

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

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

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

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Eldon Johnston.

**ROLL CALL:** Phil Panzarella, Ron Bullard and Tom D'Amico. In the absence of Fiscal Officer Theresa Cannon, Judy Shumway was named to record the proceedings of the meeting.

**ATTENDANCE:** Mary Bechstein; Bill Bechstein, fire chief; Eldon Johnston, liaison for the Delaware County Engineer; Joe and Toni Korleski; Jim Hahn; Joe Holehouse; Steve Spangler; Chris Rinehart, Rinehart & Rishel, LLC; Chris Paykoff; and Larry Buell, cemetery sexton.

**Public Comment:** Bullard reviewed the adopted rules for public comment. Bullard noted Resolution 05-07-44 was posted on the public bulletin board. He asked if anyone wished to make public comment. Hearing none, the meeting was continued.

**APPROVE MINUTES**

**RESOLUTION**

**09-09-01**

**DISPENSE WITH READING AND APPROVE MINUTES OF EMERGENCY MEETING AUGUST 3, 2009**

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

**RESOLUTION**

**09-09-02**

**DISPENSE WITH READING AND APPROVE MINUTES OF EMERGENCY MEETING AUGUST 10, 2009**

Motion: Panzarella  
Second: D'Amico  
Vote: D'Amico yea, Panzarella yea Bullard abstain.

**RESOLUTION**

**09-09-03**

**ACCEPT AMOUNTS AND RATES AS DETERMINED BY THE DELAWARE COUNTY BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR-INSIDE MILLAGE 2.10 AND OUTSIDE MILLAGE 2.98 FIRE LEVY**

Motion: Panzarella  
Second: D'Amico  
Vote: Panzarella yea, D'Amico yea and Bullard yea.

**2007-2008 BIENNIAL AUDIT OF TOWNSHIP FINANCIAL RECORDS**-Shumway reported the biennial audit had been completed and the Auditor of State's office had certified the audit report submitted by the independent audit firm Perry & Associates, Certified Public Accountants, CPA's, A.C.

Shumway said the audit firm spent four hours in the office collecting data and all remaining audit procedures were handled offsite. The audit firm finalized the audit reporting two findings. The firm had not recognized receipt of the fiscal officer's responses to both

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

findings nor offered a post-audit conference opportunity to the township. The fiscal officer called the state auditor’s office to intervene. The state auditor revised the audit report to reflect the Township’s response to findings. A revised audit report was provided to the township and the audit was entered on the record as well as being posted on the Auditor of State’s website.

Panzarella commented that the audit had not been done like previous audits. Panzarella said the last audit had been done by the state and this one was done by a contracted audit firm. He said he was disappointed no opportunities had been given for trustees’ comments and questions either prior to or post audit.

Bullard questioned if trustees should write a letter.

Panzarella said, “In a couple years we can make our feelings known.” Bullard said, “The only way to affect it is write a letter to the Auditor of State. Does someone want to write a letter?” Bullard to write a letter for the September 28<sup>th</sup> meeting.

**USE OF TOWNSHIP HOUSE BY GIRL SCOUTS**-Trustees were presented with a request by Cathy VanHoose to use the township facility for a program outreach for middle school age girls in Girls Scouts to study space exploration. VanHoose requested the use of the township meeting room from 1-5 p.m. the 3<sup>rd</sup> Saturday of each month beginning in October and ending in April.

**RESOLUTION  
09-09-04**

**MAKE TOWNSHIP HOUSE AVAILABLE WHEN  
POSSIBLE AT NO COST TO THE GIRL SCOUTS**

Motion: Bullard  
Second: D’Amico

**DISCUSSION**-Bullard was asked if he’ checked the activity calendar to see if there were any rented dates. Bullard said, “I did not check the calendar.” D’Amico questioned what would be done if a resident wanted to rent the facility. D’Amico said, “I’m not5 sure it’s good to block out six months.” Panzarella questioned how much room the group needed. Bullard said he didn’t know. Panzarella said, “I don’t know their curriculum but since it is space study, I question if rocketry is involved. If so, they need to know the pyrotechnics of the building. They will have to schedule through Cathy.” D’Amico said, “We should have Cathy look at each month, by the 1<sup>st</sup> of the month, and if it’s not scheduled then they can use it.” Bullard said, “I’m OK with availability if by the 1<sup>st</sup> of the month.”

Vote: D’Amico yea, Bullard yea and Panzarella yea.

**CEMETERY**

**TREE TRIMMING**-In June trustees had been requested by the lawn care service to trim pine trees behind the building. Bullard said trimming had not been done because it was not known what level of trimming was needed. Shumway reported the lawn care service wanted the trees trimmed up so mowers could be run under the trees. It was determined that trees would be trimmed 2-3 ft. from the ground. Bullard to tell the maintenance department.

**UTILITY VEHICLE**-Trustees were provided with a recap sheet regarding utility vehicle price quotes. Descriptions included a truckster type vehicle with 4WD, diesel engine, dump bed, and alternative attachments of a glass enclosed cab and snow blade. State bid price information was provided for John Deere and Toro. Kubota is not a state bid participant and information for Kubota was provided by Buckeye Tractor & Implement. Shumway said Larry Buell had provided information as to what he believed should be purchased and what attachment items would be necessary attachment items. It was stated that the item had been an agenda item for more than a year.

**JD Equipment, Inc.-state bid contract7751501208**

John Deere GATOR XUV 850D	Base price	\$10,755.09
	Deluxe Canopy Glass	\$ 2,520.10

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

	Straight 72" Front Blade	<u>\$ 1,673.95</u>
		\$14,959.05
John Deere GATOR XUV 620I-Gas	Base price	\$ 9,766.19
	Deluxe Canopy Glass	\$ 2,770.52
	Straight 72" Front Blade	<u>\$ 1,673.95</u>
		\$14,210.66
<b>Century Equipment-state bid contract 776515L</b>		
Toro Carryall CA295, Gas	Base price	\$10,379.70
	Cab kit	\$ 4,663.80
	Snow plow blade	<u>\$ 1,336.20</u>
		\$16,379.70
Toro Workman MDX	Base price	\$ 8,885.51
	Deluxe cab & door kit	\$ 2,949.83
	Snow plow blade	<u>\$ 1,400.32</u>
		\$13,235.66
<b>Buckeye Tractor &amp; Implement-not state bid contract</b>		
Kubota RTV 900 Worksite 9-H	Base price	\$13,675.00
	Bedliner	\$ 195.00
	72" snow blade	\$ 1,906.00
	Discount	<u>(\$ 2,516.00)</u>
		\$13,260.00
Kubota RTV 1100 W 9-H	Base price	\$18,950.00
	Bedliner	\$ 195.00
	72" snow blade	\$ 1,948.00
	Discount	<u>(\$ 3,373.00)</u>
		\$17,720.00

D'Amico said, "The John Deere is middle price. There's a big difference in quality and diesel versus gas. I understand we do not have gas here." Bullard said, "We can store small amounts of gas." D'Amico said, "This hasn't gotten done mostly because I haven't been following up with Larry and I'd like to talk to him." Shumway said Buell had provided information necessary to gather the pricing. She said Buell had requested a diesel fuel vehicle. Shumway also said Buell had requested a vehicle be priced without a cab but with the ability to add the cab in the future if desired. Bullard asked, "Can we turn this into a requisition at the next meeting?"

**FIRE DEPARTMENT**

**RESOLUTION**

**09-09-05**

**APPROVE \$150.00 FOR BUFFING WAX AT 2708 LACKEY-OLD STATE ROAD FIRE STATION-SHAFFER'S CLEANING**

Motion: Panzarella  
 Second: D'Amico  
 Vote: Panzarella yea, D'Amico yea and Bullard yea.

**RESOLUTION**

**09-09-06**

**APPROVE \$124.80 FOR SPRINKLER HEAD REPAIR AT FIRE STATION-KOORSEN FIRE & SECURITY**

Motion: Panzarella  
 Second: D'Amico

Bullard stated, "This couldn't be more than 2 1/2 yrs. old." Bechstein said, "A little leak caused corrosion."

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

Vote: Bullard yea, Panzarella yea and D'Amico yea.

**RESOLUTION  
09-09-07**

**APPROVE \$231.94 FOR WAX, CLEANER,  
POLISH, ETC.-JAX WAX DISTRIBUTION  
SYSTEMS, LLC-FIRE DEPARTMENT**

Motion: Panzarella  
Second: D'Amico  
Vote: D'Amico yea, Panzarella yea and Bullard yea.

**RESOLUTION  
09-09-08**

**APPROVE \$624.00 FOR HARDWOOD MULCH-  
PRICE FARMS ORGANICS, LLC TO BE USED AT  
FIRE STATION**

Motion: Panzarella  
Second: Bullard

Bullard questioned if hauling to be done by P.D. Paykoff Trucking Company could be combined with the requisition for mulch. It was advised not to do this.

Vote: Panzarella yea, D'Amico yea and Bullard yea.

**RESOLUTION  
09-09-09**

**APPROVE \$60.00 FOR HAULING MULCH-P.D.  
PAYKOFF TRUCKING COMPANY TO BE USED AT  
FIRE STATION**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yea, D'Amico yea and Panzarella yea.

**RESOLUTION  
09-09-10**

**APPROVE \$318.00 FOR ANNUAL LADDER  
TESTING-SIX LADDERS-MISTRAS GROUP, INC.  
(CONAM INSPECTION) FOR FIRE DEPARTMENT**

Motion: Panzarella  
Second: Bullard  
Vote: D'Amico yea, Panzarella yea and Bullard yea.

**RESOLUTION  
09-09-11**

**APPROVE \$501.00 FOR COLORING BOOKS &  
SUPPLY BAGS-HALLOWEEN OPEN HOUSE-  
ALERT-ALL CORPORATION-FIRE DEPARTMENT**

Motion: Panzarella  
Second: Bullard  
Vote: Panzarella yea, Bullard yea and D'Amico yea.

**RESOLUTION  
09-09-12**

**APPROVE \$261.00 FOR JUNIOR FIRE HATS-  
HARTFORD JR. FIRE/NEPM-FIRE DEPARTMENT  
OPEN HOUSE**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yea, Panzarella yea and D'Amico yea.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**DISCUSSION-HONOR GUARD UNIFORMS**-Panzarella said, "In the past we've provided honor guard personnel to various functions. There used to be several persons involved and some have dropped out." Panzarella said a member was asking replacement of an honor guard uniform due to age and size. Panzarella said since people provide their own time to do it and the honor guard is worthwhile, the township should support it. Bechstein said the member had been very diligent in his duties for funerals and special events often being called on at the spur of the moment. Bechstein said he wanted the individual to remain active with the honor guard group. Bechstein said it was a very good group providing an appreciated service. Panzarella said he didn't know if the uniform could be altered or what the cost might be. Panzarella suggested putting off a decision until the September 28<sup>th</sup> meeting. Bullard said, "You asked the will of the board for \$700. Do you want a motion?" Panzarella said, "No, it can come back to the board." Bullard asked, "Should we go forward?" D'Amico said, "I'm in favor of the program but I wish it wasn't \$700. It is what it is."

**OPEN HOUSE FUNDING**-Panzarella asked what amount of funding had been provided in the past. Chief Bechstein said the township had provided about \$500 for candy and refreshments. Panzarella said, "The Board provides hot dogs, buns and condiments."

**RESOLUTION**

**09-01-13**

**APPROVE \$500.00 FOR OPEN HOUSE FUNDING**

Motion: Panzarella  
Second: Bullard

Bullard questioned if the Open House was under control without Connie Reda. He was assured other firefighters were handling the duties.

Vote: Panzarella yea, D'Amico yea and Bullard yea.

**H1N1 FLU POSTERS**-Panzarella said the poster says "when sick stay home" and according to the health board a person should be fever free for 24 hrs

Panzarella said the shot would be available in October and it may be available at the fire station for 1<sup>st</sup> responders. Bechstein said there would be no charge for the vaccine for 1<sup>st</sup> responders at this point. He said originally three locations had been set up and Berlin was one of them. Bechstein said the vaccine would be administered at the station. Panzarella questioned if police would be included. Bechstein said he didn't know if police would be included. Bechstein said the department would need a refrigerator temporarily. Panzarella questioned if the township should pay for township personnel. Bullard said, "My feeling on it is, in terms of the road department, it makes perfect sense."

Bullard said, "Put a plan together for costs, etc." Panzarella said, "We only have four fulltime personnel. I suggest adding Theresa since she can authorize emergency situations. She is critical personnel." D'Amico said, "If available for one, available for all." Panzarella questioned making it available to part-time personnel. If you say all, all has to be defined." Bullard said, "We need to have a plan." Panzarella said we need to have a motion to authorize funds. I don't know how much or who. By the next meeting we'll have a plan."

Panzarella said he wanted the posters around the township in the public room, outside bulletin board and the fire station.

**ID STATUS**-Panzarella said fire department personnel would have identification cards by the end of September.

**FIRE DEPARTEMENT HIRING STATUS**-Panzarella said, "Six persons were being interviewed for four positions to be offered and authorized." Bullard asked when interviews would be done. Panzarella responded, "I would think by next meeting." Bechstein said, "We are still putting information out to other fire stations." Panzarella said, "I would like to get them hired as soon as possible. Other fire department employees could accelerate thru the probationary process."

**LEAVE OF ABSENCE**-Panzarella said the fiscal officer was in need of collecting a leave of absence for a fire department employee. Panzarella said, "I encourage getting that done."

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**EMS GATOR AT FIRE STATION**-Panzarella said he had asked for legal advice (no such request in Berlin Township file) regarding the county's Gator stored in the Berlin Township fire station. He said the prosecutor's office had provided a resolution format to both the county commissioners and Berlin Township waiving what was determined to be a conflict of interest by the county prosecuting attorney's office. The conflict was that the prosecutor's office represents both the county commissioners and the township officials. Panzarella said, "The county commissioners had the opportunity to sign the waiver of conflict in reviewing an amendment to the township's lease agreement with the county and they chose not to sign. I encourage having legal counsel review it modifying the agreement." Bullard said, "Money needs to be approved to represent the fire department in the matter." Panzarella said, "We have firms listed as to who we would use." Bullard said, "The rate is \$200 per hour and for five hours it would be \$1,000.00 for the firm of Loveland & Brosius plus 20% which would equal \$1,200.00."

**RESOLUTION**

**09-09-14**

**APPROVE \$1,200.00 FOR REVIEW OF LEASE MODIFICATION TO INCLUDE EMS GATOR AND ANY OTHER EQUIPMENT STORAGE-LOVELAND & BROSIUS-FIRE DEPARTMENT**

Motion: Bullard  
Second: Panzarella

Bullard said, "I am not at all pleased in having to hire outside legal counsel and I blame the commissioners."

Vote: D'Amico yea, Bullard yea and Panzarella yea.

**FIRE COMMITTEE**-Bullard said, "Three members are here; Joe Holehouse, Jim Hahn, Joe Korleski and Steve Spangler. Dennis Fisher is not going to participate."

Bullard left the meeting to get books.

Bullard said committee members would be provided with books. He said information was in the books with the previous committee report. I asked Panzarella to put a list together for the committee. Bullard said to the committee members present, "You need to have a chairman and have someone to take minutes." Bullard asked Panzarella if he had the list of points. Panzarella said his task outline was in four phases. Holehouse asked about the old report. Panzarella then read section introductions from the book mentioning his white paper and the task outline. Panzarella said, "You can amend as you want." Bullard added, "What precipitated this is the fire levy will need to replace the current levy." Korleski asked if it would be on the November ballot. Panzarella said it would be in May or November. Chris Paykoff questioned when the current levy would expire. Panzarella said, "Collection ends in 2010." Bullard said, "Phil will be the contact person. It's the most logical to contact him, he's the most knowledgeable." Korleski asked, "What is the millage?" Panzarella responded, "2.98."

Spangler said, "As I recall, we needed to be advertised." Bullard said, "You are a subsidy of this Board. You need to advertise and keep minutes. I hope for you to choose a chairman. I don't know how to get to that. If you can, choose a date two weeks out." Those committee members discussed a date among themselves and determined a meeting date to be September 30<sup>th</sup> at 7:00 p.m. at the township house. It was determined the committee meeting date and time would be advertised in the newspaper.

Bullard said, "Chief Hall and Pat Paykoff aren't here. Do you need more people?" Spangler said five to seven would be fine. Hahn questioned if committee persons could ask the fire department questions or whether they had to go thru Panzarella. Bullard said, "Go through anyone you want."

**OPWC APPLICATION**-Panzarella asked Johnston about matching funds. Johnston said the county engineer typically provided \$50,000.00. Johnston also told trustees that time deadlines were near. He told trustees that the application would have to go before the county commissioners for approval of any assistance provided by the county engineer's office and before that happened there had to be five complete copies of the application

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

along with all detailed narratives. Shumway suggested the application forms be reviewed page by page as Johnston was there to pick up the application for delivery to the county engineer. Several trustee comments were made regarding analysis to amounts to be provided by the township and county, etc.

Panzarella said, "It's time to cut to the chase." He referred to the township getting an OPWC loan. Johnston told trustees that two different people in the engineer's office handled different phases of the application and that it was not possible to get a loan application completed due to time restraints. Panzarella said, "We have not afforded ourselves an opportunity here."

Trustees did not have a five year plan prepared to be submitted with the application. Johnston told them it had to be a part of the submitted application and it had to be completed and to the county engineer within two weeks. Bullard said presently it was not available.

As application pages were reviewed, trustees discussed and changed several numbers. Shumway said, "Prior to completing the application it is necessary to pass authorizing legislation for the specific project." Shumway said, "A second part to the application is determining the township's participation amount(s) and passing a resolution naming the participation amount and entering into a cooperation agreement with Delaware County to submit, on behalf of the Township, an application to Ohio Public Works Commission for the project."

**RESOLUTION  
09-09-15**

**APPROVE AUTHORIZING TRUSTEE CHAIRMAN  
RON BULLARD TO PREPARE AND SUBMIT AN  
APPLICATION TO PARTICIPATE IN THE OHIO  
PUBLIC WORKS COMMISSION STATE CAPITAL  
IMPROVEMENT AND/OR LOCAL  
TRANSPORTATION IMPROVEMENT  
PROGRAM(S) AND TO EXECUTE CONTRACTS AS  
REQUIRED**

Motion: Bullard  
Second: Panzarella  
Vote: Bullard yea, D'Amico yea and Panzarella yea.

**RESOLUTION  
09-09-16**

**APPROVE TOWNSHIP TO PROVIDE \$70,000.00  
IN TOWNSHIP FUNDS FOR THE PURPOSE OF  
PARTICIPATION IN THE OHIO PUBLIC WORKS  
COMMISSION STATE CAPITAL IMPROVEMENT  
AND/OR LOCAL TRANSPORTATION  
IMPROVEMENT PROGRAM(S) TO BE FUNDED  
FROM THE 1000-GENERAL FUND, 2011-MOTOR  
VEHICLE LICENSE FUND, 2021-GASOLINE TAX  
FUND, AND 2231-MOTOR VEHICLE LICENSE-  
PERMISSIVE FUND**

Motion: Bullard  
Second: D'Amico  
Vote: Panzarella yea, D'Amico yea and Bullard yea.

**RESOLUTION  
09-09-17**

**APPROVE OPWC APPLICATION FOR PROJECT IN  
MEADOWS @ CHESHIRE PROVIDING  
COMPLETED APPLICATION TO ELDON  
JOHNSTON FOR DELIVERY TO THE DELAWARE**

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**COUNTY ENGINEER**

Motion: Bullard  
Second: D’Amico  
Vote: Bullard yea, Panzarella yea and D’Amico yea.

**TRAFFIC WARNING DEVICES**-Bullard said regarding traffic warning devices, “Eldon you said more is better?”

**RESURFACING BIG RUN AND HEVERLO ROADS**-Bullard said both Big Run and Heverlo Roads needed to be resurfaced. Bullard said quotes had been received for chip & seal.

**RESOLUTION  
09-09-18**

**APPROVE \$3,471.55 FOR CHIP & SEAL OF BIG RUN ROAD-DELAWARE COUNTY ENGINEER TO DO WORK**

Motion: Bullard  
Second: D’Amico

Panzarella asked, “Where is the money coming from? That road doesn’t get a lot of traffic. Do we have to do it this year?” Bullard said, “No we don’t have to do it this year. We’d have to ask the fiscal officer about that (where the money is coming from). D’Amico questioned if appropriations for salt had been done. It was affirmed the appropriations had been made.

Bullard said, “Is this what we want to spend the money on now?” D’Amico asked, “Is Brodi bringing us the worst?” Bullard said, “Heverlo is crowned. We will use the small truck with the “V” blade to plow. The weight of the blade on the center of the road causes problems.”

Vote: Panzarella naye, D’Amico yea and Bullard naye.

**RESOLUTION  
09-09-19**

**APPROVE \$4,628.84 FOR CHIP & SEAL OF HEVERLO ROAD-DELAWARE COUNTY ENGINEER TO DO WORK**

Motion: Bullard  
Second: D’Amico

D’Amico said, “I missed the road inspection day and haven’t been down Heverlo. It is not a level road, has it been rectified?”

Panzarella said, “Heverlo Road, yeah, there’s people living on Heverlo Road and they would not sell at a reasonable price.”

Vote: D’Amico yea, Panzarella naye and Bullard yea.

**SALT SPREADER**-Information provided by Bullard said he had requested the Road Superintendent Brodi to assemble a quote for a salt spreader for the 1997 truck.

Bullard said the salt spreader would replace the conveyor system on the 1997 truck for winter use and the conveyor system would continue to be used for berm work. Bullard said the spreader was a last year’s model and could be purchased for half price.

**RESOLUTION  
09-09-20**

**APPROVE \$2,937.00 FOR PURCHASE OF SALT SPREADER FROM THE DEXTER COMPANY TO BE MOUNTED ON THE 1997 DUMP TRUCK**

Motion: Bullard  
Second: D’Amico

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

D’Amico asked, “Will it work with wetting the salt?” Bullard said, “This would work with wet salt and the conveyor belt won’t. Large lumps don’t get broken up with the belt, lumps block the gate and the driver has to stop and clear lumps out of the conveyor belt.”

Buell asked if it would be mounted with separate brackets. Bullard said it would be a new bracket but use the same hole pattern.

Vote: Panzarella yea, D’Amico yea and Bullard yea.

**EXCAVATING WORK-DALE FORD ROAD-**Shumway said the fiscal officer was questioning an invoice had been received from Glenn Excavating for work which had not been previously discussed or authorized by the Board. Bullard said a request for engineering assistance had been sent to the county engineer and they (county engineer) said it had to be dug up. Bullard said the road superintendent authorized the work stating it was within the \$750.00 allowed. Bullard said the county’s camera would not get through the tile, but it was not found to be plugged up.

Shumway said a report had been received from the county engineer stating a tile camera with a video monitor had been used to inspect the tile in question. The report stated there was no blockage of the tile in the right-of-way. The report further stated the fire department had flushed the tile proving it was in good working condition. Trustees said they didn’t have a copy of the report. Bullard said the report would be given to Jim Brehm.

**RESOLUTION**

**09-09-21**

**APPROVE \$474.00 FOR TILE INSPECTION ON DALE FORD ROAD BY GLENN EXCAVATING**

Motion: Bullard  
Second: D’Amico  
Vote: D’Amico yea, Panzarella yea and Bullard yea.

**DISCUSSION-TRAFFIC SIGNAL DEVICE @ CHESHIRE & S. 3 B’s & K ROADS-**

Panzarella said traffic signal devices were needed at Cheshire and S. 3 B’s & K Roads due to several accidents at this location when people disregard the stop signs. Panzarella said Berkshire Township Trustee Bob Carpenter had contacted him regarding installation of a solar powered traffic device at the mentioned location. Carpenter proposed Berkshire and Berlin sharing the cost. Carpenter had provided a cost quote for a 24 hour dual beacon solar flasher assembly including twelve foot pedestal pole and anchor bolts, pole mounting hardware for township supplied 30 in. sign. Total cost on the proposal for two signs was \$6,732.00. D’Amico asked, “Whose idea is it to use the as a remedy?” Panzarella said, “Berkshire’s idea. They have a similar device on Plumb Road.” D’Amico said, “I like the stop sign with red lights.” Bullard questioned, “Does the quote include installation?” Panzarella said, “No, the road department would install.” Bullard questioned who would do the maintenance. Panzarella said each township would do maintenance.

Bullard said he couldn’t find his copy of a news article for a flashing light sign. After minutes of searching, Bullard came up with the article. He said it was a solar cell, solar device with a life span of 1 year and then it would have to be fixed. According to Bullard the price of such a sign would be \$1,350.00.

Buell said he had just come from the Berkshire Township meeting where trustees discussed the flasher sign issue. Buell said Berkshire had a price of \$1,300.00 for a 3 ft. LED flasher sign and they were waiting to see what Berlin would decide. Buell said a similar sign could be seen at Fancher Road and SR 605. Buell questioned if the county would provide any support since S. 3 B’s & K Rd. crosses a county road.

Bullard said he had the road superintendent talk to county employee Ron Ford. He said Ford said it should be done in steps to make it more visible. Panzarella said, “The fact is if it’s a single traffic device there is higher probability of missing it.” Panzarella said he liked the flashing sign idea because you’d have to miss two devices, the yellow flash and then the stop sign with a red bar. You would have been shown two warnings and that would be better than one.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

Bullard said he would meet with Berkshire Trustees Kappenhagen and Carpenter and also with the county.

**FORD F450 TRUCK**-Bullard said the F450 truck was at Valley Ford and ready for delivery. Shumway said the fiscal officer was to receive the paperwork from Valley Ford on September 15<sup>th</sup>. Bullard said he would talk to the fiscal officer.

**OVERTIME PAY**-Bullard reported that the road superintendent had stated, on his timesheet, a request for 3 ½ hrs. overtime pay for July 13<sup>th</sup>, 3 hrs. attending a township meeting and ½ hr. for office work. Bullard said, "He told me he wanted to talk about pay scales so I told him he'd have to bring it up at a township meeting. When at the meeting he went on to talk about budget stuff therefore, I think he should be paid." Panzarella said, "Typically I ask the chief to be at a meeting and he may bring other firefighters but we don't pay those firefighters who come to the meeting."

Panzarella said, "If anyone comes to a meeting they should stay the part of the meeting they have to stay. We need to make clear policies."

**RESOLUTION  
09-09-22**

**APPROVE PAYMENT OF 3 ½ HRS. JULY  
OVERTIME PAY, 3 HRS. TOWNSHIP MEETING  
ATTENDANCE AND ½ HR. OFFICE WORK TO  
ROAD SUPERINTENDENT BRODI IRWIN**

Motion: Bullard  
Second: Panzarella

Panzarella said, "We have established work hours but to deviate someone should authorize it. If not pre-authorized then there should be no pay. With open ended hours, who's in control? If you're going to incur overtime, get permission ahead of time." D'Amico asked, "What about snow plowing?" Bullard said, "Snow plowing is an emergency." Panzarella said, "I highly recommend we work out this misunderstanding."

**GREGORY ROAD SEWER STATUS**-Trustees said there was a need to determine where to put a "Y" behind the cemetery (Ross property) for future connection to the sewer line. Comment was made that a line could be run through the ditch in the cemetery. It was noted that there was no ditch in the back of the cemetery and there were graves from the fence edges of the cemetery. Bullard said he understood the sewer would be at the back tree line. Panzarella said, "I suggest Brodi & Ray to view where to put the "Y".

**CEMETERY DRAINAGE**-Panzarella said water stands on the cemetery road.

**POSTED ROAD WEIGHT LIMITS**-Bullard asked if this was a pressing issue. Shumway said notice was received from the county engineer's office regarding naming 2010 posted road weight limits. Shumway said the notice was due to the county by November 2<sup>nd</sup>.

**SALT & GRIT PRICING FOR 2009-2010 WINTER**-A notice dated September 3<sup>rd</sup> from Clint Matlack of the Delaware County Engineer's office stating the engineer's office had received salt bids through the Ohio Department of Transportation Office of Contracts. The effective date of the contract was May 8, 2009 with Cargill being the low bidder for salt supplies. The notice stated pricing for the winter of 2009-2010 would be \$61.17 per ton for salt and \$42.66 per ton for grits. Bullard said the pricing was less for the township. Bullard said he would clarify it.

**DALE FORD ROAD DITCH PETITION**-Bullard said residents are aware.

**TREE SIGHT BLOCKAGE**-It was reported a tree in a fence line at Dale Ford and Curve Roads was hanging one-half over the fence in the right-of-way and a site distance problem.

**POWER WASH TOWNSHIP BUILDING**-Panzarella said the back of the township building needed to be power washed. Panzarella said, "Tom should get the building power washed."

**GUTTERS AND DRAINS**-Panzarella said the gutters were old and leaking. He said trustees should consider replacement.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**BUILDING AIR CONDITIONERS-**It was noted that the township offices were experiencing a problem with odors of mold and mildew. Trustees had proposals for: 1) cleaning ducts; 2) having environmental evaluations done; and 3) replacement of air conditioning units. D’Amico said, “I thought Ray was supposed to get quotes for air conditioning and I don’t see it here.” Shumway said, “You have it in your materials.” D’Amico said, “I don’t see where Ray did it.” Shumway said the fiscal officer gathered quotes for environmental evaluations and duct cleaning. Shumway said discussions with both the environmental evaluators and duct cleaning persons suggested getting ducts cleaned first to see if the problem could be located. Shumway said the duct work in the building had never been cleaned since its installation in the 70’s & 80’s. Bullard said the environmental evaluations were merely reports and did not offer a resolve to the problem. Trustees reviewed the pricing.

**ENVIRONMENTAL EVALUATIONS**

Lawhon & Associates	environmental evaluation	\$ 2,550.00
Safex, Inc.	environmental evaluation	\$ 1,552.00

**AIR CONDITIONING**

<b>Care Heating &amp; Cooling</b>	air conditioning unit-3 ton	\$ 3,741.00
Option #1	none listed	
Option #2	no furnace replacement recommended	
	<b>Total w/all options</b>	<b>\$ 3,741.00</b>

<b>Comfort Express</b>	air conditioning unit Trane 410a	\$ 2,550.00
	Replace damaged ducts	\$ 1,275.00
Option #1	new duct system	\$ 7,550.00
Option #2	furnace replacement	\$ 1,750.00
	<b>Total w/all options</b>	<b>\$11,850.00</b>

<b>Protech Northland Htg.</b>	Air conditioning unit Lennox XC13	\$ 3,295.00
	Straighten existing ductwork	
Option #1	add air vent to trustee office	\$ 250.00
Option #2	no furnace replacement recommended	
	<b>Total w/all options</b>	<b>\$ 3,545.00</b>

**MAINTENANCE CONTRACTS**

<b>Care Heating &amp; Cooling</b>	1 yrly. inspection for 2 htg. & cooling systems and one heating system in road bay	\$ 520.00
-----------------------------------	--	-----------

<b>Comfort Express</b>	1 yr. maint. Contract-2 inspections on 1 system	\$ 370.00
------------------------	---	-----------

<b>Protech Northland Htg.</b>	1 yr. maint. Contract-2 inspections on 1 system	\$ 140.00
-------------------------------	---	-----------

**DUCT CLEANING**

<b>SERVPRO</b>		
Alternate #1	clean all existing ductwork in west and center office areas	\$ 700.00
Alternate #2	clean all existing ductwork in west and center office areas plus bay area	\$ 1,000.00

Trustees reviewed the provided information and determined their first action would be to have ducts cleaned throughout the building.

**RESOLUTION  
09-09-23**

**APPROVE \$1,200.00 FOR CLEANING AIR DUCTS AT TOWNSHIP BUILDING, 3271 CHESHIRE RD.-SERVPRO**



**BERLIN TOWNSHIP TRUSTEES**

**7:00 P. M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**HEALTH INSURANCE DISCUSSION**-Bullard said the township’s health insurance cost was too large and the township needed to reduce it. Bullard said he had contacted the prosecutor’s office regarding House Bill 458 and the township’s ability to reimburse for coverage other than the direct coverage provided by the township. Bullard said, “Chris Betts said we could reimburse insurance and he referred to ORC 505.60(D) as the authority.” No copies of correspondence between the township and the prosecutor was provided to the fiscal officer for public recordkeeping.

**REQUEST BY T & R PROPERTIES TO EXTEND ZONING**-P. Ronald Sabatino, Manager of T & R Properties, Inc. submitted a letter to trustees dated September 1, 2009 requesting a 3 year extension of township zoning for Sherman Lakes. Delaware County Regional Planning Commission, at their meeting August 27, 2009, approved a one-year extension to August 2010.

D’Amico said, “I have no problem extending it one more year.”

**RESOLUTION  
09-09-27**

**IN AGREEMENT WITH DELAWARE COUNTY  
REGIONAL PLANNING COMMISSION, APPROVE  
ONE-YEAR EXTENSION OF ZONING TO AUGUST  
2010 FOR T & R PROPERTIES, INC. aka  
ESTATES OF SHERMAN LAKES**

Motion: D’Amico  
Second: Bullard  
Vote: Panzarella yea, D’Amico yea and Bullard yea.

**FUTURE MEETINGS**

September 15, 2009, 1-3 p.m., No location named-Railroad Meeting-Bullard indicated he would attend. He further stated he didn’t believe it was a good plan.

September 15, 2009, no time or location named-9-1-1 Meeting

**LATE ITEMS**

**FIRE DEPARTMENT SPECIAL DUTY HOURS REQUEST**-Panzarella said there would be a boat race at Alum Creek on September 19<sup>th</sup>. He proposed supporting a request by the fire chief to schedule six firefighters for 10 duty hours (sixty hours total), 10:00 a.m. to 6:00 p.m., on Saturday the 19<sup>th</sup>. Panzarella said this would allow for a boat crew on the water and a crew on land.

**RESOLUTION  
09-09-28**

**APPROVE 60 HOURS SPECIAL DUTY TIME TO  
PROVIDE MUTUAL AID TO ORANGE TOWNSHIP  
TO COVER A BOAT RACE AT ALUM CREEK LAKE  
SEPTEMBER 19, 2009**

Motion: Panzarella  
Second: Bullard  
Vote: D’Amico naye, Bullard yea and Panzarella yea.

**LITTER PICKUP**-D’Amico said he had talked to the county sheriff about using inmates for litter pickup. Bullard said that had been started with the road superintendent.

**GENERATOR**-Panzarella told trustees the generator runs periodically and a low fuel light indicator comes on. Panzarella said that the block heater is not working properly. Panzarella suggested since D’Amico is the liaison for the building he be the responsible person to make sure the generator is fueled and in good working condition.

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**SEPTEMBER 14, 2009**

**11:16 P.M.-CHAIRMAN BULLARD REQUESTED AN EXECUTIVE SESSION FOR DISCUSSION OF LEGAL MATTERS INVOLVING POSSIBLE LITIGATION**

**11:22 P.M.-CHAIRMAN RECONVENES TO REGULAR SESSION**

Bullard reported no decisions made as a result of the executive session.

**RESOLUTION**

**09-09-29**

**ADJOURN MEETING**

There being no further business Bullard moved, second by Panzarella, the meeting be adjourned.

Vote: Bullard yea, D'Amico yea and Panzarella yea.

Meeting adjourned at 11:23 p.m.

\_\_\_\_\_  
Ronald W. Bullard, Trustee Chairman

ATTEST:

\_\_\_\_\_  
Thomas A. D'Amico, Trustee Vice Chairman

\_\_\_\_\_  
Judy K. Shumway  
Assistant to Fiscal Officer

\_\_\_\_\_  
Philip P. Panzarella, Trustee Executive Member