

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on March 25, 2014 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, March 25, 2014 at 7:00pm. Chairman Maszczak opened the meeting with the Pledge of Allegiance. There were four 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

Mr. Morrison of 5160 Timbercrest Dr., addressed the Board concerning an article that appeared in the *Town Crier* on March 20 from the meeting of March 11. The article says that Ms. Cartwright stated that he had broken some rules and would like to know what rules were in place at that time that he broke. He feel that this is misleading the residents of this community asking was there a policy written rules or something that he had broken? Mr. Maszczak states that he is not aware of any written policy that was broken per se; it was the Board's opinion a presumed policy that certain things should not be done...that was the interpretation. Mr. Morrison acknowledged that it was a presumed policy that a seven-day suspension given on; that doesn't sound like good judgment of that administration.

Ms. Cartwright stated that we had a system running on your computer that when viewed by the Trustees and our legal counsel showed instead of addressing Township business there was an inordinate amount of time spent on personal business. Mr. Morrison states that that's not what he was asking... He was asking if there was a policy in place. Ms. Cartwright states that doesn't matter. Why would we need a policy to tell an employee that comes to work their supposed to work? Mr. Morrison stated that Ms. Cartwright said that he broke the rules; what rules? Ms. Cartwright stated that he did break the rules...you're supposed to come to an office...a place of business...it's an understood policy...if we give you a check for doing a job you're supposed to actually work instead of doing your personal business and searching the web. Mr. Morrison stated that this all started before the election last year and his question is, how many times have you used this program since then? Ms. Cartwright stated that as he knows this was an ongoing investigation, there was discussion between the union and yourself. We were to go to arbitration however this current board decided not to pursue. This was against her better judgment because she feels that Mr. Morrison did an injustice to the residents. Ms. Cartwright stated the he did break the rules morally; you were paid to do the job that you did not do...They are business rules. If you had been in the private sector any businessperson would've fired you on the spot after looking at the amount of time you spent on personal business as opposed to business you were supposed to do.

Mr. Morrison questioned former trustee Mr. Bettile's statement that he had admitted to this, and doesn't believe he had done so. Mr. Morrison stated that he believes this is harassment apologizing to Chairman Maszczak and Trustee Governor that they had to get dragged into this.

Mr. Bettile responded to Mr. Morrison's comments stating that we do not need a policy that says that you need to work at work. If that was the case we would need a policy not to shoot a fellow employee on the premises. That's ridiculous. There were websites visited...shopping for horses, looking at resorts, news, obituaries anything you can think of. Mr. Morrison said "That's a lie. There was no nudity." All

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agreed that Mr. Morrison misunderstood what was said. Mr. Bettile continued stating that these other Trustees have known about it and have seen the tapes. Last year, all three agreed that this was uncalled for and inappropriate. To say we don't have a policy in place is ludicrous.

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 11 and 25, and March 11, 2014. Minutes were approved as presented.

THE ZONING REPORT: Chairman Maszczak requested questions or comments on the Zoning report. Mr. Maszczak stated that he is aware that we have a Zoning Commission special workshop with G2 on the 27th. Is the meeting at the Hall? Mr. Morrison stated that it's in his office and G2 will not be attending. They are reviewing some items and will contact Mr. Smith by phone.

Mr. Governor thanked Mr. Morrison for getting information back in a timely matter about the Flower Mill asking for any updates. Mr. Morrison reported that our legal counsel had four months to reply to the briefs and it could be another four months for the defendants to file their briefs. Depends on how long it takes our prosecutor to file their briefs. For clarification Mr. Governor asked if it's going to take another eight months. Mr. Morrison reported about four months we are halfway through the process.

Mr. Morrison addressed the signage nuisance in the Township noting that he is unable to trespass onto private property, stating that many of the signs are not in the road right away where he can remove them. Many of the signs are in Boardman Township, especially along Tippecanoe Road.

Fiscal Officer offered that in the past, the Zoning permits and valuations were reported in the minutes noting that we have gotten out of that practice. The Zoning report is no longer reviewed during the meetings, so it doesn't appear in the minutes. The Township has been in first place for sometime in the county in home permits issued and valuations. She asked if the Board had any problem with this information appearing in the minutes, noting that it's good information for public use. Mr. Maszczak asked if there were any objections, noting that this would be good information that shows the growth of the Township and allows residents to see how we compare to other communities. With no objections, the information should appear in the minutes.

The Zoning report was reviewed by the Board. So far this year, five single-family residential permits have been issued and numerous miscellaneous permits for a valuation of \$1,415,050 with permit fees totaling \$9,248 to date. In 2013 during the same period, five single-family residential permits were issued and one 4plex for a total valuation of \$2,156,955 and \$13,334 in permits fees collected. In 2013, Canfield Township accounted for 25% of all residential permits written in Mahoning County. The report was accepted as presented.

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ADMINISTRATOR/ROAD SUPERINTENDENT REPORT: Chairman Maszczak requested questions or comments on the Administrator/Road Superintendent's report. Mr. Governor requested an update on the Park. Mr. Rogers stated that we have gotten the occupancy as of last week...everything was tested...everything has passed. One sink has to be adjusted by 5° to meet specifications, so he plans to call the plumber to schedule an appointment.

Mr. Maszczak asked in respect to RUMA with the County on blending the paving into the driveways and whatnot. Mr. Rogers explained that there won't be any problems since the paving contractor will blend into each driveway. At intersections, butt joints will be cut and with the paving extending into the intersections 10 to 12 feet for a smooth transition.

Ms. Cartwright thanked Mr. Rogers for contacting the other townships for mailbox policies asking, if he had started work on a policy that will work for the Township. Mr. Rogers reported that it seems to be common practice to go out, repair what can be repaired, or replace with a 2 x 4 standard mailbox or if that is unacceptable, after receiving an invoice paying \$25 directly to the resident. We have been following County standards. The concern that Mr. Burkett presented was pertaining to residents that don't take care of their mailboxes, such as boxes leaning toward the road, then when something happens they expect the Township to replace their mailboxes. Mr. Burkett feels that the resident should be responsible for mailboxes that are leaning into the road right away. Ms. Cartwright explained that it isn't the Township trucks hitting the mailboxes but the snow that is thrown by the plow. Ms. Cartwright asked Mr. Rogers to prepare a policy for their review.

Mr. Governor mentioned the storm water conference that Mr. Rogers would like to attend and Mr. Maszczak stated that it will be addressed later, but understands that there is some specific training, certification and noticed that Mr. Rogers would be paying for the training feeling that if it's something that will benefit the Township; the Township should cover the cost. Mr. Rogers asked to let him pay for it up front, when he passes the test he can be reimbursed by the Township. The training is for Professional Soil, Erosion and Sediment Control certification. Ms. Cartwright stated that this is one conference that was previously discussed and should be attended, but the reason we didn't approve it before involved our travel policy that should be discussed before we pass a resolution tonight. Our present travel policy states that we do not cover [overnight] expenses within 100 mile radius of the Township so we have an option of amending our present resolution or passing one specific to this conference. Ms. Cartwright has discussed this with a local auditor and the Fiscal Officer and it appears that it is at the Board's discretion. Since the Fiscal Officer has requested a legal opinion for the overall travel policy from the Prosecutor's Office, Ms. Cartwright suggested passing a specific resolution to deal with this conference. Mr. Maszczak & Mr. Governor agreed. Ms. Cartwright requested the list of conferences as soon as possible from Mr. Rogers. The report was accepted as presented.

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FISCAL OFFICER'S REPORT: Chairman Maszczak called on the Fiscal Officer, Carmen I. Heasley, to present the financials. Fiscal Officer reviewed several purchase orders, warrants and electronic payments. Fiscal Officer noted that she received a letter from the City of Canfield asking that we make the warrant payable to them, but that was never discussed at any meeting and we have the PO and warrant made payable to ms consultants for the lettering on the bridge. She will mail to the City.

Fiscal Officer reported that she was unable to stop the Trustees request for a public hearing on the Addison Reserve LLC liquor license permit request. She has been advised that we must contact legal at the State level to stop the hearing. Mr. Governor asked why this was being stopped. Ms. Cartwright stated that she sent an email to the Trustees, Fiscal Officer and Administrator stating that she had spoken with one of the plaza's owners who explained the proposed use of the plaza space and the need to transfer the liquor license therefore she was OK with the license transfer. The report was accepted as presented.

UNFINISHED BUSINESS

Township's Community Park Maintenance Contract

Mr. Maszczak moved to accept the best low bid for the Township's Community Park's lawn mowing maintenance from Dattilo and Son Landscaping for the area included in the bid package noted as Area #1 located on the South side of Herbert Road at a cost of \$175.00 per cut; Area #2 as described in the bid package located on the North side of Herbert Road to the best low bid (Easton Lawn Service or Western Reserve Landscaping) at a cost of \$500.00 per cut for the year 2014. Mr. Maszczak explained that we have two bidders that bid the same amount and interestingly enough, we've been advised by our legal counsel to flip a coin. Mr. Governor noted that he read that both bidders had to be present. Ms. Cartwright suggested tabling until the next meeting. Fiscal Officer explained the past number of cuts were as follows: Area #1 in 2012 had 18 cuts and in 2013 had 22 cuts. Area #2 in 2012 had 3 cuts and in 2013 had 9 cuts. The number of cuts for 2014 was recommended by Mr. Rogers. Fiscal Officer noted that the Motion was not seconded. Motion tabled until the next meeting.

Area #1	22 cuts at \$175.00	Total of contract - not to exceed \$3,850.00
Area #2	10 cuts at \$500.00	Total of contract - not to exceed \$5,000.00

RESOLUTION 2014-03-25-67

Community Park Water Meter

Ms. Cartwright moved to approve the purchase of a 1 ½" water meter from the City of Canfield Water Department at a cost of \$800.00 for the Township's Community Park's Multi-Purpose Building. 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 2014-03-25-68

Township Hall Backflow Device

Mr. Maszczak moved to approve Komar Plumbing Company as the best low bidder to furnish the necessary labor and materials for the installation of a backflow device and the copper piping for a new water meter at a cost of \$750.00. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Maszczak noted that this work is being performed so that the township complies with the Ohio EPA requirements for commercial buildings. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

RESOLUTION 2014-03-25-69

Township's Community Park Fertilization Contract

Ms. Cartwright moved to accept the best low bid for the fertilization maintenance from Western Reserve Landscaping for \$745.00 per treatment at the Township's Community Park on the South side of Herbert Road for the year 2014. The Motion was seconded by Mr. Governor. Discussion: Fiscal Officer noted that in 2012 and 2013 three applications were done. The Fertilization contract will read three applications at \$745.00 each for a total not to exceed \$2,235.00. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

RESOLUTION 2014-03-25-70

RUMA with the County

Mr. Maszczak moved to enter into the Road Use Maintenance Agreement with the Mahoning County Engineer's Office to include the Township's roads. The Motion seconded by Ms. Cartwright. Discussion: Mr. Maszczak noted that the RUMA is a bond that will cover the repairs to the Township roads during the installation of the Sunoco Pipeline Project to include the following roads: Leffingwell Rd from Corry Rd to Tippecanoe Rd, Springlake Ln, Sugarbush, Leffingwell Rd. from Tippecanoe Rd north to S. Raccoon Rd, RT 446 to RT 224. Fiscal Officer requested a copy of the signed agreement to attach hereof. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

NEW BUSINESS

RESOLUTION 2014-03-25-71

Purchase Order

Mr. Maszczak moved to approve PO 08-2014 - PO 12-2014 for a total of \$6,027.50 to cover interest on park loan payment at Farmers National Bank, water meter, sanitary, electric & backflow device at park. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

RESOLUTION 2014-03-25-72

Warrant & Electronic Payments

Ms. Cartwright moved to approve Warrants #9447 thru #9475, electronic payments 62-2014 thru 66-2014 as general & payroll obligations of the Township in the amount of \$40,842.52. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

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RESOLUTION 2014-03-25-73

Donation War Veteran's Museum

Mr. Governor moved to approve \$1,000.00 as requested by Mr. Lewis Speece, owner of the War Veteran's Museum, to help with the cost of plaques for the Veteran's Wall during the Memorial Day Services. The warrant will be made payable to the War Veteran's Museum. The Motion was seconded by Ms. Cartwright. Discussion: Fiscal Officer explained that she was unaware of payee for the PO or for the warrant and will have the warrant available in the next couple of days. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

RESOLUTION 2014-03-25-74

2014 Storm Water Conference

Ms. Cartwright moved for Keith Rogers Township Administrator /Road Superintendent, to attend the 2014 Storm Water Conference in Akron, Ohio for the purpose of continuing education with the Township paying for all the related expenses including the registration fee of \$195.00, hotel, travel, and meals. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that although this is contrary to our travel policy we're going to go ahead and approve Mr. Rogers to attend. Although this conference is within the 100 mile radius of the Township for overnight accommodations, this is a multiple day conference and instead of driving back and forth we are going to pay for the hotel expenses. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2014-03-25-75

2014-2015 Sodium Chloride Participation Agreement

Mr. Maszczak moved to adopt for sodium chloride/rock salt to be procured by the Ohio Department of Transportation through two separate contracts (a summer fill and winter use). A summer fill contract (Contract #418-15) that shall commence upon the date of contract award (May 8th estimated award date) and expire on October 31, 2014, and a winter use contract (Contract #018-15) that shall commence November 1, 2014 and expire May 31, 2015;

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, materials, supplies, or other articles.

Now Therefore, Be it Ordained, Intending to be Legally Bound that Keith Rogers, Agent, Hereby Request Authority in the name of Canfield Township, Political Subdivision; To participate in the Ohio Department of Transportation's Contract for Rock Salt and Agrees to purchase a minimum of nineteen hundred and eighty tons (1980) and a maximum of twenty four hundred and twenty (2420) tons. Further asking the Fiscal Officer attach the contract there onto the minutes when it becomes available. The Motion was seconded by Mr. Governor. Discussion: Mr. Governor asked if we are purchasing on two separate contracts. Ms. Cartwright stated that it was her understanding that we were not purchasing in the summer. Mr. Roger stated that he was told that the resolution must appear fully intact and that we can participate in either the summer or winter contract or both. Fiscal Officer noted that if we are not participating in the summer contract, it makes no sense to have it in the Motion. It was agreed upon that the Township will participate in the winter contract #018-15 only and entering zero under the summer

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contract part of the agreement. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

Trustee Comments: Mr. Governor mentioned the new Surface Tablets are here and will be ready for the next meeting. Because these are Township owned units, Mr. Rogers has all the serial numbers and passwords here in the office for safe keeping. One item that needs to be discussed is whether we are using an in-house server or the cloud based system. Mr. Maszczak noted his concerns for security and would like to know what the advantages are over the in-house server. Mr. Governor offered to put together a list of pros and cons before the next meeting and email to everyone. Ms. Cartwright suggested a special meeting that we can address this and perhaps include the record retention policy and how we want to proceed with that. She noted that there is a public record consulting firm that she has spoken with that has presented at the OTA conference and suggested asking them to come here. We could set a time to go through a lot of these things and believes that would be beneficiary to all of us. Mr. Governor agrees for communication purposes. Ms. Cartwright agreed to send out the information on the consulting firm with all the particulars noting they also have a division that does the electronic part of the records. Maybe we can come up with a date to have multiple groups come in to addresses these issues. We need a meeting to continue on Policies and Procedures, discuss cemetery rules and asked Mr. Rogers to look into where the prosecutor's office is on that. Mr. Governor noted that Ms. Cartwright has hit upon most of the topics and many run together, but it's important to have the record retention policy in place because that will help us in moving forward.

Ms. Cartwright asked Fiscal Officer about a Township credit card. Fiscal Officer noted concerns during audits...will need a credit card policy and explained the benefit of traveling with a Township owned credit card for exemption purposes.

Mr. Governor stated that the Fiscal Officer has asked about Mr. Rogers placing his own legal ads in the paper. Fiscal Officer noted that Mr. Morrison, Zoning Inspector, already places his own legal ads and Mr. Rogers as Township Administrator should be responsible for his own legal ads and should do the same. In the ORC, it states that the Fiscal Officer is the keeper of the record. As the Township grows, so does the responsibility of these records. With the terminology used in some of these legal ads, it should be placed by the person writing them. In Boardman & Austintown, department heads run their own legal ads. Ms. Cartwright suggested discussing this during tomorrow's workshop under Policies and Procedures. Everyone agreed.

Mr. Governor noted in regards to intentions or direction on replacing part of our fleet. Mr. Burkett has done a lot of research. Mr. Governor would like to know the Boards intention...we have discussed this during the budgeting process. Fiscal Officer noted that we did budget for it. Mr. Governor is not looking for a decision right now, just looking for an idea of what we are doing. Fiscal Officer noted that it will take six to nine months to get a truck here and additional time to equip the truck. If we want to place the truck in service this coming season, we will need to act very soon. Mr. Rogers noted that there have been changes to the leasing program and we may not have a leasing option this year. Fiscal officer noted that that is going to change things since we budgeted to lease and not to purchase outright. Ms. Cartwright asked Mr. Rogers to look into this and report back to the Board.

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RESOLUTION 2014-03-25-76

Executive Session

Ms. Cartwright moved to enter into executive session at 8.01pm to discuss potential purchase of land for public purpose and security matters of the Township. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0

The Board re-entered into open session at 9:11pm.

Mr. Rogers presented the State Salt Purchase Agreement and one cemetery deed for lot number 192 for Ms. Tamara C. Merando for signatures.

Mr. Bucciarelli, President of the Canfield Soccer Club provided the upcoming 2014 soccer schedule.

Workshop scheduled:

3/26/2014 on Policies & Procedures at 3pm

4/3/2014 on Park rules at 3pm

4/8/2014 on technology at 6pm – Before the regular meeting of the Board

4/10/2014 on Record Retention and Technology at 3pm

ADJOURNMENT

Chairman adjourned the meeting at 9:12pm. The next regular meeting of the Board shall be held on April 8, 2014 at 7:00 pm. The Board will meet at 6 pm to discuss technology recently purchased.

Mr. Stephen M. Maszczak, Chairman

Ms. Marie Izzo Cartwright, Vice-Chairman

Mr. Brian Governor, Trustee

Mrs. Carmen I. Heasley, Fiscal Officer