

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

131

Meeting held on November 28, 2017 at 7:00 PM.

Canfield Township Trustees met in regular session in the Canfield Township Hall on Tuesday, November 28, 2017 at 7:00pm. Chairman Governor 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 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: MINUTES:** Chairman Governor requested corrections and/or additions to the regular meeting minutes of October 10, 24 and November 14, 2017; as well as special meetings of October 30, November 1 and 8, 2017. All minutes were approved as presented.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Mr. Paloski asked about the new generator at Fire Station III. Mr. Rogers reported that the start up process was conducted yesterday. There was a small gas leak detected, it was repaired and everything is operating properly.

Ms. Cartwright asked about the small tree in the conservation area. Mr. Rogers reported that the tree limb was removed along with dead branches and it was all cleaned up. Mr. Rogers advised that the new truck is ready and could be picked up as early as tomorrow. The Township is still waiting on the sign to arrive that involves the LTAP grant. The Mercedes Place project update was given and is still on schedule for spring. The digital billboard concerns were discussed and still awaiting prosecutor's opinion. The aggregation program was discussed in detail. The Board agreed that Mr. Rogers will finalize rates and act on behalf of the Township as stated in the last resolution.

The Board was updated on open space funds receiving money in lieu of land within a PUD (Planned Unit Development). A meeting with the Planning Commission will be scheduled tomorrow to deal with this issue. Ms. Cartwright asked Mr. Rogers to check with the prosecutor's office to see if they can represent the Township. It's been determined that the Zoning Department uses the ZonePro program and it will need to be updated to a current version to include some training. Ms Cartwright noted that with the possible acquisition of Pheasant Run; will need to look into the cost of widening the road to properly budget, since it could become a project next year. Mr. Rogers suggested including culvert replacement. Ms. Cartwright explained why it's necessary to widen the road due to present annexation issues and state regulations for fire code. The Zoning Inspector would like to meet with the Board to discuss the land use plan for the Township to determine the direction the Board would like to take.

Mr. Fortunato, who represents the Tippecanoe Woods PUD, has requested a Zoning Commission hearing for fee simple lots be allowed in their existing development. Since the PUD has changed ownership they will not be grandfathered and must conform to new zoning regulations. Ms. Cartwright stated that we should be prepared that this could end up in court. The Zoning Commission will not meet until January. Ms. Cartwright expressed concern for a specific set of minutes that need addressed. Mr. Governor noted

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that we can discuss it with the Zoning Inspector at the next meeting. Mr. Governor moved to accept the administrator/ road superintendent, public works and zoning reports as presented.

**FISCAL OFFICER'S REPORT:** Chairman Governor called on the Fiscal Officer, Carmen I. Heasley, to present the financials. The Fiscal Officer reviewed one super-blanket certificates, warrants and electronic payments.

The Fiscal Officer noted that during the last meeting it was found that two resolutions were omitted in error from the minutes of January 24, 2017 after the Board returned from executive session. It will be addressed further in the meeting.

The Fiscal Officer explained that she selected the wrong column thereby the total was incorrect for the appropriation side of the approved budget. The amount will be corrected later in the meeting. Investments and Home Savings guaranteeing rates above Starr Ohio Plus were discussed in detail.

Under correspondence, the Board had one liquor license to review. With no objections, the Fiscal Officer will not request a hearing from the state on the Phoenix Grill on RT 224.

Mr. Governor noted that by the next meeting, we want to pay the city for the SRO. He understands that the Township is not at fault and that the city needs to get numbers to us. Ms. Cartwright stated that we should pay based on the last contract and make up of difference after the numbers are known. The Fiscal Officer noted that she has requested an opinion from the prosecutor's office concerning this issue. She clearly understands what the Board wants to do here, but she must protect her office from paying on a contract that may have expired. The report was accepted as presented.

### NEW BUSINESS

#### RESOLUTION 2017-11-28-165

#### RESOLUTION OPWC AUTHORIZING LEGISLATION

#### Starr Centre / Old Tippecanoe Storm and Road Rehabilitation Project Phase II

A RESOLUTION AUTHORIZING TRUSTEE CHAIRMAN, BRIAN GOVERNOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED. Ms. Cartwright moved to approve as follows:

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the Board of Canfield Township Trustees is planning to make capital improvements to the Starr Centre / Old Tippecanoe Storm and Road Rehabilitation Project Phase II, and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Board of Canfield Township Trustees:

Section 1: That Trustee Chairman, Brian Governor is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The Fiscal Officer Carmen I. Heasley is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance. The Motion was seconded by Mr. Paloski. Discussion: The full Board signed the agreement. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

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Ms. Cartwright read into record the following two resolutions:

### **RESOLUTION APPROVING ANNEXATION AGREEMENT WITH THE CITY OF CANFIELD**

Ms. Cartwright moved to approve the adoption of the following Resolution: WHEREAS, a petition for annexation was filed with the Mahoning County, Ohio Commissioners ("County Commissioners") by MALA Properties, Limited ("MALA") on August 22, 2016; and WHEREAS, pursuant to R.C. 709.023, the Canfield Township Board of Trustees timely filed a resolution objecting to the subject petition on various grounds on September 15, 2016; and WHEREAS, by agreement of the parties, the County Commissioners have held consideration of the annexation petition in abeyance to provide time for negotiation of an annexation agreement; and WHEREAS, following extensive discussion and negotiation, and pursuant to R.C. 709.192, the representatives for the City of Canfield and Canfield Township have negotiated the terms of an Annexation Agreement relating to the petition filed by MALA. NOW THEREFORE, it is hereby Resolved that: The Canfield Township Board of Trustees hereby ratifies and adopts the terms of the Annexation agreement as set forth in Exhibit A, attached hereto. Trustee Mr. Governor seconded the motion and, thereupon, the votes in favor of the Resolution were recorded and are reflected by the signatures hereto. Approved by the Board of Township Trustees of Canfield Township, Mahoning County Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **Part-Time Zoning Inspector Position**

Ms. Cartwright moved to offer the position of regular part-time zoning inspector to Traci DeCapua in accordance with the terms and pay scale of the agreement between Canfield Township and the International Brotherhood of Teamsters Local 377 dated May 1, 2016. The start date will be based upon passing the pre-employment and background checks. The Motion was seconded by Mr. Governor. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2017-11-28-166 Correcting the Minutes of 1/24/2017**

Ms. Cartwright recognized that the above two resolutions were omitted in error from the minutes of January 24, 2017 and moved to add Resolution #2017-01-24-31.1 and #2017-01-24-31.2 to correct the minutes of January 24, 2017 noting that the Board wishes to correct this error by entering the resolution into these minutes that it was the intent of this Board that the Motion and Resolution be entered in those minutes. The Motion was seconded by Mr. Governor. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2017-11-28-167 2017 Adjusted Budget**

Ms. Cartwright moved to rescind RESOLUTION 2017-11-14-160, because the total appropriation was incorrect and move to approve adjustments to the 2017 budget; anticipated total revenue of \$6,339,717.79 and anticipated total appropriations of \$2,164,715.25. The Motion was seconded by Mr. Governor. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

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### RESOLUTION 2017-11-28-168

#### Warrants & Electronic Payments

Mr. Governor moved to approve Warrants #12152 thru #12173 electronic payments 444-2017 thru 463-2017 as general & payroll obligations of the Township in the amount of \$29,385.26. The Motion was seconded by Mr. Paloski. Discussion: Ms. Cartwright noted that the reports start with electronic payments at 445 and not 444. Ms. Heasley explained that some payroll transactions are omitted by the system. She is following the order as was approved at the last meeting. Ms. Cartwright was not conformable approving a transaction as she couldn't see. Mr. Governor rescinded the Motion and corrected it to read as follows: Mr. Governor moved to approve Warrants #12152 thru #12173 electronic payments 445-2017 thru 463-2017 as general & payroll obligations of the Township in the amount of \$29,385.26. The Motion was seconded by Mr. Paloski. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2017-11-28-169

#### Super Blanket Certificate

Mr. Governor moved to approve one Super Blanket Certificate BC-43-2017 in the amount of \$400.00 to cover park utilities. The Motion was seconded by Mr. Paloski. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

**Trustees Comments:** Mr. Governor discussed holiday hours; when employees will be off and when the office will be closed. The Public Works Department will take the Friday before Christmas off. The office will close at 12 noon on the same day.

Mr. Paloski congratulated the Canfield Football Team for a 12-1 season and the Speech and Debate Team winning all six tournaments. Ms. Cartwright noted that the lighting of the green is this coming Friday night at 6:30pm and Santa will be in the Township Hall. We will be serving hot chocolate and cookies.

**Next Meeting Dates:** The next regular meeting of the Board will be on December 12 at 7pm and 29 at 8:30am. Ms. Cartwright noted that she meets with the city on December 4 for further discussion on the agreement and there may be a need for a special meeting. The Re-Organizational Meeting has been set for January 9 at 7pm to be followed by the regular meeting of the Board.

### ADJOURNMENT

With no further business before the Board, the Chairman Governor adjourned the meeting at 8:29pm.

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Mr. Brian W. Governor, Chairman

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Ms. Marie Izzo Cartwright, Trustee

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Mr. Joseph N. Paloski, Vice-Chairman

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Ms. Carmen I. Heasley, Fiscal Officer