

Monday, April 11,

11

The Bainbridge Township Board of Trustees met in Regular session at the Bainbridge Town Hall on April 11, 2011. Those present were trustees Mrs. Lorrie Sass Benza, Mr. Jeffrey Markley and Mr. Matthew J.D. Lynch, and Fiscal Officer Mrs. Cherianne H. Measures. Mrs. Benza presided and called the meeting to order at 6:00 P.M.

#### EXECUTIVE SESSION

Mrs. Benza 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) and pending litigation, per Ohio Revised Code Section 121.22(G)(4).

Mr. Lynch seconded the motion that passed unanimously.

The trustees recessed their regular meeting at 6:01 P.M. in order to go into executive session.

The trustees returned from executive session, after discussing the employment of a public employee and pending litigation, reconvening their regular meeting at 7:10 P.M.

#### PRESENTATION BY GUEST

##### RJ Campbell – Cell Phones for Cancer

Mr. R.J. Campbell introduced the new account representative to the township. Ms. Melanie Gazdak explained to the public that Cell Phones for Cancer works with an R2 Processor in the Cleveland area that allows them to take anything with a cord! This year they will also take car batteries, however regular alkaline batteries are not preferred. The shredder that the items are put through separates plastics from metals. Computer hard drives are shredded and cell phones will be erased. Data security is of the utmost concern for this organization and they take it very seriously. There is normally a charge for televisions, but this year that cost will offset the revenues earned by the amount of materials received. The items that will not be accepted include un-sanitized medical waste, radioactive waste, or light bulbs.

##### Andrea Hauserman – Community Garden

Ms. Andrea Hauserman, a township resident on Rivers Edge Drive, presented information to the board regarding a potential Community Garden. The township could use land that they currently own, possible Centerville Mills, for a location for the community garden. In other communities that have community gardens, local farmers volunteer to plow the area both pre-season and post-season. Fencing around the entire area would be beneficial to keep out animals as well as secure the area after dark. Twinsburg even has running water. The average price is \$20/plot and that covers expenses, without profit. The Geauga County master gardeners can provide classes. The main issues are water and the initial expense of fencing and marking the plot lines.

The trustees were in general agreement that this is not realistic this year, but asked Ms. Hauserman if she was willing to head a subcommittee to establish the rules and regulations, liability releases, etc.

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DEPARTMENTAL REPORTSPARKS/PROPERTIES DEPARTMENT

Mr. David Mitchell, Property Superintendent, presented the monthly report for the Parks/Properties Department for the month of March, 2011. Mr. Mitchell expressed his desire to re-open the lake at Centerville Mills with a revised fee schedule. The board will review the fee schedule and will act on the topic at the next regular meeting on April 25<sup>th</sup>.

ROADS DEPARTMENT

Mr. Walter Rudyk, Roads Superintendent, presented the monthly report for the Road Department for the month of March, 2011. Mr. Rudyk explained two emergency repairs that were necessary. First, a culvert had to be repaired on Elliott Drive. Second, a section of Stoneybrook Drive had to be repaired after a beaver dam let go and washed out a portion of the roadway. The Homeowners Association will trap and relocate the animals.

ZONING DEPARTMENT

Mr. Shane Wrench, Zoning Inspector, presented the monthly report for the Zoning Department for the month of March, 2011.

Mr. Wrench announced that the grant deadline for the house demos has been extended to April 25, 2011. Mr. Wrench and Ms. Tenney, from Chagrin Falls Park, have a few properties of interest. Right now, we are looking at a matching grant. Approval requested at April 13<sup>th</sup> meeting, provided response from Prosecutor's Office.

Lighting America has informed the township of "rebate" available for energy savings.

Mr. Wrench is waiting for quotes from Fredebaugh for the Police Department well.

PUBLIC COMMENTS

Mr. Howard Miller expressed his concerns regarding hydro-fracking after attending a seminar and the serious consequences on water aquifers. He would urge the trustees to encourage the Geauga County Commissioners to pressure the state into regulatory steps.

Dr. Judith Gooding asked if the board had been notified of any new gas wells being drilled. The response was no.

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FISCAL OFFICE – NEW BUSINESS

Mr. Lynch made a motion to approve the list of purchase order requests as prepared by the Fiscal Officer.

Mrs. Benza seconded the motion that passed unanimously.

The list as presented is as follows:

Purchase Order Requests

- |  |             |
|--|-------------|
| 1. Sunrise Springs for Police Department water | \$ 9,000.00 |
|--|-------------|

Mr. Markley made a motion to approve the list of invoices as prepared by the Fiscal Officer.

Mr. Lynch seconded the motion that passed unanimously.

The list as presented is as follows:

Invoice Approval Requests

- |  |             |
|--|-------------|
| 1. Littler Mendelson – for legal service for general labor           | \$ 462.00   |
| 2. Littler Mendelson – for legal services for Teamsters negotiations | \$ 363.00   |
| 3. Littler Mendelson – for legal services for FOP negotiations       | \$ 313.50   |
| 4. Littler Mendelson – for legal services for OPBA negotiations      | \$ 346.50   |
| 5. Love Insurance – General Liability for Fire Department            | \$ 6,390.00 |
| 6. Love Insurance – Accident/Sickness for Fire Department            | \$ 3,171.00 |
| 7. Love Insurance – Crime Policy for Fire Department                 | \$ 500.00   |
| 8. MCMCC – for production and installation of Jimison casting        | \$ 2,287.62 |

POLICE DEPARTMENT – NEW BUSINESSWalMart Alcohol Transfer Request

The trustees acknowledged receipt of a Notice of Legislative Authority from the Ohio Department of Liquor Control regarding the application for a TREX Class C2 permit transfer from:

Terry E. Reineke  
DBA Eastside Carry Out  
998 E. Market Street  
Celina, OH 45822

To:

WalMart Stores East LP  
DBA Walmart Supercenter 3250  
7235 Market Place Drive  
Bainbridge Twp.  
Aurora, OH 44023

The trustees have no objection to this application based on the recommendation of Police Chief Bokovitz.

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ROAD DEPARTMENT – OLD BUSINESSAward Bid – Long Meadow Trail

Mrs. Benza acknowledged that the bids were properly advertised and the timely responses were reviewed by the County Engineer as well as the Prosecutor's Office.

Mr. Markley moved to award the bid for the Reconstruction of Long Meadow Trail to Tri Mor Corporation of Twinsburg, OH in the amount of \$644,421.40 per the recommendation of the County Engineer and Road Superintendent.

Mrs. Benza seconded the motion. Vote followed: Mrs. Benza, aye; Mr. Markley, aye; Mr. Lynch, abstain.

ROAD DEPARTMENT – NEW BUSINESSCell Phones for Cancer Contract for Township Clean Up Days

Mr. Markley would like an addendum to the contract to clarify the reduction of profits for the cost of the televisions.

Mr. Markley made a motion authorizing the Chairman to execute the contract between Cell Phones for Cancer and Bainbridge Township for the township Clean Up Days to be held June 3 & 4, 2011, per the recommendation of the Road Superintendent.

Mrs. Benza seconded the motion that passed unanimously.

Cemetery Deeds

The trustees signed a cemetery deed record for Lot 39 Section 9 Graves 1 & 2. Joan Demirjian and Carol Fitch attested to their signatures.

Hawksmoor Way

Mr. Markley made a motion, pursuant to discussion with legal counsel in executive session, and as a result of a settlement conference held on Monday, April 11, 2011, Bainbridge Township will settle all claims in case #09-P-001267 in the sum of \$70,000.

Mrs. Benza seconded the motion that passed unanimously.

TOWN HALL – OLD BUSINESSKenston Lake 319 Grant Quarterly Reports

Mrs. Benza made a motion authorizing Mr. Markley to execute the quarterly reports necessary as terms of the 319 Grant for the Kenston Lake Stream Restoration Project.

Mr. Lynch seconded the motion that passed unanimously.

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TOWN HALL – NEW BUSINESSPotential JEDD with Aurora

The trustees discussed the proposed JEDD for the south side of Marketplace Square. For clarification, that is the side with WalMart and Kohls. The terms have not changed. Discussions continued regarding the deferred payment going to the developer instead of to the township. Even if the prosecutor's office says that the township can do this, is it something the board wishes to do. Mrs. Benza will forward the necessary documents to the Prosecutor's Office for review.

Resolution for Online Bill Pay

Mr. Markley made a motion to authorize the payment of utility bills online pursuant to Ohio Revised Code Section 9.35, allowing the Trustees and the Fiscal Officer to approve and sign a payment report, per the recommendation of the Prosecutor's Office.

Mr. Lynch seconded the motion that passed unanimously.

Contract Agreement with Geauga County Commissioners

Mr. Markley made a motion authorizing the Chairman to execute the contract between Bainbridge Township and the Geauga County Commissioners permitting the Township to use the McFarland Creek Waste Water Treatment Plant as the launch site for the Fourth of July Celebration.

Mr. Lynch seconded the motion that passed unanimously.

Service Director Job Description

Mr. Markley reviewed the proposed structure and the reasoning for moving in that direction. Mrs. Benza thanked Mr. Markley for his efforts at creating a job description for the position of Service Director. Mr. Lynch agreed with most of the items in the job description, but would like to change "required" qualifications to "preferred" qualifications. The board was in general agreement to continue to develop this job description.

Report on Auditor's "State of the County" Presentation

Mr. Lynch reported on the Auditor's "State of the County" presentation on March 24<sup>th</sup>. Revenues were up from last year, but still down from two years ago. Also, Local Government Funds will be cut in half over the next two years.

Report on Geauga County Health Advisory Annual Meeting

Mr. Lynch reported that the Geauga County Health Advisory Committee's annual budget is just under \$1,500,000 with approximately \$300,000 from grant revenues. A survey will be conducted to understand the needs of the county in order to qualify for additional grants.

Report of Chagrin Valley Intergovernmental Council

Mr. Lynch reported that the group discussed the human resources and the access to various groups. The resolution to oppose the repeal of the estate tax did not pass.

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ZONING DEPARTMENTPublic Hearing for Proposed Zoning Amendment Z-2011-1

The trustees acknowledged receipt of Bainbridge Township Zoning Commission's March 29, 2011 motion of approval of proposed zoning amendment Z-2011-1. Enclosed was a copy of the proposed amendment which was initiated by motion of the Zoning Commission on January 25, 2011 a letter dated February 9, 2011 from the Geauga County Planning Commission wherein it noted that said commission on February 8, 2011 voted to recommend approval of Z-2011-1 with comments listed; and a copy of the application and the documents required for submission of said application for the proposed amendment. The Bainbridge Township Zoning Commission held a Public Hearing for Proposed Zoning Amendment Z-2011-1 on February 22, 2011.

Mr. Lynch moved that the Bainbridge Township Board of Trustees authorize the fiscal officer to place the necessary legal notice in the News Herald for a Public Hearing for Proposed Zoning Amendment Z-2011-1 to be held at 8:00 P.M. on April 25, 2010.

Mrs. Benza seconded the motion that passed unanimously.

PUBLIC COMMENT

Mr. Jeremiah Poltz asked if the board would look at current employees and outside, as well as residents with working knowledge of township form of government when filling the position of Service Director. The response was yes.

Mr. Marty O'Donnell asked if the application for Service Director would be available online and asked when the board was expecting to fill this position. Mrs. Benza stated that the website is not currently set up for that, but we will definitely look into that option.

Mr. Christopher Valletto, with TRAX Construction asked how the Long Meadow Trail Contract was awarded with defects in the bids. The board explained that the Prosecutor's Office had reviewed the bid package and the results and there were no errors in the bid package and therefore should be awarded to the lowest and best bidder that submitted a qualified bid. The opinion will be forwarded to Mr. Valletto's attorney.

Dr. Gooding approved of the degree requirements for the Service Director position as well as the continuing education for all department heads.

Mrs. Almast Finn asked the board how they intended to pay for the proposed Service Director. The board responded that the source of payment has yet to be determined.

Mrs. Gina Zahn asked why the board was going forward with the Fourth of July Celebration when we are operating in the red. The response from the board is the net cost to the Township is \$7,500 and one of only two ways we give back to the residents.

Mr. Ted Seliga suggested that the board of trustees develop a five year plan to manage the General Fund.

Mrs. Benza announced a Dedication Ceremony for the Police Station has been set for Saturday, May 14<sup>th</sup> at 9:00 A.M.

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CHECKS DATED MARCH 29, 2011 THROUGH APRIL 11, 2011

The trustees examined and signed checks and invoices for same dated March 29, 2011 through April 11, 2011 consisting of warrants 15897 through 15971 for a total amount of \$171,176.27. Payroll records were examined and signed for March 12, 2011 through March 25, 2011 including payroll checks 6942 through 7043 for a total amount of \$127,630.48.

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

CORRESPONDENCE

- Geauga Soil & Water Conservation District Site Inspection Report for Tanglewood Lake Dredging
- Geauga County Community Improvement Corporation meeting notice
- Chagrin River Watershed Partners, Inc. annual meeting notice
- Fair Housing Resource Center seminar notice
- FP Mailing Solutions rate change notice

Since there was no further business to come before this meeting of the Bainbridge Township Board of Trustees, the meeting was adjourned at 9:22 P.M.

Respectfully Submitted,

Cherianne H. Measures,  
Fiscal Officer, Bainbridge Township

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Date

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Date

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Date

Minutes Read: \_\_\_\_\_

Minutes Approved: \_\_\_\_\_