

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m. Trustee Meeting October 12, 20**

**HELD AT:** This meeting was held virtually by Zoom, Delaware, OH

**CALL TO ORDER:** Tom D’Amico, Trustee Chairman

**PLEDGE OF ALLEGIANCE:** Doug Riedel led the Pledge of Allegiance

**ROLL CALL:** Ken O’Brien, Tom D’Amico, Ron Bullard, Theresa Taylor, Assistant Fiscal Officer

**ATTENDANCE:** Joe Pichert, Doug Riedel, Tim Foor, Todd Faris and Meghan Raehll

**Approval of Minutes-  
RESOLUTION APPROVE THE 09/28/20 REGULAR MEETING MINUTES  
20-10-07 AND DISPENSE WITH THE READING**

Motion: Bullard  
Second: D’Amico  
Vote: D’Amico yes and Bullard yes

**RESOLUTION APPROVE THE 09/30/20 SPECIAL MEETING MINUTES AND  
20-10-08 DISPENSE WITH THE READING**

Motion: Bullard  
Second: D’Amico  
Vote: D’Amico yes and Bullard yes

**Old Business-**

**Disaster Plan, Password Policy & Upgrade Computers-** Smith stated that the OTARMA representative evaluated all the township equipment and suggested that a disaster recovery plan needed to be developed, implement a password recovery policy and upgrade Windows 7 to a supporting system. D’Amico asked if this was something that can done by using the COVID funds. Bullard stated that per a letter from the Ohio Township Association, there are sections stating that computers/laptops for employees working remote are fundable by the COVID Cares Funding Act. At this point it states the money has to be used by October 15<sup>th</sup>, 2020 or it will be turned back in. Although there is state legislation stating that it may be extended to November 20<sup>th</sup>, 2020. Bullard stated that his thoughts were to get computers for the Zoning Commission and the BZA.

Trustee O’Brien arrived at 6:04 P.M.

**RESOLUTION APPROVE THE 10/01/20 SPECIAL MEETING MINUTES AND  
20-10-09 DISPENSE WITH THE READING**

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

**Old Business Cont’d-**

**Berlin Bluffs & Maeve Meadows Modification-** Todd Farris asked if the modifications that are being asked, for Berlin Bluffs and Maeve Meadows would be considered a major or a minor. O’Brien stated he believed that they were both major modifications and would have to return to the zoning department. Bullard and D’Amico agreed.

**RESOLUTION MOTION THAT THE BERLIN BLUFFS MODIFICATION REQUEST  
20-10-10 IS DETERMINED BY ALL THREE TRUSTEES TO BE A MAJOR  
MODIFICATION AND DIRECTS THE APPLICANT TO RETURN TO  
THE ZONING COMMISSION**

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

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**RESOLUTION  
20-10-11**

**MOTION THAT THE MAEVE MEADOWS MODIFICATION REQUEST IS DETERMINED BY ALL THREE TRUSTEES TO BE A MAJOR MODIFICATION AND DIRECTS THE APPLICANT TO RETURN TO THE ZONING COMMISSION**

Motion: Bullard

Second: O'Brien

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

**Disaster Plan, Password Policy & Upgrade Computers Cont'd-** O'Brien stated that he spoke with Chris Ballard and he confirmed that buying new computers with the COVID Cares Funding Act would be an acceptable use of the money. O'Brien stated that the five laptops that were already purchased for the three trustees, the fiscal officer and the assistant fiscal officer could not be reimbursed but all new ones for any and all township employees that have to work remotely due to COVID could be bought with no problem. Smith questioned what would be done with the five laptops that have already been bought as she feels doing nothing with them would be a waste of taxpayer's money. O'Brien stated they could be given to employees that do not need to work from home. O'Brien stated that he has had some issues with booting his up. Bullard agreed but feels it is a set-up issue not necessarily an issue with the computer itself. O'Brien stated that there is approximately \$500,000 that he does not see what else it could be spent on. Smith feels that although it is available it does not need to be spent foolishly. D'Amico suggested that all the departments be contacted to see who wants one and come back with a number of possible purchases, whether it be replacements for us or new ones for them.

**Road Department-**

**OPWC Paperwork-** Doug Riedel stated that the board needs to authorize someone to be able to sign the application and all other paperwork once the project has started. O'Brien asked why just under \$500,000 is the number we are asking for in grant money and feels it should be the same allowance as to what the city can ask for. Riedel stated that in their experience the OPWC grants are capped at \$500,000 so they have found if the grant request is just slightly under \$500,000 it has a greater chance of being approved at the state level. Riedel stated that the city has not received any grant larger than \$500,000.

**RESOLUTION  
20-10-12**

**MOTION TO AUTHORIZE TRUSTEE BULLARD TO EXECUTE ALL DOCUMENTS IN REGARDS TO THE OPWC GRANT IN REGARDS TO THE PIATT ROAD WIDENING FROM CHESHIRE ROAD TO PEACHBLOW ROAD PER AUTHORIZING LEGISLATION**

Motion: O'Brien

Second: D'Amico

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

**AUTHORIZING LEGISLATION**

BERLIN Township  
PIATT Road Improvements Project

A RESOLUTION AUTHORIZING RON BULLARD, BERLIN TOWNSHIP TRUSTEE, TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED;

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and,

WHEREAS, the BERLIN Township Board of Trustees is planning to make capital improvements to PIATT ROAD IMPROVEMENTS PROJECT; and,

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

NOW THEREFORE, BE IT RESOLVED by the Board of Trustees of BERLIN Township (Delaware County):

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Section 1: That RON BULLARD is hereby authorized to apply to the OPWC for funds as described above.

Section 2: That RON BULLARD is further authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance, and to bind the Board by any such agreements.

Passed: October 12, 2020  
Date

\_\_\_\_\_  
*BERLIN Township Trustee*

\_\_\_\_\_  
*BERLIN Township Trustee*

\_\_\_\_\_  
*BERLIN Township Trustee*

Riedel stated that the estimated cost for the construction of the project will be \$1.4 million. This amount does not include the cost of the road acquisitions or the amount the township is paying someone to get those road acquisitions. Bullard stated that the breakdown once all is added up will be the townships immediate cost of \$500,000 which includes the right-of-way expenses, the \$500,000 OPWC grant, a loan of \$500,000 through OPWC and \$150,000 from the county. Riedel will recalculate the percent between the county and the township for the loan.

**Roads Truck Purchase-** Bullard stated that Erwin had received a quote from Dexter and Peter Bilt. Both would make the truck similar to what our existing trucks are and expect it would allow a non-CDL driver the ability to drive it. Bullard stated that we could wait until January 2021 to order it so that it can be added into the 2021 budget. Smith stated there is \$93,000 for roads vehicles still remaining for 2020. She suggested if it is possible to order it with that amount then order it now. If not then wait until January 2021 to order it as it was not figured into the 2020 budget.

**Fiscal Officer Items-**

**September Bank Reconciliation and Electronic Payments-** The September bank reconciliation and electronics payments balanced. Smith stated that if there is money that is planned to be spent in 2021, she needs the trustees to get it to her ASAP.

**Fire Department-**

**Shaw Step Increase-**

**RESOLUTION 20-10-13 MOTION TO MOVE JACOB SHAW FROM STEP 1 PROBATIONARY FULL-TIME FIRE FIGHTER TO FULL-TIME FIRE FIGHTER STEP 2 EFFECTIVE OCTOBER 4<sup>TH</sup>, 2020 AT THE RATE OF \$16.25/HOUR**

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

**Chief Hall-**

**RESOLUTION 20-10-14 MOTION UPON THE RECOMMENDATION OF ASSISTANT CHIEF PICHERT TO HIRE CRAIG HALL FOR THE POSITION OF PART-TIME FIRE LIEUTENANT TO THE BERLIN TOWNSHIP FIRE DEPARTMENT EFFECTIVE OCTOBER 4<sup>TH</sup>, 2020 AT THE RATE OF \$16.82/HOUR**

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

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**Road Department Cont'd-  
Requisition-**

**RESOLUTION  
20-10-15**

**MOTION TO APPROVE REQUISITION #2010-05 TO MILEY  
EXCAVATING IN THE AMOUNT OF \$7,800 TO REPLACE A  
WORN OUT COLVERT PIPE ON BAKER ROAD**

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

Bullard stated that Strawser has completed the spraying of onyx coating in Harbor Point but does not like how it turned out at the entrance. Instead of the county penalizing them due to the amount of time it took, Strawser has offered to redo the onyx coating in Harbor Point and in Piatt Meadows. All trustees agreed.

**OPWC Paperwork Cont'd-  
RESOLUTION**

**20-10-16**

**MOTION TO APPLY FOR THE OPWC GRANT FOR THE WORK ON  
PIATT ROAD FROM PEACHBLOW ROAD TO CHESHIRE ROAD PER  
THE NUMBERS GIVEN BY DOUG RIEDEL TO THE TRUSTEES**

Motion: Bullard  
Second: O'Brien  
Vote: D'Amico yes, Bullard yes and O'Brien yes  
Discussion: The plan is to get the right-of-way's done as quickly as possible so they do not affect the start of the project.

**Cemetery-** D'Amico stated that Chris Rinehart has begun to bring the records of Fairview Cemetery to the township since it has now been turned over to the township, minus the 8-acres in the back of the cemetery. O'Brien also stated Berlin Township was given the Liberty Township portion. Bullard suggested that we need to make copies of all the handwritten paperwork that we do have for Fairview along with the digitalizing of them. D'Amico asked if Taylor is interested in doing the digitalizing. Taylor stated yes. D'Amico stated that he is in contact with Tim Foor as a possible sexton for Fairview Cemetery.

**Trustee Items-** D'Amico stated that they will follow up with talking to the Township's departments and get a tally with those who work virtually about getting computers for them through the COVID Cares Funding Act, with the understanding that the computers would belong to the township. Smith asked if that meant the trustees will be telling all the employees including the ones that come into the office, that they can work virtually. O'Brien stated that the Board of Zoning Appeals and Zoning Commission would qualify but as far as those employees that go to the office daily, that would be a question that would have to be answered by Ballard.

Smith asked O'Brien about what he had found out about getting carpet throughout the Township Hall. He stated that they had not gotten back to him so he will have to get another quote from someone else.

**Zoning Department-**

**September Zoning Report-** We are above our builds from this time last year. Bullard suggested that we start paying all zoning employees out of the zoning fund instead of the general fund. Smith stated that she would like this to start in January since the money has already been appropriated for this year. Smith stated this can be added to the Organizational meeting.

**Public Comment-** There were no public comments.

**Future Meetings-**

**10/14/20 Special Meeting  
10/15/20 Special Meeting  
10/26/20 Trustee Meeting**

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**Late Items-** O'Brien stated that he had received a resolution from Ballard in regards to getting computers to the cemetery employees. He stated it will need to be sent to George Kaitza and one to the Ohio Office of Budget and Management.

**RESOLUTION  
20-10-17**

**MOTION REGARDING THE RESOLUTION OF THE DELAWARE COUNTY CORONA VIRUS RELIEF DISTRIBUTION FUND PURSUANT TO HOUSE BILL 481 AND HOUSE BILL 614, EFFECTIVE UPON PASSAGE AND DIRECT THE FISCAL OFFICER TO SEND A CERTIFIED COPY TO THE DELAWARE COUNTY AUDITOR AND THE DIRECTOR OF THE OHIO OFFICE OF BUDGET AND MANAGEMENT**

Motion: O'Brien

Second: Bullard

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

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

**RESOLUTION NO. 20-10-17**

The Board of Trustees of Berlin Township, Delaware County, Ohio ("Board") met in regular session on the 12<sup>th</sup> day of October 2020 with the following members present:

Tom D'Amico

Ron Bullard

Ken O'Brien

O'Brien Moved the adoption of the following Resolution:

**PREAMBLE**

**WHEREAS**, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136, (the CARES Act) was signed into law by the President of the United States on March 27, 2020; and

**WHEREAS**, the Ohio General Assembly established a process for distributing funds provided by the "Coronavirus Aid, Relief, and Economic Security Act" in House Bill 481 and House Bill 614 of the 133<sup>rd</sup> General Assembly (HB 481 & HB 614); and

**WHEREAS**, HB 481 & HB 614 require subdivisions receiving funds under Section 1 of the act, to pass a resolution affirming that funds from the County Coronavirus Relief Distribution Fund may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations before receiving said funds; and

**WHEREAS**, Berlin Township is requesting its share of funds from the Delaware County Coronavirus Relief Distribution Fund.

**NOW THEREFORE**, be it resolved that the Board of Trustees of Berlin Township affirms that all funds received from the Delaware County Coronavirus Relief Distribution Fund pursuant to HB 481 & HB 614 be expended **only** to cover costs of the Township consistent with the requirements of section 5001 of the CARES Act as described in 42 U.S.C. 601(d), and any applicable regulations and guidance only to cover expenses that:

- (1) Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);

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- (2) Were not accounted for in Berlin Township’s most recently approved budget as of March 27, 2020; and
- (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

**FURTHERMORE**, in compliance with HB 481 and HB 614, be it resolved by the Board of Trustees of Berlin Township that the Berlin Township Fiscal Officer take all necessary action to:

- (1) On or before November 20, 2020, pay any unencumbered balance of money in the Berlin Township’s local coronavirus relief fund to the Delaware County Treasurer;
- (2) Use money in Berlin Township’s local coronavirus relief fund for expenses incurred on or before December 30, 2020, and hold the fund open during the period beginning December 31, 2020, and February 1, 2021, only for account reconciliation and other similar purposes;
- (3) On or before February 1, 2021, pay the balance of any money in the Berlin Township’s local coronavirus relief fund to the state treasury in the manner prescribed by the Director of the Ohio Office of Budget and Management; and
- (4) Provide any information related to any payments received under HB 481 and HB 614 to the Director of the Ohio Office of Budget and Management as requested.

Adopted on:  
Bullard seconded the motion.

Voted on and signed this 12th day of October, 2020 in Berlin Township, Delaware County, Ohio.

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

\_\_\_\_\_  
Tom D’Amico  
Trustee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ken O’Brien  
Trustee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ron Bullard  
Trustee

\_\_\_\_\_  
Date

ATTEST:

\_\_\_\_\_  
Claudia Smith  
Berlin Township Fiscal Officer

\_\_\_\_\_  
Date

**RESOLUTION  
20-10-18**

**MOTION TO AUTHORIZE TRUSTEE D’AMICO TO APPROVE  
THE COUNTER OFFERS ON PARCEL #11, #14 AND #17  
WHICH ALL FALL IN THE RANGE THAT WAS PREVIOUSLY  
DISCUSSED BY THE TRUSTEES**

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

D’Amico stated that the project manager on the Piatt Road widening has sent status reports and including these parcels that will bring the number up to 17 out of 29 signed.

**RESOLUTION                    MOTION TO HAVE SIX MORE CHECKS WROTE FOR THE  
20-10-19                    RIGHT-OF-WAYS ON PIATT ROAD TOTALING \$38,913**

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

Bullard stated that he will have Rippel put on the website that trick-or-treat will be October 31<sup>st</sup>, 2020 from 6:00 P.M.-8:00 P.M. He will also have the health department recommendations added.

Bullard stated that he and Ballard sent an email about a road agreement to the city of Sunbury to have a discussion about the annexation and have not heard back from them.

D’Amico stated that he has reached out to Pony Landscaping for a quote on mowing Fairview Cemetery. D’Amico also stated that there are two trucks sitting in Fairview that are broken. D’Amico will talk with the prosecutor about how to proceed.

**RESOLUTION                    MOTION TO ADJOURN  
20-10-20**

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

Meeting adjourned by Chairman D’Amico at 8:08 P.M.

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Tom D’Amico, Trustee

ATTEST:

\_\_\_\_\_  
Ron Bullard, Trustee

\_\_\_\_\_  
Theresa Taylor, Assistant Fiscal Officer

\_\_\_\_\_  
Ken O’Brien, Trustee