

The Bainbridge Township Board of Trustees met in regular session at the Bainbridge Town Hall on June 1, 2004. 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 7:04 P.M.

COMMENTS BY GUESTS AND VISITING PUBLIC

The trustees met with Kate Ritchie, Volunteer Coordinator for the Geauga County Department of aging for a discussion on the need for volunteer drivers for home bound residents in the area.

Resident Linda White expressed her concern with recent discussions regarding the YMCA and also gave trustees Recreation Center information she had obtained while visiting in Texas.

TOWN HALL/OTHER

OLD BUSINESS

PARKS PROJECT MANAGER - PROFESSIONAL SERVICES

Mr. Horn made a motion authorizing payment of \$3,000.00 to Landesign for services in regard to township properties. (P.O. 244)

Mr. Desiderio seconded the motion that passed unanimously.

NEW BUSINESS

TOWNSHIP REPORTS

FINANCIAL REPORT

The trustees acknowledged receipt of the May, 2004 Financial Statement of Receipts and Disbursements as prepared by the Clerk's Office.

NOTE: A copy of subject report is attached to, and becomes a permanent part of, these minutes.

TOWNSHIP EMPLOYEE PHYSICAL EXAMINATIONS

The trustees noted that the following employees have completed their biennial physical examinations per the Bainbridge Township Personnel Policy Manual and have no contraindications for continuous employment:

Nicole Traci
Donald Swindell

TOWNSHIP JULY 4TH CELEBRATION

Mr. Horn made a motion authorizing payment of \$775.00 to Party Animals for (2) inflatables for the July 4th Celebration. (P.O. 242)

Mr. Desiderio seconded the motion that passed unanimously.

ZONING

Abatement of Nuisance

Mr. Hesse made a motion to contract with Liberty Landscaping to cut the nuisance grass on parcel #02-419590 Bainbridge Township owned by G. & M. Tanglewood, Inc. (Mr. Robert Miller) upon expiration of the time for said owner to abate the nuisance at a cost of \$320.00 for first mowing and \$140.00 per mowing for a maximum of three mowings.

Mr. Desiderio seconded the motion that passed unanimously.

POLICE DEPARTMENT

NEW BUSINESS

Professional Training

The trustees were in general agreement for Patrolman Raymond Arnold to attend a Dare Officer Retrainer Conference in Akron, Ohio on July 28, 29 & 30, 2004 at a cost of \$125.00 per the recommendation of Police Chief James Jimison. (B.C. 41)

New Police Station

Mr. Horn made a motion to approve the following change orders per the recommendation of Horne & King and Heery International.

Mr. Hesse seconded the motion that passed unanimously.

- #28 - \$8,420.00 increase to Doan/Pyramid Electric - Provide Telephone Data
- #29 - \$1,355.00 increase to Doan/Pyramid Electric - Additional equipment racks
- #30 - \$6,454.00 increase to Doan/Pyramid Electric - Additional wiring and conduit to position switches
- #31 - \$ 444.00 decrease to John G. Johnson - Deletion of position switches for doors
- #34 - \$3,905.00 increase to Castle Heating & Air - Additional HVAC work

FIRE DEPARTMENT

Consultant

Mr. Desiderio made a motion authorizing payment of \$9,790.00 to Emergency Services Consulting to provide a Resource Deployment Study of the Bainbridge Township Fire Department contingent upon proposal review and recommendation by the Assistant County Prosecutor.

Mr. Horn seconded the motion that passed unanimously.

ROAD DEPARTMENT

NEW BUSINESS

Mr. Hesse made a motion authorizing payment of \$17,343.87 to Concord Equipment for new Ford One Ton Truck per the recommendation of Highway Superintendent Alan Halko (Through State Purchasing Contract). (P.O. 243)

Mr. Horn seconded the motion that passed unanimously.

CENTERVILLE MILLS CAMP

The trustees met with Camp Director David Birkhead and YMCA CEO Glen Haley for a discussion on the Centerville Mills Camp.

The discussion involved reimbursement of credit card charges owed the township and various maintenance needs required at the camp.

Residents Linda White, Ann Myers and Carol Lynch expressed concerns about camp expenses and the need for the camp to be open more often to residents.

CAMP LABOR (2/1/2004 - 4/25/2004)

Mr. Hesse made a motion authorizing payment of \$6,980.81 to YMCA of Greater Cleveland for camp labor from 2/1/2004 - 4/25/2004. (P.O. 247)

Mr. Horn seconded the motion that passed unanimously.

CAMP OPERATIONS & MANAGEMENT

Mr. Hesse made a motion authorizing payment of \$5,083.01 to YMCA of Greater Cleveland for December Camp Operations & Management. (P.O. 248)

Mr. Horn seconded the motion that passed unanimously.

Mr. Hesse made a motion authorizing payment of \$5,083.01 to YMCA of Greater Cleveland for January Camp Operations & Management. (P.O. 249)

Mr. Horn seconded the motion that passed unanimously.

ROAD DEPARTMENT

Bids for the Pavement Recycling and Asphalt Resurfacing of Various Roads in Bainbridge Township

At this time we'll consider awarding the contract on the project entitled the pavement recycling and asphalt resurfacing of various roads in Bainbridge Township. Shelly Co. is the lowest bidder, however, the Township has experienced a series of problems with the performance of Shelly Co. and Thomas Asphalt Paving Co., its predecessor in interest, on a previous project, entitled the reconstruction of Tanglewood Trail, TR 484 and a portion of Northbrook Trail, TR 127 in Bainbridge Township, Contract No. RC-TR 484.02.

According to the notice to proceed for that earlier project, dated June 24, 2002, Thomas was required to complete all work on this project by November 2, 2002. Thomas had numerous problems meeting the work schedule, and did not timely complete the project. When Shelly purchased Thomas on or about June 1, 2003, and undertook performance of the contract, there was no change in the management of the work schedule, and Shelly failed to complete the project in a timely fashion. As of November, 2003, Shelly still had not completed work under the contract. Over several months the township and county engineer notified Shelly of problems with its performance.

Further, a resident Jeff Imka's June, 2003 claim for property damages caused by Shelly has not been handled professionally or appropriately by Shelly.

These problems with Shelly's performance and other related issues are detailed in a series of letters, including the letter from the Township's counsel John Tremsyn to Thomas, dated November 7, 2003; Shelly's letter in response, dated November 11, 2003; Shelly's letter to the Township, dated February 20, 2004; Donald Bagley, Esq.'s letter to Shelly, dated February 26, 2004; Mr. Tremsyn's letter to Shelly, dated March 4, 2004; the County Engineer's letter to Shelly, dated April 19, 2004; and the Engineer's letters of May 6, 2004 and May 14, 2004 to the Trustees. These letters have been reviewed and considered by the Trustees, and are attached to the minutes of this meeting.

This board is required to award the contract to the lowest and best bidder. The bid award is based on, among other things, the ability of the bidder to execute the contract properly, the Township's evaluation of the bidder's ability to service the public, the Township's knowledge of experience with the bidder's past performance, and the Township's needs and requirements.

The Trustees have reviewed the bid packet of the second lowest bidder, Ronyak Bros. Paving, Inc. and find it is complete and meets the specs for the job. Ronyak's bid was \$2,653.80 or 0.32% higher than the apparent low bid. This Board has knowledge of Ronyak's good past performance in completing projects, and, based upon the Township's knowledge and experience, Ronyak can meet the Township's needs. The township cannot afford to expend the time and money nor to endure the inconvenience that would potentially arise from a repeat of the problems encountered during Thomas and Shelly's performance on the previous contract.

Based upon this information, Mr. Desiderio made a motion that the Township not consider Shelly's bid as the best bid and instead to award the above referenced contract to Ronyak Bros. for \$821,826.30.

Mr. Horn seconded the motion that passed unanimously.

CORRESPONDENCE/COMMUNICATIONS

Information from Linda White, dated Summer 2004. RE: Pointes of Interest - Keller Parks and Recreation.

Copy of letter to Sugar Hill Trail Residents from Robert L. Phillips, Geauga County Engineer, dated May 25, 2004. RE: Road Construction Schedule.

Memo from Orange Village Mayor Kathy U. Mulcahy, Chair of Chagrin Valley Inter-Governmental Council, dated May 27, 2004. RE: Meeting to be held June 5, 2004.

Minutes of Bainbridge Township Zoning Commission, dated April 29, 2004.

Copy of letter to Officer Ray Arnold of the Bainbridge Township Police Department from the Trustees, dated May 21, 2004. RE: Exemplary Employee of the Year.

Copy of letter to Mr. James Crawford from Robert L. Phillips, Geauga County Engineer, dated May 25, 2004. RE: Woods of Wembley 6.

Copy of letter to Bill Hayward, Department of Health from David Birkhead, Executive Director of Centerville Mills Camp, dated May 24, 2004. RE: Outdoor Pool Facility.

NOACA Project Notification and Response Form, dated May 5, 2004. RE: Purchase of One Converted Van (CV-13-0) - Cleveland Sight Center.

NOACA Project Notification and Response Form, dated May 5, 2004. RE: Purchase of One Light Transit Vehicle (LTN-4-4) - Youth Challenge.

Letter from Carol Lynch, dated May 27, 2004. RE: Her volunteer position on the Community Advisory Committee for Centerville Mills Property.

Letter from R. L. Phillips, dated May 6, 2004. RE:
Asphalt Project.

Letter from R. L. Phillips, dated May 14, 2004. RE:
Asphalt Project.

CHECKS DATED JUNE 1, 2004

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

Mr. Horn seconded the motion that passed unanimously.

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

EXECUTIVE SESSION

Mr. Hesse moved that the Bainbridge Township Board of Trustees go into executive session to consider 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 9:00 P.M. P.M. in order to go into executive session to consider the purchase of property.

The trustees returned from executive session after considering the purchase of property and reconvened their meeting at 9:15 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 9:17 P.M.