

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on September 10, 2013 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, September 10, 2013 at 7:00 P.M. Chairman Bettile opened the meeting with the Pledge of Allegiance. There were seven 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.

Abbey Road Street Lighting District Hearing

Chairman reviewed the advertisement information and asked if there was anyone that would like to speak in favor or against the street lighting district. With no response, the Chairman continued with the regular meeting.

PUBLIC PRESENTATION

Chairman recognized Mr. Tancer, Charles Masters and Wendy Weiss concerning Stonegate Drive in the Westbury PUD/Simon Westbury Development requesting confirmation from the Board that they would accept the road once the road has been updated to county standards. Several concerns were discussed, but the Trustees made it clear if the road is brought up to County standards to meet all county road specifications, the Board should have no problem accepting the road from the County for Township maintenance.

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 August 13, 2013 and special meetings of August 21, 2013 and August 28, 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 it was received by the Board at 4pm today and the Trustees didn't have proper time to review it. Fiscal Officer asked about the older reports still waiting acceptance. All agreed to table all reports. Mr. Bettile noted one sign violation issued on RT 224 dealing with banners and flags, noting that he drove up and down that road and found ten other violations. He feels that one business shouldn't be singled out. Mr. Rogers explained that the Township took one car dealership to court and the court ruled in favor of the Township. The business involved appealed, never removed the signs and is still in court. Flags have always been an issue. The Zoning Board is looking into a thirty day opening sign that they must take down within thirty days. Signs in motion are an issue. Where do they draw the line? It's still an ongoing issue. Mr. Rogers will discuss with Mr. Morrison and report back to the Board as to why the other businesses have not been issued sign violations.

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ADMINISTRATOR/ROAD SUPERINTENDENT REPORT: Chairman Bettile requested questions or comments on the Administrator/Road Superintendent report. Mr. Rogers advised the Board on the pre-construction meeting set at the end of next week at the Community Park for the sanitary sewer project. They are waiting on Old North to sign the easement agreement. Mr. Rogers updated the Board on issues still outstanding with this project. As soon as the date is finalized, he will inform the Board.

Mr. Bettile asked about the paving program progress. Mr. Rogers noted that he has not heard from Shawn Stack who is working late until the work is completed. Mr. Rogers reported that we should be good on the quantity and will submit the numbers as soon as they are available to the Board. Ms. Cartwright suggested a clause requiring paving within one week of milling on future paving contracts. It is not fair to our residents to have our roads torn up for two weeks. Mr. Maszczak asked if that clause would hinder future contracts. Mr. Rogers stated that he feels it would make it difficult. Ms. Cartwright noted that she feels that two weeks is not acceptable and we should work with the other townships to fine tune future contracts. Mr. Rogers noted that Austintown Twp. is having the same problem. Mr. Rogers discussed his concern with being charged for a half day of work when they only worked one hour. He will handle with the contractor. Mr. Bettile noted his concerns that there isn't adequate signage regarding the closing of RT 46 at Leffingwell Road, to redirect traffic and asking Mr. Rogers to contact ODOT for additional signage.

Mr. Bettile reported receiving a call from a sub-contractor on the Indian Run Phase V project that has not been paid by the contractor asking Mr. Rogers to possibly make calls. Mr. Roger noted, "This is how I feel; the contractor that was hired to do the job completed the job to specifications of the project. The maintenance issue that we have comes from the engineering firm. I'm currently working with that engineer to get a discount off their engineering fees to cover the cost of the installation of four sticks of pipe, labor and earth to make earth and bridges to get to the different quadrants of that project. I have photos of that project working the way it was designed. I know that we were held up because of grass that was not planted properly and trees not planted. The trees are in...the grass is coming into place...our main problem now is the sentiment buildup that is coming from the turnpike. The silt island at the inlet of that structure is coming from upstream from the turnpike erosion that is going on. I've got phone calls into the turnpike commission. I met with the engineer on site that is in charge of storm water runoff with the turnpike. The silt islands are not the problem of the contractor that did the work. It falls back on the Township to maintain the area". Mr. Rogers has an e-mail from ms consultants advising that the engineering work will be done at no cost to the Township. He is still working on getting \$5,000.00 from ms consultants to cover supplies and installation to be able to get equipment into those areas to maintain. Ms. Cartwright asked, "It was a flaw in their design, wasn't it?" Mr. Rogers agreed for the maintenance problem only, the balance is caused by the turnpike. Payment to the contractor is among the payments for approval tonight. Mr. Rogers gave an updated on a few other items. Report was accepted.

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FISCAL OFFICERS REPORT: Chairman Bettile called on the Fiscal Officer, Carmen I. Heasley, to present the financials. She reviewed the warrants, electronic payments, one General Fund transfer to cover the final Indian Run Storm Water Management Phase V payment.

Fiscal Officer asked the Board to accept the amounts and rates as determined by the budget commission authorizing the necessary tax levies. Fiscal Officer discussed the Abbey Road Street Lighting District Phase 1. [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.] The Prosecutor's Office needs more time to review the contract between the Township and Ohio Edison before it's signed by the Board. Fiscal Officer answered questions from Ms. Cartwright pertaining to the Appropriation Report.

UNFINISHED BUSINESS RESOLUTION 2013-09-10-156 Fire Station II Generator

Ms. Cartwright moved to approve Professional Engine to perform the work to the backup generator replacing the existing cylinder head bolts, timing belt, thermostat, water heater jacket, radiator hoses, antifreeze, spark plugs, distributor cap, rotor, and spark plug wires at a cost of \$1,804.00. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that the generator is 15 years old and these parts are showing signs of wear, therefore to prevent breakdowns and additional service calls in the near future this work should be performed. The other option would cost \$14,000.00 to replace it. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

NEW BUSINESS RESOLUTION 2013-09-10-157 Jack Doheny Public Works Seminar

Mr. Maszczak moved to approve Mr. Rogers, Administrator/Road Superintendent, Mr. Robert Burkett, Assistant Road Foreman, and Mr. Shawn Stack, Public Works Department to attend a training seminar covering proper hose repair, and pipe cleaning nozzle review sponsored by the Jack Doheny Company in Twinsburg, Ohio, on Thursday, October 3, 2013. There is no charge for the seminar and these employees will be away for approximately 6 working hours. The Motion was seconded by Ms. Cartwright. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-158 2013 Electronics Drive

Ms. Cartwright moved to approve entering into a contract with Electronics Recycling Services of Bellaire, Ohio, for the Township's 2013 Electronics Drive to be held Saturday, September 28, from 9 a.m.-1 p.m. at the Canfield Fairgrounds Government Building. There will be a \$15 dollar charge for any tubed television and a \$5 dollar charge per computer monitor if not accompanied by the computer tower. The Motion was seconded by Mr. Maszczak. Discussion: Mr. Rogers stated that the vendor will be responsible for the collection of the fees and notify residents so they won't have to wait in line. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.



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RESOLUTION 2013-09-10-159

Canfield Wrestling Team

Mr. Bettile moved to approve payment to the Canfield Wrestling Team for \$600.00 as a donation in exchange for their help during the Electronics Recycling event which will be held Saturday September 28, 2013 at the Canfield Fairgrounds. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-160

Trick-or-Treat/Halloween Hours

Mr. Maszczak moved to set the Halloween day activities for Trick-or-Treat from 6 p.m. to 8 p.m. on Thursday, October 31, 2013 to work in conjunction with the hours in the City. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright asked that Mr. Rogers contact the City of Canfield to advise them of our hours. Mr. Rogers will make the call and if there is a problem, we will comply with the City hours. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-161

Coventry Health Care

Ms. Cartwright moved to accept the offer by the Township's current health provider, Coventry Health Care, to renew its contract for an additional year beginning on November 1, 2013 through December 31, 2014 with a rate increase of 14.7%, however if the State's health exchange program should have better pricing when it is made available the Township can change providers at that time without penalty. The current health contract is in effective until February 2014. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright explained her discussion with Mr. Morvay, agent for the Township. It is believed that rates will go up 18% to 20%, so most organizations are renegotiating to get ahead of the increase. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-162

2013 Gas Aggregation

Mr. Maszczak moved to approve the Township Administrator/Road Superintendent to contact Mr. Mark Burns with IGS (Interstate Gas Supply) for the purpose of purchasing the gas for the gas aggregation at the best possible rate for the upcoming contract. The Motion was seconded by Mr. Bettile. Discussion: Ms. Cartwright asked Mr. Rogers to contact Mr. Burns to see if his organization will be more financially responsible to the residents of this Township, since they haven't been in the past, when and if things go wrong with the program. Mr. Roger will try. Ms. Cartwright wanted to make sure that Fire Station II is also included in the program, concerned that they never issued a rebate back to them. Mr. Roger noted that they are in the program now and explained why they didn't get into the program. Ms. Cartwright would like to speak with Mr. Burns directly since she still isn't clear as to how Fire Station 2, being a Township building, was left out of the aggregation program. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-163

Warrant Payments

Mr. Bettile moved to approve Warrants #8998 thru #9056 including electronic payments #188-2013 thru #217-2013 in the grand total of \$169,593.13 as general & payroll obligations of the Township. The Motion was seconded by Mr. Maszczak. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

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RESOLUTION 2013-09-10-164

General Fund Transfer

Mr. Maszczak moved to approve the transfer of \$19,888.02 from the General Fund #1000-910-910-0000 to the Public Works Issue 1 Fund revenue #4401-931-0000 to cover the final payment for the Indian Run Phase 5 Project. The Motion was seconded by Mr. Bettile. Roll call: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-165

Tax Levies

Ms. Cartwright moved the adoption of the following:

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (CANFIELD BOARD OF TOWNSHIP TRUSTEES) Revised Code Sections §5705.34-§5705.35

RESOLVED, By the Board of Trustees of Canfield Township, Mahoning County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget or has been granted the authority by the Mahoning County Budget Commission to waive this requirement for the next succeeding fiscal year commencing January 1, 2014; and

WHEREAS, The Budget Commission of Mahoning County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten mill limitation; therefore, be it

RESOLVED, By the Board of Trustees of Canfield Township, Mahoning County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE B - CURRENT PROPERTY VALUES AND LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

And be it further RESOLVED, that the Fiscal Officer of this Board be and is hereby directed to certify a copy of this Resolution to the County Auditor of said County. Mr. Bettile seconded the Motion and the roll being called upon its adoption the vote resulted as follows: Ms. Cartwright, yes; Mr. Maszczak, yes; Mr. Bettile, yes. Motion carried 3 to 0.

RESOLUTION 2013-09-10-166

Abbey Road Street Lighting District Phase 1

Mr. Bettile moved to approve the Abbey Road Street Lighting District Phase 1 as requested by petition and; Furthermore; collect the installation and monthly cost of the streetlights for Phase 1 from the owners of each lot as set forth in ORC.

Whereas; Notice is hereby given that, on August 22, 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 Abbey Road Estate, Phase 1 and;

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Whereas; On August 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 August 27, 2013 and notified residents of said district by mail that a hearing will be held by the Board of Canfield Township Trustees on September 10, 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. 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: Ms. Cartwright complimented the Public Works Department for the overtime and a job well done during the paving program. Mr. Bettile brought up the Halloween day activities in conjunction with the Sheriff's Department. Mr. Maszczak noted that he believes it was a well received program and we should continue with it. Ms. Cartwright will contact the Sheriff regarding the Department's participation this year.

ADJOURNMENT

Chairman adjourned the meeting at 7:58 pm. The next regular meeting of the Board shall be held on October 8, 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