

RECORD OF PROCEEDINGS

Minutes of Austinburg Township

Meeting

Held December 6,

2010

The regular meeting of Austinburg Township held December 6, 2010 was called to order at 7:00pm with the pledge. Trustees Burke, Kusar, Spade, Ted, Ginny Seifert, Jordan Kolaric, David Thomas, Sarah Masek, Joe Hejduk, Shawn Shannon, and Byron Dutton II were present.

Janie stated she had a correction. She said she never stated when Jerry and John attended the zoning meeting, that was in violation of the Sunshine Law, John was talking about the Sunshine Law. Barb said she thought the reference to the Law was made by Janie. Janie said listen to the tape. Janie also said when she was talking about wearing the hat of a trustee she was talking about Jerry specifically, she was not talking about John because he is zoning liaison. Jerry cannot be there as a resident, he still wears the same hat, that of a trustee. The fiscal officer said she will listen to the tape. (After listening to the tape, the conversation is as follows. Joe Hejduk expressed his distaste with the zoning meeting. John said he attended the zoning meeting and explained why the trustees rejected the commission's package. It was due only to a technicality. John stated this made Jackie pretty upset. Jerry was there. Janie said wait a minute, Jerry and you attended the meeting? You know that is a violation. John said no it is not. Janie said ok. John asked how is that a violation? Janie stated two people at a meeting that are making decisions. John said, no. Janie stated that is a public meeting, and John agreed it is a public meeting. John said if you read the Ohio Sunshine Law it is very specific, if you are conducting Austinburg Twp. business, then it is a violation. He said he has been at reverse raffles and seen all three County Commissioners sit at the same table. Janie said this is township business. John said it does not matter, Jerry and I did not discuss township procedures, you are wrong on that. Janie stated she disagrees. John said you can read the Attorney General's opinions. You can be at a function, you can be at an official function; Janie said but this is a zoning commission meeting to do their work. John said Jerry Burke went as citizen Jerry Burke. Janie said you cannot go as a citizen, you are a trustee, can't wear different hats, you have to wear the hat. She said we disagree on this.)

Res. 1439-10 John moved to approve the minutes from the previous meeting. Jerry seconded. The roll call vote; Spade, no. Kusar, aye. Burke, aye.

Res. 1440-10 Jerry moved to approve the bills. Janie seconded. The roll; Kusar, aye. Burke, aye. Spade, aye.

Receipts were \$11,658.60. Bills totaled \$31,951.22 plus a \$2,000.00 Fire Dept. allowance given this evening.

Shawn Shannon gave a report on the 2010 Christmas party at the town hall. The tree lighting is Dec. 11 at 4:00pm. The party will be held after the parade on Saturday. John has contacted the Sheriff Dept. for traffic control.

John Beninato gave his zoning report. He said the legend on the zoning map should be corrected after the first of the year when it is certified.

John K. stated he has a letter from the Prosecutor's office regarding the trustees rejecting the zoning package. He read the letter aloud, a copy is in township files. He then read a letter he has written to Catherine Colgan in response. He told her the trustees have voted on the issue, and sent her a copy of the Oct. 18 minutes. It was outside the 20 days, all the trustees were under the assumption they had 30 days to vote. They did not conduct the vote at the Oct 4 meeting since one trustee was not present. He suggests waiting for Catherine's response to his letter before taking any other action.

Res. 1441-10 John addressed the appointments to the zoning boards. He moved to reappoint the present members to the zoning commission. Jerry asked Dave Thomas if he will be here to attend meetings. Dave answered he will be here until Sept. and there is a chance he may attend college in Cleveland, so he will be able to attend more. John said Jackie is initiating a letter to Brent Carrick to inquire if he is staying on the board. He has been unable to attend meetings lately. Jerry seconded the motion. The roll call; Spade, aye. Burke, aye. Kusar aye. John said we will wait until next meeting to address the ZBA appointments.

Discussion was held on bonuses for the roadmen.

Res. 1442-10 John moved to give Bill Wilms and Scott Tenney a stipend of \$400.00, and Mike Petro \$550.00. Janie seconded. The roll; Burke, aye. Spade, aye. Kusar, aye.

John asked Janie where the NOPEC grant stood. He would like to inform Cindy the timetable so she knows what to expect for town hall rentals. Janie stated she spoke with Georgia Reasch through e-mail, and she needed additional stuff. Janie said she sent her

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additional stuff. It had to be in by a certain date. The date is Dec. 15, and she will call if she hears anything from them.

Janie asked what should be done about the zoning issue regarding the suggestions that the trustees rejected. John answered we have to wait for clarification from Catherine Colgan. John stated her letter addressing the matter is confusing.

Jerry stated the town hall basement flooded last month. A new sump pump was needed and has been replaced.

Jerry said Pete called him and informed him the tires on the 550 need replaced. There is poor traction with the current ones. He priced six new tires from Kauffman at \$1,800.00. They will have a more aggressive tread.

Res. 1443-10 Jerry moved we put the new tires on the 550 from Kauffman at a price of \$1,800.00. Janie seconded. The roll; Kusar, aye. Burke, aye. Spade, aye.

Jerry reported the property on Woodside Dr. has been sold for \$15,000.00. The house is still standing. Janice Schweitzer told him that the county will have it torn down if the new owner comes in to sign a paper.

Byron Dutton said he thought there was supposed to be a light at Clay St. and Rt. 45 by Dec. 3. Jerry stated it was Tim Martin that told him that.

John said the Rebhuns told him they were told the sewer project will not be completed this year. They are having trouble with the generator pad and now the weather is causing problems.

Joe Hejduk said he had traveled and learned a lot about what other communities are doing to make themselves succeed. He said it is impressive what others are accomplishing.

Shawn Shannon inquired about the ice skating rink for sale from Geneva Lodge. John told him it is on a county auction site along with skates. Jerry said he will follow up on it and try to find more information.

Res. 1444-10 Regarding the OTARMA Board of Directors election, Janie moved the township cast the vote for candidates David Fogelsong and Nancy White. Jerry seconded. The roll call; Spade, aye. Kusar, aye. Burke, aye.

Res. 1445-10 John moved to adjourn the meeting. Janie seconded. The meeting adjourned at 8:20pm.

Gerald Burke

Boaul Charney

Barbara Schaal