

# AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO  
82 OHLTOWN ROAD  
AUSTINTOWN, OH 44515

## REGULAR MEETING OF MAY 9, 2016

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday, May 9, 2016, at Town Hall, 82 Ohltown Road, Austintown, Ohio.

The meeting opened at 6:00 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.

**RESOLUTION #16-05-09-01:** Motion by Mr. Davis to APPROVE Minutes of the Regular Meeting of April 25, 2016.

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

Presentation was given by the Optimist Club with their 'Police Are Our Heroes' poster contest winners.

### DEPARTMENT BUSINESS

#### ROAD DEPARTMENT

April 2016 Monthly report received.

**RESOLUTION #16-05-09-02:** Motion by Mr. Stauffer Authorizing Participation in the ODOT Winter Contract (018-17) for 3,000 tons of Road Salt:

#### RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (018-17) FOR ROAD SALT

**WHEREAS**, the Austintown Township, Mahoning County (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-17) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

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- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of 3,000 tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2016 through March 31, 2017; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Wednesday, June 1, 2016. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

**NOW, THEREFORE**, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

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

### **POLICE DEPARTMENT**

**April 2016 Monthly report received.**

### **FIRE DEPARTMENT**

**April 2016 Monthly report received.**

Mr. Davis commended the Fire Dept. on their work with the Apartment Fire this past week.

**ZONING DEPARTMENT**

April 2016 Monthly report received.

**RESOLUTION #16-05-09-03:** Motion by Mr. Stauffer to schedule a public hearing to be conducted by the board of Trustees regarding Amendment 2016-04-Z on Monday, May 23, 2016 at 12:30 P.M., pursuant to the letter of certification dated May 6, 2016 from Austintown Township zoning Commission – *see attached.*

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

**RESOLUTION #16-05-09-04:** Motion by Mr. Davis to approve the following:

**RESOLUTION**

The **Board of Trustees of Austintown Township, Mahoning County, Ohio,** meeting on **Monday, May 9, 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:

2768 Bainbridge Street  
Parcel No.48-004-0-021.000  
High grass and weeds;

4593 Barrington Drive  
Parcel No.48-109-0-105.000  
High grass and weeds;

55 North Beverly Avenue  
Parcel No.48-025-0-216.000  
High grass and weeds; fence in disrepair, branches on rear deck;

1705 South Canfield-Niles Road  
Parcel No.48-019-0-010.000  
High grass and weeds;

4261 Cannon Road  
Parcel No.48-080-0-102.000  
High grass and weeds;

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**4255 Cannon Road**

**Parcel No.48-080-0-101.000**

**Large amount of miscellaneous items, junk, and debris stored in an exposed manner throughout the property;**

**4197 Claridge Drive**

**Parcel No.48-104-0-056.000**

**High grass and weeds;**

**504 Forest Hill Drive**

**Parcel No.48-008-0-268.000**

**High grass, weeds, and tree branches;**

**181 Idaho Road**

**Parcel No.48-016-0-024.000**

**High grass and weeds;**

**3350 Johnson Farm Court**

**Parcel No.48-022-0-027.000**

**In-ground pool with stagnate water;**

**3915 Kirk Road**

**Parcel No.48-002-0-204.000**

**High grass and weeds;**

**4035 Kirk Road**

**Parcel No.48-003-0-111.000**

**High grass and weeds;**

**4055 Kirk Road**

**Parcel No.48-003-0-112.000**

**High grass and weeds;**

**4138 Kirk Road**

**Parcel No.48-074-0-121.000**

**High grass and weeds;**

**4419 Kirk Road**

**Parcel No.48-022-0-005.040**

**High grass and weeds;**

**4429 Kirk Road**

**Parcel No.48-022-0-005.030**

**High grass and weeds;**

**5597 London Drive**

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**Parcel No.48-059-0-023.000**

**High grass and weeds, string lights, and debris within the rear yard;**

**5192 Mahoning Avenue (Former McQuaids)**

**Parcel No.48-028-0-102.000**

**High grass and weeds;**

**6073 Mahoning Avenue**

**Parcel No.48-059-0-017.000**

**High grass and weeds easterly half of the Lot No. 3;**

**6225 Mahoning Avenue**

**Parcel No.48-058-0-012.000**

**High grass and weeds;**

**23 Maple Drive**

**Parcel No.48-056-0-128.000**

**High grass and weeds;**

**248 South Main Street**

**Parcel No.48-012-0-129.000**

**High grass and weeds;**

**604 Notre Dame Avenue**

**Parcel No.48-110-0-150.000**

**High grass and weeds, debris within rear yard near shed;**

**4334 Nottingham Avenue**

**Parcel No.48-104-0-085.000**

**High grass and weeds;**

**3042 Redgate Lane**

**Parcel No.48-002-0-116.000**

**High grass and weeds;**

**110 North Roanoke Avenue**

**Parcel No.48-025-0-244.000**

**High grass and weeds, and trash;**

**5469 West Rockwell Road**

**Parcel No.48-030-0-036.000**

**High grass and weeds;**

**4520 Warwick North**

**Parcel No.48-112-0-239.000**

**High grass, weeds and debris within the rear yard;**

1266 Woodhurst Drive  
Parcel No.48-114-0-082.000  
High grass and weeds within the front devil strip;

1469 Yolanda Place  
Parcel No.48-007-0-144.000  
High grass and weeds;

5778 Yorktown Place  
Parcel No.48-096-0-074.000  
Large amount of miscellaneous items, junk, and debris stored in an exposed manner throughout the property;

**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. Carano, yes; Mr. Stauffer, yes; and Mr. Davis, yes.

### **PARK DEPARTMENT**

April 2016 Monthly report received.  
Park Supervisor, Todd Shaffer commented on the construction going on at the park. They are removing the old playground and replacing it with new playground equipment. There is renovation being done on one of the Tennis Courts to transform it into two Pickle Ball Courts.

### **SENIOR CENTER**

April 2016 Monthly report received.  
Senior Center Director, Jim Henshaw commented the first fencing tournament has been completed. Mr. Henshaw also stated the Center put in a new flower garden, courtesy of Michael Bodnar and the Austintown Garden Club and that the Center now has over 1900 members.

### **FISCAL OFFICER**

**RESOLUTION #16-05-09-05:** Motion by Mr. Davis to accept April Reports

submitted to Board for review:

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

Note from Fiscal Officer Laurie Wolfe; these reports do not reflect the 1<sup>st</sup> half R. E. Settlement.

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

### **NEW BUSINESS**

**RESOLUTION #16-05-09-06:** Motion by Mr. Davis to Approve OTARMA invoice for \$90,646.00 for Buildings, Properties, Vehicles and Liability Insurance coverage for year May 16, 2016 through May 16, 2017. Once Premium is paid; the township will receive an excess reserve fund distribution of \$5,884.91.

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

### **PUBLIC RESPONSE**

#### **OFF CAMERA:**

Paul Metz: 176 S. Kimberley. Regarding the Road Levy; how is it determined what roads are paved? Stated that S. Kimberley hasn't been paved since 1972. Road Supervisor, Mike Dockry stated there is currently \$400,000.00 available for paving and there are 36 streets on the preliminary list so far this year.

#### **ON CAMERA:**

Michael Rapony thanked the trustees for passing prevailing wage resolution in support of local trades.

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

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

#### **TRUSTEE KENNETH A. CARANO:**

Mr. Carano wished all mothers a Happy Mother's Day – one day late. He stated that he was invited to the Preakness Home Owner's Association to speak.

Mr. Carano also mentioned the Growth Foundation – Supervisor of the Hall of Fame; considering starting up again later this year.

**TRUSTEE RICHARD A. STAUFFER:**

Honored Sam Swoger who was appointed 2<sup>nd</sup> Vice Commander of the American Legion; 9<sup>th</sup> District. Mr. Stauffer congratulated Mr. Swoger on such a respected appointment.

Mr. Stauffer commented on the week of events being planned for the 40<sup>th</sup> Anniversary of the 4<sup>th</sup> of July Parade.

He also informed everyone that a Dunkin Donuts will be opening on Raccoon Road.

Mr. Stauffer mentioned the Falcon Camp in that it gives kids a free breakfast and lunch. The Camp schedule runs between meals throughout the summer.

**TRUSTEE JAMES C. DAVIS:**

Commended the Optimist Club in their efforts to help local children. He thanked Hannah Magrell and Ella Holbrook for coming tonight.

Mr. Davis commented on the paving of Norquest Blvd. by the Mahoning County Engineers.

He also reminded everyone of the National Night Out benefit being held on Wednesday May 25<sup>th</sup> from 5 – 8:30 P.M. at Buffalo Wild Wings in Austintown. The next 4<sup>th</sup> of July committee meeting will be on Jun 13<sup>th</sup> @ 4:30 P.M. at the Town Hall.

**RESOLUTION #16-05-09-07:** Motion by Mr. Stauffer to recess into Executive Session at 7:00 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 #16-05-09-08:** Motion by Mr. Davis to reconvene from executive session at 8:40 P.M.

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

**RESOLUTION #16-05-09-09:** Motion by Mr. Stauffer to approve new Management Consultant Agreement with Clemans-Nelson & Associates, Inc. per letter received April 28, 2016.

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

**RESOLUTION #16-05-09-10:** Motion by Mr. Davis to hire John A. Ranalli, II for the Summer Work Program to be paid at the Ohio minimum wage rate of \$8.10 per hour.

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

**RESOLUTION #16-05-09-11:** Motion by Mr. Stauffer to adjourn at 8:45 P.M. Mr. Davis 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