

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on May 5, 2003. Those present were trustees Mr. Samuel Desiderio, Mr. Charles Hesse and Mr. Christopher Horn and clerk Susan R. Angelino. Mr. Hesse presided and called the meeting to order at 7:00 P.M.

#### MINUTES

The minutes of the April 28, 2003 regular meeting were approved as read.

#### COMMENTS BY GUESTS AND VISITING PUBLIC

Mark Snider from the Winbury Group discussed the letter he sent to the trustees regarding minor changes in his site plan for the Judgment Entry.

The trustees said Geauga County Prosecutor and Zoning Inspector will have to review.

#### OLD BUSINESS

##### SEWER SERVICE REQUEST

Fellowship Bible Church  
16391 Chillicothe Road

The trustees were in general agreement to not object to Fellowship Bible Church's request for a sewer tie-in on their property at 16391 Chillicothe Road in Bainbridge Township.

#### NEW BUSINESS

##### ROAD DEPARTMENT

##### 2003 Projects

Asphalt Resurfacing & Pavement Recycling of Various Roads in Bainbridge Township

Mr. Hesse made a motion ordering the Asphalt Resurfacing & Pavement Recycling of Various Roads in Bainbridge Township and authorized the clerk to advertise for sealed bids.

Mr. Desiderio seconded the motion that passed unanimously.

Chip Seal of Various Roads in Bainbridge Township

Mr. Hesse made a motion ordering the Chip Seal of Various Roads in Bainbridge Township and authorized the clerk to advertise for sealed bids.

Mr. Desiderio seconded the motion that passed unanimously.

PETTIBONE ROAD PROJECT

Mr. Hesse made a motion authorizing payment of \$980.00 to HzW Environmental Consultants for additional wetland affirmation studies for the Pettibone Road Project, per the recommendation of the Geauga County Engineer's Office. (P.O. 155)

Mr. Horn seconded the motion that passed unanimously.

CHAGRIN ROAD NEIGHBORHOOD ASSOCIATION

The trustees met with the Chagrin Road Neighborhood Association and their attorney Dave Mitchell for a discussion on the Judson proposal.

Mr. Mitchell's concerns included.

1. Petition with 200 homeowners objecting to Judson proposal.
2. Parties involved may have had a deal for alternate location besides Haskins Road.
3. Trustees may have been part of settlement negotiations.
4. Metroparks will not negotiate without township intervention.
5. Private homeowners approached by Trustees suggesting selling property to Judson.
6. Judson does not fall within definition of residential care zoning codes.
7. Inheritance taxes to township grossly overstated.
8. Fire, rescue calls to Judson will cause burden on safety forces.
9. Water, sewer facilities not determined.
10. Urged Trustees to resist efforts by Judson and refrain partaking in closed door sessions.

Comments by residents included:

1. Too much traffic.
2. Demand on Safety forces.
3. There are no three story buildings in Bainbridge Township
4. Because of lack of sewers and Metroparks letter, zoning variance should be denied.
5. Reconfiguring of topography will result with additional road. Not keeping with zoning code.
6. Fire chief concerned about calls to Weils, Alterra.
7. Metroparks property trail in Judson proposal can connect to Geauga County Park System.
8. County should complete ground water study in area.
9. Residents upset that Trustees are involved.
10. Other similar facilities in township are not at full capacity.
11. Integrity of neighborhood will be diminished.
12. Without access to Chagrin Road, fire department will not approve proposal.
13. Too much lighting emanating from facility.
14. Nursing home may be proposed in future.

Trustees' comments:

1. There have been no discussions between Judson and Trustees since BZA filing.
2. Trustees met once or twice in regards to lawsuit filed by Judson.
3. There were no deals made by Trustees with Judson.
4. Trustees engaged in negotiations to try to resolve lawsuit, which is legal.
5. Water or sewer approval is not basis for BZA to grant or deny.

POLICE DEPARTMENT

Professional Training

The trustees were in general agreement for Ptl. Jonathan Sweitzer to attend a Driving Program Class on June 2 & 3, 2003 at a cost of \$399.00 per the recommendation of Police Chief James Jimison. (B.C. 24)

Professional Training

The trustees were in general agreement for Ptl. Brian Frew to attend a Driving Program on June 2 & 3, 2003 at a cost of \$399.00 per the recommendation of Police Chief James Jimison. (B.C. 24)

TOWNSHIP PROFESSIONAL SERVICES

Mr. Hesse made a motion authorizing payment of \$10,000.00 to Walter & Haverfield LLP for legal professional services in regards to township issues. (P.O. 156)

Mr. Horn seconded the motion that passed unanimously.

NO ENGINE BRAKE SIGNS

Mr. Hesse made a motion to authorize "No Engine Brake" signs to be placed throughout St. Rt. 422 in Bainbridge Township.

Mr. Desiderio seconded the motion that passed unanimously.

CORRESPONDENCE

Letter from Victoria W. Edick. RE: Family Gravesites.

Letter from Wendy & Kim Colebrook, dated May 5, 2003. RE: Opposition to proposed Judson Retirement Community.

Memo from Michael F. McIntyre, Zoning Inspector, dated May 2, 2003. RE: Winbury Property on Chagrin Road - Case #97M000956.

Copy of letter to Mr. Robert Petronzio of Petronzio Management Company, LLC from the Geauga Soil & Water Conservation District, dated May 2, 2003. RE: Petronzio Building @ Knowles Ind. Park Plan Review - Submittal #1.

Copy of letter to The Illuminating Company from Robert L. Phillips, Geauga County Engineer, dated April 29, 2003. RE: Tanglewood Trail Phase II - Preliminary Dam Profile.

Memo from Kyle Dreyfuss-Wells of Chagrin River Watershed Partners, Inc., dated May 1, 2003. RE: Annual Member and Board of Trustees Meeting May 8, 2003.

Letter from Resident Jean Benjamin. RE: Restland Cemetery.

Copy of Memo from Chief James P. Jimison to All members of the Bainbridge Township Police Department, dated April 25, 2003. RE: Achievement Awards.

Copy of check from Bainbridge Land Development, dated April 29, 2003. RE: Memorandum of Understanding.

#### CEMETERY DEEDS

The trustees signed a cemetery deed record. Joan Demirjian and Ted Seliga attested to their signatures.

#### CHECKS DATED MAY 5, 2003

The trustees examined the above checks and invoices for same, and Mr. Horn moved that these checks for outstanding obligations and payroll be accepted for payment.

Mr. Desiderio seconded the motion that passed unanimously.

Note: A copy of said checks is attached to, and becomes a permanent part of, these minutes.

#### SPEED STUDY

The trustees were in general agreement to request the Geauga County Engineer to do a speed study on Geauga Lake Road between Pettibone and Depot Road.

#### EXECUTIVE SESSION

Mr. Hesse moved that the Bainbridge Township Board of Trustees go into executive session to consider the compensation of public employees and the purchase of property.

Mr. Desiderio seconded the motion. Vote: Mr. Desiderio, aye; Mr. Hesse, aye; Mr. Horn, aye.

The trustees recessed their regular meeting at 9:19 P.M. in order to go into executive session to consider the compensation of public employees and the purchase of property.

The trustees returned from executive session after considering the compensation of public employees and the purchase of property and reconvened their meeting at 11:09 P.M.

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 11:10 P.M.