

# RECORD OF PROCEEDINGS

Minutes of Austinburg Township

Meeting

Held January 7,

2008

The January 7, 2008 meeting of Austinburg Twp. was called to order by Chairman Jerry Burke with the Pledge. Trustees Kusar and Spade were present. Audience present were Ginny and Ted Seifert, Connie Coons, Shelley Kelner, Winnie Cerbin, Dave Long, Eileen Kusar, Diane Mongenel, Dave and Marcie Turk, Gene Mongenel, Eileen Schaeffer, Joe Hejduk, Byron Dutton II, Don Schaeffer.

Res. 850-08 Janie moved to appoint Jerry Burke as Trustee Chairman for 2008. John seconded. The roll call vote; Spade, aye. Kusar, aye. Burke, aye.

Res. 851-08 John moved to appoint Janie Spade as Trustee Vice-Chair for 2008. Jerry seconded. The roll call vote; Kusar, aye. Burke, aye. Spade, aye.

Res. 852-08 Janie moved to approve the minutes of the Year End meeting and waive the reading. John seconded. The roll call; Burke, aye. Spade, aye. Kusar, aye.

John reported that he had heard many residents state that too many changes had been made to township meeting dates. He presented a schedule of meeting dates for the year. All meetings were indicated on the first and third Thursday, the following Tuesday if Monday was a legal holiday. Janie stated there had been few meeting date changes. Jerry thought there was nothing wrong with the schedule John suggested. Janie said she has a problem with the meeting on Sept. 2, 2008 as she will be attending the NATAT conference at that time. Jerry said only two trustees are needed at a meeting, and if something important was to come up during an absence then the issue would be dealt with when the trustee returned. Janie said if a trustee has an objection to a meeting date, then every attempt should be made to have the meeting when all trustees can be there. Jerry said he thinks this schedule is a good guideline for meetings and that we can try to adhere to this schedule.

John said he would like to see the meeting rules state the residents are able to speak if an issue arises, on which they feel the need to have some input. They are to be recognized by the Chairman, but should not have to wait until the end of the meeting. Jerry said he agrees the input of the residents is important. Janie stated she feels this is the way the meetings have been run.

John stated John Smolen has been hired by the County Commissioners to look at the sewer plans. John said he had spoken with him, and Mr. Smolen had brought to light a vacuum sewer system. This system could possibly save 30 - 40 % of initial cost. Dave Long said he did not think this was the business of the township. John stated he believed it has a lot to do with the township, as our sewer costs involve the spending of tax dollars.

At this time, Evelyn Schaeffer gave a summary of the ZBA variance hearing that was held on January 2 involving Waffle House. The variance was granted by the ZBA with the condition that Waffle House apply for a text amendment within 30 days. The amendment will ask for smaller lots in the AC district. The trustees viewed the plans and discussed the comment letter that is sent to the Planning Commission for their meeting on the re-plot to be held on January 22. John stated Austinburg should communicate with Saybrook, and make the zoning texts comparable since we are competing for businesses in the I90 area.

Evelyn also addressed the letter sent to the trustees previously, that asked for the trustees' help in the "right in/right out" issue at Sidley Ct. and Rt. 45. She suggested Austinburg look at partnering with the Planning Commission, County Commissioners, Saybrook Twp., and Growth Partnership. The trustees could write a letter to Mr. Sidley recommending all these entities sit down and talk about the problems of that area and see what might be done to make it work. John stated he felt it would be beneficial to have the Zoning Commission look at the Saybrook zoning text. Ted Seifert said the Zoning Commission will look at Saybrook's text when the text amendment is filed by Waffle House. He said they will look at the recommendation from the Planning Director.

Byron Dutton asked if the Commission will also be looking at set-backs. He stated Saybrook is using McKenna and Associates to re-do their zoning, and have gotten a grant to do so. Byron said maybe Austinburg could borrow and use some of the information that McKenna gives Saybrook. Discussion was held on various safety issues.

John Beninato stated our AC district is like Saybrook's C1 district. Discussion was held on coordinating meetings with Saybrook.

Janie said Bill Wilms informed her that the springs on Fire Dept. Unit 501 are broken. Janie presented the quotes on repairing the springs. She will let Bill know he should go ahead

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and have it repaired.

John Beninato turned in and discussed his year end zoning report for 2007. He reported the clean up of the Woodside Dr. property is coming along. John stated he believes the paperwork for the proposed text amendment should go through the zoning office. John said that was the procedure being used when he came on as Zoning Administrator, and he has continued doing it that way. Zoning Chair Ted Seifert addressed the statute on procedure for this paperwork filing. Ted has already spoken with the people from Waffle House and the request should be coming to him. John said he needs to provide them with the amendment application packet. Evelyn suggested John could contact Betsy Sparks of Waffle House to follow up on the application.

Janie stated she would like the trustees to discuss raises tonight.

Res. 853-08 At this time, Janie moved Jerry will be trustee Chairman for this year. Janie will hold Vice- Chair. Jerry seconded. The roll call vote; Kusar, aye. Burke, aye. Spade, aye.

Jerry addressed appointments to the ZBA. Byron Dutton mentioned he would still like to be considered for an appointment to the ZBA. He has already sent in a resume, but will provide another if needed. A notice will be placed in the paper, and resumes will be accepted until the Feb. 4, 2008 meeting.

Jerry stated he spoke to John Sweeney of Waste Mgmt. about rubbish collection contracts in the county. Mr. Sweeney asked for the costs Austinburg is currently paying. Jerry asked the fiscal officer to FAX the costs to Mr. Sweeney.

Jerry reported he has contacted the Sheriff Dept. about the trucks parking on Sidley Ct. The Sheriff stated warnings will be issued to violators, then citations if warnings are not heeded.

Res. 854-08 Jerry moved we purchase the drill press and floor hoist that was discussed in the road dept. work session, spending up to \$1,000.00. John seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

Jerry said discussion on plows will be tabled until next meeting.

Discussion was held on the plat maps and comment letter regarding the lot size change requested by Waffle House. Evelyn Schaeffer stated the Planning Commission will need written comments from the trustees that Waffle House has indeed fulfilled the condition of their variance request.

Res. 855-08 Janie moved the letter be sent in to the Planning Commission stating that as of today, Waffle House has not filed for a text amendment, but the trustees will notify the Planning Commission when they do. A representative of the trustees will attend the Planning Commission meeting and provide updates. Jerry seconded. The roll; Kusar, aye. Spade, aye. Burke, aye.

In audience participation, Byron Dutton stated he is interested in an appointment to the ZBA.

Connie Coons said she likes the idea of a set meeting date schedule as presented by John. In the case of a holiday, residents would then know the meeting will be held the next day, not having to read a notice in the paper. Connie said things happen, and if a trustee has to miss a meeting, then important business can be conducted when they return.

Byron stated he liked the schedule also, and suggested it be posted.

Evelyn Schaeffer stated she purchased a new zoning text, and discovered some footnotes have been cut off of some pages. She suggested that once the typewritten version is complete, a committee be set up to proof read the text before printing. Evelyn offered to help on this committee.

Ted Seifert suggested the committee consist of he, Evelyn, and John Beninato.

John Beninato stated because of documents being misplaced in the past, he has been asked to remove his records from the fire proof cabinet. John said he feels the Zoning Dept. needs a fire proof cabinet to safeguard the zoning records.

Res. 856-08 Janie moved to authorize up to \$500.00 for the purchase of a fire proof cabinet for zoning. Jerry seconded, and suggested looking into a good used one. The roll call; Spade, aye, Burke, aye. Kusar, aye.

Res. 857-08 Jerry moved to go into Executive Session to discuss compensation for employees. Janie seconded. The roll call vote; Kusar, aye. Spade, aye. Burke, aye. Executive session convened at 9:05pm.

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Res. 858-08 At 9:43 Jerry moved to come out of Executive Session and re-convene the regular meeting. John seconded. The roll call vote; Spade, aye. Kusar, aye. Burke, aye.

Res. 859-08 Janie moved to give a 3% increase to the roadmen's wages. Mike Petro will receive .51, making his hourly rate \$17.51. Scott Tenney and Bill Wilms will each receive .42. Scott's hourly wage will be \$14.42, Bill's wage will be \$14.42 for roadman, plus .70 per hour for his Cemetery Sexton job, a total of \$15.12 per hour. These amounts are retroactive to January 1, 2008. John seconded. The roll call vote; Burke, aye. Kusar, aye. Spade, aye.

Res. 860-08 Janie moved to table discussion on the Zoning Administrator's and Assistant Zoning Administrator's wages until further information is gathered. John seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

Res. 861-08 Janie moved to reimburse actual cost of lodging, meals with receipts up to \$50.00, and 48 cents per mile for travel expenses. Jerry seconded. The roll; Kusar, aye. Spade, aye. Burke, aye.

Res. 862-08 Janie moved to set the meeting days as the first and third Monday each month, except on holidays, Martin Luther King, President's Day, and Labor Day, which will be the Tuesday after the holiday. John seconded. The roll call; Burke, aye. Spade, aye. Kusar, aye.

Res. 863-08 John moved to allow the public to speak during the meeting when recognized by the Chairman. Jerry seconded. Janie stated she would like to add the following discussion, she would rather follow Robert's Rules of Order. She has no problem with residents speaking during a meeting, but feels Robert's Rules should be followed. The roll; Burke, aye. Kusar, aye. Spade, aye.

Res. 864-08 Janie moved to retain the work rules and review same as needed. The work week will be from Monday, 12:01 to Midnight, Sunday. John seconded. The roll call vote; Kusar, aye. Spade, aye. Burke, aye.

Res. 865-08 Janie moved to retain John Beninato as Zoning Administrator and Don Narish as Assistant Zoning Administrator. Their rates will be determined later. John seconded. The roll call vote; Burke, aye. Spade, aye. Kusar, aye.

Res. 866-08 Janie moved to retain Cindy Hejduk as Town Hall custodian at a rate of \$175.00 per month with \$50.00 per cleaning. This cleaning fee will be charged to renter of hall who does not wish to clean the hall themselves following its use. Jerry seconded. The roll; Kusar, aye. Spade, aye. Burke, aye.

Res. 867-08 Janie moved to retain cemetery and town hall fees and regulations as well as zoning fees, and review same as needed. John seconded the motion. The roll call vote; Burke, aye. Kusar, aye. Spade, aye. Janie stated she would like to see the roadmen paid every 14 days.

John addressed the work Sarah Masek is doing as zoning secretary. Discussion was held on her duties. John stated he feels she may need to be compensated more, she is doing a large amount of work. Janie stated she feels the members of the zoning boards should maybe be paid. John will research what other townships are doing, and will report back to the trustees.

Res. 868-08 Janie moved Bill Wilms be paid as the Fire Chief at a rate of \$4,000.00 per year with deductions. John seconded. The roll call vote; Spade, aye. Kusar, aye. Burke, aye.

The trustee liaisons will be as follows; Jerry will have roads, buildings, and cemeteries. John will have zoning, and newsletter. Janie will have NAD, fire dept., and parks.

Res. 869-08 Janie moved to adjourn the meeting. Jerry seconded. The meeting adjourned at 10:15pm.

*Barbara Schach*  
*Genevieve Beck*  
*JAH*