

BERLIN TOWNSHIP TRUSTEES

7:00 P.M.

REGULAR

OCTOBER 12

10

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

CALL TO ORDER: Thomas A. D’Amico, Chairman.

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Chief Bechstein.

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

ATTENDANCE: Rodney Myers, Berkshire Township Trustee; Gerald & Shirley R. Jones; Gail Russell, Peachblow Pottery; Larry Buell, Berlin Township Cemetery Sexton; Albert Arehart; Don Sherman; Dave Lundberg, Foxhaven Farms; Brodi Irwin, Berlin Township Road Superintendent; Jerry Stein, Berlin Township Road Employee; Bill Bechstein, Berlin Township Fire Chief; and Don Brosius, Loveland & Brosius, LLC.

PUBLIC COMMENT: Cemetery Sexton Larry Buell reported all marker foundations in the cemetery had been set for fall. He thanked road maintenance employees Brodi Irwin and Jerry Stein as well as fiscal officer Theresa Cannon for their support. Buell thanked the trustees for their support in keeping the cemetery looking nice. He said he’d had many compliments regarding how nice the cemetery looked. Buell again thanked all those who support the cemetery efforts.

Berkshire Township Trustee Rodney Myers said Berkshire Trustees were pleased that Berlin Trustee Bullard had attended their October 11th meeting. Myers said it helped Berkshire have a better understanding of road maintenance efforts in both townships. Myers said there is a need for both township boards to meet regarding 3 B’s & K Road maintenance and repairs. Panzarella said, “Our meetings are the same night. We need to have a meeting dedicated for common issues.” Myers said the boards should move slowly so they can be both efficient and effective.

RESOLUTION

10-10-01

DISPENSE WITH READING, AND APPROVE MINUTES OF REGULAR TRUSTEE MEETING SEPTEMBER 27, 2010

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

FISCAL OFFICER

RESOLUTION

10-10-02

APPROVE \$100.00 FOR OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES COOPERATIVE PURCHASING PROGRAM MEMBERSHIP-TREASURER, STATE OF OHIO

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

REQUEST FOR OFFICIAL RECORDS-Shumway said the fiscal officer would be writing a letter to the Delaware County Historical Society requesting return of official township Record of Proceedings books which were discovered at the historical society library in Delaware.

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ESTABLISH DATE AND TIME FOR RECORDS COMMISSION MEETING-Shumway said the fiscal officer wanted to establish October 25, 2010 at 7:15 p.m. as the date and time for the 2010 Records Commission meeting. The meeting would be advertised.

**RESOLUTION
10-10-03**

**APPROVE OCTOBER 25, 2010 AT 7:15 P.M.
FOR RECORDS COMMISSION MEETING**

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

PEACHBLOW ROAD RESIDENT'S PETITION-Bullard said the subject petition being circulated by residents Gerald & Shirley Jones was to request a traffic signal at Peachblow Road and US 23. Bullard requested trustees accept and support the petition and add a letter of safety concern from the fire chief. Bullard said he would copy it and send it to Matt Weber, design engineer for the City of Delaware, as well as to the county commissioners and Tom Slack at the Ohio Department of Transportation. Bullard read his proposed letter of support.

Panzarella said, "The first preliminary plan included a light. We desperately need a way to get fire engines there. There are new technology devices which we could put on the fire engines to trip a light. We did approve the preliminary plans. We can't ignore this; it's a major safety problem."

Mr. Jones said a concern of residents is access by EMS and the fire department. He said two (2) or three (3) minutes makes a big difference. He said the petition had seventy seven (77) signatures.

Gail Russell said she was a business owner on Peachblow Road and the construction and closing of Peachblow Road had killed her business this summer.

Mrs. Jones said, "You can't make a left turn from Peachblow. You have to go to the light at Camp Lazarus 'at a chance of death'." Bullard said, "You can only make a U-turn on a green light." Mrs. Jones said the lights were not synchronized. Don Sherman said, "At the light it says 'no U-turn' in the left lane with the construction. They OK'd it at the mobile home park, to make a U-turn." Bullard said, "We'll pass that along."

Bechstein said, "Chief Jensen, in Liberty Township, said he heard it planned to be there. They have Opticon units in Powell, he's set aside for that light." Panzarella questioned the cost to equip a truck. Bechstein said he would check. Panzarella said, "It's \$35,000 to \$60,000 per truck." Bechstein said, Liberty received \$500,000, I don't think so." Panzarella said, "It's safety." Bullard said, "We have mutual aid but we should look at installing it in our trucks." Bechstein said, "There are two different systems."

Bullard asked for revisions to his letter and said when it was OK with trustees he would hand deliver it to Matt Weber.

Sherman asked how soon the rear entrance to the Delaware Area Career Center School was to be installed. He said he had concerns at the number of students pulling out. Bullard said, "Weber said the plan was to put the road in next year. Weber may change that."

Mr. Arehart said, "If there are barricades, they obstruct the view quite a bit, especially if you're going south."

Bullard said, "I appreciate the initiative to get the petition signed."

**RESOLUTION
10-10-04**

**RECESS TO EXECUTIVE SESSION FOR
CONSIDERATION OF APPOINTMENT,
EMPLOYMENT, DISMISSAL, DISCIPLINE,**

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PROMOTION, DEMOTION, COMPENSATION OF A PUBLIC EMPLOYEE-THREE TRUSTEES AND FISCAL OFFICER ASSISTANT TO ATTEND-7:15 P.M.

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

**RESOLUTION
10-10-05**

RECONVENE TO REGULAR SESSION-8:22 P.M.

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

D'Amico reported, "The executive session was beneficial. There were no decisions and no action taken."

CEMETERY

BULLARD REQUESTS THAT BUELL REPEAT COMMENTS-Bullard asked Buell to repeat his earlier comments to road employees Irwin and Stein as they had arrived at the meeting late. Buell repeated his thanks to the road department, fiscal officer and trustees for their support day after day.

FIRE DEPARTMENT

CAPITAL FUND-Panzarella said, "During the budgetary cycle we planned for a capital fund in the fire department. I would propose the establishment of this fund tonight."

**RESOLUTION
10-10-06**

APPROVE ESTABLISHMENT OF FIRE DEPARTMENT CAPITAL PROJECT FUND 4901 FOR THE INTENDED FUTURE PURPOSE OF ACQUIRING A TANKER/PUMPER TRUCK

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

FUNDING CAPITAL FUND-Panzarella said it would be necessary to establish accounts within the fund and fund them with an inter fund transfer from the fire department equipment fund to the capital project fund.

**RESOLUTION
10-10-07**

APPROVE TRANSFER OF \$115,000.00 FROM ACCOUNT 2111-760-750-0000 TO FUND CAPITAL PROJECT FUND 4901 ACCOUNT 4901-760-750-0000 TANKER/PUMPER TRUCK EFFECTIVE OCTOBER 12, 2010

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

RESERVE TIME-Panzarella said, "I want to reserve time in executive session for the chief to address the lieutenant position."

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**RESOLUTION
10-10-08**

**RECESS TO EXECUTIVE SESSION FOR
CONSIDERATION OF APPOINTMENT,
EMPLOYMENT, DISMISSAL, DISCIPLINE,
PROMOTION, DEMOTION, COMPENSATION OF
A PUBLIC EMPLOYEE – THREE TRUSTEES AND
FISCAL OFFICER ASSISTANT TO ATTEND-8:29
P.M.**

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

**RESOLUTION
10-10-09**

RECONVENE TO REGULAR SESSION-8:33 P.M.

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

D'Amico stated no action was taken and no decisions made.

Panzarella said, "I have no comment but the chief might want to say what he's got."

Bechstein said, "I received three (3) résumés from part-time firefighters Prantl, Bensen and Stewart for the part-time lieutenant position in the required time frame posted. I'm waiting on the Board." Panzarella said, "We've done this both ways (trustees interview or chief names) in the past." Bullard asked, "What did we do with Joe?" Bechstein said, "It was posted and only one (1) applied. We promoted Steve Arnold with no interviews." Panzarella said, "The Board should establish...I suggest we proceed on." Bullard said, "We have an opening and need to fill it." Panzarella asked, "Do we interview or accept the department recommendation?" Bullard said, "The last two (2) the chief was allowed to choose and it worked out fine. Do we want to name a lieutenant tonight?" D'Amico said, "Authorize the fire chief to make the selection." Panzarella asked, "Can we be prepared at the next meeting with a recommendation?" D'Amico asked, "Are we prepared now? I'm ready to hear it." Bullard said, "I'm fine with it." Panzarella said, "We need a recommendation to appoint."

Bechstein said, "Based on his resume', training and experience, I recommend Scott Stewart." Panzarella said, "I'd rather not make the motion."

**RESOLUTION
10-10-10**

**APPROVE PROMOTION APPOINTMENT OF
SCOTT STEWART FROM PART-TIME
FIREFIGHTER TO PART-TIME LIEUTENANT
EFFECTIVE OCTOBER 17, 2010 AT PAY RATE
OF \$12.34 PER HOUR WITH A SIX (6) MONTH
PROBATIONARY PERIOD TO BE SERVED**

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

REQUISITION-PARKING LOT REPAIR-A requisition was submitted for repairs to the parking lot at 2708 Lackey-Old State Road. Panzarella questioned what funds paid for the repairs. Shumway said repairs at the fire station would be paid from the fire fund.

**RESOLUTION
10-10-11**

**APPROVE \$950.00 FOR PARKING LOT
REPAIRS AT 2708 LACKEY-OLD STATE ROAD-**

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MILEY EXCAVATING

Motion: Panzarella
Second: Bullard

DISCUSSION: Panzarella said, "The leveling course in the parking lot will be a specific course." Bullard said, "It's where the entrance to the old school basement was. I talked to a couple residents. At the last meeting we approved seal coat which should be done in the next eight (8) days." Panzarella said, "I was not at the last meeting."

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

INCENTIVE PACKAGE-Panzarella said, "I want to make sure all members received the incentive package for firefighters. I want a vote at the October 25th meeting."

ROAD DEPARTMENT

DISCUSSION-ROAD DEPARTMENT STAFFING-Bullard said, I asked Jerry & Brodi about staffing. I'd like the road department to hear the Board. I asked for a snow removal plan. Stein said, "With the amount of road work and maintenance, safety is an issue. I have thirty one (31) years experience and one (1) person can't do this by himself, cut trees, patch, etc. He needs an extra set of eyes. You need more than one (1) full-time person for the amount to be maintained. You don't know when snow is coming. You have to listen to the news staff. The state sent me to school five (5) years and I can't predict how many people. One and a half (1 1/2) persons can't keep up with the maintenance and safety is an issue." Irwin said, "Four and a half (4 1/2) or five (5) months ago we had eighty (80) man hours per week. Now it's sixty (60) to sixty five (65) man hours per week. I've got complaints, phone calls, and I can't get it done. I ultimately don't have the decision on man hours. I've witnessed bad accidents. There was a small incident this week with the tractor. We need to watch out for the other person, helping the other guy out on the safety aspect. The weather predicts what we do. Monday through Wednesday I have two (2) people. Thursday and Friday I'm by myself and not able to have a two (2) man team. We need full days with more than one person, we need more people. There is justification."

Bullard asked, "How do we proceed?" Panzarella said, "I have a snow plan. How many miles did we have when Gene was here?" Irwin said, "I don't know and neither do you." Panzarella said, "I want to go through the procedure for snow. We had three (3) snowplow trucks and now we've got four (4) now. Is the one (1) with bed repairs back?" Bullard said, "It should be back by the end of November." Panzarella said, "Does it take about ten (10) hours to plow during a moderate snow?" Irwin responded, "Sixteen (16) hours." Irwin discussed his snow plow plans, routes, hours and manpower needed. Stein questioned the definition of a moderate snow. Panzarella said, "Four (4) to five (5) inches." Stein said, "It's up to an individual, constant snowfall don't give in. You aren't comparing apples to apples. During moderate snowfall you need somebody constantly." Bullard said, "It takes twenty (20) man hours to plow the township." Irwin said, "Twenty (20) man hours allows five (5) hours in each truck which is one lap of the township before getting back to the beginning. There's dictation of the sheriff's department telling you, which increases salt consumption. It's hard to keep rotation out twenty four (24) hours per day." Panzarella questioned the maximum hours per shift. Irwin said he tried to keep it at eight (8) hours to control overtime. He said he tried to keep part-time employees under forty (40) hours. Panzarella went on to explain his analysis of his snow plow plan.

Panzarella suggested a need for two (2) or three (3) additional call-ins. He said any authorization for this would take about six (6) weeks. Irwin said, "I need two (2) more individuals, those I can count on. The group I have now assures me it'll happen without full-time employees. Last year in the daytime we had two (2) full-time employees working eight (8) to ten (10) hours a day. This year there's only me." Panzarella said, "Now we can do the township during the night but we're short during daytime. We need two (2) or three (3) Jerry's." Irwin said, "We don't have people knocking on our door. I'm about out of people. We may need to advertise." Panzarella said, "We gotta get crackin' on this." Stein asked, "What are you asking for?" Panzarella said, "I want detail. I want analysis to my question. Do we need a change in the mix of people?" Irwin said,

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"With the experience I have, we don't need a 100% experienced person. We need someone who will be there every day and on time. We might pull through with a young person for less pay." Stein asked, "Do you want me to go to four (4) days instead of three (3)?" Panzarella said, "We need someone authorized, a background check, CDL..."

Bullard said, "We need to generate an ad to qualify people for support. Do an ad now." Stein said, "It's a safety issue with one (1) person out there." Panzarella said, "Six (6) part-time and three (3) full-time people has to be backed up with analysis and detail." Irwin said, "Four (4) to five (5) hours with four (4) trucks." Bullard said, "It's not realistic. Ten (10) hours into it and you've got to go back." Irwin said, "In a one and one half (1 1/2) day storm you would have to turn four (4) laps." D'Amico asked, "Are you confident with the pool we have?" Irwin said he was with the exception of missing one (1) full-time person. Irwin said he needed one more person on Thursdays and Fridays.

Bullard said, "We should advertise for one (1)." D'Amico said, "Two (2) to four (4) persons would augment." Bullard said, "Advertise for one (1) position. The pay will have some overhead."

**RESOLUTION
10-10-12**

**APPROVE ADVERTISING FOR PART-TIME
SNOW PLOW-ROAD MAINTENANCE POSITION**

Motion: Bullard
Second: Panzarella

DISCUSSION: Panzarella asked, "What does the Board think the shortfall will be?" Bullard said, "Just advertise for one. The Board needs to make that decision."

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

DISCUSSION-PRESCRIPTION SAFETY SUNGLASSES-Bullard said there was an issue with safety glasses. He said the fiscal officer should be asked about ordering safety glasses. Bullard said the safety glasses would be for Irwin who wants prescription sunglasses. Bullard said the original cost was \$525.00 but would be \$155.00 with his new ID card and the government purchase program. Panzarella said, "We have to look at the price and the number of employees." Irwin said, "With the environment it requires you to wear them." Panzarella said, "At the next meeting we'll look at the appropriateness."

COMPLIMENT ON BIG RUN ROAD-Lundberg told trustees the tar and chip on Big Run Road was a good job. He said smaller gravel and sand was used. He asked who had done the work.

FORD TRACTOR-WHEELS, RIMS, TIRES & INSTALLATION-Irwin provided two quotes for wheels, rims, tires and installation for the 1981 Ford tractor.

| | | |
|-----------------------------|----------------------------|------------|
| Bob Summerel Tire Co., Inc. | Tires & installation | \$1,400.00 |
| Franklin Equipment, LLC | Rims | \$1,196.80 |
| Parrott Implement Co. | Tires, rims & installation | \$1,699.78 |

**RESOLUTION
10-10-13**

**APPROVE \$1,800.00 FOR PURCHASE OF
TIRES, WHEELS, RIMS AND INSTALLATION
ON 1981 FORD TRACTOR-PARROTT
IMPLEMENT**

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

TRUCK OUT OF SERVICE-Bullard reported the truck was at Dexter Company and would be done the end of November.

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RESOLUTION

10-10-14

APPROVE \$7,862.00 TO REPLACE CULVERT PIPE WITH 18 in. N-12 DOUBLE WALLED PVC ON EAST SIDE OF S. 3 B's & K ROAD (BERKSHIRE TWP.) 1200 ft. NORTH OF PLUMB ROAD-TOWNSHIP TO FURNISH TWO (2) FLAGGERS-GLENN EXCAVATING

Motion: Bullard
Second: Panzarella

Bullard said he received a legal opinion from the Delaware County prosecutor's office stating the two townships working together and sharing costs was a reasonable working relationship. Bullard said, "At the Berkshire Township meeting they stated spending \$25,000 on S. 3 B's & K Road between US 36/SR 37 and Cheshire Road. Panzarella said, "Look at somewhat north of there." Bullard said, "It's a small amount of work." Irwin said, "We might fix it ourselves." Panzarella asked, "Will you have at the next meeting?"

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

FLASHING SIGNAL-EAST SIDE OF S. 3 B's & K ROAD-Bullard said he discussed the flashing signal, on the east side of S. 3 B's & K Road south of Cheshire Road, with the prosecutor. He said, "There will be a transfer of ownership to Berkshire Township and Berkshire Township will transfer ownership of the signal they erected on the west side of S. 3 B's & K Road north of Cheshire Road. No action taken.

CONCRETE DIVIDERS AT AGGREGATE STORAGE AREA-A proposal to modify the storage facility area being prepared for storage of aggregate at 2708 Lackey-Old State Road was presented. The cost would be an additional \$1,200.00.

RESOLUTION

10-10-15

APPROVE \$1,200.00 (40 x \$25.00 EA.) FOR CONCRETE BLOCK DIVIDERS-MODIFICATION OF STORAGE AREA PROJECT @ 2708 LACKEY-OLD STATE ROAD-HENSEL READY MIX INC.

Motion: Bullard
Second: D'Amico

DISCUSSION: Bullard said, "There will be dividers around the aggregate storage area. I authorized \$750.00, my ability." Panzarella questioned delivery costs. Bullard said, "The blocks weigh two (2) tons of concrete each.

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

RESOLUTION

10-10-16

APPROVE \$840.00 TO HAUL AND DELIVER CONCRETE BLOCK DIVIDERS TO STORAGE AREA PROJECT SITE-GLENN EXCAVATING

Motion: Bullard
Second: Panzarella

DISCUSSION: Panzarella asked, "Why the addition of shipping?" Bullard said, "We added 20%. Only nine (9) can be hauled on a flatbed truck at a time and it will take five (5) trips."

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

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**RESOLUTION
10-10-17**

**APPROVE \$2,539.51 FOR BRAKE SERVICE ON
2002 INTERNATIONAL DUMP TRUCK-FLORA'S
DIESEL**

Motion: Bullard
Second: Panzarella

DISCUSSION: Bullard said this was for the small International which has non-standard size brakes and wheels.

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

DRAINAGE ISSUE S. 3 B's & K ROAD-Bullard said, "We've already talked about it."

ROAD TOUR MEETING-Bullard asked, "Are we still delaying it?" D'Amico said, "That was at the request of the fiscal officer." Bullard commented, "After the snow?" Panzarella said, "We can schedule it." Bullard said, "We need a road meeting for communication between you (indicating road employees) and us." Panzarella asked if the recommendation was for next year. Irwin asked, "Don't we have a 5 yr. plan we can stick to?" Panzarella said, "We're gong to be asked to go on the county contract. How are we going to get someone to take minutes?" D'Amico asked, "What do you mean how?" D'Amico asked, "What are you doing Saturday?" Shumway indicated Theresa would be out of town and she could not be available. No other action taken.

SALT-Bullard said, "The price is within \$1.00 from the county, seven (7) tons from the county." Lundberg said, "Columbus has a huge amount and they keep adding to it." Irwin said they had five (5) companies. Panzarella questioned the number of tons in the township's salt storage facility. Bullard said, "One hundred (100) tons." Panzarella questioned if there was seventy five (75) tons on order. Bullard said, "It will fill the bins." Money for salt was questioned. Bullard said, I thought it was approved last spring."

POSTED ROADS-Bullard said, "Bring it to the next meeting."

BULLARD LEAVES MEETING @ 9:44 P.M.

OPWC FINANCIAL ASSISTANCE-It was noted an OPWC application document was signed by Trustee Bullard stating Trustee Bullard was legally authorized to request and accept financial assistance from the Ohio Public Works Commission. The fiscal officer's signature was absent from this form.

MONEY AUTHORIZATION FOR ROAD DEPARTMENT-Panzarella said trustees should be cautious authorizing monies for road items. He said the road department was showing a potential shortfall of \$20,000 in 2010. He said funds showed available cash of \$187,000 and encumbrances of \$247,000 with anticipated receipts of \$43,000 thus a shortfall of about \$20,000.

TRUSTEES

RECENT BURGLARIES-Panzarella said, "We should get someone to come brief this Board with possibilities to increase patrols. Burglaries are happening in the daytime. I want someone to call, someone to contact the sheriff."

EMPLOYEE HANDBOOK-Panzarella said, "At the meeting tonight we were to come with comments. If we don't do it pretty quick our year-end meeting will be long." D'Amico said, "Ron has marked up a copy, Phil has marked up a copy and I have done the same." D'Amico collected all the marked copies and is to summarize them.

NEWSLETTER STATUS-D'Amico asked when the newsletter would be picked up. Shumway reminded him he had received an e-mail from Cathy Rippel stating it would be completed on October 13th. D'Amico said, "We need to get it in the mail ASAP."

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UPDATE TO REPAIRS OF FACILITY AT 3271 CHESHIRE ROAD-Panzarella reported receiving a cost quote of \$2,586.00 from Home Wizards, Inc. for gutters and downspouts. D'Amico said, "They're (quotes) hard to get." Lundberg said, "I know a guy, a roofer who worked for me." Panzarella said, "Gutters and downspouts, do we want to make a motion or what do you want to do?" D'Amico said, "I'm hesitant. I'd like to have comparisons." Panzarella said, "Notice the guy's card. He's licensed, bonded and insured. He can get it done in forty eight (48) hours after notified."

Panzarella said there were about twelve (12) items including power washing the building. D'Amico said, "We can ask the road employees." Panzarella asked, "They could do the windows."

ZONING

MONTHLY REPORT-D'Amico commented, "Zoning has picked up significantly from last year, ten (10) more houses from last year, 50% more." Panzarella said, "It costs \$140,000 to \$150,000 to run the office. They've got a ways to go." D'Amico said, "Things are going fairly smoothly."

FUTURE MEETINGS

OCTOBER 14, 2010-Panzarella reported an ODOT meeting in downtown Columbus, 1580 Broad St. @ 9:00 a.m.-discussion of I-71 interchange and other things. He said other things to inquire about were taxes in the township, revenue, secondary roads, source of funding, debt burden and the impact on our fire department. Panzarella said, "I suggest we authorize someone to attend." Lundberg commented on exits at the I-71 interchange location. D'Amico questioned Panzarella, "You can make that meeting?" Panzarella affirmed.

SANITARY SEWER-Lundberg presented comments and questions about the sanitary sewer study for the area US36/SR37 near Dunham and Big Run Roads. He said he understood EMH&T had completed the study a couple months ago. He said he had spoken with Tiffany Jenkins at the sanitary engineer's office and she said she had not done anything with it yet. Panzarella said, "The County contracted for the study and you're requesting information regarding the study. They're going to do 36/37 and south on Old State." Lundberg said, "The County's done nothing with the study. Has anything been reported? What is the priority?" D'Amico said, "I'll give her a call, what's her name?" Panzarella said, "Jenkins."

Lundberg asked, "Do we want development in Berlin Township?" Panzarella asked, "What's the market doing? There is some development in the township." Lundberg said, "That's Columbus State." Panzarella said, "It's coming east from US 23, that's big for us. Who was at the commissioner's meeting when there were authorized meetings? The zoning process has significant amounts of commercial development." Panzarella then referred to a zoning map indicating development areas. Lundberg said, he hadn't heard anything about the sewer. Panzarella said, "There's a sewer line to the school." Lundberg said, "You're kind of scolding me. I'd like...." Panzarella said, "I can't tell the county what to do." D'Amico said, "I'll try Tiffany." Lundberg named businesses such as a garden center, an assisted living facility and Menard's as those who determined not to locate in the township because of no sewer. Lundberg said he would like to provide an onsite sewer plant in order to move forward with development.

REPLACEMENT PROCEDURE FOR REPLACEMENT OF BOARD MEMBER-Panzarella said, "I had a meeting with the prosecutor's office to clarify issues I have regarding the procedure for replacement of Board members."

ACCIDENT INVOLVING AUTOMOBILE AND TOWNSHIP'S JOHN DEERE TRACTOR-An e-mail written by Trustee Bullard at 1:02 p.m., Tuesday, October 12, 2010, advised trustees, the road superintendent and the fiscal officer of an accident the morning of Monday, October 11, 2010 at Piatt and Cheshire Roads. The e-mail stated it was being sent in order that proper notifications could be completed. No reporting information was provided the fiscal office at the time of the accident or any time up to the meeting time October 12th. Panzarella said, "The Board should review the insurance policy at a public meeting." D'Amico said, "There was a police officer at the site. Information relayed to

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me was that it was the fault of the other vehicle. There was no injury to our personnel." Panzarella said, "I've read the policy. I wasn't on that Board." D'Amico said, "There should be a cover sheet, 'I read the policy'." Panzarella said, "It should be in the Employee Handbook. What are the details of the accident?" D'Amico said, "It opened the right side of the vehicle, a Lexus luxury auto, like a can opener." Panzarella said, "This should be suspense to Ron to get the police report." D'Amico said, "Ron needs to be informed that the notification process was not followed. He needs to reinforce it with the road department."

PROCEDURE FOR REPLACEMENT OF BOARD MEMBER-Panzarella said he wanted to talk about procedures and how to pursue replacement of a Board member. He said he talked to people in the county. D'Amico asked Panzarella if he wanted to make a public statement.

RESIGNATION OF FISCAL OFFICER-D'Amico read a letter from township fiscal officer Theresa Cannon to the Delaware County Board of Elections stating she was resigning as Berlin Township Fiscal Officer, effective November 30, 2010, due to moving out of state. No comments made.

RESOLUTION

10-10-18

ADJOURN MEETING-10:35 P.M.

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

Thomas A. D'Amico, Trustee

Philip P. Panzarella, Trustee

Judy K. Shumway
Assistant to Fiscal Officer

Ronald W. Bullard, Trustee