

The Board of Lake Township Trustees met in regular session at 6:30 p.m. at 12360 Market Avenue North, Hartville, Ohio with the following members present:

John Arnold, President
Ellis Erb, Vice President
Galen Stoll, Member

Also Present:

Ben Sommers	Sophia Kapadia
Mary Ann Kannam	Joy Dingman
Sam Miller	Lance Runion
Michael Zalvski	Ryan Clevenger
James Clevenger	Barbara Tonhaeuser
Madeline Brown	Daniel R. Kamerer

John Arnold called the meeting to order at 6:30 p.m.

11-293 A resolution was made by John Arnold approving the minutes of August 8, 2011, as submitted. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-294 A resolution was made by John Arnold authorizing payment of payroll for August 31, 2011 in the amount of \$9,503.82. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-295 A resolution was made by John Arnold authorizing payment of payroll for September 2, 2011 in the amount of \$46,428.95. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-296 A resolution was made by John Arnold accepting/approving the Financial Report as of August 22, 2011, as submitted by the Lake Township Fiscal Officer. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-297 A resolution was made by John Arnold authorizing payment of bills as of August 22, 2011 in the amount of \$35,069.05. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

CORRESPONDENCE

1. Stark County Engineer - Road closing and opening information pertaining to Market Avenue/Lake Center/King Church Project
2. NEFCO - notice of the September 17th Nimishillen Creek Litter Elimination, Awareness and Prevention (LEAP) event
3. NEFCO - August Board Agenda
4. Dominion East Ohio - notice of new contact information for permit application concerns and other matters
5. Mike Grimaldi - concerns about condition of Shepherd Street
6. Joe Troyer - Lake Township Skatepark Project
7. Dave Povich - concerns about the intersection of Wright Road and Cleveland Avenue
8. Ohio Township Association - news from State Association/legislative updates
9. Stark Soil & Water Conservation District - Site Inspection Reports (Market/Lake Center Project; HRM Estates; Hartville Hardware)
10. The Public Utilities Commission of Ohio - copy of Case No. 11-4624-AU-ORD

DEPARTMENT REPORTS

Police Department

- None

Road Department

11-298 A resolution was made by John Arnold accepting and executing Change Order #2011-001 for an amount not to exceed \$5,500.00 for the 2011 Paving Project for full road pavement planning in the Boroughs Allotment. Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

Zoning Department

- The Board acknowledged receipt of the July 2011 Zoning Report.

Fire Departments/Fire Prevention Office

- None

OLD BUSINESS:

- None

NEW BUSINESS:

11-299 A resolution was made by John Arnold acknowledging correspondence forwarded to the Ruthe Isadore Freed Housing Corporation regarding the Lake Senior Housing II Project and extending the Board's consent to remove the reverter clause language after funding for senior housing is secured. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-300 A resolution was made by John Arnold authorize the Board to execute the following Cemetery Deeds:

Uniontown Greenlawn Cemetery -- Section N, Lot 61, Grave 1
Uniontown Greenlawn Cemetery -- Section N, Lot 61, Grave 2

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-301 A resolution was made by John Arnold authorize the Board to execute the following Cemetery Deeds:

Mt. Peace Cemetery -- Section 2, Lot 270, Grave 4
Mt. Peace Cemetery -- Section 2, Lot 270, Grave 3
Mt. Peace Cemetery -- Section 2, Lot 270, Grave 2
Mt. Peace Cemetery -- Section 2, Lot 270, Grave 1

Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-302 A resolution was made by John Arnold authorize the Board to execute the following Cemetery Deed:

Uniontown Greenlawn Cemetery -- Section N, Lot 61, Graves 3 & 4

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-303 Trustee John Arnold moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees received bids for masonry labor contract for the Lake Township Truck Storage Building and prepared a "BID TABULATION SHEET", which is attached hereto as Exhibit 1 and fully incorporated herein by reference as if fully re-written herein, and;

WHEREAS, the Lake Township Board of Trustees, after reviewing the bids as submitted awarded the masonry labor contract to Bontrager Masonry; and

WHEREAS, the Lake Township Board of Trustees, after awarding the masonry labor contract to Bontrager Masonry received a letter from Bontrager Masonry asking to be released from its bid and from the contract.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby release Bontrager Masonry from the bid and contract subject to the Bid Guaranty requirement as set forth in the Lake Township Bid Specifications, Item II. BID GUARANTY, Section A(1)(a).

BE IT FURTHER RESOLVED, that masonry labor specifications shall be re-advertised in accordance with the statutory bidding requirements.

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

11-304 Trustee John Arnold moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees, as an Ohio political subdivision only speaks through its minutes and through its resolutions, and;

WHEREAS, the Lake Township Board of Trustees has received verbal and written inquiries as to why certain bids and bidders were accepted and certain bids and bidders

were rejected on the new construction project known as the "Truck Storage Building for Lake Township, and;

WHEREAS, the Lake Township Board of Trustees received bids and prepared a "BID TABULATION SHEET", which is attached hereto as Exhibit 1 and fully incorporated herein by reference as if fully re-written herein, and;

WHEREAS, the Lake Township Board of Trustees, after reviewing the bids as submitted determined:

Henry Bierce Co., was not a responsive bidder because there was no bid guaranty included, and;

C.R. Hoiles Masonry was not a responsive bidder because there was no bid guaranty included, and;

Uniontown Electric, Inc., was not a responsive bidder because the bid bond was a company check and not in a form acceptable to the bid specifications, and;

N.L. Construction Corporation submitted a combined bid that did include a bid bond. The N.L. Construction Corporation combined bid referenced the metal building, the overhead doors and the electrical contract. The N.L. Construction Corporation combined bid did not separately itemize the bid for the overhead doors or electrical contract. The Board of Trustees is not able to determine if the N.L. Construction Contract is the lowest responsible bid for the overhead doors or the for the electrical contract since the bid, as submitted is not separately itemized, and cannot be compared to the other bids submitted for those two contracts.

WHEREAS, it was further determined to table the electrical bids due to revisions in the electrical specifications that were not identified until after the deadline for the submission of bids; and,

WHEREAS, the N.L. Construction combined bid, due to the decision to table the electrical contract and having not been separately itemized as to the price of the electrical contract, rendered it impossible for the Board of Trustees to evaluate the electrical contract component of the N.L. Construction Corporation combined bid so as to render the bid as a non-responsive bid; and,

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby reject, as non-responsive bids:

the Henry Bierce Co., was not a responsive bidder because there was no bid guaranty included, and;

the C.R. Hoiles Masonry was not a responsive bidder because there was no bid guaranty included, and;

Uniontown Electric, Inc., was not a responsive bidder because the bid bond was a company check and not in a form acceptable to the bid specifications, and;

N.L. Construction Corporation combined bid for the metal building, the overhead doors and the electrical contract was not a responsive bid because it did not separately itemize the bid for the overhead doors or electrical contracts. As a result, the Board of Trustees is not able to determine if the N.L. Construction Contract is the lowest responsible bid for either the overhead doors or for the electrical contract since the bid, as submitted is not separately itemized, and cannot be compared to the other bids submitted for those two contracts.

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Galen Stoll. Roll call votes were:

John Arnold yes
Ellis Erb yes
Galen Stoll yes

11-305 Trustee John Arnold moved the adoption of the following resolution:

WHEREAS, the Lake Township Board of Trustees received bids for electrical contract for the Lake Township Truck Storage Building and prepared a "BID TABULATION SHEET", which is attached hereto as Exhibit 1 and fully incorporated herein by reference as if fully re-written herein, and;

WHEREAS, the Lake Township Board of Trustees, after reviewing the bids as submitted determined to table the electrical bids due to revisions in the electrical specifications that were not identified until after the deadline for the submission of bids; and

WHEREAS, the Lake Township Board of Trustees, upon the recommendation of the architect for the proposed building, should reject all electrical bids as submitted and should re-advertise for bids under the new electrical specifications.

NOW THEREFORE, BE IT RESOLVED, that the Lake Township Board of Trustees does hereby reject the bids of, Uniontown Electric, Inc., Pauli Electric, Inc., and N.L. Construction Corporation.

BE IT FURTHER RESOLVED, that new electrical contract bid specifications shall be prepared and advertised in accordance with the statutory bidding requirements.

BE IT FURTHER RESOLVED that the Fiscal Officer and Clerk of this Board be, and he hereby is, directed and authorized to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution.

BE IT FURTHER RESOLVED that it is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board that resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Seconded by Ellis Erb. Roll call votes were:

John Arnold yes
Ellis Erb yes
Galen Stoll yes

MEETING REPORTS/MISCELLANEOUS

- None

FISCAL OFFICER'S REPORT

11-306 A resolution was made by John Arnold authorizing the Board and Fiscal Officer to sign all Purchase Orders and Vouchers. Seconded by Galen Stoll. Roll call votes were:

John Arnold yes
Ellis Erb yes
Galen Stoll yes

- The Board acknowledged the following transfer within a fund in accordance with Res. #11-025:

<u>DATE</u>	<u>AMOUNT</u>	<u>FROM</u>	<u>TO</u>
08/01/11	\$100,000.00	14-A-11E (Capital Outlay)	14-A-8E (Other Expenses)
08/01/11	\$100,000.00	14-A-11D (Capital Outlay)	14-A-8D (Other Expenses)
08/01/11	\$50,000.00	14-A-11F (Capital Outlay)	14-A-8F (Other Expenses)

Purpose: To allow for BC's and PO's needed to cover other expenses occurring during the development of the Midway Project.

PUBLIC SPEAKS

Madeline Brown, 10195-10193 Market Ave. Hartville: Ms. Brown addressed the Board regarding a ditch that was dug along Market Ave. at the front of her property. She would like to know if it could be enclosed. The Board informed Ms. Brown that Market Ave. is a county road and provided her with the contact information for the Stark County Engineer's office.

Barbara Tonhaeuser, 12822 Hoover Ave, Uniontown: Ms. Tonhaeuser addressed the Board regarding rental property she owns at 3575 Broad Vista and a problem she is having with a tenant parking an unlicensed vehicle on the property. The Board asked Chief Britt of the Uniontown Police Department to look into the situation.

Michael Zaluski, 2765 McDuff Dr., North Canton: Mr. Zaluski asked the Board for additional information regarding the Uniontown Police Levy and the services that would be provided as well as the cost involved. The Board provided him with some information and asked Chief Britt to speak with him to answer any additional questions.

Ryan Clevenger, 13162 Williamburg Ave, Uniontown: Ryan Clevenger is a member of Boy Scout Troop 135 and attended the meeting as a requirement of a merit badge.

11-307 A resolution was made by John Arnold adjourning the meeting at 7:09 p.m. Seconded by Galen Stoll. Roll call votes were:

John Arnold	yes
Ellis Erb	yes
Galen Stoll	yes

Ben Sommers, Fiscal Officer

John Arnold, President

Ellis Erb, Vice President

Galen Stoll, Member

