

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m.                      Regular Meeting                      March 14,                      2016**

**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, Steve Flaherty and Theresa Cannon, Assistant Fiscal Officer.

**ATTENDANCE:** Joe and Toni Korleski, Don Yarman, Brad Cook, Keith Mangine, Brian Newcomb, Chris Paykoff, Craig Hall and Joe Pichert

**PUBLIC COMMENT:** Fleischer asked if there were any public comments. Don Yarman said he was here representing the Delaware County Library and was just here to observe. T. Korleski asked why there wasn't any zoning information in the library. He said he would check into it. Keith Mangine, Cubmaster of Pack 348 asked the Trustees if they could use the Township hall every Thursday evening. He said in return the troop would like to provide a service to the Township. Bullard said other organizations that have used the hall have planted flowers. He said they would come up with something they can do.

**RESOLUTION 16-03-01                      APPROVE CUB SOUT PACK 348 THE USE OF THE TOWNSHIP HALL ACCORDING TO THEIR LETTER DATED 3/14/2016. FEE WILL BE COLLECTED UP FRONT AND A FULL REFUND WILL BE PAID IF HALL IS KEPT CLEAN AND IN ORDER.**

Motion: Bullard  
Second: Fleischer  
Discussion: Flaherty pointed out that the letter only states every other week and they are requesting every week. Bullard said they can work with Cathy and set it up for every week. The Trustees agreed that if a resident wished to rent the hall on a Thursday evening they would take precedent over the Cub Scouts. It was noted that a vast majority of the boys are from Arrowhead Elementary.  
Vote: Fleischer yes, Bullard yes and Flaherty yes

**RESOLUTION 16-03-02                      APPROVE THE 2/22/2015 MEETING MINUTES AND DISPENSE WITH THE READING**

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

**FISCAL OFFICE:**  
The February 2016 Delaware County Bank Statement was reconciled and distributed for Trustee signatures.

The Townships Highway Mileage Certification was provided by the Delaware County Engineers office and needs to be signed and submitted to ODOT. The certificate indicates 34.9 miles of roads, which is .13 less than 2014 due to Glenn Parkway annexation into the City of Delaware.

**RESOLUTION 16-03-03                      APPROVE 2015 MILEAGE CERTIFICATION AS PROVIDED BY CINDY DAVIS, OFFICE MANAGER OF DELAWARE COUNTY ENGINEER.**

Motion: Bullard  
Second: Flaherty  
Discussion: Bullard commented that when paving roads it appears we pay a little more. Flaherty said the width comes into play.  
Vote: Bullard yes, Fleischer yes and Flaherty yes

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### OLD BUSINESS:

**Cemetery Landscaping:** Flaherty met with Millers and they prepared a quote for the design of the memorial garden, columbarium garden and scattering garden. He said the fee includes as many modifications we need. Flaherty said he thought this was a pretty good estimate.

**RESOLUTION 16-03-04 APPROVE \$1500.00 TO MILLER LANDSCAPES OF WESTERVILLE FOR DESIGN FEE FOR CREATION OF DETAILED DESIGN PLAN FOR COLUMBARIUM AREA, MEMORIAL GARDEN AND SCATTERING GARDEN-FEE TO INCLUDE PRELIMINARY DESIGN FEE PLUS AS MANY MODIFICATIONS AS NECESSARY TO PRODUCE THE ACCEPTABLE FINAL DESIGN.**

Motion: Flaherty

Second: Bullard

Discussion: Flaherty said they can decide if they want this in the front of the cemetery or the back. It was decided that Flaherty would continue to manage the project.

Vote: Fleischer yes, Bullard yes and Flaherty yes

**Computer Contract** - Fleischer said he has spoken with George Kaitsa and that he stated the earliest they could get with us regarding a contract would be six months and that would be expedited. He suggested we look for someone else. Fleischer asked about the ROI Flaherty did with Accent or if he had received any information from the other company he had talked with. Flaherty said he has not heard back from them. Flaherty said an option would be to stay with Computer Smith. Flaherty said Accent was more pricey. He said they did however break their agreement down so we could choose from options. Flaherty said that VOS Pro email was a headache to use. He suggested possibly putting the Google and Email capabilities with Accent and leaving the computer maintenance with Computer Smith. He asked Toni Korleski what she thought about VOS PRO and if she thought a Gmail account would be easier. Toni said that for some members having to check another email is a hassle. She said the password changing in VOS is difficult. Flaherty said it is a lot easier process in Google. He also said we would have calendars within all the domains. Fleischer asked if we wanted to move forward with a resolution. Flaherty said I am comfortable with this and commented that Steve from Accent lives in the Township. Bullard commented that it sounds like we want to change the emailing to Accent and leaving the hosting as is until the County comes along. Pichert said they will have more functions with Google. He said that Computer Smith was in earlier and his email is still messed up. Flaherty said that they would stay with Computer Smith for repairs and monitoring of computers. Fleischer commented that zoning boards have to use our email addresses, and they should not be emailing zoning information on their private emails. Toni Korleski agreed. Bullard said that the Trustees have to be the ones to inform the board members. Flaherty said one Trustee should meet with Steve for a tutorial to start the migration over to them.

**RESOLUTION 16-03-05 APPROVE \$4500 TO ACCENT FOR THE PURPOSE OF CHANGING THE TOWNSHIP EMAIL AND GOOGLE PLATFORM FROM AGREEMENT DATED 11/25/2015**

Motion: Flaherty

Second: Bullard

Discussion: It was agreed that Fleischer will overlook the project and contact Steve.

Vote: Bullard yes, Fleischer yes and Flaherty yes

**Economic Development Options** - Flaherty commented that he has had a couple busy weeks with meetings discussing the future of Berlin Township. He has met with attorney John Ebers, zoning members, a developer and County Commissioner Gary Merrill, and the newly appointed Sanitary Sewer Director Michael Fromner. He said the most important issue to date is the Evans Development that is coming in. He said we are looking to do a Joint Economic Development District (JEDD) with Orange Township and a Municipal Partner to be decided upon soon. He said that he has talked with Orange Township and they are on board. Flaherty said that Orange Township has to void their zoning approval of Evans and revote at their March 21<sup>st</sup> meeting. He said the Trustees had gone into executive session which is not allowed. Bullard said their records were also incomplete. Flaherty said this issue does not affect the JEDD. He said this is coming so if we want to keep it in the Township it was suggested that we do a Trustee Initiated Zoning Process. He said we would go before the Zoning Commission and present the application. Flaherty said Evans gets the

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zoning and we get the JEDD which will bring a lot of economic development and businesses to the township within five years. Toni Korleski clarified with Flaherty that the Trustees would be the ones presenting it to the Zoning Commission. Fleischer said yes and that it would also go to Regional Planning. Flaherty said this is one of the options under Statute 5.19.12.

Flaherty said he is just briefing the board on things he has discussed at recent meetings. He said the developer wants zoning out of this and we know it's coming. If we are interested in keeping the land in the township we need to do this as opposed to Delaware City just taking it. Flaherty said this would not be setting a precedent because of the acreage involved which is nearly 560 acres. He said the new plans look much better. He said as an outcome of the meetings and fronts we will need additional legal fees. Flaherty reported that Delaware City tax rate is 1.85 and Westerville is 2.0. He said we can set a tax rate at what we want. He said 1.75 would allow the township to thrive and give us the ability to give money back to the schools to help alleviate growth costs. Bullard commented that the flow of money would start as soon as construction begins. Fleischer asked how. Bullard said through the taxing of construction workers pay. Bullard also commented that density still needs to be as neutral as possible. Flaherty said the proposed housing is nice. He thought the pricing was from \$290,000 to 1.2 million. Fleischer commented that the Trustee Initiated Zoning would be faster and is a perception thing. But it still has to go through the process. He said it's not just a zoning case to us it's an Economic Development for us with a JEDD. Fleischer said a Trustee Initiated Zoning is inherited unusual and only been done once in Delaware County. He asked if he or Ron could speak with the lawyer. Joe Korleski asked if doing that put the Trustees in a difficult position. Flaherty commented that it also comes to them after the Zoning Commission. Fleischer asked if they can appoint someone to present it. Flaherty said he was going to inquire about that. He explained that the municipality they use for the JEDD could only be one entity over. Bullard said that could also include Columbus, Powell and Sunbury. Flaherty said that the Developer commented on the Homebased Business Tax Code Westerville uses.

Flaherty said after his meeting with Merrill and Fromner he does not believe sewer capacity is an issue anymore. He said if the County wants to they can offer a TIF and everyone will be happy. He said the Township could also offer a TIF for infrastructure improvement. Flaherty said with what the county has said we would have enough capacity for the Evans development, 36/37 and any future residents wanting to develop land. He said he made the County well aware of what we want to do. Joe Korleski said that if the Sherman Property had sewer it could go through the trailer park and on to The Greenery. Flaherty said they could do a TIF over there as well. Bullard suggested John Albers attend the first meeting in April. Flaherty said we are meeting tomorrow if money is approved. He said he would like to go over a checklist with him of what we are looking to do. He said that Albers has offered to come in to the next Zoning Commission meeting to discuss Annexation and JEDD's. Toni Korleski questioned if a TIF taxed school employees. Fleischer said it would and that the money we give back to the schools would hopefully offset this. Flaherty stressed that if we do not do a JEDD we are going to lose this land. He said Orange is ahead of us and has decided what the district will look like. Bullard commented that he would like the Zoning Commission trained on "tax neutral" instead of just "density".

**RESOLUTION  
16-03-06**

**APPROVE \$12,000 TO ALBERS AND ALBERS ATTORNEYS-  
AT-LAW FOR LEGAL SERVICES REGARDING ONGOING JOINT  
ECONOMIC DEVELOPMENT DISTRICTS (JEDD) DISCUSSIONS  
FOR THE TOWNSHIP**

Motion: Flaherty

Second: Bullard

Discussion: Bullard asked if this would take us through the process. Flaherty said he thinks it may be closer to \$20,000. He said this will get us through several meetings. Bullard said he would like to leave Flaherty as the main contact. Flaherty said he was open to that. He said he would relay information to all parties. He said at some point John Albers will have to come to a meeting.

Vote: Bullard yes, Flaherty yes and Fleischer yes

**MORPC** - Bullard said there is a meeting tomorrow from 4-7 to discuss the Metropolitan Transportation Plan. He said it discusses highways, pedestrian, bikeways and public transportation.

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Flaherty said that Toni Eyerma suggested that the Zoning Commission be able to meet more than once a month based on need. Toni Korleski said they would be open to that.

### **RESOLUTION 16-03-07 AUTHORIZE LIAISON TO APPROVE ADDITIONAL MEETINGS AS NEEDED BY BOTH THE BZC AND BZA**

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

### **FIRE DEPARTMENT PRESENTATION:**

Assistant Chief Joe Pichert presented part 2 financial information for the Fire Department staffing plan including excel spreadsheets listing years and anticipated purchases and different accounts with funds. The first topic, funding for the fire department, he explained how they have two funding sources, the property tax levy and a stipend from Delaware County for the EMS stationed there. Secondly, Pichert discussed expenses that the Fire Department occurs. The expenses include personnel staffing; payroll and all benefits, Operations; utilities, insurance and supplies, Training; materials used for training, tuition, and instructor fees, Apparatus; diesel fuel, preventative maintenance, safety inspections, repairs, replacement parts, Equipment; turn out gear, thermal imaging camera, auto extrication tools, AED, Station; maintenance, parking lot, apparatus bay doors, appliances, repairs/renovations, upgrades. Pichert stated that would like to have four capital improvement accounts set up. They would include Motor Vehicles/Apparatus, Equipment \$10,000 and greater, Self-contained breathing apparatus (SCBA) and Building repairs and maintenance. He discussed that they would like to have their trucks on a 10 year rotation. He stated many of the expensive items were purchased eight years or more and will need to be replaced or updated at some point. The Fire Station was constructed in 2006 and 2007 and will need some work in the near future. Pichert gave a scenario of what they would like to do for the next 5 years. They are still seeking the 56 hour work week approval discussed at the last meeting. Several levy options were discussed for staffing including replacement and renewal. Bullard asked if they had heard of a Renewal with an increase levy. Pichert and Hall said they had not and Bullard said he would look into it. Pichert stated that the Fire Fund carried over \$961,000 from 2015 and currently have almost 1.2 million. Pichert said he realizes with a levy he is talking about a lot of money but having a fire department is a lot like an insurance policy. We are promising the residents to provide a valuable service.

The fire department knows that the biggest cost is manpower and they would like to educate the public about this. Flaherty said he appreciated the diligence in putting all of this together.

### **RESOLUTION 16-03-08 APPROVE A 56 HOUR WORK WEEK PLAN SUBMITTED AT THE 2/26/2016 MEETING OF THE BOARD OF TRUSTEES**

Motion: Fleischer  
Second: Bullard  
Discussion: It was determined that the wording for resolution was not available. Joe Pichert to provide verbae needed at the next trustee meeting.  
Vote: Flaherty no, Bullard no and Fleischer no

**Motion did not pass and will be revisited at the next meeting.**

**Old State Rd Property Purchase** - Bullard said he needed an increase in the amount for the property evaluation and appraisal.

### **RESOLUTION 16-03-09 APPROVE AN INCREASE OF \$2000 FOR PROPERTY EVALUATION AND APPRAISAL OF THE PROPERTY ON OLD STATE ROAD**

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

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**Marina Green Space** - Fleischer said he is still talking with Mark regarding the donation of the open space in the Marina Subdivision. He said we are able to accept the donated land and that Mark thinks it's a simple majority vote.

**Special Events Parking** - Flaherty said he has talked with Brodi regarding this and he said with a width over 30 feet, parking can occur on both sides, less than 30 they can park on the opposite side of fire hydrant and less than 20 no parking should happen. He said this all came about with the cul-de-sacs. Flaherty said it made them aware that they needed a procedure resolution in place. He said a permit could be obtained with a 24 hour suspension. After discussing with the fire department they agreed that a road with a width of over 30 feet does not come into play. If the road is less than thirty feet parking is only permitted on the side opposite of the fire hydrant. Flaherty said that Brodi would put together a highlighted map.

**The Greenery Extension** – BZC will be handling this.

**Easter Egg Hunt** - Flaherty said he talked with Scott and we have 4000 filled eggs for the egg hunt. Age groups were discussed with the fire department and they decided to set up and group the ages like they did last year.

**2016 Tractor-** Bullard said they would be trading in 2015 tractor since it has not sold and referred to requisition.

**RESOLUTION 16-03-10 APPROVE REQUISITION 1603002 TO PARROTT IMPLEMENT FOR \$1,800 FOR A NEW 4052R JOHN DEERE TRACTOR WITH A TRADE IN OF OLD JOHN DEERE AND COMPLETION OF THE GOV DEALS LISTING**

Motion: Bullard

Second: Fleischer

Discussion: Fleischer asked how old the existing tractor was. Bullard said it was a 2015. He said we did this with the 2014 and it saves on maintenance costs. Fleischer said it made sense to him.

Vote: Bullard yes, Fleischer yes and Flaherty yes

**CEMETERY** – Landscaping was already discussed in old business.

**ROAD DEPARTMENT** - Bullard presented a requisition for Flora Diesel Repair. He said there is an oil leak on truck near the end of the engine.

**RESOLUTION 16-03-11 APPROVE REQUISITION 1603001 TO FLORA DIESEL REPAIR SERVICES INC. FOR \$3,323.17 FOR THE CRANK SEAL TO BE REPLACED**

Motion: Bullard

Second: Fleischer

Vote: Flaherty yes, Bullard yes and Fleischer yes

**TRUSTEE ITEMS:**

**Tax Incentive Review Council Member** - Bullard said the Mike Dickey has moved out of the Township and they need to appoint someone. Fleischer said he will be at the meeting on the 17<sup>th</sup> and didn't believe it was time certain to replace him. It was decided that Cathy will put a notice on the Townships Facebook Page for interested residents.

**Microphones** - Bullard said that at one of the last BZC meetings people said they couldn't hear the board talk. He said we have microphones and they just need to be pulled out and used. He said we may have to rearrange the tables. Ray Armstrong used to set up the room so the Trustees were going to see if he could come and show Cathy how to do it.

**Republic Storage bins at Fire Station** - While the cans are being distributed, they will for a short time store bins at the Fire Station.

**Mixed Use Trails** - Flaherty said they put in the newsletter they were looking for community input and have heard from several individuals. He said they would make up a good panel when we are ready for that. He will be meeting with Preservation Parks soon. Fleischer said anyone interested in the mixed use trails is an active group.

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**Letter to Olen tangy Board of Education and Delaware County Engineer** - Fleischer presented a letter expressing the Boards strong desire that bus route entrance on Berlin Station be configured in such a way that the residences across from the high school not be unduly affected by traffic congestion.

**ZONING DEPARTMENT:**

Flaherty said we received the February monthly report and they are up a little bit, shows that activity is going on. Fleischer said Heid told him that the start of March has been busy too.

**FUTURE MEETINGS:**

- 3/15/16 Health Dept. Meeting and MORPC
- 3/17/16 Tax Incentive Review Council
- 3/26/16 Spring Open House with Egg Hunt
- 3/28/16 Trustee Meeting
- 4/8/16 County Engineer Meeting
- 5/7/16 Township Cleanup Day

**LATE ITEMS:**

Fleischer said he had received a phone call with a concern that Republic will be leaving trash cans in driveways during spring break. Bullard said they would make a call to them and it was possible that all cans would be distributed by then.

Fleischer also had a call from Steve Sutton who works with energy efficient lighting and is interested in talking with us.

**RESOLUTION                    MOTION TO ADJOURN  
16-03-12**

- Motion:            Fleischer
- Second:           Bullard
- Vote:              Flaherty yes, Fleischer yes and Bullard yes

Meeting adjourned by Chairman Fleischer at 10:05 p.m.

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Adam Fleischer, Trustee

ATTEST:

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Ron Bullard, Trustee

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Theresa Cannon  
Assistant Fiscal Officer

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Steve Flaherty, Trustee