

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting October 22, 18

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

CALL TO ORDER: Ron Bullard Trustee Chairman

PLEDGE OF ALLEGIANCE: Trustee O'Brien led the Pledge of Allegiance

ROLL CALL: Ron Bullard, Ken O'Brien, Tom D'Amico and Claudia Smith, Fiscal Officer.

ATTENDANCE: Ray Armstrong, Joe Pichert, Brian Angell, Larry Buell and Jeff Leckrone

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

Approval of Minutes –

RESOLUTION 18-10-13 APPROVE THE 10/8/18 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING OF SAME

Motion: O'Brien
Second: D'Amico
Vote: Bullard yes, O'Brien yes and D'Amico yes

Old Business -

Fairview Cemetery Updates – O'Brien said he heard back from Liberty Township Trustees and they are willing to do anything that we need. He contacted Chris Rinehart who said it was too soon to do a resolution.

Scott Belcastro with Trebell gave an update on the township energy aggregation program and stated that they have been saving resident's money. He said it is time to renew the contract with them and gave them a copy of it and trustees suggested that the prosecutor review it.

Vic Citro with Republic Trash Contract – Citro said they have the mailings ready to be sent to the residents to tell them about the pickup date changes. Instead of trash being collected on Fridays they will be picking up from the residents on the west side of Alum Creek on Tuesday and the residents on the east side of Alum Creek will be picked up on Wednesday. The change would start on November 6, 2018.

RESOLUTION 18-10-14 ADOPT FIRST AMENDMENT OF CONTRACT WITH REPUBLIC SERVICES OF OHIO HAULING, LLC FOR RESIDENTIAL REFUSE AND GARBAGE COLLECTION WITH RECYCLING ON THIS 22ND DAY OF OCTOBER TO MOVE THE COLLECTIONS DAY FROM FRIDAY AND SPLIT IT BETWEEN TUESDAY AND WEDNESDAY BEGINNING NOVEMBER 6, 2018

This First Amendment of Contract with Republic Services of Ohio Hauling, LLC ("First Amendment") is entered into this 22nd day of October 2018 by and between the Berlin Township Board of Trustees, whose principal place of business is 3271 Cheshire Road, Delaware, Ohio 43015, the Delaware Township Board of Trustees, whose principal place of business is at 2590 Liberty Road, Delaware, Ohio 43015, and the Berkshire Township Board of Trustees, whose principal place of business is at 1454 Rome Corners Road, Galena, Ohio 43021, and Republic Services of Ohio Hauling, LLC ("Republic Services"), whose principal place of business is at 933 Frank Road, Columbus, Ohio 43223 (hereinafter individually "Party" and collectively "Parties").

WHEREAS, the Parties entered into a Contract for residential solid waste, recyclable materials, and yard waste collection and delivery for processing or disposal for the

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collective unincorporated areas of Berlin Township, Delaware County Ohio, Delaware Township, Delaware County Ohio, and Berkshire Township, Delaware County, Ohio (hereinafter “Contract”), dated September 28, 2015 and November 16, 2015, a copy of which is attached hereto; and,

WHEREAS, the Contract permits the Parties to amend the Contract in writing with the mutual consent and agreement of the Parties; and,

WHEREAS, the Parties agree to amend the Contract with the addition of certain amendments (hereinafter “amendments”).

NOW THEREFORE, the Parties agree as follows:

1. Republic Services Agrees to Add an Additional Pick-Up Day For Residential Waste and Yard Waste Collection Services to Berlin Township on Tuesday & Wednesday on a Weekly Basis

Republic Services agrees to provide residential waste and yard waste collection services to Berlin Township on Tuesday& Wednesday on a weekly basis beginning on November 6, 2018. The routes in Berlin Township that Republic Services agrees to service on Tuesday are outlined in Exhibit A. The routes in Berlin Township that Republic Services agrees to service on Wednesday are outlined in Exhibit B.

This schedule shall be in effect until terminated by mutual written agreement by Berlin Township Board of Trustees and Republic Services or at the conclusion of the Agreement, whichever is sooner.

2. Written Notice of Changes to Collection Services

Republic Services agrees to provide written notice of changes to collection services to each affected household in Berlin Township.

3. No Funds Exchanged Between the Parties

No actual funds are to be exchanged between the Parties in connection with this First Amendment.

4. Signatures

Any person executing this First Amendment in a representative capacity hereby warrants that he/she has authority to sign this First Amendment or has been duly authorized by his/her principal to execute this First Amendment on such principal’s behalf.

5. Conflicts

In the event of a conflict between the terms of the Contract and this First Amendment, the terms of this First Amendment shall prevail.

6. Terms of Contract Unchanged

All terms and conditions of the Contract not changed by this First Amendment remain the same, unchanged, and in full force and effect.

IN WITNESS HEREOF, the Parties have caused this First Amendment to be duly executed as of the respective dates that each Party signed this First Amendment.

Motion: Bullard
Second: O’Brien
Vote: Bullard yes, O’Brien yes and D’Amico yes

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Trustee Meeting

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Fire Department –

Assistant Fire Chief Pichert explained the need to update the auto extrication tools was because the current tools are fourteen years old and the car technology has changed so that the metal is stronger and the current tools are not strong enough. Captain Carey supplied them with a report of his research regarding same.

Requisitions –

**RESOLUTION APPROVE \$49,380 TO FINLEY FIRE EQUIPMENT FOR
18-10-15 AUTO EXTRICATION TOOLS**

Motion: O'Brien
Second: Bullard
Vote: O'Brien yes, D'Amico yes and Bullard yes

Smith asked how long these tools would last. Assistant Fire Chief Pichert said five to ten years depending on the auto industry.

**RESOLUTION APPROVE \$1,692.43 TO ZEPHYR INDUSTRIES FOR MOUNTS
18-10-16 FOR EXTRICATION TOOLS IN FIRE TRUCK COMPARTMENT**

Motion: O'Brien
Second: Bullard
Vote: O'Brien yes, D'Amico yes and Bullard yes

Assistant Fire Chief Pichert explained the need to upgrade the phone system at the firehouse but O'Brien was not satisfied with some of the items in the Accent contract and asked Pichert to discuss it with them again.

Brown Step Increase –

**RESOLUTION APPROVE MOVING SCOTT BROWN FROM PROBATIONARY
18-10-17 STATUS TO STEP 2 EFFECTIVE NOVEMBER 4, 2018**

Motion: O'Brien
Second: Bullard
Vote: D'Amico yes, Bullard yes and O'Brien yes

Fire Chief Part-time Hours –

O'Brien said he talked to the attorney about Hall's hours going over fifteen hundred hours and was told that it is not automatic if they go in excess of fifteen hundred hours that they become a full-time employee. The attorney supplied him with a resolution to address this.

RESOLUTION APPROVE HALL
18-10-18 Whereas, Fire Chief Craig A. Hall was hired as a part-time employee of Berlin Township, with the expectation that he will work not more than one thousand five hundred (1,500) hours in any year; and
Whereas, that expectation has not changed; and

Whereas, due to unexpected circumstances, it has been forecasted that Chief Hall might exceed 1,500 working hours by the end of the year, 2018, if he continues to perform job functions for the Township through the year end; and

Whereas, Fire Chief Hall has requested the authorization to work the remainder of the year 2018, even if his hours exceed 1,500 hours; and

Whereas, Fire Chief Hall has stated that he waives Township-sponsored insurance that may provide benefits to him and his dependents for hospitalization, surgical care, major medical care, disability, dental care, eye care, medical care, hearing aids, prescription drugs, or sickness and accident insurance, or reimbursement for the same, even if he exceeds 1,500 hours in the year 2018; and

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NOW THEREFORE, The Board of Trustees hereby grants the request of Fire Chief Craig A. Hall to continue working as a part-time employee for the Township even if his hours exceed 1,500 for the calendar years 2018, provided he works less than forty (40) hours per week; and

BE IT FURTHER RESOLVED, this measure will not change Fire Chief Hall’s status as a part-time employee for the Township; and

BE IT FURTHER RESOLVED, this is a temporary measure that will expire December 31, 2018, and the Township has no expectation that Fire Chief Hall work more than 1,500 hours for Berlin Township in the year 2019 or beyond without prior approval from the Board of Trustees; and

BE IT FURTHER RESOLVED, that this action was taken in open session by the Board of Trustees per the requirements of O.R.C. 121.22.

Motion: O’Brien
Second: Bullard
Vote: D’Amico yes, Bullard yes and O’Brien yes

Bullard thanked the fire department for the open house and said he thought the attendance was down because of the football game.

Old Business Continued – Cemetery Rules & Ossuarium Pricing –

D’Amico said he would like help with updating the rules to include the ossuarium. They discussed some areas of concern and D’Amico said he would write them up and ask the prosecutor to review them and maybe they would have some ideas to add.

Mowing RFP –

Bullard said Fowler was working on this.

The Cloud –

Ray Armstrong gave an update on his discussion with Scott Sanders from Delaware County Regional Planning.

Fiscal Officer Items – Nothing

Cemetery – Nothing

Road Department –

Bullard said he has a meeting Wednesday with Mike Stewart from StewCare to discuss the snow plowing. They are planning to give them a route of developments to handle. He also stated that one of the trucks is in the shop.

Trustee Items –

O’Brien said he has a meeting on the 24th with Mark Raiff.

Zoning Department – September Zoning Report –

Future Meetings -

- 11/12/18 Trustee Meeting
- 11/26/18 Trustee Meeting
- 12/10/18 Trustee Meeting
- 12/27/18 Employee Evaluations, End of Year Meeting & 2019 Organizational Meeting

Late Items -

O’Brien said “Without an objection the date of the approved minutes is October 8th instead of September 24th and hearing no objection, so moved.”

Smith showed them a sample of the paint color cookie dough and said unless we are repainting the doors it would not match since the doors are gray. She also showed them some samples of grays. O’Brien said he was okay with the color Spring Thaw and D’Amico said he liked it also.

RESOLUTION MOTION TO SUSPEND AND RECESS THE MEETING UNTIL

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**18-10-19 WEDNESDAY OCTOBER 24, 2018 AT 7:00 P.M. AT THE
BERLIN TOWNSHIP HALL**

Motion: Bullard
Second: O'Brien
Vote: Bullard yes, O'Brien yes and D'Amico yes

Meeting recessed by Chairman Bullard at 9:02 P.M.