

Monday, November 28,

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The Bainbridge Township Board of Trustees met in Regular session at the Bainbridge Town Hall on November 28, 2011. Those present were trustees Mrs. Lorrie Sass Benza, Mr. Jeffrey S. 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

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 6:01 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 7:00 P.M.

PRESENTATION BY GUESTS

Michael Mackey – Tri-Star Investments, Cell Tower Lease

Mr. Markley introduced Mr. Michael Mackey, with Tri-Star Investors. Tri-Star Investors is based in Pittsburgh and helps landowners maximize the value of existing cell tower sites located on their property. Mr. Markley asked Mr. Mackey why should the township believe this venture will still be lucrative in 2029. Mr. Mackey explained that satellites are too far behind in technology and far too costly to make improvements. The predicted growth of wireless technology over the next five to ten years is over 6000%. Mr. Lynch asked how we make this happen. The response was to create an easement with the necessary requirements. Mrs. Benza asked for a sample lease agreement to send to the Prosecutor's office for review. Mr. Markley stated that he would forward the current lease agreement to Mr. Mackey.

Martin Moleski – Impact Group, Fire Levy Update

Mr. Moleski, with Impact Group, gave an update on the Fire Levy Education. Mr. Moleski was pleased to announce that the Fire Levy, as well as the Road Levy, passed on November 8th. The budget for the educational program was \$35,000.00 and the township was invoiced \$32,688.22, including hard costs for three ads in the Chagrin Valley Times, three flyers, two direct mailers, and one banner. In addition to the ads, flyers, mailers and banner, The Impact Group also completed the community phone survey, programmed online survey, township website content, a communications plan, messaging and branding, community presentation, presentations to the Board of Trustees, bi-weekly meetings with fire department staff, and informational-based letters to the editor. Mr. Lynch questioned whether the money spent affected the results. Mr. Markley asked for the additional information from the survey, such as the details on the "other" responses. Mrs. Benza thanked the Impact Group for the learning experience of witnessing an educational campaign and for all of their hard work.

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Public Hearing – Poposed Settlement Agreement for Case No. 08M001218

Mrs. Benza recessed the trustee's regular meeting and opened the public hearing for the proposed Settlement Agreement for Case No. 08M001218 at 8:00 P.M.

Mrs. Benza noted that the legal notice for this public hearing was duly published in the News Herald on November 11, 2011. This proposed settlement agreement resolves all issues arising out of the administrative appeal and declaratory judgment/mandamus action, which were consolidated in the latter action as well as all other issues that may have been raised by parties to those two actions, all of which relate to the development of a 50.0738 +/- acre parcel of real property on the east side of Savage Road, Bainbridge Township, Ohio.

Mrs. Benza solicited comments for and comments against the proposed settlement agreement.

Comments for the proposed settlement agreement.

George Quay

Comments against the proposed settlement agreement.

None

Mrs. Benza made a motion to close the public hearing at 8:40 P.M.

Mr. Markley seconded the motion that passed unanimously.

Settlement Agreement in Case No. 08M001218

Mr. Lynch made a motion to approve the Settlement Agreement as presented in the Consent Decree, per the recommendation of legal counsel.

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

DEPARTMENTAL REPORTSFIRE DEPARTMENT

Assistant Chief Bill Lovell presented the monthly report for the Fire Department for the month of October, 2011.

POLICE DEPARTMENT

Chief Jon Bokovitz presented the monthly report for the Police Department for the month of October, 2011. Chief Bokovitz went on to explain the reason that Bainbridge Police Department is in the media so much is because the department complies with the State of Ohio's Open Records laws.

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ROAD DEPARTMENT

Mr. Walter Rudyk, Road Superintendent, presented the monthly report for the Road Department for the month of October, 2011.

ZONING DEPARTMENT

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

Mr. Wrench announced that the scanner project with the students from around the county is progressing nicely.

The home on Savage Road has been tested and is cleared for fire training.

The meeting with the Zoning Commission Chairman, the Zoning Inspector, and the Zoning Liaison has taken place to determine the scope of work for the Zoning Resolution Rewrite.

PUBLIC COMMENTS

Mr. Henri Preuss thanked the Benza family for the treats during the lighting of the Burns Lindow building.

FISCAL OFFICE – NEW BUSINESS

Mr. Markley made a motion to approve the purchase order requests list 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. Odyssey Printwear for DARE program tshirts – \$2,597.00

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

Mrs. Benza seconded the motion that passed unanimously.

The list as presented is as follows:

Invoice Approval Requests

1. EnviroScience for Kenston Lake Stream Restoration Sept. Invoice - \$164,821.40
2. Ohio Paving for Town Hall Drainage, Grading and Pavement Improvement Second Invoice – \$164,864.07

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FIRE DEPARTMENT – OLD BUSINESSFire Station Addition/Renovation

Mrs. Benza announced that the Fire Station Addition/Renovation would need to be rebid since the board voted unanimously not to award the contract on July 11, 2011.

FIRE DEPARTMENT – NEW BUSINESSEmployment of Public Employee

The board of trustees recognized the resignation of Anthony Lombardo from the Fire Department effective immediately, per the recommendation of the Fire Chief.

PARKS/PROPERTIES – OLD BUSINESSHeritage Park/Parking Lot Update

Mr. Joseph Gutoskey presented an update on the Town Hall Drainage, Grading and Pavement Improvement project. Concrete curbing and asphalt paving of the base course for the areas south of Town Hall was completed this past Saturday. Work this week will involve preparing the area for public use and the winter season, including temporary pavement for access to the existing lot, temporary striping of the lot south of the Town Hall, temporary walks to the building and asphalt repairs to walks and parking lot from the gas line and footer drain projects. Asphalt will be placed near the storm inlets and along SR 306 pavement edge to facilitate plowing of the parking lot and drives. Mr. Gutoskey is also currently working on a plan to dispose of the excess undercut coils from the parking lots in the sports field areas.

Mr. Markley expressed his concerns about the plowing issues and adequate marking to prevent damage to the new exposed curbs.

Several residents were concerned about the mounds of dirt.

Mr. Markley made a motion to extend the completion date of the contract to June 15, 2012, per the recommendation of Mr. Gutoskey.

Mr. Lynch seconded the motion that passed unanimously.

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PARKS/PROPERTIES – NEW BUSINESSChange Order Town Hall Drainage, Grading and Pavement Improvement Project

Ohio Paving & Construction
38220 Willoughby Parkway
Willoughby, OH 44094

Original Contract	\$579,358.34
Previous Change Orders	\$188,527.86
New Change Order	<u>\$ 12,285.00</u>
New Total	\$780,171.20

Mr. Markley made a motion authorizing payment of an additional \$12,285.00 to Ohio Paving for the necessary undercut subgrade for the Town Hall Drainage, Grading and Pavement Improvement Project, per the recommendation of Mr. Joe Gutoskey.

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

ROAD DEPARTMENT – NEW BUSINESSCemetery Fee Schedule

Mr. Lynch made a motion to approve the revised fee schedule for burials, as submitted by the Cemetery Board.

Mr. Markley seconded the motion that passed unanimously.

TOWN HALL – OLD BUSINESSAudit Committee

The board was in general agreement to accept the resignations from the Audit Committee from the following member, Gene Griewisch, Martin O'Donnell, and Gina Zahn effective immediately.

The board was also in general agreement to have the papers announce the opening of positions for volunteers for said committee.

December Meeting Schedule

The tentative meeting schedule for the month of December for the Board of Trustees is as follows:

Friday, December 2, 2011 at 12:00 PM for the purpose of awarding the bid for the sale of Heavy Rescue 3173.

Monday, December 12, 2011 at 6:00 PM for Executive Session, with Regular Session following at 7:00 PM as a Regular Meeting.

Monday, December 19, 2011 at 6:00 PM for Executive Session, with Special Session following at 7:00 PM to conduct the business of the Township.

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PUBLIC COMMENT

Mrs. Almost Finn asked about the Special Meeting on December 2nd. The Fiscal Officer explained the purpose of that meeting is to award the bid for the sale of the Heavy Rescue truck 3173.

Mr. Gil Myers asked about Shred Day, and Mr. Markley stated that it is still in the works, however on hold until the completion of the parking lot.

Mr. Myers then asked the status of the sign project, and Mrs. Benza explained the timeline and that the students are still finalizing their proposals.

Mrs. Ann Myers asked about the Service Director position, and Mrs. Benza explained that the board was reviewing the resumes that came in and will be setting up interviews.

CHECKS DATED NOVEMBER 15, 2011 THROUGH NOVEMBER 28, 2011

The trustees examined and signed checks and invoices for same dated November 15, 2011 through November 28, 2011 consisting of warrants 16904 through 16990 for a total amount of \$396,188.67. Payroll records were examined and signed for November 5, 2011 through November 18, 2011 including payroll checks 8742 through 8846 for a total amount of \$128,212.14.

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

CORRESPONDENCE

The Illuminating Company Letter regarding a faulty meter at the Road Department
Northcoast Environmental Landowners Association Letter of Introduction
Western Reserve Land Conservancy Letter regarding Stewardship visit to Centerville Mills

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 9:49 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 10:14 P.M.

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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 10:15 P.M.

Respectfully Submitted,

Cherianne H. Measures,
Fiscal Officer, Bainbridge Township

_____ Date

_____ Date

_____ Date

Minutes Read: _____

Minutes Approved: _____