

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

September 28,

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 Theresa Cannon.

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

ATTENDANCE:

Bullard referred to Resolution #05-07-44 regarding rules for public comment stating anyone wishing to speak should identify themselves and they would be given three minutes to talk. Bullard asked if anyone wished to speak. Hearing none, the meeting was continued.

Approval of minutes:

**RESOLUTION
09-09-28**

**MOVE TO DISPENSE WITH READING AND APPROVE
REGULAR MEETING MINUTES FROM 9/14/2009**

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

FISCAL OFFICE

Cannon said she would like to change the vendor on Resolution 09-05-41 to Shaffer's Cleaning. She said she has not been able to reach the service listed to strip and wax the floors. Cannon said the Fire Department had recently used Shaffer's cleaning.

**RESOLUTION
09-09-29**

**MOVE TO CHANGE THE VENDOR FROM JOHNSON'S
SERVICE TO SHAFFER'S CLEANING ON RESOLUTION
09-05-41**

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

CEMETERY

D'Amico said he would like to present a resolution for the purchase of a John Deere Gator for the Cemetery use. He said the original requisition submitted did not include a heater and he would like to amend it making the total \$18,823.17.

**RESOLUTION
09-09-30**

**MOVE TO APPROVE APPROPRIATING AND PURCHASING
A JOHN DEERE GATOR XUV 850D WITH A DELUXE
CANOPY GLASS, 72" STRAIGHT FRONT BLADE AND
HEATER KIT FOR THE CAB**

Motion: D'Amico
Second: Bullard
Discussion: D'Amico commented that the gator would be township property not specific for the cemetery. Panzarella said you have to be careful when certain funds are used. Cannon said if the Trustees designated who would be using the gator and what percentage she could designate different funds. Bullard suggested charging the road maintenance for 10%. He said it is primarily for the cemetery. Panzarella said the fire department will have a John Deere Gator at the station for the EMS use. Panzarella said you have to be careful when using certain funds.
Vote: Panzarella yes, D'Amico yes and Bullard yes

Bullard said, "Foundations will be poured tomorrow." He said he heard a comment from Mr. Kemmerling regarding how nice the cemetery looks. Kemmerling had said he was very

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pleased with the upkeep. Panzarella said that he has heard several times that the cemetery is well cared for. He said we are fortunate to be accommodated with mowing.

FIRE DEPARTMENT

Requisitions:

RESOLUTION

09-09-31

MOVE TO APPROVE REQUISITION 2009-09-01 FOR \$480.00 TO TRIAD FIRE APPARATUS SERVICE COMPANY-ANNUAL PUMP TEST AND MAINTENANCE

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

RESOLUTION

09-09-32

MOVE TO APPROVE REQUISITION 2009-09-02 FOR \$88.20 TO JOHN D. PREUER & ASSOCIATES, INC.-INTERNATIONAL FIRE CODE COMMENTARY BOOKS

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

RESOLUTION

09-09-33

MOVE TO APPROVE REQUISITION 2009-09-03 TO PHOENIX FIRE SERVICE SYSTEMS-\$206.16 FOR UNIFORM ITEMS FOR DAN CURTISS

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

RESOLUTION

09-09-34

MOVE TO APPROVE REQUISITION 2009-09-04 TO PHOENIX FIRE SERVICE SYSTEMS-\$103.08 FOR UNIFORM ITEMS FOR MATT CAREY

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

RESOLUTION

09-09-35

MOVE TO APPROVE REQUISITION 2009-09-05 TO PHOENIX FIRE SERVICE SYSTEMS-\$231.36 FOR UNIFORM ITEMS FOR STEVE ARNOLD

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

RESOLUTION

09-09-36

MOVE TO APPROVE REQUISITION 2009-09-06-TO PHOENIX FIRE SERVICE SYSTEMS-\$113.88 FOR UNIFORM ITEMS FOR MARK CAREY

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

RESOLUTION

09-09-37

MOVE TO APPROVE REQUISITION 2009-09-07 TO PHOENIX FIRE SERVICE SYSTEMS-UNIFORM ITEMS FOR STEVE ROBERTS

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

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**RESOLUTION
09-09-38**

**MOVE TO APPROVE FIRE DEPARTMENT REQUISITION
2009-09-08 TO SAFETY SERVICES PRODUCTS, INC FOR 1
HMV 4595-45 GALLON STORAGE CABINET FOR \$907.20**

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

Fire Inspection Update: Panzarella questioned if anyone had seen the final copy of the Township Hall Fire Inspection. Bullard said there was a comment about the storage cabinet for the maintenance department, exit lights and the storage room off the kitchen having miscellaneous items. He said some items need to be moved out and placed in a storage cabinet. Trustees went and looked in the storage room off the kitchen. Panzarella asked about flammables. Bullard said they could be kept in the storage cabinet in the maintenance area. Cannon said she has had a call from Arnold requesting to view the building plans. Bullard said he wanted to see what that storage area was labeled as. Panzarella questioned who would take this on as an action item. Bullard suggested purchasing at least one cupboard or constructing one to store some of the items and keep it in the kitchen. Panzarella said that could be objectionable to people renting the hall. It was determined the cabinets would not be locked on account of cleaning supplies could be stored in there and anyone renting the hall would need access to them. Panzarella suggested purchasing rather than building a unit. Bullard asked D'Amico if he could do this and come back at the next meeting with prices of a cabinet. Panzarella asked what was wrong with the exit light. Bullard said they needed batteries. He said they have been purchased and replaced. He said the third item a storage unit for flammables will be purchased. Panzarella said after all action items are taken care of he would like Mr. Arnold to come and certify.

ROAD DEPARTMENT

Requisition:

**RESOLUTION
09-09-39**

**MOVE TO APPROVE ROAD MAINTENANCE REQUISITION
090935 FOR A 45 GALLON FIREPROOF CABINET FOR
\$831.60 FROM SAFETY SERVICES PRODUCTS, INC.**

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

**RESOLUTION
09-09-40**

**MOVE TO APPROVE \$141.00 TO JEDS RENTAL FOR
RENTAL OF A CHIPPER**

Motion: Bullard
Second: Panzarella
Discussion: Panzarella noted that the maintenance department is only using 10% for shipping and they should be adding 20% for any incidentals. Bullard said he would make sure Brodi did that from now on.
Vote: Panzarella yes, Bullard yes and D'Amico yes

Snow Removal Plan-Bullard said he was told by Brodi there is a plan in place but he did not have a copy. Panzarella said it should reflect that we have an extra truck. He said there were complaints from subdivisions with cul-de-sacs having a wave of snow put in the street making it hard to get out of the cul-de-sacs. He said he would like to see how the new truck can alleviate that. He said it should also talk about back-up drivers. Panzarella said any back-up driver would have to have all necessary paperwork in before they can drive. Bullard said with 4 trucks, 2 fulltime drivers, Paykoff and Hall they have a start. He said after talking to other townships he learned that many of them use fire department personnel. He said the three Trustees can also drive the trucks. Bullard said he would get a copy of the plan from Brodi and discuss it at the next meeting. D'Amico suggested offering safety training to the back-up drivers. He said we could possibly get ODOT or Delaware County to do the training.

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Clover Plains- Bullard read Resolution 06-02-16 regarding an estimate for ditch repair work at 3691 Clover Plains and 3663 Clover Plains. Bullard said, "The work was never done."

Insert by fiscal officer: Review of the minutes of the February 13, 2006 meeting show Mr. O'Brien directed Mr. Glenn of Glenn Excavating to withhold any work on this project until he (Trustee O'Brien) received a response back from the prosecutor (files in the fiscal office show no response received or advice to Glenn to proceed with the project).

In view of the fact the resident is hiring the work done. Bullard asked if the board would contribute the same amounts to a new vendor. Panzarella said, "\$990.00 was previously allocated and now you want to direct it to another vendor. Will it be done to County standards?" Bullard said, "The road superintendent from Liberty Township would be doing the work." Panzarella said, "We would still need to have someone verify it was done correctly. I would like someone to sign off on it. I suggest it be Brodi Irwin." Panzarella said, "I care about limiting the Township's exposure." Bullard said, "This would take care of the problem with the driveways." Panzarella said, "We may be setting a precedent."

TRUSTEE ITEMS

OPWC Grant 5 and 2 Year Plans-Bullard said the paperwork was completed and turned in to Eldon Johnston of the Delaware County Engineer's office. Bullard said he put a copy in everyone's mailbox and asked if there were any questions. Panzarella questioned if this satisfied what the County needs from us. Bullard said it did. Panzarella said it defines money we would need and where it would come from. He said there were limited funds and that an assumption was made that we would borrow at a rate we have traditionally borrowed at. He said with the income from a typical road fund 40% of the interest off the general fund will in fact generate enough money to borrow in present condition factors. Bullard said he is assuming we get the OPWC money for the large projects. He said if we don't get the money we don't do the projects. He said that is the only way to do these projects. Panzarella said we have to put down a certain percentage. He said there are two assumptions: we always get \$50,000 from the County and we will put a percentage of money down. D'Amico stated in 2012 possibly doing some type of road levy for money. Bullard said it could be discussed but he wasn't sure voters would be interested in it. He said in 1997 there was 18.7 miles of roadway and we now have 34 miles. Bullard said we are getting approximately the same amount as we did in 1997 with nearly double the road mileage. Panzarella said there are more houses and revenue generated goes to the general fund. He said we need to find a way to generate ways to use interest. He said all mechanisms have to be run to the ground before we try for a levy.

Health Insurance- Bullard said he asked for an opinion from the County Prosecutor regarding reimbursing employees for spousal or other insurance. Bullard said the prosecutor cited the ORC that discussed reimbursement of insurance. He said we need to keep moving forward on this. He said we need to take advantage of saving the Township some money. Panzarella referred to HB 458 and said we are currently spending approximately \$80,000.00 a year on health insurance per year. He said last year we received a 25% increase surprise. He said it was good we had a prosecutor's opinion on a way to save money if, in fact, there are people that have a way. Panzarella said it is a lot of money spent for the few employees we have enrolled.

Cheshire School Sewer Y Location- Bullard said we will locate an area for a Y to possibly service the building in the future. He said the potential area for a sewer line Y is the located in the northwest corner of the cemetery. Bullard said there are plans in the zoning office. Bullard said we do not plan on attaching to the sewer.

Air Conditioning Repair-Bullard said he did not have anything new. D'Amico said he heard from the zoning office this last week about the temperature in the hall. Panzarella said we had three quotes. He said some duct work was being questioned. He said ServPro went through ducts and saw no major problems. He said there was some discoloration and they have agreed to come back and state what the discoloration on the trusses is. Panzarella said the duct work is not a problem with the air conditioning. Panzarella said if the air conditioner coil continues to freeze there is probably an insufficient problem. Cannon said Armstrong provided a comparison of the three quotes two meetings ago. Cannon then read the discussion from the 9/14 meeting. D'Amico asked Bullard for a 5

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minute recess so he could look through his mailbox for information regarding the air conditioning.

Bullard called a 5 minute recess at 8:10 p.m. Bullard called the meeting back to order.

RESOLUTION

09-09-41

MOVE TO APPROVE \$4,254.00 TO PROTECH NORTHLAND HEATING AND COOLING FOR DELIVERY AND INSTALLATION OF LENNOX 3 TON AIR CONDITIONER UNIT FOR \$3295.00 AND AIR VENT TO FRONT OFFICE

Motion: D'Amico

Second: Bullard

Discussion: Bullard said there is also \$140.00 for yearly maintenance that should be brought up at the organizational meeting. He said there are 3 units in all at the township hall.

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

Draft Letter to 3-C Railroad- Bullard read the following letter for the records:

To: Commissioner Todd Hanks
Commissioner Ken O'Brien
Commissioner Tommy Thompson

Dear Commissioners,

The Berlin Trustees are requesting the Delaware County Commissioners proceed with Rt 36-Rt37 sanitary sewer evaluation project. The Trustees have previously stated the need and urgency for this project.

Additional information is now available which emphasizes this need and urgency. The State of Ohio Railway Commission is applying for Federal Stimulus funds to initiate train service between Cincinnati and Cleveland. Evaluating all the locations along the route, the 3C "Quick Start" Passenger Rail Plan recognized the Rt 36-Rt 37 to be sufficiently critical to include a phase II train station that would be located at Sweeney Road. The plan also locates a train siding in the area.

It would seem that if both the Ohio Department of Transportation and the Ohio Railway Development Commission recognize this area to be critical enough for location of one their initial train stations, the Delaware County Commissioners would recognize this critical commercial corridor and move forward with an initial development plan for sanitary sewer service.

Please let us know your plans.

Respectfully,

Berlin Township Trustees

Bullard said if the letter is okay he would sign it as Chairman of the board and forward it to the Commissioners.

Standing water on road by cemetery- Panzarella said there is standing water on the western road leading into the cemetery. He said he has pointed out the water which is on the eastern part of the road to Brodi Irwin twice. He suggested checking the tile under the road. Panzarella said there was water on the western portion of the road a few years ago and tile was replaced. Bullard said he would bring it up with Brodi and Rodger Glenn.

No Solicitation-Bullard said the zoning office is looking at implementation with forms and posting at township boundaries. Panzarella said it should be posted at the Berlin Zoning Enforced signs. Bullard said we can discuss costs at the next meeting. Cannon said there will probably be calls regarding this and suggested Cathy also be familiar with the No Solicitation Rules.

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Newsletter- Phil said, "I would like to make final corrections with Cathy tomorrow. Do the trustees have any comments?" Bullard and D'Amico said they had not read it but would review it and get back with Phil by Tuesday.

ZONING DEPARTMENT

Panzarella questioned if the area used for zoning storage needed to have its floors cleaned. Cannon said she thought it was carpeted, if not it would be cleaned.

LATE ITEMS

Overtime Pay/ Compensation Pay- Panzarella said, "We have a full-time employee who we have allowed to use compensation time. My preference would be to discontinue the comp time and pay over-time. We would not have to keep track of it and it is cleaner. I would like clarification from the board regarding full-time employees and accruing comp time." Bullard said he agreed with just paying over-time and doing away with the comp time. Bullard asked Panzarella if he would like to research a motion. Panzarella said, "We will have to find out how much compensation has been earned and what legal ramifications we may have."

Tables-Bullard said he would be looking at some tables for the meeting room and bring costs to the next meeting.

Request for Engineering Assistance (REA)-Bullard said he had talked with Berkshire Township regarding the lighted stop sign. Bullard said, "With an REA we could find out what the best thing to do would be. The County may contribute too." Panzarella said, "You are the road liaison."

OTA Members-Bullard said in the Grass Root Clippings they were asking for new members for the OTA and questioned if anyone was interested. Panzarella and D'Amico both said no. Bullard said he would talk with Roger Van Sickle.

FUTURE MEETINGS

9/30/2009- Fire Committee meeting at 7:00
Bullard said that he was notified by one of the individuals named to the committee that they are not able to. He said Elizabeth Klein volunteered to serve on the committee. He said one of the members will take the minutes and Cathy will type them.

10/12/2009- Next Trustee meeting at 7:00
D'Amico said he may not be able to attend this meeting.

10/24/2009- Road Meeting

November 19, 2009-Township Officials Training with the Dave Yost, County Prosecutor, Appropriations to be made at the October 12th meeting.

12/28/2009 Year End Meeting- Panzarella suggested having the Organizational Meeting immediately following the year end meeting. Bullard said, "We still have time to set it." Cannon advised it would have to be advertised.

RESOLUTION

09-09-42

MOTION TO ADJOURN

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

Meeting adjourned by Chairman Bullard at 8:51 p.m.

Phil Panzarella, Trustee

ATTEST:

Ron Bullard, Trustee

Theresa Cannon,
Fiscal Officer

Tom D'Amico, Trustee