

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Regular Meeting December 11, 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 Scott Belcastro

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

ATTENDANCE: Larry Buell, Michael Shade, Sean Sprouse, Chris Ingram, Richard Oleksiw, Jeff, and Scott Belcastro

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

RESOLUTION 17-12-06 APPROVE THE 11/27/2017 MEETING MINUTES AND DISPENSE WITH THE READING

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

FISCAL OFFICE:
Trustees signed the November bank statement and electronic payment sheets.

Inventory – Smith just reminded everyone inventory is due. She has only received the zoning departments and she was to meet with Irwin on his. Bullard said he gave it to Amy to do.

OLD BUSINESS – Columbarium’s – Flaherty said he received a rendering of the ossuarium with an idea of what it would look like in the cemetery. He said with it we get a software package and sales sheet that has its own tracking so you know who has purchased what niche and how many you have remaining and it can be exported into Pontem. He said the company wants 60% down to order it and it take 18 to 20 weeks to make. The entire price delivered is \$54,000 and they are projecting that the price will increase in 2018. Spending has been frozen but Bullard said he would like to save \$3,000 to \$5,000. Smith said she could do a check.

RESOLUTION 17-12-07 APPROVE THE PURCHASE OF THE EICKHOF MODIFIED ELY OSSUARIUM IN THE AMOUNT OF \$60,000 WITH 60% OF THE \$54,000 QUOTE TO BE RELEASE IMMEDIATELY FOR THE DEPOSIT AND THE REMAINING BALANCE TO BE PAID UPON DELIVERY

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

Hall Rental Calendar – Flaherty asked if Smith if she could get on it yet and she said no. He said they tried calling Ryan and he was busy and couldn’t help.

Updated Hall Rental Form - Bullard said he was still waiting on Fowler.

Door Keypad Quote – Bullard asked that this be move to the second meeting in January.

OPEC & Health Insurance Quotes– Sean Sprouse with Burnham and Flower presented their quote for health insurance for the employees and then Jeff Leckrone with C & A Benefits Group presented their quote. Trustees said they would review the policies. No decisions were made.

Scott Belcastro with Trebell said our natural gas aggregation program was coming up for renewal in the spring and the rates are low so he suggested that we lock in the rates now.

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

December 11,

17

He reviewed the three bids that were received and suggested that they go with Volunteer Energy for a two-year fixed rate agreement.

RESOLUTION 17-12-08 APPROVE SELECTING VOLUNTEER ENERGY TWENTY-FOUR MONTH, FIXED ADD NYMEX PROGRAM AT NX+\$.119 AND APPOINT RON BULLARD TO WORK WITH MARK FOWLER TO PUT CONTRACT IN PLACE AND SIGN CONTRACT

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

RESOLUTION 17-12-09 APPROVE RON BULLARD AS CONTACT FOR CUSTOMER AGREEMENT WITH VOLUNTEER ENERGY

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

Bullard asked the attorneys in the audience what we could do for them and Ingram with Vorys, Slater & Pease LLC said they were there to see if the trustees were going to talk about the referendum matter. Bullard said they talked to Fowler and he is drafting an affidavit that states that the actions they took at the meeting were correctly stated, as the statement that Shade sent to them sounds like they didn't do their work. Bullard said he looked at the wording and the number of signatures on the petitions and felt it meet their requirements for certifying it to the board of elections. Ingram said they want to clarify it with the board of elections as at the board of elections hearing they construed it as this board approving as value on its face and meeting all the requirements of the statute. Ingram said at the meeting they were going to present their arguments but after talking it was understood that this board was going to give deference to the board of elections and their expertise. When they got to the board of elections they looked at the text of the resolution and said "oh well they have already determined that this is valid, why are you here?" Ingram said where the confusion is when they say they certified it as valid, you don't want it to be misconstrued as certifying that it's valid and meeting all the requirements. Flaherty said he will state that in his affidavit as they felt they were certifying it the best as they were able but at the point of contention that we wanted to defer it to the board of elections. Ingram said it was evident from the face of the petition that it was sufficient but not necessarily valid. He said one of the reasons they are going to have a problem showing validity is that on the form itself the top line "name and number of proposal" they have the zoning commission case number and you cannot subject to referendum a decision by the Berlin Township Zoning Commission. They only thing that can be subject to referendum is the resolution from this body. He said it matters because the trustees are elected and the zoning commission is not. The election law is held to a higher standard.

Cemetery Lot Sales – Bullard said he still had not received the request from the resident in writing.

Names for VFFDF – Smith said she received the names for the committee.

CEMETERY – Buell thanked the trustees for their support.

FIRE DEPARTMENT: Nothing

ROAD DEPARTMENT: Nothing

TRUSTEE ITEMS: Flaherty said he would not be at the December 27th meeting and asked if it was necessary. Smith said it was usually a clean-up meeting and then they go into the organizational meeting.

RESOLUTION 17-12-10 APPROVE CANCELLING THE DECEMBER 27, 2017 END OF YEAR MEETING

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

BERLIN TOWNSHIP TRUSTEES

7:00 p.m.

Regular Meeting

December 11,

17

ZONING DEPARTMENT:

Monthly Zoning Report – Bullard said Heid told him there were more new home permits this year than any other year since 2005. Flaherty said he is working on the zoning spreadsheet to lock down columns so the formula cannot be changed.

FUTURE MEETINGS:

1/3/18 2018 Organizational Meeting

LATE ITEMS:

Bullard said he wants to add a wage scale to the book for former trustees to help us out as spot labor.

RESOLUTION 17-12-11 APPROVE ACCEPTING TOM D’AMICO’S RESIGNATION FROM THE BZA BOARD EFFECTIVE IMMEDIATELY

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

RESOLUTION 17-12-12 APPROVE APPOINTING MICHELLE COOK TO TOM D’AMICO’S VACANT BZA SEAT TERM ENDING MARCH 1, 2020

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

They discussed the OPEC/Jefferson court case and no decisions were made.

RESOLUTION 17-12-13 MOTION TO ADJOURN

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

Meeting adjourned by Chairman Bullard at 10:41 p.m.

Ron Bullard, Trustee

ATTEST:

Steve Flaherty, Trustee

Claudia Smith, Fiscal Officer

Adam Fleischer, Trustee