

**Brimfield Township Board of Trustees
Regular Meeting
Wednesday, October 6, 2021**

The Brimfield Township Board of Trustees met in a regular meeting at the Brimfield Community Center 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.

Meeting Guests: Jeff Hair

Public Comments: 2473 Acorn Ave (Bill Anderson) wants on 2022 Road Budget

MOTION #2021-304

Sue Fields moved to approve minutes 9/22/2021 regular meeting. Mike Kostensky second.

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

MOTION #2021-305

Mike Kostensky moved to approve the amended agenda to include: Nicholas Coia second.

Administration
2b.) 3761 Selnik Road – Land (Vacant)
Roads
1a.) Project Updates

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

MOTION #2021-306

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

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

MOTION #2021-307

Sue Fields moved to approve warrants. Nicholas Coia second.

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

Zoning:

RESOLUTION NO. 2021-308

**A RESOLUTION APPROVING AN AGREEMENT
WITHIN THE RURAL ENTERPRISE ZONE OF BRIMFIELD TOWNSHIP, OHIO
WITH AMERICANA DEVELOPMENT INC., AND AMERICANA
DEVELOPMENT INC. D/B/A MARTIN WHEEL, AND PORTAGE COUNTY
TAX ABATEMENT FOR REAL PROPERTY ONLY, AND AUTHORIZING THE
TOWNSHIP TO ENTER INTO THE SAME**

moved by Nicholas Coia

WHEREAS, a Rural Enterprise Zone within the corporate boundaries of the Township of

Brimfield was certified by the Ohio Department of Development on October 18, 1990;

WHEREAS, in accordance with Ohio Revised Code (“R.C.”) § 5709.63(C), the Portage County Board of Commissioners appointed the Chairman of the Township Trustees as Administrator of the Enterprise Zone;

WHEREAS, in accordance with R.C. §§ 5709.61 to 5709.63, the Township and the County must approve all agreements with enterprises wishing to establish, occupy, and renovate or expand businesses within the Zone;

WHEREAS, the Township is in receipt of the Enterprise Zone Agreement, attached hereto as Exhibit “A” and incorporated herein by reference (“Agreement”), which contains all information required under Ohio Administrative Code § 122:4-3-02, from Americana Development Inc., with its main offices located at 7095 Americana Parkway, Reynoldsburg, Ohio 43068-4118, and Americana Development Inc. d/b/a Martin Wheel, with its main offices located at 342 West Avenue, Tallmadge, Ohio 44278;

WHEREAS, any notices required by statute have been provided to the school district(s), and any requisite relocation waiver has been obtained from the Director of the Ohio Department of Development, formerly known as the Ohio Development Services Agency;

WHEREAS, the Agreement is based upon the expressed conditions therein and this Resolution, and in the event of any substantial default by any party in the performance of those conditions, the Agreement shall terminate, at the option of either party, upon thirty days written notice from the non-defaulting party without correction of the default; and

WHEREAS, the Brimfield Township Board of Trustees finds and determines that entering into the Agreement is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT RESOLVED by the Trustees of Brimfield Township, County of Portage and State of Ohio, that:

Section 1. The Brimfield Township Board of Trustees does hereby authorize the Township, through its necessary official(s), to enter into the Agreement attached as Exhibit A, and hereby approve the Agreement pursuant to the terms set forth therein.

Section 2. The Township, through its Fiscal Officer and other necessary officials, is authorized to undertake any and all actions necessary to implement the Agreement.

Section 3. It is found and determined that all formal actions of the Trustees concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of the Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Resolution shall take effect upon adoption by the Board of Trustees or after the earliest period allowed by law.

Reading Date(s): October 6, 2021

TRUSTEE: _____
Nic Coia

TRUSTEE: _____
Sue Fields

TRUSTEE: _____
Mike Kostensky

Mike Kostensky second.

Upon call of the roll, vote was as follows:

Trustee Nicholas Coia	Yea
Trustee Mike Kostensky	Yea
Trustee Sue Fields	Yea

Motion passed.

CERTIFICATE

I, the undersigned Fiscal Officer of Brimfield Township, Portage County, Ohio, certify that the foregoing Resolution No. 2021-308 is taken and copied from the record of proceedings of the Township, and that it has been compared by me with the resolution on the record and is a true copy.

Date 10/06/2021

John C. Dalziel, Fiscal Officer
Brimfield Township

Police:

MOTION #2021-309

Nicholas Coia moved to approve a purchase from Midwest Safety products in the amount of \$6,979.40. Purchase is for cruiser and body cam cloud video storage. Mike Kostensky second.

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

Fire:

No Action

Administration:

MOTION #2021-310

Nicholas Coia moved to write a donation letter to Jeff Hair for the acquisition of 3761 Selnik Fair market value in \$20,000 and the donation letter will be for amount. Sue Fields second.

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

Road:

MOTION #2021-311

Mike Kostensky moved to approve the JD Striping Proposal for road striping in the amount of \$25,265,75. Nicholas Coia second.

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

Parks:

No Action

Fiscal Office:

No Action

MOTION #2021-312

MOTION #2021-312 FOR EXECUTIVE SESSION

BRIMFIELD TOWNSHIP BOARD OF TRUSTEES

This date, October 6, 2021 Trustee Nicholas Coia moved to convene in executive session, at 9:38 AM pursuant to Ohio Revised Code Section 121.22(G), for the purpose of considering the following matters:

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 adverse 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) _____

- X (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 Fields	Yes

MOTION #2021-313

Nicholas moved to make an extension for fact finding hearing until 4/15/2022 for Brimfield Police Department Patrol (Blue.)

Mike Kostensky - yes	Sue Fields – yea
Nicholas Coia - yes	Motion Passed

MOTION #2021-314

Sue Fields moved to make an extension for fact finding hearing until 4/15/2022 for Brimfield Police Department Sargent’s (Gold.) Mike Kostensky second.

Mike Kostensky - yes	Sue Fields – yea
Nicholas Coia - yes	Motion Passed

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Mike Kostensky moved at 9:55 AM to adjourn. 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

