

NEWTON TOWNSHIP BOARD OF TRUSTEES
4410 NEWTON FALLS BAILEY ROAD
NEWTON FALLS, OH 44444
REGULAR MONTHLY MEETING MINUTES
JANUARY 25, 2016

This meeting has been recorded and the following is a summary of the business conducted at the meeting.

The Newton Township Board of Trustees held a Regular Monthly Business Meeting on Monday, January 25, 2016 at the Township Administration Building, 4410 Newton Falls Bailey Road in Newton Falls, OH with Trustees Page, Lutz, Nemet and Fiscal Officer Montgomery present. Chairman Page led the Pledge of Allegiance and called the meeting to order at 6:34 p.m.

Dave Rapczak, Zoning Inspector, and seventeen members of the general public also attended the meeting.

NF Joint Fire District Chief Rick Bauman was welcomed to update the Board and residents present regarding Fire District activities He shared current information including staffing, training requirements of staff, and call response and answered questions regarding the District from the Board and several residents. The District responded to 1079 calls in 2015 which included EMS calls and since the new levy passed now provides 24/7 EMS staffing. Bauman also explained the mutual benefits of reciprocating services with other entities.

Lutz moved to suspend the reading of the December 28, 2015 Regular Meeting minutes as submitted, and file for public record. Motion seconded by Nemet.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Nemet moved to suspend the reading of the January 06, 2016 Organizational Meeting minutes, approve as submitted, and file for public record. Motion seconded by Lutz.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Montgomery noted that correspondence had been received from the county recorder's office regarding zoning fee filings and the Board of Elections regarding their continued use of the Administration Building for elections this year. She also noted that, as of this time, all village precincts will be on Charleston Road at the Church of God and Congregational Church, Precincts B and D will be at the VFW on Arlington, and Precinct A will remain at the Administration Building. A letter was also received from City Manager Jack Haney requesting to meet to discuss the establishment of a Park District (addressed later in the meeting).

REPORTS

Montgomery reviewed the 2015 year end cash balance in each fund which totaled \$387,823.50 and reconciled with the adjusted bank balances for December. The annual financial statement will be released in February and may be reviewed at the next meeting. Deeds were presented for Carl Foreman St. Michael's C6 B and the Ballas/Freisen families per Board approval as presented on the agenda. She noted recent billing issues with the current VISA cards and will work to resolve the matters or find a better option. The Board agreed that Montgomery could look into opening an account at Dollar General.

No Road Department report was submitted for review and the report from the sheriff's office, which noted 95 calls in December, was available for distribution.

Rapczak reported that in December, one permit was issued for a garage for \$134.40, he worked 38 hours and logged 10 miles. He reviewed his 2015 annual report which included 22 zoning permits generating \$1914.00, 379 hours of work, 365 miles driven, and 17 nuisance complaints addressed. Rapczak responded to Lutz that he has no updated information regarding the tree on Oak Knoll.

TRUSTEE REPORTS

Nemet attended the January 13 Zoning Board meeting where updating the 32 year old zoning map in the hallway was discussed. Dean Stanley is looking into the cost of updating the map. Nemet would like to get a copy of the 2010 Comprehensive Plan that Newton Township was part of to all Zoning Board members to use as a guideline for zoning decisions, citing that it would be best to refer to that at this time instead of investing in another plan. Bob has a copy of the original plan. The Fire District meeting and appointments were discussed. Page will notify Bill Irons of his appointment to the Board. Nemet said Chief Bauman requested to return the trailer for collection of aluminum cans back to the Township permanently since there is not room for it at the fire station. Lutz said that Mike won't like that since it wasn't emptied while it was here before; "Thanks, but no thanks". She said we got rid of it as well as the cardboard bin and cleaned up the area and it looked at lot better. Page said he wouldn't have a problem with the collection trailer being at the Township and will check with Mike. Nemet suggested that it could come back if it is going to be monitored.

Lutz attended all meetings and received several calls regarding postings on Facebook regarding the Community Center closing. She and Dan have been looking at ideas for upgrading the kitchen area of the meeting room. The city will be here this week to run cameras through the drains in the Administration Building to check for any problems. Lutz announced the Cemetery Association will hold a chicken dinner fundraiser on April 2nd and tickets are available. She asked if the East Cemetery fence will be replaced. Montgomery said funds will be in the appropriations for it. Trustees discussed getting estimates for paving the Lutheran and St. Michael's Cemeteries. Page said they can get estimates but will not likely pave those cemeteries this year as the fund deficit should be cleared first.

Page received a letter from Mr. Beer from Cemetery Association regarding the fence on the south side of the East Cemetery. It's in bad shape and Page said they could remove, repair or replace it. Trees in the area may damage another fence. Lutz agreed the fence does look bad. They will look into what to do with it. Page and Hall will attend a pavement preservation meeting at EMA on February 17.

Lutz moved to receive all reports as submitted. Seconded by Nemet.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

UNFINISHED BUSINESS

None.

NEW BUSINESS

16.01.29 Nemet moved to approve December legal fees-zoning of \$275.00 to Mark S. Finamore. Lutz seconded the motion.

Discussion: Montgomery noted an error on the bill submitted for \$230 and that the amount due will be confirmed before payment is sent.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

16.01.30 Page moved to approve 2016 payments as presented (warrants 22047-22069 as attached) and authorize the fiscal officer to pay all outstanding invoices incurred and approve all warrants issued. Nemet seconded the motion.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

16.01.31 Nemet moved to approve all 2016 blanket certificates (1-23) and regular and then-and-now purchase orders issued (1-4). Lutz seconded the motion.

Discussion: Montgomery noted that 2015 Purchase Order 111 will be used as a line item adjustment for 108 which will be adjusted and not voided as noted on the agenda.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

16.01.32 Lutz moved to receive the reconciliation report for December 2015 as presented by the fiscal officer. Nemet seconded the motion.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

16.01.33 Nemet moved to certify to ODOT that the Township was responsible for maintaining 34.881 miles of public roads as of December 31, 2015. Page seconded the motion.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

16.01.34 Page moved to approve the request of the Ballas/Freisen families as follows:

Request by Edwin and Helen Ballas to return burial rights in WS, SEC E, Lot 53, Graves 1 & 2, and Lot 54, Grave 1 to the Township in exchange for WS SEC F, Lot 66, Graves 1, 2 & 3.

Request by Edward and Sherry Freisen to return burial rights in WS, Lot 719, Graves 4 & 5 (Graves 3 & 4 according to sexton's map) to the Township in exchange for WS SEC F, Lot 66, Graves 4 & 5.

Lutz seconded the motion.

Discussion: After a brief discussion, the Board determined there would be no fee to issue new deeds.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

The Zoning Board submitted information regarding the implementation of garage sale permits in the Township with a request for the Trustees to review. Vickie Ball read the terms suggested by the Zoning Board which would place restrictions on the quantity, length, and time of garage and yard sales held in the Township, and require a permit for each sale with a fee (copy available from file). Ball noted that the Zoning Board wanted to be proactive before any issues occur (long-term sales). The proposed permit had been submitted to the Trustees before and denied. Lutz did not feel it could be easily enforced. She thought the permit might cause problems because something new would be implemented that not a lot of people are aware of. Nemet suggested it would protect the residents, most Townships have no fee, and he would support it. Nemet noted that Dean Stanley said there are only 2 townships in the county without regulations in place for garage sales. Page said he would be OK with the proposal with the removal of

Paragraph 5, Section B (\$5.00 permit fee required). After further discussion, it was agreed that the fee should be waived and that it would be a good idea just to require a permit so sellers agree to regulations and limits.

16.01.35 Nemet moved to agree with the proposed garage sale permit terms as amended (Paragraph 5, Section B removed-no fee). Page seconded the motion.

Roll Call: Page, Yes Lutz, NO Nemet, Yes MOTION CARRIED 2-1

Officials discussed reinstating the Township website. Montgomery said Clear Choice Creative will still rebuild the website at no charge and update the format. The new site will be much more user friendly to program and the calendar which caused so many problems on the old site will be replaced also. She said she would be willing to administrate the site, but everyone needs to submit information to place on the site. Nemet would like to see minutes posted on the site. Officials agreed that the website was worth trying again. A meeting will be scheduled with Clear Choice Creative so officials may review how to move forward with the website.

16.01.36 Lutz moved to renew the Township website. Nemet seconded the motion.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Page read correspondence from City Manager Jack Haney requesting a meeting with Trustees to discuss a Park District. Lutz noted that the village wants to put a levy on to fund the Community Center. Residents commented that living in the Township, they have not been able to serve on the Parks Board or have a say in what happens in the park. Lutz said the city wants to put a levy on and wants the Township to do the same. Nemet said the Township would gain power over parks and the Community Center because the Township will have representation. Residents were permitted to discuss some of the plans that were previously in place for the current park. Page said the Community Center is very important but does not agree that taxing Township residents is the best choice. He is not in favor of the added burden of a parks levy for the Township, noting that the need for a road levy has already been discussed.

16.01.37 Nemet moved to agree to meet with the Village of Newton Falls to discuss a Park District. Lutz seconded the motion.

Roll Call: Page, Yes Lutz, Yes Nemet, Yes MOTION CARRIED 3-0

Page will contact Haney to schedule a meeting and request to host.

Nemet said since spring is coming we need to make sure storm water issues are taken care of including at the Eagle Ridge allotment. The problems have been addressed and Lutz said the residents at Eagle Ridge are responsible need for that property. The county agreed to re-survey that area and provide suggestions to help with the drainage issues.

Trustee Comments

None.

Public Comments

Mariann Curtis asked why the Township is not securing Attorney Finamore for the annexation issue since that is his specialty and other Townships are securing his services. Page said Finamore is reducing his workload moving toward retirement and he recommended Cherry Poteet for the annexation issues.

Montgomery asked for clarification regarding the action taken on the garage sale permit. The Board's acceptance is noted and it will be sent back to the Zoning Board for further action.

Lutz moved to adjourn the meeting. Nemet seconded the motion.

Roll Call: Nemet, Yes Page, Yes Lutz, Yes MOTION CARRIED 3-0

The meeting adjourned at 8:13 p.m.

Approved by the Newton Township Board of Trustees as submitted February 22, 2016.

Susan D. Montgomery, Fiscal Officer