

BERLIN TOWNSHIP TRUSTEES

5:30 p.m. Trustee Meeting March 27, 2023

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

CALL TO ORDER: Meghan Raehll, Trustee Chairman

PLEDGE OF ALLEGIANCE: Meghan Raehll led the Pledge of Allegiance

ROLL CALL: Meghan Raehll, Ken O'Brien, Ron Bullard (Arrived at 5:41 P.M.), Claudia Smith Fiscal Officer (Absent), and Theresa Taylor, Fiscal Officer Assistant

ATTENDANCE: Chris Rinehart, Chief Miller, Jeffrey Wilcheck, Pat Kasson, Brandon Abshier, RJ Sabatino and Chris Paykoff

PUBLIC COMMENT: Now is the time for public comment and this period for public comment is unrelated to the hearing at 7:00pm where the public will have the opportunity to provide comments specific to the development in question.

Those who wish to provide comment outside of that hearing may come to the lectern, and provide your first name, last name, and address. Commentators will have 4 minutes each. Please note the board does not directly respond to comments or inquiries but topics may come up in the public meeting context and questions from residents can always be directed to the appropriate person or liaison outside of the public meetings.

RESOLUTION 23-03-17 APPROVE THE 03/13/23 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING WITH REVISION PROVIDED BY TRUSTEE RAEHLL

Now is the time for public comment and this period for public comment is unrelated to the hearing at 7:00pm where the public will have the opportunity to provide comments specific to the development in question.

Those who wish to provide comment outside of that hearing may come to the lectern, and provide your first name, last name, and address. Commentators will have 4 minutes each. Please note the board does not directly respond to comments or inquiries but topics may come up in the public meeting context and questions from residents can always be directed to the appropriate person or liaison outside of the public meetings.

Motion: Raehll
Second: O'Brien
Vote: O'Brien yes and Raehll yes

Fire Department-

Requisitions-Chief Miller showed the trustees a picture of what the chief's vehicle would look like with the wrapping and graphics including reflective material that meets the townships standards and the logo. He said it is not permanent and could easily be changed if wanted. Raehll asked if the light blue color could be changed to the kelly green color that is the townships branding color. Chief Miller was amendable to this and will have the light blue color changed to kelly green along with keeping the royal blue as the other color.

***Bullard arrived at the meeting at 5:41 P.M.*

RESOLUTION 23-03-18 MOTION TO APPROVE REQUISITION 2023-10 TO COLUMBUS SEDWICK FOR THE WRAPPING AND GRAPHICS INCLUDING REFLECTIVE MATERIAL AND THE TOWNSHIPS LOGO TO THE CHIEFS' VEHICLE, IN THE AMOUNT UP TO \$2,514

Motion: O'Brien
Second: Raehll
Vote: O'Brien yes, Raehll yes and Bullard yes

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Personnel Matters-

RESOLUTION 23-03-19 RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(1) TO CONSIDER APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE OR OFFICIAL OR THE INVESTIGATION OF CHARGES OR COMPLAINTS AGAINST A PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL, UNLESS THE PUBLIC EMPLOYEE, OFFICIAL, LICENSEE, OR REGULATED INDIVIDUAL REQUEST A PUBLIC HEARING – THREE TRUSTEES, THE FISCAL OFFICER ASSISTANT AND CHIEF MILLER TO ATTEND – 5:45 P.M.

Motion: Raehll
Second: O'Brien
Vote: Raehll yes, Bullard yes and O'Brien yes

RESOLUTION 23-03-20 MOTION TO RETURN TO REGULAR SESSION- 6:08 P.M.

Motion: Bullard
Second: Raehll
Vote: Raehll yes, Bullard yes and O'Brien yes

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

*******6:00 P.M. TIME CERTAIN TOWERCO UPDATE*******

RESOLUTION 23-03-21 RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(3) TO CONFERENCE WITH AN ATTORNEY FOR THE PUBLIC BODY CONCERNING DISPUTES INVOLVING THE PUBLIC BODY THAT ARE THE SUBJECT OF PENDING OR IMMINENT COURT ACTION -THREE TRUSTEES, FISCAL OFFICER ASSISTANT, CHRIS RINEHART, BRANDON ABSHIER AND PAT KASSON TO ATTEND – 6:10 P.M.

Motion: Raehll
Second: O'Brien
Vote: Bullard yes, O'Brien yes and Raehll yes

RESOLUTION 23-03-22 MOTION TO RETURN TO REGULAR SESSION- 7:23 P.M.

Motion: Raehll
Second: O'Brien
Vote: Bullard yes, O'Brien yes and Raehll yes

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

Raehll stated that it came to their attention that we have a time listed as 6:00 p.m. as the start time for the trustee meeting on one of the spots on the website. Without objection by the board, she wants to provide an opportunity for public comment for those who were unaware of the earlier start time for our trustee meetings. Same rules apply as before for public comment.

Public Comment cont'd-

RJ Sabatino from T & R Properties stated they hopes with the trustees blessing that they can soon begin working on the BIO. He said there will be an industrial portion and a multi-family portion and since the zoning code does not allow for mixed-use, they have proceeded with two different applications for each portion. As it relates to the industrial portion, they believe that they are in compliance and following the entire BIO overlay, however the plan

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was turned down unanimously by the planning commission. For the multi-family, they are following the PRD w/TPUD Overlay and have heard all of the planning commissions initial concerns so they tabled the first planning commissions hearing to remedy all their issues. Recently, that meeting was had and again the plan was unanimously turned down. He asked for any advice from the trustees. Raehll said that it is not generally the boards activity to engage and go back and forth during public comment. She said that we have received the book for the BIO and plan to set that hearing date.

Without objection, Raehll would like to skip down to the Zoning Department and schedule the said hearing date, time and place certain.

Recess at 7:28 p.m. Returned at 7:32 p.m.

Zoning Department-

Schedule Hearing for T & R Properties BBP 23-001-

RESOLUTION 23-03-23 MOTION TO ACCEPT ALL THE PROVIDED DOCUMENTS AND EXHIBITS FOR BBP 23-001 INDUSTRIAL WAREHOUSING, WITHIN THE VERSION OF THE BINDER PROVIDED ON MARCH 27, 2023

Motion: Raehll
Second: Bullard
Vote: O'Brien yes, Raehll yes and Bullard yes

RESOLUTION 23-03-24 MOTION TO SCHEDULE HEARING FOR T&R PROPERTIES, BBP 23-001 INDUSTRIAL WAREHOUSING, FOR DATE AND TIME CERTAIN FOR APRIL 10, 2023, AT 7:00 P.M. AT 3271 CHESHIRE ROAD

Motion: Raehll
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes

****7:00 P.M. TIME CERTAIN BZC 22-003 BERLIN TWP COMPREHENSIVE LAND USE***

Raehll called the BZC 22-003 hearing to order at 7:35 p.m. She has provided a copy of the new draft to both trustee Bullard and O'Brien. Scott Sanders said that he had made all the changes to his knowledge. She is going to review it to make certain that both versions match. The major change that he did find was that having the county information included with the township information was too much and unnecessary so he extracted all the county information, and they are going to keep their own evergreen county document that can be used as a reference. Raehll thinks that from a procedural standpoint they need to reject the original zoning commissions version and have them reinitiate the process with the edits and then they can review it and then they can re-recommend the edited version. O'Brien suggested that instead of that we could initiate the process and give them our version to work off of. Raehll is going to speak with the zoning chair to see what their preference would be.

RESOLUTION 23-03-25 MOTION TO RECESS AND CONTINUE BZC 22-003 TO APRIL 10, 2023 AT 6:00 P.M. AT 3271 CHESHIRE ROAD

Motion: Raehll
Second: O'Brien
Vote: Raehll yes, Bullard yes and O'Brien yes

Fire Department Cont'd-

Fire Fighter Status-

RESOLUTION 23-03-26 MOTION TO ACCEPT TYLER BAGLEY'S RESIGNATION FROM HIS FULL-TIME POSITION AND RETAIN HIM AS A PART-TIME FIREFIGHTER AT THE RATE OF \$16.10/HOUR FOR THE REMAINDER OF HIS PROBATIONARY PERIOD, EFFECTIVE

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MARCH 30, 2023 UPON THE RECOMMENDATION OF THE FIRE CHIEF

Motion: O'Brien
Second: Raehll
Vote: Raehll yes, Bullard yes and O'Brien yes

RESOLUTION 23-03-27 MOTION TO HIRE JEREMY MOSS AS A FULL-TIME ROVER FIREFIGHTER, EFFECTIVE APRIL 11, 2023, AT THE RATE OF \$16.43/HOUR, WITH HIS PROBATIONARY PERIOD OF ONE YEAR TO BEGIN ON HIS EFFECTIVE HIRE DATE, UPON THE RECOMMENDATION OF THE FIRE CHIEF

Motion: O'Brien
Second: Raehll
Vote: Bullard yes, O'Brien yes and Raehll yes
Discussion: O'Brien asked if the one-year probationary period fit with the collective bargaining. Upon review, the probationary period does fit within the collective bargaining agreement.

RESOLUTION 23-03-28 MOTION THAT ACTING CAPTAIN SHAW BE RETURNED TO FIREFIGHTER STATUS WITH FIREFIGHTER STEP 4 PAY AT THE RATE OF \$19.01/HOUR, EFFECTIVE MARCH 30, 2023 UPON THE RECOMMENDATION OF THE FIRE CHIEF

Motion: O'Brien
Second: Raehll
Vote: Bullard yes, O'Brien yes and Raehll yes

RESOLUTION 23-03-29 MOTION TO ELEVATE FIREFIGHTER ROBERT MEADOWS TO ACTING CAPTAIN STATUS WITH A PAY RATE OF STEP 1 CAPTAIN \$18.58/HOUR, EFFECTIVE MARCH 31, 2023 UPON THE RECOMMENDATION OF THE FIRE CHIEF

Motion: O'Brien
Second: Raehll
Vote: O'Brien yes, Raehll yes and Bullard yes

O'Brien asked that Fire Chief Miller extend the trustees gratitude to acting Captain Shaw for his service in that capacity.

Late Items-

O'Brien asked if the newsletter is ready to be sent out so that the residents can be informed about the easter egg hunt at the fire station in a timely manner. Bullard said that he has all of the articles but Rippel does not know how to format the newsletter into a document, so it is not ready. Raehll said that she reached out to her today and that Rippel was not in the office when she got there at 4:40 p.m. Two weeks ago, Rippel told Raehll that she is used to doing the newsletter in Publisher, so Raehll sent her a couple of articles on how to edit and has not heard back from her for anymore help. O'Brien said that if the newsletter doesn't get done, specifically the egg hunt information, it will be deemed useless. Bullard said that Rippel did advertise it on the website and the sign outside of the township hall. Raehll stated that this is unacceptable and that the newsletter needs to be done and get mailed out to the residents in whatever fashion she is able to do this, this time. Bullard will speak with her tomorrow. Raehll said that they may have to look at some change in roles if we can't have her engaging with software that is necessary to be able to make the kinds of things work that we need to work.

RESOLUTION 23-03-30 MOTION TO APPROPRIATE UP TO \$3,000 FOR POSTAGE, PRINTING AND THE DISTRIBUTION OF THE TOWNSHIPS NEWSLETTER

Motion: Bullard
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes
Discussion: Raehll sent Rippel an email telling her to plan on prioritizing the newsletter as her number one item for completion so that it can go out in the next day or two.

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Old Business-

Payment Software Updates- Iworq said that the road department would not be able to be added for free. Raehll hopes that once we have a contract it may be possible to add them on at a discounted price. She asked Bullard to speak with Peden about his thoughts on what he sees may be needed in the future for the road department. There will be a 3.5% fee to use/pay with a credit card. Bullard would like to completely remove cash as an option. O'Brien is opposed to being charged any kind of fee for payment. Raehll stated that she would like to give the option to residents to pay by card and to be transparent and clearly state that there would be a fee if they choose to use a credit card as their payment option. By doing this, the trustees would be maximizing individual personal freedoms to give them the choice to be able to engage however they want with the full transparency and knowledge that they will be charged an additional 3.5% if they choose to pay with a card. O'Brien said that he would be less opposed if it is made obvious, clear and transparent that there will be a fee charged to pay by card and that if they choose, they could pay by check with no extra fee being charged. The total fee for the program would be \$14,200 for the first year and \$8,500 for years two and three.

**RESOLUTION
23-03-31**

MOTION TO APPROVE THE ENTERPRISE PACKAGE FROM IWORQ AS PROPOSED IN THE THREE-YEAR AGREEMENT PROVIDED BY JACOB BON AT 3:07 P.M. ON MARCH 20, 2023 WITH THE COST BEING; YEAR ONE \$14,200, YEAR TWO \$8,500, AND YEAR THREE \$8,500 WITH THE CAVEAT THAT OBVIOUS, CLEAR AND TRANSPARENT LANGUAGE WILL BE PROVIDED RELATED TO THE PERCENTAGE SUBJECT TO CHANGE CHARGE OF 3.5% FOR THE CREDIT CARD AND THE OBVIOUS, CLEAR AND TRANSPARENT OPTION THAT WE WILL STILL MAKE AVAILABLE THE OPTION TO PAY BY CHECK AT THE TOWNSHIP WITH NO ADDITIONAL FEES AND TO AUTHORIZE TRUSTEE RAEHLL TO EXECUTE ANY AND ALL DOCUMENTS THAT MAY BE DEEMED NECESSARY TO COMPLETE THIS ACTION

Motion: Raehll
Second: O'Brien
Vote: Raehll yes, Bullard yes and O'Brien yes

JEDD- Raehll said that she is waiting to hear back from Shawn McCarter concerning the JEDD.

Call In Pay- Bullard will contact Stucco for a discussion and clarification concerning Call-In-Pay and will bring answers back to the board for discussion.

Cemetery Communication- Bullard stated that Foor now has a township cell phone that he can be reached on, with a monthly fee of \$50.00 and that his computer is now up and running. Raehll asked Bullard to get them his phone number and make it accessible on the website. Foor said that he is having trouble signing into Pontem because he did not have a password. Taylor explained the process of signing into Pontem and wants to make sure that each person has their own password. Raehll is in agreement that a shared password is acceptable to get into Pontem but that each individual needs their own password when they are working on Pontem. Raehll asked Taylor to confirm that Foor has his own password. Taylor will contact Foor.

Raehll said that Cannon is willing to serve as a notetaker for the ARB.

**RESOLUTION
23-03-32**

MOTION TO APPOINT THERESA TAYLOR AND THERESA CANNON AS NOTETAKERS FOR THE ARCHITECTURAL REVIEW BOARD AT A RATE OF \$16.70/HOUR, EFFECTIVE IMMEDIATELY

Motion: Raehll
Second: Bullard
Vote: Raehll yes, Bullard yes and O'Brien yes
Discussion: O'Brien suggested to appoint Taylor and if she is available to take notes at an ARB meeting, she will and if not, then Cannon can be contacted to take notes for the meeting. Taylor agreed to this.

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Fairview Sign- Raehll would like to see a stone sign that resembles the one at Kingwood Cemetery if there are grants available and possibly accept private contributions. O’Brien would like to rename the cemetery. Bullard does not know what that would entail but also likes the idea of a new name. Raehll asked the trustees to consider a possible name if it were to be changed along with how much money would the township be willing to contribute towards a new sign. At this time, O’Brien is comfortable with \$10,000, Raehll \$20,000 and Bullard said a couple thousand dollars. Raehll said that with it being right on Route 23, it is a representation of the township that many people see and wants it to look like what we inspire Berlin Township to be. She would like to see what possible monies are available before they decide how much the township will put into it. Bullard said that a design of the new sign needs to be made before any monies are asked for so that the contributors know what their money would be paying for. Raehll asked Bullard to work on a sign conception for consideration. Bullard will also ask Foor for his input.

Asst. Cemetery Sexton- Bullard wants to speak with the applicant before he brings them up for consideration as the assistant cemetery sexton for Cheshire Cemetery.

Additional Life Ins- Nothing new.

Health Insurance Renewal- Nothing new.

Apparel Policy- Egelhoff is working on the stitching. Raehll will bring it before the board for consideration at the next trustee meeting.

Grant Writer- Alan Freeman sent a proposal recommending a monthly retainer of \$2,000 for the initial month and \$1,500 for each month after that. Raehll said that Orange Township pays him by each contract/grant that he provides them. O’Brien wants him to search for possible grants that the township may be eligible for and if it is decided that he is going to be paid with a monthly retainer, there needs to be a minimum number of how many grants he applies for each month. Another possibility would be to give him a percentage each time the township receives a grant. Raehll will follow-up with Stucco about the percentage question and also look at Orange Township’s contract with him.

Hearing Policy- Raehll said that she will read without objection the hearing policy at the time of each hearing for the time being. O’Brien told Taylor that after Raehll reads the policy she will need to clearly state that there were no objections from anyone in the minutes.

Fiscal Officer Items-

Cummins Generator Clean Radiator-

RESOLUTION 23-03-33 MOTION TO APPROPRIATE \$413.49 TO CUMMINS FOR THE PUPOSE OF BLOWING OUT AND CLEANING THE RADIATOR IN THE TOWNSHIP HALL

Motion: Bullard
Second: Raehll
Vote: Bullard yes, O’Brien yes and Raehll yes

Sedgewick Renewal-

RESOLUTION 23-03-34 MOTION TO APPROPRIATE \$1,325 TO SEDGWICK FOR THE RENEWAL CONTRACT FOR WORKERS COMPENSATION

Motion: Bullard
Second: O’Brien
Vote: Bullard yes, O’Brien yes and Raehll yes

Raehll stated that someone has expressed interest in the Fiscal Officer position, if and when it may become vacant. She will reach out and speak with them.

Taylor said that more money needs to be appropriated to Rinehart Legal Services.

RESOLUTION 23-03-35 MOTION TO APPROPRIATE \$20,000 TO RINEHART LEGAL SERVICES FOR THE PURPOSE OF LITIGATION RELATED TO

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Motion: Raehll
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes

Cemetery-

Fairview Cemetery Lot Sales- Bullard asked the trustees their thoughts on possibly opening up the sale of lots in Fairview to those that already have loved ones buried there so that they could be buried with them. Raehll is not opposed to it but said that the language would have to be tightened up and extremely clear regarding what exceptions would constitute a lot sale. O'Brien is not in favor of selling any lots but since Bullard is dealing with the issues at Fairview, if he strongly recommends that it needs to happen, he will not oppose it. Bullard will speak with Stucco and bring it back to the board for discussion and consideration.

Shrubs Planted Between Headstones- Bullard said that there are shrubs planted between headstones which the rules state is not allowed. Bullard will confirm that the shrubs are removed.

Road Department-

Upcoming Training- Peden is looking into chemical training and Class A CDL licensing for the road department.

Bullard stated that he is looking into putting a policy into place for the road department to be able to buy pants. Per Stucco's recommendation, the actual invoice will need to have a resolution for it. O'Brien said that when the pants need to be replaced the employee will have to return them to the township before they would receive a new pair. Raehll will add language to the Apparel Policy and include the road department for Bullard's consideration.

A resident contacted Bullard concerning the grass seed being washed away that was planted when Piatt Road was expanded. He spoke with Riedel who said that the county would not be responsible for it. Bullard asked that trustees to look at it for a later discussion.

Bullard said that deliveries of materials for some of the new subdivisions are being dumped right onto the roadway instead of into the lot itself and is causing damage to the road. The roads have been turned over to the township and they are now our responsibility. O'Brien said that the sheriff needs to be called because if there were to be an accident the township could be held responsible. Bullard said that Riedel concurred with O'Brien.

Bullard received three quotes for a 60x100 foot storage building, which all were in the range of \$450,000-\$500,000. He asked what could be done with \$300,000 and was told for it to have everything the trustees want/require, it would be 50x100 foot building. Raehll said if the bigger building has four bays that is what she would want. O'Brien said at that cost it would be a more permanent building so he would like it to be the size we need and look respectable for the growing township. Bullard will move forward and bring it back to the board for consideration.

Trustee Items-

Unemployment Appeal-

RESOLUTION 23-03-36 MOTION TO APPOINT FISHEL, DOWNEY, ALBRECHT & RIEPENHOFF TO REPRESENT THE TOWNSHIP IN THE UNEMPLOYMENT APPEAL, WITH THE PROVISION OF \$3,000

Motion: Raehll
Second: O'Brien
Vote: O'Brien yes, Raehll yes and Bullard yes

Raehll nominated herself at the Delaware Regional Planning Meeting for the executive committee and is running opposed to someone from Brown Township. She said a brief presentation will need to be made as to why she should be considered for the committee,

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with the most important reason being the BBP and the stakes that Berlin Township had in the entire county in the regional aspect, lends itself to a unique perspective. O'Brien said to also include the many connections she has made with people and knows their perspectives and can bring their unique needs into focus.

Future Meetings-

03/30/23 Delaware County Regional Meeting

04/10/23 Trustee Meeting

04/12/23 Parks & Trails Meeting

04/24/23 Trustee Meeting

05/08/23 Trustee Meeting

Late Items Cont'd- There were no other late items for discussion.

Adjourn-

**RESOLUTION MOTION TO ADJOURN
23-03-37**

Motion: O'Brien
Second: Raehll
Vote: Raehll yes, Bullard yes and O'Brien yes

Meeting was adjourned by Chairman Raehll at 10:05 P.M.

Meghan Raehll, Chair

ATTEST:

Ron Bullard, Vice-Chair

Theresa Taylor, Fiscal Officer Assistant

Ken O'Brien, Trustee