

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES



Meeting held on April 14, 2015 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall on Tuesday, April 14, 2015 at 7:00pm. Chairman Maszczak opened the meeting with the Pledge of Allegiance. 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. Taylor representing the Youngstown Developmental Center (YDC) in Mineral Ridge reported that the Ohio Department of Developmental Disabilities announced in February that it plans to close the Youngstown Developmental Center in Mineral Ridge and the center in Montgomery County by June 30, 2017. The latest version of the state budget includes a provision that calls for a review before the state can close Ohio's developmental centers. The YDC currently provides housing and services for 86 people with developmental disabilities. The state claims there has been a 40% decline in people living in the centers since 2007. Ms. Taylor explained what the facility does for our community and has requested support of the Board in form of a resolution to help show community support.

Mr. Leo Daprile of Gem Young Investments gave a brief presentation on his company. He has reviewed Township investment policy and would like to offer his services to improve revenues noted that some changes needs to be done to the outdated investment policy that would benefit the Township.

Two representatives from Trumbull Hardwood addressed the Board concerning overweight permits. Mr. Todd Peterson explained that they are waiting for Board legislation on bond to proceed with moving several loads of cut timber thru the Township. Their contract runs through October of this year. Mr. Maszczak explained that the Board has it on the agenda for tonight.

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: Minutes were tabled.

THE ZONING REPORT: Chairman Maszczak requested questions or comments on the Zoning report. 2015 Permit Information: Total valuation of \$1,383,150 and permit fees of \$8,605 that includes 4 single family; residential valuation of \$993,350 and business valuation of \$378,800. Last year's status at this time, total valuation of \$3,135,294 and permit fees of \$20,033 that includes 9 single family; residential valuation of \$2,597,090 and business valuation of \$35,500. The report was accepted as presented.

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ADMINISTRATOR/ROAD SUPERINTENDENT REPORT: Chairman Maszczak requested questions and/or comments on the Administrator/Road Superintendent's report. Mr. Maszczak asked about the insurance coverage for ABC Water. Mr. Rogers reported that the insurance covers ABC Water District members while traveling noting that the ABC Water Board allowed the policy to expire. Ms. Cartwright noted that he is covered under Canfield Township coverage and doesn't feel that this additional coverage was needed.

Ms. Cartwright asked about the recycling vendor. Mr. Rogers explained the vendor's breakdown information on what types of appliances are covered and how money is paid to the Township.

Mr. Rogers provided information on the Community Park's athletic fields for future scheduling of activities. The Board had discussion regarding a fee for use of the restrooms, which would cover expenses, and decided on \$75.00 per week. Fiscal Officer suggested opening a line item under the General Fund revenue side to track income from the Community Park, noting that several years ago she tried to open a separate fund for park and was turned down by the State Auditor's Office. This would be the best way to track revenue, noting that it would work just like the lodging tax works now in the General Fund.

Ms. Cartwright requested an update on Fire Station II. Mr. Rogers is awaiting estimates from Boak & Sons and one other explaining the work he believes should be done at the station. The heating system options and safety concerns were also discussed.

Mr. Rogers gave his recycling report on upcoming events and where we stand with our own recycling programs. 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, electronic payments and purchase orders. Fiscal Officer reported receiving the Certificate of All Available Resources from the County Auditor, but noted that three fund balance adjustments for the total of \$180.00 had to be made that affected the beginning balance. Warrant #9975 written to Keith Rogers for \$70.00 to cover registration for OTA Administrator Conference; replaced with Warrant #10281. Warrant #9980 written to the Regional Chamber for \$20.00 that will not be replaced, since we have a zero balance. Warrant #10027 written to Frederick Mozzy Design for the fair display was lost; replaced with Warrant #10280. She will inform the County Auditor's Office explaining the adjustments so that the certificate can be corrected.

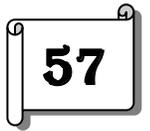
Fiscal Officer reviewed the Zoning Fund budget and the request to purchase Zoning Law books at a cost of \$334.00, she explained that the budget was reduced leaving only \$200.00 in the other expense line. Fiscal Officer noted that she can pay it from the operating expense line, but this line will need to be watched closely, since the office and operating expense lines will be needed for the zoning daily operations for the balance of the year. Ms. Cartwright prefers rearranging within the fund and later in the year transfer funds from the General. Fiscal Officer noted that transferring funds was not budgeted and that change to the budget will need to be approved by the County Auditor.

Correspondence: Fiscal Officer reviewed liquor license renewal request at 4456 Boardman Canfield Rd - Party Gallery. With no objections to the renewal, the Fiscal Officer will call the Commissioners and inform the State Liquor Board. The report was accepted as presented.

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NEW BUSINESS

RESOLUTION 2015-04-14-56

Warrants & Electronic Payments

Mr. Maszczak moved to approve Warrants #10269 thru #10306, electronic payments 84-2015 thru 101-2015 as general & payroll obligations of the Township in the amount of \$58,802.96. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-57

Purchase Orders

Ms. Cartwright moved to approve PO 13-2015 thru PO 15-2015 for a total of \$25,038.64 to encumber funds of the Township. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-58

Fund Balance Adjustment

Mr. Maszczak moved to approve three fund balance adjustments for a total of \$180.00 in the General Fund for year 2014. Warrant #9975 written to Keith Rogers for \$70.00 to cover registration for OTA Administrator's Conference; replaced with Warrant #10281. Warrant #9980 written to the Regional Chamber for \$20.00 that will not be replaced since we have a zero balance. Warrant #10027 written to Frederick Mozzy Design for fair display was lost; replaced with Warrant #10280. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-59

Purchase Orders

Ms. Cartwright moved to approve the following necessary adjustments to purchase orders and blanket certificates after the 2015 budget was approved during the meeting of March 24: BC 12-2015 reduced by \$30,000.00; BC 26-2015 reduced by \$12,500.00; BC 32-2015 reduced by \$3,000.00; BC 35-2015 reduced by \$9,985.00; BC 40-2015 reduced by \$5,000.00; and PO 3-2015 reduced by \$10,000.00. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-60

Ohio Public Finance Officers Training Conference

Ms. Cartwright moved to approve the Fiscal Officer to attend the Ohio Public Finance Officers Training on June 11 & 12 at Kalahari Convention Center. The two-day program will cost \$285.00, Wednesday and Thursday - two nights at \$119.00 for hotel plus mileage. The Motion was seconded by Mr. Maszczak Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

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RESOLUTION 2015-04-14-61

Tires for Truck #108

Mr. Governor moved to approve the replacement of four tires for Truck #108; the one ton dump truck by True Tread Tire at a cost not to exceed \$700.00. Mr. Maszczak seconded the Motion. Discussion: Ms. Cartwright asked if this was our only one ton dump truck noting that the number of the truck should be in the body of the Motion. Mr. Governor agreed and so amended his Motion to include truck #108. Mr. Maszczak seconded the amendment. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-62

Repairs to Truck #106

Mr. Maszczak moved to approve the repairs to the Truck #106 2006 pickup bed by King Collision at a cost not to exceed \$2,241.07. Ms. Cartwright seconded the Motion. Discussion: Mr. Governor asked if this was covered by insurance. Fiscal Officer noted that even though this is covered by our insurance, it must be budgeted and paid thru the Township, noting that the insurance check was deposited into the Road Fund...where the warrant will be written from. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-63

Safety Equipment Purchase

Ms. Cartwright moved to approve the purchase of a trench shoring box from Allen Trench Safety at a cost not to exceed \$4,176.00. Mr. Maszczak seconded the Motion. Discussion: Ms. Cartwright noted that this piece of equipment is required by the Occupational Safety and Health Administration (OSHA) during any subsurface work exceeding 3.5 feet in depth. The \$500.00 MORE grant will be used towards this purchase. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-64

Parkland Phase II

Mr. Maszczak moved to approve the purchase of the following items from Playworld Midstates: a 24' x 26' Pavilion at a cost of \$16,063.00; two charcoal grills, one ADA accessible and one standard at a cost of \$656.00; and 100 cubic yards of engineered wood fiber at a cost of \$1,895.00 for fall protection, for a total of \$18,614.00 as part of the phase II project, with \$9,307.00 being reimbursed by the Land and Water Conservation Fund Grant. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor asked about the wood fiber and Mr. Rogers explained that the men did the cleanup as requested and replaced the fall protection. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-65

Parkland Phase II Picnic Tables

Mr. Governor moved to approve the purchase of four picnic tables: two ADA accessible and two standard from Worthington Direct at a cost not to exceed \$2,248.64 as part of the second phase of the parkland grant, with \$1,124.32 being reimbursed by the Land and Water Conservation Fund Grant. The Motion was seconded by Ms. Cartwright. Discussion: Ms. Cartwright asked if this will take care of all the Land and Water Grant. Mr. Rogers explained that this is a 50% reimbursement up to \$25,000.00. The two resolutions total \$20,863.62 and of that total \$10,431.32 will be the grant; a balance of \$14,568.68 remains but must be spent before yearend. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

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RESOLUTION 2015-04-14-66

Fourth of July Parade

Ms. Cartwright moved to approve a \$5,000.00 donation to the 4th of July Parade Committee per their request. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-67

First Night Canfield Donation

Mr. Maszczak moved to approve the expenditure of \$8,500.00 donation for First Night Canfield, a community wide event that is held on New Year's Eve. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor suggested reducing to \$5,000.00; the same as we are doing for the others. Roll Call: Mr. Governor, no; Cartwright, yes; Mr. Maszczak, yes. Motion carried 2 to 1.

RESOLUTION 2015-04-14-68

Mahoning County Soil and Water MOU

Ms. Cartwright moved to enter into an MOU with the Mahoning County Soil and Water District as follows: Upon this 14th day of April, 2015, this **Memorandum of Understanding (MOU)** was entered into by and between the Mahoning County Soil and Water Conservation District, hereinafter called the SWCD, and CANFIELD hereinafter called the *TOWNSHIP*.

Recognizing the need for a close working relationship in carrying out the responsibilities for charged to each, the *TOWNSHIP* and the SWCD enter into this MOU as the foundation for a cooperative working relationship. Such cooperation allows joint effort in ensuring that the *TOWNSHIP* is in compliance with Phase II requirements as set forth by the Ohio Environmental Protection Agency (EPA). In making technical assistance and expertise available to the *TOWNSHIP*, the District hopes to influence local planning and regulatory capability toward better conservation of soil and water resources. The Ohio Revised Code, Chapter 1515, describes the District's authority for engaging in this mutual agreement.

SWCD's Role:

1. Provide technical assistance to the *TOWNSHIP* as requested. The assistance, as set forth below, will be provided by the SWCD within limitations of budget, availability of personnel and in accordance with established policies. The services provided by the SWCD will include, but not limited to, the following:
 - a. Provide education and outreach to the *TOWNSHIP* residents and administration as required by the *TOWNSHIP* Storm Water Management Plan.
 - b. Review and comment on Storm Water Pollution Prevention Plans (SWPPPs) as required by the *TOWNSHIP* Storm Water Management Plan.
 - c. Provide information to the *TOWNSHIP* concerning status of Ohio EPA National Pollution Discharge Elimination System (NPDES) Notice of Intent (NOIs) and general permits for construction sites in the *TOWNSHIP* as required by the *TOWNSHIP* Storm Water Management Plan.
 - d. Provide technical assistance in monitoring / inspecting Post Construction Best Management Practices as required by the *TOWNSHIP* Storm Water Management Plan.
 - e. Provide comments to the *TOWNSHIP* on preliminary plats proposed for development.

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- f. Assist the *TOWNSHIP* and landowners in the *TOWNSHIP* with use and interpretation of NRCS technical data.

TOWNSHIP's Role:

1. On an annual basis the *TOWNSHIP* may consider appropriating funds to the SWCD, if available, to assist the SWCD in maintaining operations and staffing. If an appropriation is to be made, the Township will send written notice of the appropriation amount and will honor an invoice from the SWCD for the same amount. Any appropriation should not be construed as a fee for service by either party.
2. Observe principles of sound soil and water conservation with consideration to the need for erosion and sediment control and storm water management.
3. Consult with the SWCD in the development of future plans concerning long-range land-use and/or development in the *TOWNSHIP*.
4. When appropriate, forward plans for proposed urban and rural development projects, primarily SWPPP's, to the SWCD for review and comment regarding possible impacts on soil and water resources.
5. Adopt recommendations made by the SWCD which are reasonable and acceptable to the *TOWNSHIP* and in compliance with the *TOWNSHIP* ordinances.
6. Furnish field surveys, proposed layouts, designs, or other data needed for adequate review of proposed developments.

IT IS FURTHER UNDERSTOOD THAT:

1. The *current* USDA/NRCS/EPA Field Office Technical Guide, Engineering Field Manual, Rain Water and Land Development manual and other manuals will provide the basis for all recommendations.
2. All programs and services of the SWCD and NRCS are offered on a non-discriminatory basis, without regard to race, color, national origin, religion, sex, age, marital status or handicap.
3. This MOU is subject to annual review and/or modification. Annual reports will detail and discuss interactions between the two entities during the preceding year.

The funding for this MOU was based off the 2010 census at a cost of 0.25 per person for a total of \$2,162.25. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-69

Written permits for oversized vehicles.

Ohio Revised Code: §4513.34(A)(1)

Mr. Maszczak moved as follows:

Whereas, ORC 4513.34(A)(1) provides for the director of transportation with respect to all highways that are a part of the state highway system and local authorities with respect to highways under their jurisdiction, upon application in writing, shall issue a special regional heavy hauling permit authorizing the applicant to operate or move a vehicle or combination of vehicles as follows:

(a) At a size or weight of vehicle or load exceeding the maximum specified in sections 5577.01 to 5577.09 of the Revised Code, or otherwise not in conformity with sections 4513.01 to 4513.37 of the Revised Code;

(b) Upon any highway under the jurisdiction of the authority granting the permit except those highways with a condition insufficient to bear the weight of the vehicle or combination of vehicles as stated in the application;

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(c) For regional trips at distances of one hundred fifty miles or less from a facility stated on the application as the applicant's point of origin.

And Whereas, issuance of a special regional heavy hauling permit is subject to the payment of a \$250.00 fee established by Canfield Township (local authority) in accordance with this section along with a \$50,000.00 bond per road mile.

NOW, THEREFORE, it is hereby Resolved that: accordingly, Canfield Township will issue an overloaded hauling permit except for those highways with a condition insufficient to bear the weight of the vehicle or combination of vehicles as stated in the application. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor asked for clarification of the last part – condition insufficient to bear the weight. Mr. Rogers explained that it's up to the Board to prove that a road in such condition that it will not bear additional weight, so if the Board feels that a road is in deplorable condition, an engineering study with core sample will need to be done on that road - average cost is about \$40,000.00. Mr. Rogers noted that he has a copy of one in his office for Board to review. If the weather is nice tomorrow, he plans to video tape the road. Mr. Maszczak noted that he assumes that the video will be time stamped. Mr. Rogers plans to tell the contractor what he will be doing and hopes to get them to sign off. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

RESOLUTION 2015-04-14-70

Executive Session:

Ms. Cartwright moved to enter into Executive Session for the purpose of discussing the potential purchase of land. The Motion was seconded by Mr. Governor. The Board entered into executive session at 8:33pm. Discussion: Ms. Cartwright invited the Fiscal Officer and Township Administrator into executive session. Roll Call: Mr. Governor, yes; Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

The Board reentered open session at 8:52pm.

ADJOURNMENT

The next meeting is set for Policies & Procedures/Cemetery on April 22 from 3pm to 5pm. With no further business before the Board, the Chairman adjourned at 8:53p.m.

Mr. Stephen M. Maszczak, Chairman

Ms. Marie Izzo Cartwright, Vice-Chairman

Mr. Brian W. Governor, Trustee

Ms. Carmen I. Heasley, Fiscal Officer

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