

# RECORD OF PROCEEDINGS

MINUTES OF THE

## BOARD OF CANFIELD TOWNSHIP TRUSTEES

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Meeting held on February 11, 2014 at 7:00 P.M.

Canfield Township Trustees met in Regular Session in the Canfield Township Hall, on Tuesday, February 11, 2014 at 7:00 P M. Chairman Maszczak opened the meeting with the Pledge of Allegiance. There were three residents 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.*

### PUBLIC PRESENTATION

Mr. Bienko of Jamison Place questioned the issue of the nursing home/annexation, noting that he thought that the ABC Water District was created to protect us from this happening. Mr. Bienko noted that in light of our very positive cash position, the township should stand its ground and fund the utilities with relief via ABC fund raising via the Equivalent Residential Unit, ERU, which is long in coming. Balance of his statement is on file for viewing. Mr. Maszczak stated that these are issues that this Board is addressing in the best interest of the Township. Ms. Cartwright noted that we do have a water district, but not a sanitary district that would take years to accomplish. Mr. Bienko complimented the Public Works Department for the work on keeping our roads in excellent condition during this difficult season.

### 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 or additions to the minutes of the Reorganizational Meeting of January 7, the Regular Meeting of January 7 and the Special Meeting of January 21. Minutes were approved as presented.

**THE ZONING REPORT:** Chairman Maszczak requested questions or comments on the Zoning report. Ms. Cartwright mentioned case 14-05-BA, stating that the information of what they are hearing is noted but doesn't say who is requesting this hearing. She's requesting that this information be provided on all cases to the Board. Ms. Cartwright also asked for clarification on Westbury. The report was accepted as presented.

**ADMINISTRATOR/ROAD SUPERINTENDENT REPORT:** Chairman Maszczak requested questions or comments on the Administrator/Road Superintendent's report. Ms. Cartwright asked about the workshop on March 12 in Richfield, noting that she sees no reason why it wouldn't be approved and that a resolution isn't necessary. The Fiscal Officer noted that the auditors look at the minutes to make sure that the Board had knowledge and approved it. Ms. Cartwright noted that stating it here, that she sees no problem with him going since it would be on the record. Mr. Maszczak noted for the record that he had no objections.

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Ms. Cartwright stated that there has been discussion of having a workshop to discuss the Park, noting information that she requested from Mr. Rogers should be gathered for that workshop.

Mr. Rogers noted that he has requested an estimate from York Mahoning concerning the Fire Station. Mr. Rogers explained what has happened since the waterline break at Fire Station II. ServiceMASTER Clean has offered to donate their cleaning services at a cost of \$963.74. Fiscal Officer noted that she must have an invoice to properly process the donation through the books. Mr. Rogers has the invoice and will provide it.

Price, minutes and cell phone equipment along with additional computers for Board use were discussed. Ms. Cartwright requested additional information before passing a resolution that may not be accurate.

Ms. Cartwright asked Mr. Rogers to put together a report that shows the present amount of salt in our dome and the contingency plan to deal with shortages. Ms. Cartwright noted that she had discussion with the City Manager, since they were running low on salt, and that they have a contingency plan with ODOT and she recommended the same to Mr. Rogers. 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, electronic/charge payments. Fiscal Officer suggested amount to transfer funds to Star Ohio Plus. Fiscal Officer reported that the balance for the Park loan with Farmers National bank having a payment due on 3/31/3013 is \$360,063.13.

Fiscal Officer reported that on December 3, 2013, Mr. David Kouass applied for a zoning permit for a total cost of \$3,680.00. The plans fell thru, so on February 4, 2014 he requested another permit for a different property and contractor, but the same plans at the same cost. Mr. Morrison reissued the permit at no additional charge to Mr. Kouass. The Board doesn't see any problems with the reissue of this permit at zero cost to Mr. Kouass. The report was accepted as presented.

### UNFINISHED BUSINESS

#### RESOLUTION 2014-02-11-36

#### Rescind Property Appraisal Services

Mr. Maszczak moved to rescind RESOLUTION 2013-10-08-181 -Property Appraisal Services, since All Ohio Title and Escrow LLC is unable to perform this appraisal at this time. The Motion was seconded by Ms. Cartwright. Roll call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-02-11-37

#### Property Appraisal Services

Mr. Maszczak moved to approve the appraisal of property in Canfield Township by Gary L. Tharp and Associates, Inc., in the amount not to exceed \$1,000 for the prospective purchase of land. The Motion was seconded by Ms. Cartwright. Discussion: Mr. Governor noted that he understands that we are looking to purchase land, but he knows little about it, but will agree at this time, because he understands the necessity. Ms. Cartwright estimates time to be about 2 ½ weeks for the appraisal. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

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### NEW BUSINESS

#### RESOLUTION 2014-02-11-38

##### Warrant & Electronic Payments

Ms. Cartwright moved to approve Warrants #9336 thru #9370, electronic payments and charges 21-2014 thru 39-2014 as general & payroll obligations of the Township in the amount of \$101,593.46. The Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-02-11-39

##### Move Funds to Star Ohio Plus

Mr. Maszczak moved to approve the transfer of \$900,000 from the Township's primary checking account at Farmers National Bank to Star Ohio Plus, a cash management program that provides Ohio political subdivisions with access to hundreds of FDIC insured banks via one convenient account, offering participants full FDIC insurance up to \$15 million per account. Fiscal Officer will move the funds week of February 17. The Motion was seconded by Ms. Cartwright. Discussion: Fiscal Officer noted that the funds will remain liquid while with Star Ohio Plus, but should allow about one week to transfer funds back to Farmers. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-02-11-40

##### Spring Replacement to Truck 296

Ms. Cartwright moved to approve the replacement of the front leaf springs for Truck 296 at a cost of \$1040.60 by Emch Spring. Motion seconded by Mr. Maszczak. Discussion: Ms. Cartwright explained that due to the emergency nature of this repair, she approved these repairs immediately. All costs will be paid from super blanket certificate #01-2014. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

#### RESOLUTION 2014-02-11-41

##### Local Government Conference

Mr. Maszczak moved to approve the Elected Officials to attend the 15<sup>th</sup> Annual Local Government Officials' Conference in Columbus on March 5 - 6, 2014, with the Township paying for all Conference related expenses per the Township's travel policy. Motion seconded by Ms. Cartwright. Discussion: Mr. Cartwright noted that we may have expenses starting from March 4 for this conference, since some classes start at 8am on March 5. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0

#### RESOLUTION 2014-02-11-42

##### 2014 Parkland Lawn Maintenance

Ms. Cartwright moved to approve the advertisement in the Youngstown *Vindicator's* Legal Notices and begin the bidding process for the 2014 Lawn Maintenance for the Township Parkland. Bid packets will be available from February 23<sup>rd</sup> through March 10<sup>th</sup> with a bid opening on March 10<sup>th</sup> at 10:35 a.m. The low bidding, qualified contractor/contractors will be announced at the March 11<sup>th</sup> meeting. The Motion was seconded by Mr. Maszczak. Discussion: Mr. Governor asked if this includes fertilization at the Park.

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Mr. Rogers explained the three part bidding process where contractors can bid on part or all. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0.

### RESOLUTION 2014-02-11-43

#### 2014 Nuisance Property Contractors

Mr. Maszczak moved to advertise in the Youngstown *Vindicator's* Legal Notices for the lawn and maintenance and/or other related contractors to serve on a pre-established bidder's list to provide lawn mowing, weed removal and other cleanup as needed for properties located in Canfield Township deemed to be nuisance as provided by ORC 505.87 and giving authority to the Township to remedy said matters. Motion seconded by Ms. Cartwright. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0

### RESOLUTION 2014-02-11-44

#### Donation of Services

Ms. Cartwright move to accept a donation of \$963.74 from ServiceMASTER Clean, the amount it would have charged for the cleaning service it provided at the Cardinal Joint Fire District's Station II after a waterline break. The Motion was seconded by Mr. Maszczak. Discussion: Ms. Cartwright noted that the Ohio Revised Code Section 505.10 provides that a Board of Township Trustees may accept, on behalf of the township, the donation by bequest, devise, deed of gift, or otherwise, of any real or personal property for any township use. Furthermore, Ohio Revised Code Section 9.20 addresses gifts, devises, and bequests to public authorities. Specifically, that section states that a township may receive by gift, devise, or bequest moneys, land, or other properties, for their benefit of any of those under charge and may hold and apply the moneys, lands, or properties according to the terms of the gift, devise, or bequest. The Fiscal Officer noted that the Fire Fund is a restricted fund that receives all funds through property taxes only. She asked if the Board had any problems with running this transaction thru the General Fund. Ms. Cartwright amended the Motion to read: to accept a donation of \$963.74 from ServiceMASTER Clean, to the Township the amount it would have charged for the cleaning service it provided at the Cardinal Joint Fire District's Station II. The amended Motion was seconded by Mr. Maszczak. Roll Call: Mr. Governor, yes; Ms. Cartwright; yes Mr. Maszczak, yes. Motion carried 3 to 0

**Trustee Comments:** Mr. Maszczak mentioned again the wonderful work performed by the Public Works Department and Mr. Rogers as mentioned by Mr. Bienko during these record snow falls, noting that we have gotten a lot of good feedback from the public...the Township and residents are grateful.

Ms. Cartwright asked that the Trustees check their calendars to set up workshops for the Budget, Park, Policy & Procedures and Website. A Budget Workshop was set for February 19, 2014 at 2pm and the Park Workshop for March 12, 2014 at 2pm. Mr. Maszczak suggested waiting to schedule the other workshops. Ms. Cartwright suggested contacting our attorney about policies on cell-phones and electronic equipment since we are purchasing laptops.

Mr. Governor stated that since we are holding off on scheduling the web-site workshop, he noted that the site needs updated. Ms. Cartwright noted that Taylor Clark Consulting has a list. Fiscal Officer noted that she reviewed passed resolutions involving the web-site and was unable to locate authorization for further payment to Taylor Clark Consulting. Ms. Cartwright noted that we have a contract with Taylor Clark. Fiscal Officer explained that she found no mention of this contract in the minutes. She sent out an

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email that shows all actions of the Board and she was unable to locate any authorization to continue the work. Ms. Cartwright noted that he is fulfilling his contract.

Mr. Governor stated that we have paid out \$4,350.00 and as a resident he was unable to find it. Ms. Cartwright stated that unfortunately the address isn't the best address, but there was a website. Ms. Cartwright noted that it took nine months to locate the web address. Mr. Governor asked Mr. Rogers if he knew how to make changes to the website and Ms. Cartwright answered that he does not, we have not been shown that...Tyler Clark is doing that.

### ADJOURNMENT

Chairman adjourned the meeting at 7:48pm. The next regular meeting of the Board shall be held on February 25, 2014 at 7:00 pm.

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Mr. Stephen M. Maszczak, Chairman

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Ms. Marie Izzo Cartwright, Vice-Chairman

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Mr. Brian Governor, Trustee

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Mrs. Carmen I. Heasley, Fiscal Officer

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