

**Brimfield Township Board of Trustees
Regular Meeting
Wednesday March 23, 2022**

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 Nicholas Coia.

Meeting Guests: Crystal Shanley – Community Garden grant.

Johnathan Harris Portage County Library – moving a library to Brimfield Township with needing 2,500 square feet

Sarah Drope – Congress Lake Road flooding issues.

MOTION #2022-082

Nicholas Coia moved to approve minutes from 2/23/2022 regular meeting. Sue Fields second.

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

MOTION #2022-083

Mike Kostensky moved to approve minutes from 3/9/2022 regular meeting. Sue Fields second.

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

MOTION #2022-084

Mike Kostensky moved to approve amended agenda to include:
Sue Fields second.

Admin – 2b.) IT software

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

MOTION #2022-085

Nicholas Coia moved to approve Purchase Orders. Sue Fields second.

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

MOTION #2022-086

Mike Kostensky moved to approve warrants. Nicholas Coia second.

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

Public Comments:

Crystal Shanley 3357 Hanover Dr – Brimfield Lions outreach program.

Police: No Action

Fire: No Action

Admin: No Action

Zoning:

MOTION #2022-087

Nicholas Coia moved to request a public hearing on 4/6/22 at 7:30 AM regarding the four zoning map amendments the zoning commission board approved. Mike Kostensky second.

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

Road:

**RESOLUTION #2022-088 AUTHORIZING PARTICIPATION
IN THE ODOT ROAD SALT CONTRACTS AWARDED IN 2022**

Mike Kostensky moved to adopt the following resolution:

WHEREAS, the Brimfield Township, Portage County (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual road salt bid in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the road salt contract; and
- d. The Political Subdivision’s electronic order for Sodium Chloride (Road Salt) will be the amount the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its electronically **submitted** salt quantities from its awarded salt supplier during the contract’s effective period; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Friday, April 29 **by 5:00 p.m.** The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is

the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT salt contract:

Seconded by Nicholas Coia.

TRUSTEE: _____

Nic Coia

TRUSTEE: _____

Sue Fields

TRUSTEE: _____

Mike Kostensky

I, John C. Dalziel, Fiscal Officer of Brimfield Township do hereby certify that the above resolution #2022-088 is a true and accurate copy as it appears in the record of proceedings of Brimfield Township.

John C. Dalziel, Fiscal Officer
Brimfield Township

Parks: No Action

Cemetery: No Action

Fiscal Office:

**RESOLUTION #2022-089 AUTHORIZING EXPENDITURE
FROM AMERICAN RESCUE PLAN ACT FUNDS**

Portage County, Ohio

Nicholas Coia moved to adopt the following resolution:

Be It Resolved by the Township Trustees of Brimfield Township

WHEREAS, this date, March 23, 2022, Trustee Nicholas Coia moved the adoption of the following Resolution:

WHEREAS, the Township has received a distribution of monies (the "ARPA Funds") from the American Rescue Plan Act of 2021 ("ARPA" or the "Act"); and

WHEREAS, Congress passed the Act effective March 11, 2021; and

WHEREAS, Section 603 created the Coronavirus Local Fiscal Recovery Fund which, among other things, appropriated money to cities, nonentitlement units of local government, and counties to mitigate the fiscal effects stemming from the public health emergency with respect to the Coronavirus Disease (Covid-19); and

WHEREAS, Section 603(c) generally provides that:

(1) USE OF FUNDS. Subject to paragraph (2), and except as provided in paragraphs (3) and (4), a metropolitan city, nonentitlement unit of local government, or county shall only use the funds provided under a payment made under this section to cover costs incurred by the metropolitan city, nonentitlement unit of local government, or county, by December 31, 2024 -

(A) to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID–19) or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;

(B) to respond to workers performing essential work during the COVID–19 public health emergency by providing premium pay to eligible workers of the metropolitan city, nonentitlement unit of local government, or county that are performing such essential work, or by providing grants to eligible employers that have eligible workers who perform essential work;

(C) for the provision of government services to the extent of the reduction in revenue of such metropolitan city, nonentitlement unit of local government, or county due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year of the metropolitan city, nonentitlement unit of local government, or county prior to the emergency; or

(D) to make necessary investments in water, sewer, or broadband infrastructure.

WHEREAS, Department of Treasury Final Rule, published on January 6, 2022, and effective April 1, 2022, provides in part that:

Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” [The “standard allowance”].

WHEREAS, the Rule further observes that:

The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss particularly for Coronavirus State and Local Fiscal Recovery Fund’s smallest recipients. This change is intended to promote administrative efficiency and simplify revenue loss calculation for smaller recipients.

WHEREAS, the Rule further clarifies that recipients can use:

SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the [Final Rule four-step process]. Government services generally include any service traditionally provided by a government, unless treasury has stated otherwise.

WHEREAS, some common examples of “government services” expressly recognized by Treasury are as follows:

- Road building and maintenance, and other infrastructure
- Health services
- General government administration, staff, and administrative facilities
- Environmental remediation

- Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)
- Maintenance or pay-go funded building infrastructure
- Modernization of cybersecurity, including hardware, software, and protection of critical infrastructure

WHEREAS, “Government services is [deemed by Treasury] the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements;” and

WHEREAS, funds utilized pursuant to the standard revenue loss allowance continue to have certain restrictions, including:

- Deposit into pension funds
- Satisfaction of settlements or judgments
- Contributions to financial reserves or “rainy day” funds

WHEREAS, the Board of Trustees has identified a project which, in the judgment of the Board, qualifies as a permitted use of the ARPA Funds, in direct support of governmental services, which consists of the following:

(the “Project”).

NOW THEREFORE, it is hereby RESOLVED by the Board that:

1. The Township elects to use the standard allowance and its presumption of revenue loss due to the public health emergency and to use the amount authorized herein to fund government services

2. The Project is hereby authorized and shall be paid for from the ARPA Funds in the amount of/an amount not to exceed: _____.

3. The Project described herein serves the objectives of the Act by providing services traditionally provided by a government, namely:

- Police protection
- Fire and emergency medical services
- Road repair, maintenance and other transportation and safety services
- Public infrastructure support
- General government administration and administrative facilities
- Land use regulations and enforcement
- Parks and recreational facilities and programs
- Other

4. Accordingly, the Project is in the best interests of the Township and is deemed a priority for the community.

5. No obligations paid under the authority of this Resolution were incurred prior to March 3, 2021.

Trustee Mike Kostensky seconded the Motion, and thereupon, the votes in favor of this Resolution were recorded and reflected by the signatures hereto.

BE IT FURTHER RESOLVED: that it is hereby found and determined that all formal actions of this Township concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Township Trustees, and that all deliberations of the Township Trustees and any of its committees that resulted in such formal action, were in a meeting open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted the 23rd day of March 2022.

Nicholas Coia

Mike Kostensky

Sue Fields

Township Trustees

Attest: _____
John Dalziel
Township Fiscal Officer

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Sue Fields moved at 9:52 AM to adjourn. Motion seconded by Nicholas Coia. 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

