

AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO
82 OHLTOWN ROAD
AUSTINTOWN, OH 44515

REGULAR MEETING OF AUGUST 24, 2015

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday, August 24, 2015, at Town Hall, 82 Ohltown Road, Austintown, Ohio.

The meeting opened at 12:00 P.M. with a salute to the flag led by Chairperson James C. Davis. Roll Call was as follows: Mr. Davis, present; Mr. Carano, present; and Mr. Stauffer, present.

Mr. Davis introduced the Board Members, Department Heads, and Sergeant at Arms.

RESOLUTION #15-08-24-01: Motion by Mr. Stauffer to approve Minutes of the Regular Meeting of August 10, 2015. Mr. Carano seconded the motion. Roll Call: Mr. Carano, yes; and Mr. Stauffer, yes; and Mr. Davis, yes.

DEPARTMENT BUSINESS

ROAD DEPARTMENT

POLICE DEPARTMENT

FIRE DEPARTMENT

ZONING DEPARTMENT

RESOLUTION #15-08-24-02: Motion by Mr. Carano to find the following motor vehicles meet all of the following criteria: 1) Three model years or older; 2) Apparently inoperable; and 3) extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission and to declare the following vehicles public nuisances under Ohio Revised Code 505.871 and order the removal of the junk vehicle within 14 days after noticed is served to the property owner:

445 Forest Hill Drive: An inoperable blue Saturn with an expired license plate (EYX 4609) parked in an exposed manner within the driveway.

Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #15-08-24-03: Motion by Mr. Stauffer to approve the following:

RESOLUTION

The **Board of Trustees of Austintown Township, Mahoning County, Ohio**, meeting on **Monday, August 24, 2015**, did adopt the following Resolution:

WHEREAS: The Board of Trustees of Austintown Township has determined that the following properties constitute a nuisance pursuant to Ohio Revised Code 505.87:

163 North Beverly Ave
Parcel No. 48-025-0-179.000
High grass and weeds;

208 North Beverly Avenue
Parcel No. 48-024-0-150.000
High grass and weeds in rear yard;

55 North Beverly Avenue
Parcel No. 48-025-0-216.000
High grass and weeds with tree branches in yard area;

3614 Canfield Road
Parcel No. 48-001-0-020.000
Junk and debris in yard area (broken glass, alum windows, truck cap, scrape wood and scrape wooden bench) front window has no glass Must be secured;

5616 Cider Mill Crossing
Parcel No. 48-120-0-174.000
High grass and weeds;

95 North Edgehill
Parcel No. 48-025-0-342.000
High grass and weeds;

3065 Evelyn Road
Parcel No. 48-074-0-065.000
In-ground pool inoperable with stagnate water that must be maintained or water removed;

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**4285 Kerry Brook Drive
Parcel No. 48-108-0-334.000
Wood and debris on driveway and rear yard;**

**4270 Maureen Drive
Parcel No. 48-108-0-028.000
High grass and weeds and fallen branches in rear yard;**

**164 South Meridian Road
Parcel No. 48-010-0-001.000
Junk and debris throughout property with used tires;**

**168 South Meridian Road
Parcel No. 48-010-0-078.000
Junk and debris, Metal cans, wooden pallets, used tires;**

**1410 South Meridian Road
Parcel No. 48-007-0-017.000
Junk and debris in yard area and pile of dead tree branches;**

**1506 South Meridian Road
Parcel No. 48-007-0-014.000
Used tires in front yard area;**

**2550 South Meridian Road
Parcel No. 48-004-0-169.000
High grass and weeds;**

**2574 South Meridian Road
Parcel No. 48-004-0-168.000
High grass and weeds;**

**2658 South Meridian Road
Parcel No. 48-004-0-162.000
High grass and weeds;**

**North Meridian Road
Parcel No. 48-033-0-001.000
High grass and weeds along fence and property**

**46 North Meridian Road
Parcel No. 48-023-0-148.000
Pile of dead branches on north side of building, high grass and weeds;**

**168 North Meridian Road
Parcel No. 48-023-0-216.000**

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Chain link fence along roadway damaged need of repair, repair or remove;

280 North Meridian Road

Parcel No. 48-046-0-014.000

High grass and weeds along north side of parking lot fence

340 North Meridian Road

Parcel No. 48-046-0-019.020

High grass and weeds on south side of building;

702 North Meridian Road

Parcel No. 48-036-0-034.000

High grass and weeds and Junk and debris throughout property;

4941 Norquest Blvd.

Parcel No. 48-032-0-022.000

High grass and weeds;

5339 Norquest Blvd.

Parcel No. 48-031-0-030.000, 48-031-0-031.000

High grass and weeds with piles of dead branches on driveway;

1116 Ohltown Road

Parcel No. 48-047-0-024.000

High grass and weeds with junk and debris throughout yard.

In rear yard a glass greenhouse in deplorable condition repair or remove;

3440 Orchard Hill Drive

Parcel No. 48-113-0-052.000

Junk and debris on driveway and on Northside of home;

27 Placid Blvd.

Parcel No. 48-027-0-222.000

High grass and weeds;

110 North Roanoke Ave

Parcel No. 48-025-0-244.000

High grass and weeds;

119 North Roanoke Ave

Parcel No. 48-025-0-273.000

High grass and weeds;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Austintown Township that the above constitutes a nuisance and the property owners are hereby **ORDERED** to abate, control, or remove said nuisances:

If said nuisances is not abated, controlled or provision for its abatement, control, or removal is not made within **SEVEN (7) DAYS** from the below date of adoption, the **BOARD OF TRUSTEES** will provide for the abatement, control, or removal, and any expenses incurred - **\$500 minimum** - by the Board of Trustees in performing that task will be entered upon the tax duplicate and will be a lien upon the land from the date of entry.

Mr. Carano seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

PARK DEPARTMENT

Park Supervisor Todd Shaffer announced there will be a **FREE Concert** in the Park with “Train Wreck” performing Friday September 11, 2015 starting at 7:00 P.M.

SENIOR CENTER

ADVANCES

RESOLUTION #15-08-24-04: Motion by Mr. Carano to approve **ADVANCES** from the General Fund (1000) to: \$50,000.00 to Communications (6002) and \$50,000.00 to MVLETF Drug Law. Mr. Stauffer seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

TRANSFERS

RESOLUTION #15-08-24-05: Motion by Mr. Carano to approve **TRANSFERS** from the General Fund (1000) to: \$13,785.04 to Communications Equipment (4901). Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

NEW BUSINESS

RESOLUTION #15-08-24-06: Motion by Mr. Stauffer to **INCREASE** appropriations in the Law Enforcement Trust Fund (2261) from \$13,000.00 to \$17,500.00. Mr. Carano seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

RESOLUTION #15-08-24-07: Motion by Mr. Stauffer pursuant to ORC 505.10 the Board finds that the below listed items of property, are not needed for public use, are obsolete, or are unfit for the use for which it was acquired and the fair market value of each is in **excess** of \$2,500 so that the property shall be sold by public auction: 2011 Ford Crown Victoria with 104,634 miles; 2011 Ford Crown Victoria with 109,217 miles

Mr. Carano seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

RESOLUTION #15-08-24-08: Motion by Mr. Carano to approve the sale of the below listed items of personal property, including equipment, furniture, tools, or supplies that are not needed for public use, are obsolete, or are unfit for the use for which it was acquired and the fair market value of each is \$2,500 or less: Old lockers, tables, chairs, a sweeper, microwave oven, old hose rack, file cabinet, old weed eater, 7HP Snapper, and an 18HP Snapper. Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes and Mr. Carano, yes.

RESOLUTION #15-08-24-09: Motion by Mr. Stauffer pursuant to Ohio Revised Code 505.10 the Board finds that the below listed items of property are not needed for public use, are obsolete, or are unfit for the use for which it was acquired and the fair market value of each is \$2,500 or less: Dell Laser Printer 1720dn, HP Color Laser Jet Printer 2605dn, Sony AM/FM Stereo Cassette-Recorder CFS-300, and a Magnavox TV-VCR. Mr. Carano seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

RESOLUTION #15-08-24-10: Motion by Mr. Stauffer pursuant to Ohio Revised Code 505.10 the Board finds that the below listed items of property are not needed for public use, are obsolete, or are unfit for the use for which it was acquired and the fair market value of each item listed is \$2,500 or less and will be donated to the Mahoning County Career and Technical Center: Old Hurst Motor Pump F98. Mr. Carano seconded the motion. Roll Call: Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

RESOLUTION #15-08-24-11: Motion by Mr. Carano pursuant to Ohio Revised Code 505.10 the Board finds that the below listed items of property are not needed for public use, are obsolete, or are unfit for the use for which it was acquired and the fair market value of each item is \$2,500 or less and will be discarded because they are in unsafe condition: 1 each - 24 Foot Ladder, 14 each - scrapped fire extinguisher. Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

PUBLIC RESPONSE - None

ON CAMERA: None

OFF CAMERA:

Mike Beaudis – 2604 Barrington Court; Inquired about supervision at the Splash Pad or how/where can he report inappropriate behavior.

John Martin – 5538 London Court; Expressed concerns over safety in the neighborhood in regards to a home that houses mentally challenged individuals that have, on occasion, gotten out to wander through the neighborhood.

Chief Gavalier addressed and explained the steps he has taken and will take to get the issue resolved.

Mr. Crivelli explained that there is a staffing problem with unqualified and untrained personnel. A letter was written to Columbus to get the issue settled.

Mr. Carano would like to organize a meeting with the company management. He wants to find out if the company is the legal guardian for the residents. He also would like to know if the residents are legally permitted to leave the facility.

Mr. Martin thanked the Chief and Board for their professionalism.

Mr. Crivelli then remarked that the area is zoned R-1 and as such the company can have up to 6 clients and still be considered family use.

Mr. Carano also commented that the company needs to have the proper licensing and needs to follow regulations.

REMARKS FROM THE BOARD MEMBERS

FISCAL OFFICER LAURA L. WOLFE: Wolfe had nothing to add to the meeting.

TRUSTEE KENNETH A. CARANO: Carano mentioned that Band Night was scheduled for this evening at Fitch. He also commented on the Fall Sport Season. Carano also promoted Joyce Pogany and the Historical Society. He reached out to the residents for help in donating to the roof repair for the Austintown Log Cabin.

TRUSTEE JAMES C. DAVIS: Davis mentioned the passing of Judge Jim Evans and commended him for being an outstanding individual. He talked about Patriot's Day at Quaker Steak & Lube on September 10th at 6:00 pm. Davis also mentioned the 9-11 Memorial Ceremony that will take place on September 11th at 10:00 am. He talked about attending the Canfield Fair and advised that the Fire Trucks will be there on Friday from 9:00 – 1:00 pm. Davis then quoted Dr. Seuss in relation to back to school.

TRUSTEE RICHARD A. STAUFFER: Stauffer mentioned the Canfield Fair and invited the residents to visit the Government Building.

RESOLUTION #15-08-24-12: Motion by Mr. Stauffer to recess into Executive Session at 12:55 P.M. to consider the appointment, employment, discipline or compensation of public employees. Mr. Carano seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

RESOLUTION #15-08-24-13: Motion by Mr. Carano to reconvene from Executive Session at 2:00 P.M. for Demolition Hearing with Zoning. Mr. Stauffer seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

RESOLUTION #15-08-24-14: Motion by Mr. Stauffer to recess into Executive Session at 2:35 P.M. to consider the appointment, employment, discipline or compensation of public employees. Mr. Carano seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #15-08-24-15: Motion by Mr. Carano to authorize the Senior Center Director to hire a part-time cook at no more than \$10.00 an hour to start. Mr. Stauffer seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

RESOLUTION #15-08-24-16: Motion by Mr. Davis pursuant to ORC 505.60 and *based upon the OAG Opinion 2015-021*, to authorize the township, effective September 1, 2015, in the event any township officer or employee is denied coverage under a health care plan procured by the township or in the event any township officer or employee elects not to participate in the township's health care plan, to reimburse said officer or employee for each out-of-pocket premium attributable to the officer or employee or their immediate dependents, for hospitalization, surgical care, major medical care, disability, dental care, eye care, medical care, hearing aids, prescription drugs, or sickness and accident insurance, or a combination of any of the foregoing types of insurance that the officer or employee otherwise obtains, but not to exceed an amount equal to the average premium paid by the township for its officers and employees under any health care plan it procures.

Further, an officer or employee, and their immediate dependents, are eligible for said reimbursement plan so long as the 3rd party plan that covers them is Affordable Care Act (ACA) compliant, is a group health insurance plan that the employee or officer is actually enrolled in and the reimbursement are only for copayments, coinsurance, deductibles and premiums for the other group health insurance and at least annually the official or employee can permanently opt out or waive future reimbursements.

Further, where Medicare premiums are sought to be reimbursed the official or employee must be enrolled in Medicare Parts A and B or Part D and reimbursement is limited to Medicare Part B and D premiums and Medigap premiums and the costs of excepted benefits (vision, dental, etc.).

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Finally any such reimbursements will be paid as taxable compensation and will be paid at least quarterly. Mr. Stauffer seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Carano, yes.

RESOLUTION #15-08-24-17: Motion by Mr. Carano to adjourn at 4:00 P.M. Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

This is to certify that the foregoing is an accurate record of the proceedings of the board of township trustees at its meeting held on the date listed above.

Date: _____
Fiscal Officer

Approved:

Chairperson Board of Trustees