

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**November 14,**

**16**

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

**CALL TO ORDER:** Adam Fleischer Trustee Chairman

**PLEDGE OF ALLEGIANCE:** The Pledge of Allegiance was led by Toni Korleski

**ROLL CALL:** Adam Fleischer, Ron Bullard Absent, Steve Flaherty, and Claudia Smith, Fiscal Officer

**ATTENDANCE:** Joe & Toni Korleski, Craig Hall, Joe Pichert, Tom Curtin, Chris Paykoff and

**PUBLIC COMMENT:** Fleischer asked if there were any. Hearing none they moved to the next item on the agenda.

**RESOLUTION 16-11-03 APPROVE THE 10/24/2016 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

Motion: Fleischer  
Second: Flaherty  
Vote: Fleischer yes and Flaherty yes

**RESOLUTION 16-11-04 APPROVE THE 11/7/2016 SPECIAL MEETING MINUTES AND DISPENSE WITH THE READING**

Motion: Fleischer  
Second: Flaherty  
Vote: Fleischer yes and Flaherty yes

**FISCAL OFFICE:**  
October bank statement was signed.

**Credit Card Policy** – Smith said she sent them a resolution that needs to be done for the credit card policy and included the policy currently in the employee handbook. Fleischer suggested that we wait until Bullard is here.

**Hall Rental Refund** – Smith said they received a request for the boy scouts to have the hall rental refunded in full.

**RESOLUTION 16-11-05 APPROVE REFUNDING THE BOY SCOUT MEETING FOR BSA TROOP 843 THE FULL AMOUNT OF \$85.00 FOR THEIR NOVEMBER 7, 2016 HALL RENTAL**

Motion: Flaherty  
Second: Fleischer  
Vote: Flaherty yes and Fleischer yes

**Supply Orders Due by 12/5/16** – Smith said supply order are due by December 5 as there will be no ordering or spending until after the budget is done in January or February. Flaherty asked if this was the same for other purchases and Smith said yes. Flaherty said he has been working with the Columbarium guys and they weren't going to have the renderings done by this meeting so it would take an approval by the 28<sup>th</sup>. He said it was a 16 to 20 week lead time and they were going to go for approval on December 12<sup>th</sup> which would give them a meeting to digest it. They are trying to get an April delivery time so the foundation can be poured the same time that the other foundations are poured. He said they are talking about a \$52,000 ossuarium for the base model. Smith said they have been talking about this for so long that they knew it was coming.

**OLD BUSINESS:**  
**Columbarium's** – Discussed above.

**Curve Road Pothole Accident** – Fleischer said they received an email from Fowler

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**November 14,**

**16**

reversing his decision from what he told himself and Bullard over the phone. He now recommends that they reimburse the claimant. Flaherty said based on Fowler’s email he is fine with reimbursing on this case as it is not setting precedent as every time something like this happens we can verify with the prosecutor as to our liability and in this case they were aware that there was an issue and they were taking remedy’s to correct it with a full road fix rather than a spotty replacement. Something happened while they were waiting to achieve grant funding status so instead of us shelling out \$500,000 we are willing to shell out \$100,000 and get \$400,000 from the government to help fund the roads. Fleischer said he doesn’t necessarily agree with Fowlers conclusion that in January they described Curve Road as poor relative to other roads in the township. He doesn’t know if this constitutes a case where they knew specifically that this area of Curve Road is what caused the accident but our legal counsel advised us to pay it and he is much more worried about setting precedent when they don’t listen to legal counsel.

**RESOLUTION 16-11-06 APPROVE REIMBURSING NATALIE THOMPSON \$451.61 FOR DAMAGES TO HER VEHICLE BASED ON LEGAL COUNSELS RECOMMENDATION AS WELL AS OUR NOTATION THAT WE KNEW THE ROAD WAS DETERIORATING BUT WE WERE TAKING THE NECESSARY STEPS TO CORRECT THE ISSUE OVER TIME.**

Motion: Flaherty  
Second: Fleischer  
Vote: Flaherty yes and Fleischer yes

**Firehouse Hall Rental** – Chief Hall said the purpose for the room was for training and is used by the sheriff’s, park rangers and other agencies and when they come in they allow their members to sit in and get free training so they would like to keep it as that.

**\*\*\*\*\*Time Certain 7:16 p.m.\*\*\*\*Records Commission Meeting\*\*\*\*\***

Smith said the township’s storage facility was not at capacity and there would be no need to remove or dispose of any records at this time.

**Zoning Training Session Pay** – They discussed creating an hourly training rate for zoning board members for attending training sessions that are to be approved by the trustees before attending. Discussion was stopped for the time certain Preservation Parks presentation.

**\*\*\*\*\*7:30 p.m.\*\*\*\*TIME CERTAIN\*\*PRESERVATION PARKS\*\*\*\*\***

Tom Curtin executive director of Preservation Parks showed a power point presentation that showed what they are doing now and what will be coming. He stated that there are 11 public parks and trails in Delaware County that range from 14 acres to 231 acres and are open 365 days a year and provide outdoor exploration and learning with free public nature and farm programs and rental facilities. Some of the amenities at the parks include bicycling, canoeing/kayaking, cross country skiing, fishing, hiking, indoor meeting space, natural play areas, pet trails, picnicking, playground equipment, restrooms, shelters, sledding hills, visitor center and wildlife viewing blind. For more information please visit their website at [www.preservationparks.com](http://www.preservationparks.com).

**Zoning Training Session Pay Continued** – They returned to their discussion and decided to create a new training rate.

**RESOLUTION 16-11-07 APPROVE ESTABLISHING A TRAINING RATE FOR BZA & BZC CHAIRPERSON, CLERK AND BOARD MEMBERS AT \$13.00 AN HOUR EFFECTIVE NOVEMBER 14, 2016 AND INCLUDES THAT ALL TRAINING SESSIONS BE APPROVED BY THE BOARD OF TRUSTEES PRIOR TO ATTENDANCE AND ALL OVERSIGHT OF SUCH TRAINING SESSION ATTENDANCE WISE SHALL BE OVERSEEN BY THE LIAISON UTILIZING SPECIAL TIMESHEET AND ANY NECESSARY TRAINING SESSION SHALL BE SUBMITTED BY THE BZC OR BZA CHAIR TO THE BOARD OF TRUSTEES PRIOR TO A MEETING.**

Motion: Flaherty

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**November 14,**

**16**

Second: Fleischer  
Vote: Fleischer yes and Flaherty yes

**CEMETERY** – Nothing more.

**FIRE DEPARTMENT –**

**Requisitions** – Pichert said after inspection and 10 years of usage some turnout gear needs replaced.

**RESOLUTION 16-11-08 APPROVE \$20,280.00 TO FIRE SAFETY SERVICES TO REPLACE 5 TURNOUT GEAR COATS, 4 TURNOUT GEAR PANTS AND 2 FIREFIGHTER HELMETS**

Motion: Flaherty  
Second: Fleischer  
Vote: Fleischer yes and Flaherty yes

**Fire Levy Staffing** – Pichert presented a summary of the fire departments goals in three areas over a five year period which started in 2015 and covers staffing, capital improvements/equipment and funding. A new fire levy is being recommended for staffing to be set at 2.95 mill which would generate \$722,106 a year and on a \$300,000 home would be a \$309.75 increase per year or \$25.81 per month. The fire department would operate on two fire levies both approximately 2 years apart and when they become due they are recommending them to be replaced instead of renewed. Flaherty said they have done their diligence and that is what he is looking for as a trustee. The way they have it broken done and the fact that they are combining two trucks into one is huge and shows we are using our money resourcefully and commends them for their results and thinking as planning like this being proactive and replacing stuff over time as opposed to one lump sum purchases. Fleischer said he appreciated it too. Chief Hall said they want to be ahead of the game when all the subdivisions come in and not have to play catchup and go for a higher tax.

**BZC Interviews** – Fleischer asked that move up the interview and not leave Marty waiting any longer.

**RESOLUTION 16-11-09 RECESS TO EXECUTIVE SESSION TO INTERVIEW APPLICANT FOR THE ZONING COMMISSION – TWO TRUSTEES, FISCAL OFFICER AND MARTY JOHNSON TO ATTEND-8:57 P.M**

Motion: Fleischer  
Second: Flaherty  
Vote: Flaherty yes and Fleischer yes

**RESOLUTION 16-11-10 MOTION TO RETURN TO REGULAR SESSION AT 9:25 P.M**

Motion: Fleischer  
Second: Flaherty  
Vote: Flaherty yes and Fleischer yes

Fleischer “We met in executive session and no decisions or actions were taken.”

**RESOLUTION 16-11-11 RECESS TO EXECUTIVE SESSION TO DISCUSS AN ISSUE RELATING TO EMPLOYEES OF THE TOWNSHIP– TWO TRUSTEES AND FISCAL OFFICER TO ATTEND-9:26 P.M**

Motion: Fleischer  
Second: Flaherty  
Vote: Fleischer yes and Flaherty yes

**RESOLUTION 16-11-12 MOTION TO RETURN TO REGULAR SESSION AT 9:32 P.M**

Motion: Fleischer  
Second: Flaherty  
Vote: Fleischer yes and Flaherty yes

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**November 14,**

**16**

Fleischer "We met in executive session and no decisions or actions were taken."

**ROAD DEPARTMENT:**

**Extended Warranty Peterbuilt** – Flaherty said he talked to Irwin regarding an extended warranty on the new truck and the base warranty covers 2 years, 24,000 miles, and this is a protection plan from Peterbuilt that would take it to a 5 year, 100,000 miles plan and we will never get close to 100,000 miles.

**RESOLUTION 16-11-13 APPROVE UPTO \$2,800.00 FOR EXTENDED WARRANTY ON THE NEWLY BOUGHT PETERBUILT TRUCK AS IDENTIFIED IN THE MATRIX TABLE THAT COLUMBUS PETERBUILT PROVIDED US WHICH PROVIDES US WITH AN EXTENDED WARRANTY OF 5 YEAR, 100,000 MILES FOR BOTH THE ENGINE AND THE AFTERTREATMENT PLUS THE DOCUMENTARY FEE AS RELATED TO IT.**

Motion: Flaherty  
Second: Fleischer  
Vote: Flaherty yes and Fleischer yes

**Reduce Speed Limit** – Fleischer said when he spoke with Bullard he said he would discuss this at the next meeting.

**Liberty Township Road Maintenance Agreement** – Smith said she received Liberty’s road maintenance agreement which she doesn’t normally due till February.

**RESOLUTION 16-11-14 APPROVE THE ROAD MAINTENANCE AGREEMENT BETWEEN LIBERTY TOWNSHIP AND BERLIN TOWNSHIPS**

Motion: Fleischer  
Second: Flaherty  
Vote: Flaherty yes and Fleischer yes

**TRUSTEE DEPARTMENT:** Nothing.

**ZONING DEPARTMENT:**

**Westfield Lakes Hearing** – Smith said they need a resolution approving that the hearing be heard on the 28<sup>th</sup> and includes BZC-16006.

**RESOLUTION 16-11-15 APPROVE HEARING BZC 16-003 WESTFIELD LAKES AND BZC 16-006 WHICH INCLUDES CHANGES TO THE COMPREHENSIVE LAND USE PLAN AT THE NOVEMBER 28<sup>TH</sup> TRUSTEE MEETING WITH A TIME CERTAIN OF 7:15 P.M.**

Motion: Flaherty  
Second: Fleischer  
Vote: Fleischer yes and Flaherty yes

**Noise Ordinance** – Fleischer said a resident that lives across the street from the new high school called and is frustrated that the construction crew is starting work at 4:00 a.m. and making load noises. He said we have a noise ordinance that was passed and Smith sent it to them and he asked who was to enforce this and Smith said the sheriff. Flaherty said the way he read the noise ordinance it pertains more to situations like when Polaris amphitheater was open and it projected noise upon Westerville and the amphitheater had to lower their decibel output. He believes we as a township can establish construction work times of when people are allowed to work and when they aren’t on work zones in the township for construction work. Fleischer said he would check with Fowler and also talk to the school.

**Monthly Zoning Report –**

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.**

**Regular Meeting**

**November 14,**

**16**

**FUTURE MEETINGS:**

11/17/16 Prosecutors Training

11/28/16 Trustee Meeting, BZC 16-003 Westfield Lakes Hearing & BZC 16-006

12/12/16 Trustee Meeting

**LATE ITEMS:** Flaherty said Heid is off November 23, 24 and 25th and Rippel asked to be off the same time so the zoning office would be closed. Flaherty said Korleski asked him if they would approve two meetings a month at the organizational meeting as the township is growing and they would not have to have special meetings.

**RESOLUTION            MOTION TO ADJOURN  
16-11-16**

Motion:            Fleischer

Second:          Flaherty

Vote:              Fleischer yes and Flaherty yes

Meeting adjourned by Chairman Fleischer at 9:56 p.m.

\_\_\_\_\_  
Adam Fleischer, Trustee

ATTEST:

\_\_\_\_\_  
**ABSENT**  
Ron Bullard, Trustee

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

\_\_\_\_\_  
Steve Flaherty, Trustee