

The Board of Township Trustees in and for Madison Township, Ohio met this day in Regular Session with the following members present:

Mr. Brotzman and Mr. Wayman

Mr. Wayman presented the following Resolution and moved its adoption:

A RESOLUTION TO ESTABLISH A MAILBOX REPLACEMENT POLICY

WHEREAS, the Madison Township Trustees feel the need to establish a mailbox replacement policy (see exhibit A, attached and Notification Form, exhibit B attached), effective January 13th, 2009; and,

WHEREAS, the policy effects all residents of Township maintained roads within the Township; and,

WHEREAS the Madison Township Trustees have set a liability of \$35.00 for damaged specialty type boxes hit directly by our equipment.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MADISON TOWNSHIP TRUSTEES, LAKE COUNTY, OHIO THAT:

SECTION 1. The Board of Madison Township Trustees, on its own behalf and on behalf of all residents of Madison Township, feels the need to establish a mailbox replacement policy.

SECTION 2. That it is found and determined that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees 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.

SECTION 3. That this Resolution shall take effect and be in force at the earliest period allowed by law.

Mr. Brotzman seconded the motion to adopt the Resolution.

ROLL CALL: Mr. Brotzman: yes, Mr. Wayman: yes

Resolution Adopted
Barbara L. Golding, Fiscal Officer

FISCAL OFFICER'S CERTIFICATE:

I, Barbara L. Golding, duly elected Fiscal Officer of Madison Township, Ohio; do hereby certify that the foregoing is a true and accurate copy of a Resolution adopted by said Board on January 13th, 2009.

“EXHIBIT A”

MADISON TOWNSHIP MAILBOX REPLACEMENT POLICY

Madison Township
2065 Hubbard Road
Madison, OH 44057
440-428-5128

___ Called in Mailbox Compliant ___ Service Dept. Notification of Mailbox Condition

___ Service Dept. Notification of Hitting Mailbox

Number _____ Date Received _____

Name: _____ Phone: _____

Property Location: _____

Madison Township Mailbox Replacement Policy

Mailboxes are a road obstruction within Township road right-of-way that may represent a hazard to the traveling public. Ohio Revised Code Sections 5547.03, 5547.04; Manufacturer’s Natl. Bank of Detroit v. Erie City, Road Comm. (1992), 63 Ohio St. 3d 318.

Mailboxes damaged by **DIRECT** contact with a vehicle or its plow blade while performing Township maintenance operations will be repaired or replaced with a 4 x 4 treated wooden post and a mailbox approved by the United States Postal Service. Damage by thrown or pushed snow does not warrant replacement. In the event that the mailbox is of a specialty or exotic type of construction, the Township’s liability per occurrence is limited to a mailbox unit as directed above or cash settlement not to exceed \$35.00. An inspection of the damaged mailbox by the Madison Township Service Department along with a signed release form is required prior to payment.

The following mailbox “rules for residents” are intended to minimize mailbox and damage claims. Non-compliance with these rules may negate Township responsibility for subsequent damage.

Mailbox Rules for Residents

- (1) Keep the mailbox as far from the white/edge line as practical.
- (2) Snow removed from your driveway should not be placed on the roadway or in a location that requires a plow to throw it at the mailbox.
- (3) Mailbox posts must break away and cannot be mounted on anything bigger than a 4x4 wood post or 2 inch diameter standard strength steel pipe.
- (4) The expensive plastic style mailboxes will NOT be replaced.

We investigated your complaint and concluded the following:

___ Damage was caused by thrown and/or pushed snow and repair is the homeowner’s responsibility.

___ We have determined that your mailbox and/or post were hit by a Township snowplow. Please call _____ to have mailbox and/or post replaced or to apply for reimbursement as stated above.

Investigated _____ by: _____

COMMENT:

01/13/09