

**BERLIN TOWNSHIP TRUSTEES**

**5:00 p.m.**

**Year End Meeting**

**December 29, 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 Judy Shumway

**ROLL CALL:** Phil Panzarella, Ron Bullard, and Theresa Cannon, Fiscal Officer. Tom D'Amico absent.

**ATTENDANCE:** Candace Preston-Coy, ThisWeek Community Newspaper

Panzarella referred to Resolution 05-07-44 regarding rules with public comment posted on the back of agenda sheets. He asked if anyone wished to make public comment. Hearing no request trustees moved on to the next agenda item.

**RESOLUTION  
08-12-25** **MOVE TO APPROVE THE REGULAR MEETING MINUTES FROM 12/08/2008 AND TO DISPENSE WITH THE READING**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yes and Bullard yes

**RESOLUTION  
08-12-26** **MOVE TO APPROVE THE SPECIAL MEETING MINUTES FROM 12/11/2008 AND TO DISPENSE WITH THE READING**

Motion: Bullard  
Second: Panzarella  
Vote: Bullard yes and Panzarella yes

**RESOLUTION  
08-12-27** **MOVE TO APPROVE THE EMERGENCY MEETING MINUTES FROM 12/23/2008 AND TO DISPENSE WITH THE READING**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella abstain and Bullard yes

**Fiscal Officer**  
Cannon submitted the following for approval to pay.

**RESOLUTION  
08-12-28** **MOVE TO APPROVE PAYMENT OF \$1931.00 TO PRORISK SOLUTIONS, INC. FOR ACCIDENT COVERAGE FOR THE FIRE DEPARTMENT EMPLOYEES**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yes, Panzarella yes

**RESOLUTION  
08-12-29** **MOVE TO APPROVE PAYMENT OF \$18,578 TO OTARMA FOR CAPITAL AND LIABILITY INSURANCE FOR THE TOWNSHIP**

Motion: Panzarella  
Second: Bullard  
Vote: Panzarella yes and Bullard yes

**RESOLUTION  
08-12-30** **MOVE TO APPROVE \$300 TO THE DELAWARE COUNTY TOWNSHIP ASSOCIATION FOR DUES – TRUSTEES AND FISCAL OFFICER**

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Motion: Panzarella  
Second: Bullard  
Vote: Bullard yes and Panzarella yes

Health Insurance Benefits- Panzarella reported that they have checked several insurance carriers including Anthem, Medical Mutual and Star Mark. He said they were all compared to our current policy and taken into consideration. Panzarella commented that if we stayed with our current plan there would be an increase of 30% and that was the main reason other plans were being considered. Bullard said the Option 3 through Anthem would save a significant amount of money. He said the big change is the deductible but noted the out of pocket amount stays the same. Panzarella said he was looking at Alternative 3 as a viable option. He said with this option the employees contributions would not have to be increased. He said it does include prescriptions. He said the co-insurance was 90/10 and now with the Anthem Alternative 3 it is 100%

**RESOLUTION  
08-12-31**

**MOVE TO ACCEPT ANTHEM PPO ALTERNATIVE 3 AS THE  
HEALTHCARE PROVIDER FOR BERLIN TOWNSHIP FOR  
2009**

Motion: Panzarella  
Second: Bullard  
Comment: Panzarella commented that he voted for the start of a health plan for the township and since he is still in office he is not eligible for the insurance.  
Vote: Bullard yes and Panzarella yes

**CEMETERY**

No information to report.

**FIRE DEPARTMENT**

Panzarella reported that a fire report has been distributed for runs through mid December. He said there have been a total of 266 runs approximately half are fire and the other half EMS. Panzarella said the 24/7 EMS stationed at the fire station is coverage from the County. Panzarella said there are about 12 fires per year in the Township.

**ROAD DEPARTMENT**

Bullard reported approximately 71 tons of salt or 1/5<sup>th</sup> of our supply has been used this winter. He said wetting the salt is working quicker and is staying on the road. He said so far it is a cost savings of 20%. Bullard said ODOT has salt available for \$75.00 per ton if you take delivery by February 1<sup>st</sup> and use your own truck. He said the county engineer who committed to 200 tons of salt has said this is not a hard number. He asked if we should continue as we are or try to obtain some salt from ODOT. Panzarella said we still have approximately 270 tons of salt from last year that cost \$48.00 per ton stored in our storage shed we built in 2006 for this purpose. Panzarella said he did not think we should pursue purchasing any more salt. Panzarella questioned Bullard if he has received a letter from the road superintendent regarding why we did not do any crack sealing in 2008. He said he has not seen a letter. Bullard said he has not.

**TRUSTEE**

Panzarella asked Rinehart to review what has happened with the annexations from Dominion Homes.

**RESOLUTION  
08-12-32**

**RECESS INTO EXECUTIVE SESSION FOR PENDING LEGAL  
ACTIONS- FOR NO LONGER THAN 5 MINUTES**

Motion: Panzarella  
Second: Bullard  
Vote: Panzarella yes and Bullard yes

**RESOLUTION  
08-12-33**

**RECONVENE TO REGULAR SESSION**

Motion: Panzarella  
Second: Bullard

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Discussion: Panzarella said we did go into executive session for legal discussion regarding annexation. No action or decisions were made. Panzarella asked Chris Rinehart the Township’s attorney to give a synopsis of action we have taken against the annexations. Rinehart said he is representing the Township for 3 petitions for annexation by Dominion Homes given to the Township around November 21<sup>st</sup>. He said the County Commissioners heard the petition on December 22<sup>nd</sup> and voted to approve the annexation. The Township Trustees then met in emergency session on the 23<sup>rd</sup> to take legal action against the County Commissioners. On 12/26 I filed a Temporary Restraining Order or a complaint and mandamus injunction (709.331 ORC) on the Trustees behalf. He said on December 29<sup>th</sup> Judge Krueger granted the temporary restraining order which has a 14 day time frame. He said I will have to meet with the County Prosecutor in that time frame. Rinehart said that a 14 day extension could be granted on account of new commissioners taking office. He said he would talk with Bill Owen from the Prosecutors office. Bullard asked if he would need anything from them before our next meeting which is scheduled January 12<sup>th</sup>. Rinehart said he did not believe so.

Vote: Panzarella yes and Bullard yes

**ZONING DEPARTMENT**

No information to report.

**FUTURE MEETINGS**

Organizational Meeting will immediately follow this meeting.

**LATE ITEMS**

No information to report.

**RESOLUTION**

**08-12-34**

**MOTION TO ADJOURN**

Motion: Bullard

Second: Panzarella

Discussion: Panzarella said he appreciates the support he received from the other Trustees and Fiscal Office when he was Chairman this year.

Vote: Panzarella yes and Bullard yes

Meeting adjourned by Chairman Panzarella at 5:35 p.m.

\_\_\_\_\_  
Phil Panzarella, trustee

ATTEST:

\_\_\_\_\_  
Ron Bullard, Trustee

**ABSENT**

\_\_\_\_\_  
Theresa Cannon  
Fiscal Officer

\_\_\_\_\_  
Tom D’Amico, Trustee