

RUSSELL FIRE-RESCUE STATION

September 7, 2011

Vice-Chairman James Mueller called the meeting to order at 7:05 p.m. Trustee Kristina Port was present. Chairman Dickinson called in advance to say he would arrive late.

The Pledge was said.

MINUTES: *Ms. Port made the motion to accept the minutes of the Regular Meeting held on July 20, 2011, as presented. Mr. Mueller seconded the motion and it passed with the following vote: Mr. Mueller yes, Ms. Port yes.*

MINUTES: *Ms. Port made the motion to accept the minutes of the Regular Meeting held on August 4, 2011, as presented. Mr. Mueller seconded the motion and it passed with the following vote: Mr. Mueller yes, Ms. Port yes.*

MINUTES: *Ms. Port made the motion to accept the minutes of the Regular Meeting held on August 17, 2011, as presented. Mr. Mueller seconded the motion and it passed with the following vote: Mr. Mueller yes, Ms. Port yes.*

MONTHLY REPORTS: *Ms. Port made the motion to accept the July, 2011 monthly departmental reports from the Fire, Road, & Zoning departments. Mr. Mueller seconded the motion and it passed with the following vote: Mr. Mueller yes, Ms. Port yes.*

MONTHLY REPORTS: *Ms. Port made the motion to acknowledge receipt of the August, 2011 monthly departmental reports from the Maintenance, Police, Fire, & Road departments. Mr. Mueller seconded the motion and it passed with the following vote: Mr. Mueller yes, Ms. Port yes. At the end of the meeting Trustee Port located the Zoning monthly report. A revised motion was submitted. Ms. Port made the motion to acknowledge receipt of the August, 2011 monthly departmental reports from the Maintenance, Police, Fire, Road & Zoning departments. Mr. Mueller seconded the motion and it passed unanimously. Mr. Dickinson arrived at 7:15 p.m.*

LEAVE OF ABSENCE: FEMA has requested that Mr. Vince Gambino make himself available for disaster relief per his 2005 contract with FEMA. Mr. Gambino has no idea where or when he will be deployed. FEMA requested that Mr. Gambino appear for duty over a week ago. Ms. Port asked if there was coverage in the Maintenance Department for one month. Mr. Mueller pointed out that with Vince off the payroll some money does become available to spend. Mr. Gambino recommended that the Township check with Road Superintendent Gene Layne if help is needed in the Maintenance Department. Mr. Layne has offered assistance in the past. *Ms. Port made the motion to grant permission for Vince Gambino to take a 30 day leave of absence from Russell Township for the purpose of fulfilling relief effort obligations to FEMA after Hurricane Irene. Mr. Mueller seconded the motion and it passed unanimously.*

DEPOSITORY CONTRACT: Mrs. Heck explained that the depository contract with Huntington Bank is a 5 year agreement that allows the Township to work with the bank. The Township currently has accounts at Middlefield Bank. *Mr. Mueller made*

RUSSELL FIRE-RESCUE STATION

September 7, 2011

the motion to approve the Memorandum of Agreement for Deposit of Public Funds with Huntington Bank. Ms. Port seconded the motion and it passed unanimously.

GEAUGA SAFETY COUNCIL: Mrs. Heck has studied the fine print of the Geauga Safety Council membership terms. The Township will probably not receive a discount on the Workman's Comp premiums. Ms. Port agreed and stated that since the Township has a group rate there is no financial benefit to joining and attending the luncheon meetings. Ms. Port noted that the meetings would be good for learning safety tips. Further discussion of this topic was tabled until the next meeting.

MAINTENANCE DEPT - VACATION BUYBACK: Mr. Gallagher requested the Township buy back 80 hours of his vacation. He qualifies for vacation buyback and is entitled to it. *Mr. Mueller made the motion to approve payment for the equivalent of 80 hours of vacation for Jack Gallagher. Ms. Port seconded the motion and it passed unanimously.*

2011 ROAD PROJECTS: CHANGE ORDER APPROVAL: The first and final change order lowered the cost of the 2011 Road Projects by \$35,000.00. *Mr. Mueller made the motion to approve Change Order No. 1 and Final to the 2011 Asphalt Resurfacing of Various Roads submitted by Ronyak Paving, Inc. Ms. Port seconded the motion and it passed unanimously.*

2011 ROAD PROJECTS: PAYMENT APPROVAL: *Ms. Port made the motion to approve payment of the invoice in the amount of \$661,613.00 for the 2011 Asphalt Resurfacing of Various Roads submitted by Ronyak Paving, Inc. Mr. Mueller seconded the motion and it passed unanimously.*

2012 BUDGET AMOUNTS & RATES: Mrs. Heck thanked Mrs. Baker & Mrs. Palmer for their assistance recently. Mrs. Palmer represented the Township at the Budget Commission meeting in August. The Township received compliments on the financial plan. Mrs. Heck reported that the income to the Township went down but not as much as expected. Mr. Mueller reminded everyone that by the end of 2013 the Township will have lost approximately \$500,000.00 in income. *Mr. Mueller moved to approve Resolution 2011-10: a resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Ms. Port seconded the motion and it passed unanimously.*

COMMENTS WERE TAKEN FROM THE PUBLIC

BUS GARAGE: Mr. Mueller spoke with Mr. Jim Russo, West Geauga Operations Manager, and with the engineer from Emerald Environmental about the Bus Garage building. The estimate for West Geauga to do the environmental assessment on the building is reported to be approximately \$1,200.00. Mr. Mueller indicated that the assessment would probably be done soon. The fuel tank at the bus garage is for sale. The department heads will be asked if they are interested in owning it.

NOISE RESOLUTION: Mr. Dale Markowitz, attorney representing Hillbrook Club, and Mr. Tom Warren, attorney & Russell

RUSSELL FIRE-RESCUE STATION

September 7, 2011

resident, were present at the meeting. Mr. Dickinson's noise resolution draft dated September 7th, 2011 was identified as a reasonable one and consistent with those resolutions passed by others. Mr. Markowitz stated that Mr. Kaufman has made a commitment to Mr. Warren that changes will be made at Hillbrook Club. Mr. Kaufman is moving ahead with sound insulating a portion of the building where the music is played. This area will be enclosed with double pane insulated glass, sound curtains and baffles. The target date for the start of construction is November 15th. Mr. Markowitz stated that permit applications need to be made. The project is expected to take two weeks. Mr. Markowitz explained that an earlier draft by Mr. Mueller upset Mr. Kaufman. Mr. Kaufman indicated that it targeted food service unfairly and made it impossible to have any ceremony outside. Further, Mr. Markowitz said the draft by Mr. Mueller did not accomplish the goal of reducing volume. Mr. Markowitz explained that Mr. Dickinson's September 7th draft comes closer to the goal as it addresses dirt bikes and other sources of disruption to peace and quiet. Mr. Markowitz noted three points of objection to Mr. Dickinson's draft. First, the draft creates a competitive problem for Hillbrook Club by exempting church events. Second, he would ask the courts to consider "reasonable" complaints. Third, he would like to add the words "plainly or clearly" audible at a distance of 100 feet. Mr. Markowitz expressed his concern that once the Township passes a noise resolution, residents are given standing to file injunctions against neighbors. Mr. Warren pointed out that it is difficult to cause a judge to give an injunction. Mr. Dickinson noted that residents of the Township already have a private nuisance action available to them. Mr. Mueller explained that peace and quiet is a value that people appreciate. Most residents do not make noise at late hours. When noise is moved inside it causes less disturbance. Mr. Mueller said that when he sees the letter committing Hillbrook Club to sound proofing, he will drop his demand for the objectionable paragraph. Mr. Dickinson reiterated that his draft of the noise resolution is not about Hillbrook Club. His draft addresses dogs, shooting, and other noise. Ms. Port expressed pleasure that the dialogue between Mr. Warren and Mr. Kaufman will result in sound proofing improvements. She is interested in solving the major issue at Hillbrook Club and then she will agree to revisit the broad resolution. Ms. Port is opposed to neighbor on neighbor issues. She is concerned that Mr. Markowitz is warning the Trustees of this problem. Mr. Dickinson will consider the church competition issue and redraft the resolution. Mr. Warren finds all of the comments from Mr. Markowitz to be acceptable.

BOARD OF TRUSTEES GOALS FOR 2012: Mr. Dickinson requested that this issue be tabled until a future meeting.

HACKAMORE WOODS EASEMENT: Ms. Port brought up the issue of the easement in Hackamore Woods. She finds the easement to be different in different documents. She will submit the documents to the Recorder's office.

ANNOUNCEMENTS: The next regular Trustees' meeting will be held at 7:00 p.m., Wednesday, September 21st, in the Russell Township Fire-Rescue Station.

RUSSELL FIRE-RESCUE STATION

September 7, 2011

Kinsman Road (S.R. 87) eastbound & westbound will be closed for approximately seven days for culvert replacements in Russell & Newbury beginning on September 13th. Only one culvert replacement location will be closed at a time over the 7 day period. The first culvert is 1,400 feet east of S.R. 306 in Russell. The second culvert in Newbury is east of Sperry Rd.

PURCHASE ORDERS:

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| 137-2011 Firefighting boots | \$ 4,144.00 |
| 138-2011 Sewer fees | \$ 551.10 |
| 139-2011 Pavement marking Caves Rd | \$ 7,545.72 |
| 140-2011 2 TB ext hard drive, in car video | \$ 1,040.00 |
| 141-2011 Data recovery service, video drive | \$ 1,735.00 |
| 142-2011 Void | |
| 143-2011 Service heating units | \$ 1,200.00 |
| 144-2011 new well & pump | \$ 6,400.00 |
| 145-2011 head immobilizer kits, suction unit | \$ 1,349.80 |
| 146-2011 Replace pressure relief valves | \$ 2,500.00 |

Bills were approved as presented and drawn for same.

Upon the motion of Mr. Mueller and seconded by Ms. Port the meeting adjourned at 8:50 p.m.

James Dickinson, Chairman

Gerri Heck, Fiscal Officer
Recorded by: M. Palmer