

**BERLIN TOWNSHIP TRUSTEES**

**7:00 P.M.**

**REGULAR MEETING**

**OCTOBER 12, 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 Toni Korleski.

**ROLL CALL:** Phillip Panzarella and Ronald Bullard. Thomas D'Amico, absent. Fiscal Officer Theresa Cannon, Judy Shumway was named to record the proceedings of the meeting.

**ATTENDANCE:** Joe and Toni Korleski and Chris Paykoff

**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  
09-10-01**

**DISPENSE WITH READING AND APPROVE  
MINUTES OF REGULAR MEETING SEPTEMBER  
28, 2009**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yea and Panzarella yea.

**FISCAL OFFICER**

**POSTED ROADS-**Trustees did not address the 2010 posted roads issue at the September 14<sup>th</sup> or September 28<sup>th</sup> regular meetings. Shumway said Cannon had it on the agenda to be addressed at the October 12<sup>th</sup> meeting. Bullard said, "Brodi is working on it." Shumway told trustees the original forms are in the fiscal office and in the past the forms had been completed by the fiscal office after trustees determined the roads to be posted. Shumway said trustees had been given a copy of the county engineer's request letter in August. Trustees could not find the letter. Bullard called a five minute recess to search for the letter.

**RECESS MEETING – CALLED BY CHAIRMAN BULLARD-7:05 P.M.**

**RECONVENE REGULAR MEETING BY CHAIRMAN BULLARD AT 7:15 P.M.**

Bullard returned reporting he couldn't find anything. Shumway said the previous year trustees had posted several township roads including S. 3 B's & K and Hollenback Roads. Bullard said Shanahan had not been posted since Orange Township did not request it. There was discussion regarding which roads should be posted. Chris Paykoff, "The only thing posting does is reduce trucks from cutting through the township."

Panzarella said, "I would like the matter deferred to the next meeting in order to talk to Brodi."

**USE OF TOWNSHIP MEETING ROOM TABLES-**Trustees reviewed a request from the fire department to use all tables from the township meeting room for their open house event October 25, 2009. The request stated the fire department would pick up the tables on either October 22<sup>nd</sup> or 23<sup>rd</sup>. Panzarella said, "If they pick them up they must do it when someone's here to let them in. They must return them on Monday or we have to have someone here."

Bullard questioned if trustees intended to purchase new tables. A sample table was available for viewing. Panzarella said, "That's something to come before the board."

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Bullard said the top and edges of the old tables were bad but they were still functional. Panzarella said, "This is timing. If we decide to buy can we get them before the open house? If so, the fire department can use and keep them. The fire department would like to keep the old tables and they have a space to store them. They could be transferred to the fire department but they were probably paid for with general fund money. I'm not sure how they could be transferred." It was suggested that the fire department could pay for the new tables. Panzarella said he wasn't sure what the old tables were worth. He questioned if trustees would want to charge them full price when that might be more money than today's residual value. Panzarella said, "If we get replacement tables then we need to figure out what the value of the old tables is." Bullard asked, "Do we want to get rid of those tables?" Panzarella asked, "What's wrong with them? We know they're heavy. If they're functional do they pose any safety hazard?" Panzarella continued, "Mr. D'Amico is responsible." Mrs. Korleski questioned the need for new tables if the only objection is the table top. Panzarella said, "Maybe we need more sturdy tables to replace them with. Mr. D'Amico should make a presentation to the board. The fire department wants the tables. Bullard questioned if anyone would be there on Saturday. Chris Paykoff said, "I can let them in. I can do it Sunday morning that way the tables would be out of the building from noon until about 6:00 p.m."

**RESOLUTION**

**09-10-02**

**APPROVE FIRE DEPARTMENT USE OF TABLES IF MEETING ROOM IS NOT RENTED SATURDAY OR SUNDAY-FIRE DEPARTMENT MUST CHECK WITH CATHY RIPPEL**

Motion: Bullard  
Second: Panzarella  
Vote: Bullard yea and Panzarella yea.

**RESOLUTION**

**09-10-03**

**APPROVE \$1,080.00 TO W.W. WILLIAMS CO. FOR RENEWAL OF GENERATOR MAINTENANCE CONTRACT-ADMINISTRATIVE BUILDING AND FIRE STATION**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yea and Bullard yea.

**FIRE DEPARTMENT**

**FIRE DEPARTMENT UNIFORM REQUISITIONS**-Panzarella said several uniform requisitions were submitted and he was requested by the fire chief to not discuss them. Panzarella said they could be deferred or cancelled. Panzarella said he had asked the chief about the uniform replacements and whether the old ones were out of service.

**DISCUSSION-HONOR GUARD UNIFORM**-Panzarella said he'd asked the fire chief if the uniform could be altered and was told there wasn't enough material to do that. Panzarella said, "It's an important thing that individual items in a uniform must match."

**RESOLUTION**

**09-10-04**

**APPROVE \$646.80 FOR PURCHASE OF HONOR GUARD DRESS UNIFORM FOR GREG PRANTL-LEO MEYERS, INC.**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yea and Panzarella yea.

**RESOLUTION**

**09-10-05**

**APPROVE \$727.87 TO RICH'S AUTO CARE FOR**

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**TIRES ON DURANGO FIRE UTILITY VEHICLE**

Motion: Panzarella  
Second: Bullard  
Vote: Panzarella yea and Bullard yea.

**FIRE COMMITTEE STATUS-**Panzarella reported he attended the fire committee meeting and Steve Spangler was named chairman. He said the next meeting is October 14<sup>th</sup>. He said committee members got their books, understood the content and got an outline which they all understood. I believe what they're trying to do is have recommendations to the board in February 2010. The committee is to check with the auditor's office for ballot language. They are going to give an interim report to get feedback from the public. They have public comment time." Mr. Korleski said he was to contact the auditor and get projected growth in Berlin Township and Paykoff was to do financial. Korleski said that the committee had the auditor's office project township growth and they missed it by 70%.

Bullard said, "I remind, we have a township website."

Korleski asked, "You're going to be at the meeting aren't you Phil?" Panzarella said, "Yes. My only other comment is after the last committee met, there was a long period of time before any action was taken. Then the township hired a consultant." Korleski said, "The committee was highly upset that an outside consultant was hired, at a cost of \$22,000 to the township, and he came up with the same thing as the committee did. We'll put a recommendation on the table. There's a great cross section of the township." Panzarella said, "We appreciate members of the committee coming back. They are good citizens."

**FIRE JOB DESCRIPTION REVIEW-**Panzarella said, "We do have job descriptions and they're a couple years old. We need to look at them with what we are presently doing. They may need adjustment. I suggest we hand them out for comment." Bullard asked, "Is it something the fire committee can pick it up?" Toni Korleski said, "There should be a survey of firemen to see what they're doing." Panzarella said, "What a job description is, is what they're doing. They can't go outside the job description." Bullard questioned, "Do you have a suggestion?" Panzarella said, "I suggest me coming to the board with inconsistencies. Then the board can decide what to do." Bullard asked, "Do you want to pick that up at the next meeting?" Panzarella suggested the first meeting in November.

**DISPOSAL OF INVENTORY ITEMS-**Panzarella said there were two old couches which the fire department left in the maintenance office when they moved to the new station two years ago. Panzarella said, "The road guys don't necessarily need or want them. How do we decide? Mr. D'Amico should come to the meeting to get it done." Chris Paykoff said, "Other townships have small auctions." Mrs. Korleski said they should be given to someone. Panzarella questioned, "Who's going to take that?" Bullard said he would speak with D'Amico. He said an auction could be scheduled to get rid of them.

**ROAD DEPARTMENT**

**SNOW REMOVAL PLAN-**Bullard said there was a snow removal plan for three trucks. He said, "We'll have four trucks this year. I don't know how that will fit into the plan." Panzarella said, "We have three trucks and last year had four drivers. If the sheriff's department calls we need additional help. Do we have alternate drivers for these trucks? Last year people didn't have the paperwork filled out. Also a concern is insurance coverage. I want to make sure we have adequate people and always have personnel. Who's going to get the list together and make sure they're covered by insurance. Who is responsible?" Bullard said, "I don't believe there is a list of alternate drivers." Paykoff said some were called last year and weren't available. Panzarella said paperwork should be filled out and the township should make sure they're insured. Bullard said, "We're looking for part-time drives to fill in." Panzarella said, "It could snow by mid-November." Bullard said, "We should target a number of drivers we're looking for." Paykoff said, "You may get three or four but you might need six or eight." Panzarella said, "It's best for Brodi to put something together." Bullard said, "We'll put an advertisement together for part-time snowplow drivers. Should we appropriate money for an ad for part-time snow plow drivers?"

**RESOLUTION**

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**09-10-06 APPROVE \$200.00 TO ADVERTISE FOR PART-TIME SNOWPLOW DRIVERS**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yea and Bullard yea.

**DISCUSSION-COMPLAINTS REGARDING SNOWPLOWING**-Panzarella said, "After we got rid of the John Deere, which had an articulating snowplow, there were complaints last year about the plowing of Cheshire Streets, driveways with snow barriers and the same complaint with cul-de-sacs. We discussed putting the same blade on the small truck." My question, with a fourth truck, how are we going to deploy the truck and when deployed who's going to drive it and what are you going to pay them? It might be the same list of people."

Bullard said the truck with a snow salt spreader had been returned to the township.

**RESOLUTION  
09-10-07 APPROVE \$200.00 TO ADVERTISE ROAD INSPECTION MEETING TO BE HELD OCTOBER 24, 2009 AT 8:30 A.M.**

Motion; Bullard  
Second: Panzarella  
Vote: Bullard yea and Panzarella yea.

**TRUSTEES**

**WAGE AND HOUR POLICY**-Panzarella said, "Last meeting you wanted a question to the attorney which I prepared and e-mailed. 'Should we review our wage and hour policy for all classifications of personnel in the township?'" Bullard said, "I discussed it with the attorney. I would like to defer this to executive session."

**REPORT-DUCT CLEANING BY SERVPRO**-Panzarella said that at the last meeting it had been reported some discoloration of trusses in the attic. He said what was found was not hazardous growth but discoloration from the bark on the lumber. Panzarella said, "Maybe Tom should bring a recommendation to the board. We had the ducts cleaned and there was blue stuff on the trusses."

**TOWNHOUSE FIRE INSPECTION**-Bullard said, "We are working on the items and need to be done in 30 days." Panzarella to follow up at October 26<sup>th</sup> meeting.

**NO SOLICITATION**-Bullard said, "I'm not happy with the prosecutor's wording. Cathy is looking at signs. The road department will put the signs up." Bullard said, "I'll report at the next meeting. I hope to have the wording, a requisition and placement." Mrs. Korleski asked where they would be posted. Bullard said, "We are not required to post them. They are informational signs. They will be at the same place as zoning signs."

**ROAD 5-YR PLAN-INCOME SIDE**-Panzarella said, "A strategy has been discussed and a 5 yr. road plan would be paid for from the fund put on the application, county contribution and interest from the General Fund." Panzarella questioned if he had misunderstood. Bullard said, "No, you didn't misunderstand." Panzarella said, "It's important that it's interest only." Bullard said, "I don't want to say interest is designated to roads." Panzarella said, "The reason I'm making a statement is primarily so that the board making those decisions knows the background and doesn't deplete the General Fund. I want to make that very clear, we can borrow and pay with interest, that's our leverage." Bullard said, "We gave the fiscal officer authority to balance funds and I want to keep that." Panzarella said, "We've identified the source. I don't want people to think we can fund the 5 yr. plan because we can do one or two years."

**ZONING, CEMETERY AND TOWNHOUSE 5 YR CAPITAL IMPROVEMENT PLAN**-Panzarella said the cemetery and townhouse plans were fully funded. Panzarella said, "The last report showed the zoning falling farther behind than a year ago to the tune of about

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\$8,000.00. I don't think we're going to build 223 houses like a few years ago. I think D'Amico has to wrestle with this 'a 5 yr plan for zoning from the income side'."

**HEALTH BENEFIT PLAN**-Panzarella said, "Last year there was a 25% increase in health insurance costs. I think we should invite our health care provider to the next meeting to give us an idea of what our 2010 increase may be. Now we're paying \$84,000 a year. Others are raising deductibles, some very high." Panzarella to Bullard, "Both of us are familiar with HB458. Townships are allowed to reimburse township employees who can purchase healthcare outside if it's less than, or equal to what we offer." Bullard said, "You can reimburse for the average of all employees. HB458 clarified the ability to do that with spouse's insurance." Panzarella said, "If the spouse is involved take the prime member and spouse and go with the spouse." Bullard said, "We can reimburse the spouse for the employee's insurance." Panzarella said, "You can be reimbursed for the average of township employee's coverage. Who is looking into this? It's a lot of money." Bullard said, "I'm trying to save money too. Let's do what we know now. I can go back to the prosecutor." Bullard questioned Shumway asking, "Does it make sense to invite health care provider here?" Shumway replied, "Yes, if you want to know what's going on."

**ORGANIZATIONAL MEETING NOTES**-Panzarella said, "Our wage and hour and comp time is ambiguous. Each trustee should look over each resolution and have questions. The difference in a 5 hr. or 2 hr. meeting is preparation. We should talk to Cannon."

**ZONING TRAINING**-Bullard reported the county prosecutor would be sponsoring a township training session on November 14<sup>th</sup>. Panzarella said in the past the board had declared it as an authorized meeting for the BZC and BZA. Bullard said he didn't know who was attending. Panzarella asked, "Who's going to be in charge?" Bullard said, "I will put a proposal together."

**FUTURE MEETINGS**

**FIRE COMMITTEE**-October 14, 2009 at 7:00 p.m.

**COLUMBUS STATE BREAKFAST**-October 29, 2009

**LATE ITEMS**

**REQUEST FOR DUMP TRUCK AT HUMANE SOCIETY CHARITY EVENT**-Trustees reviewed a request by the Humane Society to have a township dump truck made available for a charity event on October 24<sup>th</sup> from 2:00 to 4:00 p.m. The event would be attended by kids who would be able to see the truck and sit in it. Panzarella said, "We'd have to pay someone to be there and second, would our insurance cover kids climbing on the vehicle? I question paying overtime to show up. I support the Humane Society." Bullard said, "It's in the township." Trustees determined that the township would not participate due to the extra expense.

**CEMETERY DRAINAGE**-Bullard said the road superintendent recommended that when paving in 2010, a section of the road be paved with blacktop which would raise the elevation of the pavement.

**ROAD SNOW PLOW MEETING**-Bullard reported he and the road superintendent attended a snow plow meeting at the county engineer's office on October 7<sup>th</sup>. He said others there were Liberty and Delaware Townships as well as the City of Delaware. Bullard reported that on Glenn Road the city would plow north of the railroad and the township would plow south of the railroad.

**DITCH PETITION PLANS**-Bullard said the ditch petition for Peachblow Road was under review and would begin in 2010.

**RESOLUTION**

**09-10-08**

**RECESS TO EXECUTIVE SESSION TO DISCUSS  
LEGAL SITUATION-9:25 P.M.**

Motion: Bullard

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Second: Panzarella  
Vote: Panzarella yea and Bullard yea.

**RESOLUTION  
09-10-09**

**RECONVENE TO REGULAR SESSION-10:08 P.M.**

Motion: Panzarella  
Second: Bullard  
Vote: Bullard yea and Panzarella yea.

As a result of executive session the following resolutions were adopted.

**RESOLUTION  
09-10-10**

**SUSPEND COMPENSATORY TIME EARNED BY ANY AND/OR ALL BERLIN TOWNSHIP EMPLOYEES EFFECTIVE MIDNIGHT OCTOBER 17, 2009**

Motion: Bullard  
Second: Panzarella

**DISCUSSION**-Panzarella said, "All work performed will be paid through the payroll accounting system."

Vote: Bullard yea and Panzarella yea.

**RESOLUTION  
09-10-11**

**PAY OUT ONE HUNDRED PERCENT (100%) ACCUMULATED BALANCE OF ALL COMPENSATORY TIME EARNED BY BERLIN TOWNSHIP EMPLOYEES PRIOR TO OCTOBER 17, 2009. PAYOUT TO BE MADE ON FIRST PAYCHECK IN NOVEMBER 2009**

Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yea and Bullard yea.

**ADDITIONAL LATE ITEMS**

**REQUEST FOR ENGINEERING ASSISTANCE**-Bullard presented two requests for engineering assistance: one a speed study for 3 B's & K and Plumb Roads; and one for upgrade stop sign and visibility at intersection of 3 B's & K and Cheshire Roads.

**RESOLUTION  
09-10-12 ADJOURN MEETING**

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

Vote: Bullard yea and Panzarella yea.

Meeting adjourned at 10:14 p.m.

**SEE NEXT PAGE FOR SIGNATURES**

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**7:00 P.M.**

**REGULAR MEETING**

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**SIGNATURES**

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

ATTEST:

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

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

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