

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m.**

**Trustee Meeting**

**September 13,**

**21**

**HELD AT:** This meeting was held at 3271 Cheshire Road, Delaware, OH

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

**PLEDGE OF ALLEGIANCE:** Ron Bullard 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, Frank Hennebert, Joe Pichert, Dyann McDowell and Chris Paykoff

**Approval of Minutes-  
RESOLUTION 21-09-01 APPROVE THE 08/09/21 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

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

**Old Business-**

**Computer-** Bullard introduced Frank Hennebert, who was asked to look at the townships and the fire house's computer system and help fill out a report that needed to be sent to OTARMA regarding cybersecurity. Hennebert explained that after his review, he found that the anti-virus software on the computers were either expired, mismatched or there were none. He also feels all the computers need to have an automated backup done nightly. He suggested that Office 365 needs to be put on all computers, a multi-factor authentication to login as well as the Sophos anti-virus software downloaded. Bullard asked Hennebert for a proposal and an estimate with everything that he feels needs to be done to make the computers safe and to be able to send OTARMA a positive report. Hennebert will work on it.

**RESOLUTION 21-09-02 MOTION TO AUTHORIZE TRUSTEE BULLARD TO WORK WITH FRANK HENNEBERT AND THE PROSECUTOR'S OFFICE FOR THE APPROVAL OF SOFTWARE UPGRADES THAT ARE DEEMED NECESSARY TO MEET THE REQUIREMENTS OF OTARMA, AND APPROVE UP TO \$5,000 TO BE USED AS A SUPERBLANKET TO COMPLETE ALL THAT IS NECESSARY TO MAKE IT HAPPEN**

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

**Fire Chief Hiring-  
RESOLUTION 21-09-03**

**MOTION TO RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(1)(8) TO CONSIDER THE APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE AND TO CONSIDER CONFIDENTIAL INFORMATION RELATED TO THE MARKETING PLANS, SPECIFIC BUSINESS STRATEGY, PRODUCTION TECHNIQUES, TRADE SECRETS, OR PERSONAL FINANCIAL STATEMENTS OF AN APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE-THREE TRUSTEES, FISCAL OFFICER, ASSISTANT FISCAL OFFICER, DYANN MCDOWELL AND MEGHAN RAEHLL TO ATTEND- 6:48 P.M.**

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

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**RESOLUTION                    MOTION TO RETURN TO REGULAR SESSION- 8:50 P.M.  
21-09-04**

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

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

**RESOLUTION                    MOTION TO AUTHORIZE TRUSTEE O'BRIEN TO MAKE A  
21-09-05                            CONTINGENT OFFER FOR A FIRE CHIEF HIRING**

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

**RESOLUTION                    MOTION TO APPROVE A PAY RAISE TO ASSISTANT FIRE CHIEF  
21-09-06                            PICHERT TO \$20/HOUR, EFFECTIVE SEPTEMBER 5, 2021**

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

**Disaster Plan-** Bullard stated that this is being worked on with Frank Hennebert.

**Driveway Permit List-** O'Brien stated that with things getting busier in the township, he would like this to be put on the agenda for the second meeting in October.

**JEDD-** This was discussed in executive session. It will be moved to the continuation of tonight's meeting, which will be held on Wednesday September 15, 2021.

**Cemetery Work Added to Road Workers Job Description-** Bullard would like to get a set of procedures put in place, specifically the placement of grave markers and the digging of graves. He would like this to happen before the cemetery work is added to the road workers job description, to help clarify what will be expected of the road workers and the cemetery sexton. He will work on it and bring it back to the board.

**American Rescue Plan-** O'Brien completed the application and it was approved. O'Brien suggested we negotiate with the county and give them half of the money and ask them to help the township with the new sewer system that needs to be put in. The other half could possibly be used on the storm water covers that need to be replaced. The total amount is \$800,000 with the funds being obligated by December 31, 2024 and spent by December 31, 2026.

**Fairview: Storage & Mowing-** D'Amico stated that he received a quote for a sea container, which was \$3,500. He stated that if the cemetery sexton is going to have limited involvement, then it may be just as easy for the road department to transfer over what they need to work on the cemetery. Bullard suggested that the vehicles that were left at the cemetery, when it was turned over to the township, could possibly be sold on Gov.deals. As for the mowing, D'Amico stated that he misunderstood Foor about him volunteering his services to mow Fairview, he was not.

**Fiscal Officer Items-**

**August Bank Statement and Electronic Payments-** The August bank statement and electronic payments balanced.

**Official Certificate of Estimated Resource & Tax Rates 2022-**

**RESOLUTION                    APPROVE 2022 OFFICIAL CERTIFICATE OF ESTIMATED  
21-09-07                            RESOURCES AND ACCEPT 2022 TAX RATES AS APPROVED BY  
THE DELAWARE COUNTY BUDGET COMMISSION-INSIDE  
MILLAGE @2.10 AND OUTSIDE MILLAGE @5.93 FIRE LEVY**

Motion:            O'Brien

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

Smith asked that a resolution be made for her to transfer the remaining amount of the COVID funds to the fire departments payroll.

**RESOLUTION 21-09-08 MOTION TO REIMBURSE \$31,515.81, THE REMAINING AMOUNT OF COVID FUNDS TO THE FIRE FUND FOR THE FIRE DEPARTMENT PAYROLL**

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

**Cemetery-** D'Amico would like to note appreciation to Larry Buell for his help at Fairview this past weekend. Bullard will contact Ballard on what the township can do with the abandoned vehicles left at Fairview.

**Fire Department-** Pichert stated that the full-time and part-time positions were posted and there were around 15 full-time applications and 5 part-time applications, they are beginning the process of going through them. Pichert stated that the 2003 F150 will need to be replaced and the useable equipment will be transferred onto the new one. The open house will be October 24, 2021, from 1-3.

**Road Department-**

**Request for Engineering Assistance-** Bullard explained that there is no walkway or crosswalk between Berlin High School and Preston Fields, which the county engineer stated that there needs to be one. O'Brien stated that he feels whoever asked for it should be the one to pay for it. O'Brien suggested they see if Olentangy can build the sidewalk up to Piatt Road, which will get them to the crosswalk safely and then the township could do the same on the Preston Fields side. Bullard will talk with Rob Riley about it.

**Snowplow Drivers-** Bullard will speak to Irwin about it.

**Trustee Items-**

**Mowing Contract-** Bullard suggested they bid the mowing contract again because the subcontractors for Pony Landscaping would like to put a bid in. D'Amico will get more information from the subcontractors.

**Miscellaneous-** There is a Route 23 study group meeting on September 29 at 9:00 a.m. Raehll will attend.

Bullard stated that Roger Glen called him about the apartment complex on the west side of Glen Road. He said that it has messed up the drainage system and has flooded his yard. A stop order has been issued until the situation is fixed.

Bullard stated that a resident had reached out to him about speeding on Curve Road. She would like to see the speed limit reduced. O'Brien stated that since the speed has already been reduced to 50mph, they will not reduce it again, but that the 50mph needs to be enforced.

**Zoning Department-**

**June Zoning Report-** There were 15 building permits issued in July. The YTD is 142.

**Public Comment-** Chris Paykoff stated that the road department is very proud of the roads in the township.

**Future Meetings-**

- 09/27/21 Trustee Meeting**
- 10/12/21 Trustee Meeting**
- 10/26/21 Trustee Meeting**

**Late Items-** Bullard explained a call that he received about burying a body in the same plot as cremains are located, in Fairview Cemetery. D'Amico stated per the cemetery rules, that it would not be allowed.

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**6:00 p.m. Trustee Meeting September 13, 21**

D’Amico stated that Chris Acker sent a letter regarding noxious weeds on the empty lot by his house. Bullard explained that the three trustees need to look at the lot and decide if it is an overgrown lot. O’Brien stated that he did not think it was to that point yet.

**RESOLUTION 21-09-09 MOTION TO SUSPEND AND CONTINUE THE MEETING TO SEPTEMBER 16<sup>TH</sup>, 2021 AT 5:00 P.M.**

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

Meeting suspended by Chairman Bullard at 10:13 p.m.

**\*\*\*\*5:00 p.m. Continuation of Trustee Meeting September 15, 21\*\*\*\***

Chairman Bullard called the continuation of the September 13,2021 meeting to order at 5:00 p.m.

**RESOLUTION 21-09-10 MOTION TO RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(8) TO CONSIDER CONFIDENTIAL INFORMATION RELATED TO THE MARKETING PLANS, SPECIFIC BUSINESS STRATEGY, PRODUCTION TECHNIQUES, TRADE SECRETS, OR PERSONAL FINANCIAL STATEMENTS OF AN APPLICANT FOR ECONOMIC DEVELOPMENT ASSISTANCE- THREE TRUSTEES, FISCAL OFFICER, ASSISTANT FISCAL OFFICER TO ATTEND AND SHAWN MCCARTER AND JOHN ALBERS TO ATTEND VIA ZOOM- 5:08 P.M.**

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

**RESOLUTION 21-09-11 MOTION TO RETURN TO REGULAR SESSION- 6:00 P.M.**

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

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

Bullard discussed a draft of the Fairview Cemetery Processes he had written, to include the cemetery sexton’s responsibilities and the road superintendent’s responsibilities. Bullard will finalize the procedures for the next trustee meeting.

The trustees reviewed and discussed the Road Superintendent’s job description that Bullard had sent to them.

**RESOLUTION 21-09-12 MOTION TO ADOPT THE RESOLUTION ADOPTING REVISED TOWNSHIP JOB DESCRIPTION FOR ROAD SUPERINTENDENT**

**RESOLUTION NO. 21-09-12**

**RESOLUTION ADOPTING REVISED TOWNSHIP JOB DESCRIPTION FOR ROAD SUPERINTENDENT**

WHEREAS, Berlin Township has implemented Employee Job Descriptions, which from time-to-time are updated or amended; and

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**WHEREAS**, It is necessary to periodically update these Job Descriptions;

**WHEREAS**, The Board finds it necessary and appropriate to revise the job description for the Township’s Road Superintendent at this time to more clearly reflect job objectives, qualifications, essential job functions, knowledge, skills & abilities and working environment and conditions;

**RESOLUTION**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Berlin Township, Delaware County, Ohio (the “Board”) that the Road Superintendent Job Description, attached hereto, is hereby approved and adopted effective **September 13, 2021**. This Job Description will replace the description in effect for this position prior to the adoption of this Resolution.

**BE IT FURTHER RESOLVED**, each Township Employee holding the position of Road Superintendent will be provided this Job Description and be required to abide by it and sign acknowledging receipt of the same. Each signed Acknowledgement will be provided to the Fiscal Officer for inclusion into each respective employee’s personnel file.

**BE IT FURTHER RESOLVED** that this action and all deliberations upon this matter were conducted and taken in open meetings in compliance with Ohio Revised Code Section 121.22.

This **Resolution** shall take effect and be in force from the date of its adoption.

O’Brien made the Motion

D’Amico seconded the Motion

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

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

**RESOLUTION  
21-09-13**

**MOTION WHEREAS IRWIN HAS BEEN REFERRED TO AS BOTH ROAD SUPERVISOR AND ROAD SUPERINTENDENT IN THE PAST, FOR CLARIFICATION THEREFORE NOW BE IT RESOLVED THAT THE TOWNSHIP TRUSTEES WILL REFER TO IRWIN AS THE ROAD SUPERINTENDENT OF BERLIN TOWNSHIP**

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

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Bullard addressed items that were discussed at the September 13, 2021, trustee meeting. He suggested using the F150 that the fire department is replacing for the zoning inspector's vehicle so that mileage would not have to be paid. Both trustees agreed that it would be a good idea.

Bullard stated that he feels the non-CDL snowplow drivers pay rate needs to be closer to those that have a CDL. As of now, the non-CDL drivers make \$8.00/hour less than those with a CDL. He recommended that there only be \$1.00/hour difference. O'Brien stated that he would be ok with it for the existing employees but not for any new hires.

**RESOLUTION                    MOTION TO APPROVE PAYING NON-CDL SNOWPLOW DRIVERS  
21-09-14                    THE RATE OF \$22.42/HOUR, AND THOSE THAT DO HAVE A CDL  
                                         THE RATE OF \$23.42/HOUR FOR CURRENT EMPLOYEES**

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

**RESOLUTION                    MOTION TO ADJOURN  
21-09-15**

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

Meeting adjourned by Chairman Bullard at 6:45 p.m.

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Ron Bullard, Trustee

ATTEST:

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Ken O'Brien, Trustee

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

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Tom D'Amico, Trustee