

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

November 23, 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 Tom D'Amico; Theresa Cannon, Fiscal Officer

ATTENDANCE: Larry Buell and Chris Paykoff

Bullard asked if anyone wished to speak during the public comment portion of the meeting. Hearing no request trustees moved on to the next agenda item.

**RESOLUTION
09-11-18**

**MOVE TO APPROVE THE ROAD MEETING MINUTES FROM
11/09/2009 AND TO DISPENSE WITH THE READING**

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

FISCAL OFFICE

Cannon asked that spending be curtailed after Friday, December 11th. She said the next Trustee meeting would not be until December 14th. Cannon said this does not include emergencies. She asked that if an emergency would occur where money would have to be spent she should be notified immediately. Panzarella asked the chairman if liaisons should report this information to department heads. Bullard said that was a good idea.

FIRE DEPARTMENT

Requisitions:

**RESOLUTION
09-11-19**

**APPROVE REQUISITION 2009-11-07 TO TREASURER
STATE OF OHIO/OHIO STATE BOARD OF PHARMACY FOR
\$135.00 FOR ANNUAL DRUG LICENSE RENEWAL**

Motion: Panzarella
Second: D'Amico
Discussion: Bullard asked what this was for. Panzarella said it was for drugs we carried on our EMS. He said we have to have a license to cover the drugs. Panzarella said we don't have a physician so we fall under the County. Bullard asked if this was for all trucks. Panzarella said he would double check but thought it was for the grass truck. He suggested we have the fire chief at meetings to answer questions.
Vote: D'Amico yes, Panzarella yes and Bullard yes

**RESOLUTION
09-11-20**

**APPROVE REQUISITION 2009-11-08 FOR \$60.00 TO FIRE
CHIEFS' ASSOCIATION OF DELAWARE COUNTY FOR
ANNUAL MEMBERSHIP DUES FOR ASSISTANT CHIEF
HALL**

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

Hiring Status Update- Bullard said we hired four firefighters at the last meeting. Panzarella said they are currently filling out paperwork and have made appointments for physicals. He said the chief told him they should all be on board by the middle of December. Bullard commented that they could then start their training.

Hallway Partition Wall- Panzarella said there will be a request to have a wall and door partition put up in the hallway to help block wind coming in from the door by the generator room at the west end of the building. He said they are getting a lot of wind in the break room. Panzarella said he has asked the chief to provide three estimates. Bullard asked if it would be inside the fire station. Panzarella said yes, it would be a slight modification. Bullard asked if a fence on the outside would do the same. Panzarella said no, and this

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would also cut down on the noise the generator creates. Bullard said he did not want to see a loss in square footage. Panzarella said it was just in the hallway.

Fire Committee Update- Bullard said there has not been any update to the Trustees regarding the fire committee. Panzarella said their next meeting is December 8th. He said he has not seen any draft minutes. He said we will need a recommendation from them if we are going to have a levy in May. He said the Board needs to get with the committee as well as talk with the County Auditor and Prosecutor regarding language for the ballot. Bullard said they had talked about an interim report. Bullard said he would contact Steve Spangler, Chairman of the fire committee.

CEMETERY

Buell relayed to the Trustees that he has had a request to remove a double stone and foundation for a husband and wife that the US Army Corp. put in. He said the family has ordered a stone to replace it. He asked the Trustee what the charge should be for removal of an existing foundation. He said there is a cost to drop concrete off. Buell said the foundation is not very deep and with the use of the Trachoe he was thinking about \$50.00 per foundation. He also said there is a chance when we put up the stone the foundation will be attached and the US Army will take all of it. Bullard suggested \$50.00 per foundation and \$50.00 for disposal. He said \$150.00. D’Amico said that sounded good to him. He questioned what the worse case scenario would be. He asked about giving the family a range of \$150-\$200. Panzarella said he agreed with D’Amico. Bullard suggested \$100.00 per foundation, \$50 for labor and \$50 for removal.

RESOLUTION

09-11-21

MOVE TO APPROVE THE CHARGE OF \$100 PER STONE FOUNDATION REMOVAL IN TOWNSHIP CEMETERIES – ALL INCLUSIVE

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

Bullard said he saw they were working around the old cemetery site at Alum Creek. Buell said work to stabilize the site 10 feet is to begin December 1st.

ROAD DEPARTMENT

No Solicitation Sign Update- Panzarella asked when the signs would be displayed. He said the road department provided costs for poles and signs and discussed the number of roads came into the township. Bullard said we don’t have a delivery date on them. He said if subdivisions request a sign they should pay for it and we would maintain them. He said they would be placed at the entrances. Panzarella said the cost would be \$50 assuming there is a new post used. He said we have to make sure placement is done correctly. Bullard said OOPS would be contacted. Bullard questioned if other residents wanted signs, for instance a resident on Curve Road. Panzarella said it would cost \$50 regardless. He suggested talking with the road superintendent to see if project could be done as soon as possible. Bullard said we would have to talk with the County if it’s their road or the State if it is 36/37. Panzarella asked for a schedule estimate on when it would be completed now that they have a low truck. Bullard said it depended on how many signs were requested. Panzarella said he would like an answer at the next meeting. Bullard asked what if someone wanted one at their house. Panzarella said we have already heard from the road department that there are too many signs in subdivisions. D’Amico said we need a distant limit on the signs. Panzarella said with lawsuit possibilities we have to be consistent. He suggested at the entrances to township, subdivisions and areas board deem appropriate. D’Amico said County Road residents can’t be left out. He said he does not want the free will to purchase signs. Bullard suggested bringing this back to the next meeting. Panzarella suggested using non subdivision areas. Bullard said it doesn’t change legal situations.

Road Ditch Repairs- Panzarella said repairs have been made to Township ditches on 3B’s & K and along some of Africa Road with little or no cost to the Township.

Drainage Issues- Panzarella reported that the drainage issue on 3B’s & K where a flooded area was being created in Berkshire Township has been completed by contouring the ditch.

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Old Cheshire Road- Bullard said the road located east of Lackey Old State Road across from the fire station was undedicated in the late 1960's. Panzarella questioned if the road terminated in the parkland before the lake. Bullard said yes, it ends before the reservoir. Bullard said the road is owned by the residents and US Army Corp of Engineers.

Dale Ford Road- Bullard said there has been some concern with ditch flooding on Dale Ford. He said it is between the homeowners.

3B'S & K REA Reply- Panzarella said we received a reply back from the County Engineer stating the speed limit was okay at 50mph. Bullard stated they said they would revisit it when the new school opens. Bullard suggested putting this in the newsletter to let residents know we looked at it.

Piatt Road- Panzarella said a request for a speed limit study was delayed last summer. He questioned submitting one now that school is in session. He said a couple of complaints have been received about the 55mph speed limit. He said the last survey was done 11 years ago.

Driveway Replacement- Bullard said Randy Lieb completed the driveway work at 3691 and 3663 Clover Plains. He said he quoted the same out that was previously approved. Panzarella said he remembered it was discussed. Bullard said he would bring the request for payment of \$990 to the next meeting.

TRUSTEE ITEMS

Bullard said he reviewed the two sections of the handbook. D'Amico is still to review the section. Bullard said there are some Trustee operatives that he did not think should be part of the handbook. He said an internet policy should be included in the handbook.

RESOLUTION

09-11-22

MOVE TO RECESS INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL.

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

RESOLUTION

09-11-23

MOVE TO RETURN TO REGULAR SESSION

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

Bullard said we met in executive session and no decisions or actions were made.

Panzarella asked for a 5 minute recess. Bullard called for a 5 minute recess. Bullard called the meeting back to order at 8:40 p.m.

RESOLUTION

09-11-24

MOVE TO HIRE JERRY STEIN AND ADD TO THE LIST OF PART-TIME SNOW PLOW DRIVERS- PAY ACCORDING TO ORGANIZATIONAL MEETING

Motion: Bullard
Second: Panzarella
Discussion: Panzarella questioned the list of drivers we currently had. Bullard said Irwin just notified him about Stein. He said he is recently retired from ODOT. Cannon said she would check with OPERS regarding his employment dates.
Vote: D'Amico yes, Panzarella yes and Bullard yes

Bullard had received a revised list of extra snow plow drivers from Irwin. Cannon said she had received paperwork for a couple of drivers that were not on the current list.

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**RESOLUTION
09-11-25**

**MOVE TO HIRE KEITH COLE AND MIKE ALSHIRE AS
PART-TIME SNOW PLOW DRIVERS- PAY ACCORDING TO
ORGANIZATIONAL MEETING**

Motion: Bullard

Second: D'Amico

Discussion: Panzarella asked how many drivers were now available. Bullard said 10 and 2 full-time drivers. He listed: Bill Hallenbaugh, Brian Miley, Craig Hall, Chris Paykoff, Keith Cole, Mike Alshire, Ryan Strohl, Steven Roberts, Greg Prantl Dale Huffman.

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

Cemetery Digital Data Base Update- Panzarella stated that a per entry fee has been established for pay to Judy Shumway. Bullard said a small amount was authorized for Larry Buell to go over records with Judy. Panzarella said we should find out if the estimate of entries is accurate. Bullard said he would let the board know.

Health Benefits Update- Bullard said Pat McClelland could not be here tonight. He said we received our increase and it is about a 5% increase. He said Pat proposed we go to a \$2000 deductible that is self funded. Panzarella said he was still open to HB 458 and wanted to see what savings that could create. He said he would like to go to the County and see how they reimburse employees. Bullard said the reimbursement is figured on an average of what the Township pays for all insurers. Panzarella said he believes the County has entered into an agreement with employees. He said an invoice has to be submitted to prove where payment goes. He said the savings are significant. Bullard said he had an answer from Chris Betts on how it works. Panzarella said he would talk with Lisa Iannotto to see how the County reimburses for insurance.

Organizational Input- D'Amico said he would like to do away with the 2 week notice for submitting a vacation day request as long as the office or department is staffed.

Disposal of Inventory- Bullard said he would have the list at the next meeting.

ZONING DEPARTMENT

Bullard said we received a request form Rae Kerlin, BZC member regarding signs for businesses in the Old Cheshire Area. Bullard said we would need to evaluate the cost. He stated that we would have to be careful with any precedents we would be setting. He said he would like to see an estimate. Panzarella said he thought that was appropriate. He said he would like to see D'Amico do this since he is the zoning liaison. Bullard said it would be similar to the cost of the no solicitation signs. D'Amico to check on costs.

Meeting Room Tables- D'Amico verified the status of ordering new tables for the meeting room. He said the reasons are for the worn shabby corners and weight of the tables. Panzarella said they would not have to be disposed of; the fire department would take them as is. He questioned what they would be replaced with if the board chose to do so. He said there are catalogs with tables that support the 500-600 pounds and also 1200 pounds and are made of a composite material so that they are lighter than what we currently have. He said we should replace with something that has the same structural capability. He said the tables are approximately \$150 and from our normal office supplier. He said these should be considered if the board chooses to replace present tables because of appearance. Bullard suggested replacing 14 tables due to their condition and weight and asked D'Amico to come to the next meeting with cost of tables. D'Amico asked Bullard the cost of the tables he purchased and displayed in the trustee office. Bullard said \$35.00. Panzarella questioned the weight bearing capability.

**RESOLUTION
09-11-26**

**MOVE TO PURCHASE 15 TABLES AT A COST OF \$35 EACH
FROM MENARDS – PAYABLE TO RON BULLARD \$500.00
TOTAL**

Motion: D'Amico

Second: Bullard

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Discussion: Panzarella said you should consider load bearing versus the tables we currently have for safety and legal reasons. D'Amico realized the amounts did not compute on the resolution.

Vote: Bullard no, D'Amico no, and Panzarella no

Panzarella said that is why you should not rush in to making this decision. He said there are too many factors.

**RESOLUTION
09-11-27**

MOVE TO APPROPRIATE \$600 TO RON BULLARD FOR 14 TABLES SIMILAR TO WHAT WAS DISPLAYED IN THE TRUSTEE OFFICE AND PURCHASED FROM MENARDS – A HIGH END PLASTIC TABLE

Motion: D'Amico

Second: Bullard

Discussion: Panzarella asked why we were rushing. He said we don't have the data on the new tables. Bullard asked about the current tables. It was determined a resolution would be made in the future to give the tables to the fire department.

Vote: D'Amico yes, Panzarella no and Bullard yes

FUTURE MEETINGS

12/8/09 ODOT Roundtable meeting regarding the 71 interchange. Bullard said Armstrong is seeing if residents could attend meeting. He said we have had some emails from Brittany McGuire with recommendations.

12/1/09 911 Board Meeting at 1:00 pm

OTA – February

LATE ITEMS

Bullard said there were two zoning issues that he thought the zoning commission should look at; sexually oriented business and windmills.

Legal Request Tracking Form- Panzarella said he put together a draft form for this. He suggested discussing it at the next meeting. Bullard said he thought it looked okay and suggested we start using it now.

Panzarella said tonight the trustees took action to replace an item and that they don't know the characteristics of this new item. He said they are taking a risk by doing this. Panzarella said he is a safety professional and we should have access to data on items we wish to purchase. D'Amico said with regards to the hall rentals a form is signed to act responsibly and if damage occurs to the tables they are held accountable. Panzarella said his concern is a person getting hurt. Bullard said we do not know specifications on current tables. He said we are replacing tables with tables. He stated that a workers compensation claim could be much more expensive. Panzarella said there are tables that are more structurally adequate than the ones to be purchased. Panzarella said he had several engineering degrees and he would be happy to do an analysis.

Chris Paykoff asked if any information has been received regarding storing the County gator for Medic 10 at the fire station. Bullard said the prosecutor offered to write a contract and asked both entities to waive conflict of issue. Bullard said we have but the County has not. He said it is in our best interest to find outside legal counsel. He said the chief is working with the County on a contract. Paykoff said money was set aside to review contract. Bullard said it has not been done. He said we are waiting on the County. Paykoff said some times when money is set aside for projects people aren't sure what happens to left over money once the invoice has been paid.

**RESOLUTION
09-11-28**

MOVE TO ADJOURN

Motion: D'Amico

Second: Panzarella

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

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Meeting adjourned by Chairman Bullard at 9:53 p.m.

Phil Panzarella, trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon
Fiscal Officer

Tom D'Amico, Trustee