

BERLIN TOWNSHIP TRUSTEES

6:00 p.m. Trustee Meeting May 10, 21

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

CALL TO ORDER: Ron Bullard, Trustee Chairman

PLEDGE OF ALLEGIANCE: Tom D’Amico led the Pledge of Allegiance

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

ATTENDANCE: Meghan Raehll, Scott Brown and Brandon Conley

**Approval of Minutes-
RESOLUTION 21-05-01 APPROVE THE 04/26/21 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

Motion: O’Brien
Second: D’Amico
Vote: O’Brien yes, D’Amico yes and Bullard yes
Discussion: To clarify, firefighter Robert Meadows will start full-time on May 18th, 2021.

Old Business –

Fairview Cemetery Updates, Fees & Rules- Smith stated that the rules and the deed need to be updated for Fairview Cemetery. D’Amico will work with Foor and fine tune the rules. Bullard asked D’Amico to write an article about Fairview for the newsletter.

Piatt Road Updates- D’Amico stated that 2 out of the 32 plots will need to be appropriated for, due to there being no response from one and a title issue with the other. After speaking with Riedel, D’Amico said the bond from the Temple is in place until August 2022 and the agreement states that they will need to pay on or before January 1, 2021 or at the time of the completion of Piatt Road. The township is still waiting on the final approval for the OPWC grant. Bullard stated that he received a letter from Rob Platte asking him to be on the OPWC board but would also need another trustee to serve as an alternate.

RESOLUTION 21-05-02 MOTION TO VOTE AND APPROVE TRUSTEE BULLARD AS AN OPWC BOARD REPRESENTATIVE AND TRUSTEE O’BRIEN AS AN ALTERNATE

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

JEDD- O’Brien will ask for an update status because he has not heard anything from them.

Fire Chief Hiring- Smith said she has received three applications for the fire chief position. McDowell will collect all the applications on May 21, 2021. Bullard would like to see a new fire chief who is interested in researching ways to get more grant money.

Fire Hydrant Installation Policy- Pichert is working on the policy.

Employee Handbook & Job Descriptions- Due to availability, Riepenhoff is still working on the handbook and the job descriptions.

Trails and Recreation Committee- O’Brien stated that he had a concern regarding the president of the committee being named in November but reappointment is not until December 31. Bullard said that it states that the minutes need to given to the township administrator, but since Berlin does not have one at this time it will need to be given to the Fiscal Officer who will then give them to the trustees. O’Brien asked if someone could be a township employee or on the zoning commission board and be on the committee at the same time. Bullard stated that a township liaison can be at the meetings but they will not have voting rights within the committee.

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RESOLUTION 21-05-03 MOTION TO PROPOSE AND CREATE A TRAILS AND RECREATION ADVISORY COMMITTEE, THE BERLIN TOWNSHIP BOARD OF TRUSTEES MET IN OPEN SESSION ON MAY 10TH, 2021 WITH ALL THREE TRUSTEE MEMBERS PRESENT AND MOVE FOR ADOPTION, WITHOUT OBJECTION AND THROUGH UNANIMOUS CONSENT THERE WILL BE A SUNSET CLAUSE OF DECEMBER 31, 2025 ADDED

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

DATE: MAY 10, 2021

RESOLUTION NO. 21-05-03

RESOLUTION CREATING A PARKS & TRAILS ADVISORY COMMITTEE

The Board of Trustees of Berlin Township, Delaware County, Ohio (“Board”) met in regular session on May 10, 2021 with the following members present:

Ron Bullard

Ken O’Brien

Tom D’Amico

Ron Bullard Moved the adoption of the following Resolution:

PREAMBLE

WHEREAS, _____

RESOLUTION

NOW, THEREFORE, BE IT RESOLVED:

1. There is hereby created a Parks & Trails Advisory Committee. The Committee’s charter shall be as follows:

“Article I: Purpose of Committee. The Committee shall act as an advisory body to the Trustees regarding matters concerning the development, planning and use of the parks, trails and recreational areas located within, and owned by, the Township. Service on the Committee shall be voluntary and unpaid.

Article II: Authority of Committee. The Committee shall have no independent authority to act on behalf of the Township. However, upon a duly passed resolution, the Trustees may provide limited authority and discretion to Members of the Committee from time-to-time to act on behalf of the Committee and the Township. The limited scope of such authority may include the filing of grants on behalf of the Township or such limited authority as the Trustees duly grant by resolution in their sole discretion.

Article III: Functions of Committee. The Committee shall function as an advisory body to the Trustees focusing on the development of the parks and their infrastructure and the promotion of public use of the parks and trails by residents of the Township and others.

Article IV: Membership of Committee. (a) The Committee shall consist of a minimum of five (5) with a maximum of eleven (11) Members, each of whom must be a resident of the Township. The Board of Trustees shall also appoint one employee of the Township or a Member of the Board of Trustees to serve as the Liaison between the Committee and the Trustees.

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(b) A person desiring to become a Member of the Committee must be at least eighteen (18) years old and shall submit a letter of interest and resume to the Committee for review. Upon review of such information, the Committee shall make a recommendation to the Trustees regarding the appointment of such person as a Member of the Committee. The Trustees, in their sole discretion, shall decide whether a person is appointed as a Member of the Committee.

(c) Once appointed to the Committee, a person shall serve on the Committee until the earlier of the following:

- 1) The Member is no longer a resident of the Township;
- 2) The Member resigns;
- 3) The Trustees remove the Member from the Committee; or,
- 4) The expiration of the Member's current Term.

Article V: Class of Members; Term of Members; Attendance. The Members shall be divided into two classes. Each class shall contain at least two (2), but no more than six (6) Members and have a two-year Term. The Term of each class shall be staggered such that only one class of Members shall have their Term expire in any given year. Terms will end on December 31st. The Secretary shall be responsible for maintaining the roster of Members, the class of each member, and the expiration of each member's Term. If the Member is appointed to the Committee in the middle of the Term for his or her respective class, the Member shall initially serve the remainder of the Term applicable to such class. There is no limit to the number of Terms which a Member may serve. Members must attend two-thirds ($\frac{2}{3}$) of the regularly scheduled meetings to remain a Member in good standing; otherwise they will be reviewed by the Officers of Committee for recommendation of discipline, up to and including removal of the individual from the Committee. The Trustees, in their sole discretion, shall make the final disciplinary decision.

Article VI: Officers of Committee; Liaison. The Committee shall elect one of its Members to the offices of President, Vice President, and Secretary. The election shall occur in either November or December of each calendar year with such elected Member to take office in January of the following calendar year. If an officer resigns as a Member of the Committee during the calendar year, the Committee shall elect another Member to fill that office for the remainder of that calendar year. The Trustees shall appoint a Liaison to the Committee.

(a) President – The President shall be responsible for presiding over meetings of the Committee and coordinating the activities of the Committee. The President shall be responsible for reporting to the Trustees on the activities of the Committee and conveying to the Trustees the advice and position of the Committee regarding matters concerning the parks of the Township.

(b) Vice President – The Vice President shall be responsible for assuming the President's activities and duties in the event the President is unable to fulfill such activities and duties.

(c) Secretary – The Secretary shall be responsible for maintaining accurate minutes of all meetings of the Committee and filing such minutes with the Township Fiscal Officer and maintaining a current and active roster of Members.

(d) Liaison – The Liaison shall be an employee of the Township, or a member of the Board of Trustees, appointed by the Trustees to coordinate Township activities with the Committee and to provide a channel of communication between the Committee and the Trustees. The Liaison does not have voting rights.

Article VII: Subcommittees; Subcommittee Meetings. The Committee may create subcommittees as needed to further the purposes of the Committee. A subcommittee may hold meetings independent and separate from the meetings of the Committee. While any such subcommittee shall keep the Committee informed of its actions and shall consult the Committee before major decisions, a subcommittee shall operate independent of the oversight of the Committee.

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Article VIII: Committee Meetings. The Committee shall meet once a month for at least ten (10) months of the year.”

- 2. This Board finds and determines that all formal actions of this Board concerning and related to the passage of this Resolution were taken in an open meeting of this Board, and that all deliberations of this Board that resulted in formal actions were taken in meetings open to the public, in compliance with all legal requirements, including but not limited to, §121.22 of the Ohio Revised Code, except as otherwise permitted thereby.
- 3. This Resolution shall take effect and be in force immediately upon passage.

Article VIII: This resolution expires on December 31, 2025

Voted on and signed this 10th day of May 2021 in Berlin Township, Delaware County, Ohio.

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

Ronald Bullard
Trustee

Ken O’Brien
Trustee

E _____
Tom D’Amico
Trustee

Attest:

Claudia Smith
Berlin Township Fiscal Officer

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

Storage Building- Bullard stated that if the building will be more than \$50,000 an architect will be needed, per a conversation with Bullard. Bullard will continue working on finding an architect.

Zoning Hearing Policy- Bullard stated that he has made some recommendations to Ballard about what certain things mean in regard to the timing of zoning hearings. Ballard is working on the policy.

Street Trees Oldefield Estates- Ballard is going to see what was approved in the zoning plans for trees in Oldefield Estates.

Fiscal Officer Items-

April Bank Statement and Electronic Payments- The April bank statements and electronic payments balanced.

Liquor Permit Renewals- Smith stated that she had received a letter from the Ohio Department of Commerce, stating that the liquor permits in the township are up for renewal and asked if the trustees had any problems with them. If not, did they have any objections to them being renewed. None of the trustees had any objections.

RESOLUTION 21-05-04 MOTION TO NOT OBJECT TO ANY LIQUOR LICENSE RENEWALS OF JUNE 2, 2021 SINCE THERE ARE NO BASES FOR ANY OBJECTIONS

Motion: O’Brien

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

Cemetery-

Appreciation Letter- Below are appreciation letters from two Berlin Township residents:

Good Morning!

I just wanted to take a moment to express my appreciation to those who are taking care of the Cheshire Cemetery. It is really something to behold, especially in the Spring and Fall.

In the past, with my Husband's family buried there, we would visit mostly during special Holidays and I have to admit I did not pay particular attention to its beauty. Now that my Mother is also included in the Cemetery, I at least drive through every day on my way to my Dad's house. He visits her grave every morning.

I say this because, due to the pandemic, Dad and I have made several trips to southern Ohio to visit my Great Great Grandparents/Great Grandparents/Grandparents and all of their siblings' graves which includes three different Cemeteries. The difference between those three Cemeteries and Cheshire Cemetery is like night and day, unbelievably so. I also catch myself comparing other local Cemeteries to Cheshire.

I just want to tell you how important it is to me that such great care and pride goes into the upkeep of where mom, and eventually Dad, along with me and my husband will eventually rest. If those that care for the cemetery ever wonder if what they are doing makes a difference, I can tell you that for my family it most certainly does; and, also for others in the community that I talk to.

Job well done!!!! and many thanks to all those that work so hard to make it beautiful... I will say though, that the pics on the website do not really provide justice to the beauty of the grounds.

Blessings, Teri Sherman

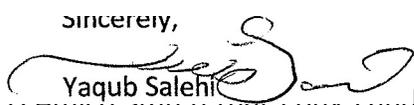
Dear Mr. Foor,

I am writing to you about the Fairview Cemetery, where my family owns Lots No. 11-B, graves 1-4 and 11-1), graves 3 and 4 in the Islamic Garden section. See Deed number 3274, purchased April 15, 1995.

Yesterday I stopped by the cemetery and observed a lot of improvements underway, especially the new gravel on the cemetery road. Some of the overgrown bushes had been removed. I was so impressed and happy to see these improvements. I stopped to thank the township workers for their good job. I saw that the overgrown bushes in the southwest corner of the Islamic Garden section near the road were cut down, but the roots remained. They likely will grow back soon. I would be very happy if the township staff could remove the roots of these unwanted bushes.

Also, the road looks ready for asphalt surfacing, which will be a great improvement and extend the life of the road for years to come.

I would be happy to contribute towards these improvements.
Please let me know how I can contribute.
Once again, my thanks to the township workers for their good work.

Sincerely,

Yaqub Salehi

Yaqub Salehi stated that City Landscaping is treating Fairview Cemetery for bagworms.

**Fire Department-
Fire Fighter Raise-
RESOLUTION**

MOTION UPON THE RECOMMENDATION FROM ASSISTANT

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21-05-05 FIRE CHIEF PICHERT, TO MOVE MICAH SWANSON FROM A STEP 2 TO A STEP 3 FIREFIGHTER, EFFECTIVE MAY 16, 2021 WITH A RATE OF \$17.40/HOUR

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

O'Brien asked the other trustees if they would like him to pursue adding the fire levy to the ballot because if it is done before the expiration date, there would be no cost to the township to add it as opposed to waiting to when the expiration term date ended. Bullard and D'Amico agreed that it should be pursued.

**Road Department-
2021 Road Improvement Program-**

**RESOLUTION MOTION TO ACCEPT THE BID OF \$17,921.01 TO THE
21-05-06 SHELLY COMPANY FOR THE 2021 ROAD IMPROVEMENT
PROGRAM**

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

Summerwood Road Conditions- Bullard stated that one of the ditches has been collecting water in it and there has been some run off into the road. Irwin told him that they had put some swells in to drain it but the homeowner had filled them in. Bullard is going to talk with the homeowner about it.

Bullard stated that he contacted the resident that had inquired about the township possibly replacing their mailbox. He conveyed that the township would not be able to replace it and suggested that the new mailbox be placed further back from the road.

Trustee Items-

Community Against Hate Event- Due to the trustees, fiscal officer and assistant fiscal officer having other commitments, none will be able to attend the Community Against Hate Event being held on May 15, 2021. Bullard will send an email with regrets.

US 23 Connect Study- Bullard agreed to attend the US 23 Connector Study but does want it put on record that although he will attend, it does not mean that the township is in anyway in agreement or disagreement with the discussions at this time.

**RESOLUTION MOTION TO APPOINT TRUSTEE BULLARD TO THE US 23
21-05-07 CORRIDOR STUDY AS THE BERLIN TOWNSHIP
REPRESENTATIVE**

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

Zoning Department-

April Zoning Report- There were 27 building permits issued in April. The YTD is 100.

BZA Alternate- D'Amico stated that his thoughts were to ask the applicant for the BZA alternate, if she would possibly consider becoming a BZC alternate since there are two BZC members resigning. Smith said she had spoke with her and explained the situation and that she said she would consider it and wait to hear back from someone. D'Amico will contact her. Bullard suggested we put an advertisement on the website with the openings available and hopefully then get more applications to be able to fill more positions.

BZC Resignation-

**RESOLUTION MOTION TO ACCEPT RESIGNATION FROM MICHAEL BARDASH
21-05-08 FROM THE ZONING COMMISSION, WITH REGRET AND THANK
HIM FOR HIS SERVICE**

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

Public Comment- There were no public comments.

Future Meetings-
05/24/21 Trustee Meeting
06/14/21 Trustee Meeting

Late Items- The trustees discussed an inquiry on outside soccer fields with no restrooms possibly being placed on Piatt Road between Glenmead Drive and Preston Fields Road. Due to the lack of information, the fact that the area is considered green space and that the area is deemed FR1, O’Brien suggested that D’Amico discuss their concerns with Ballard and then have him relay his thoughts to the BZA. D’Amico will also CC the zoning office with the trustees’ concerns.

Bullard stated that the WIFI/Internet are now working at the Township Hall.

Bullard stated that we had approved the purchase of a snow plow, but since it was past the 30-day guarantee, the price increased approximately \$700-\$800. Smith stated that the quote was received on March 1, 2021 but it was not given to her/trustees until April 20, 2021.

RESOLUTION 21-05-09 MOTION TO REPEAL PURCHASE ORDER #40-2021/RESOLUTION 21-04-24, AND REPLACE IT WITH A MOTION TO APPROPRIATE UP TO \$13,000 TO THE DEXTER COMPANY FOR THE REPLACEMENT OF THE SNOW PLOW ON THE OLD INTERNATIONAL TRUCK

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

The trustees had a discussion on when to open the townhall back up for meetings and rentals. O’Brien suggested the first meeting in October to allow more people to get vaccinated. D’Amico feels we should get some guidance from the Delaware County Health Department.

RESOLUTION 21-05-10 MOTION TO RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(1) TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE- THREE TRUSTEES, FISCAL OFFICER, ASSISTANT FISCAL OFFICER TO ATTEND- 7:46 P.M.

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

RESOLUTION 21-05-11 MOTION TO RETURN TO REGULAR SESSION- 7:56 P.M.

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

Bullard “We met in executive session and no decisions were made and no actions were taken”.

Smith stated that the trustees need to be trained on the payroll system through HR Butler so that they are able to approve employee’s timesheets and leave requests. Smith will ask if May 20, 2021 is available.

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**Adjourn-
RESOLUTION
21-05-12**

MOTION TO ADJOURN

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

Meeting adjourned by Chairman Bullard at 8:18 p.m.

Ron Bullard, Trustee

ATTEST:

Ken O'Brien, Trustee

Theresa Taylor, Assistant Fiscal Officer

Tom D'Amico, Trustee