

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on July 8, 2014 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall on Tuesday, July 8, 2014 at 7:00pm Chairman Maszczak opened the meeting with the Pledge of Allegiance. There were seven 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

Ms. Bernadette Beler representing the Gathering Place that meets once a month at Lord of Life on N. Broad Street in Canfield invited the Trustees to a meeting on August 19 at 7pm at Lord of Life to explain their efforts to provide a full service senior center or possibly a community center.

### 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,

**THE ZONING REPORT:** Chairman Maszczak requested questions or comments on the Zoning report. So far this year, seventeen single-family residential permits have been issued and numerous miscellaneous permits for a valuation of \$5,468,648 with permit fees totaling \$34,203 to date. In 2013 during the same period, eighteen single-family residential, one 4plex and one business permits were issued for a total valuation of \$7,034,965 and \$43,401 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. Maszczak noted that Mr. Rogers is not present because he's participating in the cleanup efforts with the Public Works Department due to the severe weather earlier today.

Ms. Cartwright noted that Mr. Rogers expressed concern with the number of projects we are planning to submit to OPWC due to Township's share. Ms. Cartwright noted that since these are all road related projects that are necessary...she suggested that we review the budget to see where we stand before deciding which projects to pursue. Ms. Cartwright noted that her concern is that if we hold off submitting...especially the largest one...Gibson Road...it could set us back considerably. If that project is done in phases over a four or five year period...we are talking millions...we should be looking at the budget and earmark for these purposes. We need to determine the Township's match and if it needs to be at 60% match to get approved.

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Mr. Governor asked about the date to meet with ABC Water District suggesting one hour before the ABC Water District meeting. Ms. Cartwright will have Mr. Rogers check as to when the next meeting will be and get back to the Board.

Mr. Rogers is looking for a final decision on the Armstrong Cable for internet service at the park. The Board agreed that it is a dead issue and that we should be looking for a less expensive alternative.

In Mr. Rogers report, he noted failing curb cuts in the northeast quadrant of the Township. Ms. Cartwright would like to know why this is happening and actual locations of failing curbs. Just saying northeast quadrant is not enough information. 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 warrants and electronic payments. The report was accepted as presented.

### UNFINISHED BUSINESS RESOLUTION 2014-07-08-140

#### Pheasant Run Culvert Replacement Project

Mr. Maszczak moved to approve the advertisement in *The Youngstown Vindicator's* Legal Notices on Wednesday, July 23, 2014 for the Pheasant Run Culvert Replacement Project. Bid packets will be available for contractors from July 23<sup>rd</sup> thru August 1, 2014 at the Township Hall at 21 S. Broad Street with the bid opening August 4<sup>th</sup> at 10:35 a.m. at the Township Hall. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2014-07-08-141 Fire Station II Property Lease Survey

Mr. Maszczak moved to approve Western Reserve Land Consultants [aka WRLC LLC] to perform the land survey at the Township's Community Park, for the legal description portion of the lease agreement with the Cardinal Joint Fire District. The cost of the survey is not to exceed \$500.00. The Motion was seconded by Mr. Governor. Discussion: Fiscal Officer noted that she thought the Mr. Rogers was going to have the county do the legal description. Mr. Maszczak stated that Mr. Rogers asked for Western Reserve because they already had the description written from past work.

After reviewing the estimate, Mr. Maszczak amended his Motion to approve Western Reserve Land Consultants [aka WRLC LLC] to perform the land survey at the Township's Community Park, for the legal description portion of the lease agreement with the Cardinal Joint Fire District. The cost of the survey is not to exceed \$400.00. The amended Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright abstain, since she is a member of the Cardinal Joint Fire District Board; Mr. Maszczak, yes. Motion carried 2 to 1 abstention.

### RESOLUTION 2014-07-08-142 2014 Paving Program

Ms. Cartwright moved to proceed with the Township's 2014 Resurfacing Program comprised of Deer Spring Run, Tryaltan Lane, Calico Drive, Meadowood Drive, and the Parking area at Dean Hill Cemetery in conjunction with Austintown and Boardman Township's resurfacing program with Canfield Township's portion of \$148,920.00 payable to Shelly and Sands Inc. The Motion was seconded by Mr.

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Maszczak. Discussion: Mr. Governor asked about the amount, noting we are spending a lot less than was budgeted. Ms. Cartwright stated that we budgeted for a crack & sealing program. Mr. Governor asked the Fiscal Officer what happens to that money if we don't have a crack seal program this year. Fiscal Officer noted that it would have been transferred from the General Fund, so it would just stay in the General Fund. Ms. Cartwright noted that this is where we would look to save to meet the Township share of OPWC projects. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2014-07-08-143

#### Natural Gas Aggregation

Mr. Maszczak moved to approve the following resolution subject to review and approval of the Prosecutor's office.

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING THE TRUSTEES TO EXECUTE A SUPPLY AGREEMENT WITH INTERSTATE GAS SUPPLY, INC. TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND SEPTEMBER 2014 WHEN THE CURRENT SUPPLY AGREEMENT ENDS.

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, 2014 and

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

Section 1: 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 2: The Board of Trustees hereby authorizes the Township Administrator to take all additional actions necessary to provide ongoing administrative support for the Township's Natural Gas Aggregation 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. The Motion was seconded by Ms. Cartwright. Discussion: Ms. Cartwright asked when the rate would be available. Fiscal Officer asked if the agreement was reviewed by the

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Prosecutor's Office. Mr. Maszczak noted that the Prosecutor's changes have been incorporated. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

### NEW BUSINESS

#### RESOLUTION 2014-07-08-144

##### Purchase Orders

Mr. Maszczak moved to approve PO 29-2014 thru PO 32-2014 for a total of \$55,391.00 to encumber funds of the Township. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-07-08-145

##### Warrants & Electronic Payments

Ms. Cartwright moved to approve Warrants #9655 thru #9707, electronic payments 132-2014 thru 143-2014 as general & payroll obligations of the Township in the amount of \$107,242.28. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-07-08-146

##### Retaining Legal Counsel

Mr. Maszczak moved to approve hiring Attorney Mark Finamore at a cost of \$100.00 per hour for the legal requirements of the purchase to lease program with PNC Bank. The Motion was seconded by Mr. Governor. Discussion: Mr. Maszczak asked how long PNC Bank would hold the rate. Fiscal Officer noted that the rate will be held until July 17, 2014. Attorney Finamore assured us that the opinion and required signed letter will be complete by this coming Friday. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

**Trustee Comments:** Trustees reviewed what workshops were still necessary. Fiscal Officer explained that Farmers National will accept only the signed minutes that include the complete Resolution approving the Fiscal Officer to obtain a credit card with specific line of credit. Sheetz and Speedway credit cards were discussed. Further discussion with Mr. Burkett will be needed.

### ADJOURNMENT

Chairman adjourned the meeting at 8:05pm. The next regular meeting of the Board shall be held on August 12, 2014 at 7:00 pm. Board will meet in special session at 2 pm on July 16 for a projects/budget workshop.

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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