

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

March 24,

2008

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

CALL TO ORDER: Phil Panzarella, Trustee Chairman

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Chief Bechstein

ROLL CALL: Phil Panzarella, Ron Bullard and Tom D'Amico.

ATTENDANCE: Mark Gibson and Chief Bill Bechstein

Public Comment: Panzarella reviewed Resolution 05-07-44 which pertains to how public comment is conducted at township meetings. Panzarella asked if anyone wished to make public comment, hearing none he moved on to the next agenda item.

Approval of Minutes

RESOLUTION 08-03-16

MOVE TO APPROVE THE REGULAR MEETING MINUTES FROM March 10, 2008 AND TO DISPENSE WITH THE READING

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

RESOLUTION 08-03-17

MOVE TO APPROVE THE SPECIAL MEETING MINUTES FROM MARCH 20, 2008 AND TO DISPENSE WITH THE READING

Motion: Bullard
Second: Panzarella
Vote: Bullard yes, D'Amico abstain and Panzarella yes

CEMETERY

Bullard said the bucket modifications are almost complete. He said they will be digging a foundation in the future. He said they will track costs to make sure the cost does not exceed what people are paying for. Panzarella said we calculated and out of season poring. He said it was an estimate by the cemetery sexton. Bullard said we will not have to rent a Georgia buggy and have forms to use for the foundation. Bullard said they will also use his post hole digger. He said this is the method Orange Township has been using and they will try it as well. Panzarella said once we keep track of the costs we may have to change our rates.

D'Amico said he received a call from Larry Buell asking that we consider passing a resolution limiting one infant in a grave space. He said currently we have allowed two per grave space. Panzarella suggested a resolution be made at the next meeting. He said that when the cemetery was moved that type of burial became an unwritten rule. He said since the casket is small you really can't tell whether it is at the head or foot. Bullard said we need a motion that makes sense. He said if we were to bury 2 at the same time it may be okay. He said two at different times would not work. He said there are a couple of issues to work out. Bullard said he asked Mike Hart to look into getting a copy of the cemetery rules and regulations for both entrances. He said they could be enlarged and put in vinyl covers. Bullard said Mike Hart had a complaint about the amount of memorials left at graves/memorial sites.

FIRE DEPARTMENT

SCBA CONTRACT AWARD- Panzarella said we received one bid for the SCBA's. Mark Gibson from Fire Safety Services identified himself and said they are from Hudson Ohio. Mr. Gibson said their bid offer was for 14 SCBA, 14 clear command amp, 14 additional face pieces and 1 RIT pack for the cost of \$74,462. Panzarella verified that the package was received on time. Gibson said it was delivered early afternoon on March 10th. Bullard asked assuming we pass a motion how quickly would we have the items. Gibson said

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approximately 4 weeks. Bullard asked if the chief if that would be adequate time. Chief said yes that would be fine.

**RESOLUTION
08-03-18**

MOVE TO APPROVE FIRE SAFETY SERVICES INC. OF HUDSON, Ohio AS CONTRACTOR TO SUPPLY 14 SCBA SYSTEMS TO THE TOWNSHIP FOR THE FIRE DEPARTMENT AT A COST OF \$74,462 AS DESCRIBED IN THEIR BID RETURN PACKAGE RESPONSE DATED 3/10/2008

Motion: Panzarella
Second: Bullard

Discussion: Panzarella verified with the chief that the items going out of service was July. Chief said that was correct. Panzarella said he wanted to verify that we were not receiving any credit for residual items. Gibson said there is not credit. Bullard asked if there was any training that went with the new SCBA's. Gibson said that is included. He said they will have two or three training sessions. He said they will also be fitting for face masks in the very near future. Panzarella said the contract was reviewed by the Prosecutor's office.

Panzarella called for a 5 minute recess to sign the contract.

**RESOLUTION
08-03-19**

MOVE FOR A 5 MINUTE RECESS

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

**RESOLUTION
08-03-20**

MOVE TO COME BACK INTO SESSION

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

Panzarella said that a surety and performance bond should be received within 30 days.

State Certified Fire Instructor- Panzarella said the only individuals that can train are ones that have gone through the training. He said we have already authorized one individual to attend the training. He questioned if we needed another instructor, how do we get one and how much money will it cost. Panzarella said the fire fighters have to have 54 hours of training every 3 years. The chief had commented that with 18 fire fighters working different shifts they don't always turn up at the same training. He said Matt Carey has already completed the course. He said he is a day time worker and a good choice for an additional instructor. He said Steve Arnold works full-time at another station and Carey would make a good addition. Bullard asked how other departments were handling the training. Chief said in January of 2008 the state passed a law requiring fire fighters to register, be certified and continue training. He said this is really stepping up the quality of service. Bechstein said most departments are doing self training. Bullard asked if we were training in coordination with other fire departments. He asked if we could do some mutual training. Chief said we have already started that. He said we receive information from other departments and interact. Bullard asked about exchanging instructors. Panzarella said we discussed hiring a training individual and were told it was \$50 per hour. He said if we use our people the training will be tailored to our equipment. He said he was suggesting a one time payment for the training. Bullard asked if there was any assurance after making the investment that we get what we pay for. Bechstein said you are never assured of that. He said he did sit them down and talked to them about what Berlin Township would be getting.

**RESOLUTION
08-03-21**

MOVE TO APPROVE \$500 AS A ONE TIME PAYMENT FOR MATTHEW CAREY TO PROVIDE STATE REQUIRED FIREFIGHTER CERTIFICATION TRAINING OT THE BERLIN TOWNSHIP FIRE DEPARTMENT PERSONNEL AS SCHEDULED BY CHIEF BECHSTEIN. MONEY TO BE PAID UPON PRESENTATION TO THE FISCAL OFFICER THE

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STATE CERTIFICATION CERTIFICATE AND THE REQUIRED SUPPLIER FORMS

Motion: Panzarella

Second: Bullard

Discussion: Bullard asked what we were paying for. D'Amico pointed out 3 training classes at 3 hours each would be \$450.

Vote: Bullard yes, D'Amico yes, Panzarella yes

Requisitions

RESOLUTION

08-03-22

APPROVE \$735 TO HOWELL RESCUE SYSTEMS, INC FOR MAINTENANCE SERVICE FOR HYDRAULIC RESCUE TOOLS

Motion: Bullard

Second: D'Amico

Discussion: Panzarella said this would be for Engine 391 and Grass 391

Vote: Panzarella yes, Bullard yes and D'Amico yes

RESOLUTION

08-03-23

APPROVE \$76.20 TO POLLARD WATER, INC. FOR 10 DISKS TO BE PLACED ON HYDRANTS THAT ARE NOT OPERATIONAL

Motion: Bullard

Second: D'Amico

Vote: D'Amico yes, Panzarella yes and Bullard yes

Leave- Panzarella said the chief has put in for some leave time. He said the station will be covered.

Alum Creek Lake- Bechstein said the State has done some serious cut backs with the Park's budget and the law enforcement on the lake, lifeguards and the division of watercraft has all taken a crunch. He said the main responsibility of the lake is theirs. He said there will be one less boat on the lake. Bullard questioned if this would make a difference. He said we did not patrol the lake we just responded to emergencies. Chief said with no one patrolling they would definitely get more calls. Bullard said it seems like the State is shifting responsibilities. Panzarella said the chief can produce where it is our responsibility. He said if we don't provide emergency personnel we could be sued. He said he wanted to introduce to the board what was going to be happening. He said the chief will be back at another meeting with a recommendation. Bullard asked if we could track calls to the park. The chief said the state does not care because it is our jurisdiction. He said he does not think they will ever get out of this. Panzarella noted the boat the fire department currently has can only hold one rescued person.

Monthly Report- Bullard asked if they could track fire hydrants in the monthly report. Chief said they check them twice a year and they track that in another program.

8:00 TIME CERTAIN – BZC 08-001 REVISION OF CERTAIN TEXTUAL PROVISIONS CONTAINED IN ARTICLES X THRU XX

Panzarella opened the hearing for BZC 08-001. Panzarella said because of a mix up with the advertising in the Delaware Gazette our paper of record we will not have discussions on the hearing tonight but will continue it until April 14, 2008. He said this will give us additional time to execute the publication so we are in compliance.

RESOLUTION

08-03-24

MOVE TO CONTINUE BZC 08-001 TO APRIL 14, 2008 TIME CERTAIN 8:00 P.M.

Motion: Bullard

Second: Panzarella

Discussion: Panzarella said he heard from a former board member that the lumping of all the articles may not be a good idea. He said if they were a referendum it would open all items. He said we should ask the BZC to reconsider how they are putting motions up to the

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board. D’Amico agreed and said it was not a good idea. Bullard suggested that the BZC seek legal counsel. D’Amico said he would talk with Rick Sedlacek.

Vote: Bullard yes, D’Amico yes and Panzarella yes

**ROAD DEPTMENT
Requisitions**

**RESOLUTION
08-03-25**

**MOVE TO APPROVE REQUISITION 0803003 FOR \$178.30
TO DEXTER COMPANY FOR REPAIRS TO ARM MOWER**

Motion: Bullard

Second: D’Amico

Vote: Panzarella yes, Bullard yes and D’Amico yes,

**RESOLUTION
08-03-26**

**MOVE TO APPROVE REQUISITION 0803002 FOR \$802.69
TO CENTER CITY INTERNATIONAL FOR OIL PAN,
MUFFLER AND PART TO INSTALL FOR 2002
INTERNATIONAL**

Motion: Bullard

Second: D’Amico

Discussion: Panzarella noted that 20% was not included. Bullard said that it should be okay.

Vote: D’Amico yes, Panzarella yes and Bullard yes

Flooding- Bullard said there was some flooding on Peachblow Road. He said he talked with Pat Blaney from the engineer’s office and some pictures were taken. He said we need to figure out why it is flooding.

3B’s & K Rd. – Bullard said Andy Kerr who is with Olentangy Schools made the driveway repairs on 3B’s & K. He said that it really looked good.

5th Bay- Bullard reported that the new truck has been cleaned and after having a couple warranty items looked at it will be parked at the fire station in the fifth bay for the summer. Panzarella asked if the 5th bay was working out. Bullard said yes, very well. Panzarella said it looks like very little salt damage was done this winter. He said linseed oil was put on the pavement and will have to be done every year. Bullard said they can move the truck when that happens.

OPWC- Panzarella said he received a letter from Linda Bailiff from OPWC regarding our request for grant money. He said it was forwarded on and they recommend we consider sending some more substantial evidence in. He suggested we take her advice and do whatever we have to.

Spring Road Inspection- Panzarella said in the past we have inspected the roads as a group. He suggested this spring we designate one trustee to review the roads. He recommended Ron Bullard, Road Liaison, to review the roads with whoever he thinks would be beneficial in giving advice regarding the roads. Panzarella said in the future we may want to consider designating a spring and fall date for road inspections at our organizational meeting. Bullard said he did not have a problem with that.

Ditch Projects- Bullard said for the 2008 ditch projects we have included Piatt Rd., Sherman Road and 3B’s and K Road. He said Rodger Glenn will be giving us estimates. Panzarella questioned if Roloson should be added to the list. He said he thought we were going to extend the pipe. Bullard said the recommendation we got was that we did not have to do anything but if we wanted to we could extend the pipe. Panzarella said he has talked with Hart and Blaney about the edges of the road that are broken down on 3B’s & K. He said his concern is when they bring the heavy trucks in they will tear up the road. He said in the last few years the township has spent he thinks between \$80,000 and \$100,000 on 3B’s & K. Panzarella said if the County Engineer is authorizing heavy trucks on the road they should require a bond for road repair. Bullard said he has a meeting next week with Andy Kerr and Pat Blaney and he will discuss this.

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TRUSTEE ITEMS

Newsletter- Bullard said a copy of the newsletter is on the table to be reviewed. He asked if there were any comments to add them. He said they would like to get the newsletter to the printers by the end of the week.

Sports Field Architect Selection- Panzarella said we have advertised for a couple of things, a design for a 4 acre, 8 acre and 16 acre location. He said we were thinking some other properties may be acquired in the township. Panzarella asked that the board make an architect selection. Bullard said he would be working with Rick Sedlacek this week and would like to give a recommendation at the next meeting. Panzarella said they have been delaying a recommendation for a while. He said the advertisement stated the amount of money should be less than or equal to a certain amount. He said the architect selection should be made on qualifications not costs.

ZONING DEPARTMENT

Panzarella said the training location has been changed to 2708 Lackey Old State, the fire station. He suggested this be posted on the bulletin boards and web site. Panzarella said there should be a \$50 stipend for new employees. D'Amico said he believes everyone on board has had the training. He agreed that only the new appointees and alternates and zoning clerk should be paid. Bullard questioned if someone went to the prosecutors training would we pay them. He said even if they pick up one thing it is beneficial. Panzarella said he looks at it differently. He said everyone has been base lined. Bullard said he thought the prosecutors meeting set a precedent. Panzarella said he is confident with only the new people being paid. D'Amico said there were some meetings that we were continually paid for. He said this is different because we are getting everyone base lined.

RESOLUTION

08-03-27

APPROVE A \$50 STIPEND PER PERSON FOR ALL NEWLY APPOINTED BZC AND BZA MEMBERS AND THE ZONING CLERK FOR TRAINING TO BE HELD AT THE NEW FIRE STATION LOCATED AT 2708 LACKEY OLD STATE RD.

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

Panzarella said we have clean copies of the BZC and BZA training materials and suggested copies be made for new employees. He said they should be distributed before the course so they can be reviewed before class. Panzarella suggested 10 copies of each. Bullard asked what if we have 10 people from the public show up. He suggested we make one for every board member. Bullard suggested making 25 copies. Copies will be mailed out at least one week before the April 7th meeting.

Resignations were received from Allen Wharton and Lori Moore.

RESOLUTION

08-03-28

MOVE TO ACCEPT THE RESIGNATION OF LORI MOORE FROM THE BZA

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

RESOLUTION

08-03-29

MOTION TO ACCEPT THE RESIGNATION OF ALLEN WHARTON FROM THE BZA

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

Future Meetings- Cannon said the Delaware County Engineer meeting is scheduled for April 3, 2008 at 6:30 p.m.

LATE ITEMS

EMS Agreement- Panzarella said the EMS agreement is at the County Prosecutor's office. He said we should have a contract in about 2 weeks.

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Winter Snow Plow Damage- Panzarella said some damage was reported on Curve Road. He asked who would ascertain the damage and costs. Bullard said he and Mike Hart would. D’Amico asked about the mailboxes in Meadows of Cheshire. Panzarella said we suggested that e HOA be notified and asked to inspect and repair if necessary. Bullard said they are repairing a box from Meadow Knoll. He said the road department has put together 5 temporary mailboxes in the event that one would be damaged. He said it consists of 5 purchased mail boxes on a post in a bucket of cement. Panzarella said the subdivisions without curb and gutter have also had some winter damage. He said it is difficult for the drivers because they can not see where the road ends. He suggest small reflective rods be used. He said something will have to be done before the next snow season. Bullard said we need to send a letter to Regional Planning indicating if we want all new subdivisions to have curb and gutter. He said he could draft a letter for the next meeting.

Job Descriptions- Panzarella said we have established job descriptions for the fire department and suggested we use the same format for the zoning and road departments for the personnel handbook. Panzarella said he would talk with the road crew. D’Amico to do the zoning department.

High Speed Internet- Panzarella said he found out some information from Insight and has forwarded it on to the other Trustees. He said that Insight said if they have an address they can give us the status of when they will have service. He said there are currently 2200 houses covered. He said in the next 6 months, 90% of the township should be covered. Bullard said he has heard with the 548 and 549 extensions things are covered. He said the 36 exchanges have not been modernized enough. Bullard said the 36/37 interchange area is using T1 mobile which is very expensive.

Zoning Inspector- D’Amico said he brought up the zoning inspector hours a few months ago.

**RESOLUTION
08-03-30**

**MOVE TO GO INTO EXECUTIVE SESSION FOR THE
PURPOSE OF DISCUSSING PERSONNEL ISSUES**

Motion: D’Amico
Second: Panzarella
Vote: Bullard yes, Panzarella yes and D’Amico yes

**RESOLUTION
08-03-31**

MOVE TO COME BACK INTO REGULAR SESSION

Motion: Bullard
Second: D’Amico
Vote: Panzarella yes, Bullard yes and D’Amico yes
Panzarella said while in executive session we looked at hours for township offices and at this time we have come to no decisions.

Bullard said he placed a copy of a letter to the County Commissioners regarding Outdoor Emergency Warning Systems to be implemented. He said Trustees from several townships attended a meeting and Cotter from Genoa Township drafted the request to the Commissioners for all to sign. Bullard said we do not have regulation in place for Sexually Oriented Businesses (SOB). He said Janice from the Prosecutor’s office has been working on this and said we need to get legally protected. Panzarella suggested having her come to a meeting in May. Bullard said we also need to look at windmills at a zoning perspective. Bullard said Liberty Township has been trying to do some things with sexual predators and suggested they take the lead on this as well. D’Amico asked if there was or could be a limit for road side memorials in the right-of-way. Trustees to follow up with the prosecutor’s office regarding such memorials.

**RESOLUTION
08-03-32**

MOTION TO ADJOURN

Motion: Bullard
Second: D’Amico
Vote: Panzarella yes, D’Amico yes and Bullard yes

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Meeting adjourned by Chairman Panzarella at 9:35 p.m.

Phil Panzarella, Trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon
Fiscal Officer

Tom D'Amico, Trustee