

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Regular Meeting March 27, 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 Fire Chief Craig Hall
- ROLL CALL:** Ron Bullard, Steve Flaherty, Adam Fleischer and Claudia Smith, Fiscal Officer.
- ATTENDANCE:** Toni & Joe Korleski, Larry Buell, Craig Hall, Mark Carey & Chris Paykoff
- PUBLIC COMMENT:** Bullard asked if there were any public comments. Hearing none they moved to the next item on the agenda.

**RESOLUTION 17-03-06 APPROVE THE 2/27/2017 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

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

**RESOLUTION 17-03-07 APPROVE THE 3/14/2017 EMERGENCY MEETING MINUTES AND DISPENSE WITH THE READING**

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

**FISCAL OFFICE:  
February Bank Statement Signed**

**Audit** – Smith said the audit is complete and the only remarks were that 4% of the invoices researched did not have a purchase order prior to the invoice. Smith said after she researched the invoices in questions they were from OTARMA. They send us an invoice and the trustees approve it. The invoices should be called estimates instead of invoices. The others were emergency purchases made by the fire department. Bullard said that was an excellent review and wanted to congratulate Smith on it.

**Chase Bank** – Smith said she asked Delaware County Bank if they had a government program like Chase Bank where the fees for the Positive Pay and Remote Deposit were free and they said they did not but would waive the fees since we were long time customers.

**February Electronic Payments** – Smith presented a list of electronic payments processed in February and trustees signed it.

**ComputerSmith Quote** – Flaherty said Fleischer has been working with Accent to get something similar so we can compare the two. Fleischer said he learned that fiber is already on Cheshire Rd and he was not aware of that and that was our main point of interest in what the county was offering so if that is something that we can take advantage of he thinks it's worth looking into. Flaherty said to hold up on this for now. He said essentially what this is is you are running a virtual screen of what is happening at the server so all the computing and everything is taking place at the server through the cloud, you are just viewing it. Pontem would be on the server, stored on the server and backed up on the server and you are just seeing it there, it is not located on your desktop. Flaherty said this would eliminate the costly server that we have here. And should it go down and not backup to the NAS the information would be lost. This would keep all of our records in the cloud. Flaherty said this is what his company does, he sells these to governments, utilities and townships and that's why he understands it. He just wants to make sure we are getting the same competitive quote from Accent vs ComputerSmith. He thought from last year that Accent was more expensive.

Bullard said Smith listed the chairs and walkie talkies on GovDeals and sold them both and got \$100.00 for the walkie talkies and \$250.00 for the chairs.

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**OLD BUSINESS:**

**Cemetery Updates/Columbarium's** – Flaherty said he is still working with the Columbarium company to get the quote. They need pictures of the site so now that the weather is nice he will get them. Miller's Landscape is working to get the 2017 price with a base plan. Bullard said the boy scouts told Buell they were looking for an Eagle Scout project and asked if we would be at a point this year where they could do something. Flaherty said yes, it depends on the Columbarium Company how quickly they get the sketch turned around but even without that we can find something for the scouts to do. Buell asked if they project that this will happen his summer and Flaherty said he would plan that we would be ready for them to do something.

**Jake Brake/Noise Ordinance** – Fleischer said he gave them a copy of the latest ordinance that Fowler sent and it is a newer version of the previous resolution that was passed in 2007 and he compared them and they are virtually the same except that the new one states "There shall be in the township observed quite hours between the hours of \_\_\_\_\_ p.m. & \_\_\_\_\_ a.m. every day of the week.", which is what we were after. Joe Korleski asked how we were going to enforce the Jake brake and Fleischer said that is a good question but with this in place if something is heard between the above hours we can call the sheriff and say we heard something that is not in compliance with our resolution. Payoff said we can't enforce the "No Parking" so how are we going to enforce this. We go to plow snow and there are cars parked where there is no parking and people just ignore it. Flaherty said the purpose to add the quite hours was to keep contractors from working at 3:00 a.m. and as we get more neighborhoods we know the contractors like to be up early, with this we can ask the sheriff to enforce the quite hours. Bullard proposed that the quite hours be 10:00 p.m. to 7:00 a.m. Flaherty & Fleischer said 6:00 a.m. is more reasonable. They discussed whether they needed to post a sign stating that the township had a noise ordinance. Bullard said we will get back to this after our time certain.

**\*\*\*\*\* 7:30 P.M. TIME CERTAIN\*\*\*\*\*CEMETERY\*\*\*\*\***

Buell distributed a map of the cemetery and said he had a family that owned plots and were asking to transfer the deeds for three grave spaces from one area of the cemetery to another area that is closer to where other family members are buried. The spaces they would like to transfer to are available. Buell said they do have the original deed and all the necessary paperwork and would pay the transfer fee of \$25.00 per grave if the trustees will allow this. Bullard said they did not want to set a precedence to transfer grave spaces because people don't like where they are. Flaherty said he is okay with it without setting precedence, as it is a different circumstance every time.

**RESOLUTION 17-03-08 APPROVE ALLOWING THE TRANSFER OF THREE GRAVE SPACES FROM LOT 266½ SPACES 3, 4 & 5 IN EXCHANGE FOR THREE GRAVE SPACES IN LOT 346 SPACES 1, 2 & 4 WITH THE \$25.00 TRANSFER FEE PER GRAVE TRANSFER AND KNOWING THE BOARD WILL ASSUME OWNERSHIP OF GRAVE SPACES IN 266½**

Motion: Flaherty  
Second: Fleischer  
Discussion: Buell said he would like to amend it to say in 266 ½ grave spaces 3, 4 & 5 for grave spaces in 346 spaces 1, 2 & 3. Bullard said the transfer fee should be \$50.00 because you're transferring grave spaces to the trustees and then you're transferring from the trustees to family. Flaherty said he is okay with only charging one transfer fee per grave.  
Vote: Flaherty yes, Fleischer yes and Bullard yes

**Return to discussion regarding noise ordinance** – Flaherty asked if we wanted to check with Delaware and other townships were regarding the quite times and asked Fleischer to check with Fowler to see what his recommendation is regarding enforcement and check to see if we have to set a fee structure for the violation as the resolution states "Whosoever violates divisions (B) or (E) of this Resolution shall be guilty of the level of offense as provided in the most current version of R.C. 505.172 for violating any regulation or order, such as Resolution, adopted pursuant to R. C. 505.172. Fines levied and collected pursuant to this Resolution shall be paid into the Township general revenue fund. Bullard suggested that he also ask if we need to publicize this in the paper or having the resolution in the minutes is okay.



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**RESOLUTION 17-03-17 APPROVE \$600.00 TO GENERAL ENTERPRISE FOR ANNUAL OVERHEAD DOOR MAINTENANCE**

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

**RESOLUTION 17-03-18 APPROVE \$325.50 TO OHIO CAT POWER SYSTEMS FOR ANNUAL GROUND LADDER TESTING**

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

**RESOLUTION 17-03-19 APPROVE \$1,890.00 TO OHIO CAT POWER SYSTEMS FOR ANNUAL INSPECTION, TESTING AND MAINTENANCE FOR ENGINE 391**

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

**RESOLUTION 17-03-20 APPROVE \$2,010.00 TO OHIO CAT POWER SYSTEMS FOR ANNUAL INSPECTION, TESTING AND MAINTENANCE FOR ENGINE/TANKER 392**

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

**RESOLUTION 17-03-21 APPROVE \$2,010.00 TO OHIO CAT POWER SYSTEMS FOR ANNUAL INSPECTION, TESTING AND MAINTENANCE FOR ENGINE/TANKER 393**

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

**RESOLUTION 17-03-22 APPROVE \$1,440.00 TO EMERGENCY REPORTING FOR ANNUAL SOFTWARE SUBSCRIPTION**

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

**RESOLUTION 17-03-23 APPROVE \$1,800.00 TO FIRE SAFETY SERVICES INC FOR THIRTY (30) FIREFIGHTER TURNOUT GEAR INSPECTIONS**

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

**RESOLUTION 17-03-24 APPROVE \$2,667.60 TO OHIO CAT POWER SYSTEMS FOR SEMI-ANNUAL INSPECTION AND MAINTENANCE FOR FIRE STATION GENERATOR**

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

**RESOLUTION 17-03-25 APPROVE \$5,760.00 TO MOUNT CARMEL OCCUPATIONAL HEALTH FOR OP&F PRE EMPLOYMENT MEDICAL EXAMS AND ANNUAL MEDICAL EXAMS**

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

**RESOLUTION 17-03-26 APPROVE \$528.00 TO FIRE SAFETY SERVICES FOR TWENTY (20) PROTECTIVE BAGS FOR SCBA MASKS**

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

Hall asked that Carey update them about the rescue class that he took where he received a grant. Carey said it was a rescue tech class that lasts from March to August and teaches them different facets of rescue. Classes cover ropes, vehicle, machinery, trench and confined space rescue which they will be seeing more of with the school coming in. The class teaches you things that they don't teach you when you become a fireman. We have a handful of guys that are certified as rescue technicians. He said he was able to get a scholarship through State Farm for \$1,500 which took care of more than 50% of the class. We will have to pay \$1,450. Carey said there are cars at the fire station that will be used for an auto extrication class on April 8<sup>th</sup> which is a county wide class. We have an employee that works for us that is a rescue expert that will be teaching the class.

**Full-time/Part-time Employees** – Chief Hall said with Pichert leaving full-time they talked about hiring a new full-time fire fighter to take his position and they went through a very rigorous testing interview. The group came up with Tyler McFarland as the best candidate. He lives in the township and grew up in the township and wants to stay here. Carey said he has a strong bond to the township and gave up a job with Columbus Fire to be here and he thinks he will do great. Chief Hall said once approved Tyler will go to Mount Carmel to get his physical and they will have all paperwork signed to the trustees by the next meeting. Fleischer asked what the process was in selecting him. Carey said they had anyone that was interested put in a letter of intent and a resume. They had five apply and they had them take a written test of 100 questions of general fire knowledge and township knowledge. If they passed the written test they moved on to the interview process. Most of them said it was the most rigorous they have ever been through and turned out to be about two hours for each of them. They had five scenarios that they had to go through to test their thought process on different things. Fleischer asked if there would be any managerial duties with the position and Carey said most days he will be in charge of people and will have days where one of the lieutenants will work with him. Right now we aren't set up to have someone step into a full officer role right now. But he will make an excellent officer candidate down the road. Chief Hall said they also looked at what he does as he runs his own lawn care company since he was fourteen years old and has a crew that works for him that he oversees and he handles some large accounts.

Chief Hall said the two part-time applicants are to fill Tyler's shift and to go to the other 6<sup>th</sup> day. He said they both come highly recommended and work for other fire departments and are ready to drive. We are looking at people that can come in and within a month are ready to go which saves us money and gets them on a truck quicker.

**RESOLUTION 17-03-27 APPROVE HIRING TYLER MCFARLAND AS FULL-TIME FIRE FIGHTER FOR THE BERLIN TOWNSHIP DEPARTMENT AND ESTABLISHING THE TERMS CONDITIONS OF SUCH EMPLOYMENT**

PREAMBLE

WHEREAS, the Board of Trustees of Berlin Township, Delaware County, Ohio (the "Township") desires to hire an individual as a fulltime firefighter for the Township; and WHEREAS, it is in the best interest of Township and its residents to establish and clarify the terms and conditions of employment for full-time firefighter, who is presently employed by the Township as a part-time firefighter; and WHEREAS, it is in the best interest of the Township and its residents to provide certain additional benefits to this employee as a form of compensation;

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Trustees of Berlin Township, Delaware County, Ohio (the "Board") that the following Resolution be and is hereby adopted: RESOLVED, that the Township hereby appoints and employs JOHN TYLER MCFARLAND (hereinafter referred to as the

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"Employee") as a full-time firefighter for the Berlin Township Fire Department, subject to the following terms and conditions of employment, with effective date to be determined by the Fire Chief pending the results of an OP&F medical exam.

Note: John Tyler McFarland’s hire date with the Township was December 8, 2013, and will be used in calculating his vacation time accrual based upon the Township’s prior service policy set forth in Resolution #

**WE USE EXHIBIT A3 FOR THE PAY SCALE WHICH PLACES MCFARLAND IN STEP 1 PROBATION WITH A 53 HOUR WORK WEEK WITH A BASE SALARY OF \$41,000 A YEAR AND TOTAL HOURS WORKED 2,056 PER YEAR**

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

**RESOLUTION 17-03-28 APPROVE AT THE REQUEST OF THE CHIEF AND STAFF HIRING BRENT HOHENBERGER AS PART-TIME FIRE FIGHTER FOR THE DEPARTMENT AT THE PART-TIME PROBATIONARY FIRE-FIGHTER RATE FOR ONE YEAR WITH START DATE TO BE ESTABLISHED BY THE CHIEF**

Motion: Flaherty  
Discussion: Chief Hall asked if they could change the probation rate since they are more advanced. He said the probation rate is \$10.90 and they wanted to add a \$1.00 to it. Flaherty asked Smith what the rate was for non-probationary fire fighter and Smith said \$13.35. Flaherty said they could take them to that rate or create a probationary rate for an experienced fire fighter. Chief Hall said Pichert put together step rates when they do certain things but he doesn’t want to have to change their pay constantly and make it harder for Smith. His suggestion was to increase the \$10.90 to \$11.90. Smith said it messes her up when everyone has a different pay rate as she uses the pay scale from the organizational minutes when raises are given. Carey said he felt if you put them at the probationary rate for a year they have to complete an orientation process so have they stay at the probationary rate until the meet the orientation process as they are still on probation for a year but it is an incentive for them to get off the orientation process cause they would get the step up pay. Flaherty said if you give them \$13.35 right from the start they have no incentive to get off the orientation period.  
Second: Bullard  
Vote: Fleischer yes, Bullard yes and Flaherty yes

**RESOLUTION 17-03-29 APPROVE HIRING MALACHI SWANSON AS PART-TIME FIRE FIGHTER AT THE PART-TIME PROBATIONARY FIRE-FIGHTER RATE FOR ONE YEAR WITH START DATE TO BE ESTABLISHED BY THE CHIEF**

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

**Full-time Fire Chief** – Chief Hall said the reason to hire a full-time chief is because when the fire levy passes you are going to hire additional people so someone needs to be here full-time. Fleischer said when Chief Bechstein was hired an outside firm was used and Chief Hall said the Ohio Fire Chief’s Association did it and did an excellent job but one of the problems was everyone wanted anywhere from \$65,000 to \$80,000. Bechstein was on the list but did not go through the process so the board met with a panel of residents and firemen and they hired him. Paykoff said Berlin Township was very fortunate with the people that have been hired in the fire department, their abilities and skills are excellent. Chief Hall said their minimum staff is two per day which is not ideal; it gets the truck out but not in a safe manor. If the levy passes they talk about hiring three additional full-timers. Flaherty asked if Chief Hall was interested in the full-time fire chief position and Hall said no. Bullard said if we hire someone from the outside we don’t have to train them to be a fire chief but we have to train them to be a Berlin fire chief. If we promote someone from within we don’t need to train them about Berlin but we have to train them to be a fire chief.

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Fleischer said he has gotten different options from people he has spoken to. Some people are very adamant about bringing in someone from the outside because they would be separated from the politics. Bullard said there is no probation period for the fire chief. Flaherty said they will start thinking about it.

**ROAD DEPARTMENT:  
Requisitions -**

**RESOLUTIONS            APPROVE NOT TO EXCEED \$960.00 TO T & B ELECTRIC LTD.  
17-03-30                FOR REPLACEMENT OF SECURITY LIGHTS ON EACH END  
                                 OF TOWNSHIP BUILDING**

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

**RESOLUTION            APPROVE \$1,368.61 TO FLORA DIESEL REPAIR SERVICES INC  
17-03-31                TO CLEAN DIESEL PARTICULATE FILTER ON 2010 FORD TRUCK**

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

**RESOLUTION            APPROVE \$627.00 TO ENZOS CLEANING SOLUTIONS LLC  
17-03-32                FOR 55 GALLON DRUM OF POWER WASHER SOAP FOR WEST  
                                 BAY**

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

**RESOLUTION            APPROVE \$714.20 TO BEEMS BP DISTRIBUTING INC FOR  
17-03-33                1 BARREL OF 15-40 OIL FOR TRUCK SERVICE**

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

Bullard said they also had a requisition for a pickup truck for discussion. It's taking a look at the cost of running our trucks around. With sending the ford truck off to get fixed we are going to end up having to drive one of the big trucks around to do all the normal things we do. The pickup would be a cheaper way of operating, whether it needs to be a new pickup or not that is up for discussion. He talked about looking at old trucks people have to get rid of at the county. There may be some other options than getting a new truck. This requisition is for a basic bare bones truck, the county uses them and some of the other townships use them. This would keep miles off the bigger more expensive trucks. Flaherty asked if there was any outfitting that needed to be done on it such as safety lights. Bullard said you wouldn't be plowing snow with it. Flaherty said he thought it would be used to help with the marker crew and flagging and we would want some safety lights on it. Bullard said it is just a discussion item at this point.

Flaherty said he would like to see the superintendent come in when there are purchases like this to discuss. He said he sees them running around in the ford which obviously has a dump bed on it for cleanup of debris and sounds like it is still being used so this would be for running to the parts store. Paykoff said if they are out in the small truck and Irwin has to do a driveway inspection we have to come in and switch vehicles or he goes out and does it and we do something different. If you schedule everything it's not too bad but when he needs to go do something he tells us to bring his truck in. Flaherty said this is for an extended cab not a crew cab, 2500 four wheel drive, short bed and we are adding a tow hitch and touchscreen which he is assuming is a backup camera. Bullard said it gives you the ability to use your telephone for the blue tooth. Flaherty said so it gives you a touchscreen radio instead of the standard turn knob. Fleischer asked what the final cost was and Flaherty said Bullard said the cost of operation on the ford is about \$1.00 a mile and the bigger trucks will be \$2.00 to \$3.00 a mile and then you get into the cost of the brakes, wheels and tires. Smith said it was not figured into the budget for 2017. Flaherty asked if

