

**Brimfield Township Board of Trustees
Regular Meeting
Wednesday, May 5, 2021**

The Brimfield Township Board of Trustees met in a virtual regular meeting on the above date. Present were Trustees Nicholas Coia, Mike Kostensky, Sue Fields, and Fiscal Officer John Dalziel.

The meeting was called to order at 8:00 AM by Trustee Nicholas Coia.

MOTION #2021-147

Nicholas Coia moved to approve minutes from 4/21/2021 bid opening and 4/21/21 regular meeting. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

MOTION #2021-148

Sue Fields moved to approve amended agenda to include:
Nicholas Coia second.

Admin 1A – Executive session – Legal Doc release
Admin 2D – Executive session – land use contract
Zoning 2H – Executive session – marketing strategy

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

MOTION #2021-149

Mike Kostensky moved to approve Purchase Orders. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

MOTION #2021-150

Mike Kostensky moved to approve warrants. Sue Fields second.

Mike Kostensky	- yea	Sue Fields - yea
Nicholas Coia	- yea	Motion Pass

Police: No Action

Fire: No Action

Administration: No Action

Zoning: No Action

Roads:

MOTION #2021-151

Mike Kostensky moved to approve the Cardinal Asphalt bid for the Sugar Maple Hills paving project at a cost of \$204,667.75. Nicholas Coia second.

Mike Kostensky	- yea	Sue Fields - yea
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Nicholas Coia - yea Motion Pass

MOTION #2021-152

Mike Kostensky moved to hire Omnipro as the site inspector for the Sugar Maple Hills paving project at a cost not to exceed \$23,964.00. Sue Fields second.

Mike Kostensky - yea Sue Fields - yea
Nicholas Coia - yea Motion Pass

Parks: No Action

Cemetery:

MOTION #2021-153

Sue Fields moved to approve the memorial plaque for Samuel Wilson. The plaque will be at the fountain. Nicholas Coia second.

Mike Kostensky - yea Sue Fields - yea
Nicholas Coia - yea Motion Pass

Fiscal Office: No Action

MOTION #2021-154

Nicholas Coia moved to change the agenda:
Mike Kostensky second.

1A Fiscal Office
2I Zoning

Mike Kostensky - yea Sue Fields - yea
Nicholas Coia - yea Motion Pass

MOTION #2021-155

Nicholas Coia moved to approve legal action from the Portage County Prosecutors against property owner at 3983 Sunnybrook Rd. This action is regarding commercial business being done at the location. Sue Fields second.

Mike Kostensky - yea Sue Fields - yea
Nicholas Coia - yea Motion Pass

MOTION #2021-156

Nicholas Coia moved to switch from bond to OTARMA liability and property policy for all elected officials, fiscal staff, and department heads.

Mike Kostensky - yea Sue Fields - yea
Nicholas Coia - yea Motion Pass

**MOTION FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, May 5, 2021, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:40 AM:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
 - appointment,

- employment,
- dismissal,
- discipline,
- promotion,
- demotion,
- or compensation of a public employee or official,
- or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

X (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

(7) To consider confidential information related to the marketing plans, specific business strategy, production techniques, trade secrets, or personal financial statements of an applicant for economic development assistance, or to negotiations with other political subdivisions respecting requests for economic development assistance, provided that both of the following conditions apply:

(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote:	Trustee	Nicholas Coia	Yes
	Trustee	Mike Kostensky	Yes
	Trustee	Sue Field	Yes

**MOTION FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, May 5, 2021, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:48 AM:

A check mark must be placed next to the applicable section(s):

(1) To consider the:

- appointment,
- employment,
- dismissal,
- discipline,
- promotion,
- demotion,
- or compensation of a public employee or official,
- or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of

the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

(2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

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(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote:	Trustee	Nicholas Coia	Yes
	Trustee	Mike Kostensky	Yes
	Trustee	Sue Field	Yes

**MOTION FOR EXECUTIVE SESSION
BRIMFIELD TOWNSHIP BOARD OF TRUSTEES**

This date, May 5, 2021, Trustee Nicholas Coia moved to convene in executive session, pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters at 9:57 AM:

A check mark must be placed next to the applicable section(s):

- (1) To consider the:
 - appointment,
 - employment,
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 - discipline,
 - promotion,
 - demotion,
 - or compensation of a public employee or official,
 - or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (G)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (G)(1) of this section are the purposes for which the executive session is to be held but need not include the name of any person to be considered at the meeting.

Additional Comments (if applicable) _____

- (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is averse to the general public interest. No member of a public body shall use division (G)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.

Additional Comments (if applicable) _____

(3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.

Additional Comments (if applicable) _____

(4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment.

Additional Comments (if applicable) _____

(5) Matters required to be kept confidential by federal law or regulations or state statutes.

Additional Comments (if applicable) _____

(6) Details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office.

Additional Comments (if applicable) _____

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(a) The information is directly related to a request for economic development assistance that is to be provided or administered under any provision of Chapter 715., 725., 1724., or 1728. or sections 701.07, 3735.67 to 3735.70, 5709.40 to 5709.43, 5709.61 to 5709.69, 5709.73 to 5709.75, or 5709.77 to 5709.81 of the Revised Code, or that involves public infrastructure improvements or the extension of utility services that are directly related to an economic development project.

(b) A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

The motion was seconded by Trustee Mike Kostensky.

Roll Call Vote: Trustee Nicholas Coia Yes

Trustee Mike Kostensky Yes

Trustee Sue Field Yes

MOTION #2021-146

Mike Kostensky moved to return from executive session at 9:57 AM. Sue Fields second.

Mike Kostensky	- yes	Sue Fields – yes
Nicholas Coia	- yes	Motion Pass

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Mike Kostensky moved at 9:58 AM to adjourn. Motion seconded by Sue Fields. Upon a roll call vote passed unanimously.

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

Chairman

Fiscal Officer