

BRIMFIELD TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
WEDNESDAY, SEPTEMBER 9, 2009
BRIMFIELD TOWN HALL

The Brimfield Township Board of Trustees met on Wednesday, September 9, 2009. Present were Trustees C. Daniel Tronge, Mike Kostensky, Sue Fields and Fiscal Officer John Dalziel. Chairman Tronge called the meeting to order at 3:00 PM

MOTION #2009-200

C. Daniel Tronge moved to approve and sign the minutes of the budget meeting and the regular meeting, both held on August 12, 2009, and of the special meeting held on August 31, 2009. Motion seconded by Sue Fields and passed unanimously.

MOTION #2009-201

C. Daniel Tronge moved to approve the agenda, amended as follows:
Add to agenda under zoning department – increase Ohio American Water
Delete under Parks & Rec item B
Motion seconded by Mike Kostensky and passed unanimously.

MOTION #2009-202

C. Daniel Tronge moved to accept warrants and purchase orders as presented by the Fiscal Officer. Motion seconded by Sue Fields and passed unanimously.

Public Comments:

Cecelia Swanson, from the Portage County Library, spoke briefly about financing for the county libraries.

Mike Casamento, Plaza Fields Limited, requested that the Board consider adding two (2) Stop signs at the Kelso Drive Town Center Drive intersection.

MOTION #2009-203

Mike Kostensky moved that 2 additional Stop signs be placed at the intersection of Kelso Drive and Town Center Drive. Motion seconded by C. Daniel Tronge and passed unanimously.

Public Comments:

Robert Buehl expressed concern about traffic issues at Cascades – blind spots and speeding.

Becky Dougherty, running for Portage County Municipal judge, introduced herself and spoke briefly about her qualifications.

Edith Chase, Kent Environmental Council, offered general information on their current projects.

Zoning Department:

MOTION #2009-204

C. Daniel Tronge moved to table discussion on deed restrictions for the Township property on Edson (lately purchased from Farmakitas) Motion seconded by Mike Kostensky and passed unanimously.

RESOLUTION #2009-205

A RESOLUTION OBJECTING TO AND OPPOSING THE PROPOSED WATER RATE INCREASE FILED BY OHIO AMERICAN WATER WITH THE OHIO PUBLIC UTILITIES COMMISSION.

PREAMBLE

WHEREAS: certain residents of Brimfield Township, Portage County, Ohio (the “Township”) receive water service from Ohio American Water (“OAW”), and,

WHEREAS: in June of 2009, OAW filed a request with the Ohio Public Utilities Commission of Ohio (“PUCO”) to substantially increase rates for all of its residential customers in Ohio, including numerous residents of the Township, over a four year period as follows: 24.63% increase in April 2010; 22.30% increase in April of 2011; 6.82% in April of 2012; and 5.77% increase in 2013, resulting in a total increase of approximately 60%; and

WHEREAS: the request by OAW is their third rate increase requested in three years and, if granted, will result in an approximate increase of 240% in water rates since 1999 to these Township residents; and

WHEREAS: the PUCO mission is to “assure all residential and business consumers access to adequate, safe and reliable utility services at fair prices, while facilitating an environment that provides competitive choices;” and

WHEREAS: Township residents receiving OAW water service already pay a substantially higher and unfair rate for such service when compared with both other Township residents and residents of surrounding jurisdictions that receive such service from other utility providers;; and

WHEREAS: due to the current difficult economic times and previous rate increases granted to OAW, the Board of Trustees of the Township believes a rate increase of 60% for water service is unjustified and will result in many Township residents not being able to afford water service; and

WHEREAS, the Board of Trustees believes it is in the best interests of the Township and its residents to oppose the proposed OAW water rate increase filed with the PUCO and to further urge the Commissioners of the PUCO to reject OAW proposed rate increase.

RESOLUTION:

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Brimfield Township, Portage County, Ohio (the “Board”) that the following Resolution be, and it hereby is, adopted:

Section 1. The Board hereby objects to and opposes the proposed OAW water rate increase as filed with the PUCO in June of 2009. The Board believes that OAW’s requested increase is unfair, excessive and incapable of justification. The Board further agrees to support, assist and work with other governmental jurisdictions affected by the proposed OAW water rate increase in opposing the increase.

Section 2. The Board hereby requests that the Commissioners of the PUCO reject the proposed water rate increase as filed by OAW and secondarily request that should PUCO grant an increase to OAW, that any increase be equitable to the consumer and be based upon fair and responsible calculations.

Section 3. The Board hereby authorizes and directs the Township Fiscal Officer to file and/or forward a copy of this Resolution to the Docketing Division of PUCO, the Ohio Consumers' Counsel ("OCC"), Portage County Commissioners and each of the respective state legislators whose legislative districts encompasses the Township.

Section 4: The Board authorizes and appoints each of the following persons to appear and speak on behalf of the Board at any meeting and/or hearing to be held by the PUCO in its review of OAW's water rate increase proposal; each member of the Board; the Township Fiscal Officer; and/or such other Township employee(s) as each Trustee may deem necessary or desirable.

Section 5: The Board of Trustees encourages all Township residents to contact the PUCO, the OCC, and their state legislators through letters and phone calls voicing their opinion on OAW's proposed water rate increases.

Section 6. All formal actions of this Board concerning and relating to the adoption of this Resolution, were adopted in an open meeting of this Board, and all deliberations of the Board and any of its committees that resulted in such formal action, were in meeting open to the public, in compliance with all legal requirements, including Section 121, 22 of the Ohio Revised Code.

This Resolution shall be in full force and effect immediately upon its adoption
Sue Fields moved for adoption of the above resolution. Motion seconded by C. Daniel Tronge. Upon a roll call vote:

C. Daniel Tronge – yea

Sue Fields – yea

Mike Kostensky – yea

Adopted September 9, 2009

MOTION #2009-206

C. Daniel Tronge moved to allow an amount, not to exceed \$800.00, for the repair of the truck used by the Zoning Department, vendor to be RJ's Auto. Motion seconded by Sue Fields and passed unanimously.

Police Department:

EWAOLUTION #2009-207

Re: A Child is Missing Program

WHEREAS: A program has become available, "A Child is Missing" which will allow Police Departments to have the ability to issue alerts for missing children through a telephone system that will inform a neighborhood or will go nationwide if necessary, therefore, be it,

RESOLVED: That the Brimfield Township Board of Trustees, upon recommendation by Police Chief Blough, will become a member of the "A Child is Missing" program, with the understanding that this program will be available to us at no cost to the Township.

C. Daniel Tronge moved for adoption of the above resolution this 14th day of September, 2009. Motion seconded by Mike Kostensky. Upon a roll call vote:

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

Fire Department: No action requested

Public Works:

MOTION #2009-208

Mike Kostensky moved to allow an amount, not to exceed \$1,200.00, for the removal of dead wood from the Edson Road Lion’s Park, vendor to be Luli Tree Company, account #1000-610-360-0000. Motion seconded by C. Daniel Tronge and passed unanimously.

MOTION #2009-209

Mike Kostensky moved to allow an amount, not to exceed \$1,559.00, payment for the Parks Junior Golf League, vendor Sunny Hills Golf Course, account #1000-610-360-0000. Motion seconded by Sue Fields and passed unanimously.

Administration:

MOTION #2009-210

C. Daniel Tronge moved that Richard Messner, Zoning Inspector, represent Brimfield Township at the Portage County Commissioners meeting regarding the Storm Water management program and how it will affect Brimfield Township. Motion seconded by Sue Fields and passed unanimously.

MOTION #2009-211

C. Daniel Tronge moved, at 4:40 PM to adjourn to executive session. Motion seconded by Sue Fields. Upon a roll call vote:

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

Returned to regular session at 5:33 PM. No action taken as a result of executive session.

There being no further business to come before this meeting of the Brimfield Township Board of Trustees C. Daniel Tronge moved to adjourn, seconded by Sue Fields 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.

Chairman

Fiscal Officer