

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on April 22, 2014 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall on Tuesday, April 22, 2014 at 7:00pm Chairman Maszczak opened the meeting with the Pledge of Allegiance. There were nine residents present. Attendance sheet is available upon request.

*In as much 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

Jason Loree, Boardman Township Administrator representing ABC Water District, was recognized by the Chairman. Mr. Loree advised the Board that the District has been approached by potential paying customers to bring waterlines into the Township through the ABC Water District that will benefit the southern portion of the Township. The District is in a good position to bring water into the Township, and is seeking Canfield Township Board support through resolution for them to move forward. The group has easements lined up and water is available, noting the turnaround of a project of this magnitude maybe three to six months. The three potential customers are two schools; one has had failed wells, second a special needs school that is looking at property on RT 46 and a nursing home; plus anyone along the line can connect. A letter of engagement outlining cost of engineering will go out to interested parties and once agree upon the District can begin the study. Two easements were clarified. There would be no cost to the Township or ABC Water District, since the cost would be paid by the interested parties and anyone that taps into the waterlines. If the easements are in line and we know the water source, dropping in the lines goes fairly quick. The District was established as a 6119 regional authority that allows for expanding both storm water and waterlines to interested parties in the service area. Mr. Loree noted that the District is not setup to handle sanitary since that is part of the county system, but believes that the county would want to run sanitary since we are using county easements to run the lines and it creates customers.

Ms. Cartwright met with Canfield City officials, nursing home representatives and Mr. Rogers last Tuesday pertaining to the annexation of property at RT 446 for the proposed nursing home. After an open discussion of each position, the City was unwilling to enter into a JEDD with the Township, unless the Township is willing to after a three, five or ten year period turnover the land. It was made clear that under no circumstances will the Township turnover any land through annexation. She did explain that it was a possibility that we can run our own water and sanitary lines. The City is waiting for a response from our Board. Mr. Maszczak noted that knowing what we know now, it changes things. Ms. Cartwright explained increasing expenses for the nursing home owner; division of property taxes that would come from the development, noting that with the personal income tax that the city has...they would be the real winners (about \$21,000.00 per year) assuming that the annexation were to happen.

Ms. Cartwright explained that the Township must maintain so much land in order to be a Township and can't fall below that threshold or must be financially secure; however this Board didn't want to put that on any future Boards in case the financial situation should change. The City would like our position on giving up the land at some point in time in the future. The City's Council was to discuss the current proposal at their following meeting, but Mr. Rogers attended their meeting and the subject wasn't brought up. Mr. Rogers spoke with the Mayor after the meeting, noting that he was waiting to hear from

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the Township before discussing the matter with his Board. Mr. Maszczak noted that if we have our own water source that we don't need the City. Ms. Cartwright stated that was correct.

Mr. Loree noted that he needs a resolution authorizing ABC Water District to pursue engaging customers for the inclusion into the water district. The District will contact potential customers but will need a resolution from the Township to proceed. Fiscal Officer noted that we can put the resolution together tonight for tomorrow's meeting and she will certify on Thursday.

Ms. Cartwright asked the Board what response she should give the City. Mr. Governor noted that he would prefer to work with the City on a JEDD, but if the City is not willing to work with the Township, this would be the better way to go. Mr. Maszczak noted that the City may change its mind once they are aware of our position. Ms. Cartwright will call the Mayor or the City manager tomorrow and advise them. This would stop the annexation issue in the southern portion of our Township.

### Attendance Roll Call

Chairman Maszczak requested that Carmen I. Heasley, Fiscal Officer, call the attendance roll:

Mr. Governor	present,
Ms. Cartwright	present,
Mr. Maszczak	present,

**MINUTES:** Chairman Maszczak requested corrections or additions to the minutes of February 19, 2014, March 25, 2014 and April 8, 2014 and policies and procedures workshop of April 10, 2014. Minutes were approved as presented.

**THE ZONING REPORT:** Chairman Maszczak requested questions or comments on the Zoning report. Ms. Cartwright questioned Mr. Morrison's' statement that he is unable to enter private property to remove signage, but in his report that he just filed with us he states that he would remove a sign at the Flower Mill, however he was concerned since there has been ongoing litigation and wanted to check with the prosecutors before he removed it. This is private property, so why would we even consider going onto this property to remove signage. On one hand he is telling us that we can't remove signs on private property and on the other he is stating he can. It is our understanding that we shouldn't enter any private property to remove any signage at all. We can send letters asking people to please remove signs that have been up too long. Ms. Cartwright asked Mr. Rogers to get this clarified.

The Zoning report was reviewed by the Board. So far this year, ten single-family residential permits have been issued and numerous miscellaneous permits for a valuation of \$3,471,664.00 with permit fees totaling \$22,077 to date. In 2013 during the same period, seven single-family residential, one 4plex and one business permits were issued for a total valuation of \$3,315,305.00 and \$20,394 in permits fees collected. The report was accepted as presented.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Maszczak requested questions or comments on the Administrator/Road Superintendent's report. Mr. Rogers provided a list of streets that Mr. Burkett and he are suggesting for the 2014 Paving Program. Ms. Cartwright would like additional time to review, drive the streets and possibly have an open discussion before committing to a list.

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Mr. Rogers reported on the three vendors and the scope of work to be done at Fire Station II. Ms. Cartwright noted that Team 8e Architecture was the low bidder at \$4,800.00, Thrasher Engineering at \$4,985.00 and DPH Architecture at \$7,500.00 to do the same engineering work.

Mr. Rogers reported receiving a call from the county asking that we release the bond on the seismic testing in our Township. After discussion with the county engineer, none of that equipment came down any Township roads. Mr. Rogers suggested that he can write the release letter and he would sign it. Mr. Maszczak asked that he write it and they will review before it's sent.

Mr. Rogers reported that he will be meeting with the county surveyors tomorrow to plat the cemetery lots in the new section of Dean Hill Cemetery at no cost to the Township, reviewed State Purchase Program on the new plow truck and what will need advertised, updated the Board on the Recycling Program and reported only receiving one resume for the Zoning Board vacant position.

Mr. Rogers pulled the breaker at the park and read the meter to address the issue with the high electric bill received for payment. He will go out tomorrow to read the meter again to see if there are any changes. Mr. Rogers believes that the small space heaters maybe responsible for the high bill. The budget was set at \$4,000.00 for the full year that will need adjusted. The report was accepted as presented.

**FISCAL OFFICER'S REPORT:** Chairman Maszczak called on the Fiscal Officer, Carmen I. Heasley, to present the financials. Fiscal Officer reviewed purchase orders, warrants and electronic payments. Fiscal Officer reviewed several concerns with the present budget that should be looked at closely by the Board to adjust when necessary. Fiscal Officer presented one cemetery deed for signatures for Michele O'Hara.

Fiscal Officer explained the process she followed to obtain bids from local institutions for the Lease to Purchase Program for the new plow truck. She reviewed rates and terms.

Fiscal Officer reported that to obtain a domain name under .gov; we must use our full name as follows: canfieldtownshipoh.gov at a cost of \$125.00 per year. The domain is available. Mr. Governor noted he looked into .org. The name is available at \$15.95 per year. We must have the domain set before we can move forward with our IT person. All agreed to move forward with .org.

Fiscal Officer reported receiving an ACH payment from the Mahoning County Auditor for the second half estate tax for year 2012 for a total of \$786,949.97. Fiscal Officer noted that we are unable to spend the money for seven years. In August when the second half of the payment will be disbursed, it should be for a little more. The report was accepted as presented.

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### UNFINISHED BUSINESS

#### RESOLUTION 2014-04-22-84

##### Canfield American Legion Post #177

Mr. Maszczak moved to approve \$1,000.00 as requested by Mr. Mike Kubitz, Commander Canfield American Legion Post #177, to help with the cost of the Memorial Day Services. The warrant will be made payable to the Canfield American Legion Post #177. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

#### RESOLUTION 2014-04-22-85

##### Plow Truck Purchase

Ms. Cartwright moved to approve the purchase of a 2015 International 7400 cab, chassis, plow hitch and Gledhill plow through the Ohio Department of Transportation Co-op Program, State Purchase contract #230-13 from Cerni Motors Sales Inc. at a cost of \$92,099.00 thru the Lease to Purchase Program. The Motion was seconded by Mr. Governor. Discussion: Ms. Cartwright noted that nothing will be purchased until the financing is secured. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

##### Plow Truck Dump Bed Purchase

Mr. Maszczak moved to approve the purchase of a stainless steel Galion Dump Body Model #453U, the central hydraulic system, lights, auger, and pintle hitch from Myers Equipment Corp. at a cost of \$35,900.00 for the proposed 2015 International 7400 plow truck, in addition this will be paid for thru the Lease to Purchase Program. Motion was not seconded. Discussion: Ms. Cartwright asked...isn't this to be bid out...why are we doing this now? Ms. Cartwright noted that in Mr. Rogers report, the prosecutors advised us to put this out for bid. Mr. Rogers noted that that is right, but with the cost being under \$50,000.00, you don't have to put it out for bid, but Prosecutor Heino feels that it should be put out for bid. Mr. Rogers noted that he did find this bed thru the State Purchase Program, but has not had the time to compare apples to apples. The State Purchase price is actually higher than this price from Myers Equipment. Mr. Governor noted that we still have time to put it out for bid. Mr. Rogers agreed. Ms. Cartwright stated that this must be tabled for a later meeting. All agreed.

### NEW BUSINESS

#### RESOLUTION 2014-04-22-86

##### Purchase Orders

Ms. Cartwright moved to approve PO 17-2014 and PO 19-2014 for a total of \$2,159.98 to encumber funds of the Township. The Motion was seconded by Mr. Maszczak. Discussion: Fiscal Officer requested a change from and to thru since there are three PO's. Ms. Cartwright amended the Motion to read as PO 17-2014 thru PO 19-2014 and the Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-04-22-87

##### Warrant & Electronic Payments

Ms. Cartwright moved to approve Warrants #9519 thru #9559, electronic payments 87-2014 thru 92-2014 as general & payroll obligations of the Township in the amount of \$67,269.28. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

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### RESOLUTION 2014-04-22-88

#### 2014 Paving MOU

Mr. Maszczak moved to enter into a Memorandum of Understanding (MOU) with Austintown and Boardman Township for the 2014 Paving Program under the Ohio Revised Code 5535.08 (C) (1) provides [i]n non-emergency situations, any political subdivision having authority to construct, reconstruct, resurface, improve, repair, and maintain roads or streets may enter into an agreement, under terms agreeable to all parties, with any other political subdivision having that authority to obtain or provide road or street construction, reconstruction, resurfacing, improvement, repair, or maintain services. The cost, if any, of services obtained under this agreement may be paid from general fund moneys of the political subdivision receiving the services or from any other funds available for the repair and maintenance of roads or streets within the political subdivision. The Motion was seconded by Ms. Cartwright. Discussion: Ms. Cartwright asked Mr. Rogers if he knew when this project would go out for bid. Mr. Loree stated that it would be in July. That will give the Board time to review and compile streets for the list. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2014-04-22-89

#### Professional Services for the Fire Station II Project

Ms. Cartwright moved to accept the professional services for the scope of work including permitting and bid documents, bidding assistance, contract preparation assistance, construction administration and inspection, and contract completion from the best low bid for the Fire Station II Insulation and HVAC Remediation Project from Team 8e Architecture at a cost of \$4,800.00. The Motion was seconded by Mr. Governor. Discussion: Fiscal Officer expressed concern that maybe Ms. Cartwright shouldn't move on this since she serves on both Boards and it may be a conflict of interest. Ms. Cartwright noted that it is our building. Mr. Maszczak stated that he doesn't see a conflict. Ms. Cartwright noted that she doesn't see a conflict either. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

**Trustee Comments:** Ms. Cartwright noted that we have a meeting tomorrow at 3pm for Policies and Procedures and suggested the following Wednesday April 30, 2014 at 9am to finalize Policies and Procedures if not finished. Mr. Maszczak suggested all day commitment to complete policies and procedures, discuss issues, establish rules/fees, equipment purchases for the park and review cemetery rules. All agreed.

Ms. Cartwright explained the requested Water Rate Resolution from Aqua Ohio and noted that the Trustees had received the information; therefore she asked that they take time to review it so action could be taken at the next meeting. Water rates will remain the same.

Mr. Governor noted the need for a Township credit card and suggested moving forward with whatever is necessary to get a card. Ms. Cartwright suggested that the card remain with the administrator and let him be responsible for it. Mr. Loree explained that in Boardman the card must be signed out from the Fiscal Officers office and the Board sets policy for clear accountability of its use.

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Mr. Governor noted that we have discussed fertilizing Township properties – in house or farming it out. Ms. Cartwright noted her concerns using a licensed Township employee that is unionized and if that employee leaves us, because he is not a full time employee then we have set precedence that it's union work. Ms. Cartwright prefers bidding out the work. Mr. Loree noted that it's been an issue in Boardman, noting that it goes under "Other duties as assigned". Mr. Rogers stated that the EPA is pushing to use less phosphate, which was addressed during his recent storm water seminar. Ms. Cartwright stated than why even do it. All agreed to just wait and see and do nothing this year except for the Park.

### ADJOURNMENT

Chairman adjourned the meeting at 8:33pm. The next regular meeting of the Board shall be held on May 13, 2014 at 7:00 pm. The Board will meet at 3 pm to discuss policies and procedures on April 23 and at 9 am on April 30 to complete policies and procedures, discuss issues, establish rules, fees and equipment purchases for the park and review cemetery rules.

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Mr. Stephen M. Maszczak, Chairman

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Ms. Marie Izzo Cartwright, Vice-Chairman

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Mr. Brian Governor, Trustee

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Mrs. Carmen I. Heasley, Fiscal Officer