

BRIMFIELD TOWNSHIP BOARD OF TRUSTEES  
REGULAR MEETING  
WEDNESDAY, AUGUST 12, 2009  
BRIMFIELD TOWN HALL

The Brimfield Township Board of Trustees met on Wednesday, August 12, 2009, at the Brimfield Town Hall. Present were Trustees C. Daniel Tronge, Mike Kostensky and Sue Fields and Fiscal Officer John Dalziel.

MOTION #178-2009

C. Daniel Tronge moved to call the meeting to order 4 minutes early, at 2:56 PM. Motion seconded by Sue Fields and passed unanimously.

**Public Comments and Questions:**

Questions were raised about the road repair work needed on Troyer +++. Public Works Director Mike Winner stated that that work is scheduled for the week of September 25<sup>th</sup>.

MOTION #179-2009

C. Daniel Tronge moved, at 3:03 PM, to recess the regular meeting to executive session for the purpose of discussing possible legal action. Motion seconded by Mike Kostensky. Upon a roll call vote:

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

Returned to regular session at 3:27 PM. No action taken as a result of executive session.

MOTION #180-2009

C. Daniel Tronge moved to approve the minutes of the July 30, 2009, meeting with no changes. Motion seconded by Mike Kostensky and passed unanimously.

MOTION #181-2009

C. Daniel Tronge moved to accept the agenda as presented. Motion seconded by Sue Fields and passed unanimously.

MOTION #182-2009

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

**Public Comments:**

A request was made to have the shrubs at the Cascade Plaza trimmed to eliminate blind sites. Mike Winner will ask the Zoning Inspector to contact 3-D Developers.

**Police Department:**

RESOLUTION #183-2009

Re: Cost Recovery Corporation

C. Daniel Tronge moved for approval of the following resolution, approval pending upon review by Portage County Assistant Prosecutor Christopher Meduri:

A Resolution ESTABLISHING AND IMPLEMENTING A PROGRAM TO RECOVER SERVICE FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES RENDERED BY THE TOWNSHIP OF BRIMFIELD FOR MOTOR VEHICLE ACCIDENT SERVICES THAT ARE BEYOND CORE GOVERNMENTAL SERVICES AND ARE OUTSIDE THE PRIMARY FUNCTION AND SCOPE OF BASIC CRIMINAL PROTECTION, INVESTIGATION AND FIRE SURPRESSION.

WHEREAS: Emergency Safety Services Department service run activity to vehicular accidents continues to increase each year; new Homeland Security regulations, such as biological training and equipment, etc., will create increased demands on all operational areas of the Safety Services Department's services, and,

WHEREAS the Safety Services Department has investigated different methods to maintain a high level of quality of Safety Services emergency services throughout times of constantly increasing service demands, where maintaining an effective response by the Safety Services Departments decreases the insurance companies costs by saving lives and minimizing property damage by fire, and

WHEREAS: raising the real property tax to meet the increase in service demands would be unfair to the property owners, when an increasing number of the Motor Vehicular Accidents (MVA) are caused by individuals not owning property or paying property taxes in the jurisdiction of the Safety Service Departments, and the ability of the Safety Services Departments to effectively respond decreases the liability of the insurance companies by saving lives and minimizing vehicular damage by fire, and,

WHEREAS: the Board of Trustees desires to implement a fair and equitable procedure by which to collect said MVA fees and shall establish a billing system in accordance with State and Federal laws, regulations and guidelines, now, therefore,

BE IT RESOLVED BY THE Brimfield Township Board of Trustees:

SECTION 1. Brimfield Township Safety Services Departments shall initiate service fee for the delivery of Safety Service Department services, personnel, supplies and equipment to the scene of motor vehicle accidents.

SECTION 2. The service fees shall be charged to the responsible or "at fault" driver, initially filed to their motor vehicle insurance, representing an add-on-cost of the claim for negligent driving damages of the vehicles, property and/or injuries. The claim costs shall be filed to the insurance company, the owner of a vehicle, owner of property, or other responsible parties.

SECTION 3. The Board of Trustees may make rules or regulations, and from time-to-time may amend, revoke or add rules and regulations, relating to this Section as they may deem necessary or expedient in respect to billing for these fees or the collection thereof.

SECTION 4. All amounts collected as a result of this Resolution shall be placed into respective department funds as established by the Ohio Revised Code to be used exclusively for personnel, supplies and equipment for the police and fire departments.

SECTION 5. This Resolution shall take effect at the earliest time permitted by law.

Sue Fields seconded the motion made by C. Daniel Tronge to approve Resolution #183-2009 this 13<sup>th</sup> day of August, 2009. Upon a roll call vote:

C. Daniel Tronge – yea

Sue Fields – yea

Mike Kostensky – yea

Motion passed 08/13/09

**Fire Department:**

RESOLUTION #183-2009

Re: KSU dispatch

WHEREAS: The Brimfield Township Board of Trustees has entered into contract with Kent State University to provide dispatch service for the Brimfield Township Fire Department, therefore, be it,

RESOLVED: That the Brimfield Township Board of Trustees will approve a Communications Service Contract with Kent State University to provide dispatching for the Brimfield Fire Department effective September 1, 2009, and extending through August 31, 2010, and be it further,

RESOLVED: That the cost to Brimfield Township for these communications services shall be \$24,000.00 per year, payable semi-annually on October 31, 2009 and on April 30, 2010.

Sue Fields moved for approval of the foregoing resolution this 13<sup>th</sup> day of August, 2009. Motion seconded by Mike Kostensky. Upon a roll call vote:

C. Daniel Tronge – yea

Sue Fields – yea

Mike Kostensky – yea

Motion passed

MOTION #184-2009

Sue Fields moved to allow an amount, not to exceed \$3,450.00 for the purchase of radio equipment, set up and installation of equipment in conjunction with the KSU dispatch service. Motion seconded by C. Daniel Tronge and passed unanimously.

MOTION #185-2009

Sue Fields moved to allow an amount, not to exceed \$1,625.00 for purchase and install a six (6) foot fence and gate for the communications tower located on Edson Road, vendor to be Teece Brothers Fence Company. Motion seconded by C. Daniel Tronge and passed unanimously.

MOTION #186-2009

Sue Fields moved to terminate the motor vehicle cost recovery contract now in force with Life Force Management Company, effective September 1, 2009. Motion seconded by C. Daniel Tronge and passed unanimously.

RESOLUTION #187-2009  
Re: Cost Recovery Corporation

C. Daniel Tronge moved for approval of the following resolution, approval pending upon review by Portage County Assistant Prosecutor Christopher Meduri:

A Resolution ESTABLISHING AND IMPLEMENTING A PROGRAM TO RECOVER SERVICE FEES FOR THE DEPLOYMENT OF PUBLIC SAFETY SERVICES RENDERED BY THE TOWNSHIP OF BRIMFIELD FOR MOTOR VEHICLE ACCIDENT SERVICES THAT ARE BEYOND CORE GOVERNMENTAL SERVICES AND ARE OUTSIDE THE PRIMARY FUNCTION AND SCOPE OF BASIC CRIMINAL PROTECTION, INVESTIGATION AND FIRE SUPPRESSION.

WHEREAS: Emergency Safety Services Department service run activity to vehicular accidents continues to increase each year; new Homeland Security regulations, such as biological training and equipment, etc., will create increased demands on all operational areas of the Safety Services Department's services, and,

WHEREAS: the Safety Services Department has investigated different methods to maintain a high level of quality of Safety Services emergency services throughout times of constantly increasing service demands, where maintaining an effective response by the Safety Services Departments decreases the insurance companies costs by saving lives and minimizing property damage by fire, and

WHEREAS: raising the real property tax to meet the increase in service demands would be unfair to the property owners, when an increasing number of the Motor Vehicular Accidents (MVA) are caused by individuals not owning property or paying property taxes in the jurisdiction of the Safety Service Departments and the ability of the Safety Service Departments of effectively respond decreases the liability of the insurance companies by saving lives and minimizing vehicular damage by fire, and,

WHEREAS: the Board of Trustees desires to implement a fair and equitable procedure by which to collect said MVA fees and shall establish a billing system in accordance with State and Federal Laws, regulations and guidelines, now, therefore,

BE IT RESOLVED BY THE Brimfield Township Board of Trustees:

SECTION 1. Brimfield Township Safety Services Departments shall initiate service fees for the delivery of Safety Service Department services, personnel, supplies and equipment to the scene of motor vehicles and accidents.

SECTION 2. The service fees shall be charged to the responsible or "at fault" driver, initially filed to their motor vehicle insurance, representing an add-on-cost of the claim for negligent driving damage of the vehicles, property and/or injuries. The claim costs shall be filed to the insurance company, the owner of a vehicle, owner of property or other responsible parties.

SECTION 3. The Board of Trustees may make rules or regulations, and from time-to-time may amend, revoke or add rules and regulations, relating to this Section as they may deem necessary or expedient in respect to billings for these fees or the collection thereof.

SECTION 4. All amounts collected as a result of this Resolution shall be placed into respective department funds as established by the Ohio Revised Code to be used exclusively for personnel, supplies and equipment for the police and fire departments.

SECTION 5. This Resolution shall take effect at the earliest time permitted by law.

Sue Fields seconded the motion, made by C. Daniel Tronge, to approve Resolution #183-2009 this 13<sup>th</sup> day of August, 2009. Upon a roll call vote:

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

### **Public Works:**

#### MOTION #188-2009

C. Daniel Tronge moved to table action on the Edson Road mylar in order to research deed restrictions that may be needed. Motion seconded by Mike Kostensky and passed unanimously.

#### MOTION #189-2009

C. Daniel Tronge moved to allow amount, not to exceed \$900.00 for the survey work completed on the Farmakidis property on Edson Road survey, vendor to be Rob Such. Motion seconded by Sue Fields and passed unanimously.

#### MOTION #190-2009

C. Daniel Tronge moved to publish a notice in the Record Courier that all materials and plantings left untended on grave sites in Restland Cemetery will be discarded, effective October 1, 2009.. Motion seconded by Sue Fields and passed unanimously.

#### MOTION #191-2009

Sue Fields moved to allow an amount, not to exceed \$400.00 for the purchase of a cement monument for Restland Cemetery to recognize past and present Boy Scout projects in the cemetery. Motion seconded by C. Daniel Tronge and passed unanimously.

#### MOTION #192-2009

c. Daniel Tronge moved to allow an amount, not to exceed \$200.00 for the purchase of a plaque honoring the Honeychuck family for their donation to the new pavilion at Edson Road. Motion seconded by Sue Fields and passed unanimously.

#### MOTION #193-2009

Sue Fields moved to amend the agenda to include, under Works, Cemetery, discussion on a columbarium for Restland Cemetery. Motion seconded by C. Daniel Tronge and passed unanimously.

#### MOTION #193-2009

C. Daniel Tronge moved to table further discussion on a columbarium for Restland Cemetery until further information can be obtained. Motion seconded by Mike Kostensky and passed unanimously.

**Zoning:**

MOTION #194-2009

C. Daniel Tronge moved that Brimfield Township donate 20 of their tech support hours to Portage County Regional Planning for work on the sub-division regulations. Motion seconded by Mike Kostensky and passed unanimously.

**Administration:**

RESOLUTION #195-2009

Re: Wal Mart donation

WHEREAS: Brimfield Township did receive a donation in the amount of \$1,500.00 from Wal Mart in Brimfield and does gratefully accept that donation, therefore, be it,

RESOLVER: That \$1,000.00 of the donation will go to the Brimfield Parks and Recreation Department and \$500.00 of this donation will be forwarded to the Field High School Cross Country Team, who will run in the BrimFest 5K.

C. Daniel Tronge moved to approve the above resolution this 13<sup>th</sup> day of August, 2009. Motion seconded by Sue Fields. Upon a roll call vote:

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

MOTION #196-2009

C. Daniel Tronge moved that John Dalziel, Fiscal Officer, sign the contract renewal with Time Warner Cable Company for the year 2010, the current plans to stay in place at the same rate. Motion seconded by Sue Fields and passed unanimously.

MOTION #197-2009

C. Daniel Tronge moved to adjourn to executive session at 4:55 PM. Motion seconded by Mike Kostensky. and upon a roll call vote:

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

Returned to regular session at 5:15 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 Mike Kostensky 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