

**BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**  
**Wednesday August 17, 2005**  
**BRIMFIELD TOWN HALL**

The Brimfield Township Board of Trustees met on Wednesday August 17, 2005. Sue Fields was absent. Trustee Mike Kostensky called the meeting to order at 2:00 PM.

**Call to Order**

**Pledge of Allegiance**

**Announcements/Correspondence:**

**Guests:** Carolyn McNamee King's Ridge Horner Hills Park

**Review and signing of minutes of previous meeting**

**Review and accepting agenda**

**Review and signing of purchase orders and warrants**

**Accept financial statement**

1. **Fund Balances, Fund Summary, Appropriation Ledger**

**Public Comments and Questions:**

**Parks:**

1. Horner Hills Bulldozer
2. Park Equipment
3. Park Financial Statement
4. Hire Melissa E. McIluff

**Safety Concerns:**

**Police Department:**

1. Donation of DJ Equipment

**Fire Department:**

1. Accept Anonymous Donation
2. Buy Fire Force Hoses and Nozzles
3. Accept Matt Dietrick Resignation

**Zoning/Economic Development:**

1. Safety Vest (s) with Brimfield Zoning on Back
2. Consider Hiring Bob Lazenby Compliance Officer

**Road Department/Cemetery:**

1. Sign Cemetery Deeds - 1
2. Concrete for Road Department Pad
3. Burnett Rd
4. Plaques for Block Donation and Eagle Scout Project
5. Executive Session - Personnel
6. Pipe on Sherman Road - Project Analysis
7. McTaggart Blvd
8. Pelham
9. Emergency and Exit Lights
10. New Road Mower
11. New Road Truck
12. Work Orders
13. Natural Gas Conversion Rebate on Vehicles
14. Sunnybrook Pipe

**Administration:**

1. For the Good of Brimfield Township
2. Transfer of funds and advance
3. Computer Backup – Network - Server
4. Executive Session – Labor Consultants Contract
5. Lighting Assessment King Ridge

**RESOLUTION #2005-249**

Re: Signing Warrants and Purchase Orders

WHEREAS: The Clerk did present warrants and purchase orders to the Board of Trustees for payment of bills and,

WHEREAS: The Board of Trustees did review same; therefore be it,

RESOLVED: That the Board will acknowledge receipt of and sign the warrants and purchase orders as presented by the Clerk.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed.

**MOTION #2005 – 250**

Trustee Mike Kostensky moved to acknowledge receipt of the abbreviated financial statement (Fund Balances, Fund Summary and Appropriation Ledger). Trustee C. Daniel Tronge seconded.

Sue Fields - absent Mike Kostensky - yea  
C. Daniel Tronge - yea Motion Passed.

**Announcements/Correspondence -**

**Guests:** Carolyn McNamee, King’s Ridge, spoke against any development of Horner’s Hill as a Public Park. The Board stated that only mowing of the Park would continue at the present time.

**Public Comments and Questions:** Shiela Uzel , Selnik Road, is concerned about the flooding from the Spillway of Brimfield Lake. It was dredged a few years ago and she feels it needs it again. She also expressed concern of the Township Trustee Meetings being during the day. She suggested that at least one meeting a month be in the evening.

Pam Jeanerette, Cline Road, is concerned about the large wholes in her road. She stated the Brimfield Township Road crew needs to address the road in front of her house. Ms. Jeanerette also stated that the meetings should be held in the evening so more residents can attend. The Board will look in to the possibility of hold one meeting per month in the evening.

Debbie Darlas, Old Forge Road, stated that she went to the Portage County Sales Tax increase meeting and she brought the Trustees back packages containing the information discussed at that meeting.

**Safety Concerns:**

**Police Department:**

RESOLUTION: #2005-251

RE: PD Agenda Item No. 1 Donation of sound equipment by Officer Russell Diehl

WHEREAS: The Brimfield Township Board of Trustees has been asked by Chief David Blough to accept the donation of sound equipment including a trailer from Officer Russell Diehl and his Father: therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall accept this donation from Officer Russell Diehl and his Father and the Clerk shall write a letter of appreciation on the behalf of the Trustees.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky - yea C. Daniel Tronge - yea  
Sue Fields - absent Motion passed.

**Fire Department:**

RESOLUTION: #2005-252

RE: Non Agenda Item – Letter to ODOT, PC Engineer, and PC Regional Planning  
Concerning emergency hook up to traffic lights during power outages

WHEREAS: The Brimfield Township Board of Trustees has determined it would be in the best interest of public safety that the traffic control device at the intersection of Tallmadge Road and S. R. 43 be installed and wired with a plug to enable the device to be operated by a portable generator; therefore be it,

RESOLVED: That based upon the recommendation of the Police Chief David Blough and the Fire Chief Robert Keller, the Brimfield Township Board of Trustees is requesting that all traffic control devices that are installed within Brimfield Township have the ability to be operated by portable generators, be it further,

RESOLVED: That Brimfield Township would furnish generators for the operation of the traffic control devices as needed, be it further,

RESOLVED: The Clerk shall copy the above resolution to the Portage County Regional Planning Commission and the Ohio Department of Transportation.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

RESOLUTION: #2005-253

RE: Agenda Item FD 1 Anonymous Donation

WHEREAS: The Brimfield Township Board of Trustees has been informed that the Brimfield Township Fire Department has received an anonymous donation of \$1,000.00; therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall accept this donation and it shall be used to purchase fire hoses and nozzles.

Trustee C. Daniel Tronge moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee Mike Kostensky seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

RESOLUTION: #2005-254

RE: Agenda Item FD2 Purchase of Nozzles and hose from Fire Force.

WHEREAS: The Brimfield Township Board of Trustees has accepted the recommendation of Chief Robert Keller to replace older nozzles and hoses for the fire trucks. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall allow Chief Robert Keller to purchase \$2,856.00 for 400' of 2 1/2 inch fire hose and 2 Akron Brass nozzles from Fire Force, Inc. It will be charged to 2191-220-430-000.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	-	yea	C. Daniel Tronge - yea
Sue Fields	-	absent	Motion passed

RESOLUTION: #2005-255

RE: Agenda Item FD3 Accept Matt Dietrick's resignation

WHEREAS: The Brimfield Township Board of Trustees has considered the recommendation of Chief Robert Keller to accept the resignation of part-time firefighter Matt Dietrick. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall accept the resignation of part-time firefighter Matt Dietrick.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	-	yea	C. Daniel Tronge - yea
Sue Fields	-	absent	Motion passed

**Parks: Department**

- Agenda Item PK1 - Horner Hills Bulldozer - Nick to paint where to work
- Agenda Item PK2 - Park Equipment - Move swings, monkey bars from Edson Park to Town Center Park
- Agenda Item PK3 - Park Financial Statement - Reviewed no action

RESOLUTION: #2005-256

RE: Agenda Item PK 4 - Hire Melissa E. McIllduff

WHEREAS: The Brimfield Township Board of Trustees has seen the need to hire a part time Parks and Recreation employee. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall allow Parks and Recreation Director Nick Wren to hire Melissa E. McIllduff at \$9.00 per hour to work for the Parks and Recreation Department as needed.

Trustee C. Daniel Tronge moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee Mike Kostensky seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

RESOLUTION: #2005-257

RE: Non Agenda Item Parks and Recreation T-Shirts

WHEREAS: The Brimfield Township Board of Trustees has seen the need for the Parks and Recreation Department to have Brimfield Township T-Shirts and Polo Shirts to wear when representing the Township at Park events. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall purchase 2 T Shirts and 2 Polo Shirts for the Parks and Recreation Department; vendor to be Stow Sports Center not to exceed a cost of \$75.00 to be charged to 1000-610- 290-0000.

Trustee C. Daniel Tronge moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee Mike Kostensky seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

**Zoning/Economic Development: -**

RESOLUTION: #2005-258

RE: Agenda Item ZD1 Safety Vests with Brimfield Zoning on the Back

WHEREAS: The Brimfield Township Board of Trustees has seen the need to purchase two safety vest for the Zoning Department in Safety Green with the word Zoning on the back. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall purchase two Safety Green vests with the word zoning on the back from D & G Uniform at a cost of \$97.90 to be charged to 1000-130-430-0000.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

MOTION: #2005-259

RE: Agenda Item ZD 2 Consider Bob Lazenby to Assist as a Compliance Officer

Trustee Mike Kostensky to allow Robert Lazenby to assist the Zoning Inspector as a compliance officer in the Zoning Department on an as needed bases. C. Daniel Tronge seconded Motion passed.

MOTION: #2005-260

RE: Agenda Item ZD 3 Zoning Truck

Trustee Mike Kostensky moved to have the Clerk advertise for a pickup truck to be used in the Zoning Department and other departments if available. C. Daniel Tronge seconded. Motion passed

**Road Department/Cemetery:**

Agenda Item RD1 Sign Cemetery Deeds – 1 Signed

As a result of Executive Session

RESOLUTION: #2005-261

RE: Agenda Item RD2 Salt Shed Specifications

WHEREAS: The Brimfield Township Board of Trustees has seen the need to continue the investigation of the costs of the Salt Shed. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall allow Mr. Charles Corcoran from Oak Group to continue with the specifications on the Salt Shed so that we may have the correct information to put the Salt Shed out for bids as soon as possible.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

Agenda Item RD3 Burnett Rd - No Action

Agenda Item RD4 Plaques for Block Donation and Eagle Scout Project - No Action

As a result of executive session.

RESOLUTION: #2005-262

RE: Agenda Item RD5 Executive Session – Personnel

WHEREAS: The position of Road Department crew leader was posted in the Road Department Garage and,

WHEREAS: Only one application was received and,

WHEREAS: The Brimfield Township Board of Trustees has reviewed said application for the new position of Road Department Crew Leader; therefore be it

RESOLVED: The Brimfield Township Board of Trustees has determined that David Smithberger meets the qualification as set forth in the job description and shall hire David Smithberger as Crew Leader; be it further,

RESOLVED: David Smithberger shall receive \$18.41 per hour to perform the duties as crew leader, effective 8/28/2005.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

Agenda Item RD6 Pipe on Sherman – Project Anaylsis by County Engineer

MOTION #2005-263

RE: Agenda Item RD7

Trustee Mike Kostensky moved to accept the proposal form Tallmadge Asphalt and to proceed with replacing the wooden ties with a concrete curb at a cost not to exceed \$ 6,210.00; charge to account 1000-330-360-0000. C. Daniel Tronge seconded. Motion passed.

MOTION #2005-264

RE: Agenda Item RD8

Trustee C. Daniel Tronge moved to accept the proposal from Tallmadge Asphalt and pave the predetermined portion of Pelham Lane, at a cost not to exceed 11,100.00, charged to account 1000-330-360-0000. Mike Kostensky seconded. Motion passed.

RESOLUTION: #2005-265

RE: Agenda Item RD11 New 1 – Ton Road Truck

WHEREAS: New developments have made use of cul-de-sacs; therefore, the Brimfield Township Board of Trustees has determined the need to purchase a 1-ton vehicle, for the Road Department to use for snow plowing: therefore be it,

RESOLVED: The Brimfield Township Board of Trustees is requesting that Clerk prepare specifications and advertise for 1-one ton dump truck for the Road Department.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	-	yea	C. Daniel Tronge - yea
Sue Fields	-	absent	Motion passed

Agenda Item RD12	Work Order Discussion - Good to use
Agenda Item RD13	Natural Gas Conversion Rebate on Vehicles - PHILL checking into

**Administration:**

Agenda Item AD 1.	-	For the Good of Brimfield Township - No Action
Agenda Item AD 2.	-	Transfer of Funds and Advances - No Action

RESOLUTION: #2005-266

RE: Agenda Item AD 3. - Computer Backup - Network, Server, - Obtain Quotes

WHEREAS: The Brimfield Township Board of Trustees has seen the need to upgrade the computer system for the Township. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees will allow the Clerk's office to investigate and obtain three quotes for the upgrade to include the Backup, Networking and Server as part of the quote.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	-	yea	C. Daniel Tronge - yea
Sue Fields	-	absent	Motion passed

As a result of Executive Session

RESOLUTION: #2005-267

RE: Agenda Item AD4 Executive Session - Labor Consultants Contract

WHEREAS: The Brimfield Township Board of Trustees has reviewed the contract presented by J. N. Barkan and Associates, Inc. The total of \$17,812.50 is to be paid per contract, with \$5,312.50 payable upon execution. Therefore be it,

RESOLVED: The Brimfield Township Board of Trustees shall accept the contract as written charged to account 1000-110-360-0000.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee C. Daniel Tronge seconded and upon roll call vote:

Mike Kostensky	–	yea	C. Daniel Tronge – yea
Sue Fields	–	absent	Motion passed

RESOLUTION: #2005-268

RE: Street Light Assessment for Marsh Landing II

WHEREAS: All lots have been recorded in the development know as King Ridge II, and

WHEREAS: The Brimfield Township Board of Trustees held a public hearing on a petition praying that this Board take all proper proceedings to light, artificially, the roads in an unincorporated district in this township, following notice and actual view taken, and this Board finding:

1. That the petition was filed with the Township Clerk, October 4, 2004 and that the Board of Township Trustees was duly notified by him of such filing, a copy of the petition was delivered to it on October 5, 2004 and,
2. That the petition was signed by owners of more than 1/2 of the front feet of all the lots abutting on the roads of the district, and that the petition complied with law in specifying the metes and bounds of the district but included no lands more than 660 ft. from, nor any lands not abutting on, the roads in such districts; and,
3. That due notice of the hearing before the Board of Township Trustees on the petition for October 10, 2004 was duly and timely served on all owners and corporations affected by the proposed improvement, and was duly and timely published as against non residents, pursuant to R. C. 515. 04, and return of due service and publication was made according to law; now therefore, be it,

RESOLVED: By the Board of Trustees of Brimfield Township, Portage County, Ohio, that the proposed improvement to light artificially the roads in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the roads is Sixty Six (66); that the light shall be 9,500-lumen, 100-watt; that they shall be located at the following places - descriptive plat on file at Township Clerk's office, and that the kind of supports therefore shall be 16 ft. tapered fiberglass, and be it further,

RESOLVED: That each lot, 44 properties, within the lighting district shown shall be assessed at the rate of \$ 10.00 per half \$ 20.00 per year for a three year period, for operation and maintenance of the said 12 lights, commencing tax year 2005; be it further,

RESOLVED: That the Brimfield Township Board of Trustees will, by separate assessment, assess the above 66 properties at the rate of \$ 92.81 per half \$ 195.62 per year for a 4 year period to pay for the installation of the 12 lights, a total of \$ 49,000.00 be it further,

RESOLVED: The Brimfield Township shall hold in escrow the amount of \$49,000.00 as collected and reimburse Reserve Construction Co., 8000 Gotham Road, Garrettsville, Ohio 44321 for the installation of the above mentioned lights.

After review of the propose lighting assessment the following resolution was offered for adoption by Trustee **Mike Kostensky**,

Trustee **C. Dan Tronge** seconded the above resolution and upon the being called:

Mike Kostensky – yea  
Sue Fields – absent

C. Dan Tronge – yea  
Adopted August 17, 2005

RESOLUTION: #2005-269

Trustee Mike Kostensky moved to adjourn to executive session at 3:48 PM to discuss:

Road Department for personnel  
Salt Shed Contract  
Labor Consultant Contract

The Clerk and Assistant to the Clerk may attend. Trustee Dan Tronge seconded. Upon a role call vote.

Trustee Mike Kostensky moved for the adoption of the above resolution on the 17th Day of August, 2005. Trustee Dan Tronge seconded and upon roll call vote:

Mike Kostensky        –        yea                    C. Daniel Tronge – yea  
Sue Fields             –        absent                Motion passed.

At 4:25PM Trustee Mike Kostensky moved to return to regular session. C. Dan Tronge seconded. Motion passed.

RESOLUTION: #2005 – 270

RE:    Agenda Item ADM1

Re: Financing Road Improvements - Pelham Lane., Powdermill Rd., Congress Lake Rd., McTaggart Blvd., Karg Pky., Burnett Road.

WHEREAS: The Brimfield Township Board of Trustees has determined that it is in the best interest of the Township and the residents to resurface and repair the above mention roads (Pelham Lane, Powdermill Road, Congresslake Road, McTaggart Blvd., Karg Pky., Burnett Rd.) and,

WHEREAS: R.C. 133.15 provides that a taxing authority (township, county) may issue securities (bonds, notes, certificates of indebtedness, etc.) to pay for the cost of any permanent improvement and,

WHEREAS: R.C. 133.01 (CC) provides that a permanent improvement is an improvement certified by the Township Clerk as having an estimated useful life of five (5) years or more; therefore be it,

RESOLVED: In as much as the Clerk has certified has estimated that the useful life of said roads will exceed five (5) years, the Brimfield Township Board of Trustees, in order to maintain a reasonable cash flow, will borrow a total of \$30,000 for the improvement of the above mentioned roads; be it further,

RESOLVED: That, in as much as the Sky Bank of Warren has offered interest rates -- % per year for a period of five (5) years – the financing of this improvement shall be through the Sky Bank of Warren through a series of promissory notes in the amount of \$ 6,000.00 each, interest to be paid on a semi annual basis, principle to be paid on a yearly basis and be it further,

RESOLVED: That said notes shall be paid from the General Fund.

Trustee Mike Kostensky moved for adoption of the above resolution this 17<sup>th</sup> day of October 2005. Motion seconded by Mike Kostensky. Upon a roll call vote:

Mike Kostensky – yea  
Sue Fields - absent

C. Daniel Tronge – yea  
Motion passed

RESOLUTION: #2005-271

RE: Renewing Beachcrest Assessment

WHEREAS: There is an assessment in place for Beachcrest Development and,

WHEREAS: The Brimfield Township Clerk has reviewed the current assessment for the Beachcrest lighting district and has determined the current assessment amount being collected to be excessive; therefore be it,

RESOLVED: The cost of the lighting within the District has decreased, therefore the Brimfield Township shall reduce the assessment; be it further,

RESOLVED: The Brimfield Township Board of Trustees shall reduce the Beachcrest lighting assessment to \$2.00 per year, \$1.00 per ½ year and continue for a 3 year period beginning 2006; be further,

RESOLVED: The above resolution supersedes and voids any and all previous resolutions.

Trustee Mike Kostensky moved for the adoption of the above resolution this 17th day of August, 2005. Trustee C. Daniel Tronge seconded. Upon a role call vote.

Mike Kostensky	–	yea	C. Dan Tronge – yea
Sue Fields	–	absent	Motion passed

RESOLUTION #2005-272

Re: Supplemental appropriations and transfers Agenda Item: AD2 Transfer of Funds and Advances

WHEREAS: The O. R. C. does allow for the supplemental appropriations, therefore be it,

RESOLVED: The following supplemental appropriations shall be made:

\$2,000.00
To account 2041-410-323-0000
From account 2041-760-740-0000
\$4,000.00
To account 2191-220-314-0000
From account 2191-930-930-0000
\$2,000.00
To account 2192-210-230-0000
From account 2192-930-930-0000
\$3,000.00
To account 2191-220-230-0000
From account 2191-930-930-0000
\$3,000.00
To account 1000-110-230-0000
From account 1000-910-910-0000
\$400.00
To account 1000-110-343-0000
From account 1000-110-312-0000
\$1,000.00
To account 1000-110-330-0000
From account 1000-110-312-0000
\$3,585.00
To account 2192-210-420-0000
From account 2192-930-930-0000
\$3,000.00
To account 2021-330-323-0000

From account 2021-760-740-0000  
\$700.00  
To account 2192-210-251-0000  
From account 2192-210-318-0000  
\$7,500.00  
To account 2191-220-323-0000  
From account 2191-760-740-0000  
\$2,200.00

To account 2191-760-730-0000  
From account 2191-760-740-0000  
\$200.00  
To account 2192-210-343-0000  
From account 2192-210-318-0000  
\$710.00  
To account 2192-210-390-0000  
From account 2192-210-410-0000  
\$1,000.00  
To account 2281-230-420-0000  
From account 2281-230-323-0000

Be it further,

Trustee Mike Kostensky moved to adopt the above resolution this 17th day of August, 2005.  
Trustee C. Daniel Tronge seconded. Upon a role call vote.

Mike Kostensky	–	yea	C. Dan Tronge – yea
Sue Fields	–	absent	Motion passed

MOTION #2005-267

At 5:15 PM, there being no further business to come before this Brimfield Township Board of Trustees at this meeting of the Trustees, Mike Kostensky moved to adjourn, seconded by C. Daniel Tronge and passed unanimously.

We, the Trustees of Brimfield Township, do hereby set our hands as approval of the foregoing minutes as a true and accurate record of the proceedings.

\_\_\_\_\_  
Mike Kostensky, President

\_\_\_\_\_  
C. Daniel Tronge, Trustee

\_\_\_\_\_  
Sue Fields, Trustee

\_\_\_\_\_  
C. J. Sprague Jr., Clerk

\* Items cleared from agenda

\*\* Items addressed, no action taken, but will be retained for further discussion.

CJSJr/ncr