, Ohio to hear any and all proof offered by any of the parties affected by such improvement and other persons competent to testify and;

Furthermore; I move to approve the Summerwind Street Lighting District Phase 2 as requested by petition and; Furthermore; collect the installation and monthly cost of the streetlights for Phase 2 from the owners of each lot as set forth in ORC. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

# RECORD OF PROCEEDINGS

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Meeting held on August 13, 2013 at 7:00 P.M.

### RESOLUTION 2013-08-13-142

#### General Fund Advance

Mr. Bettile moved to approve the advance of \$65,000.00 from the General Fund #1000-920-920-0000 to the Permissive Fund revenue #2231-941-0000 to meet our paving program obligations. Funds will be returned back to the General Fund later in the year. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-143

#### Within Fund Transfer

Mr. Maszczak moved to approve moving within the Road Fund from #2141-820-820-0000 to #2141-330-420-0000 the total amount of \$153.65 for better accountability. This will place the funds where they are most needed. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-144

#### Within Fund Transfer

Ms. Cartwright moved to approve to move within the Road Fund from #2141-830-830-0000 to #2141-330-420-0000 the total amount of \$1,137.73 for better accountability. This will place the funds where they are most needed. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-145

#### Within Fund Transfer

Mr. Maszczak moved to approve to move within the Road Fund from #2141-330-382-0000 to #2141-330-420-0000 the total amount of \$1,097.50 for better accountability. This will place the funds where they are most needed. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-146

#### Within Fund Transfer

Ms. Cartwright moved to approve to move within the Road Fund from #2141-330-381-0000 to #2141-330-420-0000 the total amount of \$805.00 for better accountability. This will place the funds where they are most needed. The Motion was seconded by Mr. Bettile. Discussion: Fiscal Officer noted that these transfers will be done in the next couple of days. They do not appear in the copy of the financial reports. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**Trustee Comments:** Ms. Cartwright noted that we need to set up a budget hearing. All agreed to August 21, 2013 at 1pm. Fiscal Officer will advertise the hearing.

### RESOLUTION 2013-08-13-147

#### Executive Session

Mr. Bettile moved to enter into Executive Session for the purpose to consider the purchase of property for public purposes. The Motion was seconded by Ms. Cartwright. Roll Call: Ms. Cartwright, Yes; Mr. Maszczak, Yes; Mr. Bettile, Yes. Motion carried 3 to 0. The Board entered into Executive Session at 7:49pm.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

79

Meeting held on August 13, 2013 at 7:00 P.M.

Ms. Cartwright moved to re-enter open session at 8.40 pm. Mr. Bettile seconded the Motion. Roll Call: Ms. Cartwright, Yes; Mr. Maszczak, Yes; Mr. Bettile, Yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-148

#### Purchase Property

Ms. Cartwright moved to approve Trustee Bettile to negotiate for land not to exceed \$310,000.00. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-149

#### Certificate of Savings Investment

Ms. Cartwright moved to approve the purchase of certificate of savings to invest public funds not to exceed \$525,000.00 as recommended by Farmers Investment Group. The Motion was seconded by Mr. Bettile. Discussion: The original CD will expire on the 27<sup>th</sup> and those funds will be placed into the main checking account. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-08-13-150

#### Revere Run Storm Sewer Repair

Mr. Maszczak moved to approve the Revere Run Storm Sewer repairs not to exceed \$2,000.00. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### ADJOURNMENT

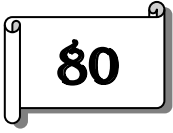
Chairman adjourned the meeting at 9:08 pm. The next regular meeting of the Board shall be held on September 10, 2013 at 7:00 pm.

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Mr. Anthony J. Bettile, Chairman

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Mr. Stephen M. Maszczak, Vice-Chairman

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Ms. Marie Izzo Cartwright, Trustee

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Mrs. Carmen I. Heasley, Fiscal Officer



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**BOARD OF CANFIELD TOWNSHIP TRUSTEES**

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