

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

September 12,

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 Chet Heid

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

ATTENDANCE: Joe & Toni Korleski, Barb Sherman, Brodi Irwin, Craig Hall, Joe Pichert, Chris Paykoff and Larry Buell

PUBLIC COMMENT: Fleischer asked if there were any. Paykoff asked the trustees to consider paying a special duty deputy to sit on Piatt Road to catch people running the stop signs and speeding. Bullard said he will check into it.

RESOLUTION 16-09-02 APPROVE THE 8/8/2016 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING

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

FISCAL OFFICE:
August bank statement was signed.

AFLAC – Smith said two AFLAC agents came in and shared what products they provide and asked her to ask distribute questionnaires to employees to see if there is any interest. She has only heard back from a few people so there doesn't seem to be any. A minimum of three employees is needed.

OPEC Insurance Renewal – Smith said it was time to renew the township insurance and there were two different options. Fleischer will check to see what the difference is between the two.

Record Retention Schedule – Flaherty said text messages should be added.

RESOLUTION 16-09-03 APPROVE ADDING A TITLE DESCRIPTION OF TELEPHONE MESSAGES WITH A MEDIA TYPE OF ELECTRONIC/TEXT MESSAGES WITH A RETENTION PERIOD OF UNTIL NO LONGER OF ADMINISTRATIVE VALUE TO EACH ONE OF THE TOWNSHIP DEPARTMENTS UNDER THE SCHEDULE OF RETENTION RECORDS AND DISPOSITION

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

2017 Tax Rates & 2017 Official Certificate of Estimated Resources -

RESOLUTION 16-09-04 APPROVE 2017 OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES AND ACCEPT 2017 TAX RATES AS APPROVED BY THE DELAWARE COUNTY BUDGET COMMISSION-INSIDE MILLAGE @2.10 AND OUTSIDE MILLAGE @2.98 FIRE LEVY

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

*****7:30 P.M. TIME CERTAIN***BRETT BERGEFURD**STORM SEWER*****

Bergefurd presented information regarding a letter the township received from the Ohio EPA stating that the township has been designated as an urbanized area, MS4, and must obtain

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a National Pollutant Discharge Elimination System permit. He stated that the township can obtain their own permit coverage or become a co-permittee with Delaware County. The cost to be a co-permittee would be approximately \$7,700.00 a year, which is based upon road miles in the township and would not start until 2017. If the township had to do it themselves it would cost considerably more. Bergefurd explained everything that the county would do for the township if they became co-permittees.

RESOLUTION 16-09-05 APPROVE BECOMING A CO-PERMITTEE WITH ANOTHER REGULATED MS4 BEING THE COUNTY AND WITH A DESIGNATED PERSON FROM US TO COME IN THE FUTURE BUT AUTHORIZING BRETT TO GO AHEAD AND PROCEED WITH THE NOI PAPERWORK

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

Flaherty asked if anyone had an interest in heading it up. Bullard said he would do it.

OLD BUSINESS:

Part-time Employee – Flaherty said we have received a few applications but doesn't think anyone with qualifications has turned up. We are looking for a part-time labor with a CDL license which is hard to come by with the amount that we are willing to pay them. Irwin asked if they could go into executive session.

RESOLUTION 16-09-06 RECESS TO EXECUTIVE SESSION FOR EVALUATING OR DISCUSSING THE POTENTIAL HIRING OF AN EMPLOYEE FOR THE ROAD DEPARTMENT-THREE TRUSTEES, BRODI IRWIN AND FISCAL OFFICER TO ATTEND-8:00 P.M.

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

RESOLUTION 16-09-07 MOTION TO RETURN TO REGULAR SESSION AT 8:23 P.M

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

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

Irwin said he sent everyone an email requesting hiring a 40 hour week full-time employee at \$20.00 an hour. Bullard said we have had difficulty getting a part-time person with a CDL and we are trying to staff for plowing snow. Irwin said the township has not gained road mileage but the volume of traffic going through the township has increased and is creating a safety issue for the employees. The amount of potholes has increased but we can't send a guy out to do the berm work because we don't have a flagger. He said they asked the county engineers office to do berming for us on Piatt Road so the expense on it would pay a guy's salary for a month. Flaherty asked if by adding someone is he thinking they can do more work and not use subs as often. Irwin said we can do as much as we have in the past when it comes to replacing & repairing signs. That program does not exist in 2016. Flaherty asked Irwin to interview the candidates that have applied and bring a qualified applicant to the board.

CEMETERY – Buell asked where we were with the Columbarium's and Flaherty said he had asked that it be put on the agenda for the second meeting in October. He has two quotes and is waiting on a third and they have said they can be installed in the winter. He said they elected to out the landscaping off until next year and has it in the budget.

Irwin said a year ago the trustees discussed hiring someone to help Buell in the cemetery and he suggested that the road department take care of things instead of hire someone outside the company and was hoping with that new responsibility that it would bring a little

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bit of money. He said in the last year since he has not been paid for the extra responsibility he is requesting it. Flaherty said your job description says road superintendent plus anything else the trustee's decide you do but he does understand his point. He said we want to take Buell's knowledge, that is irreplaceable, and extract it. Buell said he and Shumway talked about how they should have had someone working with them all these years so someone could do the job should something happen to them or when they are on vacation. Flaherty said they discussed at a meeting last year that they would not hire someone but use current employees and that they would look at compensating for the increase in the load. Buell said they should be concerned that someone knows how to do the physical and fiscal side of everything that he does. Irwin said in the past year he has learned a lot from Buell so now he can go on vacation.

Flaherty asked if the physical side of the duties fall solely on the road superintendent or is it a responsibility that falls to the road department at the road superintendent's discretion. Irwin said the position becomes very valuable when Buell is not here and there is a burial and no here to do it. Flaherty asked Buell if he felt Rippel and Irwin were trained to take over and Buell said he hoped so but there are a lot of things that he does that he doesn't give a second thought to and something that someone else would not think about. Smith asked Irwin how many graves he did by himself as Buell gets paid a monthly salary. Irwin said he doesn't know, it hasn't been too many and asked Smith if she was trying to influence their vote. Smith said she was just asking a question as it hasn't added that much to his time. Irwin said to let the trustees ask the questions and Flaherty said there is a separation here that has to occur between trustees and fiscal officer. The fiscal officer's responsibility is finances and trustees is anything personnel and this is not the first time this has come across. Smith said this has to do with finances.

Flaherty asked what Buell's monthly rate was and Smith said it was \$360 and there is an hourly rate when foundations are done. Flaherty asked Irwin if thought the cemetery duties should solely fall on the road superintendent or across the board road department. Irwin said one person should be responsible for the whole thing because when something is done wrong they don't come to all five employees they come to the person in charge. So the supervisor is the one that has to be responsible. They discussed how they would split the salary rate between the clerical and the physical portion of the position and decided that 60% was clerical and 40% was physical. Flaherty said if you break Buell's salary down that is \$216 a month clerical and \$144 physical. Flaherty said Buell was still here and still doing the work so you talk about the person you go to if something fails, it is still him. He doesn't see it being worth the same wage and asked Irwin if he agreed 50% is fair. Irwin said he didn't think that was bad. Flaherty said that takes it down to \$108 clerical and \$72 physical. He said all the clerical rests on Rippel as right now that is the only person in the department that does it. Smith said she thinks Cannon does the deeds, Rippel only does them when Cannon is not around. Flaherty said what he hears from the road department is that his staff is able to do some of the stuff but not all of the stuff so he would fall to the 80/20 rule. Department head would take on 80% and 20% would be split with staff laborer's. This would break it down to \$57.16 to department head and \$22.40 to laborers on a monthly basis. Flaherty asked if everyone followed this and Fleischer said this is something that he wants to think about and would like to go back to the minutes and see what they actually discussed that day. Flaherty said the details as he remembers them are not reflected in the minutes. Smith was not at that meeting and therefore there is no recording to listen to. Flaherty said he will talk to Cannon and Rippel and see what they do and Fleischer said they need to talk about this again at the next meeting as he doesn't know if this is the way they want to approach this. Bullard suggested at the first meeting in October.

**FIRE DEPARTMENT:
Requisitions –**

**RESOLUTION APPROVE \$1,238.40 TO FIRE SAFETY SERVICES INC FOR
16-09-08 STREAMLIGHT BOX LIGHT & CHARGERS & STREAMLIGHT
 FLASHLIGHTS**

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

Hall had asked about Piatt Road and Flaherty reviewed what was discussed during the fall

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road meeting this morning. Bullard said he talked to Riedel this evening who said there was going to be a meeting to discuss the drainage and what they can and can't do and figure it and then come back to us. Hall said lately they have been trimming back trees in the township so cars can get by and putting them in the ditch and Irwin said that is fine, he has given a list to Timberland Tree Service of what needs done.

**ROAD DEPARTMENT:
Requisitions –**

**RESOLUTION APPROVE \$1,150.00 TO GLENN EXCAVATING FOR BAKER
16-09-09 ROAD DITCH WORK**

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

REA – Bullard said they have an REA for Glenn Road to make the speed limit all the same and they received a petition signed by the residents to send with it.

Roller Compacted Concrete – Irwin said the builder in Glen Meade Subdivision asked if they could use roller compacted concrete like they did in another subdivision and listening to the county he felt it was a better product. He would like to keep allowing them to use it in the township. Flaherty and Bullard said they don't have problem with it.

Posted Roads –

**RESOLUTION APPROVE NO ROADS BE POSTED IN 2017
16-09-10**

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

Curve Road Railroad Crossing – Flaherty said they received a follow up letter saying the Glen Road crossing is scheduled to have gates and lights installed and in in the design phase and is currently ranked 703 out of 5,700 in the state of Ohio. Curve Road is ranked 3,241 and 4,680 out of 5,700.

TRUSTEE DEPARTMENT:

Flaherty said he had quotes for the chairs and checked with the company and they will take a PO and they should be here for the next big zoning meeting. Irwin checked the state bid contract and they were \$90.00 a piece, these are \$22.00 apiece. Flaherty said a free dolly comes with every 100 chairs purchased. Flaherty suggested they find a church or organization to donate the current chairs to. Bullard said we can sell them on Govdeals.

**RESOLUTION APPROVE \$2,500.00 TO BELNICK INCORPORATED FOR ONE
16-09-11 HUNDRED STACKABLE CHAIRS FOR TOWNSHIP HALL**

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

ZONING DEPARTMENT:

BZC Resignation – Fleischer said he had someone that wanted to get involved and Smith said Rippel gave her two applications. Bullard suggested they bring them in at the first meeting in October.

**RESOLUTION ACCEPT RESIGNATION FROM ASHLEY SPENCER FROM BZC
16-09-12 BOARD AS 1ST ALTERNATE**

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

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Heid said he needed to get trustees approval to file a suit against RCD for a light violation, this was requested by Mark Fowler and we did this once before but they changed some lights, some that were appropriate and some that were not. The problem still exists, in fact the problem is worse and since they changed the lights, according to Fowler he would rather have another approval for litigation from the trustees.

RESOLUTION 16-09-13 APPROVE LITIGATION FOR A LIGHT VIOLATION AT RCD WITH THE COUNTY PROSECUTOR AND WITH THE FACTS AS KNOWN AT THIS POINT IN TIME

Motion: Bullard
Second: Fleischer
Discussion: Fleischer asked if we were responsible for paying for the fees associated with this. Flaherty said the county prosecutor is our litigator.
Vote: Flaherty yes, Fleischer yes and Bullard yes

Monthly Zoning Report – Heid said they have had 112 zoning permits this year which is more than last year and the year before. Bullard said he went to a meeting on the Hyatt’s Road sewer project and they looking at tying the sewer in for the Greenery and sewer to service the area west of the railroad tracks between Peachblow and Shanahan all the way to Route 23 and some of the property west of Route 23. A connection would be behind Paul’s Marina. No decisions have been made yet.

FUTURE MEETINGS:

- 9/26/16 Trustee Meeting 7:00 p.m.
- 9/28/16 Zoning Meeting - Evans Farms
- 10/10/16 Trustee Meeting 7:00 p.m.
- 10/23/16 Township Open House 1:00 p.m. to 3:00 p.m.
- 10/24/16 Trustee Meeting 7:00 p.m.

Heid asked if the meetings for Evans Farms were always going to be the last Wednesday of the month and Flaherty said it was up to the zoning commission as they are authorized to meet as many times as they see fit.

LATE ITEMS:

Bullard said we need to be working on the newsletter and Fleisher said he could put it together.

RESOLUTION 16-09-14 APPROVE \$2,000 FOR PRINTING AND POSTAGE OF FALL NEWSLETTER

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

Bullard said he would like to be clear that he wants Smith’s opinions and input in anything they are doing. He knows they make the decisions but he wants Smith’s input. Flaherty said he doesn’t mind input but what he is asking for is that there are times that it seems like there are four trustees up there which is not what the Ohio Revised Code has said about legislative bodies. There is a point for opinions but you can’t run a township with four trustees. Bullard said he understands. Smith said she will stick to fiscal officer items and thought she was being fiscally responsible by asking the question so they could get an idea of what to pay. Flaherty said he’s not talking about that instance he is talking about other instances where it is way in that is more than questions where there is an interjection of opinion. Bullard said they should hear opinions from anybody and they three make the decisions, he’s not arguing that, but he does want and need Smith’s opinion.

RESOLUTION 16-09-15 MOTION TO ADJOURN

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

Meeting adjourned by Chairman Fleischer at 10:00 p.m.

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Adam Fleischer, Trustee

ATTEST:

Ron Bullard, Trustee

Claudia Smith, Fiscal Officer

Steve Flaherty, Trustee