

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

November 9, 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: Chief Bechstein, Chris Paykoff, Stephen Thompson, Tim Carr, Keith Ernsberger, Mark Zambito, Craig Hall, Joe Pichert and Joe Korleski

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. Bullard asked if anyone wished to speak. Hearing no request trustees moved on to the next agenda item.

RESOLUTION 09-11-01

MOVE TO APPROVE THE ROAD MEETING MINUTES FROM 10/24/2009 AND TO DISPENSE WITH THE READING

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

RESOLUTION 09-11-02

MOVE TO APPROVE THE REGULAR MEETING MINUTES FROM 10/26/2009 AND TO DISPENSE WITH THE READING

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

FISCAL OFFICE

Advertise for 2010 Organizational Meeting - Cannon stated the Organizational meeting would have to be advertised and asked the Trustees if they wished to hold the meeting immediately following the year end meeting on Monday, December 28th. Trustees agreed to the time and advised Cannon to advertise for the meeting.

Health Insurance- Panzarella noted that we received rates for 2010 and asked if we would be discussing them tonight. Cannon said she would expect the discussion to be held at the next meeting since that is when the representatives from Ohio Insurance Services would be here. Panzarella said with additional applicants the cost could go up. He said he would like to discuss the proper way of certifying what HB 458 allows. He said he does not know what the Prosecutor or County Auditor would say is acceptable. He suggested getting completed surveys to the fiscal office by Wednesday. Cannon said she has received the majority of surveys back.

CEMETERY

Bullard said the Gator is complete with hydraulics and bed liner. He said the road department would be mounting a slow moving sign.

FIRE DEPARTMENT

Requisitions:

RESOLUTION 09-11-03

APPROVE REQUISITION 2009-11-01 TO GRADY MEMORIAL HOSPITAL / WORK HEALTH FOR \$6,720.00 - 7 FIREFIGHTER PHYSICAL EXAMINATIONS

Motion: Panzarella
Second: Bullard
Discussion: Panzarella said the Trustees should have the list by the 15th of who needed physicals. He asked what a firefighter physical examination consisted of. Bechstein said a stress test and physical. Panzarella asked if there were other places that completed the

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physicals. He said he would like to see if there were alternative places that give physicals at the same or lower cost. Bullard asked if there was any certification. Chief said they use OP&F standards. He said results are sent to the fiscal office. Bullard asked if Grady was used throughout the County. Bechstein was not certain.

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

RESOLUTION

09-11-04

APPROVE REQUISITION 2009-11-02 FOR \$208.80 TO PHOENIX FIRE SERVICE SYSTEMS FOR UNIFORM ITEMS FOR JODY FORTNEY

Motion: Panzarella

Second: D'Amico

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

RESOLUTION

09-11-05

APPROVE REQUISITION 2009-11-03 TO PHOENIX FIRE SERVICE SYSTEMS FOR \$285.60 FOR UNIFORM SHIRTS FOR MIKE RICKABAUGH

Motion: Panzarella

Second: D'Amico

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

RESOLUTION

09-11-06

APPROVE REQUISITION 2009-11-04 TO PHOENIX FIRE SERVICE SYSTEMS FOR \$87.60 FOR UNIFORM ITEMS FOR BRIAN LESCH

Motion: Panzarella

Second: D'Amico

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

RESOLUTION

09-11-07

APPROVE REQUISITION 09-11-05 TO SEARS ROEBUCK AND COMPANY FOR \$580.77 FOR A KENMORE DISHWASHER AND A 5 YEAR SERVICE PLAN FOR THE FIRE STATION

Motion: Panzarella

Second: D'Amico

Discussion: Bullard questioned repairing the current dishwasher. Bechstein said it was over \$400.00 to repair and there was no warranty. Panzarella asked if they looked at commercial grades. Bechstein said they were too costly. Bullard asked if there was any issue with having the warranty at a fire station. Bechstein said no.

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

*****7:15 Time Certain Records Commission Meeting*****

In compliance with the Ohio Revised Code, the records commission meeting is held annually between the Trustee Chairman and the Fiscal Office. Cannon said a records retention policy and destruction schedule was completed in 2007 and approved by the Ohio Historical Society, Auditor of State and adopted by the Board of Berlin Township Trustees. Cannon said there were no amendments needed for the current retention schedule and also recommended there was no need to dispose of any records as there was adequate storage space available for township records.

Cannon wanted to make all township employees aware that while records storage and record availability is a responsibility of the fiscal office it is also the responsibility of all persons who work for the township and prepare or use township records.

RESOLUTION

09-11-08

ACCEPT AND APPROVE THE 2009 RECOMMENDATION OF RECORDS COMMISSION- THERE IS NO NEED TO AMEND RETENTION SCHEDULES, THERE IS ADEQUATE STORAGE SPACE AVAILABLE FOR RECORDS AND THERE IS NO NEED FOR ANY RECORDS DISPOSAL AT PRESENT TIME

Motion: Bullard

Second: Panzarella

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Discussion: Panzarella said it would be useful to get a form put together for all Trustees to keep track of legal opinions we get. Bullard asked Panzarella if he would like to do it.

Panzarella said he was only establishing the fact that it would be nice to have.

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

RESOLUTION

09-11-09

APPROVE REQUISITION 2009-11-06 TO STAPLES FOR \$359.98 FOR A REPLACEMENT LAMP FOR OPTOMA PROJECTOR

Motion: Panzarella

Second: D'Amico

Discussion: Bullard asked if there was for a spare or a replacement. Bechstein said the one they have now is starting to flicker and he did not want it to go out during training.

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

ROAD DEPARTMENT

At the last meeting funds were approved for the County to sweep the intersections. Bullard said we have since received a proposal from Glen Excavating for \$780.00 per an 8 hour day. Panzarella said we previously approved \$900.00. Bullard said the estimate comes with a suggestion of a committed schedule of sweeping the roads. D'Amico reviewed the proposal. Bullard suggested we keep the proposal on file and work with him to put a plan in process. Panzarella said he would like to give some consideration to local businesses. He said he has also heard the road department has discussed purchasing equipment to do this. Panzarella figured it would be more costly to have the road department doing it. He asked what type of broom Glen would use. Bullard said a hydraulic rotating brush. Panzarella recommended not dismissing the local businesses but assisting them. Bullard said he would like to stay with the County and keep this on file for the future. Panzarella said he would like to entertain a motion for the proposal of \$750.00 and discuss the periodic cleanings.

RESOLUTION

09-11-10

APPROVE GLEN EXCAVATING PROPOSAL FOR A ONE TIME SWEEP OF INTERSECTIONS IN BERLIN TOWNSHIP WITH TRUCK MOUNTED ROTARY BROOM

Motion: Panzarella

Second: Bullard

Discussion: D'Amico questioned why don't see if Glen could be more competitive with his pricing if he wants the business. Bullard said he was not sure how to do that. D'Amico stated he knew the cost that the County offered. Panzarella said Irwin confirmed that it could be done in 8 hours. Bullard said if we pass this we will have to rescind the resolution from the last meeting. Panzarella said this is why we need to have multiple bids before we make a resolution.

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

RESOLUTION

09-11-11

MOVE TO RESCIND RESOLUTION 09-10-18 TO THE DELAWARE COUNTY ENGINEER FOR \$900

Motion: Bullard

Second: Panzarella

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

Salt Delivery- Bullard said 100 tons of salt has been delivered.

F-450 Truck- Bullard said we should receive the new truck this week.

***** 7:30 Time Certain – Interviews*****

Panzarella said the intent of hiring was to have coverage for weekends and holidays. He said it would be for as 10 hour day and lunch was included. Cannon confirmed that a lunch hour was paid for and typically they work a 9 hour day, or 8 to 5. Paykoff asked if the people hired today would strictly work the weekends or holidays or if they would work any schedule. Bullard said it did not matter who worked when as long as there was coverage. He said he would leave the scheduling up to the fire department. Panzarella commended that they could not go over 1500 hours.

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**RESOLUTION
09-11-12**

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
09-11-13**

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.

**RESOLUTION
09-11-14**

MOVE TO HIRE TIM CARR, KEITH ERNSBERGER, STEPHEN THOMPSON AND MARK ZAMBITO AS PROBATIONARY FIREFIGHTERS PENDING PHYSICAL EXAMS AND PHYSICAL BACKGROUND CHECKS- PAY RATE BASED ON ORGANIZATIONAL MEETING MINUTES

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

Bullard called for a 5 minutes recess. Bullard called the meeting back to order.

ZONING DEPARTMENT

It was discussed that the zoning budget was not getting any better with the latest monthly report. Panzarella said there is getting to be about a \$100,000 shortfall and it will have to be addressed one day.

TRUSTEE ITEMS

Bullard said we would discuss inventory items at the next Trustee meeting. Bullard said he would make it a priority to get the sections of the manual read and turned over to Tom D'Amico in the next couple of days. He said hopefully it can go to Judy by the next meeting.

FUTURE MEETINGS

Fire Committee Meeting- 11/11 at 7:00 p.m.
Zoning Training Saturday- Bullard, Armstrong and D'Amico will not be able to attend the training provided by the Prosecutor's office.

LATE ITEMS

Bullard said he and Irwin attended training on how to implement the replacement of the new retroreflective signs in the township. He said we would have approximately 800 to replace since none of the signs we currently have are compliant. Panzarella asked who made that statement. Bullard said they have talked with the County Engineer and have a manual on testing the signs. Panzarella asked Bullard if he was convinced the county engineer was correct. He asked how they could make that statement and if they were familiar with the 800 signs we have purchased. Bullard said all stop, speed, arrow and street signs would have to be replaced. Panzarella questioned about Summerwood and Sherman Lakes since they are newer areas. Bullard said there are three different ways to test the signs. He said we could train someone over the age of 60 to evaluate the signs, a gun can be used to measure the reflectivity and we could use samples to make comparisons. Bullard said he would not recommend hiring anyone for this. He said the gun costs between 12 and 15 thousand dollars. Bullard said a plan has to be in place by January 2012 and all signs must be in compliant by January 2018. Panzarella questioned how much 800 signs would cost. Bullard said each sign is approximately \$100. He said they have put \$80,000 in the 5 year budget for this. Panzarella asked if the county engineer would be certifying the current signs are not compliant. Bullard said that is a goal.

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He said no one else has been contracted to do this. Cannon said this was discussed last spring at the engineer's dinner.

Panzarella questioned if anyone has evaluated the Verizon Bill. He said we are paying \$30.00 per line. He questioned if there was a better business package available. Bullard asked him if he would like to evaluate it to reduce the phone bill. D'Amico said he would volunteer to investigate other options.

D'Amico questioned when the Trustees would discuss the organizational meeting and employee compensation. Bullard said Brodi provided him with some totals and amounts he would like to see changed. Panzarella said he thought Trustees were going to come with a list of items for Theresa to organize into notes. Panzarella said he provided several items to the Fiscal Office. D'Amico questioned when Theresa needed them. Cannon said when she gets them she can put them all on a draft of the organizational minutes. She said if she does not get them until December the Trustees won't have much of a chance to review before the meeting. D'Amico questioned discussing compensation for 2010. Bullard asked if he wanted to go into executive session.

**RESOLUTION
09-11-15**

**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, D'Amico yes and Bullard yes

**RESOLUTION
09-11-16**

MOVE TO RETURN TO REGULAR SESSION

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

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

Panzarella questioned if the board wanted to construct a resolution having to do with sexual oriented offense. Bullard said he has talked with the Sheriff and Prosecutor's office and said he was told they enforce the Adam Walsh Law. Bullard said he was not comfortable expanding on a state law. D'Amico said it would appear there is some information one of the board members have and is regarding a resolution. He said he is not in favor of pursuing anything. Panzarella said it is the will of the board not to pursue a resolution regarding sexual oriented offense. Bullard said he has done his homework on this issue.

**RESOLUTION
09-11-17**

MOTION TO ADJOURN

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

Meeting adjourned by Chairman Bullard at 10:13 p.m.

Phil Panzarella, trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon
Fiscal Officer

Tom D'Amico, Trustee