

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m. Regular Meeting November 29 10**

- HELD AT:** Berlin Township House, 3271 Cheshire Rd., Delaware, OH
- CALL TO ORDER:** Tom D’Amico, Trustee Chairman
- PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Fiscal Officer, Theresa Cannon
- ROLL CALL:** Trustees: Tom D’Amico, Phil Panzarella, Ron Bullard and Fiscal Officer: Theresa Cannon
- ATTENDANCE:** Joe and Toni Korleski, Chief Bechstein, Lisa O’Brien, Claudia and Brian Smith, Eldon Johnston, Erin Grushon

**Approval of Minutes:**

**RESOLUTION 10-11-20 APPROVE THE 11/08/2010 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

- Motion: Bullard  
Second: Panzarella  
Discussion: It was noted by Panzarella that the following correction should be made: On page 10 in the section “Discussion-Liaisons” the rotation for 2011 is Bullard-Fire; Panzarella-Zoning and D’Amico-Roads. D’Amico and Bullard agreed.  
Vote: D’Amico yes, Panzarella yes and Bullard yes

**RESOLUTION 10-11-21 APPROVE THE 11/12/2010 SPECIAL MEETING MINUTES AND DISPENSE WITH THE READING**

- Motion: Bullard  
Second: Panzarella  
Vote: Panzarella yes, Bullard yes and D’Amico abstain

**PUBLIC COMMENT:** D’Amico asked if anyone wanted to make public comment. Bullard suggested having a public comment at 7:00 in case others weren’t aware the meeting started at 6:00 tonight. Hearing no comment the Trustees moved on to the next agenda item.

**FISCAL OFFICE**

Cannon stated she had heard from Michelle with Burnham and Flower Insurance that they have received the insurance applications and should have a quote to us this week. She said Pat McClelland, Ohio Insurance Services, called and asked if the Trustees had any questions for him. He said the change from 2010 for the Township is 7%. Cannon suggested the Trustees call him if they have any questions. She said this should be taken care of sooner than later.

Cannon asked that spending be curtailed after Friday, December 10<sup>th</sup>. This does not include emergencies. If an emergency would occur the Fiscal Office must be notified immediately.

**CEMETERY**

Bullard said Newcomer Funeral Home contacted the township regarding a purchase of a cemetery lot and monument. The wording on the monument is to read, “To my wife and children, thanks for abandoning me during my time of need.” Bullard said he questioned the prosecutor’s office regarding such language. Bullard said Chris Betts stated we could limit such language. Bullard said something like this is new to the funeral home too. Bullard suggested a resolution and a letter to the funeral home letting them know we would not permit that language. Panzarella said he did not receive that response and would like to know what the Prosecutor said. He said typically Prosecutor opinion is not public knowledge. He suggested this may be a good legal opinion to share. Bullard said he contacted the Prosecutor’s office after he received information that Tim Halter wanted the language, “To my wife and children, thanks for abandoning me during my time of need” on the marker. Chris Betts, Delaware County Prosecutor said you may prohibit the language. He also stated should Mr. Halter raise legal issues regarding this matter, this office will and

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is prepared to defend the Township. D'Amico said he would contact the funeral home.

**RESOLUTION**

**10-11-22**

**CEMETERY LIAISON TO CONTACT NEWCOMER FUNERAL HOME TO LET THEM KNOW THAT BERLIN TOWNSHIP OBJECTS TO PROPOSED LANGUAGE FOR TIM HALTER'S MARKER**

Motion: Bullard

Second: Panzarella

Discussion: Panzarella asked that the record show the prosecutor rendered the opinion that we have the right to object to such language.

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

**RESOLUTION**

**10-11-23**

**RECESS INTO EXECUTIVE SESSION FOR CONSIDERATION OF APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, COMPENSATION OF A PUBLIC EMPLOYEE – THREE TRUSTEES AND FISCAL OFFICER TO ATTEND**

Motion: D'Amico

Second: Bullard

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

**RESOLUTION**

**10-11-24**

**RECONVENE TO REGULAR SESSION**

Motion: D'Amico

Second: Bullard

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

D'Amico said, "We met in executive session and no actions or decisions were made."  
Bullard said, "We have two very good qualified applicants for the Fiscal Officer position."  
Panzarella stated, "We are fortunate to get people to apply for positions and have board members to support the business of the township in an efficient manner." D'Amico agreed the applicants were both very qualified.

**RESOLUTION**

**10-11-25**

**APPOINT CLAUDIA SMITH AS BERLIN TOWNSHIP FISCAL OFFICER EFFECTIVE 12/01/2010 AT 12:01 A.M. – PAY IS PER ORC SECTION 505.24 AND IS BASED ON THE ANNUAL BUDGET**

Motion: D'Amico

Second: Bullard

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

Bullard thanked both Lisa and Claudia for applying.

**D'Amico called for a 5 minute recess.**

**D'Amico called the meeting back to order.**

D'Amico asked if there was any public comment.

Eldon Johnston asked the Trustees if they had received the e-mailed newsletter from the county engineer. Panzarella said he had not received it. Bullard said he forwarded it to Brodi Irwin. Johnston said the newsletter discussed posted roads and radios. Bullard said for the amount of time the road department uses the radios the price is too costly. He said the amount of communication is small. Panzarella said we typically like to have three estimates. Johnston said the engineer's office did that. He said they were able to get a deep discount because of the volume ordered. Bullard said there is no channel for Berlin Township. Johnston said the radio has private line capability. Johnston said next year's OPWC applications have been sent out. He asked the board if they were happy with the road resurfacing this year. Bullard said what he has heard from the Meadows of Cheshire is that they appreciate the work that was done. Panzarella commented about the work that was done of Africa Road. He said there are mixed emotions on that work.

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Erin Grushon from MORPC was here to discuss the Big Walnut Watershed Planning Partnership. She said they have approximately 60% of community commitment. She said the partnership is all volunteer and incentive based. She said the partnership brings communities together to form balanced growth planning. They do this by developing a series of maps, consisting of development, conservation and agriculture and then a series of implementation. She said criteria they receive shape the maps. Grushon said she encourages the township to pass a resolution stating you would like to participate. Bullard said he has talked with Erin and according to maps Berlin is in the Big Walnut Watershed and Olentangy. He said all could be changed and mapped in the Big Walnut Watershed. The implementation of the plan is the responsibility of the Township. Panzarella said he is unclear on any fees. Grushon said there are no fees to join the partnership. Panzarella asked if we could switch and be all Olentangy. Grushon said Olentangy is farther ahead than Big Walnut. She said Brown and Orange Townships are currently partnered with Olentangy and Berkshire and Genoa are in the Big Walnut Watershed. She said the plans are similar and it is a consistent process. Panzarella asked about agriculture trusts. He questioned how they were handled and if there were any benefits. Grushon said she would have to get back with him on trusts. She said Scott Sanders is on our steering committee. Bullard stated that a sample resolution for adoption was provided by Grushon, he suggested a resolution be made at the next meeting.

**RESOLUTION  
10-11-26**

**MOVE TO HAVE A SPECIAL MEETING ON 12/1/2010 AT 7:30 TO CONFIRM APPOINTMENT OF FISCAL OFFICER**

Motion: Bullard  
Second: Panzarella  
Discussion: Panzarella said since it is a special meeting we need to delineate all that will be discussed. He said naming of assistant or assistants and rate of pay will have to be discussed.  
Vote: D'Amico no, Panzarella no, and Bullard no

**RESOLUTION  
10-11-27**

**MOVE TO HAVE A SPECIAL MEETING ON 12/1/2010 AT 7:30 TO CONFIRM APPOINTMENT OF FISCAL OFFICER, FOR FISCAL OFFICER TO NAME ANY ASSISTANT(S) AND ESTABLISH A RATE OF PAY FOR ASSISTANT(S)**

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

**FIRE DEPARTMENT  
Requisitions:**

**RESOLUTION  
10-11-28**

**APPROVE REQUISITION 2010-11-07 FOR \$142.80 TO FEDERAL LICENSING, INC. PUBLICATIONS FOR FCC RULES AND REGULATIONS MANUAL**

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

**RESOLUTION  
10-11-29**

**APPROVE REQUISITION 2010-11-08 FOR \$967.93 TO CAPITOL OFFICE SUPPLY FOR ASSORTED OFFICE SUPPLIES**

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

**RESOLUTION  
10-11-30**

**APPROVE REQUISITION 2010-11-09 FOR \$594.74 TO GRAINGER, INC. FOR OPERATING AND MAINTENANCE SUPPLIES**

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

### **RESOLUTION 10-11-31**

#### **APPROVE REQUISITION 2010-11-10 FOR \$625.20 TO SENSIBLE PRODUCTS INC. TO REPLACE BROKEN FIRE EXTINGUISHER BRACKETS**

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

### **RESOLUTION 10-11-32**

#### **APPROVE REQUISITION 2010-11-10 FOR \$605.37 TO BOUNDTREE MEDICAL FOR EMS EQUIPMENT FOR TRAUMA BAGS CARRIED ON VEHICLES**

Motion: Panzarella  
Second: Bullard  
Discussion: Bullard questioned if this was for the boat as well as trucks. Bechstein said mainly for the trucks. He said the items on the truck are older.  
Vote: Bullard yes, Panzarella yes, and D'Amico yes

Panzarella reported that Mark Zambito should be removed from probation and established as being fully qualified effective 11/29/2010.

### **RESOLUTION 10-11-33**

#### **REMOVE MARK ZAMBITO FROM PROBATION AND ESTABLISH HIM AS BEING FULLY QUALIFIED EFFECTIVE 11/29/2010**

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

Future use of 5<sup>th</sup> Bay-

Panzarella said when the fire station was built the economically thing to do was to build a 5<sup>th</sup> bay. The road department has been using the 5<sup>th</sup> bay which was paid for by the township. The chief stated that he would give two years notification to the board when they would need the bay. Panzarella said planning will need to take place for the road vehicles. He said that payment of approximately \$63,000 will be transferred from the fire fund to the general fund at the end of two years. Panzarella said this should serve as notification for the two years.

D'Amico questioned who e-mails the run reports. Bechstein said they came from Assistant Chief Hall. D'Amico said he appreciates getting them. He questioned why names were omitted. Bechstein said EMS runs did not use names because of regulations. Panzarella said the report also lists many matrixes and encouraged other departments to do the same. Bullard asked if residents were notified about the training on 3B's & K Road. Bechstein said the JV's was handling that.

### **ROAD DEPARTMENT**

Computer- Bullard said he received information from Jack that a new computer could be installed and files transferred for approximately \$600. Panzarella said we have a system administrator that does a good job. He said he would like to make sure we have the software and licensing that we need. He questioned getting other quotes. Cannon asked how often the road department used the computer. She said there were several computers in the zoning and trustees office that were only used part-time and suggested Jack put him on one of those computers. Panzarella asked what the requirements were for the computer. Bullard said they watch the weather. D'Amico questioned if they had a weather radio. Bullard said he did not know.

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Truck Bed- Bullard said we have an old truck bed to dispose of. He said there are a couple of residents interested in it. He suggested posting on web and bulletin board an ad for the bed.

**RESOLUTION  
10-11-34**

**THE TRUSTEES HAVE A DUMP TRUCK BED FOR SALE- THERE IS NO WARRANTY OR GUARANTEE, THUS THE BED IS FOR SALE IN AS IS CONDITION. PLEASE SUBMIT A BID FOR THE TRUCK BED IN A SEALED ENVELOPE MARKED "TRUCK BED BID", TO THE FISCAL OFFICER, BY DECEMBER 10, 2010 AT 4:00 P.M. – MINIMUM BID IS \$300. CONTACT TRUSTEE OR ROAD DEPARTMENT TO VIEW THE BED. BIDS TO BE OPENED AT THE DECEMBER 13<sup>TH</sup> MEETING AT 7:15 P.M. TRUSTEES RESERVE THE RIGHT TO REJECT ANY AND ALL BIDS**

Motion: Bullard

Second: Panzarella

Discussion: Panzarella said he thinks this is something to learn from. When buying new equipment we should discuss what we are going to do with residual parts.

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

Caution Light- Bullard said the light still needs to be ordered for 3 B’s & K Road.

Ditch Work- Bullard said the rut in the ditch on 3 B’s & K is not from one of our trucks or tractors. Panzarella said the functionality of the ditch has been compromised. He said the owner said it was a tractor. Panzarella said he just wants the ditch fixed. Bullard said Glenn Excavating is submitting an estimate.

Bullard said the road work on 3B’s & K will not shut down the road. He said they will be using flaggers.

**TRUSTEE ITEMS**

I 71/US 36 Interchange- Panzarella said the County Commissioners have had further studies done on the interchange. He said we need to be concerned with, secondary road impact to the township and service implication impact on fire department. Bullard said he has seen a resolution the County Commissioners enacted for continued contracted studies. Panzarella said it is worthwhile to look at their agenda.

Increased Sheriff coverage- Panzarella commented that all three trustees have worked on the possibility of more coverage in the township. He said we have been provided economic data for additional officers and questioned what the board wanted to do. D’Amico said the information he originally received he thought the cost was high. He said he was not sure how to implement additional coverage, go to voters or use general fund. Panzarella said we can use general fund. He said the cost would be \$50,000 to \$100,000 for additional patrols on intermittent times. Panzarella added that extra patrol would be needed during week day times. He said thieves are active this time of year and encouraged the board to follow up. Bullard suggested sending a proposal to the sheriff asking him what they would do with increased coverage. He said at an OTA meeting he was at earlier in the year a presentation was given stating they collect the money and they choose when to patrol. He suggested doing something jointly with Kingston and Berkshire Townships. Bullard said he would like to make a proposal to the sheriff letting him know that we feel we are not receiving enough coverage and we would like to see a way to increase coverage for the three townships. Panzarella said it would be worthwhile to talk to Orange Township to see how and why they set up the program and what measures of merit were made. Bullard stated he may say he is doing everything he can. Panzarella said we don’t want to make accusations. D’Amico said he didn’t think we were. Bullard said he has seen an increase in presence.

**ZONING DEPARTMENT**

BZA Appointment

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**RESOLUTION  
10-11-35**

**REAPPOINT BARBARA SHERMAN TO THE ZONING  
APPEALS BOARD- WITH A TERM EXPIRATION DATE OF  
12/31/2015**

Motion: D'Amico

Second: Bullard

Discussion: Panzarella said again how fortunate the township is to have quality people willing to serve on boards.

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

**D'Amico called for a three minute recess.**

**D'Amico called the meeting back to order.**

**FUTURE MEETINGS**

12/9- Delaware General Health District

12/14- 9-1-1 Board Meeting

**LATE ITEMS**

Panzarella reported he attended a BWC Training. He said it was important because it helps with our insurance rates. He learned that a claim stays on our record for four (4) years.

Employee Handbook- Panzarella said there was only one carryover leave change. Bullard suggested letting employees review and bringing it to the next meeting with comments. Panzarella said he has kept the chief in the loop. He said this would replace 14 pages in the organizational meeting minutes. Panzarella asked what they would do if there were 50 comments. Bullard said he is not saying they have to make changes. He would like to go over it with the road crew. He suggested putting it on the agenda for December 13<sup>th</sup>. Panzarella suggested giving latest version to department heads and having them distribute.

D'Amico said he liked starting the meeting at 6:00 p.m. Bullard suggested changing meeting dates to the 1<sup>st</sup> and 3<sup>rd</sup> Mondays in order to attend other entities meetings. D'Amico said or another day of the week. D'Amico said we have also discussed the organizational meeting that was previously scheduled for December 27<sup>th</sup>. Panzarella confirmed that he would not be available. He said he could meet the 29<sup>th</sup>. It was decided that it would be discussed with the new fiscal officer. Cannon reminded the board that if they changed the date they would have to advertise.

**RESOLUTION  
10-11-36**

**MOTION TO ADJOURN**

Motion: D'Amico

Second: Bullard

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

Meeting adjourned by Chairman D'Amico at 8:55 p.m.

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Thomas A. D'Amico, Trustee

ATTEST:

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

\_\_\_\_\_  
Theresa Cannon,  
Fiscal Officer

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