

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**January 26, 2009**

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

**CALL TO ORDER:** Ron Bullard, Trustee Chairman

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

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

**ATTENDANCE:** Chief Bechstein, Chris Rinehart, Brodi Irwin, Dick Ray, Rick Sedlacek, Jerry Valentine and Ray Armstrong

Bullard referred to Resolution 05-07-44 regarding rules with public comment. Anyone wishing to speak should identify themselves and would be given 3 minutes to talk. Hearing no request trustees moved on to the next agenda item.

**RESOLUTION  
09-01-46**

**MOVE TO APPROVE THE REGULAR MEETING MINUTES  
FROM 1/12/2009 AND TO DISPENSE WITH THE READING**

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

**RESOLUTION  
09-01-47**

**MOVE TO RECESS INTO EXECUTIVE SESSION FOR THE  
PURPOSE OF DISCUSSING AN IMMINENT OR PENDING  
LAWSUIT WITH LEGAL COUNSEL- ATTORNEY CHRIS  
RINEHART AND THERESA CANNON ARE INVITED**

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

**RESOLUTION  
09-01-48**

**MOVE TO RETURN TO REGULAR SESSION**

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

Bullard stated we met in executive session and no decisions or actions have been taken.

**7:15 TIME CERTAIN – JOINT ROAD MEETING**

Bullard welcomed Dick Ray from Orange Township.

**Orange Township:**

Bullard asked about the road agreement with Orange Township. Brodi Irwin said he was okay with what was written last year. Bullard questioned the trees on Plumb Road. Irwin said for the agreement to stay the same. Bullard asked about signage. Irwin said for it to stay the same. Dick Ray said the agreement has worked well for Orange Township since it was adopted. Bullard asked Ray if they would be repaving Shanahan Road. Ray said they would be ready whenever Berlin is ready. Irwin said that would be in 2010. Bullard asked Ray about a ditch flooding at North Road and Shanahan. Ray said he did not know anything about it. He said he talked with someone years ago about an area along the railroad tracks. Bullard said it was the west field by North Road. Irwin said there was a swell and cat tails in the area. He said the water flows to the north. Panzarella suggested in the spring when the ground is wet to get together and look at the swell.

**RESOLUTION  
09-01-49**

**MOVE TO ACCEPT THE ROAD AGREEMENT BETWEEN  
ORANGE TOWNSHIP AND BERLIN TOWNSHIP AS  
WRITTEN FOR 2009**

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

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**City of Delaware:**

Irwin said the first paragraph should be removed from last year's agreement. He said it states that Berlin Township will maintain the City's section of right-of-way just east of Berlin Station Road. Bullard said the City would be doing that.

**RESOLUTION  
09-01-50**

**MOVE TO ACCEPT THE AGREEMENT BETWEEN THE CITY OF DELAWARE AND BERLIN TOWNSHIP WITH THE 1<sup>ST</sup> PARAGRAPH DELETED FOR 2009**

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

**Brown Township:**

Irwin said the agreement between Berlin and Brown Township should stay the same. It should not be changed.

**RESOLUTION  
09-01-51**

**MOVE TO ACCEPT THE AGREEMENT BETWEEN BERLIN TOWNSHIP AND BROWN TOWNSHIP AS SUBMITTED FOR 2009**

Motion: Bullard  
Second: Panzarella  
Discussion: Panzarella said he thought there was a problem with mowing ditches. Irwin said it has been taken care of.  
Vote: Bullard yes and Panzarella yes

**Berkshire Township:**

Irwin said the agreement for Berkshire should stay the same. Bullard asked about signage. Irwin said it was fine.

**RESOLUTION  
09-01-52**

**MOVE TO ACCEPT THE AGREEMENT BETWEEN BERLIN TOWNSHIP AND BERKSHIRE TOWNSHIP AS SUBMITTED FOR 2009**

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

**Liberty Township:**

Irwin said this agreement should not be changed. He said Liberty plows Grief Brothers and we do Connor Lane.

**RESOLUTION  
09-01-53**

**MOVE TO ACCEPT THE AGREEMENT BETWEEN BERLIN TOWNSHIP AND LIBERTY TOWNSHIP AS SUBMITTED FOR 2009**

Motion: Panzarella  
Second: Bullard  
Discussion: Panzarella commented how the two townships share taxes on an area in Grief Parkway and how nice it is for townships to work together for mutual interests.  
Vote: Panzarella yes and Bullard yes

**FISCAL OFFICER**

Cannon said after talking with Jack Arnett from Beacon Data she thought we might want to take the minutes from 2005 and 2006 off the website. She said those years have been audited and if someone wanted to view the minutes they could request a paper copy. Bullard questioned if she was just talking about Trustee minutes or if it included the zoning minutes. Cannon said there are more Trustee minutes.

**RESOLUTION  
09-01-54**

**MAINTAIN TWO PAST YEARS PLUS CURRENT YEAR OF TRUSTEE MINUTES ON THE TOWNSHIP WEBSITE**

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

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Accent Communications Service Agreement: Cannon said the agreement cost will remain the same as last year. Panzarella questioned if it was just for this building. Cannon said yes. The fire station agreement runs until April.

**RESOLUTION**

**09-01-55**

**APPROVE THE ACCENT COMMUNICATIONS SERVICE AGREEMENT FOR \$787.00 – 3/1/09-2/28/2010**

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

Loveland & Brosius, LLC: Cannon said she received billing rates for Loveland & Brosius for 2009. She said the rates remained unchanged for 2009. Cannon said that the Trustees have approved \$5000.00 to the firm and that there is a document that needs to be signed.

**CEMETERY**

Panzarella said at the last meeting we asked D'Amico to provide an update on the digitization. He asked to carry that to the next meeting.

**FIRE DEPARTMENT**

Requisitions:

Panzarella said a requisition was submitted to have the tile floors cleaned by Shaffer's Cleaning. The cost is \$150.00.

**RESOLUTION**

**09-01-56**

**APPROVE REQUISITION 2009-01-02 FOR \$150.00 TO SHAFER'S CLEANING FOR HIGH SPEED BURNISH TO THE TILE FLOORS AT THE FIRE STATION**

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

Panzarella said there is a requisition for \$430.80 for art work and 100 uniform patches.

**RESOLUTION**

**09-01-57**

**APPROVE REQUISITION 2009-01-01 FOR \$430.80 TO EAGLE EMBLEMS & GRAPHICS FOR ART WORK AND 100 UNIFORM PATCHES**

Motion: Panzarella  
Second: Bullard  
Discussion: Panzarella said the chief keeps a log of who is issued patches. He said there is a small change in the shield of the patch. He said it will be similar and more consistent to the logo on the truck and boat.  
Vote: Panzarella yes Bullard yes

Probation: Panzarella said he received confirmation from Craig Hall that Mike Rickabaugh and Mark Carey have successfully completed their orientation program. Panzarella said their 6 month probation is also coming up.

**RESOLUTION**

**09-01-58**

**HAVING SUCCESSFULLY COMPLETED THEIR PROBATION REMOVE FIREFIGHTERS MARK CAREY AND MICHAEL RICKABAUGH FROM PROBATIONARY STATUS**

Motion: Panzarella  
Second: Bullard  
Discussion: Bullard asked there would be any recognition. Bechstein said they haven't really done any of that. Panzarella said to notify the fire liaison if there is any ceremony.  
Vote: Panzarella yes and Bullard yes

Panzarella questioned their pay change. Cannon said it could go into effect today or two weeks from today. Panzarella asked the chief what he thought. Bechstein said whatever is fair. Panzarella said the start of the next pay. Bullard suggested the first pay period after their anniversary dates are up.

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**RESOLUTION  
09-01-59**

**THE STATUS OF FIREFIGHTERS WILL CHANGE THE FIRST  
PAY PERIOD AFTER THEIR 6 MONTH ANNIVERSARY DATE**

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

Verizon Internet Service: Panzarella said this was part of a package the chief requested to for laptops to be used in the trucks. He said money was appropriated by wasn't sure if the cards were purchased. Cannon said when paying the Verizon bill for the fire department she had noticed a broadband charge and thought it was for the laptops. Cannon said the charge is actually for the stations internet use. Panzarella asked how we could assure access wouldn't be available for inappropriate sites since this is a free standing connection. Bechstein said the internet explorer browser would be disabled. He said there is also a memo regarding what it is to be used for. Bechstein said Patrick from the 911 center would program the cards. Panzarella said to review and resubmit to the board.

Inventory: Panzarella questioned if the inventory had been completed. He said he wanted to make sure we did not go past the deadline. He questioned if it could possibly be done twice a year. Cannon said if all department heads could complete a form of all purchases and items that were destroyed quarterly the inventory would go much smoother. Irwin said they would do whatever we needed.

Tile in Bathroom- Panzarella said there is some cracked tile in the bathrooms at the fire station. He said Jay Car the general contractor would be doing the repairs since it is still under warranty. He said they will pay the \$800.50.

Off Site Training and Reimbursement- Panzarella said there was question about what the fire department was following regarding reimbursement. He said they are following the organizational minutes. Panzarella said the fire department had put together a draft regarding reimbursement. He said we may want the prosecutor to review. Bullard questioned what other townships did. Bechstein said they do something similar to the draft, possibly Genoa. Bullard said we could send ours but he would like to know if they have any similar.

Panzarella said the present commission is deciding whether or not to put an outdoor warning siren on the ballot. He said the committee will be getting together to discuss this.

**ROAD DEPARTMENT**

Bullard said the 2008 Township Highway System Mileage Certification from ODOT needs to be certified and signed.

**RESOLUTION  
09-01-60**

**THE TRUSTEES CERTIFY THE TOWNSHIP WAS  
RESPONSIBLE FOR MAINTAINING 34.19 MILES OF  
PUBLIC ROAD FOR 2008**

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

Sherman Road REA:  
Bullard said we received the request for engineering assistance on the Sherman Road Culvert. Mraz said the metal culvert is in satisfactory structural condition; however the north end headwall is partially collapsed. The culvert is not long enough to be maintained indefinitely. It will be added to the County's bridge list and repaired or rebuilt when needed. Irwin said this was vague and didn't really say what to do. Panzarella questioned if they said to monitor it. Bullard asked Irwin to go back to Ryan Mraz and see what we need to do.

2009 Road Repair:  
Bullard said we have put together a wish list of repairs to be done in 2009 including, full depth repairs, crack sealing, asphalt road widening and striping. He said the road

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department would like to flush some out between now and the next meeting and add some pricing. He said the road department would be doing some of the crack sealing. Bullard said we would like to pursue the OPWC money with the County Engineer for the Meadows of Cheshire. Panzarella questioned what was suggested for the Marina. He asked if that was done a couple of years ago. Irwin said they did mill and fill work. He said this is a different phase. Irwin said they would be doing some of the repairs. He said Glen Excavating or the County could be hired as well. He said there could be very little to go to the bidding process. Bullard asked Irwin to forward the repair list to Pat Blaney and Eldon Johnson. Panzarella said he was most interested in costs. Irwin said he is a new at the supervisor position and was trying to come up with all the items by February 9<sup>th</sup>. He said he is still learning. Bullard suggested putting the list in order of best to worst.

**Requisition:**

Bullard said Irwin just got three quotes for 3 foot and 4 foot cutting edge blades for snow plowing. Panzarella questioned if they were made of hard materials. Irwin said yes, carbide. Irwin said whatever he purchases he wants to be able to use on all trucks we have now or will be getting. The Dexter Company had the lowest cost of \$1309.00. Irwin said they have impressed him.

**RESOLUTION  
09-01-61**

**APPROVE PAYMENT OF \$1309.00 TO THE DEXTER COMPANY FOR TWO 3-FOOT CUTTING EDGE BLADES AND TWO 4-FOOT CUTTING EDGE BLADES FOR SNOW PLOW**

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

**Salt Status:**

Bullard said the maintenance department is using the white board to keep track of how much salt is being used. He said we have been out 17 times this season. They have used approximately 23 tons of grit and 214 tons of salt. Bullard said there is 120 tons of salt left. Panzarella questioned if the County had a stipulation on selling any more salt. Irwin said he had not heard. Panzarella said there was a second source mentioned earlier but was more expensive. Irwin said ODOT still has salt. Bullard said it was \$75.00 per ton and we would have to pick it up. Panzarella said he is bringing this up incase the County says they can't sell anymore salt we might do something at this meeting. Bullard questioned what they could do. Cannon said you could appropriate money to ODOT. Bullard asked Irwin in 100 more tons would get us through the winter. Irwin said with freezing rain you have to salt everything. He said he can only go on estimates of what we have done. Irwin said he would be comfortable with another 100 ton.

**RESOLUTION  
09-01-62**

**APPROVE APPROPRIATING \$9500 FOR 125 TONS OF SALT AT \$75.00 PER TON TO ODOT FOR ROAD SALT-PURCHASE AS NEEDED**

Motion: Bullard  
Second: Panzarella  
Discussion: Panzarella said an action item for Irwin is to nail this to the wall. Panzarella said if the County cannot commit to salt confirm with ODOT our intentions.  
Vote: Bullard yes and Panzarella yes

**TRUSTEES**

Bullard said he would be in town and is planning to attend the Ohio Township Association conference.

**ZONING**

Bullard said he attended the training at with Regional Planning last weekend and it went very well. Panzarella commented about the slide show. Sedlacek thanked the Trustees for providing the funds for the zoning committee. He said he heard a lot of positive feedback. Bullard commented that Mrs. Korleski paid her own way. Sedlacek said two people were not able to attend and questioned getting a refund. Sedlacek said the Zoning Commission had a meeting in October with small business owners in the township. He said Armstrong will provide information from the meeting.

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**Comprehensive Land Use Plan:**

Sedlacek said the zoning commission would like to send out a mailer in pamphlet form to all township residents. He said they would like to do it quickly and independent of the newsletter. He said they are trying to get a couple dozen individuals involved with discussions on the comprehensive land use plan for Berlin. Panzarella objected to the question, "How do you feel about annexation of township land by adjacent municipalities?" Sedlacek said they can re-write the question and said they did not want to extend any false expectations people may get. He said they would be more than willing to explain how the annexation process works. Panzarella strongly suggested have the zoning office forward the pamphlet to legal counsel for verbage. He does not want to send out anything they may cause legal problems. Sedlacek said it may be beneficial but it would delay the process. Bullard said they did a survey along time ago when they put together the CLUP. He said you may want to put a comment in saying it was previously done and now we want to do it again. Bullard asked if they had the personnel to do this. Sedlacek said Cathy will be copying the pamphlet and getting it ready to mail. The cost for postage was discussed and the cost of other office supplies.

Sedlacek commented on how the zoning commission has been doing a lot of work outside of the zoning commission meetings. He said they are being frugal in forming committees, working on the flyer and frequently asked questions relating to CLUP. Bullard suggested putting the flyer on the website as well.

**RESOLUTION  
09-01-63**

**APPROVE UP TO \$1000 TO PROCESS AND MAIL OUT A  
FLYER FOR THE COMPREHENSIVE LAND USE PLAN**

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

**Proposed Contract with DCRPC:**

Armstrong said he has worked with Scott Sanders to put together the proposed contract with the Delaware County Regional Planning Committee. Armstrong said the proposal was a high estimate. Armstrong said the Township annually has 25 free hours. He said we would be invoiced monthly which would consist of one half free hours and one half billing. Armstrong said any free hours would be carried over to the next year. Panzarella questioned interns and paying a multiplier on them. Armstrong said they did not have any interns. Panzarella asked to have the contract amended and omit interns. Bullard asked if they knew of any other costs besides the \$10,000 to update the CLUP. Armstrong said there would be no separate meetings or committees set up. He said the CLUP discussions would be secondary to any public business. Sedlacek said since this appears to be a down time he thought it would be a good time to work on the CLUP. He added that people have done a lot of "home work" without asking for pay. Bullard asked if Lisa Knapp would have a big burden with this. Sedlacek said no, they were doing the pamphlet themselves. He said the authorship would be Regional Planning. Panzarella asked if there was a special budget to do this last time. Bullard thought the cost was about \$7000.00. He said the cost of printing was additional. Armstrong said it was included in this. Bullard cautioned the cost of books with extra pictures and graphs and said the less printing they do the better. Bullard asked what D'Amico thought of this. Sedlacek said he had been informed. Armstrong said he has not called in and he has not talked to him about this. He said he made the copies for all trustees. Cannon said they were still in his mailbox. Bullard said he would like D'Amico's input. He said he was in favor of this but would still like to hear what D'Amico has to say. Sedlacek asked if that would be in two weeks. Bullard asked that it be on the next agenda. Sedlacek said if any of the trustees know of someone that would be interested or help out on the CLUP to let him know.

**FUTURE MEETINGS**

OTA Conference: Bullard said he would be able to attend the February conference.

**RESOLUTION  
09-01-64**

**AUTHORIZE RON BULLARD TO ATTEND THE OHIO  
TOWNSHIP ASSOCIATION CONFERENCE**

Motion: Panzarella  
Second: Bullard  
Discussion: Panzarella said he received a letter of congratulations from The Ohio Township Association for completing the leadership academy. Bullard said to bring in the diploma and he would recognize it.

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Vote: Panzarella yes and Bullard yes

Bullard said there is a meeting at the County Court House on January 30<sup>th</sup> that he will not be able to attend. Panzarella said he could attend. Bullard said it is the will of the board is for Panzarella to attend.

Bullard said Irwin has requested vacation the end of February and beginning of March. He asked if there were any concerns. Panzarella questioned road coverage in case of bad weather. Bullard said Mike Hart, Chris Paykoff and Craig Hall would all be available. Panzarella said he is okay since there are three drivers for the three trucks.

Panzarella said there is an outdoor warning system meeting on January 28<sup>th</sup> at the Hayes Building at 10:00 a.m. Bullard authorized Panzarella to attend this meeting.

**LATE ITEMS**

District 17 Integrating Committee: Panzarella said the nominations for this committee should not to be overlooked. He recommended the board participate. A meeting will be held Tuesday, February 24<sup>th</sup> at the Licking County Administration building and that any nominated representative be at the meeting and also available attend daytime meetings. Bullard asked Panzarella to contact them and find out more information and inform the board at the next meeting.

Armstrong questioned getting a check for \$50 so he could file the zoning resolutions with the County Recorder. Cannon said she would process the check and asked that he obtain a receipt for her records. Armstrong said he would do that.

**RESOLUTION**

**09-01-65**

**MOTION TO ADJOURN**

Motion: Panzarella

Second: Bullard

Vote: Bullard yes and Panzarella yes

Meeting adjourned by Chairman Bullard at 9:15 p.m.

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

ATTEST:

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

ABSENT

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

\_\_\_\_\_  
Tom D'Amico, Trustee