

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

137

Meeting held on December 29, 2016 at 8:30 AM.

Canfield Township Trustees met in special - regular session in the Canfield Township Hall on Thursday, December 29, 2016 at 8:30am. Chairman Governor opened the meeting with the Pledge of Allegiance. Attendance sheet is available upon request. This special meeting was advertised as required by the Ohio Sunshine Law and ran in the *Youngstown Vindicator* on December 23, 2016 as follows:

***Canfield Township Board of Trustees will meet in regular session on Thursday, December 29, 2016 8:30am at 21 S. Broad Street, Canfield (Township Hall) in place of the regular meeting of December 27. The Public is welcome to attend.***

*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 from the Fiscal Officer.*

### Attendance Roll Call

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

Mr. Paloski	present
Ms. Cartwright	present
Mr. Governor	present

**MINUTES:** Chairman Governor requested corrections or additions to the regular meeting of December 13, 2016. Minutes were approved as presented with suggested changes incorporated.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Fiscal Officer advised that there were questions pertaining to zoning permits and valuation. Ms. Cartwright suggested that the commercial valuation should be much higher. One file was pulled and reviewed. Mr. Rogers explained that all numbers have been reviewed and are correct.

Ms. Cartwright asked about the seasonal plow driver, who was to be hired based on his passing the pre-employment drug and background checks. Mr. Rogers stated that so far what has come back is satisfactory and he will start shortly after the first of the year.

Mr. Paloski asked about the fire station repairs. Mr. Rogers reported that it was completed yesterday and everything went well to the best of his knowledge. He explained a problem with one sprinkler head, which was in the wrong position. The vendor repaired it by shortening the line and replacing the head; the Fire District covered the cost.

Mr. Rogers reviewed the Mercedes project discussion with the prosecutor's office. Mr. Heino suggested that the Township donate the funds to the ABC Water District (ABC) then ABC can move forward with the project, however ODOT requires a qualified full-time employee to oversee projects and ABC doesn't currently have any. The Fiscal Officer suggested a meeting with Prosecutor Heino, the Board and possibly inviting Senator Schiavoni. Ms. Cartwright stated that we need a better understanding as to why Mr. Heino doesn't want this project running thru the Township. Mr. Governor feels that the Township should turn everything back over to ODOT since it's their project and does not understand how the Township can donate funds. Ms. Cartwright explained that the Township per ORC is permitted to donate funds to another political sub-division and that may be why Mr. Heino believes this would be a cleaner way to proceed with this project and not cause us an audit issue. Mr. Rogers noted that the State of Ohio would like a letter from ABC's attorney, Albers & Albers, stating that the district can work

# RECORD OF PROCEEDINGS

138

## MINUTES OF THE BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on December 29, 2016 at 8:30 AM.

on private property. The attorney's fees would be billed to the Township. Albers & Albers would like a copy of the entire file for review, but do not see a problem providing a letter based on their present understanding of the situation. Mr. Rogers explained that the work being done is not in the turnpike's road right-a-way. What ODOT wants to do would be entirely in their road right-a-way and would not change what is happening with this private property. Ms. Cartwright noted that we need to see if another Township in the state has had this issue. Mr. Governor noted that as a Board, we want to see this project thru for the good of the residents, but we now may run into the situation that this project can run higher than originally understood. Mr. Rogers noted that he wants to meet with the engineer to see how much was added to the project for contingency, stating that we may be fine. It was agreed to get everyone together that can make this happen. Ms. Cartwright stated that if we can't go forward with this project we need to understand why we can't. Mr. Governor suggested two dates for the meeting, asking Mr. Rogers to contact ODOT, prosecutor, Albers & Albers, Senator Schiavoni and anyone else that should attend this meeting either in person or by phone conference. Mr. Governor will take the lead.

A new LED lite sign board for the Township's front sign was discussed. Mr. Rogers provided detailed information and estimates. The Board liked the idea of the LED sign but suggested that Mr. Rogers search for grant of some type that may help offset the cost. Also discussed were the lights on our trucks and how to set up a work zone. Ms. Cartwright stated that safety is of utmost importance and the cost to bring our vehicles up to code must be incorporated into the budget.

Ms. Cartwright noted accidents at St Rte. 224 and S. Raccoon Rd, expressing concerns that it may involve cars turning North onto S. Raccoon Rd into GetGo. She is not sure if this is a State issue or a County issue, suggesting that we may want to discuss this with the Sheriff's Department. Maybe a sign should be used that states no right turn into the first driveway. Mr. Governor noted seeing cars coming to a sudden stop adding to the problem. Signage may help.

ZONING REPORT	Estimate of Structure Value	Permit Fee Collected in Dollars	Number of Permits Written
Residential - <i>New Homes</i>	\$ 8,035,127	\$ 49,051	30
Commercial	\$ 8,043,492	\$ 50,951	31
Other	\$ 1,506,577	\$ 9,267	68
<b>2016 Totals</b>	<b>\$ 17,585,196</b>	<b>\$ 109,269</b>	<b>129</b>
<b>2015 Total Comparison</b>	<b>\$ 12,398,505</b>	<b>\$ 78,481</b>	<b>146</b>

The report was accepted as presented.

**FISCAL OFFICER'S REPORT:** Chairman Governor called on the Fiscal Officer, Carmen I. Heasley, to present the financials. The Fiscal Officer reviewed warrants and electronic payments. She noted approval for two purchase orders at the last meeting, but only one was needed, asking that the resolution be rescinded and provided the correct motion.

The Fiscal Officer explained that she held back payment to the contractor that installed the water heater in the sub-station, because he did not provide a proper W9 with a physical address. When he provides a proper W9, she will write the warrant.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

139

Meeting held on December 29, 2016 at 8:30 AM.

The Fiscal Officer informed the Board that there has not been payment from the Colonial Motel since mid-summer and payments do not go thru the County but are paid directly by the vendor to the Township. Additionally she will discuss this situation with the prosecutor's office to see where we go from here.

Mr. Governor asked about Home Savings & Loan investment. The Fiscal Officer noted that in November, the rate was held for another six months, however we have two investments coming due in March. Star Ohio Plus should be watched closely, since Star Ohio should climb at a faster rate than our local banking institutions. The 2016 revenues are all posted and reviewed with the Board.

The Fiscal Officer, Board members and Mr. Rogers expressed difficulties in filing claims with Aetna, our present health insurance provider. Mr. Governor suggested a phone conference with local agents for Burnham & Flowers to discuss these concerns.

Mr. Governor noted the possible receipt of funds from the county involving ticket fines that should start in 2017. He asked Mr. Rogers to look into why it only goes back to 2012, asking that he follow up with the prosecutor. Fiscal Officer asked that while talking with the prosecutors, that he check to see what the funds can be used for...if the funds will be restricted, and if so; she will look into separating the funds within the General Fund.

The Fiscal Officer presented Cocca's Pizza liquor license for review, however the Board had no objections. She will sign off and notify the county that we do not wish a hearing on this license. The Fiscal Officer explained the importance of the Management Notes that should be written by the Trustees. She will provide the first draft sometime in the second week of January. She is asking that the Board help her to put the best foot forward for the Township. The report was accepted as presented.

### OLD BUSINESS

#### RESOLUTION 2016-12-29-196

##### Change to Cemetery Rules and Regulations

Mr. Governor moved to accept a change to the Cemetery Rules and Regulations by adding the cremation burial cost of \$250 for residents and \$300 for non-residents. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor noted that in the last revision approved on October 13, 2015, the cremation burial cost was omitted and needs to be included and is the only changes to the rules and regulations. The Fiscal Officer asked if these rules and regulations are posted on the Township website. Mr. Governor noted that he will ask Cindy to post after they are approved. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### NEW BUSINESS

#### RESOLUTION 2016-12-29-197

##### Reappointment to Zoning Board of Appeals

Ms. Cartwright moved to reappoint Elias F. Alexander, Jr. to the Zoning Board of Appeals for a five year term beginning January 1, 2017 and ending December 31, 2021. The Motion was seconded by Mr. Governor. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

# RECORD OF PROCEEDINGS

140

## MINUTES OF THE BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on December 29, 2016 at 8:30 AM.

### RESOLUTION 2016-12-29-198

#### Reappointment to Zoning Commission Board

Mr. Paloski moved to reappoint Jon Ulicney to the Zoning Commission Board for a five year term beginning January 1, 2017 and ending December 31, 2021. The Motion was seconded by Mr. Governor. Discussion: The Fiscal Officer noted that auditors would like to see compensation addressed in resolutions, asking that the Board consider addressing during the re-organizational meeting. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2016-12-29-199

#### Sale of Property at 6205 S. Raccoon Road

Ms. Cartwright moved as follows: WHEREAS, Ohio Revised Code Section 505.10 provides that when a board of township trustees has title to real property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, the board may sell and convey that property or otherwise dispose of it in accordance with Ohio Revised Code Section 505.10; and

WHEREAS, Ohio Revised Code 505.10(A)(6) provides that when a township has title to real property and the board of township trustees wishes to sell or otherwise transfer the property, the board, upon a unanimous vote of its members and by resolution, may authorize the transfer and conveyance of that real property to any person upon whatever terms are agreed to between the board and that person; and

WHEREAS, the Canfield Township Board of Trustees own real property located at 6205 S. Raccoon Road in Canfield Township, Mahoning County, Ohio (approximately .75 acres) and known as Parcel No. 26-071-0-001.00-0 (hereinafter "Property") which it acquired from the Mahoning County Land Bank; and

WHEREAS, the Property was appraised for Eight Thousand Dollars (\$8,000.00); and

WHEREAS, the Canfield Township Board of Trustees wishes to sell or otherwise transfer said Property in accordance with Ohio Revised Code Section 505.10(A)(6).

NOW THEREFORE, BE IT RESOLVED by a unanimous vote of the Board of Township Trustees of Canfield Township, Mahoning County Ohio, as follows:

Section 1. The Board of Trustees owns real property that is not needed for public use, is obsolete, or is unfit for the use for which it was acquired and is located at 6205 S. Raccoon Road in Canfield Township, Mahoning County, Ohio (approximately .75 acres) and known as Parcel No. 26-071-0-001.00-0 (hereinafter "Property") and wishes to sell or otherwise transfer said Property in accordance with the Board's authority provided in Ohio Revised Code Section 505.10(A)(6) to Kenneth Kennedy.

Section 2. The Board of Trustees hereby authorizes the Contract of Sale between Kenneth Kennedy and the Board of Trustees and pursuant to which purchaser shall purchase the Property for the purchase price of Eight Thousand Dollars and no cents (\$8,000.00) subject to the terms and conditions of the Contract of Sale and to sign all documents necessary to accomplish the sale which this Board deems to be advantageous to the Township and hereby approves. The Motion was seconded by Mr. Governor.

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

141

Meeting held on December 29, 2016 at 8:30 AM.

Discussion: Ms. Cartwright asked if the buyer was contacted and if there were any other fees associated with this transfer. Mr. Rogers stated, no...he plans to have a meeting between Mr. Kennedy and Tom Michael with a copy of the signed Resolution. They will take care of all the title work while they are here. Mr. Governor asked if Mr. Kennedy understands that if any fees develop, that he would be responsible for those fees. Mr. Rogers stated that he does understand that. Ms. Cartwright asked the Fiscal Officer how she plans to handle the payment. She noted that the payment will go into the General Fund in 2017, since the General Fund paid all the expenses associated with this property. The Board signed the official Resolution. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2016-12-29-200**

#### **Warrants & Electronic Payments**

Mr. Governor moved to approve Warrants #11487 thru #11523, electronic payments 441-2016 thru 460-2016 as general & payroll obligations of the Township in the amount of \$67,439.37. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2016-12-29-201**

#### **One Purchase Order**

Mr. Paloski moved to rescind Resolution 2016-12-13-190 and approve Super Blanket Certificate PO 48-2016 for \$852.00 to cover other expenses in the Road Fund. The Motion was seconded by Mr. Governor. Discussion: Mr. Paloski noted that we are rescinding RESOLUTION 2016-12-13-190, because Foust Construction already had an open purchase order. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

**Next Meeting Dates:** The next meeting of the Board will be the reorganizational meeting that will be held on January 10 at 7pm with the regular meeting immediately following that meeting. The second regular meeting will be held on January 24 at 7pm.

Mr. Rogers discussed the possibility of changing the monthly meeting date(s) to help with zoning scheduling. The Board decided to keep the present regular scheduled meeting date(s).

### **RESOLUTION 2016-12-29-202**

#### **Executive Session**

Mr. Governor moved to adjourn into executive session in accordance with ORC 121.22(G)1 at 10:53am to discuss the employment and compensation of public employees. The Motion was seconded by Ms. Cartwright. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0. The Board returned to open session at 12:07pm.

### **RESOLUTION 2016-12-29-203**

#### **Part-Time Public Works Maintenance Worker**

Ms. Cartwright moved to rescind Resolution # 2016-12-13-195 for Part-Time Public Works Maintenance Worker. The Motion was seconded by Mr. Governor. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

---

# RECORD OF PROCEEDINGS

142

*MINUTES OF THE*  
**BOARD OF CANFIELD TOWNSHIP TRUSTEES**

---

Meeting held on December 29, 2016 at 8:30 AM.

---

**RESOLUTION 2016-12-29-204**

**Part-Time Public Works Maintenance Worker**

Ms. Cartwright moved to offer the position of part-time public works maintenance worker at a pay rate of \$14.79 per hour to Jeffrey Gallimore on the condition the applicant passes the pre-employment drug and background checks. The position is offered in accordance with the terms and pay scale of the agreement between Canfield Township and the International Brotherhood of Teamsters Local 377 dated May 01, 2016. The start date will be based on passing the pre-employment and background checks. The Motion was seconded by Mr. Governor. Discussion: Mr. Governor noted that Mr. Rogers will schedule the applicant for the pre-employment drug, background checks and any other necessary requirements. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

**RESOLUTION 2016-12-29-205**

**2017 Permanent Budget**

Mr. Governor moved to approve the 2017 permanent budget; anticipated total revenue of \$6,474,433.72 and anticipated total appropriations of \$3,169,971.30. The Motion was seconded by Mr. Paloski. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

**ADJOURNMENT**

With no further business before the Board, the Chairman Governor adjourned the meeting at 1:59pm.

---

Mr. Brian W. Governor, Chairman

---

Ms. Marie Izzo Cartwright, Vice-Chairman

---

Mr. Joseph N. Paloski, Trustee

---

Ms. Carmen I. Heasley, Fiscal Officer