

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

January 25, 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 Phil Panzarella

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

ATTENDANCE: Joe and Toni Korleski, Charles Miley, Dick Ray, Beth Hugh, Charles Dukes, David Anderson Chris Rinehart and Chief Bechstein

PUBLIC COMMENT: D'Amico said the Trustees were still adhering to Resolution 05-07-44 regarding public comment at the meetings. He asked if anyone wished to make public comment. Hearing none the Trustees moved on the next agenda item.

Approval Of Minutes:

**RESOLUTION
10-01-60**

**APPROVE THE 01/11/2010 REGULAR MEETING MINUTES
AND DISPENSE WITH THE READING**

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

FISCAL OFFICE:

WDC Group invoice for \$9,960.00. Panzarella said this is for partial completion of a design for a recreational facility north of the fire station on Lackey Old State Rd. He said this is just a design and it has been reviewed by our sports design committee.

**RESOLUTION
10-01-61**

**APPROVE INVOICE 08107-5 TO WDC GROUP FOR \$9,960
FOR DESIGN PLANS**

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

Accent invoice of \$787.00 for service agreement.

**RESOLUTION
10-01-62**

APPROVE \$787.00 TO ACCENT FOR SERVICE AGREEMENT

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

Cannon said the Berlin 4-H'ers have contacted the township and asked to use the hall for their meetings. Cannon said we have allowed the group to meet at the township free of charge.

**RESOLUTION
10-01-63**

**MOVE TO MAKE THE TOWNSHIP HALL AVAILABLE FOR
GROUP MEETINGS FREE OF CHARGE TO THE BERLIN 4-H
GROUP**

Motion: Bullard
Second: Panzarella
Discussion: D'Amico asked if Cathy got the group squared away with access to the building. Cannon said yes, Cathy did.
Vote: D'Amico yes, Panzarella yes and Bullard yes

CEMETERY:

No new updates.

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FIRE DEPARTMENT:

Fire Hydrant replacement recommendation: Panzarella said Chief Bechstein has submitted a recommendation for the placement of fire hydrants in 2010. He said three hydrants will be placed on Dale Ford Road between Roloson and Berlin Station Roads. Panzarella said hydrants have also been recommended by the fire committee. He asked if it was the will of the board to press on. He said an invoice would be submitted at the next meeting. Bullard questioned spreading the hydrants out and placing one in each area. Bechstein said that would not be as beneficial. He said if funds permit they could do others at the end of the year. Panzarella commented it was a better price to do them together. Bullard asked the chief to keep Irwin involved with the placement of water plugs. He said we will possibly be widening the roads. He suggested if it was a county road they should be involved. Bechstein said he would be getting together with Del-Co water to make verify locations and ROW. He said we would work with them to notify residents. Bullard suggested moving forward as quick as we can.

Web page update: Panzarella said there is some information that is out of date on the fire web page. He suggested Cathy get together with whoever the chief designates to make the changes and update personnel. Bechstein said he would work with Cathy on this.

7:15 Time Certain Joint Road Meeting

D’Amico called the joint road meeting to order. D’Amico said four townships and the City of Delaware were invited to tonight’s meeting to discuss shared road maintenance responsibilities. D’Amico asked if anyone was here from Delaware City. Charles Dukes, Public Works Superintendent was present from the City of Delaware. He said the city will uphold what is in the agreement and would also be interested in working together on street resurfacing on Glenn Road. Bullard questioned where on Glenn Road. He said nothing was planned for south of the railroad tracks. Bullard commented about the area on Curve Road where trucks are traveling. He said they have asked the County to help. Dukes said he has met with Kroger’s and discussed additional signage. He said a possible round-about on the land Kroger’s owns was also discussed. Bullard said anything the City can do would be appreciated. Panzarella said there was also discussion with the County Engineer regarding a stop sign.

RESOLUTION

10-01-64

MOVE TO APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN THE CITY OF DELAWARE AND BERLIN TOWNSHIP

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

RESOLUTION

10-01-65

MOVE TO APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN BERKSHIRE TOWNSHIP AND BERLIN TOWNSHIP

Motion: Bullard
Second: Panzarella
Discussion: Bullard said he had discussed the agreement with Rod Myers, there road trustee liaison. Panzarella asked about the discussions we had during our road inventory regarding Berkshire helping us out on 3B’s & K road. Bullard said it made sense. He said Berkshire Trustees meet on the same night and suggested having a meeting with road superintendents and trustee liaisons to see what else might be done regarding 3B’s and K.
Vote: D’Amico yes, Panzarella yes and Bullard yes

Charles Miley, Trustee was in attendance from Brown Township. He said they were in agreement with sharing the road maintenance.

RESOLUTION

10-01-66

MOVE TO APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN BROWN TOWNSHIP AND BERLIN TOWNSHIP

Motion: Bullard
Second: Panzarella
Discussion: Miley said they were contacted by a resident on Baker Road regarding ditch repair. He said they referred them to Berlin as it was on the south side west of Plunkett.

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

Dave Anderson, Township Administrator attended the meeting for Liberty Township. He said they were in agreement with sharing of the road maintenance.

RESOLUTION 10-01-67

MOVE TO APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN LIBERTY TOWNSHIP AND BERLIN TOWNSHIP

Motion: Bullard

Second: Panzarella

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

Dick Ray, Road Superintendant and Beth Hugh, Maintenance and Parks Director were in attendance for Orange Township. Mr. Ray said everything appears to be working well with the road agreement. He said we will be resurfacing Shanahan Road this year as a joint venture. Bullard said it was put on our list to the County and we are waiting for costs. Ray said they had done the same.

RESOLUTION 10-01-68

MOVE TO APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN ORANGE TOWNSHIP AND BERLIN TOWNSHIP

Motion: Bullard

Second: Panzarella

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

Bullard said a big issue all townships will be working through is the replacement of signs. He suggested working together on shared roads as each jurisdiction is responsible. Bullard said Bauserman is looking at purchasing a gun to test the reflectivity of signs. Anderson questioned going together for possible joint ownership. Bullard said they were costly. Bullard also commented on procedures the county follows if there is a fatal accident at a signed intersection. Miley said we used to be able to buy signs from the County. He commented the money went to the County General Fund. Bullard said they were not making signs. Panzarella said it was important from a legal stand point to have certification of reflectivity. He said the County would be responsible if we used their reflector-meter. Bullard suggested everyone working together with the County to figure out the process. Miley said 3M had sign replacement grants at one time.

Panzarella asked if anyone knew what the holdup was with the traffic signal being installed at 23 and Grief Parkway.

Bullard thanked everyone for attending the joint road meeting.

D'Amico called for a 3 minute recess. D'Amico called the meeting back to order.

FIRE DEPARTMENT

Fire department response time: Panzarella said 911 data was obtained from the County to investigate the effect of first arriving company vs. the first Berlin Township truck arriving. He said the data showed first arriving company criteria are used. He said fire call response times could be approximately reduced by the following: overall average - 5.8 minutes; outside normal duty hour average - 6.1 minutes and day-time normal duty hour average - 4.9 minutes. Panzarella said this was for fire runs only. D'Amico commented that the fire committee stated that Orange Township did not go full-time until response time hit 12 minutes. Panzarella said that was not recommended. Panzarella said there are areas in the township the department cannot get to in 8.5 minutes. D'Amico questioned if it was our goal to have hydrants throughout the entire township. Chief said it would be nice if it was possible. He said all the areas cannot support a hydrant. He said you need a minimum 8 inch line. He said developers will install every 300 feet. Bechstein said we have been pushing looping of the main lines and said the developers have been willing to work with us. D'Amico asked if that was something that was overlooked. Chief said it was not pursued in the past. He said we didn't have the financing. Panzarella said there are some possibilities of dry hydrants. He said the trucks have the ability to suck water from a pond. He commented that ISO reports water is the first thing you need. Bullard questioned what response time is used by insurance companies. He said he questioned OTA and they suggest

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he contact Burnham and Flower. Chief said all they want to know is if there is a fire station within 5 miles and the distance of the closest hydrant. He said these are the 2 standards they ask. Panzarella said ISO is deemphasizing time and over emphasizing distance of fire station. He said most of the township is within 5 miles.

Fire Levy- Resolution of necessity: Panzarella said the board had been given possibilities of fire levy options. He said the fire committee suggested 2.98 for 6 years. Panzarella said for tactical reasons we did not want a continuing levy. He said he recommends a replacement levy not to exceed 5 years at 2.98. He said we should ask the fiscal officer to execute and forward to us for signatures and to bring a certified copy to the County Auditor and the Board of Elections.

**RESOLUTION
10-01-68**

**BERLIN TOWNSHIP
DELAWARE COUNTY, OHIO**

RESOLUTION OF NECESSITY

**TAX LEVY EXCEEDING TEN-MILL LIMITATION
FIVE YEAR (5 YEAR), TWO AND NINETY-EIGHT HUNDRETHS (2.98
MILLS) FOR EACH DOLLAR OF VALUATION**

WHEREAS, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount of necessary requirements for Berlin Township, Delaware County, Ohio; and

WHEREAS, a resolution declaring the necessity of levying a tax under Ohio Revised Code Section 5705.19, outside the ten-mill limitation, must be passed and certified to the County Auditor of Delaware County, Ohio, in order to permit the Board of Berlin Township Trustees the total current tax valuation of Berlin Township and therefore, be it

RESOLVED, by the Board of Trustees of the Township of Berlin, Delaware County, Ohio, two-thirds of all members elected thereto concurring, the ten-mill limitation for the benefit of Berlin Township for the purpose of providing and maintaining fire apparatus, appliances, buildings or sites therefore or sources of water supply and materials therefore, or the establishment and maintenance of lines of fire alarm telegraph or the payment of permanent, part-time or volunteer firefighters or firefighting companies to operate the same or to purchase ambulance or emergency medical services operated by a fire department or firefighting company at a rate not exceeding two and ninety-eight hundredths (2.98 mills) for each dollar of valuation, which amounts to twenty nine and eight tenths cents (\$.298) for each one hundred dollars of valuation for a replacement levy of 2.98 mills not to exceed five (5) years.

RESOLVED, that the levy be placed upon the tax lists of the current year 2010, first due in February of calendar year 2011, in compliance with Ohio Revised Code Section 5705.34 and if the majority of the electors voting thereon vote in favor thereof and; be it further

RESOLVED, that the question of such tax levy shall be submitted to the electors of Berlin Township, Delaware County, Ohio at the Primary Election to be held therein on May 4, 2010 and; be it further

RESOLVED, the Fiscal Officer of the Board of Township Trustees of Berlin Township, Delaware County, Ohio be directed to certify a copy of this Resolution to the County Auditor and the Board of Elections, Delaware County, Ohio. The Board of Trustees hereby requests that the County Auditor certify to this Board of Berlin Township Trustees the total current tax valuation of Berlin Township and the number of dollars generated if approved by the electors.

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

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D’Amico asked about putting the information in the newsletter. Bullard said it would have to be run by the prosecutor. He said levy discussion is on the web-page in the fire committee minutes as well as the Trustee minutes.

ROAD DEPARTMENT

Bullard said he has heard some good news regarding our OPWC money for the Meadows of Cheshire. He said it is moving forward. He said that will be a major portion of what is done this year, along with Shanahan Road. Panzarella said we need to come up with approximately \$60,000 for the Meadows project. Panzarella commented on income from the tax base that comes in for the General Fund and all the expenditures that come out of it. He said it would be an interesting analysis to see how much will be diverted to road repair in a 5 year plan. He said a 5 year plan should co inside with what is available for funding.

Panzarella said during the road inventory micro-seal was discussed for a limited number of roads in the Marina and Summerwood sub-divisions. He said he added it to Brodi’s list.

**RESOLUTION
10-01-69**

**MOTION TO GO INTO EXECUTIVE SESSION TO DUSCUSS
PENDING LEGAL MATTERS IN THE TOWNSHIP**

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

**RESOLUTION
10-01-70**

MOTION TO RETURN TO REGULAR SESSION

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

D’Amico said we met in executive session and no decisions or actions were taken.

TRUSTEES

Health Care Opt-Out Procedures- Panzarella said we have to come to an understanding on what should be given to the fiscal office for reimbursement. He suggested:

1. Proof the individual has a contract with a health care provider
2. Amount individual is paying
3. A periodic recertification
4. End of year certify and prove continued coverage

He asked what the Board considered. D’Amico asked if a payroll stub with cost amount would be sufficient. Bullard discussed questions regarding individual insurance costs.

Employee Handbook Status: Cannon provided the Trustees with copies of a proposed township handbook. She suggested they review it and make comments. Panzarella suggested having it back to the Fiscal Office by the end of the week. D’Amico said the next meeting. Bullard commented that after the Trustees had made comments it should go to the Prosecutor for legal review.

Handling Personnel Data: Panzarella wanted to make sure all understood that the fiscal office should be the one receiving employment applications. He said some departments are opening mail that could contain social security numbers. Panzarella said if an application is opened in error it should be re-sealed in an envelope and a note should be enclosed stating what was opened.

Software placement on township computers: Panzarella stated that there is a zoning laptop that has not had Beacon Data load software. He said in the future Beacon Data should be loading all software including anti-spyware. Bullard questioned if he was talking about Lisa Knapp’s computer. He said she could bring it in for a couple days for updates. He suggested the chairman tell her to bring it in for review.

ZONING

D’Amico said the RPC Contract reflects the \$5000.00 that was approved in our Organizational Meeting. Trustees skimmed through contract. Cannon said when she receives the monthly invoice she gives it to Ray Armstrong, Zoning Inspector to review and approve.

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**RESOLUTION
10-01-71**

**ACCEPT THE REGIONAL PLANNING COMMISSION
CONTRACT FOR PLANNING SERVICE DATED 1/11/2010
AND ADMINISTERED BY THE BERLIN TOWNSHIP ZONING
COMMISSION CHAIRMAN**

Motion: Bullard
Second: Panzarella
Discussion: Panzarella said Resolution 10-01-27 authorized \$5000 for the contract
Vote: D'Amico yes, Panzarella yes and Bullard yes

FUTURE MEETINGS

1/26/2010- 911 Technical Committee Meeting at 1:30
3/16/2010- District Advisory Council Meeting at 6:00 – Panzarella commented that he was chair of the committee and membership is the chair (D'Amico) of the municipal entities of the County.

Bullard said he attended a get together with Delaware City and Elected Officials to talk about mutual interest items. He said no business was held just information gathering. Bullard said they discussed meeting quarterly. He said they would meet at Liberty Township in March. He said any or all trustees can attend. Bullard said the meetings would have to become more valuable.

LATE ITEMS

D'Amico said he still plans on discussing the possible changes / cuts to the zoning office to save money. He said he was given information he would first like to review. Panzarella said he would wait for D'Amico's proposal.

Bullard said he would like Cathy to have the ability to answer the road maintenance lines when they are not available. D'Amico questioned the cost of phones, faxes and internet. It was determined that Ray Armstrong would look into all phone systems for a cost savings.

**RESOLUTION
10-01-72**

MOTION TO ADJOURN

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

Meeting adjourned by Chairman D'Amico at 9:16 p.m.

Thomas A. D'Amico, Trustee

ATTEST:

Philip P. Panzarella, Trustee

Theresa Cannon,
Fiscal Officer

Ronald W. Bullard, Trustee