

**BERLIN TOWNSHIP TRUSTEES**

**7:00 p.m. Trustee Meeting November 26, 18**

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

**CALL TO ORDER:** Ron Bullard Trustee Chairman

**PLEDGE OF ALLEGIANCE:** Ray Armstrong led the Pledge of Allegiance

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

**ATTENDANCE:** Ray Armstrong, Larry Buell, Jeff Leckrone, Craig Hall and Chris Paykoff

**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 18-11-08 APPROVE THE 11/12/18 REGULAR MEETING MINUTES AND THE 11/19/18 SPECIAL MEETING MINUTES AND DISPENSE WITH THE READING OF SAME**

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

**Old Business –**

**Health Insurance –** Jeff Leckrone said at a previous meeting he suggested that we look into the small group marketplace, which he did. He used the rates received to negotiate with United HealthCare to try to lower the renewal that he received but they said they could not match the rates he received from Anthem SOCA MEWA. Anthem SOCA MEWA is a product for two to fifty employees and Berlin Township has fewer than fifty employees. SOCA MEWA stands for Southern Ohio Chamber Association, Multi Welfare Employee Arrangement and would require that the township join an area chamber of commerce. His suggestion was that the township switch to the Anthem SOCA MEWA as the savings would be approximately \$30,000 a year and the benefits are very similar to the current United HealthCare policy. He stated that 93% of all doctors in Ohio and all hospitals are in the Anthem network. The Anthem SOCA MEWA plan has open enrollment in April with the program start date May 1 but if we change, it would start January 1, 2019 and then go thru May 31, 2020. Leckrone said we had to join a chamber of commerce as soon as possible and he had a list of chambers and their cost to join. O'Brien said he would like to join the Delaware Area Chamber as he feels we would use it more.

**RESOLUTION 18-11-09 APPROVE UPTO \$1,000 FOR KEN O'BRIEN TO JOIN THE DELAWARE AREA CHAMBER OF COMMERCE**

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

**RESOLUTION 18-11-10 APPROVE CHOOSING ANTHAM SOCA MEWA OPTION 3 RX E80 BLUE ACCESS PPO FOR HEALTH INSURANCE FOR FULLTIME EMPLOYEES FROM JANUARY 1, 2019 TO APRIL 30, 2020 NOT TO EXCEED \$70,000**

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

**Cemetery Rules & Ossuarium Pricing –** D'Amico said they have the measurement of the niche and what size urn will fit into them, they just need to make sure they are clear as to what will fit into them as they are tapered in the back. He suggested that we stock some urns so if they bring one that is too big, we can give them one that will fit. Fowler is still working on the rules.

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**Trustee Meeting**

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**Computer Quote for Zoning –**

**RESOLUTION 18-11-11 APPROVE \$2,300 TO RDI INTUITIVE FOR TWO COMPUTERS FOR THE ZONING OFFICE PER THEIR QUOTE**

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

**Fire Department –**

**Holiday Luncheon** – Fire Chief Hall asked if the township could pay for it and Bullard said in the past we were told that we could not pay for it. O’Brien said he thinks there is a way but it’s so convoluted that the public would not understand it and it would not be worth it and it would be taxed as income. Hall said that was fine.

**Employee Handbook Update** – Hall asked if they had any idea when they would have something to review. O’Brien said he is meeting with the attorney on December 12<sup>th</sup> and December 14<sup>th</sup>. O’Brien asked Bullard and D’Amico to read the handbook portions that pertain to their departments and get any questions they have to him by December 7<sup>th</sup>.

**VFFDF Appointments** – Hall asked Smith if Pichert gave her anything on this and Smith said no. Hall said he would get it tomorrow. O’Brien said he asked Paykoff and Spangler and they said yes.

**Cemetery** – Nothing new

**Old Business Continued –**

**Trebel Contract** – Nothing has been received from Mark Fowler yet. Bullard said he received a call from a resident that said AEP is saying that our contract is up with Trebel and they wanted the resident to sign up with AEP. He told them that the contract is not up and there is no change, it is normal AEP trying to get their business. Bullard said the contract is still there and the price should be going down for this year and next year.

**Fairview Cemetery Updates – Substitution of Counsel –**

**RESOLUTION 18-11-12 APPROVE THE WITHDRAWAL OF STEPHEN D. BROWN/ BROWNLAW LIMITED AND AGREES TO ENGAGE GRANT A. WOLFE/WOLFE LAW OFFICES AS ADDITIONAL COUNSEL ON THE MATTERS INVOLVING FAIRVIEW MEMORIAL PARK, ON THE SAME TERMS AND CONDITIONS SET FORTH IN THAT CERTAIN ENGAGEMENT LETTER EXECUTED BETWEEN CHRISTOPHER A RINEHART/RINEHART LEGAL SERVICES, LTD. AND BERLIN TOWNSHIP DATED APRIL 11, 2018**

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

**Mowing RFP** – Bullard said Fowler is still working on this.

**The Cloud** – Armstrong said the dates have been postponed on the request of the BZC chair and he has spoken with Scott Sanders.

**Piatt Road Discussion –**

**RESOLUTION 18-11-13 APPROVE DIRECTING THE DELAWARE COUNTY ENGINEER TO USE THE FOLLOWING POINTS IN DEVELOPING THE FINAL PLAN FOR THE PIATT ROAD PROJECT FROM PEACHBLOW ROAD TO CHESHIRE ROAD:  
1.) THE ROADWAY TYPICAL SECTION SHALL PROVIDE TWO 12-FOOT WIDE LANES WITH 2-FOOT WIDE PAVED SHOULDERS ON EACH SIDE.  
2.) PROVIDE A MODIFIED DITCH TYPICAL SECTION**

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**ON THE WEST SIDE OF PIATT ROAD, WHERE FEASIBLE.  
3.) INVESTIGATE THE USE OF A MODIFIED DITCH TYPICAL SECTION ON THE EAST SIDE OF PIATT ROAD AND WHERE PRACTICAL, PROVIDE THE MODIFIED DITCH IN THE DESIGN.  
4.) NO SIDEWALKS OR SHARED USE PATH WILL BE CONSTRUCTED WITH THIS PROJECT.**

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

O'Brien said he was tasked with finding out from Olentangy if it was practical for us to move the Piatt/Roloson connector to the west, so that it would line up with their eastern boundary, if they would give that land. They agreed if it comes from Berlin Station Road and goes to 36/37 they would give that right-of-way. We asked the county engineer to see if that was okay to realign the connector road over to the west. In the email they said they didn't have a problem with it. Bullard said he asked Fowler if we could put a road through an agricultural conservation district and he said yes no problem but there may be some taxes that need to be repaid. O'Brien asked that the BZC add this to the discussion of the updates on the comprehension land use plan.

**Trash Bid -**

**RESOLUTION 18-11-14 APPROVE BOARD OF TRUSTEES, BERLIN TOWNSHIP, DELAWARE COUNTY, OHIO TO AWARD AND ADOPT THE CONTRACT FOR THE COLLECTION, TRANSFER, AND DISPOSAL OF SOLID WASTES BY AN INDEPENDENT CONTRACTOR PURSUANT TO THE JOINT REQUEST FOR BIDS WITH BERKSHIRE AND DELAWARE TOWNSHIPS. (R.C. § 505.27)**

**PREAMBLE**

**WHEREAS**, the Board of Trustees of Berlin Township, Delaware County, Ohio ("Board") recently advertised and distributed a Joint Request for Bids with Berkshire Township and Delaware Township (collectively, "Townships") for the collection, transfer and disposal of the solid waste and recyclables produced in the Townships ("Joint RFB") pursuant to Section 505.27(A)(2)(a)(i) of the Ohio Revised Code; and,

**WHEREAS**, the Townships received several bids in response to the Joint RFB by the submission deadline of October 22, 2018; and,

**WHEREAS**, the Board has already resolved to award the contract to Rumpke of Ohio, Inc. and now desires to approve the attached Contract for that purpose.

**RESOLUTION**

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD:**

1. The Board hereby adopts and enters into the attached Contract under the Joint RFB with Rumpke of Ohio, Inc. for the collection, transfer and disposal of the solid waste and recyclables produced in the Townships.
2. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.
3. This Resolution shall be in full force and effect immediately upon adoption.

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Trustee Bullard moved to approve.  
Trustee O'Brien seconded the motion.

Voted on and signed this 26th day of November 2018 in Berlin Township, Delaware County, Ohio.

**BOARD OF TRUSTEES  
BERLIN TOWNSHIP,  
DELAWARE COUNTY, OHIO**

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**Ron Bullard**  
Trustee

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**Tom D'Amico**  
Trustee

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**Ken O'Brien**  
Trustee

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

**RESOLUTION 18-11-15 APPROVE AUTHORIZING TRUSTEE BULLARD TO MAKE ANY CHANGES NECESSARY FOR IMPLEMENTATION AND ADOPTION OF THE CONTRACT WITH RUMPKE FOR THE PURPOSES OF TRASH AND RECYCLING PICKUP AND ANY OTHER ACTIONS NECESSARY TO TERMINATE THE EXISTING CONTRACT IF SO REQUIRED.**

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

Bullard asked if we need to do a publication, notifying residents that we have moved the trash contract to Rumpke and that it takes effect at the first of the year. O'Brien said he thinks we need to state that the trustees heard and listened to the residents and that is why we did this. Bullard asked O'Brien to write it up and they will give it to Rippel to put it on the website and the Facebook page.

**RESOLUTION 18-11-16 APPROVE AUTHORIZING TRUSTEE O'BRIEN TO PUT PUBLIC INFO ON THE WEBSITE AND FACEBOOK PAGE ABOUT THE NEW RUMPKE CONTRACT**

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

**Fiscal Officer Items –  
Statement of Pay Acceptance for 2019** – Trustees opted to stay with the twelve equal payments.

**Liquor Permit Renewals** – Smith said she received a letter from the Division of Liquor Control regarding a liquor permit for Pizza Cabin. Trustees had no objection to the permit for the Pizza Cabin going in at the location that used to house Lilman's Pizza. They also had no objection to any other liquor permits in the township being renewed in February 2019.

**OTA Conference** – Smith asked if anyone was planning on attending the OTA Winter Conference and asked if it was okay for the zoning inspector to attend. D'Amico will ask Loveless if there were any sessions that he wanted to go to and Bullard will check with Irwin.

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**OTARMA BOARD MEMBER ELECTION –**

**RESOLUTION 18-11-17 APPROVE VOTING FOR PHILIP COX & ROBERT DAWSON FOR THE OTARMA BOARD OF DIRECTORS BALLOT**

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

**Road Department –**

Bullard said the international truck is back and is fixed. Bullard also said CDL drivers are allowed to drive for eleven hours and then they have to be off for ten hours for rest. They can drive the F350 for any amount of time because it is not a CDL truck. O'Brien said Bullard should direct them of when to go out. Bullard said what the hour's means is that even with temporary folks we have, we may have times when there is snow on the roads and there is no one here. Federal law dictates to us.

**Zoning Department –**

**October Zoning Report** – O'Brien said it is good to see home sales going up.

**Future Meeting-**

12/10/18 Trustee Meeting  
12/27/18 End of Year Meeting and 2019 Organizational Meeting

**Trustee Items –**

O'Brien said he would not be at the meeting on December 27, 2018 and D'Amico cannot be here at 9:00 a.m. so the employee evaluations meeting is being cancelled and the End of Year Meeting will start at 4:30 with the 2019 Organizational Meeting to follow.

**RESOLUTION 18-11-18 APPROVE CANCELLING THE EMPLOYEE EVALUATIONS SCHEDULED FOR DECEMBER 27<sup>TH</sup> AT 9:00 A.M. AND RESCHEDULE THE END OF YEAR AND ORGANIZATIONAL MEETING TO DECEMBER 27, 2018 AT 4:30 P.M.**

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

**RESOLUTION 18-11-19 APPROVE RECESSING TO EXECUTIVE SESSION FOR THE PURPOSE OF AQUISITON OF PROPERTY–THREE TRUSTEES AND THE FISCAL OFFICER TO ATTEND-10:04 P.M.**

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

**RESOLUTION 18-11-20 MOTION TO RETURN TO REGULAR SESSION AT 10:17 P.M.**

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

Bullard stated that we meet in executive session and no decisions were made, no actions were taken.

**Late Items -**

Smith said Arnold has completed painting the hall but asked about doors and trim. D'Amico and Bullard said it looks real good and he did a good job. They agreed to leave the trim the way it is and to paint the doors.

**RESOLUTION 18-11-21 APPROVE TRUSTEE D'AMICO EXECUTE WHAT IS NEEDED TO HAVE THE DOORS PAINTED IN GRAY UPTO \$500 AND ANY OTHER TOUCH UP WORK**

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

Smith said she was asked to see if the trustees care if all the maps go back up or not and O'Brien said he would like to see the Comprehensive Land Use Plan and the zoning map but other than that he doesn't care.

**RESOLUTION MOTION TO ADJOURN  
18-11-22**

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

Meeting adjourned by Chairman Bullard at 10:26 P.M.

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Ron Bullard, Trustee

ATTEST: \_\_\_\_\_  
Ken O'Brien, Trustee

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Claudia Smith, Fiscal Officer

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Tom D'Amico, Trustee