

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

97

Meeting held on October 22, 2013 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, October 22, 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.*

### PUBLIC PRESENTATION

Joseph Troll of 7917 Columbiana Canfield Rd offered compliments on the appearance to the front of the Twp Hall, asking if the work was completed within the original estimate. Unanticipated work was discussed. Ms. Cartwright stated that the project was within the original budgeted amount. Mr. Troll mentioned drainage problems on the north corner of Western Reserve and State Rt. 46 and bad road conditions on Leffingwell (east of fairgrounds). Mr. Bettile asked Mr. Troll to give those details to Mr. Rogers to look into it. Mr. Rogers noted that he has spoken with the county about that section of Leffingwell and was told that the road would be paved once the Sunoco gas pipeline has been installed.

### 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 meeting of October 8, 2013. Minutes with corrections were accepted as presented.

**THE ZONING REPORT:** Chairman Bettile requested questions or comments on the Zoning report. Fiscal Officer noted that she spoke with Mr. Morrison and he confirmed that his numbers match her revenue records. The report was accepted as presented.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Bettile requested questions or comments on the Administrator/Road Superintendent report. Ms. Cartwright noted that the report shows that Mr. Maszczak met with one of the prosecutors regarding the site for the proposed fire station at the Township park and she requested a report on the meeting and asked if there would be an agreement to present to the Cardinal Joint Fire District Board on October 28. Mr. Maszczak confirmed meeting with John Heino from the Prosecutor's Office to address issues pertaining to the lease. The original and the redlined agreement include integration clauses, rights and waivers and amendments. The Township will maintain ownership of the property. Attorney Heino suggests having the property surveyed for metes and bounds and inclusion of a legal description for the property. The Board should also consider the general scheme as it relates to architectural continuity, and treat this new building as a commercial building for zoning purposes. The building would be there for the fire district's use, but if

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on October 22, 2013 at 7:00 P.M.

necessary, its use can revert back to the Township if a proper public purpose should arise. Ms. Cartwright asked if we should look into that with the Messerly Road building. Mr. Maszczak feels we should. Mr. Bettile noted conversation about using the park entrance, but feels that the fire district should have their own entrance to their bays. Ms. Cartwright believes they can't use the park entrance because of the weight of the trucks; therefore the drive would need to be reinforced. Mr. Maszczak noted that if there were an emergency, they would need to get out quickly. Fiscal Officer asked if the agreement was available electronically. Mr. Maszczak stated that it is and would make sure that everyone receives a copy.

Mr. Rogers updated the Board concerning the installation of the sanitary line at the Community Park. The lift station should be here in the next couple of days and they will start to install next week. Time frame will depend on Ohio Edison getting power to the lift station.

Mr. Rogers explained the driveway approaches in the Cloister Development not installed properly, noting that the broken curbs will not affect us in any way. Some options were discussed.

Mr. Maszczak asked Mr. Rogers if he followed up with Pat Tremayne after the last meeting. Ms. Tremayne addressed accidents at the overpass on Leffingwell and S. Raccoon Road. Mr. Rogers noted that he has contacted her, reporting that ODOT will take care of the railings on both sides along with a list of additional items, which he has a copy of in the office. Ms. Cartwright asked if Mr. Rogers would look into ODOT using reflective strips on the rails to improve visibility. The report was accepted as presented.

**FISCAL OFFICER'S REPORT:** Chairman Bettile called on the Fiscal Officer, Carmen I. Heasley, to present the financials. She reviewed the blanket certificates, purchase orders, warrants, electronic payments, and suggested changes to the 2013 budget. Ms. Cartwright asked and Fiscal Officer explained the Lodging Tax, noting that we have exceeded original budget with three more months of income expected. The report was accepted as presented.

### UNFINISHED BUSINESS RESOLUTION 2013-10-22-182

#### Gas Aggregation

Ms. Cartwright moved to approve the following resolution subject to review and approval of the Prosecutor's Office. The Motion was seconded by Mr. Bettile.

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO OHIO REVISED CODE SECTION 4929.26 AND TO EXECUTE A SUPPLY AGREEMENT WITH INTERSTATE GAS SUPPLY, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND SEPTEMBER 2013 WHEN THE CURRENT SUPPLY AGREEMENT ENDS.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

99

Meeting held on October 22, 2013 at 7:00 P.M.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of townships to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

WHEREAS, this Board finds and determines that it is in the best interest of the Township, its residents, businesses and other Natural Gas consumers located within the limits of the Township to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that will take effect on or about October 1, 2013.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF CANFIELD, MAHONING COUNTY, STATE OF OHIO THAT:

Section 1: This Resolution is adopted pursuant to the authority conferred by Ohio Revised Code Section 4929.26.

Section 2: That the Board of Trustees is hereby authorized to enter into a Master Service Agreement for Natural Gas Supply Services with Interstate Gas Supply, Inc., (attached hereto and incorporated herein by reference as Exhibit A) to facilitate the sale and purchase of Natural Gas to consumers in the Township's opt-out program. Section 3: That it is found and determined that all formal actions of this Board 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 and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### NEW BUSINESS

#### RESOLUTION 2013-10-22-183

##### Public Works Department Garage Door Openers

Mr. Maszczak moved to approve J. W. Murdoch and Sons Inc. to replace the malfunctioning garage door openers at the Public Works Department for \$708.00 as the current openers have become a safety issue. The Motion was seconded by Mr. Bettile. Discussion: Mr. Rogers explained the need of seven openers to prevent damage to garage doors and or our trucks. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

#### RESOLUTION 2013-10-22-184

##### Supplemental Budget Adjustment

Ms. Cartwright moved to approve decreasing the Permissive Fund budget in expenditure line # 2231-330-360-0000 (Contracted Services) from \$300,000.00 to \$234,857.44. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that since the paving program came in less than anticipated, with this adjustment, we will not need to transfer funds to this fund. 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

Meeting held on October 22, 2013 at 7:00 P.M.

### RESOLUTION 2013-10-22-185

#### Supplemental Budget Adjustment

Mr. Bettile moved to increase the Lighting Districts Fund budget expenditure line # 2401-310-360-0000 (Contracted Services) from \$65,000.00 to \$75,000.00. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that we anticipate expenditures of around \$15,400.00 due to two new lighting districts that have been approved. The current budget balance is \$8,636.00. Mr. Maszczak pointed out that we really can't anticipate the cost of new lighting districts until they are presented to the Board for approval and Fiscal Officer agreed. Mr. Bettile suggested that the Public Works Dept, while on salt runs, report any street lights out. Fiscal Officers asked if the Board had an opportunity to look into the Abbey Road Street Lighting District changes to the locations of the lights that were e-mailed after the last meeting. Ms. Cartwright asked Mr. Rogers to look into it and report by e-mail. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-10-22-186

#### Supplemental Budget Adjustment

Mr. Maszczak moved to decrease the Road Fund expenditure line # 2141-760-740-0000 (Machinery, Equipment & Furniture) from \$70,000.00 to \$7,000.00. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak noted that the original budget was to cover the possible lease purchase of one plow truck. That purchase will not happen by yearend. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-10-22-187

#### Revenue Budget Decrease

Ms. Cartwright moved to decrease Road Fund revenue line # 2141-931-0000 (Transfer In) from \$175,000.00 to \$110,000.00. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that we decreased the expenditures in that fund by \$63,000.00 and we have received about \$3,000.00 in additional revenue that allows us to decrease the transfer from the General Fund by \$65,000.00. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-10-22-188

#### Revenue Budget Increase

Mr. Bettile moved to increase General Fund revenue line # 1000-531-0000 (Estate Tax) from \$0.00 to \$15,220.46. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright asked when we had received the Estate Tax. Fiscal Officer noted that the funds come in twice a year. Ms. Cartwright noted that she thought this tax had been phased out. Fiscal Officer agreed, but noted that the State had been considering options to restore part of these funds. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### RESOLUTION 2013-10-22-189

#### Revenue Budget Decrease

Mr. Maszczak moved to decrease General Fund revenue line # 1000-892-0000 (Other Miscellaneous Non-Operating) from \$60,000.00 to \$30,000.00. The Motion was seconded by Mr. Bettile. Discussion: Mr. Maszczak noted that we have received about 50% in revenue with only two months to go. 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

101

Meeting held on October 22, 2013 at 7:00 P.M.

### **RESOLUTION 2013-10-22-190**

#### **Revenue Budget Decrease**

Mr. Bettile moved to decrease Lighting District revenue line # 2401-601-0000 (Special Assessments) from \$64,000.00 to \$62,500.00. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Bettile reported that it's for better accountability of actual revenues received. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-10-22-191**

#### **Revenue Budget Decrease**

Ms. Cartwright moved to decrease Public Works revenue line # 4401-538-0000 (Local Public Works Commission) from \$15,837.34 to \$2,208.07. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright noted that we are taking this action tonight since we do not anticipate further revenue from Issue 1 projects. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-10-22-192**

#### **Revenue Budget Decrease**

Mr. Bettile moved to decrease Permissive revenue line # 2231-931-0000 (Transfer In) from \$67,000.00 to \$43,118.00. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Bettile noted that we still anticipate two more months of revenues. Balance will carry into next year. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-10-22-193**

#### **Blanket Certificate**

Mr. Maszczak moved to approve BC44-2013 for a total of \$2,000.00 to cover phone expenses for the Public Works Dept through the end of year. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Bettile mentioned possible change in cell-phone carriers. Ms. Cartwright noted that our first consideration should be the Public Works Dept since they must have good reception for safety reasons. Mr. Rogers will discuss with Public Works and look into further testing. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

### **RESOLUTION 2013-10-22-194**

#### **Purchase Order**

Ms. Cartwright moved to approve P052-2013 for a total of \$19,300.00 to cover the updating of Township's Zoning Resolutions agreement with G2 Planning. The Motion was seconded by Mr. Bettile. Discussion: Fiscal Officer noted that if any changes occur to this agreement, a change order must be approved. Mr. Maszczak doesn't anticipate any changes, but does understand. Mr. Bettile asked if we have a time line to start. Mr. Maszczak would like to start with the next zoning meeting on November 7, 2013 and has a call into Gary to discuss. He wants to get together with Keith to discuss meeting days to advertise at one time as suggested by Mr. Bettile. 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

Meeting held on October 22, 2013 at 7:00 P.M.

### RESOLUTION 2013-10-22-195

#### Warrants & Electronic Payments

Mr. Bettile moved to approve Warrants #9103 thru #9134, electronic payments and charges 239-2013 thru 247-2013 as general & payroll obligations of the Township in the amount of \$87,175.31. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

**Trustee Comments:** Mr. Maszczak noted that Halloween is this coming 31<sup>st</sup> from 6pm to 8pm, reminding all for the safety of our children to exercise caution. The Mahoning County Sheriff Dept will be distributing candy in conjunction with the Board of Trustees.

### ADJOURNMENT

Chairman adjourned the meeting at 7:55 pm. The next regular meeting of the Board shall be held on November 12, 2013 at 7:00 pm.

\_\_\_\_\_  
Mr. Anthony J. Bettile, Chairman

\_\_\_\_\_  
Mr. Stephen M. Maszczak, Vice-Chairman

\_\_\_\_\_  
Ms. Marie Izzo Cartwright, Trustee

\_\_\_\_\_  
Mrs. Carmen I. Heasley, Fiscal Officer