

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Regular Meeting February 13, 17

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

CALL TO ORDER: Ron Bullard, Trustee Chairman

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was led by Joe Pichert

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

ATTENDANCE: Joe Pichert, Toni & Joe Korleski, Chet Heid, Dan Griffin, Jim Lipnos and Tom Tolben

PUBLIC COMMENT: Bullard asked if there were any public comments. Hearing none they moved to the next item on the agenda.

RESOLUTION 17-02-01 APPROVE THE 1/9/2017 MEETING MINUTES AND DISPENSE WITH THE READING

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

RESOLUTION 17-02-02 APPROVE THE 1/23/2017 MEETING MINUTES AND DISPENSE WITH THE READING

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

RESOLUTION 17-02-03 APPROVE THE 1/28/2017 SPECIAL MEETING MINUTES AND DISPENSE WITH THE READING

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

Fleischer said he met with Belcastro and got the paperwork signed and Bullard said he spoke to him today and everything was moving forward regarding the electric aggregation.

FISCAL OFFICE: January Bank Statement was signed.

Approve Appropriations – Smith stated she had the 1st Amended Certificate of Estimated Resources was approved but not the revised appropriations.

RESOLUTION 17-02-04 APPROVE 2017 PERMANENT APPROPRIATIONS NOT TO EXCEED \$6,231,465.31 PER 1ST AMENDED CERTIFICATE DATED JANUARY 5, 2017

1000	General Fund	\$3,296,287.00
2011	Motor Vehicle License Tax Fund	\$ 31,400.00
2021	Gasoline Tax Fund	\$ 217,370.00
2041	Cemetery Fund	\$ 114,615.00
2042	SPRBA	\$ 150,000.00
2111	Fire Fund	\$1,847,433.00
2181	Zoning Fund	\$ 396,353.78
2231	Motor Vehicle Permissive License Tax Fund	\$ 157,493.51
4304	Capital Project-Park	\$ 2,255.88
4401	Public Works Commission Project	<u>\$ 18,000.00</u>

2017 Appropriations \$ 6,231,208.17

Motion: Flaherty

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Regular Meeting February 13, 17

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

Positive Pay & Deposit Capture:

Smith said at the OTA she sat in a session regarding online bill pay and direct deposit and they recommend doing as much of it as possible. She asked the trustees to authorize her to be able to do this so she can set up the monthly utilities to come out of the checking account instead of writing checks since they all have different deadlines. They also talked about positive pay and she found out that if it's available and you do not take advantage of it, should something happen to your account it is not insured by the FDIC. The cost for this is \$25.00 a month. They also talked about deposit capture which is a machine the bank provides for you to deposit the checks received which would get to the bank right away instead of Smith running them to the bank. The monthly fee is also \$25.00.

RESOLUTION 17-02-05 APPROVE FISCAL OFFICER USE ONLINE BILL PAYMENT AND SUCH SERVICES AT HER DISCRETION AND PROVIDE TRUSTEES A MONTHLY SUMMARY OF BILLS PAID THROUGH ONLINE BILL PAY SERVICES

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

RESOLUTION 17-02-06 APPROVE AUTHORIZING FISCAL OFFICER TO ENACT POSITIVE PAY ON THE TOWNSHIP ACCOUNT WITH DELAWARE COUNTY BANK WITH A MONTHLY FEE OF \$25.00

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

RESOLUTION 17-02-07 APPROVE AUTHORIZING FISCAL OFFICER TO START THE REMOTE DEPOSIT CAPTURE SERVICE FROM DELAWARE COUNTY BANK AT THE RATE OF \$25.00 A MONTH

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

4H Hall Rental Refund Request –

Smith said they had a request that the 4H get a full refund for renting the hall this year. Bullard said instead of doing these every few month he would like to come up with a resolution that gives Rippel the authorization to rent the room to the girl scouts, boy scouts and 4H groups. He will work on rules for this.

RESOLUTION 17-02-08 APPROVE THE 4H USE OF THE HALL ON THE PROPOSED DATES AS NOTED ON THEIR EMAIL DATED FEBRUARY 7, 2017 AND GIVE A FULL REFUND OF THE FEES

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

Set hearing Date for Evans Farms.

RESOLUTION 17-02-09 APPROVE SETTING HEARING DATE FOR EVANS FARMS TO TIME CERTAIN 7:30 P.M. ON FEBRUARY 27, 2017

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

OLD BUSINESS:

Cemetery Updates/Columbarium's – Flaherty said he has not received the information yet.

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Regular Meeting February 13, 17

Items for GovDeals – Bullard said he has not done this yet.

Jake Brake – Fleischer said he has not heard back from Fowler.

Noise Ordinance – Fleischer said he has not heard back from Fowler.

Job Description Updates – Fleischer said he placed the updated job description in everyone’s mailbox and reviewed it with Rippel who said they were fine.

RESOLUTION 17-02-10 APPROVE ADDING JOB DESCRIPTION FOR ADMINISTRATIVE ASSISTANT REPLACING THE OLD TITLE WHICH WAS ZONING SECRETARY

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

Smith asked what they decided about Rippel’s vacation time and Flaherty said he feels since she worked 8 years part-time that should count as 4 year of full-time for vacation purposes. Smith said she is not sure they have done that with other employees. They decided to get back to this after the time certain zoning hearing.

******* 7:30 P.M. TIME CERTAIN*****HOWARD FARMS HEARING*******

Jim Lipnos presented the plans for Howard Farms which he stated is directly across the street and has 141 acres and currently zoned FR1 and they are asking to have it rezoned to R4 with a PRD overlay and is designated with 1.5 units per acre. They are allowed up to 177 homes but this plan shows 175 homes. There are two access points, one onto Cheshire Road and the other connects with a road in the Southwoods Development to come out to Piatt Road. There are walking paths on Cheshire Road and throughout the development. There are a total of 53 acres of green space which will be owned and maintained by the homeowners association. They will be installing six foot mounds with trees along all existing property owners as buffering and along Cheshire Rd. They asked for two divergences, one that has to do with the side yard setback on a corner lot and one for the entry sign on Cheshire Rd to go taller. He said all ponds with have fountains in them. Flaherty asked what the home prices would be and Lipnos said they start at \$400,000. Bullard asked that there be access to the green space in the south in case of a fire. Lipnos said they do have an easement for the Delaware County ditch maintenance. They asked that Lipnos write up an addition to the exhibits stating that they will make the following changes: provide access via easement to the 26 acre open space, the entry sign will be a maximum of 14 foot 6 inches from the surface of Cheshire Road and street trees be planted behind the sidewalks. He stated they are still working on the sewer access so it will probably be 2018 before they start work.

RESOLUTION 17-02-11 APPROVE ACCEPTING EXHIBIT O AND ADDING IT TO HOWARD FARMS BZC 16-008 APPLICATION

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

RESOLUTION 17-02-12 APPROVE BZC CASE 16-008 BROUGHT BY HOMEWOOD FOR THE HOWARD FARMS SUBDIVISION WITH ALL EXHIBITS THROUGH O AS PRESENTED

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

OLD BUSINESS CONTINUED –

Flaherty said he can’t control how the previous administration handled this. Pichert said in his case when he was hired full-time they did give him credit for his 1.5 years of part-time service for vacation purposes. He said we have looked and there is nothing in the minutes to reflect this and there was no employee handbook in place at the time. Bullard said we

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

February 13,

17

need a resolution that we can live with. Smith said she doesn't think she has given time to two other employees that have switched to full-time as the handbook stated vacation to full-timers only. Bullard said if you are working part-time you should not get the same credit that a full-time person gets. Flaherty said it is a full-time benefit to receive vacation and he doesn't have a problem setting a precedent that says if you worked here X number of years as a part-time employee and your position moves to full-time giving credit at a half rate for the years worked. He doesn't feel they are rewarding a part-time person and not other part-time people because the position moved to full-time. Heid asked that they consider apportioning paid time off to the other part-time employees. Pichert said he thinks the reason he got it was because there is a section in the ORC that if you worked in another township they would give you credit for that time and since he worked in Berlin Township that is how they based their decision. Smith said the employee handbook needs to be updated to include that part-time employees will get credited with some vacation time if moved to full-time.

RESOLUTION 17-02-13 APPROVE CREDITING RIPPEL'S EIGHT YEARS OF PART-TIME WORK AS FOUR YEARS OF FULL-TIME WORK IN REGARDS TO YEARS SERVED TO THE TOWNSHIP MAKING HER TOTAL TWELVE YEARS, VACATION TO BE ADDED ON HER ANNIVERSARY DATE

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

4 10 Hour Days – Bullard said he didn't have this done.

BZA Open Positions –

Smith said she asked Rippel if the position was advertised and she said she wasn't told to. Flaherty said they talked about it January and he will talk to her. Rippel did tell Brad Cook to have his wife submit an application if she was still interested.

CEMETERY:

Bullard said Buell told him they put in a monument and they did it breaking one of our rules saying they don't put it in until it's paid for and the people said they would send a check and they have not set one yet. He asked Bullard if we should go after them and Bullard said he should go back to them and tell them we won't do business with them ever again as he went out on a limb and did what he did and they should pay their bill.

FIRE DEPARTMENT:

Fleischer asked if they could go into executive session to discuss an employee situation and Bullard asked if we could finish everything else up.

ROAD DEPARTMENT:

Curve Road Pipe Replacement - Bullard said they have a quote on what it would cost to put the pipe in on Curve Road at the railroad tracks and he and Irwin do not recommend that they put it in until the improvements have been made on the south side of Curve Road to make a place for the water to go and he does not want to approve it until there are plans in place. Bullard said O'Brien has talked to the landowner and thinks he has her convinced to do it.

Yearly Tractor Swap/Purchase - Bullard said the reason for the increase from last year is that they charge us \$10.00 an hour and we are at 250 hours on the tractor as it was a full season and 2015 was only a partial season. There is \$800 worth of maintenance that needs to be done on it for supplies.

RESOLUTION 17-02-14 APPROVE \$3,000 TO PARROTT IMPLIMENT CO FOR 2017 4052R JOHN DEERE TRACTOR

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

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Regular Meeting February 13, 17

2016 Road Mileage Certification – Bullard said he is having Irwin take the Dalis system and measure our roads and see if he comes up with the same mileage before we sign off on the certification sheet.

TRUSTEE ITEMS:

Fleischer said he was called to see when the Easter Egg hunt was going to be. Pichert said April 2, 2017 at 1:00 p.m. Flaherty said Belcastro said he would order the eggs.

Bullard said the Piatt Road ditch petition meeting was today and the commissioners voted to precede with it.

ZONING DEPARTMENT:

Heid gave the trustees an update on the changes that the BZC did regarding zoning code amendments.

Monthly Reports – Flaherty said it was an active month.

FUTURE MEETINGS:

- 2/23/17 Local Township Meeting
- 2/27/17 Trustee Meeting/Evans Farms Hearing
- 3/13/17 Trustee Meeting

LATE ITEMS:

RESOLUTION 17-02-15 RECESS TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING AN EMPLOYEE ISSUE-THREE TRUSTEES, ASSISTANT FIRE CHIEF PICHERT AND FISCAL OFFICER ATTEND-8:58 P.M.

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

RESOLUTION 17-02-16 MOTION TO RETURN TO REGULAR SESSION AT 9:08 P.M.

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

Bullard said the meet in executive session to discuss a personnel issue and no actions were taken and no decisions were made.

RESOLUTION 17-02-17 MOTION TO ADJOURN

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

Meeting adjourned by Chairman Bullard at 8:58 p.m.

Ron Bullard, Trustee

ATTEST:

Steve Flaherty, Trustee

Claudia Smith, Fiscal Officer

Adam Fleischer, Trustee