

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on February 12, 2013 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, February 12, 2013 at 7:00 P.M. Chairman Bettile opened the meeting with the Pledge of Allegiance. There were five 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.*

### PUBLIC PRESENTATION

Mr. Eric Axelson representing Canfield Rotary has requested continuing support for the free Canfield 4<sup>th</sup> of July fireworks in the same manner it's been in the past years.

Mrs. Darlene Welsh of 4505 N Columbiana-Canfield Road addressed the Board concerning the Flower Mill asking for any updates that are available.

### 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 regular meetings of September 18, October 19, October 23, November 13, and special meetings of October 2, November 9. Chairman moved to accept the minutes as presented.

**THE ZONING REPORT:** Chairman Bettile requested questions or comments on the Zoning report. Mr. Bettile addressed the Flower Mill noting that we should be referring to this property as 4533 & 4575 N Columbiana-Canfield Road, since it has not been known as The Flower Mill in sometime. The report was accepted as presented.

**ABC WATER DISTRICT REPORT:** Chairman Bettile requested questions or comments on the ABC Water District report. The report was accepted as presented.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Bettile requested questions or comments on the Administrator/Road Superintendent report. Mr. Maszczak asked Mr. Rogers if all the radios are now in the trucks. Mr. Rogers responded, "Yes, and everything is working fine". Mr. Bettile asked Mr. Rogers to update them on the Columbia Gas issue and he did so. Ms. Cartwright asked about the uniforms and Mr. Rogers advised that the issues have been taken care of.

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Mr. Bettile asked about the flag’s lights in the front of the hall. Mr. Rogers noted that the lights were installed exactly where the conduit was placed by the contractor and it will cost \$300.00 to move it. Mr. Bettile would like another estimate and the Board agreed. The report was accepted as presented.

**FISCAL OFFICERS REPORT:** Chairman Bettile called on the Fiscal Officer, Carmen I. Heasley, to present the financials and she did so in detail. She reviewed the investments of the Township and addressed understanding the new reports. Ms. Heasley noted a resolution on the books to invest up to \$800,000.00, but we have not been able to do that due to the economy...investing only \$330,000.00 of the \$800,000.00. Ms. Heasley explained the changes to the purchase orders approved at the meeting of January 8...one not needed and one had to be decreased, suggesting a new resolution to replace the old one. What was needed to complete the process of closing the Orlando Project was also discussed. Fiscal Officer noted sending out insurance information on life & vision insurance by e-mail, since we changed our health insurance carrier.

**Correspondence:** The Township is in receipt of a letter from Canfield American Legion Post #177 requesting support to help with purchasing plaques & other expenses for a total of \$2,000.00 for the Memorial Day expenses.

The Township is in receipt of a letter from the Canfield 4<sup>th</sup> of July Committee requesting continued support of the parade activities asking for a donation of \$5,000.00 of which the City of Canfield will match. The letter notes that together we can continue to provide a most memorable event for all families in the Canfield community.

The Township is in receipt of a letter from First Night Canfield requesting consideration from the Board to support the First Night Canfield 2014 activities requesting a donation of \$10,000.00.

**UNFINISHED BUSINESS  
RESOLUTION 2013-02-12-28  
Canfield Soccer Club**

Mr. Maszczak moved to adopt the Addendum to the March 10, 2009 Agreement by and between the Board of Trustees, Canfield Township, Ohio and The Canfield Soccer Club. Mr. Bettile seconded the Motion. Discussion: Mr. Maszczak stated that the Board of Trustees is pleased to announce that an agreement has been reached with the Canfield Soccer Club that facilitates the needs of both the Soccer Club and Township resident’s use of the athletic fields located at the Canfield Township Park. We look forward to an ongoing relationship with the Soccer Club and wish them a successful season in 2013. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**RESOLUTION 2013-02-12-29  
Rescind Resolution #2012-10-09-167  
& #2012-02-28-49 Paving Project**

Ms. Cartwright moved to rescind the Resolution #2012-10-09-167 & Resolution #2012-02-28-49 for the advertising and joint paving project for fiscal year 2012 with the City of Canfield. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that this will not preclude us from future projects with the City of Canfield or with other municipalities. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

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### **RESOLUTION 2013-02-12-30**

#### **Westbury Park Sidewalks**

Ms. Cartwright moved to approve GreenLEEF Development Services to perform the site development plan, detailed construction drawings, prepare the contract documents and specifications to complete the sidewalks in Plats # 1 and #3 at a cost of \$6,850.00. The Motion was seconded by Mr. Bettile. Discussion: Mr. Bettile noted that the funding for this project has come from the performance bond that was released to the Township from the Mahoning County Planning Commission. The project will be ready to go out for bid on March 25, 2013 and the project's total cost will fall within the allotted funds from the performance bond. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-31**

#### **Park Sanitary Sewer**

Mr. Maszczak moved to accept the contract proposal by RJH Consulting for the engineering services, design, detailed construction drawings, and preparation of the contract documents and specifications for the installation of the sanitary sewer system for the Township Park at a cost of \$14,500.00. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak noted that this project will be ready to go out for bid April 30, 2013 contingent upon the Ohio EPA permit approval. Ms. Cartwright asked Mr. Rogers if he foresees any problems with getting EPA approval. Mr. Rogers replied that he doesn't see a problem, but the only concern will be with the time factor, since it takes 45 days to review the paperwork. Ms. Cartwright asked, "When will it be submitted from the bid opening?" Mr. Roger tried to explain the process, giving some timelines. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-32**

#### **Township Park Re-Opening**

Ms. Cartwright moved to approve the re-opening of the Canfield Township Park located on Herbert Road. The Motion was seconded by Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-33**

#### **Retro-Reflective Street Signs**

Ms. Cartwright moved to approve the purchase of the retro-reflective regulatory and street signs as mandated by the Federal Government for the northeast quadrant of the Township at a cost of \$13,212.64. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that this is the last quadrant of the Township to meet the reflective requirements. Mr. Bettile noted that the date was changed and we have not been advised of the new date, but we are way ahead of the federally mandate requirements deadline. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

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### NEW BUSINESS

#### RESOLUTION 2013-02-12-34

##### Leaf Spring Repairs

Ms. Cartwright moved to approve the leaf spring repairs to Truck # 201 by Emch Spring Services Inc. at a cost not to exceed \$907.49. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that she received a call from Mr. Rogers explaining the repairs and she give her verbal approval to have the work done. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-02-12-35

##### 2013 Parkland Lawn Maintenance

Mr. Maszczak moved to approve the advertisement in *The Youngstown Vindicator's* Legal Notices and begin the bidding process for the 2013 Lawn Maintenance for the Township Parkland. Bid packets will be available from February 18<sup>th</sup> through March 1<sup>st</sup> with a bid opening on March 1<sup>st</sup> at 10:35 a.m. The low bidding, qualified contractor / contractors will be announced at the March 12<sup>th</sup> meeting. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-02-12-36

##### 2013 Nuisance Property Contractors

Ms. Cartwright moved to advertise in *The Youngstown Vindicator's* Legal Notices for the lawn and maintenance and/or other related contractors to serve on a pre-established bidder's list to provide lawn mowing, weed removal and other cleanup as needed for properties located in Canfield Township deemed to be nuisance as provided by ORC 505.87 and giving authority to the Township to remedy said matters. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-02-12-37

##### American Legion Post #177

Ms. Cartwright moved to approve \$2,000.00 as requested by Lewis Speece, Commander of the Canfield American Legion Post #177, to help with the cost of plaques to be placed on the Veteran's Wall during the Memorial Day Services. The warrant will be made payable to Canfield American Legion Post #177. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-02-12-38

##### Fourth of July Community Event

Mr. Maszczak moved to approve \$5,000.00 donation in support of the annual 4<sup>th</sup> of July Community Event that is sponsored by the Canfield Rotary Club. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-02-12-39

##### Fourth of July Parade

Ms. Cartwright moved to approve a \$5,000.00 donation to the 4<sup>th</sup> of July Parade Committee per their request. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

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### RESOLUTION 2013-02-12-40

#### First Night Canfield

Mr. Bettile moved to approve the expenditure of \$8,500.00 donation for First Night Canfield a community wide event that is held on New Year's Eve. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-02-12-41

#### Computer Purchase

Ms. Cartwright moved to approve the purchase of three new computers, one server, and one laptop battery from the Dell Corporation through State Purchase price of \$5,634.92. The Motion was seconded by Mr. Bettile. Discussion: Mr. Bettile asked about the age of our present computers. Fiscal Officer stated that they are at least seven years old. Ms. Cartwright asked about the laptop...are we keeping that laptop. Mr. Bettile noted that the Public Works Dept is satisfied with the laptop as it is. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-02-12-42

#### Computer Setup

Mr. Maszczak moved to approve International Business Solutions, Inc. to perform the setup of the new computers for the Township Hall and Public Works Department for a cost of \$900.00. International Business Solutions, Inc. will continue to serve the Township for all of its Information Technology (IT) needs at a rate of \$75.00 per hour. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright asked about a service agreement. Mr. Bettile noted that there will not be an agreement feeling that one is not needed. Ms. Cartwright asked about the offsite backup. Will his gentlemen be handling that? All agreed that the estimate provided didn't include offsite backup. Ms. Cartwright expressed the importance of having offsite backup. Mr. Maszczak felt that we do need to look into it. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-02-12-43

#### Reimbursement Agreement between Canfield Township and ABC Water and Storm Water District

Ms. Cartwright moved for the adoption of the Reimbursement Agreement between Canfield Township and ABC Water and Storm Water District described as a loan to the District in an amount up to seventeen thousand two hundred eighteen dollars and seventy-five cents (\$17,218.75) to cover the cost of the Equivalent Residential Unit (ERU) Study by CDM Smith in the districts of Boardman & Canfield Townships. The Motion reads as follows:

**WHEREAS**, ABC Water and Storm Water District (hereinafter "District") was established to perform, among other things, various water resource projects related to storm water disposal and management in Austintown, Boardman and Canfield Townships under the authority provided by Chapter 6119 of the Ohio Revised Code; and,

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**WHEREAS**, the District has found it necessary to obtain engineering services from its engineering firm, CDM Smith, to assist in developing an equitable method of calculating fees needed to distribute the costs of such ABC water resource projects; and,

**WHEREAS**, CDM Smith has submitted Task Order # No. 1, attached hereto as "Exhibit A", for said engineering services pursuant to the Master Services Agreement with CDM Smith which states that the cost for same is not to exceed sixty-eight thousand eight hundred seventy-five dollars (\$68,875.00); and,

**WHEREAS**, the District does not currently have revenue with which to pay for such engineering services, and;

**WHEREAS**, Boardman Township will lend to ABC a portion of the amount needed to pay the costs for such engineering services, and with the intention that ABC will repay such loans at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

**WHEREAS**, Boardman Township is willing to lend the District seventy-five percent (75%) of said engineering services (\$51,656.25), based on CDM Smith's calculation of the proportion of the combined study of Boardman and Canfield Townships that is attributable to Boardman Township, based on the number of parcels, land use, building areas, buildings and the 2010 census; and,

**WHEREAS**, Canfield Township is willing to lend ABC the remaining twenty-five percent (25%) of the cost of said engineering services (\$17,218.75) under a separate agreement; and,

**WHEREAS**, the District and the Board are authorized to enter into a Reimbursement Agreement to formalize the terms of such financing arrangement pursuant to Ohio Revised Code Sections 505.705, 6119.06(Q) and 9.482 (B); now, therefore,

**BE IT RESOLVED** by the Board of Trustees of Canfield Township:

1. That the Board of Trustees hereby approves the Reimbursement Agreement between Canfield Township and ABC Water and Storm Water District (the "District"), attached hereto as "Exhibit B", including a loan to the District in an amount up to fifty one thousand six hundred fifty six and twenty-five cents (\$51,656.25), and further authorizes seventeen thousand two hundred eighteen dollars and seventy five cents (\$17,218.75) to execute same on behalf of the Board.

2. That it is found and determined that all formal actions of this Board of Township Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board of Trustees and of any of its committees resulting in such formal action, were in meetings open to the public, in compliance with the law, including Section 121.22 of the Revised Code of Ohio. The Motion was seconded by Mr. Bettile.

Discussion: Mr. Bettile noted that the cost of \$17,218.75 is Canfield Township's portion of the total \$68,875.00 which works out to be 25%. Ms. Cartwright noted that the Township will receive all the money back. As to the above, vote resulting as follows: Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0. (The signed formal agreement is on file in the office and available for viewing.)



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Meeting held on February 12, 2013 at 7:00 P.M.

### **RESOLUTION 2013-02-12-44**

#### **Equipment Declared**

Mr. Maszczak moved to declare seven (7) two way radios as salvage from the Public Works Department. These wide band radios have been taken out of service since they don't meet the FCC Narrow Band frequency requirements. The new radios make the Township compliant with the adopted FCC regulations. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-45**

#### **School Resource Officer Agreement (SRO)**

Ms. Cartwright moved: WHEREAS, Canfield Township desires to enter into an Agreement with the City of Canfield for police protection services for a School Resource Officer to be assigned to the local school district that serves Canfield Township and the City of Canfield for the School Year 2012-2013 effective August 1, 2012 through July 1, 2013. The Township shall compensate the City of Canfield in an amount equal to seventy-five percent (75%) of one-half the costs to the City for the performance of its obligations pursuant to the SRO Agreement, which is \$25,555.49, as set forth in the attached agreement. Motion was 2<sup>nd</sup> by Mr. Bettile. Discussion: Ms. Cartwright recently requested this agreement from the City, updated the expenses, and had the prosecutor's office review the document. The expenses for the SRO has increased \$2,049.97 over the previous year and on or before the end of June of 2013, the parties shall meet to review the costs of the SRO Agreement and discuss this agreement upon the same or modified terms and conditions. This is a one year agreement. Ms. Cartwright will forward a copy to the Fiscal Officer. Fiscal Officer noted that the purchase order approved by the Board already will be short by \$555.49. She noted that if no one had any objections, she will use contract services to pay the difference. Everyone thought it was a good idea and had no objections. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-46**

#### **Purchase Order**

Mr. Bettile moved to approve purchase orders PO 01-2013 - PO 31-2013 in the amount of \$803,345.93 for the purpose of correcting the resolution #2013-01-08-15 from meeting of 1/8/2013. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-02-12-47**

#### **Warrants**

#### **& Electronic Payments**

Ms. Cartwright moved to approve Electronic Payments #02-2013 - #39-2013 and Warrants #12523 thru # 12604 in the total amount of \$107,570.51 as general and 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.

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### RESOLUTION 2013-02-12-48

#### Transfer to the Public Works Issue I Projects Fund

Mr. Maszczak moved to approve the transfer from the General Fund #1000-910-910-0000 to the Public Works Issue 1 Projects Fund #4401-931-0000 in the amount of \$272.89 to cover the Township's share of the final payments on the Orlando Project. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**Trustees Comments:** Ms. Cartwright noted that we had at least two major fires that our Cardinal Joint Fire District responded to recently. One was the Millcreek Apartments and the equipment was well used at that fire. Whenever you see our firefighters out and about they need a round of thanks for all they do for us. Our men are well trained, we have fantastic equipment, they do a great job and have been commended by other fire departments and we as residents should do the same.

### ADJOURNMENT

Chairman adjourned the meeting at 7:43 pm. The next regular meeting of the Board shall be held on February 26, 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