

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Trustee Meeting August 12, 19**

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

**CALL TO ORDER:** Ken O'Brien, Trustee Chairman

**PLEDGE OF ALLEGIANCE:** Ken O'Brien led the Pledge of Allegiance

**ROLL CALL:** Ken O'Brien, Tom D'Amico, Ron Bullard and Claudia Smith, Fiscal Officer.

**ATTENDANCE:** Joe Pichert, Dustin Kent, Alison & Jeff Smith, Chris Paykoff and Theresa Fuller

**PUBLIC COMMENT:** Alison and Ed Smith said they live on 3 B's & K and there is a large mound near their property and they are concerned with it being landscaped and mowed. Alison said she was deeply disappointed that our township does not work in conjunction with another township within the same development. She said Berlin Township knew nothing about the mounding and everything going on around their property where the other township had landscape plans. They do not understand how the mound could happen in Berlin Township and they not know anything about it. She said she met with the zoning inspector and Joe Ciminello who stated that the property was going to be the township and the counties responsibility to maintain. They are concerned with how it will be maintained considering the height of the mound. Bullard said it was on private property so the homeowner or the HOA would be responsible for maintaining it. D'Amico said it would not be a zoning issue because it is just dirt. O'Brien said it would up to the county engineer. Alison said when they talked to them and they put a swale in. Bullard said if the mound is not on the property that was rezoned or is covered by the plans, then we have a problem because people have the right to pile up dirt or do what they want with their property. O'Brien said unless it changes the speed or amount of water flow. He said if there is an issue with water runoff, they should contact Delaware County Soil and Water. Bullard said he would work on getting answers to their questions and bring what he finds to the September 9<sup>th</sup> meeting.

**Approval of Minutes –**

**RESOLUTION 19-08-01 APPROVE THE 7/8/19 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

Motion: Bullard  
Second: D'Amico  
Vote: O'Brien yes, D'Amico yes and Bullard yes

**Old Business –**

**Fairview Cemetery –** O'Brien said the opposing attorney is not being helpful. D'Amico said the lawn was being mowed.

**Employee Handbook Updates –** O'Brien asked if they want the tobacco free policy included. Bullard said he did as long as it was within our authority. Smith said she had two employees that get their vacation time in late November and December and that does not give them enough time to use the hours they are given. She said to solve this she could change their vacation to be accrued each payday. O'Brien said he did not like this. O'Brien suggested that anyone hired after September 30<sup>th</sup> be allowed to carryover 120 hours instead of 80 hours. O'Brien asked if they want the Riepenhoff law firm conduct the ethics training. They will look at a couple dates.

**The Cloud –** Bullard said they would be talking about this at the zoning commission meeting tomorrow. They are looking for a large room to hold a meeting on September 4<sup>th</sup> at 7:00 p.m. for all the residents. He said the economic development people said they would pay for the legal ad and the postage to send the letters out.

**Developer's Agreement –**

**RESOLUTION 19-08-02 APPROVE THE IRREVOCABLE STANDBY LETTER OF CREDIT FROM S & T BANK AND THE DEVELOPER'S AGREEMENT AS PROVIDED TO US BY THE COUNTY ENGINEER'S OFFICER**

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Trustee Meeting August 12, 19**

**AND RECOMMENDED FOR US TO APPROVE**

Motion: Bullard  
Second: O'Brien  
Vote: O'Brien yes, D'Amico yes & Bullard yes

**Fiscal Officer Items** – Trustees signed the July 2019 bank statement and electronic payment list.

**Lost Key Fob** – Bullard said we had a room rental and the key fob was tossed out in the trash accidentally and we can't buy the fobs anymore. Smith said we have two left and Rippel said she would work with them and if it did not work, she would use a key. Bullard suggested that we charge \$50 for it.

**RESOLUTION APPROVE CHARGING \$50 FOR LOST KEY FOB  
19-08-03**

Motion: Bullard  
Second: D'Amico  
Vote: D'Amico yes, Bullard yes and O'Brien yes

Smith said she had some late items and said Scott Belcastro called and said there were some forms that needed signed.

**RESOLUTION APPROVE APPOINTING RON BULLARD TO SIGN THE  
19-08-04 RENEWAL APPLICATIONS FOR AGGREGATION THAT  
ARE REQUIRED BY THE PUCO AND THAT RON BULLARD  
HAS THE AUTHORITY UNTIL REVOKED BY THIS BOARD**

Motion: O'Brien  
Second: Bullard  
Vote: D'Amico yes, Bullard yes and O'Brien yes

**RESOLUTION APPROVE \$300.00 TO DELAWARE COUNTY TOWNSHIP  
19-08-05 ASSOCIATION FOR 2019-2020 MEMBERSHIP DUES**

Motion: O'Brien  
Second: Bullard  
Vote: Bullard yes, O'Brien yes and D'Amico yes

**Cemetery** – Smith said she noticed that there were dead trees in the memorial garden. Bullard will contact Miller Landscaping.

**Fire Department –  
Hire Firefighter -**

**RESOLUTION APPROVE HIRING CLINTON A LAINGE AS FULL-TIME  
19-08-06 FIRE FIGHTER FOR BERLIN FIRE DEPARTMENT AT A BASE PAY  
OF \$41,836 WITH EFFECTIVE DATE TO BE DETERMINED BY THE  
FIRE CHIEF PENDING THE RESULTS OF THE OP & F MEDICAL  
EXAM BUT NOT PRIOR TO SEPTEMBER 7, 2019 AND THE FISCAL  
OFFICER SHALL BE NOTIFIED OF THE OFFICAL HIRE DATE  
ONCE DETERMINED BY THE FIRE CHIEF**

Motion: O'Brien  
Second: Bullard  
Vote: Bullard yes, O'Brien yes and D'Amico yes

**RESOLUTION APPROVE HIRING ROBERT MEADOWS AS PART-TIME  
19-08-07 FIRE FIGHTER FOR BERLIN FIRE DEPARTMENT UNDER  
PROBATIONARY TERMS AND RATE OF PAY EFFECTIVE  
DATE TO BE DETERMINED BY THE FIRE CHIEF**

Motion: O'Brien  
Second: Bullard

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Trustee Meeting August 12, 19**

Vote: O'Brien yes, D'Amico yes & Bullard yes

Pichert said they estimated that about four hundred people showed up for the touch-a-truck event.

**Road Department –  
Sidewalk Contract –**

**RESOLUTION 19-08-08 APPROVE CONTRACT AS PRESENTED TO US BY THE DELAWARE COUNTY ENGINEER WITH DECKER CONSTRUCTION COMPANY FOR \$88,953.55 FOR SIDEWALK CONTRACT**

Motion: Bullard  
Second: O'Brien  
Discussion: O'Brien "That is the total amount of the contract but we will only pay a portion of it is that correct?" Bullard said the county will reimburse us for \$49,400.  
Vote: O'Brien yes, D'Amico yes & Bullard yes

D'Amico said he rode around today with Irwin and Riedel and received a list of road improvements from Irwin. D'Amico said Liberty Township wants us to go in with them to resurface some of the area at Greif Parkway. They had a copy of the road maintenance agreement between Berlin and Liberty Townships. O'Brien said they get the tax money. Smith said she used to have to contact them to get our portion but she received an email that says Kaita changed it and we should be getting it with our taxes. Bullard said if we are not getting mileage for it we should not pay for it. Smith said she would check.

**RESOLUTION 19-08-09 APPROVE APPOINTING KEN O'BRIEN NEGOTIATE WITH LIBERTY TOWNSHIP OVER THE PAVING CONTRACT FOR GRIEF PARKWAY FOR 2020 AND WE WILL PROVIDE BACKUP INFORMATION NEEDED**

Motion: Bullard  
Second: D'Amico  
Vote: D'Amico yes, Bullard yes and O'Brien yes

**RESOLUTION 19-08-10 APPROVE \$400 TO STEWCARE FOR WEED TREATMENT**

Motion: O'Brien  
Second: Bullard  
Vote: D'Amico yes, O'Brien yes and Bullard yes

**Trustee Items –**

**Insurance** - Bullard said he put this on as we need to start thinking about this and if we want to change to start working on it. O'Brien asked if there were any major changes and Bullard said he did not think so. O'Brien said he does not have any reason to change it. Smith said the health insurance goes through May of 2020.

**Fall 2019 Newsletter** – Bullard said it is his turn to work on the newsletter so he would like articles to him by September 10, 2019.

**Zoning Department –**

**Monthly Zoning Report** – Bullard said we are still on track for a hundred new homes this year.

**Set Hearing Dates for BZC Cases** – Smith said we have to have a special meeting to hear the zoning amendments and Westport Homes since it was given to us July 25<sup>th</sup>.

**RESOLUTION 19-08-11 APPROVE SETTING DATE FOR SPECIAL MEETING FOR ZONING RESOLUTION UPDATES AND BZC 16-009 & BZC 16-010 WESTPORT HOMES HEARING FOR AUGUST 28, 2019 AT 7:00 P.M.**

Motion: O'Brien  
Second: Bullard

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Trustee Meeting August 12, 19**

Vote: Bullard yes, O'Brien yes and D'Amico yes

**RESOLUTION 19-08-12 APPROVE SETTING DATE FOR BZC 18-003 LONGHILL LIMITED PARTNERSHIP HEARING FOR SEPTEMBER 9, 2019 AT 8:00 P.M. AT 3271 CHESHIRE ROAD**

Motion: Bullard  
Second: D'Amico  
Vote: Bullard yes, D'Amico yes and O'Brien Abstain

**Future Meetings -**

- 9/9/19 Trustee Meeting
- 9/23/19 Trustee Meeting
- 10/14/19 Trustee Meeting
- 10/20/19 Open House
- 10/28/19 Trustee Meeting

**Late Items** – Bullard said we can have the end of the year meeting anytime since he is the only trustee on the ballot. Smith said it is scheduled for December 23 and the organizational meeting is set for January 6<sup>th</sup>, 2020. Bullard said we can have the organizational meeting December 23 also. O'Brien told Smith to think about it.

D'Amico said the zoning office is having issues with developers such as compliance issues, foundation surveys and as build surveys and he wants to talk to the prosecutor about it as we still keep issuing permits.

**RESOLUTION 19-08-13 APPROVE AUTHORIZING TOM D'AMICO TO REQUEST OPINION FROM THE PROSECUTOR'S OFFICE REGARDING COMPLIANCE WITH ZONING RESOLUTION WHICH INCLUDES ANY PERMITTING REQUIRED**

Motion: O'Brien  
Second: Bullard  
Vote: O'Brien yes, D'Amico yes and Bullard yes

D'Amico said the cell tower was up in Cheshire. He asked if our noise ordinance covered the loud boats on Alum Creek. O'Brien said that is a question for the prosecutor.

Dustin Kent gave an update on the Health Department.

**RESOLUTION 19-08-14 MOTION TO ADJOURN**

Motion: Bullard  
Second: D'Amico  
Vote: O'Brien yes, D'Amico yes and Bullard yes

Meeting adjourned by Chairman O'Brien at 9:51 P.M.

\_\_\_\_\_  
Ken O'Brien, Trustee

ATTEST:

\_\_\_\_\_  
Tom D'Amico, Trustee

\_\_\_\_\_  
Claudia Smith, Fiscal Officer

\_\_\_\_\_  
Ron Bullard, Trustee