

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting June 10, 19

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

CALL TO ORDER: Ken O'Brien, Trustee Chairman

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

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

ATTENDANCE: Ray Armstrong, Barbara Sherman, Craig Hall, Joe Pichert, Joe Korleski, Chris Rinehart, Theresa Fuller and Chris Paykoff

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

RESOLUTION 19-06-01 APPROVE THE 5/28/2019 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING

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

Old Business –

The Cloud – Bullard said we have a request for contract from Scott Sanders to pay for more hours. The cloud was introduced to the zoning commission at the last meeting. Armstrong said there will be a public hearing on June 27, 2019 at the RPC.

RESOLUTION 19-06-02 APPROVE CONTRACT FOR PLANNING SERVICES BETWEEN BERLIN TOWNSHIP AND DELAWARE COUNTY REGIONAL PLANNING COMMISSION IN THE AMOUNT NOT TO EXCEED \$2,500 AND BULLARD AS ZONING LIAISON WILL DETERMINE SOMEONE TO MANAGE THE CONTRACT

Motion: Bullard
Second: D'Amico
Discussion: Armstrong said per Bullard's request he spoke with Toni Korleski and she declined managing the contract as she has never done it before.
Vote: O'Brien yes, D'Amico yes & Bullard yes

Permissive Tax – O'Brien said he has not heard back from Mark Fowler.

Bullard said at the last meeting we had someone complain about grass not being cut and he talked to the prosecutor that said we can do it but it requires an act by the board each time it is done. A letter needs to be sent 10 days before. He will have more information for the next meeting. He suggested that we contract to have it mowed, at the homeowner's expense. O'Brien asked him to get a quote from Pony Landscaping.

Fiscal Officer Items –

Trustees signed the May 2019 bank statement and electronic payment list.

2020 Budget – Smith said she needs to be working on the 2020 budget and needs to know if anyone will be making any large purchases between now and the end of the year.

Cemetery – Nothing.

Fire Department –

Requisitions –

RESOLUTION 19-06-03 APPROVE \$6,360 TO VALLEY TIRE CO & TREX TEX FOR ANNUAL SAFETY INSPECTION & PREVENTATIVE MAINTENANCE

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting June 10, 19

FOR ENGINE 391, 392 & 393

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

RESOLUTION 19-06-04 APPROVE \$2,280 TO FIRE FORE INC FOR FORCIBLE ENTRY TRAINING CLASSES

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

Fulltime Employee Step Increase –

RESOLUTION 19-06-05 APPROVE STEP INCREASE FOR CAPTAIN TIM CARR TO FULLTIME FIRE CAPTAIN STEP 4 EFFECTIVE JUNE 30, 2019 AT \$19.52 AN HOUR

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

RESOLUTION 19-06-06 APPROVE REMOVING TOBIAS COOK FROM PROBATION AND MOVING HIM TO FULLTIME FIREFIGHTER STEP 2 EFFECTIVE JUNE 16, 2019 AT \$16.52 AN HOUR

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

RESOLUTION 19-06-07 APPROVE REMOVING MALACHI SWANSON FROM PROBATIONARY FULLTIME FIREFIGHTER STEP 1 EFFECTIVE JUNE 16, 2019 AND MOVEMENT TO STEP 2 BASED ON HIS TEMPORARY ASSIGNMENT BEING TERMINATED

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

Fulltime Employee Vacation Accrual – O'Brien said we will hold off on the vacation discussion until after our next meeting.

November 2019 fire Levy Information –

Pichert said the fire levy is for the older of the two fire levies which is the original 2.98 levy that the fire department has been operating off of and it needs to be voted on and their recommendation is for a renewal. Mark Fowler has started putting the ballot language together and he should have it for the July meeting. O'Brien said the advantage of a renewal as opposed to a replacement is that it gets the rollback and residents would have to pay 10% more. Bullard said the renewal levy makes perfect sense.

Telephone Lines – O'Brien said he received an email about getting through to the fire department. Chief Hall explained the difference between calling 911 or calling the non-emergency fire department number. He said it is always best to call 911 if there is an emergency as calls are routed to the department that is available and if you call the fire department number, they may not answer because they are out on a run. He said if you call from a cell phone they can pinpoint where you are within 100 feet.

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

RESOLUTION 19-06-08 APPROVE RECESS TO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSING ORC 121.22 G3, PENDING OR IMMINENT COURT ACTION-THREE TRUSTEES, FISCAL OFFICER AND CHRIS RINEHART, ATTORNEY TO ATTEND-7:33 P.M.

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting June 10, 19

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

**RESOLUTION MOTION TO RETURN TO REGULAR SESSION AT 7:51 P.M.
19-06-09**

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

Rinehart said he filed a notice of appeal to the 5th District Court of Appeals and are waiting on the final decision. He stated he received a letter on May 23, 2019 from Aaron Firstenberger, who is counsel for the receiver, and read the letter.

Dear Chris and Grant:

On behalf of Mr. Strip, as the Court's Receiver, be advised that the Receiver is amenable to completing the transfer and conveyance of the cemetery parcel, as set forth within the trial court's order so long as your client will agree to grant an easement over the existing private roads on that parcel to the remaining parcel. If this is acceptable, please advise and provide us with the appropriate instruments for review and execution.

Rinehardt said it is his option that the township should not enter into a discussion with the receiver, about uses of property or grant easements, until such time the receiver transfers the cemetery to the township, per the court order. He asked the board permission to issue a rejection from entering such discussions.

**RESOLUTION APPROVE HAVING CHRIS RINEHART RESPOND TO THE LETTER
19-06-10 FROM AARON FIRSTENBERGER DATED MAY 23, 2019 WHICH
REJECTS FIRSTENBERGERS PROPOSAL**

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

**RESOLUTION APPROVE \$15,000 TO RINEHART LEGAL SERVICES FOR
19-06-11 LEGAL FEES**

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

Road Department –

Late Requisitions –

**RESOLUTION APPROVE \$12,600 TO MILEY EXCAVATING FOR INSTALLATION
19-06-12 OF COUNTY SEWER AT BERLIN TOWNSHIP HALL**

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

**RESOLUTION APPROVE \$5,036.40 TO MILEY EXCAVATING FOR CULVERT
19-06-13 REPLACEMENT AT EAST DRIVE OF TOWNSHIP HALL**

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

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting June 10, 19

Bullard said he spoke with Mike Stewart and he is very interested in doing a snowplow contract with us again this year, so he will get the contract for the next meeting.

Trustee Items –

Touch A Truck Event – O’Brien said he asked the fire department to have a truck there and the chief will handle it.

Zoning Department –

Monthly Zoning Report – Bullard said there were nine (9) new homes in the month of May.

Set Hearing Date for Germann Brothers –

RESOLUTION 19-06-14 APPROVE SETTING THE DATE FOR BZC 92-004 GERMANN BROTHERS FOR JULY 8, 2019 AT 6:00 P.M. AT 3271 CHESHIRE ROAD, WITH THE REGULAR TRUSTEE MEETING TO START IMMEDIATELY FOLLOWING THE HEARING

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

Future Meetings -

- 7/8/19 Trustee Meeting
- 8/12/19 Fall Roads Meeting & Trustee Meeting
- 9/9/19 Trustee Meeting
- 9/23/19 Trustee Meeting

Late Items –

Bullard said he received a letter from the attorney general regarding the complaints residents filed again Old Harbor Estates. O’Brien said we might want to change when a homeowner’s association takes over developments. Instead of 100% capacity, we may want to lower it to 85% capacity. Bullard will check with the prosecutor.

Bullard said they received an email regarding installation of bike paths in the township and asked those in attendance if they would like to pay more taxes for a park levy. No one was interested and he said we do not have the money in the general fund to build or maintain bike trails. Smith said in the past Preservation Parks was going to do them and O’Brien said they found out how expensive they are and they do not have money anymore. Bullard said Orange and Liberty have a large crew to maintain theirs and they have a much larger tax base, but it is very expensive. Bullard will respond to the email. He said MORPC has been working on putting together a plan for bike trails for central Ohio to connect the cities Delaware south to Grove Port.

D’Amico asked if the trustees understood his proposal that when someone buys a niche they get up to two (2) urns. It is not they buy a niche and we give them two (2) urns. If they only need one (1), we only give them one (1). Bullard said he does not think we should give them urns when they buy a niche unless they have an immediate burial as they may not use them for years and may misplace them.

Smith asked about the email from Scott Belcastro regarding the sale of Capital Energy’s book of business, which was awarded to Constellation Energy. O’Brien said he was not in favor of it. Bullard said what they want us to sign says turn it over to anyone that is authorized by the PUCO and he did not like that phrase either but we do not have a choice in it because whoever they sell it to is probably who they would sell the aggregation to. Bullard said he did not have a problem with it but thinks it should have been something that should have been taken care of in the beginning. Obrien said he wants it to go through the prosecutor. Bullard will talk to Belcastro and have him come to the next meeting. O’Brien said he is not a fan of aggregation.

BERLIN TOWNSHIP TRUSTEES

7:00 p.m. Trustee Meeting June 10, 19

**RESOLUTION MOTION TO ADJOURN
19-06-14**

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

Meeting adjourned by Chairman O'Brien at 8:42 P.M.

Ken O'Brien, Trustee

ATTEST:

Tom D'Amico, Trustee

Claudia Smith, Fiscal Officer

Ron Bullard, Trustee