

Monday, February 14,

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The Bainbridge Township Board of Trustees met in Regular session at the Bainbridge Town Hall on February 14, 2011. Those present were trustees Mrs. Lorrie Sass Benza and Mr. Jeffrey Markley and Fiscal Officer Mrs. Cherianne H. Measures. Trustee Mr. Matthew J.D. Lynch was absent. Mrs. Benza presided and called the meeting to order at 6:30 P.M.

EXECUTIVE SESSION

Mr. Markley made a motion to go into executive session to discuss the employment of a public employee per Ohio Revised Code Section 121.22(G)(1).

Mrs. Benza seconded the motion that passed unanimously.

The trustees recessed their regular meeting at 6:31 P.M. in order to go into executive session to discuss the employment of a public employee.

The trustees returned from executive session, after discussing the employment of a public employee, reconvening their regular meeting at 7:04 P.M.

MINUTES

The minutes of the trustees' January 24, 2011 regular meeting were approved as amended and February 3, 2011 special meeting were approved as prepared.

DEPARTMENTAL REPORTS

FIRE DEPARTMENT

Chief Brian Phan presented the monthly report for the Fire Department for the month of January, 2011.

ROAD DEPARTMENT

Mr. Walter Rudyk, Road Superintendent, presented the monthly report for the Road Department for the month of January, 2011. In addition to his monthly report, Mr. Rudyk also provided copies of the Mailbox Replacement Policy. It is very important for the residents to keep their garbage cans out of the street when there is this much snow, they should be kept at the same distance as the mailboxes, if not farther off the road. When there is this much snow, the plows need to travel at a greater speed in order to throw the snow on top of the existing piles.

PARKS/PROPERTIES

Mr. David Mitchell, Property Superintendent, presented the monthly report for the Parks and Properties for the month of January, 2011.

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FISCAL OFFICE

Mrs. Cherianne Measures, Fiscal Officer, presented the year-end report for 2010 and the monthly report for January, 2011.

Note: The financial reports are attached to, and become a permanent part of, these minutes.

PUBLIC COMMENTS

None

FIRE DEPARTMENT–NEW BUSINESS

Invoice Approval–Stephen Ciciretto

Mr. Markley made a motion to approve the invoice dated January 28, 2011 from Stephen Ciciretto, AIA Architect in the amount of \$21,850.00 for the construction documents for the Fire Department Addition/Renovation, per the recommendation of the Fire Chief.

Mrs. Benza seconded the motion that passed unanimously.

Professional Training Requests

Mr. Markley made a motion to approve the professional training request dated February 2, 2011 for Firefighter Eric Dobies to attend a Level I & II Firefighter Academy at the Cuyahoga Community College, Western Campus from March 7, 2011 through May 13, 2011 at a cost of \$2,150.00, per the recommendation of the Fire Chief.

Mrs. Benza seconded the motion which passed unanimously.

Mr. Markley made a motion to formally approve the professional training request dated February 8, 2011 for Chief Phan to attend the Ohio Fire Chief's Winter Symposium in Columbus, OH on March 15 - 16, 2011 at a cost of \$338.00, which was approved electronically by all three trustees on February 8, 2011.

Mrs. Benza seconded the motion which passed unanimously.

Super Blanket Certificates for Fire Department Vendors

Mr. Markley made a motion to approve the request for Blanket Certificates from the Fire Department dated February 7, 2011 for \$5,000.00 per vendor listed, per the recommendation of the Fire Chief.

Mrs. Benza seconded the motion which passed unanimously.

Note: A copy of the list of vendors is attached to, and becomes a permanent part of, these minutes.

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PARKS/PROPERTIES–NEW BUSINESSSpecial Events Committee

Mr. Markley and Mr. Mitchell had previously discussed the make-up of this Special Events Committee. The committee should consist of a predetermined number of resident members and also a member from each of the following organizations: Men's Civic Club, Women's Club, Historical Society and the Park Board. This committee would then become the umbrella over selected event committees such as Fourth of July Committee. Mr. Markley will contact the organizations to seek members for this Special Events Committee. The members will serve for a one year term. Mr. Mitchell has two other individuals that he has received letters of interest from that he will present to the trustees before their next meeting.

Mr. Markley made a motion to appoint Ms. Linda White to the Special Events Committee for a term of one year.

Mrs. Benza seconded the motion.

Mr. Markley made a motion to appoint Ms. Heidi Buggele to the Special Events Committee for a term of one year.

Mrs. Benza seconded the motion.

Cellular Tower Inquiry–Centerville Mills

Mr. Sean Craig has contacted the township with interest in relocating a cell tower from Portage County on the Cedar Fair property to the Centerville Mills Property. This tower is approximately 180 feet tall and built of a lattice structure. Mr. Markley has asked this representative to provide the board of trustees with a lease agreement, photographs, and a compensation plan in order for the board to make an informed decision.

Blanket Certificate Request

Mr. Markley made a motion to approve the Blanket Certificate request dated January 7, 2011 in the amount of \$16,000.00 for the various vendors for the July 4th Celebration, per the recommendation of the Property Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Fee Waiver Request

Mr. Markley made a motion to waive the rental fees for the Greater Cleveland Police Emerald Society, a 501(c)(3) organization, for April 2, 2011 for the available facility, either Town Hall or Centerville Mills Dining Hall for their law enforcement scholarship fundraiser, per the request of their treasurer, Bainbridge Patrolman Brian Reardon.

Mrs. Benza seconded the motion that passed unanimously.

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POLICE DEPARTMENT–OLD BUSINESSProfessional Training Request

Mr. Markley made a motion to approve the professional training request dated January 12, 2011 for Patrolman John Ross to attend a Traffic Collision Investigation I class in London, OH from March 14–25, 2011, at a cost of \$700.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Water Well Update

The new well at the Police Station is not producing the desired, or necessary, volume. This topic should be added to the agenda for February 28th.

POLICE DEPARTMENT–NEW BUSINESSEmployment of a Public Employee

Mr. Markley made a motion to approve the hiring of Joyce Cieslak to Dispatcher Grade C at a rate of \$19.57 per hour effective February 26, 2011, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Promotion of a Public Employee

Mr. Markley made a motion to approve the promotion of Lori Downs to Records Clerk/Dispatcher Grade A at a rate of \$23.29 per hour effective January 29, 2011, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Professional Training Requests

Mr. Markley made a motion to approve the professional training request dated February 9, 2011 for Sergeant Dale Buckingham to attend a drug training class in Richfield, OH on March 24, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 18, 2011 for Patrolman Chris Smith to attend a civil liability for law enforcement class in Richfield, OH on March 31, 2011 at a cost of \$25.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

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Mr. Markley made a motion to approve the professional training request dated January 15, 2011 for Patrolman Ray Arnold to attend an Ohio Peace Officers Training Academy basic computer skills class in Richfield, OH on March 17, 2011 at a cost of \$75.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Patrolman Bill DeBlaey to attend a testifying in court class in Richfield, OH on March 30, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Patrolman Bill DeBlaey to attend a use of force class in Richfield, OH on March 7, 2011 at a cost of \$50.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the professional training request dated January 11, 2011 for Patrolman Ryan Patete to attend a Rapid Response to Active Shooter class in Richfield, OH on March 9–10, 2011 at a cost of \$200.00, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion that passed unanimously.

Super Blanket Certificates for Police Department Vendors

Mr. Markley made a motion to approve the request for Blanket Certificates from the Police Department dated February 2, 2011 for vendors listed, per the recommendation of the Police Chief.

Mrs. Benza seconded the motion which passed unanimously.

Note: A copy of the list of vendors is attached to, and becomes a permanent part of, these minutes.

ROAD DEPARTMENT–NEW BUSINESS

Long Meadow Trail

Mr. Markley made a motion to adopt Resolution 02142011-A to order the reconstruction of Long Meadow Trail as read by Mrs. Benza, per the recommendation of the Road Superintendent and the Geauga County Engineer's office.

Mrs. Benza seconded the motion that passed unanimously.

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

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Purchase Order Request–Cargill Incorporated

Mr. Markley made a motion to approve the purchase order request dated February 7, 2011 for Cargill Incorporated in the amount of \$40,000.00 for additional road salt, per the recommendation of the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Purchase Order Request– Miami Valley International

Mr. Markley made a motion to approve the purchase order request dated February 1, 2011 for Miami Valley International Trucks in the amount of \$85,983.00 for the purchase of a new International Truck Model 7400 SFA 4x2, per the recommendation of the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Cemetery Deed

The trustees signed Deed Number 487, for Section 12, Lot 10, Grave 3. Joan Demirjian and Gilbert Meyers attested to their signatures.

Cell Tower Update

Mr. Markley gave an update regarding the interested party, Tri-Star Communications, which has increased their offer to “hold their place in line” for the availability on the tower located at the Road Department. The previous agreement was sent to the Prosecutor’s office for review which required minimal changes. The tentative agreement would allow the township 50% of the revenues of the tower once Tri-Star takes over the tower. Mr. Markley will contact Tri-Star to obtain the projected revenue estimate on an annual basis.

TOWN HALL–OLD BUSINESSSub-Committees–Recycle

Mrs. Benza announced that the township had received information from six interested individuals to serve on the township’s recycle committee. The board was in general agreement to begin this sub-committee with one year terms for seven members. This committee is subject to the open meeting laws and must publish their meeting dates and maintain meeting minutes. The mission of the committee should be developed by the committee and submitted to the Board of Trustees.

Mr. Markley made a motion to appoint Dr. Judith Gooding, Mitch Fakadej, Mitch DeFranco, Reed Gilbert, Kevin Cox, Michael Bonfils and Walter Rudyk to the Recycle Sub-Committee for one year.

Mrs. Benza seconded the motion that passed unanimously.

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Sub-Committees–Audit

Mrs. Benza announced that the township did not receive any timely responses for the audit committee. The newspapers were asked to announce that the township is seeking interested individuals to serve on an audit committee to review the procedures of the financial office of the township. Interested individuals should send their letter of intent along with their qualifications to the Fiscal Officer by March 15, 2011.

Sub-Committee–Health Insurance

The trustees were in general agreement to establish a budget for healthcare in order to give the Healthcare Committee a direction with which to make a recommendation back to the trustees. Although this is a fundamental shift in our approach to healthcare, the trustees would hope that the Healthcare Committee can make a recommendation to the trustees for the best coverage for the price set. Mr. Markley would like the members of the committee to keep overall compensation in mind.

TOWN HALL–NEW BUSINESSMeeting Agenda

Concerns have been raised regarding the volume of actions required at each meeting. Discussions ensued between the trustees and the fiscal officer regarding the need for additional meetings. The suggestion was made for additional regular meetings to be held on the first and third Mondays of each month at 9:00 A.M. to handle Fiscal and Administrative issues. Discussions will continue at the next meeting.

Mrs. Benza made a motion to revise the regular meeting schedule to the second and fourth Mondays of each month to begin at 6:00 P.M. for Executive Session with the Regular Session to resume at 7:00 P.M.

Mr. Markley seconded the motion that passed unanimously.

Training Requests

Mr. Markley made a motion to adopt a Professional Training Approval Policy such that any training that costs more than \$500.00, or involves an overnight stay, or requires a tuition reimbursement agreement must come before the Board of Trustees for approval, and all other trainings approved by the department head shall be listed on their monthly report.

Mrs. Benza seconded the motion that passed unanimously.

Electronic Sign

Mr. Markley made a motion to approve the purchase order request dated January 19, 2011 for ES Sign & Design in the amount not to exceed \$590.00 for the replacement of one LED module in the electronic sign.

Mrs. Benza seconded the motion that passed unanimously.

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Personnel Policy Manual

Mr. Markley will contact Miami University regarding a cost estimate to update the township's personnel policy manual. In addition, he will gather the cost for a wage and hour compensation study.

The trustees were in general agreement to conduct performance evaluations for each of the department heads during the month of March, and then the department heads will conduct performance evaluations for each of their employees by the end of April, provided the department does not already have an evaluation schedule in place.

Rollback of Estate Tax Proposal

Mr. Markley relayed some of the same concerns regarding the estate tax rollback that were conveyed at the Chagrin Valley Intergovernmental Council meeting. A letter authored by Mr. Jim Meuller was distributed. There is some uncertainty regarding the voting options of the members, whether it is one vote for each elected official or one vote for the entity. Mr. Markley has asked for the by-laws of the organization for clarification and will relate more information as it becomes available.

Invoice ApprovalsLeon Riley

Mr. Markley made a motion to approve the invoice dated January 13, 2011 for Leon Riley, Inc. in the amount of \$178,332.12 for the second invoice of the Kenston Lake Culvert project, per the recommendation of the Road Superintendent and the Geauga County Engineer's office.

Mrs. Benza seconded the motion that passed unanimously.

Littler Mendelson

Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Littler Mendelson in the amount of \$1,468.50 for legal services pertaining to general labor.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Littler Mendelson in the amount of \$1,970.88 for legal services pertaining to negotiations with Teamsters Local 436.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Littler Mendelson in the amount of \$1,138.50 for legal services pertaining to negotiations with FOP for patrol officers.

Mrs. Benza seconded the motion that passed unanimously.

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Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Littler Mendelson in the amount of \$660.00 for legal services pertaining to negotiations with OBPA for sergeants.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Littler Mendelson in the amount of \$610.50 for legal services pertaining to negotiations with OBPA for dispatchers.

Mrs. Benza seconded the motion that passed unanimously.

Walter & Haverfield

Mr. Markley made a motion to approve the invoice dated January 17, 2011 for Walter & Haverfield in the amount of \$1,536.00 for legal services rendered pertaining to the Vokas Property zoning matter.

Mrs. Benza seconded the motion that passed unanimously.

Mr. Markley made a motion to approve the invoice dated January 17, 2011 for Walter & Haverfield in the amount of \$5,838.81 for legal services rendered pertaining to the Investigation of Hawksmoor Way.

Mrs. Benza seconded the motion that passed unanimously.

Paul Van Curen & Co.

Mr. Markley made a motion to approve the invoice received from Walter & Haverfield dated January 11, 2011 for Paul O. Van Curen & Co. in the amount of \$3,500.00 for preparing an expert summary in the Voproco case.

Mrs. Benza seconded the motion that passed unanimously.

Mediation Services

Mr. Markley made a motion to approve the invoice received from Geauga County Prosecutor dated January 6, 2011 for Mediation Inc. in the amount of \$4,000.00 for mediation services in the Payne case.

Mrs. Benza seconded the motion that passed unanimously.

Chagrin River Watershed Partners

Mr. Markley made a motion to approve the invoice dated January 26, 2011 for Chagrin River Watershed Partners in the amount of \$4,327.26 for annual membership dues.

Mrs. Benza seconded the motion that passed unanimously.

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Chagrin Valley Chamber of Commerce

Mr. Markley made a motion to approve the invoice dated January 10, 2011 for Chagrin Valley Chamber of Commerce in the amount of \$145.00 for annual membership dues.

Mrs. Benza seconded the motion that passed unanimously.

Oxbow Engineering

Mr. Markley made a motion to approve the invoice dated January 27, 2011 for Oxbow Engineering in the amount of \$360.00 for services rendered as at a Board of Trustees meeting for the Public Hearing regarding the Zoning Amendment for Signs.

Mrs. Benza seconded the motion which passed unanimously.

2011 Township Annual Appropriations

Mr. Markley made a motion to adopt the 2011 Township Annual Appropriation Resolution as prepared by the Fiscal Officer's office.

Mrs. Benza seconded the motion that passed unanimously.

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

ZONING DEPARTMENT—OLD BUSINESSBUSTR Requirements for Town Hall Parking Lot

Mr. Markley reviewed the situation regarding the town hall parking lot and ground contamination from previous fuel tanks and the need for remediation. Mr. Markley further explained the difficulties that Mr. Wrench, and previously Mr. Frank McIntyre, has had in communicating with the designated contact for remediation, and receive a response after waiting three to four weeks. Mr. Markley has prepared a very pointed communication expressing our desire to remediate, but also our intent to move forward on the new parking lot. The board will be updated as needed.

ZONING DEPARTMENT—NEW BUSINESSPlanning Meeting

Mrs. Benza announced a Planning Meeting to be held on Saturday, March 19, 2011 at 8:30 A.M. at the Bainbridge Town Hall. Invitations have been extended to the Bainbridge Board of Zoning Appeals, Bainbridge Zoning Commission, Geauga County Prosecutor's office, Geauga County Planning Commission, Geauga Soil and Water Conservation District, Chagrin River Watershed Partners, Geauga County Water Resources and Stephen Ciciretto.

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PUBLIC COMMENTS

Dr. Judith Gooding is very concerned with the heating and water issued at the Police Department. Dr. Gooding is also very concerned with the decreasing revenues and continuing to serve the residents suggesting that each department should be challenged to reduce their budgets by 25%.

Mrs. Ann Meyers had a couple questions. First she wanted to know if the full-time Bookkeeper was back to work following her medical leave, and the board answered yes. Next, she asked if there were currently two fire chiefs, and the board responded no, there is only one fire chief. Then, Mrs. Meyers was very upset because she wanted to ask the Property Superintendent a question in a public meeting and he had already left before she had the chance to ask her question. Her question was regarding KCE and if KCE was permitted to use Bainbridge ball fields, since she had heard that the township was prohibiting KCE from using township fields. The trustees responded that the township is absolutely not prohibiting the use of our fields. Some organizations have decided to play elsewhere, but the township is not prohibiting anyone from using our fields, provided the organization pays the rental fees according to the fee schedule.

Mr. Gil Meyers expressed his concerns with the legal fees and the process of deciding when to use outside counsel. Mrs. Benza explained the process to the public.

A very lengthy discussion followed regarding the purpose of the trustees meetings and how those meetings should proceed. Those involved in the dialog were Mr. Gil Meyers, Mrs. Ann Meyers, Dr. Judith Gooding, Trustee Markley and Trustee Sass.

CHECKS DATED JANUARY 1, 2011 THROUGH FEBRUARY 14, 2011

The trustees examined and signed checks and invoices for same dated January 1, 2011 through February 14, 2011 consisting of warrants 15617 through 15690 for a total amount of \$197,713.87. Payroll records were examined and signed for December 18, 2010 through December 31, 2010 including payroll checks 6290 through 6393 for a total amount of \$130,139.55. Payroll records were examined and signed for January 1, 2011 through January 14, 2011 including payroll checks 6395 through 6498 for a total amount of \$138,701.59. Payroll records were examined and signed for January 15, 2011 through January 28, 2011 including payroll checks 6516 through 6623 for a total amount of \$140,131.13.

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

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Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 10:34 P.M.

Respectfully Submitted,

Cherianne H. Measures,
Fiscal Officer, Bainbridge Township

Date

Date

Date

Minutes Read: _____

Minutes Approved: _____