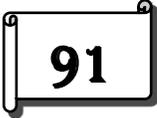

RECORD OF PROCEEDINGS

MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES



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Meeting held on September 8, 2020 at 7:00 P.M.

Canfield Township Trustees held a special regular meeting in the Canfield Township Hall on Monday, September 8, 2020. The meeting was opened at 7:00pm by Chairman Brian Governor. The legal advertisement for this meeting ran in *The Vindicator an edition of the Tribune Chronicle* on September 5, 2020 as required by the Ohio Sunshine Law.

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 of most meetings are available for listening to in the Township Hall, and a copy may be obtained upon request from the Fiscal Officer.

PUBLIC PRESENTATION

Mr. Troy Rhoades of 539 Greenmont Drive, with First Energy advised the Township Trustees that they do not allow political or business signs to be attached to their utility poles. He noted that in some cases, their utility poles are confused with AT&T's.

Mr. John Saunders of 5138 Leffingwell shared his concerns on the workmanship performed to the creek next to his home, by the County.

ATTENDANCE ROLL CALL

The Chairman requested that Denise M. Joseph, Fiscal Officer, call the attendance roll:

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

Also present was Township Administrator / Road Superintendent Keith Rogers.

MINUTES: There were no minutes to approve at this meeting.

ADMINISTRATOR/ROAD SUPERINTENDENT REPORT: Mr. Governor requested a paving update for this year. Mr. Rogers stated that today, milling took place on Cedar Park and Pheasant Run, followed by Sugarbush tomorrow then paving will start weather permitting. Mr. Governor requested confirmation on paving a small portion of Gibson; understanding that OPWC money cannot be used. Mr. Rogers stated that if all the paving goes according to plan there could be \$14,524.33 of local share remaining which could be used on Gibson for a one inch patch costing \$11,787.90 leaving \$2,736.43.

Additionally the Board discussed the permissive, revenue and appropriation accounts and discussed scheduling a Budget meeting.

Mr. Rogers discussed the 2021 OPWC Paving program totaling \$150,000; the Township's local share of 68% totals \$102,000. Streets to possibly pave; South end of Catawba which connects to Indian Run, \$20,556.05 – 600' of Indian Run heading North; St. Andrews Court top of hill cul-de-sac 123' across and 618' of the roadway out to the stop sign at \$42,417.25; Jamison Place which is 568' long with a cul-de-sac 75' across at \$23,769.60; all of Westington at 1,184' with 2 intersections at

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on September 8, 2020 at 7:00 P.M.

\$41,977.70, totaling \$128,720; also looking at 1" patch from the culvert on St. Andrews up the hill through a shaded area where the road is torn apart at \$8,558.40; with a Grand total of \$137,279. The application has to be submitted by October 5, 2020. Further discussion followed.

Ms. Cartwright questioned why the County isn't paving Raccoon from St. Rte. 224 to Leffingwell this year. Mr. Rogers stated he was told it will be completed early 2021, no explanation was given. Mr. Rogers stated that he had a conversation with Dr. Awad who believes the cul-de-sac on Cedar Park is the Township's responsibility to repave, however it is not a part of a platted subdivision and not the Township's responsibility.

Mr. Governor mentioned the private road agreement concerning the Millennial Moments JEDD, and that the JEDD Board is meeting tomorrow September 9, at 9:00am, noting Mr. Rogers and he will attend.

Mr. Paloski questioned the Bike Trail and whether it's moving forward. Mr. Rogers stated the Capital Budget for 2021 was used for COVID-19; but he'll apply again in 2022 and ask for extensions for the Grants already awarded to the Township. Additionally he has reached out to Senator Michael Rulli and Congressman Bill Johnson to see if any federal money is available.

Public Works Report: Mr. Governor mentioned that SealMaster approached Bob Burkett, Assistant Road Superintendent about trying out a new sealcoat on a Township road. Mr. Rogers stated it would cost the Township \$4,000 and they would do a quarter-mile stretch of road, Edenrock. The Board agreed to revisit at the next Budget meeting.

Mr. Rogers called the Township Insurance Company to report a claim on the person who went through 16 feet of chain link fence and over an embankment on St. Andrews with repair cost totaling \$1,165.

The Board agreed to again advertise on Indeed for a part-time maintenance worker for the PWD.

ZONING REPORT: Mr. Governor asked the Board if there were any other comments for the Nuisance Structure Resolution, everything is good to go.

Mr. Governor moved to accept the Administrator/Road Superintendent, Public Works and Zoning Reports as presented.

FISCAL OFFICER'S REPORT:

OLD BUSINESS

RESOLUTION 2020-09-08-125

Donation War Veteran's Museum

Mr. Governor moved to approve the donation of \$850.00 as requested by Mr. Doug Speece, President of the Board of Directors doing business for the War Veteran's Museum, to help with the cost of the Wall of Honor Plaque for the 2020 Memorial Day Service. This donation will come

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MINUTES OF THE

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Meeting held on September 8, 2020 at 7:00 P.M.

from the General Fund, Contributions to other Organizations. Ms. Cartwright seconded the motion. Roll Call: Mr. Paloski, abstained; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 2 to 0.

NEW BUSINESS/RESOLUTIONS

RESOLUTION 2020-09-08-126

Road Fund Reallocation, Within the Road Fund, for the Saw Purchase

Mr. Governor moved to approve the reallocation of funds within the Road Fund to cover the purchase of one concrete saw from Power Tool and Supply. Reallocate \$1,714.97 from line #2141-330-381-0000 (Property Insurance Premiums) and \$694.36 from line #2141-330-382-0000 (Liability Insurance Premiums) for a total of \$2,409.33 to #2141-760-740-0000 (Machinery, Equipment and Furniture). Mr. Paloski seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-127

Reallocation of Funds, Within the General Fund, for the Handicap Ramp and Drainage Improvement Project

Mr. Governor moved to approve the reallocation of funds within the General Fund to cover the Handicap Ramp and Drainage Improvements Project. Line #1000-760-730-0000 (Improvement of Site) needs a total of \$75,000 to cover the project with a present balance of \$5,000. Move \$1,232.97 from line #1000-110-381-0000 (Property Insurance Premiums), \$628.00 from line #1000-110-382-0000 (Liability Insurance Premiums) and \$68,139.03 from #1000-930-930-0000 (Contingencies) for a total of \$70,000.00 to line #1000-760-730-0000 (Improvement of Site) that will bring the total to \$75,000. Ms. Cartwright seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-128

Advance from the General Fund to the Permissive Fund

Mr. Governor moved to approve the advance from the General Fund to the Permissive Fund so that payment for the paving program can be made when the invoice is available. The present balance in the Permissive Fund is \$132,844.14. \$137,270.47 has been encumbered for this program; therefore, the fund is short \$19,155.86. I move to approve advancing \$20,000.00 from the General Fund to the Permissive Fund. A resolution will be passed to move funds back to the General Fund when the funds are available that will happen before the end of 2020. Ms. Cartwright seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-129

Warrants & Electronic Payments

Ms. Cartwright moved to approve Warrants #14015 through #14081, electronic payments 445 -2020 thru 510-2020 for a grand total of \$114,726.99 as general & payroll obligations of the Township. Mr. Governor seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-130

American Legion Post #177

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Meeting held on September 8, 2020 at 7:00 P.M.

Mr. Paloski moved to approve a donation of \$132.00 as requested by Mr. Mike Kubitza, Commander of the American Legion Post #177 as part of this past year's Memorial Day event to help defer the cost of the insurance for the day's festivities. This donation will come from the General Fund, Contributions to other Organizations Mr. Governor seconded the motion. Discussion: Both the City and the Township share in the cost of the insurance and the Township's portion is the \$132.00. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-131

Concrete Saw Equipment Purchase

Ms. Cartwright moved to approve the purchase of a 20" concrete saw from Power Tool and Supply Co., Inc. of Youngstown, Ohio at a cost not to exceed \$2,409.33. The funds will come from the Public Works Fund, Machinery, Equipment and Furniture. Mr. Governor seconded the motion. Discussion: This saw will allow the Public Works Department to make more accurate cuts in driveway approaches during storm sewer repairs and deeper saw cuts when making repairs to curb and gutter projects, which overall will reduce damage to areas outside the intended work lowering the costs to projects. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-132

Financial Assistance Summit Road Ditch Project

Mr. Paloski moved to request financial assistance from the ABC Water and Stormwater District for all costs associated with the cleaning of the Summit Road Ditch Project in the amount of \$4,976.00. Mr. Governor seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-133

Handicap Ramp and Drainage Improvement

Ms. Cartwright moved to approve CT Consultants to perform all aspects of the design, bidding process, and inspection for the Township Hall Handicap Ramp and Drainage Improvement Project at a cost not to exceed \$10,590.00. The funds are part of the agreement with the Mahoning County Commissioners through the Office of Management and Budget, Special Projects Program. Mr. Governor seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-134

Advertise a Public Works Department Part-Time Position

Mr. Paloski moved to advertise on indeed.com for the position of part-time Public Works department employee. The ad will run for two weeks at cost not to exceed \$210. Mr. Governor seconded the Motion. Discussion: The indeed.com advertisement will be on the Township Credit Card. This posting continues to be on the Township website. This will be the third time we have advertised. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on September 8, 2020 at 7:00 P.M.

RESOLUTION 2020-9-08-135

2021 OPWC Paving Project

Ms. Cartwright moved to approve 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. 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, Canfield Township is planning to make capital improvements to qualified Township Roads through the 2021 Township Paving program, Whereas 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 Canfield Township: 1: The Board of Trustees Chairman is hereby authorized to apply to the OPWC for funds as described above. Section 2: The Board of Trustees Chairman is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance. Mr. Paloski seconded he motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-136

RESOLUTION OF THE BOARD OF TRUSTEES CANFIELD TOWNSHIP, MAHONING COUNTY, OHIO FOR NUISANCE STRUCTURES

Ms. Cartwright moved approve at a duly held meeting of the Board of Trustees of Canfield Township, Mahoning County, Ohio, held on September 8, 2020, at 21 S. Broad Street, Canfield, Ohio the following Nuisance Structure Abatement Resolution was adopted.

WHEREAS, pursuant to Ohio Revised Code 505.86, a board of township trustees, by resolution , may provide for the removal, repair , or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by any fire department under contract with the township or by the county building department or other authority responsible under Chapter 378 I. of the Revised Code for the enforcement of building regulations or the performance of building inspections in the township, or buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which the township is a part.

WHEREAS, it is the desire of the Canfield Township Board of Trustees to adopt a resolution pursuant to Ohio Revised Code 505.86 to provide for the removal, removal, repair, or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective or that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the board of health of the general health district of which Canfield Township is a part.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Trustees of Canfield Township, Mahoning County, Ohio, under the authority of R.C. 505.86 that the following policy is adopted:

1. As used in this Resolution:
 - a. "Party in interest" means an owner of record of the real property on which the building or structure is located, and includes a holder of a legal or equitable lien of record on the real property or the building or other structure.

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on September 8, 2020 at 7:00 P.M.

- b. "Total cost" means any costs incurred due to the use of employees, materials, or equipment of the township, any costs arising out of contracts for labor, materials, or equipment, and costs of service of notice or publication required under this section.
2. The Canfield Township Board of Trustees, by resolution, may provide for the removal, repair, or securance of buildings or other structures in the township that have been declared insecure, unsafe, or structurally defective by the Canfield Joint Fire District or the Mahoning County Building Department, or buildings or other structures that have been declared to be in a condition dangerous to life or health, or unfit for human habitation by the Mahoning County Board of Health.

A declaration by the Cardinal Joint Fire District, the Mahoning County Building Department or the Mahoning County Health Department that a building or structure may be insecure, unsafe or structurally defective, or is in a condition dangerous to life or health, or unfit for human habitation, must contain photographs and supporting documentation.

3. At least thirty days before the removal, repair, or securance of any insecure, un safe, or structurally defective building or other structure, the Board of Trustees shall give notice by certified mail, return receipt requested, to each party in interest of its intention with respect to the removal, repair, or securance of an insecure, unsafe, or structurally defective or unfit building or other structure. If the address of a party in interest is unknown and cannot reasonably be obtained, it is sufficient to publish the notice once in a newspaper of general circulation in the Township.
4. The notice shall include a statement informing the patties in interest that each party in interest is entitled to a hearing if the patty in interest requests a hearing in writing within twenty days after the notice was mailed. The written request for a hearing shall be made to the Canfield Township Fiscal Officer.
5. If a party in interest timely requests a hearing, the Board shall set the date, time, and place for the hearing and notify the party in interest by certified mail, return receipt requested. The date set for the hearing shall be within fifteen days, but not earlier than seven days, after the party in interest has requested a hearing, unless otherwise agreed to by both the Board and the patty in interest. The hearing shall be recorded by stenographic or electronic means.
6. The Board shall make an order deciding the matter not later than thirty days after a hearing, or not later than thirty days after mailing notice to the parties in interest if no party in interest requested a hearing. The order may dismiss the matter or direct the removal, repair, or securance of the building or other structure. At any time, a patty in interest may consent to an order.
7. A party in interest who requested and participated in a hearing, and who is adversely affected by the order of the Board, may appeal the order under section 2506.01 of the Revised Code.
8. At any time, a patty in interest may enter into an agreement with the Board of Trustees to perform the removal, repair, or securance of the insecure, unsafe, or structurally defective or unfit building or other structure.
9. If an emergency exists, as determined by the Board, notice may be given other than by certified

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on September 8, 2020 at 7:00 P.M.

mail and less than thirty days before the removal, repair, or securance. The total cost of removing, repairing, or securing buildings or other structures that have been declared insecure, unsafe , structurally defective, or unfit for human habitation, or of making emergency corrections of hazardous conditions, when approved by the Board, shall be paid out of the Township General Fund from moneys not otherwise appropriated, except that, if the costs incurred exceed five hundred dollars, the Board may borrow moneys from a financial institution to pay for the costs in whole or in part.

10. The total cost may be collected by either of the following methods:

- a. The Board may have the Township Fiscal Officer certify the total costs, together with a proper description of the lands to the Mahoning County Auditor who shall place the costs upon the tax duplicate. The costs are a lien upon the lands from and after the date of entry.
- b. The Board may commence a civil action to recover the total costs from the owner of record of the real property on which the building or structure is located.

11. The Board of Trustees may, whenever a policy or policies of insurance are in force providing coverage against the peril of fire on a building or structure and the loss agreed to between the named insured or insureds and the company or companies is more than five thousand dollars and equals or exceeds sixty per cent of the aggregate limits of liability on all fire policies covering the building or structure on the property, accept security payments and follow the procedures of divisions (C) and (D) of section 3929.86 of the Revised Code. Mr. Governor seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-137

Purchase Orders

Mr. Governor moved to approve Purchase Orders 31-2020, 32-2020, 34-2020 and 35-2020 for a grand total of \$270,066.46. Mr. Paloski seconded he motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

RESOLUTION 2020-09-08-138

Purchase Orders

Mr. Governor moved to approve Blanket Certificates 36-2020 and 37-2020 for a grand total of \$12,999.33. Ms. Cartwright seconded he motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0.

Trustee Comments: Mr. Governor reported that at a recent MCTA meeting it was decided that there will be no in person events for the remainder of 2020. The plan is to have a first in person gathering in March of 2021 with Canfield being the host.

RESOLUTION 2020-09-08-139

Executive Session

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MINUTES OF THE

BOARD OF CANFIELD TOWNSHIP TRUSTEES

Meeting held on September 8, 2020 at 7:00 P.M.

In accordance with ORC 121.22 Mr. Governor moved to adjourn into executive session at 9:07pm specifically for: G3- Consider the demotion of a Township Official and G6- To discuss security arrangements of the Township. Mr. Paloski seconded the motion. Roll Call: Mr. Paloski, yes; Mr. Governor, yes; Ms. Cartwright, yes. Motion carried 3 to 0. The Board re-entered Public Session at 9:36pm.

Next Meeting Date: There will be a Special Budget Meeting on September 18 at 8:30am. The next regular meetings are scheduled October 13 and 27, 2020 at 7:00pm. Meetings are scheduled to be at the Township Hall but could be changed to a virtual meeting, however, they will be advertised appropriately.

ADJOURNMENT

With no further business before the Board, Chairman Governor adjourned the meeting at 9:39pm.

Mr. Brian W. Governor, Chairman

Mr. Joseph N. Paloski, Vice-Chairman

Ms. Marie Izzo Cartwright, Trustee

Mrs. Denise M. Joseph, Fiscal Officer

Minutes prepared by:

Cindy Williams

Administrative Assistant to the Board of Trustees