

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

May 27, 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 Bill Bechstein.

ROLL CALL: Phil Panzarella, Ron Bullard and Tom D’Amico. In the absence of Fiscal Officer Theresa Cannon, Judy Shumway was named by Cannon to record the proceedings of the meeting.

ATTENDANCE: Mary Bechstein; Bill Bechstein, fire chief; Rodger Glenn, Glenn Excavating; Larry Buell, cemetery sexton; Sandy and Kurt J. Nienkirchen; and Doug Grote.

Public Comment: Panzarella reviewed the adopted rules for public comment, Resolution 05-07-44. He asked if anyone wished to make public comment.

Comments regarding Piatt Road: Rodger Glenn began by complimenting the township for the good appearance of the cemetery on Memorial Day.

Glenn next said he felt it was necessary for trustees to contact residents on Piatt Road prior to flags being placed for ditch and berm work. Panzarella stated he had attended a meeting at the county engineer’s office during the day and paving of township roads was set to begin on June 4th. Glenn’s concerns were not addressed.

Comments regarding cemetery mowing: Cemetery sexton Larry Buell said he would like to thank Stewcare, Inc. for all their extra mowing efforts to make the cemetery look good for Memorial Day. Buell said trustees should send an acknowledgement letter to Stewcare.

Panzarella said he wholeheartedly agreed. Panzarella said trustees met with Stewcare at the previous meeting to discuss the cemetery condition. Panzarella said a letter should be sent by Trustee D’Amico and there should also be a follow-up phone call. Panzarella said he received one complaint regarding the repair of a marker foundation because concrete splashings were left on the ground. The complainant was not named.

APPROVE MINUTES

**RESOLUTION
08-05-20**

**DISPENSE WITH READING AND APPROVE MINUTES OF
REGULAR MEETING MAY 12, 2008**

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

CEMETERY

It was stated the cemetery was in good condition on Memorial Day.

DISCUSSION-STORAGE BUILDING: D’Amico stated he met with Buell to discuss the need for a cemetery storage building. D’Amico said two sizes had been discussed; 10 ft. x 14 ft. and 10 ft. x 12 ft. Any building would need to be 6 ft. at the eaves. The building would be used to store foundation forms and miscellaneous cemetery items. D’Amico said a building kit could be purchased or a pre-constructed building. D’Amico said it was suggested the building be located at a northwest location in the rear of the cemetery.

Panzarella suggested D’Amico get a proposal to the board with detailed information.

Bullard questioned security and transportability as well as what uses the building would have.

Buell said the need was for a portable building set on gravel.

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D’Amico commented the current storage building behind the township house was 8 ft. x 8 ft.

Buell said with a storage building it would eliminate the accumulation of items behind the building.

DISCUSSION-UTILITY VEHICLE FOR CEMETERY: D’Amico said the need for a cemetery utility vehicle had been discussed with both Buell and Brodi Irwin. He said the vehicle could have many uses for both the cemetery and road departments. D’Amico said Buell had provided a cost estimate of \$10,081.20 for a John Deere Gator with a diesel engine which was the state bid price. No state bid contract number was provided. D’Amico said the regular price would be \$12,841.00.

Panzarella questioned, “Why can’t the golf cart be used?” Buell said the golf cart can only operate at full speed or nothing. Buell said he had needed to transport a handicapped person to a grave site during a funeral gathering and speed could not be controlled making the transport very dangerous. Buell said the golf cart was outdated and not of good service to the cemetery and it should be replaced.

Panzarella said, “I’m looking for a ‘not usable’ reason as it’s dangerous or something.” Panzarella addressed D’Amico saying, “It needs to come back later.”

Bullard said he was hearing the golf cart was unreliable and there were safety issues.

Panzarella said, “I want to hear it from those using it.”

Bullard said there were other uses for a utility vehicle other than cemetery; it could be a multi-purpose vehicle. Buell said pricing included backup signal, lights and directional signals. Buell said this would allow the vehicle to be driven on the road and possibly used on special projects in subdivisions.

Trustees took no action on information presented. Panzarella said, “Have something at the next meeting.”

UPDATE-CEMETERY RECORD STATUS: Shumway reported the first phase of the computer data was 100% complete. She told trustees input for grave occupants was approximately 50% complete and the veteran’s list was 100% complete.

Bullard commented about reading a newspaper article regarding theft of brass flag holders used on veteran’s graves. Bullard questioned if it was a problem in the Cheshire Cemetery. It was stated there was no known problem.

FIRE DEPARTMENT

COMMENT BY PANZARELLA: Panzarella stated a firefighter had requested leave time and the work schedule had been covered. The firefighter was not named.

DISCUSSION-COUNTY EMS AGREEMENT: Panzarella said trustees had received an approved EMS Lease Agreement from the county commissioners dated May 22, 2008 which needed to be accepted and approved by the trustees. He said the 10 year agreement was for \$14,000 paid annually for space used by the county medic squad housed in the Berlin Township Firehouse at 2708 Lackey Old State Rd. and was to be effective January 1, 2008. Panzarella said the agreement included verbiage addressing any substantial increases in utility costs could be re-negotiated if the increase was 5% or greater. It should be noted the agreement did not include a signed Certification of Funds Available to meet the obligation of the agreement.

**RESOLUTION
08-05-21**

ACCEPT AND APPROVE 10 YR. LEASE AGREEMENT BETWEEN DELAWARE COUNTY COMMISSIONERS FOR EMS AND BERLIN TOWNSHIP FACILITY LOCATED AT 2708 LACKEY OLD STATE ROAD WITH AMOUNT TO BE \$14,000 PAYABLE ANNUALLY AND MADE RETRO ACTIVE TO JANUARY 1, 2008

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

PART-TIME FIREFIGHTER POSITION: A draft advertisement for firefighter position was presented. The ad was said to be very lengthy and probably not cost effective. Panzarella said the ad should be edited by the fiscal officer then placed in the newspaper.

FIRE REQUISITIONS PRESENTED

SCBA TESTING: Bechstein said old cylinders owned by the fire department had approximately 2 yrs. of service left. The requisition is to cover old cylinder testing.

RESOLUTION

08-05-22 APPROVE REQUISITION 2008-05-02 AMOUNT OF \$547.20 FOR PURCHASE OF HYDROSTATIC TESTING OF ELEVEN (11) SCBA CYLINDERS AND SIX (6) SCBA MASK BAGS-FIRE SAFETY SERVICES, INC.

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

FIREHOUSE SOFTWARE: Bechstein said the software was needed for reporting required by the state. Bullard said he had concerns that the state was not providing the software if they were requiring its use in reporting. Bechstein said the state doesn't require the use of the software, only the reporting of fire information. Bechstein said the software has been used for years and the payment is for the annual support renewal. He said other software is available but most are at the same cost. Bullard said, "The state wastes money." Panzarella said, "The state requires the information."

RESOLUTION

08-05-23 APPROVE REQUISITION 2008-05-03 AMOUNT OF \$625.00 FOR RENEWAL OF FIREHOUSE SOFTWARE SUPPORT AGREEMENT-ACS FIREHOUSE SOFTWARE

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

UNIFORMS-SCOTT STEWART: Bechstein said the requisition was for uniform items for Scott Stewart.

RESOLUTION

08-05-24 APPROVE REQUISITION 2008-05-04 AMOUNT OF \$218.16 FOR UNIFORM PANTS AND SHIRTS FOR SCOTT STEWART-PHOENIX FIRE SERVICE SYSTEMS, INC.

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

Shumway questioned receipt of an invoice from Phoenix Safety Outfitters for \$1,185.18. Bechstein said the requisitions to support the invoice had been approved at previous meetings.

DISCUSSION-ADDITIONAL ITEMS REQUESTED FOR BOAT: Panzarella said a list of items, along with prices, needed for the boat had been submitted by the fire chief. Panzarella said he had asked the chief to prepare the list which totaled \$3,167.75 from four sources. Panzarella said specific requisitions would be needed for each source. An additional requisition for a speaker/siren kit, amount of \$263.97, was withdrawn by Panzarella.

Chief Bechstein told trustees he also wanted to include a weather radar unit which would be installed on the rescue boat at a cost of \$1,899. He said there was a lot of fog on the lake

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and with the radar obstacles could be seen in the dark or bad weather. He also said the unit had GPS capabilities.

Panzarella questioned if the chief was recommending purchase of the unit now. Bechstein said it should be purchased now or the boat would have to be rewired later at an additional cost. Panzarella questioned when the boat would arrive. Bechstein said he had spoken with Dutch Harbor and they advised the purchase agreement had been sent and that 50% of the cost would need to be paid up front. Bechstein said Dutch Harbor had ordered the boat on May 27th because there is to be an increase in price. Panzarella questioned if there was a week to ten day turnaround. Bechstein said, "That depends on Theresa and the paperwork." Bechstein said, "The dealer said they could get it in five to six weeks."

Panzarella told Bechstein to come to the next meeting with five separate requisitions. Panzarella said, "It looks like the cost will be \$5,100 not \$3,700."

Bullard questioned the handling of gasoline for the boat. Bechstein said he'd like to check at the marina for their policy on fueling. Bullard questioned if there had been planning for gasoline storage. Bullard said he was looking at two or three items using gasoline.

Panzarella said at the next meeting they would outfit the boat. Requisition 2008-05-05 was withdrawn.

READING OF PROPOSED RESOLUTION: Panzarella read a proposed resolution regarding fire loss/demolition as prepared by the Delaware County Prosecutor's office. After reading the resolution, Panzarella ask other board members to attest to the resolution read.

**RESOLUTION
08-05-25**

FIRE LOSS AND DEMOLITION RESOLUTION

A RESOLUTION TO AUTHORIZE AND IMPLEMENT THE PROVISIONS OF OHIO REVISED CODE §3929.86 RELATED TO PAYMENT TO THE TOWNSHIP OF A PORTION OF INSURED FIRE LOSS CLAIMS AS SURETY FOR THE REMOVAL, REPAIR, OR SECURING OF BUILDINGS OR OTHER STRUCTURES DAMAGED BY FIRE

WHEREAS, it is in the best interest of Berlin Township, Delaware County, Ohio to deter the commission of arson and related crime, to discourage the abandonment of fire damaged property and to prevent urban blight and deterioration; and

WHEREAS, O.R.C. §3929.86 sets forth certain procedures and processes related to fire loss claims incident to privately owned structures; and

WHEREAS, O.R.C. §3929.86 authorizes a board of township trustees to accept security payments and compensation under certain identified circumstances to ensure that the total cost of removing, repairing, or securing improvements damaged by fire is defrayed without public expense; and

WHEREAS, O.R.C. §3929.86(C) provides that the provisions for security payments and compensation under Section 3929.86 are available only to townships that have duly adopted a resolution authorizing the procedures described in divisions (C) and (D) of said enactment, which resolution must also designate an officer of the township who is authorized to carry out duties under code section: and

WHEREAS, O.R.C. §3929.86 (C) requires the township to file a certified copy of this resolution for public record with the superintendent of insurance and further states that the provisions of the code section apply only to fire losses that occur after the filing of the certified copy.

WHEREAS, as a means to recover and/or secure payment of costs and expenses incurred by the township in removing, repairing, or securing buildings or other structures in the township damaged by fire, the board of trustees may accept payments and follow the procedures set forth in divisions (C) and (D) of Section 3929.86 of the Ohio Revised Code, whenever:

- 1) a policy(ies) of insurance is/are in force providing coverage against peril of fire on a building or structure, and

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- 2) the loss agreed to between the named insured(s) and the insurance company(ies) is more than five thousand dollars (\$5,000.00) and equals or exceeds sixty percent (60%) of the aggregate limits of liability on all fire policies covering the building or structure on the property; and,

WHEREAS, O.R.C. §3929.86(C) requires the transfer of proceeds to be on a pro rata basis by all companies insuring the building or other structure; and

WHEREAS, O.R.C. §3929.86(C) also allows the named insured or insureds to submit a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure after the transfer, which requires the designated township officer to return the amount of the fund in excess of the estimate to the named insured or insureds, provided that the township has not commenced to remove, repair, or secure the building or other structure; and

WHEREAS, O.R.C. §3929.86(D) directs that upon receipt of proceeds by the township as authorized by this section the designated officer shall place the proceeds in a separate fund to be used solely as security against the total cost of removing, repairing, or securing incurred by the municipal corporation or township pursuant to Section 505.86 of the Revised Code.

WHEREAS, O.R.C. §3929.86(D) requires that when transferring the funds as required in division (C) of O.R.C. this section, an insurance company shall provide the township with the name and address of the named, insured or insureds, whereupon the township shall contact the named insured or insureds, certify that the proceeds have been received by the township, and notify them that the following procedures will be followed:

- 1) The fund shall be returned to the named insured or insureds when repairs, removal, or securing of the building or other structure have been completed and the required proof has been received by the designated officer, if the township has not incurred any costs for the repairs, removal, or securing. However, the fund shall be returned to the named insured or insureds no later than sixty (60) days after the designated officer receives the required proof; or
- 2) If the township has incurred any costs for repairs, removal, or securing of the building or other structure, the costs shall be paid from the fund, and if excess funds remain, the township shall transfer, no later than sixty (60) days after all such costs have been paid, the remaining funds to the named insured or insureds.
- 3) Nothing in this resolution shall be construed to limit the ability of the township to recover any deficiency under Section 505.86 of the Revised Code.
- 4) Nothing in this resolution shall be construed to prohibit the township and the named insured or insureds from entering into an agreement that permits the transfer of funds to the named insured or insureds if some other reasonable disposition of the damaged property has been negotiated.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TOWNSHIP TRUSTEES FOR BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO AS FOLLOWS:

SECTION 1.

The Board of Trustees of Berlin Township, Delaware County, Ohio authorizes the procedure described in divisions (C) and (D) of Section 3929.86 of the Ohio Revised Code to be implemented as it currently exists, and as it may hereafter from time to time be amended by the Ohio General Assembly, whereby no insurance company doing business in the State of Ohio shall pay a claim of a named insured for fire damage to a structure located in Berlin Township, Delaware County, Ohio unless the applicable provisions of O.R.C. §3929.86 are fully complied with; and

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SECTION 2.

The Board of Trustees of Berlin Township, Delaware County, Ohio hereby designate the Fiscal Officer of this township as the officer to carry out the duties imposed by this Resolution and O.R.C. §3929.86; and

SECTION 3.

The current Fiscal Officer as of the date of adoption of this Resolution is Theresa Cannon, who is hereby authorized and instructed to file a certified copy of this Resolution with the Superintendent of Insurance for the State of Ohio at the following address:

Superintendent
Ohio Department of Insurance
Attn: Property/Casualty Division
Third Floor – Suite 300
50 W. Town Street
Columbus, OH 43215

SECTION 4.

This Resolution shall be effective immediately upon adoption, and shall apply to fire losses occurring after the date a certified copy of this Resolution is filed with the Superintendent of Insurance for the State of Ohio.

Voting on this Resolution was made this 27th day of May, 2008.

BOARD OF TRUSTEES FOR BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO.

By:

Motion by: Mr. Panzarella

Second: Mr. Bullard

Approved:

Thomas A. D’Amico, Trustee

Philip P. Panzarella, Trustee

Ronald W. Bullard, Trustee

FISCAL OFFICER

UPDATE-CEMETERY RESOLUTIONS: The fiscal office requested whether D’Amico had received approval from the prosecutor’s office for proposed cemetery resolutions. Panzarella said D’Amico would forward resolutions to him (Panzarella) before forwarding to the prosecutor. Panzarella said there were several issues i.e. out-of-season pours, resale of lots, and other issues.

2009 PROPOSED TOWNSHIP BUDGET : Shumway said trustees had been notified in late March of the need to prepare a 2009 budget and all had been provided with monthly financial reports to assist in their preparation of the budget. Shumway reported not all 2009 Proposed Budget information had been received in the fiscal office as of the May 19th due date. Panzarella said he submitted the fire department budget as well as a five year plan. Panzarella said he was looking for someone to sit down with persons in each department to assist in preparation of the road, zoning and cemetery budgets. He said the fiscal officer could authorize someone to assist with that process. Bullard commented he was in favor of that.

Shumway advised a budget hearing date and time would need to be established and the complete budget must be available for public inspection two weeks prior to the hearing date. Trustees were told the deadline for filing the budget with the county auditor’s office is July 20th. Shumway told trustees that non-compliance with the May 19th due date was making it impossible for the fiscal officer to have timely information for preparation of the budget which must be displayed two weeks prior to the budget hearing.

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RESOLUTION

08-05-26

ESTABLISH BUDGET HEARING DATE AND TIME TO BE JULY 14, 2008 AT 7:15 P.M. DURING THE REGULAR TRUSTEE MEETING AT THE BERLIN TOWNSHIP HOUSE

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

RECESS OF FIVE (5) MINUTES CALLED BY TRUSTEE CHAIRMAN PANZARELLA AT 7:55 P.M.

MEETING RECONVENED BY TRUSTEE CHAIRMAN PANZARELLA AT 8:00 P.M.

8:00 P.M.-PUBLIC HEARING-BZC #08-003 ZONING TEXT AMENDMENTS

Panzarella stated the hearing was to consider text amendments to the Berlin Township Zoning Resolution. Panzarella asked if the hearing had been properly advertised. Shumway responded it had. Panzarella then asked if there were any exhibits to be added. Shumway stated the proof of publication for the hearing should be added as exhibit #6.

Panzarella said the changes covered a lot of areas and one is signage, both permanent and temporary signage. Panzarella said signs for small businesses were not covered. Bullard made reference to Section 22.02B. Panzarella said he had two section B's. Panzarella said he was confused. Bullard admitted it was confusing. D'Amico questioned when the zoning inspector began allowing temporary signs. Panzarella questioned signs for sale of products. D'Amico said signs for firewood were in violation. Panzarella said the current proposed text would remove the violation. Panzarella said, "No small businesses are covered here."

Panzarella then asked invited audience members if they had any public comment. First to speak was Sandy Nienkirchen who stated there was a need for temporary signs to allow the community to know what is going on. She said, "I see it as a positive thing."

D'Amico said there was an allowance for event signs. He said there had been past problems including signs in the road right-of-way which couldn't be regulated. D'Amico said that portable signs, i.e. A-frame, had never been allowed.

Nienkirchen then asked about signs on the building or in a window. D'Amico said the only signs allowed would be those that had been submitted in the development plan. Nienkirchen said her business would be affected and she wanted special signs to advertise oysters, etc. D'Amico questioned her if she had a marquee sign approved with her zoning application. Panzarella referred to information the township had received about putting a sign at the corner of Lackey Old State and Cheshire Roads which cost would have been \$29,000.

Panzarella said, "I believe there are 71 small businesses in the township and 12% of the township taxes are received from small businesses." Panzarella said, "Home businesses only pay real estate taxes, no other taxes."

Next to speak was Doug Grote, a barber in Cheshire. Grote said he was concerned with the livability of the community. He said small businesses can't be successful with signs as they are now.

D'Amico said, "We have had the Zoning Resolution Committee work on all our text/code and I have concerns with the revised text changes i.e. banners are now permitted."

Bullard asked, "Are Berkshire signs better? They are all sizes."

Nienkirchen said she was having a custom made sign by an artist and it would be nice to have additional advertising too. Bullard said a conditional use permit could be applied for.

Panzarella said, "It appears we further defined signs for homes and not small businesses. There is a way to do it." Bullard said the text tries to make it flexible. Panzarella said, "Small business is noticeable by its absence."

D'Amico said, "There is no differentiation of business size, small versus large." Panzarella said, "There's things that can be done with the prosecutor's office."

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Panzarella said trustees could approve the changes and only one approval vote was needed, trustees could reject the proposed changes and a unanimous vote would be necessary or trustees could modify the proposed changes which would also take a unanimous vote.

Trustees discussed their confusion with the new proposed text. It was decided each trustee would document their individual concerns before the next meeting.

RESOLUTION

08-05-27 TABLE HEARING FOR BZC #08-003 TO JUNE 9, 2008 AT 8:00 P.M.

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

Chairman Panzarella said discussions on BZC #08-003 were concluded at 9:15 p.m.

FISCAL OFFICER cont'd

UPDATE-FEMA GRANT APPLICATION: Shumway reported a FEMA grant had been applied for in the amount of \$10,222. Shumway said trustees could expect to receive 75% of the grant requested from the federal government but that nothing would be received from the State of Ohio. It was anticipated the money would be received by September.

PUBLIC RECORDS RETENTION REFRESHER COURSE: Shumway said the fiscal officer received mention from Cathy Rippel that a refresher course regarding public records and retention of same would be good. It was noted a refresher course was being sponsored by the Delaware Municipal Court Clerk on May 28th at the Hayes Building in Delaware from 9:00 a.m. to 12:15 p.m. It was also noted some persons are confused as to "what is a public record". It was suggested that D'Amico speak with the zoning inspector as to his availability to cover the office during the secretary's absence.

ROAD DEPARTMENT

DISCUSSION-2008 ROAD PAVING PROJECT: Panzarella reported attending a meeting at the county engineer's office on May 27th to discuss the upcoming road paving project as bid through the engineer's office. He said Berlin Township was scheduled to have designated roads paved from June 4th thru June 8th. Panzarella said if the schedule was to be modified information would be posted on the county engineer's website, e-mails would be sent and calls made to cell phones. Panzarella said he'd asked Brodi Irwin to mark areas on S. 3 B's & K Road for full depth repairs.

Panzarella said he expressed concerns to the engineer about when the city closes Glenn Road. He said he asked for video taping of the present road condition on both Sweeney and Curve Roads.

Returning to comments on the current paving project, Panzarella said if roads were closed in the township it would be from 6:30 a.m. to 6:00 p.m. Monday thru Thursday and from 6:30 a.m. to 4:30 p.m. on Friday. He said that ditch work on Piatt Road could be pushed back to July 23rd.

A Memorandum of Understanding was presented for trustees' signatures.

ESTIMATED COST OF 2008 ROAD IMPROVEMENT PROJECT:

ROAD BID	FROM	TO	MILES	EST. COST	AWARDED
TR 89 Curve	Sweeney	Dale Ford	1.000 mi.	\$ 55,900.00	\$ 58,070.72
TR 95 Roloson	Curve	US36/SR37	1.000 mi.	\$ 50,000.00	\$ 51,948.91
TR 99 Piatt	Peachblow	Cheshire	.971 mi.	\$ 48,600.00	\$ 50,438.08
TR 100 Shanahan	North	RR Crossing		\$ 5,600.00	\$ 5,250.00
TR 274 Hollenback	S. Old State	State Park	.460 mi.	\$ 22,100.00	\$ 22,995.28
		TOTAL	3.431 mi.	\$182,200.00	
				\$188,702.99	

RESOLUTION

08-05-28 APPROVE CONTRACT WITH THE SHELLY COMPANY FOR 2008 PAVEMENT IMPROVEMENT PROJECT AS NAMED ABOVE BASED ON UNIT PRICE BID WITH ESTIMATED COST TO BE \$188,702.99

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

D’Amico informed trustees he would not vote on or sign the Memorandum of Understanding, the county engineer’s road estimate, or the contract with The Shelly Company because his brother worked for The Shelly Company.

UPDATE-FORD F350 TRUCK: Bullard said no update was prepared because he was waiting for Mike Hart’s return to work.

UPDATE-STREET SWEEPING PROPOSAL: Bullard said no update was prepared because he was waiting for Mike Hart’s return to work.

Bullard said street sweeping would only occur on streets with curbs and gutters. Panzarella expressed some concern regarding leaves and the mess caused by “street trees”.

DISCUSSION-EMPLOYEE PROBATIONARY STATUS: Bullard reported Brodi Irwin had completed his six (6) month probationary employment status. Bullard said Brodi had done an excellent job in the road maintenance department and he recommended naming Irwin to fulltime status.

**RESOLUTION
08-05-29 CHANGE EMPLOYMENT STATUS FOR BRODI IRWIN FROM
PROBATIONARY TO FULLTIME EFFECTIVE JUNE 2, 2008**

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

DISCUSSION-PAY RATE: Panzarella said, “At the yearly meeting there was a different rate of pay.” Panzarella suggested Irwin be compensated with a One Dollar (\$1.00) per hour increase in pay beginning with the next regular pay period and his title be changed to Laborer II.

**RESOLUTION
08-05-30 INCREASE HIS PAY RATE FOR BRODI IRWIN BY ONE DOLLAR
(\$1.00) PER HOUR TO \$16.27 PER HOUR AND CHANGE HIS JOB
CLASS TITLE TO ROAD MAINTENANCE LABORER II EFFECTIVE
BEGINNING THE NEXT REGULAR PAY PERIOD JUNE 1, 2008**

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

TRUSTEES

DISCUSSION-CLARIFICATION OF MILEAGE REIMBURSEMENT: Panzarella said he wanted clarification of the mileage reimbursement for trustees. He said since the cost of gas was near \$4.00 per gallon, and he was attending a lot of meetings, i.e. in Scioto Township and other places, he heard reimbursement was available for out of township travel. He said the previous authorization by the Board was \$.485 per mi. D’Amico questioned the amount stating the federal government reimbursement rate was \$.505 per mi. Shumway explained the \$.485 rate to D’Amico.

UPDATE-HANDBOOK STATUS: Shumway reported an additional eighteen sections were finished in draft form and ready to be copied for trustees’ review.

DISCUSSION-NEWSLETTER: Panzarella said trustees should be preparing for another township newsletter. He said he had done one this year and Bullard had done one in April. Panzarella pointed to D’Amico and said, “A newsletter would be due in July.” Panzarella said Cathy Rippel had been doing recent newsletters. There was concern expressed about redundancy in articles as the same item had been mentioned in several different articles within the same newsletter.

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D’Amico agreed to construct the next newsletter.

RESOLUTION

08-05-31

APPROVE AN AMOUNT OF \$1,000.00 FOR PRINTING AND DISTRIBUTION OF A NEWSLETTER-NO VENDORS NAMED

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

DISCUSSION-FIRE UTILITY VEHICLE: Panzarella said \$15,000 had been budgeted in anticipation of getting a fire utility vehicle. He said he anticipated getting the vehicle sooner. Shumway said there could be no use of a vehicle until the title was received by the fiscal officer, license plates were received and information regarding such a vehicle was reported to the insurance carrier.

ZONING

REPORTED BZA RESIGNATION: D’Amico reported a resignation letter dated May 28, 2008 had been received from Jim Brehm of the Board of Zoning Appeals. D’Amico said trustees needed to accept the resignation and promote an alternate to the vacated position. Panzarella asked, “Should we ask the BZA chairman who to move up?” D’Amico said he would contact BZA Chairman Mike Morrill.

RESOLUTION

08-05-32

ACCEPT RESIGNATION OF JIM BREHM FROM THE BOARD OF ZONING APPEALS EFFECTIVE MAY 28, 2008

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

DISCUSSION-UNFINISHED CONSTRUCTION OF HOUSE: D’Amico questioned what was being done with regards to unfinished construction of a house on Curve Road west of Old State. Panzarella said zoning inspector Ray Armstrong should contact the prosecutor.

FUTURE MEETINGS

Panzarella reported there would be a county EMA siren meeting at 2:00 p.m. on Wednesday, May 28, 2008. Bullard commented he read an article about several disasters in Iowa and Minnesota and that sirens had been installed eleven days earlier and it was believed lives were saved because of it.

Panzarella said there would be a meeting May 30th with sports field architects which he would attend.

Panzarella said the county health board was meeting June 2nd from 8:30 a.m. to 12:00 noon at the fire department training room to review emergency plans. Panzarella said he would be welcoming the approximate sixteen attendees and the fire chief would be giving a tour of the fire station.

LATE ITEMS

COMMUNICATIONS: Shumway said she’d been asked by the fiscal officer to remind trustees that e-mails should be copied to the fiscal officer. Panzarella said, “That’s a two-way street.”

ALUM CREEK LAKE BOAT STATUS: Panzarella said the fire chief had talked with the Ohio Department of Natural Resources and no rescue boat would be on the water. Panzarella said, “The additional boat on the water would be for policing.”

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

May 27,

2008

SAMPLE BZA APPLICATION: D'Amico provided a new five page sample BZA application for trustees' review. D'Amico said trustees would have ample time to review and be prepared to discuss it at the June 9th meeting.

ADJOURN

There being no further business Bullard moved, second by Panzarella, the meeting be adjourned.

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

Meeting adjourned at 10:16 p.m.

Philip P Panzarella, Trustee

ATTEST:

Ronald W. Bullard, Trustee

Judy K. Shumway
Assistant to Fiscal Officer

Thomas A. D'Amico, Trustee