

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES



Meeting held on September 10, 2019 at 7:00 P.M.

Canfield Township Trustees met in regular session in the Canfield Township Hall on Tuesday, September 10, 2019 at 7:00pm. Chairman Paloski 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 not intended to describe all conversations and testimony verbatim. Recordings are available for listening to in the Township Hall, and a copy may be obtained upon request from the Fiscal Officer.*

### PUBLIC PRESENTATION

Chester Kaschak of South Palmyra Road noted that the Board had approved ABC Water District to fund repairs to Fairway Drive, Pheasant Run and Cedar Park because of the floodwaters. Mr. Kaschak noted after driving Pheasant Run, in his opinion, it is normal wear and tear of the road. Cedar Park is in good condition and he realizes it is newer. Mr. Rogers noted that ABC Water and Stormwater District does not do road repairs explaining what ABC funds will cover with each project, the District covers anything involving stormwater. Ms. Cartwright noted that the Township has had an ongoing culvert replacement program for six years, doing several each year, noting we have many in the Township.

Also mentioned was the motel. Ms. Cartwright explained that this business is not following the rules, forcing the Township to file a court injunction against them.

Mrs. Eileen Novotny of Strawberry Fields addressed the stormwater issues, regarding brand-new homes in this development with water in their basements. Mr. Paloski noted a discussion with the zoning inspector and calls to the developer to discuss a trailer left in the field, drainage on the side of the property and the pond. Mr. Rogers noted having an appointment with Mr. Zuzik, the developer, and the zoning inspector. Mr. Ray Novotny stated that when he talks with Mr. Zuzik, he throws the Township under the bus, claiming that the drainage pipe under Summit Drive is not large enough to carry the flow of water away.

### ATTENDANCE ROLL CALL

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

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

**MINUTES:** Chairman Paloski requested corrections or additions to the regular meeting minutes of July 9, special regular meeting minutes of July 9 and July 16, 2019. The minutes with suggested changes incorporated were accepted.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Mr. Paloski asked about the paving program. Mr. Rogers does not have a beginning date yet.

Mr. Rogers provided information on the Electronic Recycling Event scheduled for September 28 at the Canfield Fairground thru gate 9 from 9am to 1pm. He has scheduled the wrestling team to help with the event.

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Mr. Rogers explained the \$500.00 MORE Grant. He would like to use it for additional road closer signage. Ms. Cartwright asked that he look into flashing lights.

Mr. Rogers requested attending the Safety Expo Conference in Columbus. Ms. Cartwright asked that he provide the information for the next meeting.

Ms. Cartwright asked about the motel issue. Mr. Rogers provided an update concerning the POD's and necessary procedures to remove them. Mr. Paloski moved to accept the administrator/road superintendent, public works and zoning reports as presented.

**FISCAL OFFICER'S REPORT:** Chairman Paloski called on the Fiscal Officer, Carmen I. Heasley, to present the financials. The Fiscal Officer reviewed warrants, electronic payments and purchase orders, noting that purchase order number 40-2019 is a Then and Now due to a delay in billing by the insurance company.

She provided the motion to accept the amounts and rates as determined by the Budget Commission in its certification to the Township. She also discussed budgetary increases as reported to the commission and provided the motion as such.

The Fiscal Officer explained that she understood that the MOU between the Township and the ABC Water and Stormwater District to cover the cost for engineering services for fifty-nine thousand dollars was approved back in October 2018, but instead was tabled and never brought before the Board again. Meanwhile, the Fiscal Officer provides a purchase order for the amount discussed in the motion and signed by the full Board, since it was the intent of the Board to pass the motion. ABC Water District billed the Township for work performed so far by CT Consultants of \$16,188.65. The Fiscal Officer paid the invoice since she had a fully executed purchase order on file. The Fiscal Officer suggested passing the motion today to comply with the required regulations for the purchase order and payment made to ABC Water and Stormwater District. Mr. Paloski moved to accept the report as presented.

### OLD BUSINESS

#### RESOLUTION 2019-09-10-142

#### Memorandum of Understanding with the ABC Water and Stormwater District

Ms. Cartwright moved to enter into a MOU with the ABC Water and Stormwater District as follows:  
*WHEREAS*, ABC is a public body governed by Chapter 6119 of the Ohio Revised Code and established to perform, among other things, various water resource projects related to potable water and storm water disposal and management in Austintown Township ("Austintown"), Boardman township ("Boardman") and Canfield Township ("Canfield") which are located in Mahoning County, Ohio; and,  
*WHEREAS*, ABC now wishes to procure certain engineering services from its engineering firm, CT consultants, Inc. which services relate to a potable water feasibility study for Canfield; and,  
*WHEREAS*, said engineering services are pursuant to an Engineering Agreement between CT Consultants, Inc., and ABC and said services are further described in "Task Order No. 1", which is attached hereto as "Exhibit A" to the agreement; and,  
*WHEREAS*, the costs for said engineering services for Canfield is fifty-nine thousand dollars (\$59,000); and,

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*WHEREAS*, Canfield wishes to advance to ABC funds sufficient to pay one hundred percent (100%) of costs for said engineering services, and any and all such additional sums as may be agreed upon by the parties in the future, in accordance with the terms stated herein, and with the intention that ABC will repay such loan to Canfield at such time as ABC is in receipt of adequate funds generated by its own operations and funding source; and,

*WHEREAS*, the Parties are authorized to enter into this Agreement pursuant to Ohio Revised Code Section 505.705, 6119.06(Q) and 9.482(B).

*NOW THEREFORE*, in consideration of the mutual promises and covenants each to the other made, and in consideration of other good and valuable consideration, Canfield and ABC do hereby promise, covenant and agree. Mr. Paloski seconded the Motion. Discussion: Full discussion is under the Fiscal Officers report on page 210 of these minutes. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2019-09-10-143**

#### **OPWC Emergency Funding for Project # CU11W**

Mr. Paloski moved to approve Foust Construction, Inc. as the best low qualified bidder for Emergency Repairs to Fairway Drive and Pheasant Run with a construction cost not to exceed \$79,698.00. The monies for this project will be as follows: the Township's portion is \$5,000, the Ohio Public Works Commission's Emergency Funding is \$50,000, and the ABC Water District will pay the engineering and stormwater infrastructure for the project not to exceed \$38,918. Mr. Governor seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2019-09-10-144**

#### **Rescind Resolution 2019-08-13-136**

Mr. Paloski moved to rescind Resolution 2019-08-13-136 - Bike Trail ~ Environmental Assessment. Mr. Governor seconded the Motion. Discussion: Mr. Paloski noted that rescinding this resolution will save the Township \$500. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2019-09-10-145**

#### **Bike Trail ~ Environmental Assessment**

Mr. Paloski moved to approve CT Consultants, Inc. to perform the wetland and ecological services for the proposed Robert H. Neff Memorial Bike Trail at a cost not to exceed \$6,600.00. Mr. Governor seconded the Motion. Discussion: The original vendor had not been given the notice to proceed and another quote was received saving the Township \$500.00. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### **RESOLUTION 2019-09-10-146**

#### **Union Agreement 2019-2022**

Mr. Governor moved to approve the agreement as presented between Canfield Township and the International Brotherhood of Teamsters Local 377- Effective May 1, 2019 through April 30, 2022. Ms. Cartwright seconded the Motion. Discussion: Mr. Governor noted that this is a fair contract for both parties. There are five copies of the contract to be signed this evening's meeting. Robin from Clemans Nelson & Associates will be filing the contract with SERB and providing a copy of the filing for our office files. Mr. Paloski thanked Mr. Governor for his work in completing this contract. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

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## RESOLUTION 2019-09-10-147

### Direct Deposit

Mr. Governor moved that effective October 1, 2019; all employees will be paid exclusively through electronic direct deposit on Thursday mornings (bi-weekly) and elected officials monthly to a bank account of their choice and in accordance with the Township's pay policy. Mr. Paloski seconded the Motion. Discussion: Mr. Governor noted that each employee needs to complete an authorization agreement for direct deposits and provide a voided check. Pay statements can be obtained via email or mailed to their home address on file. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

## NEW BUSINESS

### RESOLUTION 2019-09-10-148

#### Canfield Wrestling Team

Ms. Cartwright moved to approve a \$500.00 donation to the Canfield Wrestling Team, in exchange for their help during the Electronics Recycling event, which will be held Saturday, September 28, 2019 at the Canfield Fairgrounds. Mr. Governor seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2019-09-10-149

#### Repairs to Backhoe

Mr. Paloski moved to approve Lynn Welding & Equipment Repair, LLC to perform the necessary work to change the radiator, water pump, fan clutch and repair the throttle box at a cost not to exceed \$3,900.00. Mr. Governor seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2019-09-10-150

#### Warrants & Electronic Payments

Ms. Cartwright moved to approve Warrants #13463 thru #13508, electronic payments 329-2019 thru 372-2019 for a grand total of \$112,704.74 as general and payroll obligations of the Township. Mr. Paloski seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2019-09-10-151

#### Purchase Orders

Mr. Paloski moved to approve regular purchase orders PO 38-2019 thru PO 41-2019 for a total of \$49,993.00. Purchase order number 40-2019 is a Then and Now that is due to a delay by the insurance company billing the Township. Mr. Governor seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2019-09-10-152

#### RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR Revised Code Sections 5705.34-5705.35

Ms. Cartwright moved the adoption of the following Resolution to form:  
RESOLVED, By the Board of Trustees of Canfield Township, Mahoning County, Ohio, in accordance with the provisions of law has previously adopted a Tax Budget or has been granted the authority by the Mahoning County Budget Commission to waive this requirement for the next succeeding fiscal year commencing January 1, 2020; and

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WHEREAS, The Budget Commission of Mahoning County, Ohio, has certified its action thereon to this Board together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Board, and what part thereof is without, and what part within, the ten-mill limitation; therefore, be it

RESOLVED, By the Board of Trustees of Canfield Township, Mahoning County, Ohio, that the amounts and rates as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, that there be and is hereby levied on the tax duplicate of said Township the rate of each tax necessary to be levied within and without the ten-mill limitation. Mr. Governor seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

### RESOLUTION 2019-09-10-153

#### 2019 Budget Increase

Mr. Paloski moved to approve increasing the Public Works Issue 1 Projects Fund from \$116,514 to \$155,572 in both the revenues and appropriations. Revenue line #4401-941-0000 from \$5,000 to \$44,058. Appropriation line #4401-760-360-0000 from \$116,514 to \$155,572. Ms. Cartwright seconded the Motion. Roll Call: Mr. Paloski, yes; Ms. Cartwright, yes; Mr. Governor, yes. Motion carried 3 to 0.

**Trustees Comments:** Mr. Governor reported on the meeting of the Millennial Moments JEDD on August 26 electing Sam Pipino as chair and is the Township resident on the board, but the term length is in question. Ms. Cartwright reported on the Canfield Community JEDD – she plans to contact Attorney Mathews since the agreement needs amended.

Mr. Governor reported the completion of the document retention forms RC1 and RC2 are signed and the six-month clock will start for final disposal.

Mr. Governor reported on the coyote sightings in the Township suggesting to call the Mahoning County Game Warden.

Mr. Paloski acknowledged the 18th anniversary of 9/11 tomorrow, in remembrance and to honor the victims, held a moment of silence.

**Next Meeting Dates:** The Board will hold regular Board meetings on Tuesday, October 8 and October 22 at 7:00pm. A special regular meeting is set for Wednesday, September 18 at 8am and Friday, September 20 at 8:00am to discuss the budget and conduct employee evaluations.

### ADJOURNMENT

With no further business before the Board, Chairman Paloski adjourned the meeting at 8:10 pm.

Mr. Joseph N. Paloski, Chairman

Mr. Brian W. Governor, Vice-Chairman

Ms. Marie Izzo Cartwright, Trustee

Ms. Carmen I. Heasley, Fiscal Officer

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