

# RECORD OF PROCEEDINGS

Minutes of Austinburg Twp.

Meeting

Held September 10,

2007

The regular meeting of Austinburg Township held September 10, 2007 was called to order at 7:30pm with the Pledge. Trustees Burke, Frank, and Spade were present. Audience in attendance were Lorna Masek, Gene, Diane Mongenel, Dave Long, Tom Sable, Shelley Kelner, Marcy Hejduk, Byron Dutton II, Ted, Ginny Seifert, Nelson Hejduk, Connie Coons, Gary Welch, Mike Schaab.

Jerry stated at the meeting about the tree on Lampson Rd. with First Energy officials that was reported on in the Aug 20 minutes, he was also present at that meeting.

Res. 761-07 Jerry moved to approve the minutes from the Aug. 20 meeting with the above noted. Lynn seconded. The roll call vote; Burke, aye. Frank, aye. Spade, aye.

The fiscal officer reported on changes to our office phone number, that will enable us to save on our DSL service.

Res. 762-07 Janie moved to sign with Windstream for the three year service as reported by the fiscal officer. Jerry seconded. The roll call vote; Frank, aye. Burke, aye. Spade, aye.

Res. 763-07 Janie moved to pay the bills as the lawful obligation to the township. Jerry seconded. The roll; Spade, aye. Burke, aye. Frank, aye.

Res. 764-07 Jerry moved to accept the Certificate of Estimated Resources for FY 2008 as sent by the County Budget Commission. Janie seconded. The roll call vote; Burke, aye. Spade, aye. Frank, aye.

In correspondence we received a letter from Country Days secretary Ginny Seifert thanking the trustees for their support.

A letter received from Ashtabula County Prosecutor Tom Sartini addressed the issue of the Zoning Commission and a legal premise for their decision on a request for a zoning change. A copy is available in the township files for review.

A letter was received from seasonal worker Ted Seifert, declaring he is unavailable for work at this time.

Letters were received from three residents expressing their concerns with the costs of the upcoming sewer project and dissatisfaction with Janie and Lynn regarding the lack of support shown for residents affected by the sewer project.

Zoning Administrator John Beninato gave his zoning report. A copy is available for review.

Jerry reported the roadmen have torn out the town hall steps. Pete Haas will begin work on the new steps. The top of the steps will be made larger to accommodate a handicap ramp in the future.

On the Mill Creek Rd. project, Jerry reported the dirt used has packed well. We will need more though, for the road sides. Pete will use some stone for this. The road may be open next week.

Jerry said he is still checking with Bob Harvey on possible property tax abatements for residents affected by the sewer costs.

Janie asked if the cost for the town hall steps will increase since the top is being enlarged. Jerry stated it will not.

Janie stated she has checked with OTARMA about the issue of defibrillators being stolen if placed in the town hall and township garage. We have a \$250.00 deductible, and they can be listed on our insurance inventory for protection.

Janie gave information on the development of a web page for the township by Miami University.

Janie has contacted Russ Nank of PennOhio for our September 22 clean up. Russ will contact Pete.

Janie reported she has attended the NATAT conference in Washington three times. She stated she has paid for all of her trips. One of the sessions she attended at NATAT addressed the importance of accurate counts for the 2010 census.

Janie stated she has contact information for sewer issues from NATAT and will pass that information on to Larry Meaney. Janie said she checked on tax increases due to the sewers. She stated it will actually double her property taxes within a six year period. She said that she inquired about EPA funding since this is mandated by the EPA. Janie also mentioned Brownfield grants, and will speak to the Commissioners about them. She will also check on Homeland Security grants. Janie will drop off information she has to Larry Meaney.

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Janie thanked Lynn for covering the NAD meeting. The next meeting is October 3 at 6:00pm. The NAD report was given.

Jerry stated Janice Schweitzer of the ACDES is working on an income survey form to be used in the sewer affected area.

Lynn said she has a conflict with the September 17, 2007, the regular date for the next township meeting.

Janie said she has a conflict also.

Res. 765-07 Janie moved to set the next township meeting on Tuesday, September 18, 2007 at 7:30pm. Discussion was held on payroll schedules. The fiscal officer stated she thinks it is important to stay on track with checks and meeting dates. There was no second to the motion made to change the meeting date.

Discussion was held on the office FAX machine and the zoning printer.

Lynn stated she attended the Zoning Commission meeting. There are updates needed in the zoning text. It was discussed zoning secretary Sarah Masek could work on this task. She would need to be compensated for the extra work. Discussion was held on how the pay could be handled. Discussion was then held on what the zoning text actually needs.

Res. 766-07 Jerry moved to table this issue until he has a chance to research this more. Lynn seconded. The roll; Spade, aye. Burke, aye. Frank, aye.

Res. 767-07 Janie moved that Zoning Commission Chair Ted Seifert, Zoning Administrator John Beninato, Lynn Frank, and Sarah Masek get together to discuss what needs to be done to update the existing zoning text. Lynn seconded. The roll call vote; Burke, no because he just moved to table the issue. Frank, aye. Spade, aye.

Lynn stated, also discussed at the Zoning Commission meeting was they had a discussion about Mr. Cox and the Bed and Breakfast, and they sent the information on to Al Dispenza of the County Planning Commission as required within the five day period. Lynn read the letter from Mr. Dispenza regarding the 1,000 feet requirement between B&B's as contained in the text. This question was put to the Zoning Commission by the trustees to be reviewed. A complete copy of the letter is on file. The Public Hearing on the issue has been scheduled for September 26, 2007 at 7:00pm. THIS QUESTION CONCERNS ALL R-1 DISTRICTS.

Lynn said she received an e-mail from Ohio Emergency Mgmt. More documents are needed for her FEMA reports.

Lynn discussed the tree that is leaning on Shirley Lindbergh's property on Lampson Rd. First Energy has declared this to be the responsibility of the property owner. Jerry said we cannot take the tree down, so let it fall and the fire dept. will clean up the debris, and CEI will have to repair their wires. Lynn will contact Shirley.

Lynn said Mr. Sable is here to discuss a neighbor who is piling wood on the property he rents, and it is a safety concern. Lynn stated she researched fence laws and there is nothing addressing this type of issue. Jerry said there is nothing the trustees can do. Ted Seifert stated this came to the Zoning Commission and it was suggested Mr. Sable contact the Sheriff office.

Discussion was held on the easement/land acquisition forms sent by ACDES.

Res. 768-07 Lynn moved to return the form with Option 2 checked, requesting a meeting with Larry Meaney. Janie seconded. The roll; Burke, aye. Frank, aye. Spade, aye.

Discussion was held on the census program. Barb offered to start the program on behalf of the township. She will gather more information.

Res. 769-07 Lynn moved to table the census discussion until the information is gathered. Jerry seconded. The roll; Spade, aye. Frank, aye. Burke, aye.

In audience participation, Gene Mongenel asked about dates for paving in Ravinewood. Janie will contact Koski Co. Jerry stated he thinks it will be started this month.

Diane Mongenel asked about sewers on College St. Lynn said College St. is not included in the mandate.

Dave Long said there are four trees in front of Petrics property that need to be looked at. Limbs fall into the area.

Marcie Hejduk asked who Sarah Masek is. She stated the front doors to the town hall need to be blocked from the inside since the steps are torn off.

Byron Dutton asked when it was discussed to move this meeting date. The Sunshine Law

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was discussed. Byron inquired about the leveling work that is to be done on Lampson Rd. Jerry stated he doesn't know about that for this year. Nelson Hejduk discussed the sewer project. He has been going over the design plans. There are discrepancies in the prints. He stated the people are getting a bad deal. We will continue to make noise until something is done. Lynn stated the plans are going over to John Smolen Engineering for review.

Mike Schaab stated Mr. Smolen, as an architectural engineer, is not qualified to review this type of project.

Connie Coons asked why not go ahead with the handicap ramp now that the steps are torn off. Jerry said it can be fit in at a later date. Janie stated the trustees made the motion to do the steps as they are being done.

Mike Schaab addressed Country Days. He thanked Chad Spade for his work pulling out the trailers.

Mike addressed the letter from Mr. Dispenza regarding the 1,000 feet requirement between B&B's. Mike believes Mr. Dispenza defended how the Zoning Board arrived at the 1,000 feet, not the 1,000 feet requirement itself.

Ted Seifert commended Shelley Kelner and Marcie Hejduk for working to get the television news crews out to Austinburg for coverage of the sewer project.

Res. 770-07 Janie moved to adjourn the meeting. Lynn seconded. The meeting adjourned at 9:45pm.

*Barbara Schaab*  
*Jerry Burke*