

BERLIN TOWNSHIP TRUSTEES

7:00 P.M.

REGULAR MEETING

JULY 13

2009

HELD AT: Berlin Township House, 3271 Cheshire Rd., Delaware, OH 43015

CALL TO ORDER: Ronald Bullard, Chairman.

ROLL CALL: Philip P. Panzarella, Ron Bullard present and Tom D’Amico. In the absence of Fiscal Officer Theresa Cannon, Judy Shumway was named to record the proceedings.

PLEDGE OF ALLEGIANCE: Chris Paykoff led the Pledge of Allegiance.

ATTENDANCE: Joe & Toni Korleski; William Bechstein, Fire Chief and Mary Bechstein; Joe Pichert; Chris Paykoff; Larry Buell, Cemetery Sexton; David Erickson and Jeff Pruzinsky, Aflac agents; and Brodi Irwin, Road Superintendent (arrived late).

Bullard referred to rules public comment speaking. Bullard asked if anyone had any public comments. Hearing none, the meeting proceeded.

RESOLUTION

09-07-01

DISPENSE WITH READING AND APPROVE MINUTES OF JUNE 8, 2009 REGULAR TRUSTEE MEETING

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

7:03 p.m.-LARRY BUELL, CEMETERY SEXTON

Cemetery Sexton Larry Buell was present to update trustees regarding cemetery issues. Buell said in April some remains had been discovered at the old location of the Cheshire Cemetery. He said four of the remains had been identified and two were unidentified. He requested permission to bury the identified remains of four individuals in the original grave. He explained 12 x 16 in. boxes containing the remains would need to be buried. Buell said the burial costs would be paid by the U.S. Army Corps of Engineers. Buell said he believed that burying the remains on top of the original grave would be the proper thing to do. He said it would require hand digging at the grave site since they would be on top of the already occupied grave space. Buell next said that the two unidentified remains would need to be buried in a separate grave. He asked that trustees to approve burying the unidentified remains in a single grave. Buell said there would be two markers placed at the grave site to mark the unidentified remains buried there. Buell then asked what trustees wanted to charge to dig all the graves and what they wanted to charge for the grave space for the unidentified remains.

D’Amico said, “A fee of \$75 would be similar to cremains...some kind of discounted fee.” Bullard said, “An earlier resolution says moves are residents. Seventy five dollars.? Buell said a 10 x 12 in. hole is required for regular cremations. Buell said, “These are to be in fiberglass vaults sometimes used for cremations. Usually regular urns are metal or sealed containers.” Bullard said, “Treat it as a cremation.” Panzarella questioned if the container was polyethylene. Buell said, “It is not polyethylene, it is a vault for inurnment.” Panzarella said, “In the organizational meeting it says we do not allow polyethylene.” Bullard said, “The minutes should reflect we say ‘no polyethylene’ and define it as an urn and use the same cost and allow two to be on the same grave.

Trustees agreed that the previous resolution stating any remains moved from the old cemetery would be considered to be residents and any grave space would be the resident price of \$200.

Buell said the four identified remains would be buried on top of the existing grave. He said the two unidentified would be buried in a single grave space and two UNKNOWN stones would be set at the head of the grave space. Buell said he saw no reason to charge for foundations as these stones would be set in the ground using gravel and sand.

Bullard said, “We should go with Larry’s judgment.”

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UTILITY VEHICLE-Buell asked trustees to consider the purchase of a utility vehicle with a dump bed. He said, "This job with a small hole is a good reason we need a small vehicle with a dump bed, for use on hand digs."

7:20 p.m.-BUDGET HEARING

Shumway said the hearing had been properly advertised in *The Delaware Gazette*. Shumway said the hearing had advertised stating the budget had been prepared by the trustees. She said that as of the budget hearing date and time there had been no budget proposal for the road department. Shumway said, "Advertising the budget and not having it available for public inspection is not good." Shumway said Fiscal Officer Cannon had told her that Bullard spoke with her after the June 8th meeting indicating he would "get with Brodi and get back to her in a couple of days". Shumway said Cannon told her Bullard did not get back to her. Bullard asked Shumway, "What do you want me to do?" Shumway said, "For the budget to be completed there has to be a road department budget included." Bullard said, "Maybe we can have another meeting." Shumway said, "There isn't time to advertise and have another meeting. This has to be filed in the county auditor's office July 20th." Bullard said, "We can go over it other than the roads."

Panzarella said there were five or six items to discuss regarding the fire department portion of the budget. It was requested that Shumway read each adjustment change. Panzarella said, "We can increase the county rent by 5%, up by \$700. Panzarella said the fire department budget was OK as adjusted.

D'Amico said, "Zoning reduced income." Panzarella said, "Not all is paid out of zoning is zoning but other things." D'Amico said, "Zoning is in balance. The zoning inspector and zoning secretary's time has been justified. The General Fund pays those salaries." Panzarella said, "Regarding the zoning issue, it appears legal to transfer to cover. I suggest within two months we take the results of the study, check the allocation and see if it can be put in another section of the budget plan to get to year end. Roads are similar to the zoning issue. If the General Fund is used as the source, how long can the township services be provided?" Bullard asked, "What is the zoning recommendation at this point?" D'Amico said, "I don't know what to suggest." Bullard said, "We will use the General Fund for zoning now and review in a couple months. Use the next two months to justify the workload."

Bullard questioned if there were any problems with the cemetery budget. It was indicated there were no problems. Bullard said, "We have no control over the revenue...revenue is running behind."

Roads-Bullard asked, "Can you tell me what the problem is?" Shumway said there had been no revenue plan, no projected project costs and no five year plan. Panzarella said, "I suggest delaying until later in the agenda and that we recess and think about it."

8:11 P.M.-DEFER ROAD BUDGET TO LATER IN MEETING @ 9:00 P.M.

FISCAL OFFICE

**RESOLUTION
09-07-02**

APPROVE \$3,582.00 TO BE PAID AVIZENT FRANK GATES, CO. FOR PARTICIPATION IN WORKER'S COMPENSATION GROUP RATING PLAN

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

DEPOSITORY AGREEMENT-Shumway told trustees the township depository agreement would expire July 31, 2009. A legal advertisement had been run requesting applications for a depository. Shumway said the only application received was from the Delaware County Bank & Trust Co.

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RESOLUTION

09-07-03

ACCEPT AND APPROVE DELAWARE COUNTY BANK & TRUST CO. DEPOSITORY AGREEMENT TO BE EFFECTIVE AUGUST 1, 2009 TO JULY 31, 2013

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

CEMETERY

It was stated that specifications for a cemetery vehicle were needed. Bullard said it would be for a future meeting. Panzarella said, "We had a statement from the sexton. There's an obvious use for a vehicle. There is money in that account. It could be used efficiently in the near future. I need to know the number of people, number of pounds to carry, gas or diesel." D'Amico to work with Buell and have at the next meeting.

FIRE DEPARTMENT

RESOLUTION

09-07-04

APPROVE \$828.00 FOR ANNUAL SERVICE AGREEMENT ON RESCUE TOOLS-HOWELL RESCUE SYSTEMS

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

RESOLUTION

09-07-05

APPROVE \$12,855.60 FOR THERMAL IMAGING CAMERA FOR ENGINE 392-ALL-AMERICAN FIRE EQUIPMENT

Motion: Panzarella
Second: D'Amico

Panzarella said there were comparison prices. Panzarella said, "There's roughly \$35,000 in the fire budget, sufficient funds for the purchase. He said it would be compatible with other equipment.

Vote: Panzarella yea, Damico yea and Bullard yea.

RESOLUTION

09-07-06

APPROVE \$550.05 FOR SECURITY MONITORING AGREEMENT RENEWAL-2708 LACKEY-OLD STATE RD.-SIMPLEX GRINNELL

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

RESOLUTION

09-07-07

APPROVE \$660.00 TO STRIP AND CLEAN TILE FLOOR AT FIRE STATION-SHAFFER CLEANING

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

RESOLUTION

09-07-08

APPROVE \$565.20 FOR UNIFORMS-JOE PICHERT-PHOENIX FIRE

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

**RESOLUTION
09-07-09**

**APPROVE \$270.00 FOR UNIFORMS-WILLIAM
BECHSTEIN-PHOENIX FIRE**

Motion: Panzarella
Second: D'Amico

Shumway questioned the allowance being in excess of the approved amount in the Organizational Meeting. Panzarella said, "The previous purchase was a one-time thing." He said, "Resolution 09-06-04 approved \$606.27 for a one-time purchase and I think this should be an exception basis."

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

FIRE COMMITTEE-Bullard said, "We should set an agenda for the fire committee." Bullard provided a copy of a notebook for that purpose. Panzarella said, "The notebook is a good start. It's not complete but the committee will add to it." Bullard read the Table of Contents. Bullard questioned trustees' recommendation. Trustees agreed to send the notebook to the fire chief for his scrutinization.

Bullard said, "These people will be on the committee: Craig Hall, Joe Holehouse, Joe Korleski, Steve Spangler, Jim Hahn, Pat Paykoff, Dennis Fisher. Bullard said, "We should have the committee at the August meeting."

8:33 P.M.-Aflac Presentation

David Erickson and Jeff Pruzinsky presented information regarding Aflac, an insurance for township employees. Pruzinsky discussed various policy programs and their benefits. He said they would like to meet with individual employees. Panzarella asked if a minimum number of employees were required. Pruzinsky said, "You would need three to sign up." Panzarella questioned if a minimum amount of money were needed. Erickson said it would be minimal cost depending on which policy was used.

Bullard asked, "What do you need from us?" Erickson said they wanted to meet with each person 10-25 minutes and if the employee was not interested, they would need to sign a waiver. Erickson said payments would be through payroll deductions.

D'Amico asked if brochures could be made available for employees. Pruzinsky said, "We'll come and talk to the people."

Panzarella suggested department heads be contacted to introduce the people and get numbers back to one person. D'Amico said he liked Panzarella's idea. Panzarella said, "Get department heads to listen."

8:46 P.M.-Presentation ended.

ROAD DEPARTMENT

ROAD SUPERINTENDENT COMMENTS REGARDING WAGES-Road superintendent Brodi Irwin was given special time to speak to trustees. Irwin said, "At the Organizational Meeting there were no raises. After six months I've looked at other departments and what department heads are getting paid. The road department as a whole, we're not up to par with what other departments are doing. In order to keep people and make educated things to happen everybody should be brought up to some sort of standard with everybody in the county. I have an issue with the fire department chief's salary." He also referred to fire department volunteers. Irwin continued, "We are doing the job after hours. We can't keep a second job to help our families because we are on-call six months of the year." Referring to a handout, Irwin said, "I made these off organizational minutes. Some records are not easy to get as you think...compared to Genoa labor rates with health, vision, dental, and life insurance, our insurance this year got cut. In Berkshire they make almost \$2.00 more on the hour than ours."

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Kingston is broke, nothing in the General Fund, and they pay over \$23 per hour. Delaware Township got a 3% raise but I don't know what they make." Irwin said, "A fire on Dunham Road and a firefighter who plows snow took our truck to help with the fire. If it wasn't for our laborer being retired he couldn't do what he does. We can hire out and pay prevailing wage."

Bullard said, "Let me summarize what you're saying. Under what others and the county is being paid...Genoa takes care of 91 miles of roads. We take care of 17 apiece." Irwin said, "I personally know where Orange Township is setting and the same with Liberty. We need to be where everyone else is."

D'Amico said, "I don't know if you are angry or what. Right now the total economy is a 'wet blanket'. We need to look at this kind of information." Irwin said, "People can't put roofs over their heads with these kinds of wages." D'Amico said, "I don't like to compare with other township jobs. We've not heard any complaints about employees."

Panzarella said, "There are databases in Ohio that would allow you to compare. I suggest looking at OTA and get databases of similar size townships with similar incomes. We pay dues to OTA, get the information and compare." Irwin said, "Delaware County's tax base is much larger than other counties." Panzarella said, "They have comparable databases. Make use of the data sources we have." Bullard said, "Research databases."

UPDATE-ROAD REPAIRS-Irwin said both Glenn Excavating and Miley Excavating had been busy. Irwin said he'd given them five weeks to complete repairs which would get them done before school starts.

TRACTOR TIRES-Bullard said it had been necessary to replace tires on the Ford tractor as the others were worn out.

RESOLUTION

09-07-10

APPROVE \$792.80 FOR DRIVEWAY PIPE REPLACEMENT-S. 3 B's & K ROAD (no location address stated)-GLENN EXCAVATING

Motion: Bullard
Second: Panzarella

It was explained the driveway pipe had been placed prior to a heavy rain. The pipe size would not carry water runoff.

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

CRACK SEALING DISCUSSION-In the June meeting trustees determined that three price quotes should be used for comparison of costs. The only price quote sheet trustees had was the one received in June from Triple H Enterprises of Newark, OH. The road superintendent calculated a cost estimate comparison sheet for trustees but no other vendor cost quote was requested. The comparison sheet indicated that Triple H Enterprises of Newark, OH was the lowest cost.

RESOLUTION

09-07-11

APPROVE \$7,802.30 FOR CRACK SEALING OF VARIOUS TOWNSHIP ROADS-TRIPLE H ENTERPRISES, NEWARK, OH

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

RESOLUTION

09-07-12

RECESS MEETING FOR FIFTEEN (15) MINUTES 9:14 P.M.

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

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RESOLUTION

09-07-13

RECONVENE TO REGULAR SESSION 9:24 P.M.

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

CHAIRMAN BULLARD DECLARES WORK SESSION TO WORK ON 2010 BUDGET

Shumway said there had been no road budget information submitted nor had there been a five year plan submitted prior to the budget hearing. Shumway said, "In order to complete the 2010 budget for timely filing, it is necessary that road budget information be determined. Also it is necessary to submit a five year plan in order to follow up with finances for the road department." Trustees discussed financial information regarding the road department. Trustees questioned Irwin regarding projects for 2010. Irwin mentioned resurfacing Shanahan, Hollenback and Piatt Roads and doing major ditch work on Dale Ford Road. Irwin also said the road project in Meadows @ Cheshire would be an OPWC application. Irwin didn't have cost estimates for the projects discussed.

Panzarella said trustees needed to have an estimated carryover and the best person to provide this would be the fiscal officer. Panzarella then said trustees needed to determine the revenue sources and amounts for 2010. He said this would get a rough figure of what there was to work with.

Trustees worked on estimating project costs and priority of projects. Trustees discussed whether all mentioned projects could be accomplished in 2010. Shumway questioned what amount trustees anticipated providing in the OPWC application. Shumway said it was important that trustees determine the level of township participation and not leave it up to the county engineer's office as they didn't know the township finances.

Trustees did not work on a five year plan. Shumway said, "You need to have a five year plan and should have it by the next meeting. It will be very important when establishing future appropriations."

RESOLUTION

09-07-14

APPROVE ADOPTION OF 2010 BUDGET AS PREPARED AND MODIFIED IN THIS MEETING FOR SUBMISSION TO THE DELAWARE COUNTY AUDITOR

REVENUE SOURCES AND CARRYOVER BALANCES

General Fund	\$3,278,683
MVL Tax Fund	\$ 12,305
Gasoline Tax Fund	\$ 178,780
Cemetery Fund	\$ 61,828
Fire Fund	\$ 962,552
Zoning Fund	\$ 64,445
MVL Permissive Tax Fund	\$ 97,877
Note Payable-Hollenback Rd.	\$ 39,393
Note Payable-Piatt Rd.	\$ 19,570
Capital Project-Park	<u>\$ 18,575</u>
TOTAL	\$4,754,343

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

DISCUSSION-TRUCK PURCHASE-Bullard said a quote had been prepared by Valley Ford of Cleveland, OH for a Ford F450 dump truck cab and chassis. The quote was the 2009 price but would apply to a 2010 truck. Bullard said the quote was for a state bid contract with the state's amendment #7, Item 30B being applied. The quoted amount was \$38,244.00

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Shumway asked if all state procurement documents had been prepared and approved. Bullard said, "No documents are needed."

Bullard proposed purchasing the truck cab and chassis from Valley Ford at a cost of \$38,244.00 and the truck bed and ancillary items from The Dexter Company at a cost of \$29,793.50.

Panzarella said, "This could be a solution to cul-de-sac snow removal. Can we hire it done?" D'Amico said, "You can buy a used truck." Bullard said, "I'm sure you can." Panzarella said, "I'm talking cleanup after the big guys. I'd like to look into it as an alternative."

Bullard said, "This order is good to July 31st." Panzarella asked, "What's the source of money?" Bullard said, "The road money." Panzarella said, "What feeds the General Fund? Property taxes. The only other thing feeding it is the payment by the fire department. We need to know what is the end condition of the General Fund this year considering payment from the fire department?". Does this create significant risk to the General Fund by purchasing a truck?"

RESOLUTION

09-07-15

APPROVE \$38,244.80 FOR PURCHASE OF 2010 FORD F450 CAB AND CHASSIS THROUGH STATE BID CONTRACT-VALLEY FORD

Motion: Bullard
Second: Panzarella

Panzarella said, "You've gotta, gotta have a five year projection plan. Is this truck compatible with the snow plow including upgrade? Can we get it by this snow season?" Bullard said, "Yes, unless there is an early snow." Panzarella questioned, "With the bed?" Irwin said, "It will take 2-4 months to get from Ford and 6 weeks from Dexter." Panzarella said, "We might not even see this by then (snow season)." Bullard said, "If we don't go with it now, no state bid, no nothing now."

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

RESOLUTION

09-07-16

APPROVE \$29,793.50 FOR PURCHASE OF TRUCK MODIFICATIONS ON 2010 FORD F450 TRUCK-DEXTER COMPANY

Motion: Bullard
Second: D'Amico

Panzarella asked, "If we get this truck is there any additional insurance for township employees to drive it?" Bullard said, "Theresa said I was insured and could drive it. Other township employees could drive it too."

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

TOWNSHIP NEWSLETTER-Bullard said newsletter items and changes needed to be to Cathy no later than Wednesday.

EMERGENCY WARNING SYSTEM-Bullard said there would be a meeting with the county commissioners.

TOWNSHIP HOUSE AIR CONDITIONING-Bullard said the air conditioning system was leaking, probably undersized and should be replaced.

RECYCLE BIN-Bullard said the recycle bin was working OK now.

MOSQUITO SPRAY-Bullard said residents not wanting mosquito spraying done in their area need to contact the trustees. Panzarella said, "I've had a complaint of mosquitoes around a detention pond. Should those wanting the spraying done contact the trustees?" Bullard said, "No, only if they don't want it done. The county says spraying is not too effective."

GREEN RIVER ORDINANCE-Bullard said, "This is an issue for the August meeting. Does anyone know if Liberty passed it?"

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EMPLOYEE HANDBOOK-Bullard said, "It was on the front page of *This Week* that Liberty adopted a handbook. We should address this at the August meeting." Shumway said the handbook status is the same as reported the last time, no one has returned the copies with proposed changes.

US36/SR37 REPORT-Panzarella said the report shows an access point every mile therefore, there are five access points. Panzarella said a packet had been given to the fiscal officer. Bullard said he wants it available in the zoning office. Bullard said, "This ends the discussion, I want Ray to have it."

ZONING

DISCUSSION-REPLACEMENT OF TABLES-D'Amico said, We need to replace the tables in the meeting room. We need 10-15 of them. Is there a problem with Cathy ordering them?" Bullard said, "There is a safety point. They are heavy and it's a two person job. It makes sense to replace them with plastic ones. Start with ten tables. It's probably on state bid contract."

MEETINGS

PEACHBLOW ROAD MEETING-July 23rd at the Council of Older Adults facility from 4:30-6:30 p.m. with the county and township. Bullard said, "We will not be notifying the area residents." Panzarella said he wouldn't be available. Bullard said he and Armstrong would attend.

SIREN MEETING-Bullard said the date is not known.

9-1-1 MEETING-Bullard said, "There is an upcoming meeting."

ZONING COMMISSION MEETING-July 21, 2009

BZA MEETING-July 15, 2009

LATE ITEMS

POWER WASH BUILDING-Panzarella said the building at 3271 Cheshire Rd. needed to be power washed. Bullard to advise maintenance department.

PINE TREE TRIMMING-Panzarella said the lower limbs of the pine trees need to be trimmed up so mowers can get under the trees. Bullard to advise maintenance department.

JOHN DEERE EQUIPMENT MEETING-Bullard said there is a John Deere Equipment meeting Monday, July 20th. Bullard said, "Anyone wishing to attend should phone in a reservation."

BACKGROUND CHECKS-Information was presented regarding background checks to be ordered by the fire chief. Panzarella said he had no information regarding the issue and he would check with the fire chief.

TRAINING GRANT RECEIVED-Panzarella said the fire department had been awarded a \$1,500.00 training grant from the Division of EMS.

ADJOURN

There being no further business, Panzarella moved to adjourn. Second by D'Amico.
Vote: Bullard yea, D'Amico yea and Panzarella yea.

Meeting adjourned at 11:22 P.M.

SEE NEXT PAGE FOR SIGNATURES

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7:00 P.M.

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SIGNATURES

Ronald Bullard, Trustee

Thomas A. D'Amico, Trustee

Judy K. Shumway,
Assistant to Fiscal Officer

Philip P. Panzarella, Trustee