

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

April 27, 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: Toni and Joe Korleski; and Bill Bechstein, Fire Chief.

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 none, trustees moved to the next agenda item.

Approval of minutes:

RESOLUTION 09-04-12 MOVE TO APPROVE THE REGULAR MEETING MINUTES FROM 4/13/2009 AND TO DISPENSE WITH THE READING

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

RESOLUTION 09-04-13 MOVE TO APPROVE THE ROAD MEETING MINUTES FROM 4/18/2009 AND TO DISPENSE WITH THE READING

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

FISCAL OFFICE

Township Correspondence- Cannon reminded the board that any correspondence that is received or sent out as a reply should be in the fiscal office. The board said they were doing this. Cannon said they should talk to their department heads.

Liquor License for Lilman's LLC- Cannon said she received a letter from the County Commissioners regarding a hearing request for Lilman's. She asked if Trustees would like a hearing or not. Panzarella said he has not heard of any problems there. He said a couple of years ago there was a problem with noise. Bullard and D'Amico said they did not wish a hearing. Korleski asked where it was located. D'Amico said it is a pizza shop on US 23 between Peachblow and Shanahan Roads.

RESOLUTION 09-04-14 MOVE THAT WE DO NOT REQUEST A HEARING FOR LILMAN'S LIQUOR LICENSE REQUEST

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

CEMETERY

Bullard asked that the sign be placed on the agenda for the next meeting.

FIRE DEPARTMENT

Fire Department Lieutenant- Panzarella suggested the trustees go into executive session to discuss personnel matters and pending legal issues.

Bullard said we would be discussing the Lieutenant position in executive session. He said our attorney is not available so we will not discuss pending legal issues.

RESOLUTION 09-04-15 MOVE TO RECESS INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION OR

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COMPENSATION OF A PUBLIC EMPLOYEE OR PUBLIC OFFICIAL

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

RESOLUTION

09-04-16 MOVE TO RETURN BACK TO REGULAR SESSION

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

Bullard said no decisions or actions were taken during executive session.

7:30 TIME CERTAIN: BZC CASE # 09-001 REQUEST OF CHANGE TO ARTICLE 27, SECTION 27.01

Bullard entered the following exhibits into the file:

- #6. Proof of publication in the Delaware Gazette
- #7. Conclusion letter from Rick Sedlacek

Bullard said the recommendation of approval was unanimous from the Zoning Commission. Bullard asked the board members if they had any comment. D'Amico and Panzarella said they did not.

RESOLUTION

09-04-17 MOVE TO APPROVE BZC CASE #09-001 WITH EXHIBITS 1 THRU 7 AND TO HAVE THE ZONING INSPECTOR CHANGE THE DESIGNATION OF "UPDATED XX-XX-XX" TO INSERT THE EFFECTIVE DATE AT THE EXPIRATION OF THE REFERENDUM PERIOD

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

Bullard said this concludes the BZC hearing for Case # 09-001.

FIRE DEPARTMENT

Panzarella said he received a letter from Fire Chief Bill Bechstein requesting the promotion of Firefighter Joe Pichert to Lieutenant. He said Pichert is highly recommended by the Chief and Assistant Chief. Pichert meets the criteria as specified in rules which are typical to other fire departments. Panzarella read an excerpt from Bechstein's letter of recommendation to promote Joe Pichert to lieutenant. Bullard entertained a motion for a fulltime lieutenant.

RESOLUTION

09-04-18 MOVE TO CREATE THE POSITION OF A FULL-TIME LIEUTENANT POSITION IN THE BERLIN TOWNSHIP FIRE DEPARTMENT

Motion: Bullard
Second: D'Amico
Discussion: Panzarella said Joe has earned the respect of the firefighters. He said our standard operation guidelines do not require an officer at the scene of a fire but does cover duties if they are there. Panzarella said because SOG's set precedent this does not. It does recognize performance. Panzarella said we currently have three (3) other lieutenants who are all part-time.
Vote: D'Amico yes, Panzarella yes and Bullard yes

RESOLUTION

09-04-19 MOVE TO ESTABLISH PAY FOR A FULL-TIME FIRE LIEUTENANT TO \$16.83 PER HOUR

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

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RESOLUTION 09-04-20

MOVE TO PROMOTE JOE PICHERT TO FULL-TIME LIEUTENANT EFFECTIVE MAY 3, 2009

Motion: Panzarella
Second: D'Amico
Discussion: Bullard said Joe is deserving of this position.
Vote: Bullard yes, D'Amico yes and Panzarella yes

Panzarella said Chief Bechstein will notify Joe of his promotion.

Buckeye Boat Regatta- Bechstein said we have been asked to participate in the 1st annual Buckeye Boat Regatta. He said more than likely we will have many residents attending. He said we will be support outside of the busy area in the case of an accident or incident. He said the racing regatta has their own rescue crew and will take care of things inside the racing area. Bechstein said Berlin, Orange and Genoa have all been asked to have a craft on the water for two days and to provide support. Bullard said this is scheduled for June 20th and 21st. He said the race is to be in front of the beach area. He said everything is occurring inside Orange Township. Bullard said staffing should be taken care of by Orange Township. He said there will also be alcohol provided on the beach. Bullard said he has heard attendance could be 15,000 to 20,000 people. Panzarella said that is a lot of people. He said the last number we received from the state was that 2,946,633 attend on a yearly basis. He said on a busy weekend we could get that same amount of people. He said the event is being held on a weekend and during the busy boating times. He said he just heard about the race a couple of days ago. Bullard said he has sent a letter to Brian Gallagher. Chief Bechstein said the state is requesting our assistance. He said he has talked with Roger Norcross who is the main supervisor for watercraft at Alum Creek. Panzarella questioned how much this would cost the township. He said six (6) people for ten (10) hours a day for two (2) days is approximately \$1400.00. Bullard added plus equipment costs. Panzarella questioned if Norcross was sending a letter out to township residents and the sailing group who use Alum Creek. Bechstein said he did not know. He said he could speak with him. Panzarella said it should be put in the paper. Panzarella said everyone should be made aware of the event. D'Amico said he just heard about the regatta today. D'Amico said what is puzzling for him is he thought the boat was purchased for the Berlin Township and its residents. He said he is also concerned that if we have the manpower at the lake we may not have anyone available if there is an emergency in the township. Bechstein said that is why he is requesting six (6) people to staff the weekend. He said that would provide three people for the boat and three at the station. He said the staff at the station and on the boat would switch after four (4) hours. He said that would leave us with adequate manpower. D'Amico asked why we had to provide services not in our jurisdiction. Bechstein said Orange has committed to putting there full-time staff and their 16 foot boat on the duty. He said Genoa will have a boat and dive team also at the lake. Bechstein said our boat is more suitable for rescue. Bullard said there are fishing tournaments on the lake that we do not participate in. He said this is setting a precedent for racing. Bechstein said with racing there is a bigger crowd draw and a significant risk. Bullard asked if he needed something from the Trustees tonight. Bechstein said this is not typical of how we work with staffing on the weekends. He said they would also like to staff on Memorial Weekend, The 4th of July and Labor Day. Bullard asked for Bechstein to put a request together and they would discuss at the next meeting. He said it could be incorporated into the Organizational Meeting. Panzarella commented that the money received that weekend is sales tax dollars. He said we should talk to the County to see if they would consider distributing some of the sales tax they receive. He said we have no way of receiving money for this event. He said the County, if able, could work up legalities. Bechstein said he did not know how this ended up on State Park Property. He said sometimes they pay since they are the ones generating the crowds. Bullard said the trustees will help out in any way. Bechstein said the beaches would be closed for swimming.

ROAD DEPARTMENT

Requisition: 0904006

Bullard said the Nextel phones being used by the maintenance department are no longer working. He said the agreement cancellation time has also expired. Bullard said Irwin has two quotes for cell phone service. Future Cellular has three (3) Verizon phones and Preferred Wireless provides Sprint phones. Bullard said he recommended going with the Verizon phones since we currently are using Verizon. Panzarella questioned why they would

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get three phones. Bullard said one would be left at the station and used if one of the others were broken. He said Chris Paykoff would also use one if he was working or plowing snow. Bullard said the cost would be \$150.00 for the phones and the plan would be \$79.98 per month. Cannon said she tried to contact both vendors. She said one of the vendors also said there was an activation fee for each phone. She said there is also insurance that could be purchased in case a phone is damaged.

**RESOLUTION
09-04-21**

MOVE TO APPROVE THE PURCHASE OF THREE (3) VERIZON TELEPHONES, THE PHONE SERVICE (SMALLEST FAMILY PLAN), AND ANY RELATED FEES FROM FUTURE CELLULAR NOT TO EXCEED \$1000- ROAD DEPARTMENT USE

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

**RESOLUTION
09-04-22**

MOVE TO CANCEL THE SPRINT-NEXTEL PLAN USED BY THE ROAD DEPARTMENT AND APPROVE UP TO \$100 FOR ANY EXPENSES

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

Requisition: 0904004

Bullard said this requisition will help with the upkeep of the 2002 International.

**RESOLUTION
09-04-23**

MOVE TO APPROVE REQUISITION 0904004 TO THE DEXTER COMPANY FOR SANDBLASTING AND PAINTING THE 2002 TRUCK BED AND FRAME FOR \$2,850

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

Requisition: 0904005

Bullard said the sterilizing along the guardrail and cemetery fence was not included in the mowing contract.

**RESOLUTION
09-04-24**

MOVE TO APPROVE \$825 TO STEWCARE INC. FOR THE STERILIZING OF 900 FEET OF GUARDRAIL AND 3360 FEET OF CEMETERY FENCE

Motion: Bullard
Second: Panzarella
Discussion: Panzarella questioned who would take care of the brush that is not destroyed along the fence and guardrail. He asked who would cut it down. Bullard said the maintenance department would take care of it. He said Stewcare would be using the hazardous materials not the township employees.
Vote: D'Amico yes, Bullard yes and Panzarella yes

Irwin is to notify Stewcare of additional work at township hall and cemetery.

Requisition: 0904007

Bullard said this resolution will bring the maintenance crew in compliance with the new ANSI uniform regulations.

**RESOLUTION
09-04-25**

MOVE TO APPROVE REQUISITION 0904007 TP ARAMARK UNIFORM SERVICES FOR \$520.30 FOR 11 LONG AND SHORT SLEEVE CLASS 2 LIME GREEN REFLECTIVE SHIRTS FOR BRODI IRWIN AND MIKE HART

Motion: Bullard
Second: Panzarella

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Discussion: Cannon asked if the monthly cost for cleaning the shirts would change. Bullard said he did not know.

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

Small Truck- Bullard said he has provided information about a small truck for the road department use. Panzarella said a recent prosecutor's opinion has stated that the road funds could be supplemented from the general fund. Bullard said he did not see any specific restrictions. Panzarella stated this was because of a new house bill. He questioned which road fund money would be transferred to. Cannon questioned why the money would have to be transferred. She said it could come straight from the general fund. Panzarella said in the past townships would get in trouble for using the general fund for road items. Cannon said HB 458 changed that. Bullard said in the organizational meeting we gave Theresa the authority to use supplementals and transfers as needed.

Golf Cart- Bullard said the golf cart tune-up work was less than \$100.00. He said they could provide a requisition at the next meeting. Cannon said it could come out of the road department \$750.00.

TRUSTEES

Bullard said there is a Grant Writing Workshop in Circleville on May 20th. He said the cost is \$20 per person. Bullard said he, Armstrong and Irwin would like to attend. Panzarella said since no business decisions regarding the township are being made he would also like to attend. Bullard added Sedlacek to the list. Panzarella said regular employees would be paid their pay and added the trustees are not paid. Panzarella questioned if Sedlacek would be doing this gratis or if we would pay a meeting rate of \$50.00. Cannon said Sedlacek could also receive an hourly rate. Trustees agreed he should receive a meeting rate.

RESOLUTION

09-04-26

MOVE TO APPROVE UP TO \$200 FOR GRANT WRITING MEETING EXPENSES IN CIRCLEVILLE FOR BULLARD, PANZARELLA, IRWIN, ARMSTRONG AND SEDLACEK- COST IS \$20 PER PERSON

Motion: D'Amico

Second: Bullard

Discussion: D'Amico said he may also want to attend. He will look at his calendar.

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

Recycle Area Issues

Bullard said we had an incident where a couch and chair were dropped off at the recycle area. He said the sheriff took a report and DKMM will be handling it. DKMM will also write letters to residents that dropped off cardboard and left it outside the bins. Bullard said Bailey and Way-Young have suggested putting up additional signage to help with the problem. Panzarella said we had to pay a fee for the items we dropped off. He asked about the township getting reimbursed. Bullard said we were told that we would be reimbursed or charges would be dropped. He said we will be reimbursed for the \$15. Panzarella said we were fortunate to have an eyewitness. He said if these things continue he would like to revisit having a camera mounted on the fire station. He said it would provide us with date, time and license numbers. Bullard said to informally seek prices for having a camera. Panzarella said to get the information from Ray since they have something similar in the zoning office.

Bullard commended Meadows of Cheshire for going to one trash hauler.

FUTURE MEETINGS

May 12, 2009 at 6:30 for MORPC at the Center for Older Adults

May 11, 2009 Trustee Meeting – Fire Department to present additional staffing needs

May 2, 2009 Township Clean up

April 27, 2009 Ray is attending the Delaware City Meeting tonight to listen to discussions regarding Route 23 and Peachblow Rd.

LATE ITEMS

Panzarella said Heidi Fought, Director of Governmental Affairs, has sent out a couple of e-mails regarding legislative alert with House Bills. Panzarella said the Township should pursue federal money for roads. Bullard said he has talked with Pat Blaney from the county engineer's office and was told Berlin Township roads do not qualify. He said there is not enough traffic. Bullard said they would like to push 36/37 and I-71. Panzarella said there were talks about a Big Walnut interchange at I-71.

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RESOLUTION

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MOTION TO ADJOURN

Motion: D'Amico

Second: Bullard

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

Meeting adjourned by Chairman Bullard at 8:41 p.m.

Phil Panzarella, Trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon
Fiscal Officer

Tom D'Amico, Trustee