

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**HELD AT:** Berlin Township House, 3271 Cheshire Rd., Delaware, OH 43015

**CALL TO ORDER:** Meeting called to order by Fiscal Officer Theresa Cannon.

**ROLL CALL:** Philip P. Panzarella and Ron Bullard. Tom D'Amico arrived at 6:51 p.m.

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Larry Buell.

**ATTENDANCE:** Larry Buell and Chris Paykoff.

**FISCAL OFFICER PRESIDES**

Fiscal Officer Cannon entertained a motion to name the Trustee Board chairman, vice chairman and executive member.

**RESOLUTION**

**09-01-01 NAME 2009 CHAIRMAN – Bullard  
VICE CHAIRMAN – D'Amico  
EXECUTIVE MEMBER – Panzarella**

Panzarella moved to name Bullard, Chairman; D'Amico, Vice Chairman; and Panzarella, Executive Member.

Second by Bullard.

Vote: Panzarella yea and Bullard yea.

Bullard assumes duties as 2009 Chairman.

Bullard said meetings would be conducted according to *Roberts Rules of Order* and Resolution 05-07-44 would continue to be in force regarding public comment/speaking time during 2009 trustee meetings.

**ESTABLISH 2009 MEETING SCHEDULE**

**RESOLUTION**

**09-01-02**

It was moved by Bullard and seconded by Panzarella the following meeting schedule be adopted:

**Regular Meetings**

The 2<sup>nd</sup> and 4<sup>th</sup> Monday each month with the following

**EXCEPTIONS:**

June, July and August meetings will be 2<sup>nd</sup> Monday.

**HOLIDAY EXCEPTIONS:**

2<sup>nd</sup> meeting in May will be Tuesday, May 26<sup>th</sup>

2<sup>nd</sup> meeting in December Monday, December 28, 2009

All meetings to start at 7:00 p.m. unless otherwise advertised/posted.

**Meeting Changes**

All meeting date and time changes will be advertised/posted.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

- Special Meetings** Dates and times to be advertised/posted.
- Emergency Meetings** Chairman calls meeting notifying trustees and fiscal officer.
- Year End Meeting** Monday, December 28<sup>th</sup> at 7:00 p.m..
- 2010 Organizational Meeting** Date and time to be determined later.

Cannon said if board members change at the beginning of 2010, the next Organizational Meeting would need to be held after the first of the year.

**Persons and organizations wishing to be notified of trustee meetings must submit their requests in writing to the township Fiscal Officer. All such requests will expire December 31, 2009**

**All trustee meetings will be posted on both interior and exterior bulletin boards at the township house. When possible they will also be on the Berlin Township Website at [www.berlintwp.us](http://www.berlintwp.us).**

**The 2009 meeting schedule will be advertised in *The Delaware Gazette* by the fiscal officer.**

Vote: Bullard yea and Panzarella yea.

**POLICIES AFFECTING MEETINGS**

**RESOLUTION  
09-01-03**

It was moved by Bullard and seconded by Panzarella to adopt the following policies regarding:

- 1.) **Meeting Agenda-**  
  - For regular meetings agenda, items to be submitted to the township fiscal officer by 12:00 noon, four (4) days prior to Board meeting. There should be four (4) copies (originals to fiscal officer and one copy to each trustee) of supporting documentation for each agenda item submitted with agenda request.
- 2.) **Purchase requisitions-**  
  - All purchase requisitions in excess of \$750.00 should be accompanied by three (3) comparative cost quotations listing:
    - A.) Vendor name, address, and telephone number
    - B.) Item description
    - C.) Per item cost
    - D.) Quantity to be purchased
    - E.) Cost of shipping (If no shipping cost stated, add 20% to cost to cover shipping, price change or incidental expenses)
    - F.) If state purchase contract used, provide the state contract number (for verification purposes and state reporting)

Cannon said currently the township is not adhering to the rule of three quotes.

There should be four (4) copies (original for fiscal officer and one copy to each trustee) of supporting documentation for each purchase requisition submitted to the Board four (4) days prior to meeting.



**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

Dennis Mowrey & Judy Shumway    2 yr. term expires December 31, 2010  
Frank Reinhard                            3 yr. term expires December 31, 2011

Second by Panzarella.

Vote:            Panzarella yea and Bullard yea.

Reports of board or committee meetings attended by named or appointed representatives should be addressed and given to the township fiscal officer prior to the next scheduled regular trustee meeting.

**NAME TOWNSHIP LEGAL COUNSEL**

**RESOLUTION  
09-01-06**

**APPROVE RETAINING LEGAL COUNSEL AS  
FOLLOWS:**

It was moved by Bullard to:

- 1)      Retain Delaware County Prosecutor as Township Legal Counsel per the Ohio Revised Code: and

To contract outside legal counsel when necessary as stated below:

- 2)      For all annexation actions that the Board determines fall into the category of contingencies or exigencies, the firm of Rinehart and Rishel, LTD, and in this case, an initial amount not to exceed \$5,000.00 will be authorized for appropriation to initiate this representation with Rinehart and Rishel, LTD; and
- 3)      For all other Township related actions that the Board determines fall into the category of contingencies or exigencies, the firm of Loveland & Brosius will represent the township, and in this case, an initial amount not to exceed \$5,000.00 will be authorized for appropriation to initiate this representation with Loveland & Brosius. and
- 4)      A majority vote of the Board is required prior to engagement of outside legal services.

The township fiscal officer is to be provided with the original copy of all legal opinions requested as well as the original copy of any and or all legal opinions for maintenance of public files.

Panzarella said the fiscal officer is responsible to maintain township files but legal opinions are not public record until released by the trustees.

Second by:    Panzarella

Vote:            Panzarella yea and Bullard yea.

**FISCAL OFFICER'S AUTHORIZATIONS**

**RESOLUTION  
09-01-07**

Bullard moved Fiscal Officer Cannon be authorized to:

- 1.)    apply for advance payment of tax settlements from county auditor
- 2.)    make intra fund transfers as necessary in order to maintain daily operations
- 3.)    invest township funds
- 4.)    prepare and submit amended certificates of estimated resources to county auditor

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

- 5.) establish and approve forms for use in fiscal transactions of township, i.e. expense reports, inventory reports, timesheets, requisitions, etc.
- 6.) receive all original employment applications
- 7.) assign employee building access keys
- 8.) assign employee key codes for copy machine, telephone codes and computer codes

Second by Panzarella.

Vote: Panzarella yea and Bullard yea.

**NO MONEY HELD IN ESCROW**

**RESOLUTION**

**09-01-08**

**NO MONEY WILL BE HELD IN ESCROW BY THE FISCAL OFFICE OR ANY OTHER TOWNSHIP OFFICE FOR PAYMENT OF ANY TOWNSHIP FEES**

Motion: Bullard  
Second: Panzarella  
Vote: Bullard yea and Panzarella yea.

**APPROVE EMPLOYEE DEFINITIONS AND BENEFITS**

**RESOLUTION**

**09-01-09**

It was moved by Bullard and seconded by Panzarella to adopt the following definitions and benefit policies as shown in exhibits 1, 2, 3, 4, 5 & 6:

**EXHIBIT #1 DEFINITION OF FULL-TIME/PART-TIME EMPLOYEES FOR BENEFITS**

1. Employees shall be considered full-time if township scheduled hours equal or exceed 40 hrs. per week. All full-time employees shall be eligible for all paid employee benefits including but not limited to insurance (medical/health, life and accident & sickness), ten paid holidays, vacation (based on formula Ohio Revised Code Sec. 325.19), sick leave (per formula Ohio Revised Code) medicare, Ohio Public Employees Retirement (if applicable), Ohio Police & Fire Pension (if applicable) and any other mandatory deductions as required by law. Employee is to pay \$31.00 per month for single coverage or \$62.00 per month for family coverage of medical/health insurance.
2. Employees shall be considered full-time/part-time if township scheduled hours, approved by the Board of Trustees and defined at the time of hire, equal or exceed thirty (30) but are less than forty (40) hours per week for 45 weeks or more per year. All full-time/part-time employees shall be eligible for the following paid employee benefits, including but not limited to, and based on a pro-rata basis of their scheduled hours as to forty (40) hours: insurance (medical/health, life and accident & sickness) paid at same percent as full-time employees (not to be pro-rated), ten paid holidays, vacation (based on formula Ohio Revised Code Sec. 325.19), sick leave (based on formula Ohio Revised Code), medicare, Ohio Public Employees Retirement (if applicable), Ohio Police & Fire Pension (if applicable) and any other mandatory deductions as required by law. Employee is to pay \$31.00 per month for single coverage or \$62.00 for family coverage of medical/health insurance.
3. Employees shall be considered part-time if township scheduled hours equal or exceed one (1) but are less than thirty (30) hours per week or work less than 45 weeks per year at 30 or more hours per week. Part-time employees shall not be eligible for any paid employee benefits except medicare, social security, Ohio Public Employees Retirement (if applicable), Ohio Police & Fire Pension (if applicable) and any other mandatory deductions as required by law.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

4. Employees shall be considered volunteer if they have no hours scheduled by the township. Volunteer employees shall not be eligible for paid employee benefits except accident & sickness insurance for volunteer and part-time firefighters, medicare, social security, Ohio Public Employees Retirement (if applicable), Ohio Police & Fire Pension (if applicable) and any other mandatory deductions as required by law.

5. Employee pro-rated benefits shall be determined by trustees based on formulas per the Ohio Revised Code and township policy as to the number of scheduled hours as determined to be worked by the Board of Trustees.

**EXHIBIT #2 2009 HOLIDAY OBSERVANCE POLICY**

**DISCUSSION:** Trustees determined two holidays would be worked in exchange for closing township offices the day after Thanksgiving and at noon both Christmas Eve Day and New Years Eve Day. Cannon commented that the trade off of President’s Day and Columbus Day seemed to be very satisfactory in 2008.

<b>Thursday</b>	<b>January 1</b>	<b>New Years Day</b>
<b>Monday</b>	<b>January 19</b>	<b>Martin Luther King Day</b>
<b>Monday</b>	<b>May 25</b>	<b>Memorial Day</b>
<b>Friday</b>	<b>July 3</b>	<b>Independence Day</b>
<b>Monday</b>	<b>September 7</b>	<b>Labor Day</b>
<b>Wednesday</b>	<b>November 11</b>	<b>Veteran’s Day</b>
<b>Thursday</b>	<b>November 26</b>	<b>Thanksgiving Day</b>
<b>Friday</b>	<b>November 27</b>	<b>Day after Thanksgiving</b>
<b>Thursday</b>	<b>December 24</b>	<b>½ Day-Afternoon Christmas Eve</b>
<b>Friday</b>	<b>December 25</b>	<b>Christmas Day</b>
<b>Thursday</b>	<b>December 31</b>	<b>½ Day-Afternoon New Years Eve</b>

In 2009 Thanksgiving falls on Thursday, November 26<sup>th</sup> and Christmas and New Year’s Eve both fall on Thursday. The following holidays will be exchanged and observed by all township employees: President’s Day, February 16, 2009 will be exchanged for the Friday after Thanksgiving, Columbus Day, October 12, 2009 will be exchanged for one-half (1/2) day on Thursday, December 24, 2009 and one-half (1/2) day on Thursday, December 31, 2009. Township offices will be open on Monday, February 16, 2009 (President’s Day) and Monday, October 12, 2009 (Columbus Day). Township offices will be closed on Friday, November 27, 2009 (day after Thanksgiving) and at noon Thursday, December 24, 2009 (Christmas Eve Day) and noon on Thursday, December 31, 2009 (New Year’s Eve Day) in 2009.

**Holidays falling on Saturday** will be observed on the immediate preceding Friday.

**Holidays falling on Sunday** will be observed on the immediate following Monday.

**Holiday Exchange**

1. Holiday exchanges will be set by Trustees at Organizational Meeting and approved by Trustees.
2. All employees will observe holiday exchanges on approved exchange day.
3. Public must be made aware of office hour changes well in advance.

**EXHIBIT #3 COMPENSATORY TIME**

Compensatory time to be authorized by supervisor or department head and approved by at least one (1) trustee. No compensatory time to be carried forward to next calendar year without authorization of Board of Trustees.

**EXHIBIT #4 VACATION POLICY**

**VACATION CALCULATION PER ESTABLISHED TOWNSHIP POLICY**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**AS ADOPTED**

	<b>PAY PERIOD 14-DAY</b>	<b>PAY PERIOD MONTHLY</b>
<b>YEAR 1</b>	<b>AT END OF YEAR ON ANNIVERSARY DATE 80 HRS. CREDITED</b>	

<b>YEARS 2-7</b>	<b>2 WEEKS or 80 HOURS</b>	<b>PAY PERIOD 14-DAY</b>	<b>PAY PERIOD MONTHLY</b>
32 hr. week (1664 hrs.) = 80%	2.46 hr.	5.34 hr.	
35 hr. week (1820 hrs.) = 88%	2.71 hr.	5.87 hr.	
37.5 hr. week (1950 hrs.) = 94%	2.90 hr.	6.27 hr.	
40 hr. week (2080 hrs.) = 100%	3.08 hr.	6.67 hr.	

<b>YEARS 8-14</b>	<b>3 WEEKS or 120 HOURS</b>
	<b>At the beginning of the 9<sup>th</sup> year 40 hrs. must be added to accumulated vacation hour total to allow for 3<sup>rd</sup> week earned OAG No. 2002-011</b>

32 hr. week (1664 hrs.) = 80%	3.70 hr.	8.00 hr.
35 hr. week (1820 hrs.) = 88%	4.07 hr.	8.80 hr.
37.5 hr. week (1950 hrs.) = 94%	4.34 hr.	9.40 hr.
40 hr. week (2080 hrs.) = 100%	4.62 hr.	10.00 hr.

<b>YEARS 15-24</b>	<b>4 WEEKS or 160 HOURS</b>
	<b>At the beginning of the 16<sup>th</sup> year 40 hrs. must be added to accumulated vacation hour total to allow for 4<sup>th</sup> week earned OAG No. 2002-011</b>

32 hr. week (1664 hrs.) = 80%	4.92 hr.	10.66 hr.
35 hr. week (1820 hrs.) = 88%	5.41 hr.	11.73 hr.
37.5 hr. week (1950 hrs.) = 94%	5.78 hr.	12.53 hr.
40 hr. week (2080 hrs.) = 100%	6.15 hr.	13.33 hr.

<b>YEARS 25-&amp; more</b>	<b>5 WEEKS or 200 HOURS</b>
	<b>At the beginning of the 26<sup>th</sup> year 40 hrs. must be added to accumulated vacation hour total to allow for 5<sup>th</sup> week earned OAG No. 2002-011</b>

32 hr. week (1664 hrs.) = 80%	6.15 hr.	13.34 hr.
35 hr. week (1820 hrs.) = 88%	6.77 hr.	14.67 hr.
37.5 hr. week (1950 hrs.) = 94%	7.23 hr.	15.67 hr.
40 hr. week (2080 hrs.) = 100%	7.69 hr.	16.67 hr.

Employment anniversary date starts vacation year.

Vacation and compensatory leave form(s) must be completed and submitted to the township fiscal officer two weeks prior to vacation or compensatory leave time requested. Form(s) must be approved by trustee(s).

Panzarella suggested each liaison brief department heads regarding submission and approval of leave of absence forms. He further suggested the department heads sign off that they understand the policy.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Vacation to be taken in four (4) hour pay increment minimum at the discretion of the trustees.

Maximum 80 hr. vacation carryover for employees hired after January 1, 2001.

No unused vacation time can be converted to compensatory time.

The township has adopted basically the same employment policies as the county and by practice has used these policies as township employment policies thus creating an express contract by prior condition.

**EXHIBIT #5 SICK LEAVE POLICY**

**SICK LEAVE CALCULATIONS PER ADOPTED TOWNSHIP POLICY**

	<b>PAY PERIOD 14-DAY</b>	<b>PAY PERIOD MONTHLY</b>
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**Sick leave is accrued at the rate of fifteen (15) days per calendar year.**

32 hr. week = 80%	3.70 hr.	8.00 hr.
35 hr. week = 88%	4.07 hr.	8.80 hr.
37.5 hr. week = 94%	4.34 hr.	9.40 hr.
40 hr. week = 100%	4.62 hr.	10.00 hr.

Sick leave accumulation to be used for, but not limited to, medical purposes, i.e. dental, eye, doctor appointments, disease, hospital confinement, and bereavement leave.

Longevity does not change rate of sick leave accumulation.

The township has adopted basically the same employment policies as the county and by practice has used these policies as township employment policies thus creating an express contract by prior condition.

Sick leave of absence form(s) must be completed prior to leave time use, if known, or immediately upon return to work following sick leave use. Form(s) must be approved by trustee(s) before payment made.

Sick leave to be taken in one (1) hour pay increment.

Maximum sick leave accrual is 1600 hours or 200 days.

Separation of employment other than retirement-unused accrued sick leave – NO PAY.

Termination of employment due to retirement-unused accrued sick leave – NO PAY.

All leaves of absence will require completion and approval of leave form(s) prior to receiving payment for LOA. Form(s) to be submitted to township fiscal officer promptly for processing. All forms will be approved by trustee(s).

**EXHIBIT #6 DEFERRED COMPENSATION**

**Deferred Compensation for all eligible employees to be calculated per Resolution 05-11-53 adopted November 28, 2005.**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**RESOLUTION 05-11-53**

**AUTHORIZATION FOR THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO, TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE EMPLOYEES OF THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO PURSUANT TO I.R.C. SECTION 414(h)(2).**

WHEREAS, pursuant to federal and Ohio laws, the employees of the Township of Berlin, Delaware County, Ohio, could defer the federal and state income taxes on a portion of their wages or salaries if the Township of Berlin, Delaware County, Ohio, would "pick up" (assume and pay) the statutorily required contribution by such elected officials and covered employees to the Ohio Public Employees Retirement System; and

WHEREAS, the Township of Berlin, Delaware County, Ohio, will not incur any additional costs in the deferment of federal and state income taxes.

NOW THEREFORE BE IT RESOLVED BY THE TOWNSHIP OF BERLIN, DELAWARE COUNTY, OHIO, THAT:

SECTION 1: Effective January 1, 2006 the full amount of the statutorily required contributions to the Ohio Public Employees Retirement System shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to the Ohio Public Employees Retirement System) by the Township of Berlin, Delaware County, Ohio. This "pick up" by the Township of Berlin, Delaware County, Ohio, is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Ohio Public Employees Retirement System by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Ohio Public Employees Retirement System directly instead of having it "picked up" by the Township of Berlin, Delaware County, Ohio, or of being excluded from the "pick up".

The Township of Berlin, Delaware County, Ohio shall, in reporting and making remittance to the Ohio Public Employees Retirement System report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute.

SECTION 2: The "pick up" by the Township of Berlin, Delaware County, Ohio, provided by this resolution shall apply to all persons that:  
Are employees of the Township of Berlin, Delaware County, Ohio, who are or become contributing members of the Ohio Public Employees Retirement System.

SECTION 3: The Township's method of payment of salary to employees who are participants in OPERS is hereby modified as follows, in order to provide for a salary reduction pick-up of employee contributions to OPERS.

SECTION 4: The total salary for each employee shall be the salary otherwise payable under the Township policies. Such total salary of each employee shall be payable by the Township in two parts: (a) deferred salary and (b) cash salary. An employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by OPERS to be paid as an employee contribution by that employee, and shall be paid by the Township to OPERS on behalf of that employee as a pick-up and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee's cash salary shall be equal to that employee's total salary less the amount of the pick-up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The Township shall compute and remit its employer contributions to OPERS based upon an employee's total salary. The total combined expenditures of the Township for such employees' total salaries payable under applicable township policies and the pick-up provisions of this Resolution shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

## BERLIN TOWNSHIP TRUSTEES

5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008

SECTION 5: The Treasurer and/or the Clerk are hereby authorized and directed to implement the provisions of this Resolution to institute the "pick up" of the statutorily required contributions to the Ohio Public Employees Retirement System for those persons reflected in Section 2 herein so as to enable them to obtain the result in federal and state tax deferments and other benefits.

Adopted, November 28, 2005, **Amended January 1, 2008**

- 1.) All employees – mandatory participation.
- 2.) **AMENDMENT # 1-January 1, 2008 (EXCEPTION: full-time fire department personnel are required to participate in OP&F; part-time fire department personnel are required to participate in social security EXCEPT: Craig Hall and Dale Huffman who are required to participate in OPERS due to being grandfathered in that policy)**

Vote: Bullard yea and Panzarella.

## VARIOUS PAYMENT POLICIES

### RESOLUTION 09-01-10

Bullard questioned reimbursement to employees for personal cell phone use for township business. Cannon said the policy specifically states the township will designate the provider to be used by employees. Panzarella said if there's a difference in plans, the policy specifically states action to be taken.

Bullard moved to adopt the following reimbursement policies, cell phone policy and purchase card policy:

- 1.) 100% of necessary, reasonable and customary expenses for attendance at conventions, workshops and meetings. Official, board member or employee must have prior approval by Board of Trustees.
- 2.) Maximum of Thirty Dollars (\$30.00) allowed per day, per person, for meal reimbursement.
- 3.) Forty eight and one half cents (\$.485) per mile for use of personal vehicle for township business. Mileage must be approved by Board of Trustees.
- 4.) 100% of all purchases made for township by employee or official of the township excluding sales tax. Must be approved by trustees.
- 5.) All reimbursement requests must be processed in the month expense is incurred.

Panzarella suggested requests be submitted within five (5) days of the end of the month. Cannon said this was a problem as she usually had the month closed by the 3<sup>rd</sup> day. Cannon said she preferred receiving the requests NO LATER THAN 3<sup>rd</sup> DAY OF NEXT MONTH. Cannon said this makes it possible to keep all accounting reported in the correct month.

## EXHIBIT #7

### CELL PHONE POLICY

#### 1.0 PURPOSE

To allow employees to do their jobs effectively, some employees are entitled to make use of cell phones for official business purposes of the Berlin Township Board of Trustees. This policy outlines the options available to these employees and establishes guidelines for appropriate use of cell phones. This policy was created in order to enhance employee productivity and safety, to help manage telecommunication costs, and allows the Board of Trustees to meet IRS regulations regarding listed property.

## **BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

### **2.0 SCOPE**

All employees of the Board of Township Trustees who are required to use cell phones in the course of performing their official business are subject to this policy. The Trustees will establish a list of employees who meet this requirement as part of their job duties.

### **3.0 DISTRIBUTION**

To all employees under the direction of the Board of Trustees.

### **4.0 DEFINITIONS**

### **5.0 POLICY**

The Board of Trustees will determine which employees are required to use cell phone as part of their official duties. Those assigned a phone through this policy are responsible to respond when contacted. The Township will designate the appropriate services provider (s) for cellular phone service, the appropriate service plan for each employee and the required phone model or models. Certain employees may be required to utilize a specific service provider and equipment based on job and/or department requirements.

Employees who are required to use cell phones will generally be able to choose between two cell phone use options. However, the Township reserves the right to designate the cell phone plan based on the operational needs or requirements of the job.

#### **A. Township Provided Phone and Service**

Under this option, The Township will purchase the phone; pay all costs associated with activating the phone, maintaining service and purchase/repair of equipment required to keep the cell phone in operating order. Employees using this option are required to use the phone only for official Township business. No personal phone calls will be allowed except for in the case of an emergency. Under this plan, detailed monthly billing statements must be approved by the township trustees. Any personal phone call shall be reimbursed by the employee and repeated personal use may be grounds for disciplinary action.

#### **B. Employee Provided Phone and Service**

Under this option, the employee will provide a cell phone and a service plan with the designated provider. The employee agrees, as a condition of their employment, to maintain this service and to make the phone available for official Township business use.

In return, the Board of Township Trustees agrees to pay the employee a monthly allowance for business related expenses only and to cover the costs associated with maintaining the designated service and cell phone equipment. Cost of the basic equipment, the employee's cell phone usage related to business, and routine maintenance of the equipment will be considered. The employee is obligated to meet the established minimum phone service and equipment requirements. The employee may choose to exceed these minimum established requirements at their own expense.

The cost of repairing phones damaged during the course of conducting Township business may be reimbursed by the Township. The cost for replacing phones may be reimbursed only when the existing phone is damaged beyond repair. Upgrades or replacement of phones in working condition will not be reimbursed. Employees may be asked to provide evidence of the existing phone's condition when seeking reimbursement for replacement.

Replacement of phones lost or damaged during private, non-Township related activities will be the responsibility of the employee. This requirement may be

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

waived, at the trustee’s discretion, for those employees who the Board of Township Trustees has specifically required to carry the phone during non-business hours.

The Cell phone allowance will be paid with the first payroll of each month. The allowance is considered by the IRS as taxable income since the employee owns the phone and is able to use it for business and personal purposes.

Reimbursement for repair or replacement costs for phones may be paid as the situation arises. These requests must be accompanied by a paid invoice. These reimbursements are also considered taxable income.

Employees leaving service with the Township must reimburse the Township for the portion of the allowance designated from the date of departure and the end of the month for which the allowances was paid.

Employees choosing this option may use the phone for any lawful personal or official purpose and agree to make the designated phone and service plan available for Township business. Any costs for equipment or service over and above the designated minimum are the responsibility of the employee.

Reasonable accessories such as cases, batteries and chargers will be purchased and maintained by the Employee. A portion of the allowance will be in consideration to cover such costs.

C. Enforcement

Employees who violate this policy are subject to disciplinary action. Employees who choose the allowance option and fail to maintain the required cell phone service may be prohibited from choosing this option in the future.

**EXHIBIT #8**

**PURCHASE CARD POLICY**

**1.0 PURPOSE**

The purpose of the township purchase card(s) is to benefit Berlin Township and its employees by assisting departments/individuals with the payment of work-related expenses and/or emergency situations where costs to Berlin Township can occur.

**2.0 SCOPE**

To all departments under the direction of the Board of Berlin Township Trustees.

**3.0 DISTRIBUTION**

To all departments under the direction of the Board of Berlin Township Trustees.

**4.0 DEFINITIONS**

Berlin Township Purchase Card - office supplies/office supply company credit card  
supplies/supply company credit card  
gasoline/gasoline company credit card  
telephone/telephone company credit card

Purchase Card Application Form - this form is a request for the departments/individuals to use a purchase card for its designated reasons.

**5.0 POLICY**

In order to assist departments with the payment of work-related and/or emergency expenses, it is in the best interest to have certain purchase cards available. Township

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

purchase cards issued to a department(s)/individual(s) will be held responsible for its proper use. The following guidelines were established to assure the proper use of the township purchase cards.

Township purchase cards will be issued solely in the name of the requesting department(s)/individual(s). Department(s)/individual(s) requesting an application for township purchase card must be submitted to and approved by the Board of Berlin Township Trustees. Each application must include the employee name(s) who will be authorized to use the purchase card. If need be, employee name(s) can be withdrawn from the authorized use list at anytime during the fiscal year. At the beginning of each subsequent fiscal year, the department supervisor will be required to submit an authorized use list of employee name(s). At this time, employee name(s) can be added to the authorized use list for approval. The Board of Berlin Township Trustees will have final approval regarding the authorized use list. The Board of Berlin Township Trustees will grant the purchase limit regarding each township purchase card issued.

Township purchase card can only be used for certain specified and authorized purposes. The purposes for use are limited to the following types of work-related expenditures:

- Supplies, Office Supplies
- Telephone
- Gas and oil for township owned or leased vehicles
- Minor motor vehicle maintenance for township owned or leased vehicles.
- Emergency motor vehicle repair for township owned or leased vehicles.

If an employee is caught using a township purchase card and their name is not included on the authorized use listing, the employee will be disciplined accordingly. Anyone who uses a card for purposes other than those listed is subject to criminal penalties and disciplinary actions.

If any person authorized to use a township purchase card suspects the loss, theft, or unauthorized use that person should notify the department supervisor or the township trustees immediately.

Second by Panzarella.

Vote: Panzarella yea and Bullard yea.

**DEPARTMENT SPENDING AUTHORIZATION**

**RESOLUTION  
09-01-11**

It was moved by Bullard that department spending be limited as follows unless otherwise authorized by Board of Trustees. Cannon said there seems to be a misconception about monthly spending allowances that having an allowance means ways to spend it each month is a goal. She suggested the department liaisons explain the procedures to each department. Panzarella said it's OK to tighten up.

Administrative	\$750.00 per month (includes all trustees and fiscal officer)
Building	\$150.00 per month
Cemetery	\$300.00 per month & \$500.00 per interment
Fire	\$750.00 per month
Road	\$750.00 per month
Zoning	\$200.00 per month

All emergency spending (those expenditures not anticipated in normal day to day operation of business) requires immediate notification to township fiscal officer stating date of emergency, reason or explanation for expenditure, amount of anticipated expenditure and vendor name and address.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

Second by Panzarella.

Vote: Bullard yea and Panzarella yea.

**RESOLUTION  
09-01-12**

**APPROVE ADOPTION OF EXHIBIT #9-BUILDING  
RENTAL RULES AND EXHIBIT #10-CEMETERY  
RULES**

Panzarella questioned if residency was ascertained at rental time. Cannon affirmed it was.

Bullard moved the following building rental and cemetery rules be adopted:

**EXHIBIT #9                      BUILDING RENTAL RULES**

**BERLIN TOWNSHIP MEETING ROOM  
TOWNSHIP EMPLOYEE APPLICATION  
RULES, REGULATIONS and FEES**

The Berlin Township Public Meeting Room will be available to all responsible residents and organizations of Berlin Township. (No organizations operating for profit.)

The Berlin Township Trustees will have final approval of persons and organizations using the meeting room.

The Township Meeting Room will be available from the hours of 9 a.m. until 12 midnight weekdays and Saturdays; and 12 noon until 9 p.m. on Sundays.

Use of the meeting room shall include the use of the meeting room, restrooms and kitchenette; with available facilities and equipment in the kitchenette.

It will be the responsibility of persons or organizations to leave the meeting room clean and in order (**vacuum floor, wipe off all tables**) and **deposit all waste** in provided refuse receptacles **on the east side of the building** when leaving.

**MEETING ROOM CAPACITY** – 80 (eighty) persons

**NO PARKING** in front of any exterior doors at the building facility

**NO BLOCKING** of egress doors

**NO ALCOHOLIC BEVERAGES**

**NO SMOKING** anywhere inside the facility

**NO RENTING, LEASING OR LOANING** of chairs, tables or any other equipment owned by the township

**\*\*\* FEES PAYABLE IN ADVANCE** will be \$35 (Thirty-five dollars) per meeting which includes a \$25 (Twenty-five dollar) refundable deposit. Any person or organization leaving the meeting room in unsatisfactory condition will forfeit the refundable deposit as a clean up charge and pay for any damage to the building or equipment. **Entrance to the building will be with use of a security tag that must be picked up from the township. Return of the deposit includes return of the security tag to the township.**

Any youth group shall be required to have a supervisor or responsible person present at all meetings.

All meetings will be posted on a calendar in the meeting room.

**RULES and REGULATIONS** will be posted in the meeting room and will be available upon request. All rules, regulations are subject to change by order of the Berlin Township Trustees without notice.

Renter or Responsible Party agrees to hold Berlin Township harmless of any liability.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**EMERGENCY CONTACT PERSONS:** Ron Bullard @ 740-548-5463; and Tom D’Amico @ 740-369-9710; Phil Panzarella @740-549-1168.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ St. \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ RENTAL DATE \_\_\_\_\_ Receipt # \_\_\_\_\_

**BERLIN TOWNSHIP MEETING ROOM  
RESIDENT APPLICATION  
RULES, REGULATIONS and FEES**

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**MEETING ROOM CAPACITY** – 80 (eighty) persons

**NO PARKING** in front of any exterior doors at the building facility

**NO BLOCKING** of egress doors

**NO ALCOHOLIC BEVERAGES**

**NO SMOKING** anywhere inside the facility

**NO RENTING, LEASING OR LOANING** of chairs, tables or any other equipment owned by the township

**\*\*\* FEES PAYABLE IN ADVANCE** will be \$50 (Fifty dollars) per meeting which includes a \$25 (Twenty-five dollar) refundable deposit. Any person or organization leaving the meeting room in unsatisfactory condition will forfeit the refundable deposit as a clean up charge and pay for any damage to the building or equipment. **Entrance to the building will be with the use of a security tag that must be picked up from the township. Return of the deposit includes return of the security tag to the township.**

Any youth group shall be required to have a supervisor or responsible person present at all meetings.

All meetings will be posted on a calendar in the meeting room.

**RULES and REGULATIONS** will be posted in the meeting room and will be available upon request.

All rules, regulations are subject to change by order of the Berlin Township Trustees without notice.

Renter or Responsible Party agrees to hold Berlin Township harmless of any liability.

**EMERGENCY CONTACT PERSONS:** Ron Bullard @ 740-548-5463; and Tom D’Amico @ 740-369-9710; Phil Panzarella @740-549-1168;.

SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Address \_\_\_\_\_ City \_\_\_\_\_ St. \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ RENTAL DATE \_\_\_\_\_ Receipt# \_\_\_\_\_

**EXHIBIT #10 CEMETERY RULES**

Buell said he would like to see trustees remove the words "obtain from the Berlin Township Trustees" in item number 8 on the cemetery rules sheet. He asked trustees if they knew all the information regarding cemetery lot owners and any special requests or arrangements made by lot owners. Buell said he wanted cemetery questions referred directly to himself since he was responsible for the cemetery.

Panzarella said he didn't want foundations under the trustees. Panzarella said trustees weren't constructing foundations and he objected to the wording "foundations constructed by the trustees". Panzarella said it should read, "All foundations will be constructed in accordance with rules adopted by the Berlin Township Trustees." Panzarella also said, "All variances must be approved by the cemetery sexton."

Panzarella said he submitted new dates for pouring foundations. He said the dates extended the time to pour foundations to six (6) weeks in both the spring and fall. Panzarella said, "This year we ran into a problem with pouring due to the rain." He said, "I'm suggesting a six (6) week period to pour giving the cemetery sexton more time to execute his duties. The cemetery sexton would have to be notified on the first of the month. This makes the time period more reasonable."

Panzarella asked Buell what was wrong with the six week period. Buell said D'Amico had asked him for his comments and he'd given them to D'Amico in writing. D'Amico wasn't present with those comments. Panzarella said trustees had received the proposed agenda items and their comments were to be in by December 13<sup>th</sup>. Panzarella said he'd not received any comments from D'Amico and this wasn't the time to bring comments in late. Buell said it wasn't his fault that D'Amico had his comments and wasn't present. Buell said he wanted to pour foundations about the 20<sup>th</sup> of May. He said he'd contacted the monument companies and this date would make it so monuments could be set before Memorial Day.

Panzarella said, "I'm trying to make the time period more reasonable, a wider time to pour. All variances must be approved by the cemetery sexton."

Bullard read #8 from the cemetery rules. He said he wanted it changed to state that the cemetery sexton would be contacted regarding all cemetery activities and concerns. Also the rules would state, "All foundations will be constructed in accordance with rules adopted by the Berlin Township Trustees". Trustees agreed that all variances must be approved by the cemetery sexton. Panzarella agreed to the changes.

**CHESHIRE CEMETERY  
and  
PEACHBLOW CEMETERY  
Berlin Township  
Delaware County, Ohio**

**RULES**

- 1.** The cutting and trimming of grass is the largest maintenance activity in your cemetery, and since the use of artificial flowers and wreaths on graves hinders the cutting of grass, the use of same is discouraged during the growing season from March 15 to November 1. **This is with the exception of Easter, Mother's Day, and Memorial Day.** Our cemetery has much natural beauty from early Spring to late Fall, in its trees, shrubs, and flowers. Artificial flowers and wreaths are unnecessary during this period.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

- 2. In order that the entire cemetery may always present as neat and orderly appearance as possible, it is requested that flowers be placed in front of the monument. The use of cans and/or glass containers is not permitted. We ask that you do not cultivate flowers or plants and use only cut arrangements. These natural flowers will be removed when wilted.
- 3. The Berlin Township Trustees reserve the right to remove all floral designs, flowers, trees, shrubbery, plants of any kind from the cemetery if, in the judgment of the Berlin Township Trustees, they do not conform to the standards of the cemetery.
- 4. The placing of boxes, shells, toys, metal designs, ornaments, chairs, benches, glass vases, glass jars, wood or iron crosses, glass and/or plastic blocks, artificial animals, tin cans, waste baskets, cardboard cartons, etc. is not permitted.
- 5. Winter decorations such as natural and artificial wreaths placed on easels and approved arrangements are permitted from November 1 to March 15. Such decorations will be removed after March 15<sup>th</sup>.
- 6. Trees and Shrubs are not permitted to be planted in the Cheshire or Peachblow Cemeteries in Berlin Township.
- 7. If in doubt as to proper or accepted grave decorations, kindly consult the Berlin Township Trustees for complete information and assistance. Your assistance in helping us to maintain your cemetery is greatly appreciated.
- 8. Information relative to pouring of foundations, erection of monuments, placing of markers or headstones, interments, inurnments and exhumations, and other related concerns, should be obtained from the Berlin Township Cemetery Sexton. The Trustees solicit the cooperation of all Cheshire and Peachblow Cemetery lot owners in keeping the cemetery beautiful.

**It is the policy of Berlin Township to pour marker foundations twice per year between May 1<sup>st</sup> and June 15<sup>th</sup> and September 1<sup>st</sup> and October 15<sup>th</sup>. Foundation orders must be submitted to the cemetery sexton by May 1<sup>st</sup> and September 1<sup>st</sup> in order to be processed in the named pour dates. All foundations will be constructed in accordance with rules adopted by the Berlin Township Trustees.**

**Cemetery cleanup dates will be March 15 and November 1 each year. All decorations will be removed from gravesites and disposed of on those dates.**

**A Cemetery maintained for the use and benefit of the general public, and protected by such rules as will help to provide equal protection and rights to all lot owners.**

Second by Panzarella.

Vote: Panzarella yea and Bullard yea.

**ESTABLISH FEE SCHEDULES**

**RESOLUTION  
09-01-13**

**APPROVE FEE SCHEDULES AS EDITED AND  
STATED BELOW TO BE EFFECTIVE JANUARY  
1, 2009**

Bullard moved the following fee schedules be adopted effective January 1, 2009.

**BUILDING RENTAL FEES**

Township employee or official	\$35.00 per occasion
Township resident-non-employee	\$50.00 per occasion
refundable deposit to all renters with approval of trustees to be paid within	\$25.00 per occasion

## BERLIN TOWNSHIP TRUSTEES

5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008

ten (10) days of rental date  
Any fee waivers will be determined by the Board of Trustees.

### CEMETERY FEES-

**DISCUSSION:** Panzarella had submitted a proposed change for foundation charges to be based on a \$.14 per cubic inch cost instead of a \$.40 per surface square inch cost.

Tom D'Amico arrived at 6:51 p.m.

Buell asked Panzarella, "Why the proposed change?" Buell asked to cite an example of a foundation size 20 in. wide x 42 in. long and have trustees calculate the cost both ways. Panzarella said, "You're assuming a 30 in. depth?" Figures for the per sq. surface in. were \$336.00. Figures for the per cu. in. were \$3,528.00. Buell said costs for the cu. in. were unreasonable. Panzarella asked for a recess of the meeting at 6:55 p.m. Bullard obliged.

The meeting was reconvened by Bullard at 7:10 p.m.

Panzarella said, "Larry questioned switching to cubic inches." Panzarella asked, "How deep and what is charged now?" Panzarella told Buell, "Using 1.4 cents (this was a changed from Panzarella's original proposal of \$.14 per cu. in.) the same foundation would be \$352.00 which is a difference of \$16.80." Buell questioned, "Why go to cubic inches, the monument companies like square inches?" Panzarella said, "I don't know what the monument companies have done. We have to define the rules. We are dealing with a cubic block of concrete. That's how you should charge. Anything else is up to ..." Buell said, "The hole will never be the same." Panzarella said, "I'm preparing a cube so it should be explained that way. We asked the prosecutor's office (he referred to a 72 line analysis). The prosecutor said the methodology was good if it was consistent."

Bullard said, "It should be \$.014 or 1.4 cents, it's the same per cost."

D'Amico questioned Buell whether the monument companies added the extra six(6) inches to both the length and width and if the top was done the same as the base." Buell said, "They add six (6) inches to the length and width of the base. That's how they figure their costs to customers." D'Amico asked, "How often does the depth vary?" Buell said, "Always." D'Amico asked, "Who is paying for extra depth." Buell said, "The township. When you dig with a backhoe the size is not always exact. If we charge by the cubic inch, do we have to measure after the hole is dug?"

Panzarella said we're dealing with nominal dimensions...I don't run a track hoe...I don't know. If the track hoe digs six(6) inches too deep we pay the difference. We got into this exercise to make sure township wasn't subsidizing the people and the people weren't subsidizing the township. We are talking about using a cubic block of concrete and we should charge it that way. This analysis determined a per cubic inch charge."

Bullard said, "You're saying the monument companies like square inch. I want to stay with the \$.40 per surface square inch, if additional depth is requested stay with \$.05 per cu. in., \$.50 per surface square inch for 'outside pour dates' with a minimum charge of \$500.00 for outside pour dates."

Panzarella said, "Why a cubic inch cost for additional depth, get rid of it, it is not dimensionally consistent. If you can't dig accurately, why add additional depth?" We don't check on the minimum of 30 inch depth. Why switch square inch to cubic inch? It doesn't make sense. The same Board discussed 3 in. or 4 in. above ground, military markers flush to the ground..." Bullard asked Buell how many times there had been a request for additional depth. Buell said, "Only one time." Bullard said, "Set the fee for foundation at \$125.00 for military marker, \$.40 per surface square inch for in season pours, delete \$.05 per cu. in. additional depth, \$.50 per surface square inch for outside season pours with a minimum charge of \$500.00, not as a surcharge."

Panzarella next questioned Bullard's calculations in arriving at the \$.50 per square inch cost for outside season pours. Bullard said, "1.4 cents to 1.9 cents." Bullard asked Panzarella, "You're saying \$.55?" Panzarella said, "No. I say 1.4 cents per cubic inch." Panzarella also questioned Bullard's minimum charge fee of \$500.00. Bullard said, "The outside season

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

pour amounts should be changed to \$.52 per surface square inch and the minimum charge to \$510.00."

Panzarella said, "I've made my feelings known."

D'Amico said, "The one calculation I feel we needed was outside May and September dates. We don't need outside May and September dates. An outside pour was done once, ever. I think we have rules for the cemetery, we should stick to them."

Chris Paykoff questioned if anything was figured for a drastic change in concrete prices. He said, "How can you set a price and you don't know a variance?"

Panzarella said, "I specified two pour dates...they have been extended if the sexton approves...he might not...Now you want to make mixed dimensions or...we need a consistent set of dimensions. "If we can't control the depth, and it's deeper because of the backhoe, the township picks up the cost. That's what I don't like. If we go with cubic inches the township probably won't be pick up extra costs." Panzarella said, "I'm going to be absolutely rigorous on this." Buell said, "Raise the price if necessary."

D'Amico said, "I understand the square inch but don't understand more than 30 inch irregular hole. Financially we should go with Panzarella."

Buell questioned Bullard about a foundation he (Bullard) dug with the road department, "Was it 30 inches deep?" Bullard said, "You know it's not. D'Amico said, "Let's stay with the square inches." Buell said he always ordered an extra 1/2 yd. of concrete to cover adjustments.

Panzarella questioned foundations being 3 or 4 inches above the ground. He asked, "Is it 3 or 4?" Buell said, "The ground is uneven so there has to be allowances. It is not three or four, it's somewhere in between."

Fiscal Officer Cannon reported that during 2009 Bruce Miley Excavating would charge \$225.00 to open a grave. She said this was an increase of \$25.00 over the 2008 fee and the reason was contributed to fuel costs.

After discussing fees for opening graves, Panzarella said, "You eat the cost not being able to charge on a cubic inch basis, you might as well eat this too."

D'Amico proposed changing weekday grave opening fees from \$325.00 to \$360.00 and weekends and holidays from \$475.00 to \$525.00 to absorb the increase in Miley's excavating fee increase.

**CEMETERY FEES-**

**SALES -**

Grave lot sale-Township resident at time of sale	\$ 200.00 per grave lot
Grave lot sale-County resident at time of sale	\$ 500.00 per grave lot
Grave lot sale-Non County resident at time of sale	\$1,000.00 per grave lot

**INTERMENT and INURNMENT -**

Open/Close grave-Monday-Friday-Adult grave	\$ 360.00 per opening
Open/Close grave-Saturday, Sunday & Holiday-Adult grave	\$ 525.00 per opening
Open/Close grave-Monday-Friday-Infant grave (hand dig)	\$ 150.00 per opening
Open/Close grave-Saturday, Sunday & Holiday-Infant grave-(hand dig)	\$ 200.00 per opening
Limit one (1) burial per grave lot	



**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

2.	All residential remodeling with structure change or additions to dwelling or garage including addition of attached garage Burnout, tornado, or natural disaster	\$ 50.00  <b>NO CHARGE</b>
3.	Garages, carports, decks, pole buildings and other storage buildings	\$ 50.00 each
4.	Small accessory or storage buildings and small decks (less than 100 sq. ft.) Utility building (less than 100 sq. ft.)	<b>NO CHARGE</b>
5.	Temporary Mobile Home for six (6) mos. (Burnout, tornado, or natural disaster victim exempt) <b>Renewal</b> six (6) months (Burnout, tornado, or natural disaster victim 12 month renewal-exempt)	\$ 50.00 each  \$ 25.00 each-not more than twice
6.	Mobile Home for farm labor	\$ 125.00
7.	Swimming Pool	\$ 50.00 each
8.	Converting One-family dwelling into multi-family	\$ 100.00 per unit
9.	Single Family Dwelling used as Model Home for six (6) months <b>RENEWAL</b> - six (6) months as long as model home until 90% of zoning permits in entire planned subdivision are issued	\$ 400.00 each \$ 400.00 each
10.	Multi-Family (twin single, apartment building, townhouses, condominium)	\$ 100.00 per dwelling unit <b>OR</b> \$ 300.00 minimum per occupied building
11.	Temporary tool, supply and construction office trailer for six (6) months. <b>RENEWAL</b> - six (6) months-zoning inspector's discretion	\$ 300.00 each \$ 300.00 each renewal
12.	<b>SIGNS</b> - Permanent Temporary-six (6) months renewal at zoning inspector's discretion) Garage & Yard Sale	\$ 300.00 each \$ 200.00 each  <b>NO CHARGE</b>
13.	Variance, Appeal and Conditional Use Hearings (transcript available at additional cost to applicant) Additional fee per hearing after 2 <sup>nd</sup> hearing	\$ 500.00 to include court reporter  \$ 300.00
14.	Review Lot Split	\$ 50.00 each
15.	<b>ALL REZONING APPLICATIONS</b>  Preliminary Development Plan hearing separate from Rezone  Final Development Plan hearing separate from Rezone Additional fee per hearing after 2nd hearing	\$ 400.00 <b>plus</b> \$ 175.00 per acre \$ 600.00  \$ 600.00 \$ 500.00
16.	Modification of approved zoning plan	\$ 500.00 each
17.	Revision to original application (after one (1) month)	\$ 100.00 each

**COMMERCIAL & INDUSTRIAL**

1.	All new Commercial & Industrial (per building)	\$ 300.00 <b>plus</b> \$ 25.00 per 100 sq. ft.
2.	All Commercial & Industrial (per building) Remodeling, structure change or additions to building.	\$ 300.00 <b>plus</b> \$ 25.00 per 100 sq. ft.
3.	Small accessory or storage buildings and small decks (less than 100 sq. ft.) Utility building (less than 100 sq. ft.)	\$ 200.00 each

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

4.	Temporary tool, supply and construction office trailer for six (6) months.	\$ 300.00 each
	<b>RENEWAL</b> - six (6) months-zoning inspector's discretion.	\$ 300.00 each
5.	Swimming Pool	\$ 50.00 each
6.	Borrow Pit	\$ 1,000.00 each
7.	<b>SIGNS</b> - Permanent	\$ 300.00 each
	Temporary (six months renewal at zoning inspector's discretion)	\$ 200.00 each
	Garage & Yard Sales	<b>NO CHARGE</b>
8.	<b>ADMINISTRATIVE REVIEW</b> - Approve Plats & Subdivisions	
	Minor-less than five (5) lots	\$ 400.00 each
	Major-five (5) lots or more	\$ 500.00 each
9.	Review Lot Split	\$ 50.00 each
10.	<b>ALL REZONING APPLICATIONS</b>	\$ 400.00 <b>plus</b>
	Preliminary Development Plan hearing separate from Rezone	\$ 175.00 per acre
	Final Development Plan hearing separate from Rezone	\$ 600.00
	Additional fee per hearing after 2nd hearing	\$ 600.00
	Additional fee per hearing after 2nd hearing	\$ 500.00
11.	Variance, Appeal and Conditional Use Hearings (transcript available at additional cost to applicant)	\$ 500.00 to include court reporter
	Additional fee per hearing after 2 <sup>nd</sup> hearing	\$ 300.00
12.	Modification of approved zoning plan	\$ 500.00 each
13.	Revision to original application (after one (1) month)	\$ 100.00 each

**MISCELLANEOUS**

1.	Refunds for withdrawal of BZC or BZA applications will be the amount of the original fee less any and/or all actual costs incurred by the township prior to the withdrawal action. All withdrawal requests must be in writing and dated.	
2.	Zoning Books	\$ 30.00 each
3.	Comprehensive Land Use Plan Book	\$ 75.00 each
5.	Land Use & Zoning Maps	\$ 2.00 each
6.	Fee for returned checks	\$ 25.00 each
7.	Photo copies	\$ .10 per page

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**TOWNSHIP DRIVEWAY PERMIT**

- 1. All Residential, Farm, Commercial and Industrial driveway pipe permits shall be \$50.00 each.**

**DISCUSSION:** Bullard said the road superintendent had some good recommendations regarding making the driveway permit a multi-step process. Panzarella asked, "What happens if we start multi pacing the contractor. Do we have the legal right to hold up a contractor. Are we guaranteeing people are here to do a two step phase? What if people aren't available. We need to know what we're doing and if we've got the personnel." Bullard said, "Right now we're using multi-step process with zoning. If we don't have personnel we can contract the job done. I want to talk about it later. This is for a later discussion. We need forms. I want a two step process." No further action taken.

Second: D'Amico  
Vote: Panzarella naye, D'Amico yea and Bullard yea.

**RESOLUTION**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**09-01-14 APPROVE \$5,000.00 FOR CONTRACT SERVICES FOR ZONING DEPARTMENT TO BE PROVIDED BY DELAWARE COUNTY REGIONAL PLANNING NOT TO GO BEYOND DECEMBER 31, 2009**

Motion: Bullard  
Second: D'Amico  
Vote: D'Amico yea, Bullard yea and Panzarella yea.

**MOWING CONTRACT**

**RESOLUTION  
09-01-15**

**ACCEPT AND APPROVE MOWING CONTRACT FEE FOR CHESHIRE AND PEACHBLOW CEMETERIES AND BERLIN SITE-2708 LACKEY-OLD STATE ROAD- STEWCARE, INC.**

Berlin site-2708 Lackey-Old State	\$ 160.00 per mowing cut
Cheshire Cemetery	\$ 660.00 per mowing cut
Peachblow Cemetery	\$ 55.00 per mowing cut

Motion: Bullard  
Second: Panzarella  
Vote: D'Amico yea, Bullard yea and Panzarella yea.

**RESOLUTION  
09-01-16**

**ACCEPT AND APPROVE FERTILIZER, WEED AND FEED AND INSECT CONTROL PROGRAM CONTRACT FEE FOR CHESHIRE AND PEACHBLOW CEMETERIES AND THE BERLIN SITE AT 2708 LACKEY-OLD STATE ROAD - STEWCARE, INC.**

**FERTILIZER, WEED AND FEED CONTROL PROGRAM**

**Stewcare, Inc.**

Cheshire Cemetery	\$2,900.00	pre-emergent - (early March)=59 bags=12,500 sq. ft.
	\$2,900.00	weed & feed - (spring)=74 bags=10,000 sq. ft.
	\$2,900.00	insect control - (summer)=59 bags=12,500 sq. ft.
	\$2,900.00	fertilization - (fall)=74 bags=10,000 sq. ft.
Peachblow Cemetery	\$ 88.00	pre-emergent - (early March).
	\$ 88.00	weed & feed - (spring)
	\$ 88.00	insect control - (summer)
	\$ 88.00	fertilization - (fall)
Berlin Site-2708 Lackey-Old State Road	\$ 938.00	pre-emergent-(early March)
	\$ 938.00	weed & feed - (spring)
	\$ 938.00	insect control - (summer)
	\$ 938.00	fertilization - (fall)

Motion: Bullard

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Second: Panzarella  
Vote: Bullard yea, Panzarella yea and D'Amico yea.

D'Amico questioned a letter received from the fire chief requesting recognition be given the Roll's and their crew for the care taken with mowing at 2708 Lackey-Old State Rd. Panzarella said it would be improper to deal with a sub-contractor. Panzarella said a letter could be sent through Stewcare, Inc. D'Amico to write a letter.

**NAME TOWNSHIP PERSONNEL POSITIONS and PAY RATES**

**DISCUSSION-PAY RATES**-Panzarella said he recommended no pay increases for township employees in 2009. Panzarella said , "I don't believe the state or county is giving raises. So much of income deals on revenue from taxes. Until valuations are determined...I don't want to spend down the general fund. I suggest we be very careful at this time."

**RESOLUTION  
09-01-17**

**APPROVE NO PAY INCREASE AUTHORIZED  
ACROSS THE BOARD FOR TOWNSHIP  
EMPLOYEES IN 2009**

Motion: Bullard  
Second: D'Amico  
Vote: D'Amico yea, Panzarella yea and Bullard yea.

**RESOLUTION  
09-01-18**

**APPROVE RETAINING LISA KNAPP FOR THE  
PURPOSE OF RECORDING AND PROCESSING  
THE RECORD OF PROCEEDINGS AT ALL  
MEETINGS OF THE BERLIN TOWNSHIP  
BOARD OF ZONING COMMISSION AND THE  
BERLIN TOWNSHIP BOARD OF ZONING  
APPEALS AT A PAY RATE OF \$15.60 PER  
HR. EFFECTIVE JANUARY 1, 2009 AND \$60.00  
PER MEETING ATTENDED**

Motion: Bullard  
Second: D'Amico  
Vote: Panzarella yea, D'Amico yea and Bullard yea.

**RESOLUTION  
09-01-19**

**DISCUSSION-CUSTODIAN PAY RATE**-Trustees discussed the fact that the custodian was receiving a salary pay rate plus an additional hourly rate for cleaning the road office area. Cannon said the hourly rate had been added after the fire department moved to their new facility. She said the fire department had always taken care of this office area themselves. It was discussed and determined to pay the custodian the hourly rate of \$12.18 for all building custodial/maintenance duties effective January 1, 2009.

Trustees discussed payment to the zoning inspector for attending meetings. D'Amico said he would only be paid for meetings he was directed to attend.

It was moved by Bullard that the following township personnel positions and pay rates be adopted for 2009 and that pay periods be established as named and pay rate changes for persons paid bi-weekly, except the fire chief and zoning inspector, shall become effective December 28, 2008 and pay rate changes for persons paid monthly, including the fire chief and zoning inspector, shall become effective January 1, 2009:

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**EXHIBIT #10 TOWNSHIP PERSONNEL POSITIONS & PAY RATES**

<b>Twp. Personnel Positions</b>	<b>2009 Pay Rate</b>
<b>Administrative</b>	
Assist. to fiscal officer (hired by fiscal officer)	\$ 25.70 hr.
Other clerical	\$ 11.57 hr.
<b>Building</b>	
Custodian	\$ 12.18 hr.
Labor	\$ 12.18 hr.
<b>Cemetery</b>	
Sexton	\$236.44 mo.
Sexton assistant	\$ 12.18 hr.
Labor	\$ 11.62 hr.
Labor-Sexton (foundation or Hand dig grave)	\$ 14.03 hr.
<b>Road</b>	
<b>2 hr. minimum call in paid</b>	
Road superintendent	\$ 17.37 hr.
Laborer II	\$ 15.27 hr.
Laborer II-new hire	\$ 14.39 hr.
Laborer I	\$ 12.34 hr.
Laborer – Part time	\$ 12.34 hr.
Tractor driver – snow removal	\$ 12.34 hr.
Truck driver – CDL casual labor	\$ 18.50 hr.
<b>Fire</b>	
Fire Chief	\$ 30.45 hr. (\$63,345.36 yr.)
Assistant Fire Chief	\$ 12.85 hr.
Full-time Firefighter	\$ 15.83 hr.
Full-time Firefighter I (new hire)	\$ 15.32 hr.
Part-time Firefighter Lieutenant	\$ 12.34 hr.
Part-time Firefighter	\$ 11.31 hr.
Part-time Firefighter-probationary	\$ 9.25 hr.
<b>Zoning</b>	
Inspector – Fulltime	\$ 17.76 hr. (\$36,956.60 yr.)
Inspector – Part time	\$ 15.42 hr.
Office secretary	\$ 15.37 hr.
Temporary clerical	\$ 12.13 hr.
Board Clerk - Knapp	\$ 15.60 hr.
Board clerk – new hire	\$ 12.85 hr.
Township fiscal officer-clerk zoning meetings	\$ 20.56 hr.
Board Clerk – Knapp	\$60.00 mtg.
BZC & BZA Board members	\$50.00 mtg.
BZC & BZA alternate members	\$50.00 mtg.
BZC & BZA members and alternates-special assignments as authorized by Board of Trustees (maximum 20 events per year)	\$50.00 per event
Zoning inspector – RPC & other meetings as directed	\$50.00 mtg.
RPC representative	\$50.00 mtg.
RPC alternate	\$50.00 mtg.

All probationary periods will be a minimum of six (6) months unless employee is terminated or resigns sooner than the end of the probationary period. Department head may request extensions of probationary period up to an additional six (6) months.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

All position titles listed above may also include other duties as assigned by the Board of Trustees at these rates except those persons hired by the fiscal officer. All timesheets must be signed by employee and approved by supervisor. Cannon said liaisons need to let department heads know to approve timesheets.

The annual salary of the fire chief and zoning inspector will be broken down into an hourly wage equivalent. In order for the accounting system calculation of benefits to be correct, it requires an hourly wage equivalent entry. Both fire chief and zoning inspector would continue to be considered salaried employees.

Firefighters to be guaranteed one (1) hour minimum pay for each time called in response to any emergency fire, EMS run or any other emergency designated by the fire chief or his designee.

Second by D'Amico.

Vote: Bullard yea, Panzarella yea and D'Amico yea.

**RESOLUTION 09-01-20 AUTHORIZE RICK SEDLACEK TO ASSIST IN THE 09-01-20 ZONING OFFICE IN THE ABSENCE OF THE ZONING INSPECTOR AT A PAY RATE OF \$15.42 PER HOUR WITH BENEFITS AS REQUIRED BY LAW AND AS AUTHORIZED BY THE BOARD OF TRUSTEES**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yea, D'Amico yea and Bullard yea.

**RESOLUTION 09-01-21 APPROVE EXHIBIT #11-ZONING COMMISSION, BOARD OF ZONING APPEALS, BZC & BZA ALTERNATES, REGIONAL PLANNING REPRESENTATIVE & ALTERNATE AND EXHIBIT #12-LIST OF CERTIFIED FIREFIGHTERS AS FOLLOWS:**

Motion: Bullard  
Second: Panzarella

**EXHIBIT #11 LIST OF COMMISSION AND BOARD OF ZONING APPEALS MEMBERS WITH TERMS. ALSO INCLUDED ARE NAMES OF BZC AND BZA ALTERNATES AND REGIONAL PLANNING COMMISSION REPRESENTATIVE AND ALTERNATE.**

**BZC BOARD**

Jerry Valentine	term expires	3-1-2012
Rick Sedlacek	term expires	3-1-2013
Rae Kerlin	term expires	3-1-2009
Kristin Yorke	term expires	3-1-2010
James Hahn	term expires	3-1-2011

**BZC ALTERNATE**

Betty Bringardner n/a

**BZA BOARD**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

Michael Morrill	term expires	12-31-2012
Dan Jacobs	term expires	12-31-2013
Tom Roll	term expires	12-31-2009
Barbara Sherman	term expires	12-31-2010
Joe Korleski	term expires	12-31-2011

**BZA BOARD ALTERNATE**

Don Sutton-1 <sup>st</sup> Alternate	term expires	05-09-2009
__VACANT__	term expires	03-27-2009

It was stated that resolutions appointing BZC & BZA alternates had not named term limits. It was unknown how term limits were assigned to the BZA alternates. D'Amico said a second alternate should be added to the BZC as well as someone appointed to the second alternate position on the BZA. D'Amico said, "We advertised for applications in our last newsletter and I haven't seen any of them." Panzarella said, "We got several."

**RPC REPRESENTATIVE**

Rick Sedlacek	term expires	03-01-2011
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**RPC ALTERNATE**

Ray Armstrong	n/a	As long as employment as Zoning inspector is continued. Ends with termination or retirement.
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**EXHIBIT #12      LIST OF CERTIFIED FIREFIGHTERS STATING HIGHEST LEVEL OF TRAINING ATTAINED BY EACH MEMBER.**

**As of November 12, 2008**

Full-time Fire Chief	William Bechstein	240 FFII/EMT-B
Part-time Assistant Chief	Craig Hall	240 FFII/EMT-B/Inspector
Full-time Firefighter	Joseph Pichert	240 FFII/EMT-B
Part-time Lieutenant	Chris Paykoff	36 FFI
Part-Time Lieutenant	Donald Tuller, Jr.	240 FFII/EMT-B
Part-time Lieutenant	Samuel Reda	240 FFII/EMT-B
Part-time Fire Prevention	Connie Reda	240 FFII/EMT-B/Fire Inspector
Part-time Firefighter	William Kirsop	240 FFII/Paramedic
Part-time Firefighter	Dale Huffman	240 FFII/EMT-B
Part-time Firefighter	Greg Prantl	240 FFII/EMT-B/Fire Inspector
Part-time Firefighter	Brian Newcomb	36 FFI/Paramedic
Part-time Firefighter	Thomas Benson	240 FFII/Arson Investigator

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Part-time Firefighter	Scott Stewart	240 FII/Paramedic
Part-time Firefighter	Steve Roberts	36 FFI/Paramedic
Part-time Firefighter	Jody Fortney	36 FFI/Paramedic
Part-time Firefighter	Steve Arnold	240 FFII/EMT-I/Fire Inspector
Part-time Firefighter	Brian Lesch	240 FFII/Paramedic
Part-time Firefighter	Matt Carey	240 FFII/EMT-I/Fire Inspector
Part-time Firefighter	Ryan Strohl	240 FFII/Paramedic
Part-time Firefighter	Michael Rickabaugh	240 FFII/Paramedic
Part-time Firefighter	Mark Carey	240 FFII/EMT-B
Part-time Firefighter	Daniel Curtiss	240 FFII/EMT-B

List contained signature of fire Chief William A. Bechstein.

**DISCUSSION-CERTIFICATION OF FIREFIGHTERS-DEADLINE JANUARY 24, 2009-**  
Trustees discussed the January 24, 2009 deadline for firefighter certification. Cannon said the chief had provided a certification list to her as of December 15, 2008.

Vote: Bullard yea, D’Amico yea and Panzarella yea.

**RESOLUTION APPROVE PAY PERIODS  
09-01-22**

Panzarella moved the following pay periods be adopted.

**EXHIBIT #13 PAY PERIODS**

**Effective January 1, 2009 the following pay periods will continue to be observed.**

**BI-WEEKLY PAY PERIOD TO INCLUDE THE FOLLOWING PERSONNEL**

- All fire department personnel
- All road department personnel
- Zoning inspector
- Zoning office secretary
- Zoning office clerical personnel

**MONTHLY PAY PERIOD TO INCLUDE THE FOLLOWING PERSONNEL**

- Township elected officials-Trustees & Fiscal officer
- Fiscal officer’s clerical staff
- Building custodian
- Cemetery sexton and assistant sexton
- Zoning board clerk
- Zoning board members (BZC, BZA and Alternates, RPC representative, and RPC alternate)

Second by Bullard.

Vote: Bullard yea, D’Amico yea and Panzarella yea.

## BERLIN TOWNSHIP TRUSTEES

5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008

### FIRE DEPARTMENT POLICIES

#### RESOLUTION

09-01-23

#### FIRE DEPARTMENT –

Bullard moved that firefighters would be paid their hourly wage for training meetings set up for the Township, fire and EMS runs and special emergencies. Special emergency personnel needs are to be determined by the Fire Chief or his designee, depending on the severity and nature of the emergency. All mileage reimbursements must be pre-approved by Board of Trustees.

#### FIRE DEPARTMENT TRAINING

Employee to provide original certificate of satisfactory course or class completion ***with copy to be inserted in individual's personnel file.***

Employee to provide original receipt of payment for course or class.

No reimbursement for mileage unless pre-approved by trustees.

Employee will be required to reimburse the township for course or class fee if one of

The following occurs:

1. course or class is not satisfactorily completed and has been paid in advance or reimbursed by the township; or
2. employee resigns employment within 120 days following satisfactory completion of course or class which has either been reimbursed to the employee or paid for in advance by the township.

Employee must reimburse the township 100% of fee reimbursed or paid on their behalf.

Any and/or all fee reimbursement(s) will be given to the township fiscal officer within sixty (60) days after notice is sent to the responsible individual that fees are due based on incompleteness of course or class and/or termination of employment whichever is earlier.

The Board of Berlin Township Trustees reserves the right to revise or change this policy at any time.

In addition certain training requirements may pertain. If conflicts between SOG and Organizational Meeting policy, Organizational Meeting policy takes precedence.

#### PHYSICAL EXAM REQUIREMENT

**DISCUSSION-NOTIFICATION OF PHYSICAL EXAMS NEEDED**-Bullard said the fire chief should provide a list to the Board of firefighters who are due for physical examinations each year. Bullard said the list should be provided to trustees on or by November 15<sup>th</sup>. Panzarella questioned why the November 15<sup>th</sup> date. Bullard said, "So it can be used for planning purposes."

#### REQUIREMENTS-

1. Require physical exams for fire department personnel every three (3) years. On or by November 15<sup>th</sup> each year the fire chief will supply a list of individuals requiring physical exams in the next ensuing year to the township fiscal officer.
2. Accept another fire department's physical exam records for a Berlin Township Firefighter if current within twelve (12) months of firefighter's hire date to have a physical exam. Firefighter must request a certified copy of his/her physical and have certifying officer mail it directly to the Berlin Township Fiscal Officer.
3. All completed physical exams shall be mailed or directly sent to the township fiscal officer for processing.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Second by Panzarella.

Vote: D'Amico yea, Bullard yea and Panzarella yea .

**REPAYMENT SCHEDULE OF ADVANCES TO FIRE DEPARTMENT**

**RESOLUTION  
09-01-24**

**APPROVE FIRE DEPARTMENT'S CONTINUED SCHEDULE OF REPAYMENT - \$1,050,000.00 ADVANCED FROM THE GENERAL FUND TO THE FIRE FUND FOR PURPOSE OF CONSTRUCTION OF CAPITAL IMPROVEMENT PROJECT - NEW FIRE STATION IN 2007**

<b>August - 2007</b>	<b>\$210,000.00</b>	<b><i>paid</i></b>
<b>March - 2008</b>	<b>\$150,000.00</b>	<b><i>paid</i></b>
<b>August - 2008</b>	<b>\$150,000.00</b>	<b><i>paid</i></b>
<b>March - 2009</b>	<b>\$150,000.00</b>	
<b>August - 2009</b>	<b>\$150,000.00</b>	
<b>March - 2010</b>	<b>\$150,000.00</b>	
<b>August - 2010</b>	<b>\$ 90,000.00</b>	

Motion: Bullard  
Second: Panzarella  
Vote: Bullard yea, D'Amico yea and Panzarella yea.

Repayment schedule to be inserted into the 5-yr. Budget Plan.

**ESTABLISH POLICY - CLOTHING ALLOWANCES - FIRE DEPARTMENT**

**DISCUSSION:** Panzarella said the chief had submitted a different proposal for trustees' review which would, in January, provide a check annually to each firefighter for a uniform allowance. Panzarella said the proposal had not been reviewed by the county prosecutor. Bullard questioned, "If a check were given to the firefighter, who owns the material, is it ours or theirs?" Panzarella said there are some tax implications. Bullard said this would also create extra payments for retirement, etc. Panzarella said, "I want to discuss this at our leisure at a later date. I want an opinion."

Bullard said he wanted a list of all uniform items needed for each firefighter along with prices.

Panzarella said, "Don't be surprised if the fire department requests more hours." Bullard said he wanted the list for budget purposes.

Bullard said until more information is available he believed the policy should stay the same.

**RESOLUTION  
09-01-25**

**APPROVE \$720.00 ANNUAL CLOTHING ALLOWANCE TO INCLUDE COST FOR UP TO \$120.00-ONE (1) PAIR STEEL TOE WORK BOOTS FOR EACH FULL-TIME FIREFIGHTER AND \$325.00 ANNUAL CLOTHING ALLOWANCE FOR EACH PART-TIME FIREFIGHTER**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yea, Bullard yea and D'Amico yea.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**ESTABLISH POLICY – SAFETY CLOTHING – ROAD DEPARTMENT**

**RESOLUTION  
09-01-26**

**APPROVE TOWNSHIP OR EMPLOYEE PURCHASE OF SAFETY CLOTHING AND GEAR FOR ROAD DEPARTMENT EMPLOYEES WITH COST UP TO: \$120.00 – ONE (1) PAIR STEEL TOE WORK BOOTS \$200.00 – CARHART JACKET, BIB OVERALLS & DUCK HOOD. ROAD EMPLOYEE MUST PROVIDE ORIGINAL RECEIPT TO FISCAL OFFICER FOR REIMBURSEMENT OF PURCHASED APPAREL. NO SALES TAX WILL BE REIMBURSED.**

Other safety apparel to be provided and paid for by the township includes, but is not limited to, traffic safety vests, 17 in. over-the-shoe boots, wet weather gear, ear (noise) protection, hard hats, safety glasses, and gloves.

Motion: Bullard  
Vote: D'Amico yea, Bullard yea and Panzarella yea.

**ESTABLISH DEPARTMENT WORK HOURS**

**RESOLUTION  
09-01-27**

Bullard moved the following department work hours be established and adopted.

**FIRE DEPARTMENT-**

**Full-time Firefighters *excluding* fire chief\***

Hours **9:00 a.m. to 5:00 p.m.**, Monday through Friday  
Work week shall consist of forty (40) hours, including lunch and breaks, Monday through Friday

\*fire chief to work 40 hours per week as certified to the Board and is to assure three firefighter coverage between the hours of 9:00 a.m.-5:00 p.m. when he is not present

**Part-time Firefighter--**

Hours **8:00 a.m. to 5:00 p.m.**, Monday through Friday  
Unscheduled part-time firefighters to be guaranteed minimum one (1) hour pay for response to emergency calls-to be determined by the fire chief or his designee  
Work week shall not exceed 28 hours in any work week including lunch and breaks.  
Calendar year accumulation of hours worked cannot exceed 1499 hours without authorization of the Board of Trustees

**ROAD DEPARTMENT-**

**DISCUSSION:** Cannon said it should be noted the road department is not observing hours as determined in the 2008 resolution, which working hours were based on Eastern Standard Time and Daylight Savings Time.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

Bullard said road employees didn't want to work based on the Eastern Standard Time schedule. He said employees told him the county starts work at 7:00 a.m. Panzarella asked how the township was affected by the county. Bullard said it wasn't. Panzarella said that it was dark in the mornings at 7:00 a.m. and that more accidents happen during those dark hours. He said he believed the work hours for the road department should follow the Eastern Standard Time schedule with work commencing at 8:00 a.m. Panzarella said, "If we publish hours, trustees need to make sure they work those hours." D'Amico said, "If they want to work earlier, let them work. The point of employee satisfaction should be considered."

Bullard said he agreed and the township should leave them as they are. Cannon said they currently both Eastern Standard Time and Daylight Savings Time schedules are named in the resolution. Cannon questioned trustees' intent. Trustees decided to remove references to Eastern Standard Time and Daylight Savings Time and replace it with work hours to be 7:00 a.m. to 3:30 p.m.

Panzarella said, "The problem is it's all in one resolution. Next year we should consider a change since in certain of these areas I agree with and disagree with some." Cannon said, "We have it all on CD, we can just give it to you."

**ROAD DEPARTMENT -**

**Fulltime road employees -**

Hours **7:00 a.m. to 3:30 p.m.** Monday through Friday

**Exception - Snow Removal and/or other times as needed or directed by the Board of Township Trustees**

Work week shall consist of forty (40) hours, Monday through Friday

Thirty (30) minute unpaid lunch time, Monday through Friday

Two (2) fifteen (15) minute paid work breaks per eight (8) hour work day; one in the morning and one in the afternoon, Monday through Friday

**ZONING DEPARTMENT -**

**Regular office hours - 8:00 a.m. to 5:00 p.m. - Monday through Friday**  
**Other hours by appointment**

**Zoning inspector 8:30 a.m. to 5:00 p.m. - Monday through Friday**  
**Other hours by appointment**

Work week shall consist of forty (40) hours, Monday through Friday

Thirty (30) minute unpaid lunch time, Monday through Friday

Two (2) fifteen (15) minute work breaks per eight (8) hour work day; one in the Morning and one in the afternoon, Monday through Friday

**Zoning office secretary- 7:30 a.m. to 3:00 p.m.- Monday through Thursday**  
**7:30 a.m. to 11:30 a.m.- Friday**

Work week shall consist of thirty two (32) hours, Monday through Friday

Thirty (30) minute unpaid lunch time daily Monday through Thursday

One (1) fifteen (15) minute work break per day Monday through Thursday

Offices will be closed on holidays and/or other designated days in order that all full-time employees in the Fire, Road and Zoning departments may observe the holiday.

Second by D'Amico.

Vote: Bullard yea, Panzarella yea and D'Amico yea.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**ESTABLISH 2009 SPECIAL EVENTS CALENDAR**

**DISCUSSION-SPRING AND FALL ROAD INVENTORY MEETING**-Panzarella said he proposes specifying two dates; one for a spring road inventory meeting and one for a fall road inventory meeting. Panzarella suggested the spring meeting be in April and the fall meeting be in October. Trustees decided on April 18<sup>th</sup> and October 24<sup>th</sup>. No time for either date was set.

**RESOLUTION  
09-01-28**

It was moved by Bullard to establish the following special events calendar.

- Monday, January 26, 2009 -7:15 p.m. – Joint road meeting (fiscal officer to notify adjoining entities)
- Spring road inventory meeting-Saturday, April 18, 2009-no time stated
- Saturday, May 2, 2009-7:30 a.m. to 12:00 noon Township Cleanup Day
- Fall road inventory meeting-Saturday, October 24, 2009-no time stated
- Sunday, October 25, 2009-4:30 p.m. to 6:30 p.m.-Halloween Open House
- Beggar’s Night-Saturday, October 31, 2009

Second by D’Amico.

Vote: Bullard yea, Panzarella yea and D’Amico yea.

**APPROVE 5-YEAR CAPITAL IMPROVEMENT BUDGETARY PLAN**

**DISCUSSION:** Panzarella said, “House Bill 458 may allow flexibility between the general and road funds. The governor hasn’t signed it yet.”

Cannon said, “It should be noted the 5-year Capital Improvement Budgetary Plan didn’t necessarily balance in each department.”

Panzarella said, “It’s a dream list, not reality.” Panzarella said, “Five year plans should balance against income. I can prove the fire department is balanced including the payback plan.” Bullard said, “It could only be balanced for the first year unless a fire levy passes.” Cannon said, “Then it’s a one year plan.” Panzarella said, “There’s the assumption the fire department will have a levy some kind in 2009.”

Bullard noted he recently added \$12,000.00 for a sewer tap at the township house in 2010.

**RESOLUTION  
09-01-29**

**APPROVE 5-YR. PLAN AS SUBMITTED AND MODIFIED**

**BERLIN TOWNSHIP, DELAWARE  
COUNTY, OHIO  
5 YEAR PLAN**

<b>PROJECT NAME &amp; YEAR</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>
<b>ROAD DEPARTMENT</b>					
<b>ROAD IMPROVEMENT</b>					
Dutcher Ditch		\$50,000.00			
McNamara Ditch	\$50,000.00				
Full Depth Grader Patch	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Ditch Repairs & Cleaning	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
Road Paving			\$50,000.00	\$50,000.00	\$50,000.00
Crack Sealing	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
<b>Road Improvement TOTAL</b>	<b>\$78,000.00</b>	<b>\$78,000.00</b>	<b>\$78,000.00</b>	<b>\$78,000.00</b>	<b>\$78,000.00</b>

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m.      2009 ORGANIZATIONAL MEETING      DECEMBER 29, 2008**

Replace 1997 Int'l Dump Truck			\$80,000.00		
Replace John Deere Tractor		\$5,000.00			\$5,000.00
<b>Road Equipment TOTAL</b>	<b>\$ .00</b>	<b>\$5,000.00</b>	<b>\$80,000.00</b>	<b>\$ .00</b>	<b>\$5,000.00</b>
<b>ROAD TOTAL</b>	<b>\$78,000.00</b>	<b>\$83,000.00</b>	<b>\$158,000.00</b>	<b>\$78,000.00</b>	<b>\$83,000.00</b>

**BUILDING FACILITIES**

**BUILDING - 3271 CHESHIRE RD.**

Sewer Tap-3271 Cheshire Rd.			\$12,000.00		
Exterior sign replacement	\$5,000.00				
Furnace Replacement #1 (1989)			\$6,000.00		
Parking Lot Improvement-3271 Cheshire Rd.	\$10,000.00				
Building interior remodel-3271 Cheshire Rd.	\$15,000.00				
Landscape 3271 Cheshire Rd.	\$5,000.00		\$3,000.00		
Gutters/Downspouts	\$7,500.00				
<b>Bldg.-3271 Cheshire Rd. TOTAL</b>	<b>\$42,000.00</b>	<b>\$18,000.00</b>	<b>\$3,000.00</b>	<b>\$ .00</b>	<b>\$ .00</b>

**BUILDING-2708 LACKEY-OLD STATE RD.**

Parking lot				\$5,000.00	\$5,000.00
Landscape					
<b>Bldg.-2708 Lackey-Old State Rd.-TOTAL</b>	<b>\$ .00</b>	<b>\$ .00</b>	<b>\$ .00</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>
<b>BUILDING TOTAL</b>	<b>\$42,000.00</b>	<b>\$18,000.00</b>	<b>\$3,000.00</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>

**EQUIPMENT-TOWNSHIP OFFICE**

EQUIPMENT - OFFICE					
Equipment upgrade	\$2,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$3,000.00
<b>Equipment - Office TOTAL</b>	<b>\$2,500.00</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$1,500.00</b>	<b>\$3,000.00</b>

EQUIPMENT - MEETING ROOM

Upgrade Sound System			\$5,000.00		
Furniture-tables, chairs, etc.	\$2,500.00	\$500.00	\$500.00	\$2,500.00	\$500.00
Replace Electric Range	\$750.00				
<b>Equipment-Meeting Rm. TOTAL</b>	<b>\$3,250.00</b>	<b>\$5,500.00</b>	<b>\$500.00</b>	<b>\$2,500.00</b>	<b>\$500.00</b>
<b>OFFICE TOTAL</b>	<b>\$5,750.00</b>	<b>\$7,000.00</b>	<b>\$2,000.00</b>	<b>\$4,000.00</b>	<b>\$3,500.00</b>

**ZONING DEPARTMENT**

**ZONING - EQUIPMENT**

Office equipment upgrade	\$1,000.00	\$1,000.00	\$3,000.00	\$1,000.00	\$1,000.00
<b>Zoning-Capital outlay TOTAL</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>	<b>\$3,000.00</b>	<b>\$1,000.00</b>	<b>\$1,000.00</b>

**ZONING - OTHER**

Regional Planning Assistance	\$5,000.00	\$5,000.00	\$2,000.00	\$2,000.00	\$2,000.00
<b>Zoning - Other TOTAL</b>	<b>\$5,000.00</b>	<b>\$5,000.00</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>	<b>\$2,000.00</b>

<b>ZONING TOTAL</b>	<b>\$6,000.00</b>	<b>\$6,000.00</b>	<b>\$5,000.00</b>	<b>\$3,000.00</b>	<b>\$3,000.00</b>
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<b>PROJECT NAME &amp; YEAR</b>			<b>2011</b>	<b>2012</b>	<b>2013</b>
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**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

<b>CEMETERY DEPARTMENT</b>	<b>2009</b>	<b>2010</b>			
<b>CEMETERY - CAPITAL OUTLAY</b>					
Update Cemetery Directory-Exterior		\$5,000.00			
Marker repairs & upgrade	\$10,000.00	\$5,000.00	\$1,500.00	\$1,500.00	\$1,500.00
Resurface driveway					\$15,000.00
Software upgrade	\$2,500.00	\$900.00	\$900.00	\$900.00	\$900.00
Equipment-Small vehicle	\$13,000.00				
Landscaping/fencing	\$1,500.00	\$500.00	\$500.00	\$2,500.00	\$1,000.00
Replace trees (Crabapple)	\$3,500.00	\$1,000.00	\$1,000.00		
<b>Cemetery-Capital outlay TOTAL</b>	<b>\$30,500.00</b>	<b>\$12,400.00</b>	<b>\$3,900.00</b>	<b>\$4,900.00</b>	<b>\$18,400.00</b>
<b>CEMETERY - OTHER</b>					
Topsoil, seed, sod	\$2,000.00	\$2,060.00	\$2,125.00	\$2,190.00	\$2,255.00
Fertilizer, weed killer, insect killer	\$12,000.00	\$12,360.00	\$12,750.00	\$13,140.00	\$13,535.00
<b>Cemetery - Other TOTAL</b>	<b>\$14,000.00</b>	<b>\$14,420.00</b>	<b>\$14,875.00</b>	<b>\$15,330.00</b>	<b>\$15,790.00</b>
<b>CEMETERY TOTAL</b>	<b>\$44,500.00</b>	<b>\$26,820.00</b>	<b>\$18,775.00</b>	<b>\$20,230.00</b>	<b>\$34,190.00</b>
<b>FIRE DEPARTMENT</b>					
<b>EQUIPMENT</b>					
Hose	\$1,600.00	\$1,600.00	\$2,000.00	\$2,000.00	\$2,500.00
Turnout gear (complete sets)		\$3,000.00			\$18,000.00
Vehicle Replacement (Utility Vehicle)			\$30,000.00		
SCBA Replacement-5 per yr			\$6,000.00		
Replace Engine/Tanker 392		\$30,000.00	\$100,000.00	\$200,000.00	\$200,000.00
AED Replacement	\$3,000.00	\$2,000.00	\$3,000.00	\$2,000.00	\$2,000.00
Thermal Imager	\$15,000.00				
Computers & Software	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
Building Maintenance	\$2,000.00	\$2,500.00	\$3,000.00	\$3,000.00	\$3,000.00
Training Supplies & Equipment	\$3,000.00	\$3,000.00	\$5,000.00	\$5,000.00	\$5,000.00
<b>EQUIPMENT - CAPITAL OUTLAY</b>	<b>\$26,600.00</b>	<b>\$44,100.00</b>	<b>\$151,000.00</b>	<b>\$214,000.00</b>	<b>\$232,500.00</b>
<b>Repayment of Advances to General Fund</b>	<b>\$300,000.00</b>	<b>\$240,000.00</b>			
<b>FIRE DEPARTMENT TOTAL</b>	<b>\$326,600.00</b>	<b>\$284,100.00</b>	<b>\$151,000.00</b>	<b>\$214,000.00</b>	<b>\$232,500.00</b>
<b>2009-2013-PROJECT TOTALS</b>	<b>\$502,850.00</b>	<b>\$424,920.00</b>	<b>\$337,775.00</b>	<b>\$324,230.00</b>	<b>\$361,190.00</b>
<b>5 YR. TOTAL</b>	<b>\$1,950,965.00</b>				

Second by D'Amico.

Vote: D'Amico yea, Bullard yea and Panzarella yea.

**APPROVE 2009 FIRST AMENDED CERTIFICATE OF ESTIMATED RESOURCES AND APPROVE PERMANENT APPROPRIATIONS NOT TO EXCEED THE AMOUNT OF THE**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**2009 FIRST AMENDED CERTIFICATE OF ESTIMATED RESOURCES**

Cannon told trustees that information for the first amended certificate will be gained from the final year end closing of the financial records. It will be immediately submitted to the county auditor.

**RESOLUTION  
09-01-30**

Bullard moved to approve the 2009 First Amended Certificate of Estimated Resources and approve Permanent Appropriations not to exceed the amount of the 2009 First Amended Certificate of Estimated Resources as discussed by the Board.

1000	General Fund	\$3,016,023.22
2011	Motor Vehicle License Tax Fund	\$ 12,670.84
2021	Gasoline Tax Fund	\$ 143,874.90
2041	Cemetery Fund	\$ 78,537.22
2111	Fire Fund	\$1,022,762.84
2181	Zoning Fund	\$ 87,744.46
2231	Motor Vehicle Permissive License Tax Fund	\$ 92,261.13
3101	Debt-Note Payable-Hollenback Rd.	\$ 00.00
3102	Debt-Note Payable-Piatt Rd.-Phase II	\$ 00.00
4304	Capital Project-Parks	\$ <u>18,575.00</u>
<b>Total First Amended Certificate</b>		<b>\$4,472,449.61</b>

Second by D’Amico.

Vote: Panzarella yea, Bullard yea and D’Amico yea.

**TOWNSHIP 2008 STATISTICAL INFORMATION**

<b>2007 Property valuation</b>	<b>\$227,326,613.00</b>
<b>2008 Township Budget</b>	<b>\$ 3,790,307.43</b>

Panzarella said, “These are the figures provided but the Board meets in February to take challenges to valuations. There is a specific time for challenges. I know 3% is in there.”

**Miles Township Roads 34.25 mi.**

Cannon told trustees the fiscal office is communicating with the state DOT to adjust the township road mileage to 34.28 based on documentation filed in the office.

<b>Tax Millage Rates</b>	
<b>General Fund</b>	<b>2.10 inside mills</b>
<b>Fire-</b>	<b>2.98 voted mills</b>
<b>Reduction factor</b>	<b><u>2.971751</u> residential &amp; agriculture</b>
<b>Reduction factor</b>	<b><u>2.805288</u> non-residential</b>

<b>Population –</b>	<b>2000 census</b>	<b>3,315</b>
	<b>Current estimate</b>	<b>5,563</b>

<b>Number of meetings held in 2008</b>	<b>29</b>
<b>Organizational</b>	<b>1</b>
<b>Regular</b>	<b>20</b>
<b>Special</b>	<b>6</b>
<b>Emergency</b>	<b>1</b>
<b>End of Year</b>	<b>1</b>

**Record of Proceedings pages 213**

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**Photocopies prepared in 2008**

<b>Administrative</b>	<b>44,400</b>
<b>Fire</b>	<b>15,833</b>

**2009 - Trustee salary allowable \$12,346.00**

(based on law and budget in effect)

**Bullard term ends Dec. 31, 2011**

**2009 - Trustee salary allowable \$12,346.00**

(based on law and budget in effect)

**Panzarella & D'Amico terms end Dec. 31, 2009**

**2009 - Fiscal Officer salary allowable \$21,221.00**

(based on law and budget in effect)

**Cannon term ends Mar. 31, 2010**

**Township checking account-Delaware County Bank & Trust Co.**

**Township investment account-Star Ohio**

**Road Department – Equipment in service**

**1997 International 2 ton dump truck purchased new**

**2002 International 2 ton dump truck purchased new**

**2008 International 2 ton dump truck purchased new**

**1981 Ford tractor w/bucket and mower purchased new**

**2008 John Deere tractor w/front loader and forks, purchased new**

**Fire Department – Equipment in service**

**1995 E-One Engine 392 purchased new**

**2002 Ford F350, 4WD Pickup Truck-Rescue Unit purchased new**

**2005 E-One Engine 391 purchased new**

**2000 Portable boat purchased new (includes trailer)**

**2003 Dodge Durango SUV donated by Delaware County**

**2008 Carolina Skiff boat purchased new (includes trailer)**

**Road condition report last updated December 8, 2008**

**Physical inventory to be taken by all departments 2<sup>nd</sup> Monday, January 2009**

**ORGANIZATIONAL PORTION OF MEETING CONCLUDED**

**Regular Business Items**

**RESOLUTION**

**09-01-31**

**AUTHORIZE PAYMENT OF \$5,786.00 FOR  
2009 DELAWARE COUNTY REGIONAL  
PLANNING MEMBERSHIP DUES @ \$1.04  
PER ESTIMATED CAPITA OF 5,563-  
DELAWARE COUNTY REGIONAL PLANNING**

Fiscal Officer Cannon requested approval for payment of \$5,786.00 for Delaware County Regional Planning membership dues for 2009. Cannon said the dues was based on an estimated population of 5,563 at a rate of \$1.04 per capita. She said this was an increase from the 2008 rate of \$.92.

Motion: Bullard

Second: D'Amico

Vote: Panzarella yea, D'Amico yea and Bullard yea.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 p.m. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**RESOLUTION  
09-01-32**

**AUTHORIZE PAYMENT OF \$2,225.20 FOR  
2009 EMERGENCY MANAGEMENT AGENCY  
ASSESSMENT BASED ON \$.42 PER CAPITA OF  
5,563**

Cannon told trustees the EMA figure was an estimate as the original invoice had not been received by meeting time. Cannon said the invoice would be due soon after receipt.

Motion: Panzarella  
Second: Bullard  
Vote: D'Amico yea, Bullard yea and Panzarella yea.

Assessment based on population estimate of 5,563 at rate of \$.40 per capita.

**RESOLUTION  
09-01-33  
CONTRACT**

**APPROVE 2009 NETWORK SERVICES**

**BEACON DATA SOLUTIONS FOR COMPUTER  
NETWORK MAINTENANCE SERVICES, ANTI-  
VIRUS UPDATES AND NEW FIREWALL-  
ESTIMATE \$3,060.00-ADDITIONAL**

**AUTHORIZED**

**SERVICE AT \$85.00 PER HOUR ANIT-VIRUS  
UPGRADES @\$50.00 PER LICENSE FOR 10  
LICENSES, \$85.00 ANTI-VIRUS FOR  
SERVER/NETWORK EDITION, \$350.00  
SPAMBULLY OR EQUIVALENT LICENSING FOR  
TEN (10) LICENSES**

Motion: Bullard  
Second: Panzarella  
Vote: D'Amico yea, Panzarella yea and Bullard yea.

**RESOLUTION  
09-01-34**

**APPROVE 2009 HEALTH DEPARTMENT  
ASSESSMENT \$9,189.23**

Motion: Panzarella  
Second: Bullard  
Vote: D'Amico yea, Panzarella yea and Bullard yea.

**RESOLUTION  
09-01-35**

**APPROVE 2009 GENERATOR MAINTENANCE  
AGREEMENT \$1,015.00 FOR 3271 CHESHIRE  
RD. & 2708 LACKEY-OLD STATE RD.-W.W.  
WILLIAMS**

Motion: Bullard  
Second: Panzarella  
Vote: D'Amico yea, Bullard yea and Panzarella yea

**FISCAL OFFICER ITEMS**

**HEALTH INSURANCE OPEN ENROLLMENT PERIOD**-Open enrollment for health insurance will be from January 1 to January 31, 2009. Cannon said employees would be notified by letter.

**BERLIN TOWNSHIP TRUSTEES**

**5:40 P.M. 2009 ORGANIZATIONAL MEETING DECEMBER 29, 2008**

**EMPLOYEE CHANGES IN PAYROLL INFORMATION**-Cannon said employees wishing to change any payroll information must submit it to the fiscal officer prior to the next pay date. Records will be changed prior to the next regular pay date after receipt of request by fiscal officer.

**LATE ITEMS**

**SAMPLE RESOLUTION REGARDING ROCKS IN THE ROAD RIGHT-OF-WAY**-Cannon told trustees a sample resolution regarding rocks in the road right-of-way had been received. Cannon suggested trustees might want to discuss it during the joint road meeting scheduled for January 26, 2009. Trustees agreed.

**PUBLIC COMMENTS -**

**ADJOURN**

There being no further business, Panzarella moved to adjourn.

Second: Bullard  
Vote: Bullard yea, D'Amico yea and Panzarella yea.

Meeting adjourned at 9:10 p.m.

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Ronald W. Bullard, Trustee

ATTEST:

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Thomas A. D'Amico, Trustee

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Theresa Cannon, Fiscal Officer

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Philip P. Panzarella, Trustee