

AUSTINTOWN TOWNSHIP

MAHONING COUNTY, OHIO
82 OHLTOWN ROAD
AUSTINTOWN, OH 44515

REGULAR MEETING OF JULY 13, 2020

The Regular Meeting of the Board of Trustees of Austintown Township was held Monday, July 13, 2020, at Town Hall, 82 Ohltown Road, Austintown, Ohio.

The meeting opened at 6:00 P.M. with a salute to the flag led by Chairperson Jim Davis. Roll Call was as follows: Mr. Davis, present; Mr. Carano, present; and Mr. Kent, present.

Mr. Davis introduced the Board Members, Department Heads, and Sergeant at Arms.

RESOLUTION #20-07-13-01: Motion by Mr. Carano to approve the Minutes of the Regular Teleconference Meeting of June 22, 2020.

Mr. Kent seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Davis, yes; and Mr. Kent, yes.

ADMINISTRATOR'S REPORT

DEPARTMENT BUSINESS

ROAD DEPARTMENT AND CEMETERY

June 2020 Monthly report received.

POLICE DEPARTMENT

June 2020 Monthly report received.

FIRE DEPARTMENT

June 2020 Monthly report received.

ZONING DEPARTMENT

June 2020 Monthly report received.

RESOLUTION #20-07-13-02: Motion by Mr. Kent to approve the following:

RESOLUTION

The **Board of Trustees of Austintown Township**, Mahoning County, Ohio, meeting on **Monday, July 13, 2020** did adopt the following Resolution:

WHEREAS: The Board of Trustees of Austintown Township has determined that the following properties constitute a public nuisance pursuant to Ohio Revised Code 505.87:

3888 Ascot Court (Vacant)
Parcel No.48-004-0-065.000
High grass and weeds;

5328 Baker Street (Vacant)
Parcel No.48-028-0-050.000
High grass and weeds at the perimeter of the dwelling;

236 North Beverly Avenue (Vacant)
Parcel No. 48-024-0-155.000
Junk and debris within the rear yard and fence in disrepair with sections that have fallen;

2343 Breezewood Drive
Parcel No. 48-129-0-100.000
Junk and debris stored in an exposed manner within the driveway including a washer and dryer;

4565 Burkey Road
Parcel No. 48-114-0-030.000
High grass and weeds;

2444 South Canfield Niles Road (Vacant)
Parcel No. 48-122-0-011.000
High grass and weeds;

354 Dehoff Drive
Parcel No. 48-018-0-047.000
High grass and weeds and junk and debris on rear porch and yard;

453 North Four Mile Run Road
Parcel No. 48-006-0-120.000
High grass and weeds;

4805 Mahoning Avenue (Vacant)

Parcel No. 48-015-0-089.000
High grass and weeds within unimproved right-of-way;

83 North Main Street
Parcel No. 48-025-0-526.000 & 48-025-0-527.000
junk and debris including old tires and scrap wood;

1516 Maplecrest Drive (Vacant)
48-076-0-049.000
High grass and weeds;

1515 Maplecrest Drive (Vacant)
Parcel No.48-076-0-134.000
High grass and weeds;

3961 New Road
Parcel No. 48-006-0-047.000
High grass and weeds;

682 Notre Dame Avenue (Vacant Lot)
Parcel No. 48-110-0-045.000
High grass and weeds;

4594 Plumbrook Drive
Parcel No. 48-112-0-201.000
Junk and debris including piles of dead tree branches;

670 Purdue Avenue
Parcel No. 48-110-0-096.000
Side walk in need of repair;

1705-1739 South Raccoon Road
Parcel No. 48-108-0-005.000
Junk and debris with high grass and weeds on the southeast side of property
around dumpster and plaza building;

4605 Rita Avenue
Parcel No. 48-075-0-060.000
Junk and debris with high grass and weeds throughout the yard;

Signature Drive (vacant lot)
Parcel No. 48-117-0-137.000
High grass and weeds;

1210 Signature Drive
Parcel No. 48-097-0-232.000
High grass and weeds at the side and rear of the property;

546 Southward Drive
Parcel No. 48-095-0-118.000
High grass and weeds within the rear yard;

3909 Staatz Drive
Parcel No. 48-004-0-040.000
Junk and debris in yard area including an overflowing dumpster for over three (3) weeks;

1851 South Turner Road
Parcel No. 48-094-0-028.000
Junk and debris including lawn equipment along garage;

Winthrop Drive (Vacant Lots)
Parcel No. 48-076-0-119.000
 48-076-0-118.000
High grass and weeds;

3388 White Beech Lane
Parcel No. 48-003-0-028.000
High grass and weeds with shed in need of repair or removal and broken rear window in need of repair;

1290 Woodhurst Drive
Parcel No. 48-114-0-079.000
High grass and weeds, junk and debris within the front and rear yards, and a shed in need of repair or removal;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Austintown Township that the above referenced properties constitute public nuisances and the property owners are hereby **ORDERED** to abate, control, or remove said nuisances. If said nuisances are not abated, controlled or provision for abatement, control, or removal is not made within **SEVEN (7) DAYS** from the below date of adoption, the **BOARD OF TRUSTEES** will provide for the abatement, control, or removal, and any expenses incurred-**\$500 minimum**-by the Board of Trustees in performing that task will be entered upon the tax duplicate and will be a lien upon the land from the date of entry.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

PARK DEPARTMENT

June 2020 Monthly report received.
Park Supervisor, Todd Shaffer spoke of the success of the Disc Golf tournament held at the park
Also noted the Splashpad is opened from 11:00 am to 8:00 pm

SENIOR CENTER

FISCAL OFFICER

RESOLUTION #20-07-13-03: Motion by Mr. Carano to Accept June's Reports submitted to Board for review:

- a. Fund Status
- b. Revenue Status
- c. Appropriation Status

Mr. Kent seconded motion. Roll Call Vote: Mr. Davis, yes; Mr. Carano, yes; and Mr. Kent, yes.

NEW BUSINESS

RESOLUTION #20-07-13-04: Motion by Mr. Kent to authorize all actions necessary to support the continuation of a Governmental Natural Gas Aggregation Program with opt-out provisions pursuant to Section 4929.26, Ohio Revised Code, directing Michael B Dockry, Township Administrator to execute a supply agreement with IGS ENERGY to continue a natural gas aggregation program beginning October 2020 through September 2023 adding \$0.375/MCF to NYMEX Settlement purchase price – see attached

Mr. Carano seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Kent, yes; and Mr. Davis, yes.

RESOLUTION #20-07-13-05: Motion by Mr. Carano to approve increase in appropriations of Law Enforcement Trust Fund (2261) to \$192,000.00.

Mr. Kent seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #20-07-13-06: Motion by Kent to approve the Repayment of Advances to the General Fund (1000) from:

- \$5,000.00 from Motor Vehicle License (2011)
- \$30,000.00 from Lighting Districts (4501)
- \$25,000.00 from Road (2031)
- \$20,000.00 from Police (2081)
- \$12,000.00 from Permissive Motor Vehicle License (2231)

\$50,000.00 from Gasoline Tax (2021)

Mr. Carano seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Carano, yes; and Mr. Kent, yes.

PUBLIC RESPONSE

OFF CAMERA: None

ON CAMERA:

Carol Ricker: 117 S. Roanoke Ave

- Thanked the Trustees and the crew who cleaned up Moherman-Lanterman cemetery by Wendy's

Rich Edwards: 5355 Nashua Dr

- Comments on portable food vendors; commented on vacant property next to his – need to hold owners accountable
- TWP Trustees should vote to enact Urban Home Rule

REMARKS FROM THE BOARD MEMBERS

FISCAL OFFICER LAURA L. WOLFE:

- Nothing to add

TRUSTEE STEVEN E. KENT:

- Commented on Disc Golf tournament

TRUSTEE KENNETH A. CARANO:

- Thanked Dan for taping the meeting tonight
- Encouraged everyone to wear their masks
- Congratulated the organizations for their efforts during COVID-19
- Commented on the future of education and the teachers

TRUSTEE JAMES C. DAVIS:

- Mentioned racism issues
- Commented on the meeting @ New Bethel Baptist Church
- Commended Chief Gavalier on their proactive measures

RESOLUTION #20-07-13-07: Motion by Mr. Kent to recess into Executive Session at 7:01 P.M.:

- A. To consider the appointment, employment, discipline, or compensation of public employees

- B. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment

Mr. Carano seconded the motion. Roll Call Vote: Mr. Carano, yes; Mr. Kent, yes; and Mr. Davis, yes.

RESOLUTION #20-07-13-08: Motion by Mr. Carano to reconvene from Executive Session at 8:30 P.M.

Mr. Kent seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Davis, yes; and Mr. Carano, yes.

RESOLUTION #20-07-13-09: Motion by Mr. Kent to approve the revision of the Austintown Town Hall Agreement and Reservation Form.

Mr. Carano seconded the motion. Roll Call Vote: Mr. Davis, yes; Mr. Kent, yes, and Mr. Carano, yes.

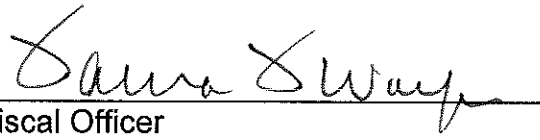
RESOLUTION #20-07-13-10: Motion by Mr. Carano to adjourn at 8:35 P.M.

Mr. Kent seconded the motion. Roll Call Vote: Mr. Kent, yes; Mr. Carano, yes; and Mr. Davis, yes.

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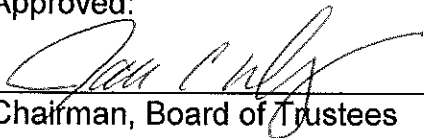
This is to certify that the foregoing is an accurate record of the proceedings of the board of township trustees at its meeting held on the date listed above.

Date: 07-27-20



Fiscal Officer

Approved:



Chairman, Board of Trustees

AUSTINTOWN TOWNSHIP

Mahoning County, Ohio

TRUSTEES

JAMES C. DAVIS

KENNETH A. CARANO

STEVEN E. KENT



FISCAL OFFICER

LAURA L. WOLFE

ADMINISTRATOR

MICHAEL B. DOCKRY

TOWNSHIP OF AUSTINTOWN OHIO

RESOLUTION NUMBER #20 - 07 - 13 - 04

A RESOLUTION AUTHORIZING ALL ACTIONS NECESSARY TO SUPPORT THE CONTINUATION OF A GOVERNMENTAL NATURAL GAS AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO SECTION 4929.26, OHIO REVISED CODE, DIRECTING *Michael B. Dockry*, TOWNSHIP ADMINISTRATOR TO EXECUTE A SUPPLY AGREEMENT WITH IGS ENERGY TO CONTINUE A NATURAL GAS AGGREGATION PROGRAM BEYOND SEPTEMBER 2020 WHEN THE CURRENT SUPPLY AGREEMENT ENDS.

WHEREAS, the Ohio Legislature has enacted natural gas deregulation legislation ("H.B. No. 9") which authorizes the legislative authorities of townships to aggregate the retail natural gas loads located in the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of natural gas; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of natural gas deregulation through lower natural gas rates which they would not otherwise be able to have individually; and

WHEREAS, this Board finds and determines that it is in the best interest of the Township, its residents, businesses and other Natural Gas consumers located within the limits of the Township to continue its Natural Gas opt-out Aggregation Program subject to the conditions of a Natural Gas Supply Agreement that will take effect on or about October 1, 2020; and

WHEREAS, this Board through the efforts of its consultant, Independent Energy Consultants, Inc., has issued a Request for Proposal to eligible natural gas suppliers and determined that Interstate Gas Supply, Inc. provides the best overall option for residents and small businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWNSHIP OF AUSTINTOWN, MAHONING COUNTY, STATE OF OHIO THAT:

Section 1: Michael B. Dockry, Administrator, is hereby authorized to perform all actions necessary to support the implementation and ongoing administration of a governmental aggregation program including entering into a natural gas supply service agreement with Interstate Gas Supply, Inc., a PUCO certified supplier, to facilitate the sale and purchase of Natural Gas to consumers in the Township's opt-out program.

Section 2: That it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

AUSTINTOWN TOWNSHIP

Mahoning County, Ohio

TRUSTEES

JAMES C. DAVIS

KENNETH A. CARANO

STEVEN KENT



FISCAL OFFICER

LAURA L. WOLFE

ADMINISTRATOR

MICHAEL B. DOCKRY

THE STATE OF OHIO, MAHONING COUNTY

I, Laura L. Wolfe, Fiscal Officer of Austintown Township, do hereby certify that the foregoing is taken from the Record of Proceedings of the Regular Meeting of the Board of Trustees held on July 13, 2020 and that the same has been compared by me with the Resolution # 20-07-13-04 of said Record and that it is a true and correct copy thereof.

This July 13th, 2020 .

A handwritten signature in cursive script that reads "Laura L. Wolfe".

Laura L. Wolfe, Fiscal Officer

FOURTH AMENDMENT TO MASTER AGREEMENT

Aggregator: Township of Austintown
Supplier: Interstate Gas Supply, Inc. dba IGS Energy
Effective Date: October 1, 2020

Definition

“Master Agreement” means the Master Agreement to Provide Certified Natural Gas Services to a Governmental Aggregator by and between The Township of Austintown and (“Aggregator”) and Interstate Gas Supply, Inc. (“Supplier”), dated July 23, 2012.

All capitalized terms not defined in this Amendment have the meaning given to them in the Master Agreement.

Background

Aggregator and Supplier desire to revise pricing of their Master Agreement dated July 23, 2012, the First Amendment to the Master Agreement effective October 1, 2014, the Second Amendment to the Master Agreement effective October 1, 2016, and the Third Amendment to the Master Agreement effective October 1, 2018 for the utility billing cycles beginning November 2020 through October 2023 (“Pricing Period”).

Agreement

In consideration of the mutual promises below, Aggregator and Supplier agree to modify their Master Agreement, but only to the extent set forth below.


Modification: Price Calculation. Aggregator and Supplier agree that the default price to Customers during the Pricing Period shall be a monthly variable price calculated by adding to the applicable NYMEX settlement an amount equal to \$0.375/MCF. Aggregator shall have the right to convert this monthly variable price into a fixed price for any month or series of consecutive months and Aggregator hereby authorizes Consultant to direct Supplier to trigger such fixed price or prices.

All other provisions stated in the original Master Agreement continue in full force and effect.

AGREED:

Aggregator:
Austintown Township

Supplier:
Interstate Gas Supply, Inc.


Name: Michael Dockry
Title: Township Administrator

Name:
Title: