

**Brimfield Township Board of Trustees
Regular Meeting
Wednesday July 27, 2022**

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

The meeting was called to order at 8:00 AM by Mike Kostensky.

Meeting Guest: Mike Smith 3616 Ranfield Road – Flooding on his property.

MOTION #2022-215

Mike Kostensky moved to send a certified letter to the Portage County Engineers and the Portage County Commissioners regarding 3616 Ranfield Road flooding. Sue Fields second.

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

Meeting Guest: Teresa Roth – Roth Lake off Sunview Drive.

MOTION #2022-216

Mike Kostensky moved to approve minutes from 7/13/2022 regular meeting. Sue Fields second.

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

MOTION #2022-217

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

Road - 2a.) Cascades project
 2b.) Salt bids
Admin –3a.) Legal Language for township vehicles

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

MOTION #2022-218

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

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

MOTION #2022-219

Mike Kostensky moved to approve warrants. Sue Fields second.

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

Public Comments: Steve Demetron – running for office, Ohio House of Representatives.

Police:

MOTION #2022-220

Mike Kostensky moved to accept the Drug Use Prevention Grant for 2022-2023 in the amount of \$2,220.40 from the Ohio Attorney General Office. Sue Fields second.

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

Fire: No Action

Admin:

**RESOLUTION #2022-221 AUTHORIZING EXPENDITURE
FROM AMERICAN RESCUE PLAN ACT FUNDS**

Portage County, Ohio

Mike Kostensky moved to adopt the following resolution:

Be It Resolved *by the Township Trustees of Brimfield Township*

WHEREAS, this date, July 27, 2022, Trustee Mike Kostensky 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:

Purchase of 4286 Kelso Drive. Kent, Ohio 44240 for the purpose of a Library and Parks building.

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 \$475,000.00.

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
- X General government administration and administrative facilities
- Land use regulations and enforcement
- X Parks and recreational facilities and programs
- Other

Town Center Fields project.

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 Sue Fields 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 27th day of July 2022.

Nicholas Coia

Mike Kostensky

Sue Fields

Township Trustees

Attest: _____

John Dalziel
Township Fiscal Officer

MOTION #2022-222

Sue Fields moved to approve the verbiage for township employee company vehicle policy for insertion in the employee handbook, effective 7/27/2022. Verbiage reads, "Use of Township motor vehicles shall be controlled and restricted to Township purposes only. Employees who operate Township vehicles or other motorized equipment are required to have a proper and valid motor vehicle operator's license, or, if applicable, commercial driver's license with appropriate endorsement. The employee

shall not use or permit the use of a Township vehicle for any purpose other than official business. Employee shall not permit family members or friends to operate any Township vehicle unless specifically authorized. In addition, employees shall not permit family members to ride in any Township vehicle without authorization.” Mike Kostensky second.

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

Zoning:

MOTION #2022-223

Mike Kostensky moved to schedule a public hearing on 8/10/2022 at 7:30 AM regarding Mogadore Road zoning changes. Sue Fields second.

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

Road:

MOTION #2022-224

Mike Kostensky moved to reject bids for the OPWC Round 36 Cascades paving project due to bids exceeding engineers 10% threshold. Sue Fields second.

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

MOTION #2022-225

Mike Kostensky moved to rebid the OPWC Round 36 Cascades paving project at an updated cost of \$319,342.00. Sue Fields second.

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

MOTION #2022-226

Mike Kostensky moved to approve the Portage County Engineer to prepare an updated bid book for the OPWC Round 36 Cascades paving project. Sue Fields second.

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

MOTION #2022-227

Mike Kostensky moved to advertise the OPWC Round 36 Cascades paving project in the Record Courier on 7/29/2022 and 8/5/2022. Sue Fields second.

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

MOTION #2022-228

Mike Kostensky moved to set a special meeting for OPWC Round 36 Cascades paving project bid opening date for 8/17/2022 at 8:00 AM at the Brimfield Community Center. Sue Fields second.

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

MOTION #2022-229

Mike Kostensky moved to accept the state bid for salt through the winter of 2022-2023 from Morton Salt at a price of \$48.69 a ton. Sue Fields second.

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

Parks:

MOTION #2022-230

Mike Kostensky moved to approve the dog park fence construction from Hank Roberts in the amount of \$19,110.00. Sue Fields Second.

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

MOTION #2022-231

Mike Kostensky moved to approve Kuntzman and Company proposal for a cost of \$32,500.00 for tree removal at the Community Center. Funds used will be from 2193 Tallmadge M+I. Sue Fields Second.

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

Cemetery:

No Action

Fiscal Office:

MOTION #2022-232

Mike Kostensky moved to approve the 2023 estimated budget and submit to the Portage County Auditor. Sue Fields second.

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

There being no further business to come before this meeting of the Brimfield Township Board of Trustees Sue Fields moved at 9:45 AM to adjourn. Motion seconded by Mike Kostensky. 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