

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES



Meeting held on February 24, 2015 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall on Tuesday, February 24, 2015 at 7:00pm Chairman Maszczak opened the meeting with the Pledge of Allegiance. One resident and one person from the media were 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.*

### 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 and/or additions to the Regular Meeting of January 27, 2015. The minutes were approved as presented.

**THE ZONING REPORT:** Chairman Maszczak noted that there was no zoning report presented to the Board for approval.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Maszczak requested questions and/or comments on the Administrator/Road Superintendent's report. Mr. Maszczak asked and Mr. Rogers reported on the fire station repairs, noting that the work scheduled for this week didn't start because of the low temperatures, but both furnaces are now installed and working. The remainder of the work should be completed this week.

Ms. Cartwright asked if Mr. Rogers had called the City of Canfield about the Joint Economic Development Grant and Mr. Rogers reported doing so and explained the process.

Ms. Cartwright explained how the Township will receive \$5000 from the Green Team for the recycling program and also receives funds for collecting recycled appliances that should cover advertising and the donation for help during the appliance drive.

Mr. Rogers updated the Board and his discussion with a local farmer regarding the planting of crops on certain vacant land at the Township's Park.

Mr. Maszczak relayed a conversation he had with Major Jeff Allen regarding the recent vandalism of a Sheriff's vehicle in the substation's parking lot and suggested that perhaps that area should be secured with a surveillance camera. Mr. Governor asked if the situation was an isolated one and if there's really a need to install a security camera. Mr. Maszczak noted that it's his understanding that there have been several incidents and it's their feeling that there is a need to cover that area. Ms. Cartwright noted that it makes sense to have the video running through the Township since it's a Township building...Township equipment and we would report to them should an incident occur. Mr. Maszczak asked the other Trustees to reach out to Major Allen and discuss this issue with him.

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Mr. Rogers updated the Board on Truck #299 that will require an engine rebuilt at a cost of \$13,023.51. Discussion pursued that it wasn't in this year's budget for a new snow plow truck, especially since one was just purchased, therefore other alternatives were reviewed from driving the truck and adding oil to only utilizing four trucks. Other upcoming expenses were also discussed.

Mr. Rogers updated the Board on the Turnpike mitigation program for the Twin Oaks & Mercedes Place area that is directly impacted by the Ohio Turnpike. Mr. Rogers reported on his conversation with Prosecutor Heino, noting that the Township is unable to repair erosion of these properties because it doesn't impact our roads, but explained why it may be possible for the County to do so. Mr. Rogers had conversation with the County, however it's their belief that this project wouldn't fare well for a grant. Maintenance and legal possibilities of this project were discussed. With Board approval, Mr. Rogers would like to submit this project with zero local matching funds, however it must be submitted by February 28. 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 and the need to transfer funds from the General Fund to the Road Fund to cover expenses. Fiscal Officer reviewed CD's coming due in March. The CD's due in March will not rollover. The report was accepted as presented.

### NEW BUSINESS

#### RESOLUTION 2015-02-24-30

##### Warrants & Electronic Payments

Mr. Maszczak moved to approve Warrants #10180 thru #10208, electronic payments 48-2015 thru 53-2015 as general & payroll obligations of the Township in the amount of \$120,812.29. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2015-02-24-31

##### Transfer from the General to the Road Fund

Ms. Cartwright moved to approve the transfer from the General Fund line #1000-910-910-0000 to the Road Fund line #2141-921-0000 a total of \$50,000.00 to cover public works expenses. The Motion was seconded by Mr. Governor. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2015-02-24-32

##### 2015 Parkland Maintenance

Mr. Maszczak moved to approve the advertisement in the *Youngstown Vindicator's* Legal Notices and begin the bidding process for the 2015 Lawn Maintenance for the Township Parkland. Bid packets will be made available from February 25th through March 23rd with a bid opening on March 23rd at 10:35 a.m. The best, low bidding, qualified contractor/contractors will be announced at the March 24th meeting. The Motion was seconded by Mr. Governor. Discussion: Ms. Cartwright asked if it included cutting and fertilization. Mr. Rogers stated that it does. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

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### **RESOLUTION 2015-02-24-33**

#### **2015 Storm Water Conference & Certified Professional in Erosion and Sediment Control Review**

Ms. Cartwright moved to approve Keith Rogers Township Administrator/Superintendent to attend the 2015 Storm Water Conference in Sandusky, Ohio on May 6, 7, and 8 for the purpose of continuing education with the Township paying \$195.00 for the conference and all related expenses per the Township's travel policy. Additionally, during the first day of the conference, the Township will pay \$350.00 for Mr. Rogers to attend the Certified Professional in Erosion and Sediment Control (CPESC) review class in preparation of taking the exam for the same. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

### **RESOLUTION 2015-02-24-34**

#### **Ohio Turnpike Mitigation Project**

Mr. Maszczak moved to authorize the Township Administrator / Superintendent Keith Rogers to submit a grant application to the Ohio Turnpike Commission / Ohio Department of Transportation for the Twin Oaks / Mercedes Place Erosion Control and Noise Mitigation Project. The Township will be asking for the project to be 100% funded through this mitigation program. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

### **RESOLUTION 2015-02-24-35**

#### **Memorandum of Understanding between the Township and Mahoning County**

Ms. Cartwright moved to approve a Memorandum of Understanding (MOU) between Canfield Township Trustees and the Mahoning County Commissioners regarding Ohio EPA National Pollutant Discharge Elimination System (NPDES) Phase II Program. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that this MOU sets forth the duties to be undertaken by the Township in fulfillment of a permit from the Ohio EPA authorizing discharges of storm water from a municipal separate storm sewer system (MS4), and to define the role of the County in assisting the Township to fulfill those duties. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

### **RESOLUTION 2015-02-24-36**

#### **Recycling Drop-Off Agreement Renewal**

Mr. Maszczak moved to approve the renewal of an existing lease agreement with the Recycling Division of Mahoning County to have their recycling drop-off bin at the Messerly Road location. The lease will follow the same terms and conditions as the 2014 agreement between the Mahoning County Board of Commissioners for the Recycling Division of Mahoning County and the Township for the sum of Five Thousand, Seventy-Eight Dollars (\$5,078.00) to be paid to the Township in one payment during the month of August 2015. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor asked how often the bins are emptied. Mr. Rogers stated once a week or more if we call. Mr. Governor noted that whenever he goes there, the bins are full. The Green Team contract was presented for signatures. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

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### RESOLUTION 2015-02-24-37

#### Township Website

Mr. Governor moved to approve Internet Data Management, Inc. (IDMI) to redesign and update the Township website and host the domain [www.canfieldtownship.org](http://www.canfieldtownship.org). IDMI has agreed to provide all basic layout and hosting at no cost. A charge of \$750.00 will be for the purchase of the license to utilize the Sitefinity software for the site. There is also an optional update annual fee at a current cost of \$350.00 for any improvements that can be made or added to the site. The Motion was seconded by Mr. Maszczak. Discussion: Mr. Governor explained that IDMI Inc is a local company in Poland, Ohio that specializes in website design and hosting. They are looking to expand their services to government entities, and this is why they have agreed to provide their services at no cost. The Township will have the ability to make changes and edits to the site, however if complicated changes are required IDMI can be hired at an hourly rate. It should be noted that IDMI will not be hosting our email. Anticipated completion of the new site will be approximately 45 to 60 days. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2015-02-24-38

#### Joint Economic Development District Agreement

Ms. Cartwright moved the adoption of the following Resolution: WHEREAS, the terms of a proposed Canfield Community Joint Economic Development District Agreement (JEDD Agreement) have been negotiated between Canfield Township, Ohio and the City of Canfield, Ohio; and WHEREAS, R.C. 715.75 requires that: Before the legislative authority of any of the contracting parties adopts an ordinance or resolution approving a contract to create a joint economic development district, the legislative authority of each of the contracting parties shall hold a public hearing concerning the contract and district. Each legislative authority shall provide at least thirty days public notice of the time and place of the public hearing in a newspaper of general circulation in the municipal corporation, township, or county, as applicable. During the thirty-day period prior to the public hearing and until the filing is made under section 715.76 of the Revised Code, all of the following documents shall be available for public inspection in the office of the clerk of the legislative authority of a municipal corporation and county that is a contracting party and in the office of the fiscal officer of a township that is a contracting party:

- (A) A copy of the contract creating the district;
- (B) A description of the area or areas to be included in the district, including a map in sufficient detail to denote the specific boundaries of the area or areas and to indicate any zoning restrictions applicable to the area or areas;
- (C) An economic development plan for the district that consists of both of the following schedules:
  - (1) A schedule for the provision of the new, expanded, or additional services, facilities, or improvements described in division (A) of section 715.74 of the Revised Code;
  - (2) A schedule for the collection of an income tax levied under division (C) of section 715.74 of the Revised Code. Public hearing held under this section shall allow for public comment and recommendations on the contract and district. The contracting parties may include in the contract any of those recommendations prior to approval of the contract.

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NOW THEREFORE, it is hereby Resolved that:

1. The Canfield Township Board of Trustees shall hold a public hearing concerning the JEDD Agreement and district on Tuesday, March 31, 2015, at 5:30p.m., at the Canfield Township Hall, 21 South Broad Street, Canfield, Ohio 44406.
2. Notice of this hearing shall be published in the *Vindicator* as follows:

### NOTICE

Pursuant to Ohio Revised Code Section 715.75, the Canfield Township Board of Trustees will hold a public hearing on Tuesday, March 31, 2015, at 5:30p.m., at the Canfield Township Hall, 21 South Broad Street, Canfield, Ohio 44406, for the purpose of considering and taking action on a proposed Canfield Community Joint Economic Development District Agreement (JEDD Agreement) with the City of Canfield, Ohio.

The Board shall permit members of the public to express comments and recommendations concerning the proposed JEDD Agreement and district. Prior to the public hearing, copies of the following documents shall be available to the public for inspection, at the Township Fiscal Officer's office during regular business hours: (A) a copy of the contract creating the district; (B) a description of the area or areas to be included in the district, including a map reflecting boundaries of the area or areas and indicating any zoning restrictions applicable to the area or areas; (C) an economic development plan for the district that consists of both of the following schedules: (1) a schedule for the provision of the new, expanded, or additional services, facilities, or improvements; and (2) a schedule for the collection of an income tax levied within the district under the Revised Code.

This Notice shall be published in the *Vindicator*.

3. Prior to the public hearing, the Fiscal Officer shall make available for public inspection the documents described herein above.

The Motion was seconded by Mr. Maszczak and, thereupon, the votes in favor of the Resolution were recorded and are reflected by the signatures hereto. Discussion: Ms. Cartwright provided copies for Mr. Rogers and Carmen Heasley to have for public record requests. Roll Call: Mr. Governor, yes; Ms. Cartwright, yes; Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2015-02-24-39

#### Appointment as Alternate to the Zoning Commission Board

Discussion: Mr. Governor noted that several attempts have been made advertising for the position of alternate to the Zoning Commission Board. To date, only one resume has been received and it should be discussed. Ms. Cartwright noted that the resume was submitted by our Administrator, Keith Rogers' wife. Ms. Cartwright has an issue since Mr. Rogers is the boss of our zoning inspector, who oversees that particular board and is concerned with the close relationship in that sort of situation. If there would be any sort of conflict, how would it look to the public? It's sad and unfortunate with a community of our size that we are unable to get anyone else interested. Perhaps instead of just advertising, we should've taken a more proactive role in soliciting individuals that we thought would qualify for the position. That

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is her only hesitation having spouses that would have the availability to interact just doesn't feel comfortable and is why she's hesitant going forward with Rogers' resume. She does however appreciate Mrs. Rogers' interest, but is still hesitant. Mr. Governor noted that he doesn't see a conflict...we have a resident that very much wants to serve the community...this is an alternate position. We did get an opinion from the prosecutor's office that doesn't see any conflict or problems. It is up to the board. Mr. Maszczak suggested entertaining a motion and put it to a vote. Mr. Governor moved to accept the resume from Charlotte Rogers and appoint her to the alternate position on the Canfield Township Zoning Commission Board. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright, no; Mr. Maszczak, yes. Motion carried 2 to 1.

Mr. Governor asked about the lease with the Fire District. Ms. Cartwright reported that there was an executive session at last night's Cardinal Joint Fire District Board meeting for possible purchase of property and she was excluded from that session. Ms. Cartwright noted that she will not vote on either Board as it relates to land lease, sale or purchase between the two.

Mr. Governor reported that Good Morning Canfield, Chamber event on April 16<sup>th</sup> will be in the evening instead of the morning as in the past. Mr. Maszczak will give the update that evening for that event.

### ADJOURNMENT

With no further business before the Board, the Chairman adjourned at 8:06p.m.

Mr. Stephen M. Maszczak, Chairman

Ms. Marie Izzo Cartwright, Vice-Chairman

Mr. Brian W. Governor, Trustee

Ms. Carmen I. Heasley, Fiscal Officer