

# AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO  
82 OHLTOWN ROAD  
AUSTINTOWN, OH 44515

## REGULAR MEETING OF MARCH 28, 2016

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday March 28, 2016, 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 Kenneth A. Carano. Roll Call was as follows: Mr. Davis, present; Mr. Stauffer, present; and Mr. Carano, present.

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

Oath of Office was given to Fiscal Officer Laura L. Wolfe by Trustee Jim Davis.

**RESOLUTION #16-03-28-01:** Motion by Mr. Stauffer to APPROVE Minutes of the Regular Meeting of March 14, 2016.

Mr. Davis 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 #16-03-28-02:** Motion by Mr. Davis to approve the following:

### **RESOLUTION**

The Board of Trustees of Austintown Township, Mahoning County, Ohio,

meeting on **Monday, March 28, 2016**, 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:

3606 Canfield Road

Parcel No's. 48-001-0-021.000, 48-001-0-022.000

Junk and debris including used vehicle parts stored in an exposed manner at the north side of building;

3614 Canfield Road

Parcel No. 48-001-0-020.000

Junk and debris including scrap windows, glass, and metal stored in an exposed manner;

3967 New Road

Parcel No. 48-108-0-001.000

Aluminum shed located within rear yard in disrepair;

1716 South Raccoon Road

Parcel No. 48-070-0-013.000

Junk and debris stored including metal, broken glass and scrap wood stored in an exposed manner on the south side of building, used dry wall stored in an exposed manner at the west side of the building, and the wooden fence located at the south side of the building is in disrepair;

1746 South Raccoon Road

Parcel No. 48-070-0-009.000

Discarded couch stored in an exposed manner at the south side of the building.

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

**PARK DEPARTMENT**

**SENIOR CENTER**

Senior Center Director, Jim Henshaw thanked everyone for voting yes in support of the Senior Center. May 5<sup>th</sup> will start the new afternoon hours.

**FISCAL OFFICER**

**RESOLUTION #16-03-28-03:** Motion by Mr. Stauffer to APPROVE March Reports submitted to Board at the March 14, 2016 meeting:

- a. Fund Status
- b. Revenue Status
- c. Appropriation Status

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

**NEW BUSINESS**

**RESOLUTION #16-03-28-04:** Motion by Mr. Davis to approve the 2016 APPROPRIATIONS as noted below:

Fund	Name	Amount
1000	General	2,641,480.00
2011	Motor Vehicle License	80,000.00
2021	Gasoline Tax	350,000.00
2031	Road & Bridge	1,764,880.00
2041	Cemetery	50,000.00
2081	Police	5,307,120.00
2111	Fire	3,220,880.00
2171	Park	486,720.00
2181	Zoning	304,720.00
2191	Senior Center	378,560.00
2231	Permissive Motor Vehicle	120,000.00
2261	Law Enforcement Trust	6,000.00
2271	Enforcement & Education	5,000.00
2901	Fire Grants	XXXXX
2902	Federal Equitable Sharing	141.52

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2903	MVLETF State Law Enforcement	105,000.00
2904	MVLETF Federal Law Enforcement	45,000.00
2906	MVLETF 2011 Byrne Grant	66,000.00
2907	MVLETF HIDTA Reimbursement	40,000.00
2909	APD - Continuing Education	5,000.00
2910	MVLETF Crisis Response	50,000.00
2911	MVLETF Congressional US-DOJ Byrne	45,000.00
2913	MVLETF - Drug Law Enforcement	45,000.00
3101	General (bond) (note) Retirement	0.00
4301	Permanent Improvement	500,000.00
4401	Public Works	190,000.00
4501	Lighting District Assessments	200,000.00
4901	Communications Equipment	89,000.00
4951	Cemetery Bequests	4,000.00
5001	Westchester Building	122,720.00
6001	Maintenance	214,240.00
6002	Communications	654,888.00
9001	Unclaimed Monies Fund	5,520.73
9002	FlexSave - Flexible Spending	0.00
9003	Custodial Holdings	79,569.00
9004	MVLETF Forfeiture Pending	1,143,068.33
		<b><u>18,319,507.58</u></b>

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

**RESOLUTION #16-03-28-05:** Motion by Mr. Davis to not request a hearing on Notice to Legislative Authority – Transfer Permit to Shiva Mart Inc., DBA Sav A Step Food Mart; 4226 Mahoning Ave., Austintown Township, Youngstown, OH 44515 (Permit number 8093959; Permit Class(s) C1, C2) from Mohammed R. Kermagi, DBA Sav A Step Food Mart; 4226 Mahoning Ave., Austintown Township, Youngstown, OH 44515 (Permit number 4601016; Permit Class(s) C1, C2). No objections from Police Chief Robert Gavalier.

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

**RESOLUTION #16-03-28-06:** Motion by Mr. Davis to not request a hearing on Notice to Legislative Authority – Transfer Permit to JRZ Pub, LLC. DBA JRZ Pub, 1722 Raccoon & Patio, Austintown Township Youngstown, OH 44515 (Permit Number 4403834; Permit Class, D5) from Samax, Inc., DBA Cosmos, 1722 Raccoon & Patio, Austintown Township, Youngstown, OH 44515 Permit Number 7730283; Permit Class, D5). No objections from Police Chief Robert Gavalier.

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

### **PUBLIC RESPONSE**

**ON CAMERA: NONE**

**OFF CAMERA:**

Carol Burich; 3862 New Rd. had questions about having driveways – people can have gravel extensions – but can't park in the grass.

Mr. Carano said the Trustees will address this issue to determine what they want to do with the situation. Zoning inspector Darren Crivelli added the car needs to be operable and licensed to be parked outside.

### **REMARKS FROM THE BOARD MEMBERS**

**FISCAL OFFICER LAURA L. WOLFE:** Had nothing to add

**TRUSTEE KENNETH A. CARANO:** Wished everyone a Happy Easter and all religions on their seasons. Thanked the residents of Austintown for following through on their tradition of supporting renewal levies.

Mr. Carano informed residents the Route 46 from New Rd to Kirk Rd will be closed from April 11<sup>th</sup> through April 15<sup>th</sup> for culvert replacement.

Reminded all of the Growth Foundations Quarter Auction on April 21<sup>st</sup>.

**TRUSTEE RICHARD A. STAUFFER:** Commented that everyone should celebrate the passing of the Levy renewals and thanked all the voters who supported those levies.

**TRUSTEE JAMES C. DAVIS:** Thanked the voters of Austintown on behalf of the Board for their support of Austintown. He also thanked the Veterans and Seniors for their support on Election Day. Mr. Davis thanked Leo Connelly and Sam Swoger for their help with getting him information on his grandfather. Wished everyone a Happy Easter.

**RESOLUTION #16-03-28-07:** Motion by Mr. Stauffer to recess into Executive Session at 12:40 P.M for the following:

- A. To consider the appointment, employment, discipline, or compensation of public employees
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

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

**RESOLUTION #16-03-28-08:** Motion by Mr. Davis to reconvene from Executive Session at 1:00 P.M. Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

**RESOLUTION #16-03-28-09:** Motion by Mr. Stauffer to approve Memorandum of Understanding with OPBA. Mr. Davis seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, yes.

Administrator Dockry explained that now that the agreement was approved with the union there were 2 other agreements to approve. One was the agreement establishing the Council of Government (COG) and the other was the Operating Agreement. Dockry explained the important terms in each agreement. Dockry also advised that the COG Board would approve the COG bylaws.

**RESOLUTION #16-03-28-10:** Motion by Mr. Davis to approve the agreement establishing the Council of Government (COG) and the Operating Agreement. Mr. Stauffer seconded the motion. Roll Call: Mr. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

**RESOLUTION #16-03-28-11:** Motion by Mr. Stauffer to recess into Executive Session at 1:10 P.M for the following:

- A. To consider the appointment, employment, discipline, or compensation of public employees
- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

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

**RESOLUTION #16-03-28-12:** Motion by Mr. Davis to reconvene from Executive Session at 3:25 P.M. Mr. Stauffer seconded the motion. Roll Call: Mr. Stauffer, yes; Mr. Davis, yes; and Mr. Carano, yes.

**RESOLUTION #16-03-28-13:** Motion by Mr. Stauffer to adjourn at 3:26 P.M. Mr. Davis seconded the motion. Roll Call: Mr. Davis, yes; Mr. Carano, yes; and Mr. Stauffer, 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