

# RECORD OF PROCEEDINGS

Minutes of Austinburg Township

Meeting

Held March 16,

2009

The regular meeting of Austinburg Township held March 16, 2009 was called to order at 7:30pm. Trustees Burke, Kusar, and Spade were present. Audience present were Marcy Hejduk, Eileen Kusar, Winnie Cerbin, Karen and Bob Ruck, Joe hejduk, Bill Wilms, and Jim Heath.

Res. 1124-09 John moved to approve the minutes from the previous meeting. Janie seconded. The roll call vote; Burke, aye. Kusar, aye. Spade, aye.

Res. 1125-09 John moved to pay the bills as the lawful obligation to the township. Jerry seconded. The roll call vote; Spade, aye. Burke, aye. Kusar, aye.

Receipts totaled \$227,248.35 with our first half real estate tax payment. Bills totaled \$6,872.31.

We received a letter from OTARMA indicating we will receive a budget relief credit of 10% on our premium for 2009. This is in addition to our VIP credits we already receive.

Res. 1126-09 Jerry moved to purchase the metal detector that was requested by Cemetery Sexton Bill Wilms. Our old one will not locate cemetery pins very well. This one was quoted by Geoshack at a price of \$793.00 plus \$20.00 shipping. John seconded. The roll; Burke, aye. Spade, aye. Kusar, aye.

Fire Chief Bill Wilms and Jim Heath were present and gave a report on the fire dept. They asked if they set up a committee to research grants for a new fire hall, would the trustees be in support of their efforts. Jerry stated he would like to see the dept. work in conjunction with the township so a complex for the fire dept. as well as administrative offices could be looked into. Janie said she would support a feasibility study for the project. John and Jerry added they had no problem with this effort.

John Beninato gave a zoning report. A copy is available in township files. Discussion was held on zoning fees. John Kusar stated he feels they should all be uniform, maybe \$25.00, except for ZBA variances and text changes. John Beninato stated not all work involved in the permit process is the same. These fees are in accordance with what other townships are charging. He said it is up to the trustees what should be charged.

Bob Ruck said Austinburg should set it's own policy. He feels his taxes pay for zoning services and charging fees for zoning permits is double taxing.

Joe Hejduk stated the county charged \$78.00 for the permit Bob needed to put his business into Joe's property. Nothing in the building needed to be changed. It is only a different business going in. Austinburg is charging \$300.00 for this permit. Discussion was held on Change of Use.

Janie said she believes it is good to see what other townships are charging for zoning fees. Townships need to support each other. These fees are established and we should follow the zoning text.

Joe Hejduk said the building complies, and charged \$78.00. Now the township is charging \$300.00. John Beninato stated the county requires applicants to also comply with township zoning. This fee is for change of use, and gives the fire dept. and zoning a chance to see that the building is still adequate for the new use.

John Kusar suggested altering the change of use permit fee to be more in line with the county's \$78.00 fee. Discussion was held on what the applicants think would be fair. Janie stated she would like to get more information on the county's schedule of fees. It would not be fair to change now after someone has already paid the \$300.00. Joe Hejduk said he has owned the building for 22 years. There has been many different uses of that building, and he has never been asked to buy a change of occupancy permit. There is nothing different now.

Res. 1127-09 Jerry moved that under these circumstances, this specific case, Austinburg will charge the same fee as the county, \$78.00. We will look into occupancy permits regarding future charges. John seconded. The roll; Kusar, aye. Spade, no. Burke, aye.

John Kusar said he would like to look into the legalities of charging for a copy of the zoning text. He feels it is a public record and should be the same charge.

John stated the newsletter is ready for review by the board, and with approval is ready to go to the printer.

Res. 1128-09 John moved to take the newsletter to Nizen's for printing at the same cost as last time. Jerry seconded. The roll; Spade, aye. Kusar, aye. Burke, aye.

John reported he had spoken with Dino Disanto from Congressman LaTourette's office.

# RECORD OF PROCEEDINGS

Minutes of

Austinburg Twp.

Meeting

Held March 16,

2009

The congressman would like to come to Austinburg to present a ceremonial check for our appropriations for the sewer project. John told him he would like to have it after 5:00pm or on a Saturday. Dino will be back in touch.

John spoke with Mr. Collier regarding his easement. His attorney will contact Larry Meany.

John reported he received a response back from Catherine Colgan regarding his letter inquiring about zoning positions and trustees voting no on a resolution. John read the letter aloud. It stated successors may be named at the end of a zoning board member's term, they are not appointed for life. Trustees are not required by any law to state a reason for a no vote during a meeting. A copy is available in township files. He stated he will forward a copy of the letter to ZBA and Zoning Commission chairmen.

Janie reported she attended a meeting with Joe Mayernick of Growth Partnership regarding grant money available from a private source. Jerry and Barb were there also. There is \$300,000.00 available to fund collaboration projects that make government more efficient. Packets of information on this arrived today, she would like to look into it further.

Janie stated she and Jerry attended the Sav-A-Lot tax incentive review meeting.

Discussion was held on a FAX machine for the road dept.

Res. 1129-09 Janie moved the township purchase a FAX machine for the road garage. John seconded. The roll; Burke, aye. Spade, aye. Kusar, aye.

Jerry stated he has tried to get in contact with a company that installs the insulation for the road garage discussed prior. They have never returned his calls. Jerry said he assumes our job is too small, they are not interested.

Jerry said he viewed the tractor at Cope Equipment Pete had looked at. Jerry believes it to be too much for what we need it for. He would like to investigate more.

Jerry said the three proposals placed into the computer to apply for stimulus money are still in review process.

Jerry reported the trustees requested a meeting with county commissioners regarding OPWC loan reimbursement. If the township uses this money, the commissioners have stated at this meeting the county will reimburse the township.

Jerry discussed the C-1 and C-2 liquor permit issued to Mr. Castala for his establishment he opened. This is for retail sales. The permit was issued however, to his residence address, not a business address. John Beninato will check this out further, writing to the State Liquor Board for clarification, and see if zoning permits are needed.

In audience participation, Marcy Hejduk indicated she has seen Humane Society staff walking dogs housed in their facility on private property.

Res. 1130-09 With no other business to come before the board, John moved to adjourn the meeting. Janie seconded. The meeting ended at 9:05 pm.

*Jerry Burke*  
*Board Chairman*

*Barbara Schaal*