

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

February 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 Phil Panzarella

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

ATTENDANCE: Joe Pichert, Sal Catalano, Jim Junkin and Chris Paykoff

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 09-02-01

MOVE TO APPROVE THE REGULAR MEETING MINUTES FROM 1/26/2009 AND TO DISPENSE WITH THE READING

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

FISCAL OFFICE

Advertise for Zoning - Cannon said she will be advertising for BZC 08-006 thru BZC 08-010 for the March 9, 2009 meeting. The cases that were previously approved by the board had the words "Draft 07-03-08" at the bottom of the pages. Cannon said Chris Betts from the County Prosecutors Office suggested bringing the articles back to the trustees and have them approve an "updated" version. Cannon asked if there was a time certain the board would like. Panzarella said we usually have zoning hearings at 7:30. Cannon said she would advertise it for that time.

Berlin 4-H - Cannon said Cindy Hoffman has asked if the Berlin 4-H group could use the hall again this year. Cannon said they have used the hall in the past free of charge. She said they are aware that if a special meeting is called they may have to change their dates. Cannon said the dates they have submitted do not conflict with Trustee or Zoning Meetings.

RESOLUTION 09-02-02

MOVE TO ALLOW THE 4-H GROUP TO USE THE TOWNSHIP HALL AND TO SUSPEND THE \$50 FEE DUE TO THEIR COMMUNITY SERVICE

Motion: Panzarella
Second: Bullard
Discussion: Bullard said 4-H is great.
Vote: D'Amico yes, Bullard yes and Panzarella yes

Inventory - Cannon said she provided department heads a list of inactive inventory items. She said they should have reviewed it and made any corrections. Cannon said she has not received anything back from the Fire Department. Cannon said since they have the majority of items inactive the Trustees may want to approve the disposal of such items at the next meeting. Panzarella said he located a Microsoft Office CD that was on the inactive list. He said he has returned it to the Fiscal Office.

CEMETERY

D'Amico said he still needs to get with Larry Buell to discuss the changing of the cemetery sign. Bullard said he learned of a group that makes signs out of plastic milk jugs. He said they are reasonably priced and look nice. He guessed they would be less than \$100. Bullard suggested having three made with the updated zoning rules. Bullard, D'Amico and Cannon will work on getting the information needed to print and find out total costs.

FIRE DEPARTMENT

Panzarella said one requisition was received today. He said the intent to have requisitions submitted with agenda items is so they can be reviewed by the Trustees. Panzarella said

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the requisition that was submitted late is for 2 gas monitoring meters. He said with the purchase of the two, all trucks will be equipped. He said the truck that the current one is stored on isn't always taken out. Panzarella said we can discuss this requisition or delay it to the next meeting if there are unanswered questions.

Requisition 2009-02-01: Verizon Wireless is for \$1296.00 for the annual fee for 2 broadband wireless units used with laptop computers in engines 391 and 392.

**RESOLUTION
09-02-03**

**MOVE TO APPROVE REQUISITION 2009-02-01 TO
VERIZON WIRELESS FOR \$1296 FOR TWO BROADBAND
WIRELESS UNITS USED WITH COMPUTERS IN ENGINES
391 AND 392**

Motion: Bullard
Second: Panzarella
Discussion: Bullard said Bechstien is in charge of monitoring the wireless connection. He said the browser has been disabled.
Vote: Bullard yes, Panzarella yes and D'Amico yes

Requisition 2009-02-03: Phoenix Fire Service Systems for \$108 for 2 navy blue uniform shirts for Ryan Strohl.

**RESOLUTION
09-02-04**

**MOVE TO APPROVE REQUISITION 2009-02-03 TO
PHOENIX FIRE SERVICE SYSTEMS FOR \$108.00 FOR
UNIFORM SHIRTS FOR RYAN STROHL**

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

Panzarella said Requisition 2009-02-04 is for the gas monitoring meters. He said the cost is over \$750.00. Panzarella said two quotes were received. IE Monitoring Instruments is for \$3412.98 and Fire-Safety Services, Inc. is for approximately \$3774.00. Panzarella said after discussing the items with the Chief we would go with the lower price. He said the monitors are used to detect CO, Oxygen levels, Lower Explosive Levels and Hydrogen Sulfide levels. Currently only one truck has a monitor. Panzarella suggested reviewing the requisition and discussing it at the next meeting. Bullard questioned if another bid was coming in.

Probationary Status – Panzarella confirmed that Daniel Curtiss will be coming off his 6 month probation on March 2nd. He said the chief stated he has completed his necessary training. Bechstein questioned why we did not receive a letter from Assistant Chief Hall since he has done this in the past. Panzarella said in the last meeting we set standards as to when probation status is removed.

**RESOLUTION
09-02-05**

**MOVE TO ACCEPT THE RECOMMENDATION FROM CHIEF
BECHSTEIN TO TAKE DANIEL CURTISS OFF PROBATION
AFTER HIS 6 MONTH PROBATION DATE**

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

ROAD DEPARTMENT

Salt Purchase 2009-/2010- Bullard said we have received information for purchasing salt for the 2009/2010 winter from SWOP, ODOT and the County Engineer. Bullard recommended we get in line with the County Engineer and commit to a supply. He said pricing is yet to come. Panzarella questioned how much we would order. Bullard recommended 500 tons with a plus or minus of 20% or 400 to 600 tons. He said they have been very cooperative this year.

**RESOLUTION
09-02-06**

**MOVE TO COMMIT TO PURCHASING 500 TONS OF SALT
FROM THE COUNTY ENGINEER FOR 2009/2010 IN
BERLIN TOWNSHIP**

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Motion: Bullard

Second: D'Amico

Discussion: Panzarella pointed out that traditionally we have gone with the County Engineer until last year. He said there was some concern that when they were closed we were unable to get any salt. Panzarella said since then we have built our own aggregate storage facility and are able to store salt there. He said it makes sense to purchase from them.

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

TRUSTEE ITEMS

Salt Status- Bullard said we currently have 95 tons of salt on hand. He said the County Engineer has committed to not leave us hanging if we would need to purchase additional salt. Panzarella added the cost was fixed at \$61 per ton.

Recycle Bin- Bullard informed the board the DKMM will be changing out the recycle bin every Tuesday. He said with the amount being recycled they have put us on a regular rotation. Panzarella noted the bins were full today. Bullard commented with the problems of material on the grounds he was informed that juvenile court kids could be used to clean up the area as part of their community service.

Snow Removal Complaints- Bullard said he received one written complaint from someone in Harbor Pointe that live in a court and one phone message from a resident on Courtland Drive requesting the slope heading to Old State be salted. Panzarella said he had a couple of complaints from Harbor Pointe and Meadowshire Dr. He said the concern was the main roads that were being done left snow waves at the cul-de-sacs. Panzarella said the board has to come up with a solution. He said the big trucks have trouble on the cul-de-sacs. He said with HB 458 the purchase of a 450 truck would be possible. Panzarella added that the truck would be small enough to maneuver and equipped with articulated blades could work in concert with the bigger trucks. He said we really need to look at this for next year. Bullard commented that we have 3 trucks and 2 full-time maintenance workers and 1 part-time worker. He suggested possibly getting rid of one of the bigger trucks. Panzarella said as long as the trucks are mechanically viable he would hate to get rid of one. Panzarella said he was aware that a couple individuals named to help plow have been too busy to help. He said we have plenty of time to find drivers for next year. He commented that a smaller truck would not require a CDL. He said the low bed truck would be easier for replacing signs and other maintenance activities. Bullard agreed it would be more universal.

Mailboxes- Bullard said he received one call from Curve Road regarding a damaged mailbox. He said the box originally was old and in poor shape. Panzarella said he understood it to be three mailboxes in a row. He suggested replacing the boxes. He said that would prove if it was the plow that was hitting the boxes or that they were just in bad shape. Bullard said he would talk to Brodi. Bullard said there was a cast aluminum mailbox in Whispering Creek that needed replaced. Bullard commented that there was a mailbox in the ditch on Cheshire Road that the County must have hit.

Newsletter- Bullard said he would like to get a newsletter together to be mailed out in the spring. He said we could inform everyone about the clean up day and other things going on in the Township. Bullard said he would be the editor for this edition.

RESOLUTION

09-02-07

MOVE TO APPROPRIATE \$1500.00 FOR THE COMPOSITION, PREPARATION AND MAILING OF TOWNSHIP NEWSLETTER

Motion: Bullard

Second: Panzarella

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

District 17 Integrating Committee- Panzarella said there is a meeting February 24th at 7:00 P.M. in Licking County. He suggested we authorize someone from the board to attend. Panzarella said he was available to attend. Bullard said it was the will of the board for Panzarella to attend the meeting on February 24th. However, if he can not attend then D'Amico will go followed by Bullard.

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ZONING DEPARTMENT

Contract with Delaware County Regional Planning for CLUP- D'Amico said he did not see where the amount was included. Bullard said it is for \$10,000 and is on the second page.

RESOLUTION

09-02-08

MOVE TO APPROVE THE CONTRACT FOR PLANNING SERVICES BETWEEN BERLIN TOWNSHIP AND THE DELAWARE COUNTY REGIONAL PLANNING COMMISSION FOR WORK ON THE UPDATING OF THE COMPREHENSIVE LAND USE PLAN - AMOUNT NOT TO EXCEED \$10,000

Motion: D'Amico

Second: Panzarella

Discussion: Bullard commented that the zoning commission chair will administer the contract.

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

7:45 TIME CERTAIN – Financial Network of America LTD.

Panzarella introduced Mr. Catalano from Financial Network of America and asked if he would like to speak on Deferred Compensation Plans they have available. Bullard said they were looking for a short presentation to the board. He said an actual presentation should be given to employees that are interested. Mr. Catalano introduced Jim Junkin also with FNA. He said they offer an alternative plan and are run by the same rules and regulations as the Ohio Deferred Compensation Plan. Mr. Catalano explained how Financial Network offers more than one company to invest with. He said there are 6 to choose from under 1 umbrella; three mutual funds and three insurance companies. He said we offer guarantees that other companies can't. He said we can ensure 5 to 7% with .5 to .85% fees net of expenses. Pacific Life, Prudential and Security Benefit are the three main carriers used. He said they currently service 28 municipalities, 10 counties including Delaware and 5 school districts. He said our job is to help individuals design and choose a portfolio that is best for them. He said they would come back every 6 months to talk with employees and see if changes are needed. Panzarella asked if the township elected to do this would they send the money to one place or several. Mr. Catalano said it is just 1 check. Bullard asked about paperwork. Mr. Catalano said they only need a couple of signatures. He said individuals would have to complete paperwork. Panzarella explained how there are few full-time employees and they would have to make sure people can always pay. Mr. Catalano said that was true. He said the minimum is \$25.00 per pay. He said if someone is layed off they can freeze the account. Panzarella suggested authorizing them to talk with Department heads.

RESOLUTION

09-02-09

MOVE TO AUTHORIZE FINANCIAL NETWORK OF AMERICA LTD. (FNA) TO CONTACT DEPARTMENT HEADS FOR BRIEFING ON DEFERRED COMPENSATION PACKAGE

Motion: Panzarella

Second: Bullard

Discussion: Panzarella asked if the motion was fiscally based. Cannon said the motion was fine for now since they were just contacting employees. Catalano asked if the department heads names and numbers could be emailed to him.

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

ZONING

Olentangy Elementary School on Gregory Rd.- Bullard said Kerr and McPherson want to make a presentation to the Township and suggested having both the Zoning Commission and Trustees meet together. Bullard said he thinks one trustee should be designated to go to the zoning commission meeting when the school district will make a presentation. The designated trustee can come back and provide a report. Bullard said he thought this was cost efficient. D'Amico asked when the meeting would take place. He said he could do the March 10th meeting.

RESOLUTION

09-02-10

MOVE TO SEND TOM D'AMICO TO THE ZONING COMMISSION MEETING WITH THE INTENT OF LISTENING TO THE PRESENTATION OF THE GREGORY ROAD SCHOOL AT THE REQUEST OF THE OLENTANTY LOCAL SCHOOL DISTRICT

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Motion: Bullard
Second: D'Amico
Discussion: Panzarella said the trustee that goes can not enter into discussion. They are to listen and report back to the board. D'Amico said as resident of the township I can ask questions. D'Amico said he would not jeopardize any voting decisions.
Vote: D'Amico yes, Panzarella yes and Bullard yes

FUTURE MEETINGS

Panzarella said there was a TIRC meeting on 3/11/09. Panzarella commented that Berlin Township has been carrying a burden of Liberty Townships with regards to completing necessary information for a CRA. He said either Liberty Township or Delaware County Economic Development will take up the paperwork preparation. He said this was an unfortunate assignment that happened and will hopefully be uncorked at the meeting.

LATE ITEMS

Bullard said we have received a resignation from the building custodian and some legal paperwork that we should go into executive session for.

RESOLUTION

09-02-11

MOVE TO RECESS INTO EXECUTIVE SESSION TO DISCUSS PENDING LEGAL MATTERS AND AN EMPLOYMENT SITUATION

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

RESOLUTION

09-02-12

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 not decisions or actions were made.

RESOLUTION

09-02-13

MOVE TO APPROPRIATE \$13,000 TO RINEHART AND RISHEL LTD. FOR LEGAL REPRESENTATION

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

D'Amico said he would like to contact Mr. Bringardner if that was alright with the board members. He said he would like to see if we can come up with a custodian by word of mouth before advertising. D'Amico said he would report back at the next meeting.

OTA- Leadership Academy- Bullard and D'Amico congratulated Panzarella on his completing the Ohio Township Association Leadership Academy.

Out of commission- D'Amico reported he would be having surgery on his shoulder April 16th and his doctor has advised him he would be off for 6 weeks. He said his ability to sign anything would also be limited.

Zoning Training- Bullard said the zoning training was good and valuable for all whom attended. D'Amico said he thought some seminars were rushed especially the one regarding junk cars. Panzarella said it was covered at the OTA conference and they could send us a briefing slide.

OTA Winter Conference- Bullard said he attended several OTA sessions and thought they were valuable. He said the information he learned on HB458, Cemetery and Roads were all helpful. Panzarella said he also went to the conference on Wednesday, Thursday and Friday. He said there were several important items for Townships including HB 458, HB 50, Cable Relocation, Eminent Domain and Septic Systems and the Limited Home Rule. He suggested having the prosecutors office or another legal firm brief us on the Limited Home Rule so we can have the "pluses" and "minuses" and have a mechanism to keep the integrity of the township.

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Mr. Paykoff arrived late to the meeting. D’Amico questioned if when clearing the cul-de-sacs of snow if they could make a temporary island. Paykoff said you could with some. He said it is difficult because you can’t always tell where the driveways are. He said they tend to cut a path in the middle of the road. Panzarella said there was some discussion on getting a small maneuverable vehicle to do the courts. Paykoff said with the last storm the routes were divided into 3 to 4 hour routes. He said with the ice it was harder to plow. He said he did not think a smaller plow would have worked on the ice, but would work on snow.

128th General Assembly-

Panzarella reported to pieces of information gained from the assembly. One dealing with TIF’s with regards to what the County can do between the dates of 1/1 and 6/30. The second item had to do with the costs of audits. Panzarella said Mary Taylor’s office will reward entities that have clean audits by being audited every 4 years instead of every 2 years. He said that would help alleviate the costs of the audit.

Paykoff commented that when reviewing the organizational minutes he was surprised at the cost of fertilizer for the cemeteries. He said it was a lot of money to spend on grass. Panzarella said the insecticide was going to be done on an as needed basis. Bullard stated when you fertilize more you have to mow more.

RESOLUTION

09-02-14

MOTION TO ADJOURN

Motion: D’Amico

Second: Panzarella

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

Meeting adjourned by Chairman Bullard at 9:03 p.m.

Phil Panzarella, trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon
Fiscal Officer

Tom D’Amico, Trustee