

**BERLIN TOWNSHIP TRUSTEES**

**6:00 p.m. Trustee Meeting February 14, 22**

**HELD AT:** This meeting was held at 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, Meghan Raehll, Ron Bullard (Absent), Claudia Smith, Fiscal Officer and Theresa Taylor, Assistant Fiscal Officer

**ATTENDANCE:** Chief Adam Miller

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

**Approval of Minutes-**

**RESOLUTION 22-02-01 APPROVE THE 01/24/22 REGULAR MEETING MINUTES AND DISPENSE WITH THE READING**

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

**Old Business - Parks & Trails Committee-**

**RESOLUTION 22-02-02 MOTION TO APPROVE THE MATTER OF CREATING A LINE-ITEM APPROPRIATION IN THE GENERAL FUND FOR PARKS PURPOSES**

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

**RESOLUTION NO. 22-02-02**

**IN THE MATTER OF CREATING A LINE-ITEM APPROPRIATION IN THE GENERAL FUND FOR PARKS PURPOSES**

WHEREAS, per Ohio Revised Code Sections 511.32 and 511.33 the Township may establish parks and recreation facilities and that the resulting expenses may be paid from the township general fund; and,

WHEREAS, the Berlin Township Board of Trustees desires to establish a line-item in the general fund for parks and recreation expenses; and,

WHEREAS, Revised Code Section 5705.40 requires the Board to enact a resolution for the purpose of establishing a dedicated line-item in the general fund and to make appropriations to that line-item.

NOW, THEREFORE, BE IT RESOLVED by the Berlin Township Board of Trustees, Delaware County, Ohio, as follows:

1. The Board hereby creates a line-item appropriation for parks and recreation purposes in the Township General Fund, per Revised Code Section 5705.40.
2. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of the Board, and all deliberations of this Board and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including R.C. § 121.22.

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3. This Resolution shall be in full force and effect immediately upon adoption.

Raehll made the motion and O'Brien seconded the motion.

Voted on and signed this February 14, 2022, in Berlin Township, Delaware County, Ohio.

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

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

\_\_\_\_\_  
Trustee Ken O'Brien

\_\_\_\_\_  
Trustee Meghan Raehll

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

**RESOLUTION 22-02-03 MOTION TO APPROPRIATE \$2,000 TO THE NEWLY CREATED PARKS & TRAILS FUND LINE-ITEM**

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

**RESOLUTION 22-02-04 MOTION TO APPOINT CHRISTINA LITTLETON TO THE ROLE OF NOTE TAKER FOR THE PARKS AND TRAIL COMMITTEE, EFFECTIVE IMMEDIATELY, WITH THE PAY UNDER THE CATERGORIZATION OF OTHER CLERICAL ADMINISTRATIVE, AT THE RATE OF \$14.83/HOUR, NOT TO EXCEED 50 HOURS FOR THE CALENDAR YEAR OF 2022**

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

**Succession Planning-** Raehll spoke with Fowler who acknowledged that an Assistant Zoning Inspector is allowed. Fowler provided a general job description for the position. The language does need to be specific and state clearly that there is only one zoning inspector, but that the assistant zoning inspector can operate in place of the zoning inspector in his/her absence, to include the weekends. Raehll stated that she feels the rate of pay needs to be reconsidered so that there is a difference in pay between the two positions but does not want to dock the assistant's pay by much since there will be comparable responsibilities on the weekends.

**RESOLUTION 22-02-05 MOTION TO AMEND RESOLUTION 22-01-69, TO AUTHORIZE TRUSTEE RAEHLL TO ADVERTISE FOR AN ASSISTANT ZONING INSPECTOR TO WORK ON THE WEEKENDS AT THE RATE OF \$20/HOUR**

Motion: Raehll  
Second: O'Brien  
Vote: O'Brien yes and Raehll yes  
Discussion: O'Brien would like to have a job description for the assistant zoning inspector before they are hired.

*The above resolution is to amend resolution 22-01-69 approved at the January 24, 2022 meeting.*

RESOLUTION MOTION TO AUTHORIZE TRUSTEE RAEHLL TO ADVERTISE

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22-01-69 FOR A WEEKEND ZONING SUPPORT POSITION AT THE RATE OF \$20.56/HOUR

Motion: Bullard  
Second: Raehll  
Vote: Raehll yes, Bullard yes and O'Brien yes  
Discussion: All trustees concurred to amend the motion to add the rate of pay at \$20.56/hour.

Raehll spoke that at the last trustee meeting, she felt that it was not warranted to have a township administrator at this time, but someone like a township operation specialist would be justified. Raehll wrote a job description to be reviewed by the board for consideration, with the hopes of having someone in the position by March or April. O'Brien would like both job descriptions, assistant zoning inspector and township operation specialist, sent to Riepenhoff to insure legality. Raehll will send both to Riepenhoff.

**RESOLUTION 22-02-06 MOTION TO APPROVE \$2,500 TO FISHEL, DOWNEY, ALBRECHT & RIEPENHOFF LLP FOR LEGAL ADVICE REGARDING EMPLOYEE RELATIONS AND THE ONLY PEOPLE ALLOWED TO ACCESS THIS SERVICE ARE THE ELECTED OFFICIALS**

Motion: O'Brien  
Second: Raehll  
Vote: O'Brien yes and Raehll yes  
Discussion: Smith asked if this was for any department. O'Brien said not at this time, so the money would have to come out of the general fund.

**Media/Technology-** Raehll stated that the website should be up and running in three to four weeks. Raehll said that flyers and advertisements that are to be placed on the website, should be brought to the technology liaison who then will bring them to the trustees for consideration before anything goes onto the website.

**Editing PDF's-** Raehll stated that the ability to edit PDF's is a big issue. She spoke with Frank at RDI, who recommended Fox@pdf over adobe acrobat. He sent a quote of \$450 that includes the installation of editing software on six licenses that would be attached to six individuals. O'Brien has concerns that they would be attached to an individual and not a specific computer. Raehll is going to research more information.

**Microsoft 365-**Raehll stated each laptop does have Microsoft Office, but each person should have their own individual account because there are documents and storage that should be able to be shared with each other. Miller would like Frank to show him how to use his Microsoft 365, as he has been saving things on an external hard drive. Raehll said that is a liability because if something would happen to the external hard drive, all that stored information would be lost. Raehll thinks different ways of aggregating our data and sharing files needs to be explored. Miller is concerned that his computer is not password protected.

O'Brien stated that this is not acceptable per OTARMA regulations. Raehll said that this is why the programs/storage need to be attached to individuals, which would also allow trackability of the person. Then, have something put in place where there is a term policy that includes the termination of technology when an employee leaves their position. O'Brien agrees. Raehll will continue to look into editing PDF's.

**Upgrade Township Hall Technology-** Given the situation of continuing to utilize the township hall for meetings, Raehll would like to bring a few technology companies in to see what possibilities there are to upgrade the township building and get some quotes. Possible upgrade examples include cameras, microphones and speakers. O'Brien likes the uses a Smartboard allows. Raehll will look into it.

**Technology Policies-** Complimenting the technology upgrades within the township hall, Raehll feels there is a need to review technology policies, particularly related to media communications. She would like to produce a policy that all involved can agree with. Raehll stated that she does believe there are legitimate risks associated with the utilization of social media over government but feels some of the risks are outweighed by some of the

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pros of being able to have accessibility of information. Raehll will begin shaping a policy and talk with Fowler about what that may look like.

**Berlin Township YouTube Channel-** Raehll would like to explore the creation of a YouTube channel to be able to live stream trustee meetings and zoning meetings. O'Brien likes the idea and wants there to be consistency of streaming across the board. Raehll would like in the spirit of transparency in government and providing accessibility to information to the public, to see the township support those efforts, create the policies, provide the equipment, have it be within the focus of fair and equitable access. O'Brien agrees and said if we are going to move forward with it, he wants it to be done right and legal. Raehll will bring something forward.

**Guest WIFI-** Raehll stated that she has had residents that have rented the township hall, ask about WIFI accessibility. She suggested a possibility of having a WIFI guest use that would be limited to a specific timeframe. Raehll will look into it.

**Media & Branding-** Raehll stated that there have been discussions about media and branding. She suggested that having a logo, a possible slogan and/or branding standard, might help with a host of different components. O'Brien agrees and said that once it is determined, all departments must use it. Miller asked about the fire department as they have their own logo. O'Brien stated that the township logo would be in addition to the fire department logo. Miller said that the fire department is discussing the possibility of changing their logo, to update it. Raehll will engage a consultant, get quotes and come to the board with her findings.

### **Fire Department-**

**Security Quote-** Miller stated that he has had two site visits from security companies and is waiting for the third one. They looked at new digital keypads, which some of the existing hardware could be used for. A concern would be who would manage the codes. Raehll stated that the fiscal officer would manage the codes but not the locks themselves or the maintenance of them. Miller would like to be able to integrate a dual system, where either a key fob or name badge (ID) could be used along with the keypad. This would allow the trackability of where and when a person enters and exits a specific area in the hall and at the fire department. O'Brien asked if that information would be recorded. Miller said yes and that it could be accessed through a website by those with the authority to access it. O'Brien likes the ID with a picture of the owner on it as opposed to a fob that could be mistaken of who may be the owner of it. Raehll likes the idea of a badge along with a keypad. Raehll asked if there is the ability at a later time, to be able to install cameras on the outside of the buildings. Miller said that he did ask for a separate quote for that. O'Brien stated that he is not opposed to having them installed but wants a policy established beforehand so that people are aware of them.

### **Old Business Cont'd-**

**Township Building-** Raehll asked who the previous quotes were from when new carpet was looked at previously, so she does not retrieve quotes from them. O'Brien stated that they were from Kelly's and Rite Rug.

Raehll stated that since Covid protocols have been changed by the health department, she questioned if our signs pertaining to Covid need to be removed throughout the buildings. Raehll and O'Brien agree that they should be removed and to send out an email to all township employees to say, we are following Delaware County public health protocols and attach them to the email. O'Brien stated that the tobacco sign at the firehouse is antiquated and needs to be removed. O'Brien asked Miller to compile a sign and then check with the prosecutor to make sure it is acceptable and then O'Brien will take it to Riepenhoff for double verification before it is posted at the firehouse.

**TIF-** Raehll said that there were some delays with Reinhart reviewing the parcels in the processing of that information. He will provide an update by the end of this week.

**JEDD-** This was discussed in Executive Session.

**Overlay Procedures-CLUP-** Raehll stated that the Overlay Procedures are in place, and everything has been resolved.

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**Fire Department Cont'd-  
Conditional Employment Offer-**

**RESOLUTION 22-02-07            MOTION TO HIRE CONNOR MCKIRGAN AND JEFF ENOCH FOR A FULL-TIME FIREFIGHTER POSITION WITH A PROBATIONARY PERIOD OF 1-YEAR AT THE FF STEP 1 RATE OF \$16.11/HOUR, APPOINTMENT NOT TO TAKE EFFECT PRIOR TO MARCH 6, 2022. THE EFFECTIVE DATE WILL BE COMMUNICATED TO THE FISCAL OFFICER BY CHIEF MILLER PENDING THE RESULTS OF THE OP&F PENSION PHYSICAL, AS RECOMMENDED BY CHIEF MILLER**

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

Chief Miller stated that Captain Carr is ready to return to duty, effective February 23<sup>rd</sup>, 2022. Micah Swanson will return to his previous payrate effective February 23<sup>rd</sup>, 2022.

**RESOLUTION 22-02-08            MOTION TO HIRE JACOB TROTT, JASON BAUGHN, TYLER BAGLEY, SAMUEL EDWARDS, BRANDON CRAMER AND NATHAN KIDWELL FOR A PART-TIME FIREFIGHTER POSITION WITH A PROBATIONARY PERIOD OF 1-YEAR AT THE FF STEP 1 RATE OF \$15.10/HOUR, APPOINTMENT NOT TO TAKE EFFECT PRIOR TO MARCH 6, 2022, THE EFFECTIVE DATE WILL BE COMMUNICATED TO THE FISCAL OFFICER BY CHIEF MILLER PENDING THE RESULTS OF THE BERLIN TOWNSHIP PHYSICAL ASSESSMENT AND BACKGROUND CHECK AS RECOMMENDED BY CHIEF MILLER**

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

O'Brien stated that they are looking to get a 96-hour rover into place by June in hopes that they will move up to a platoon leader in 2 years. The contract does allow the fire department to have a total of two 96-hour rovers.

**Requisitions-**

**RESOLUTION 22-02-09            MOTION TO APPROVE REQUISITION 2022-01 TO MOUNT CARMEL HEALTHCARE FOR THE AMOUNT OF \$35,000 FOR THE PURPOSE OF NEW EMPLOYEE PHYSICALS AND ANNUAL PHYSICALS**

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

**RESOLUTION 22-02-10            MOTION TO ACCEPT JACKSON BOGER'S RESIGNATION EFFECTIVE FEBRUARY 12, 2022, AS RECOMMENDED BY CHIEF MILLER**

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

**Temple Response Letter-** Miller is doing some research and working on a draft letter. At this time, he has not found any rationale that would support the denial of any request or building restrictions. He said that he feels it is unfair for the fire department to have judgement at this point, because he has not seen any plans for the Temple. O'Brien stated that Miller needs to make sure he is communicating any information through the township's attorney, who will then contact the Temple's attorney. Raehll will reiterate this to the zoning department.

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**Fiscal Officer Items-**

**January Bank Statement & Electronic Payments-** The January bank statement and electronic payments balanced and were signed by the trustees.

**OPEC Lawsuit Payment-** Smith stated that she received a final bill for the OPEC lawsuit.

**RESOLUTION 22-02-11                      MOTION TO APPROVE \$11.49 TO MAZANEC, RASKIN & RYDER CO., LPA FOR THE OPEC LAWSUIT**

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

**Cemetery-** Nothing new.

**Road Department-  
2021 Road Mileage Certification-**

**RESOLUTION 22-02-12                      MOTION TO APPROVE THE OHIO DEPARTMENT OF TRANSPORTATION 2021 TOWNSHIP HIGHWAY SYSTEM MILAGE CERTIFICATION AT 41.792 MILES**

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

**Trustee Items-**

**Trebel Letter for Aggregation-** Raehll spoke with Scott Belcastro and questioned the language of the letter he sends out to Berlin Township residents; she would like to see a few things changed so that it is more understandable. O'Brien agrees. Raehll will return suggested edits to Belcastro.

**RESOLUTION 22-02-13                      MOTION TO AUTHORIZE TRUSTEE RAEHLL TO MAKE LANGUAGE ADJUSTMENTS TO THE COMMUNITY ELECTRIC AGGREGATION OPT-OUT NOTIFICATION**

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

**Zoning Department-**

**January Monthly Report-** There were nine new builds for the month of January.

**Delaware SWCD-** O'Brien wants to hold off on this discussion until Bullard returns.

**ARB-** Raehll spoke with Fowler, who confirmed three members is enough to establish the ARB board. She spoke with Kristin Yoroko, who said that she is awaiting Bullard's follow-up and Raehll informed Christina Littleton that only one zoning member can be on the ARB board, which will be Angela Brown.

**Residential Hotel-** Raehll stated that she received a letter from Fowler about property in the BCO with the code use of a potential hotel. She said that the argument is that section 15.03 of our zoning resolution permits a hotel/motel, in which they will be arguing that what they did in Berkshire Township met the definition of the codes that are allowable uses in the BCO. Raehll informed Fowler that there is an Overlay application process in place along with the fees. At this time, that is all the information she has.

**Conditional Use-** Raehll stated that someone would like to purchase property in the township but would like to get a permit for a conditional use, prior to them purchasing it. O'Brien stated that would be a question that needs to be answered by the BZA.

**Future Meetings-**

**02/24/22    RPC Meeting  
02/28/22    Trustee Meeting  
03/14/22    Trustee Meeting**

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**RESOLUTION  
22-02-14**

**RECESS TO EXECUTIVE SESSION PURSUANT TO ORC 121.22 (G)(1)(8) TO CONSIDER APPOINTMENT, EMPLOYMENT, DISMISSAL, DISCIPLINE, PROMOTION, DEMOTION, OR COMPENSATION OF A PUBLIC EMPLOYEE OR OFFICIAL AND TO CONSIDER CONFIDENTIAL INFORMATION RELATED TO MARKETING PLANS, SPECIFIC BUSINESS STRATEGY, PRODUCTION TECHNIQUES, TRADE SECRETS, OR PERSONAL FINANCIAL STATEMENTS OF AN APPLICANT DEVELOPMENT ASSISTANCE OR TO NEGOTIATIONS WITH OTHER POLITICAL SUBDIVISIONS – TWO TRUSTEES, FISCAL OFFICER AND ASSISTANT FISCAL OFFICER TO ATTEND- 9:02 P.M.**

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

**RESOLUTION  
22-02-15**

**MOTION TO RETURN TO REGULAR SESSION- 10:06 P.M.**

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

O'Brien "We met in executive session and no decisions were made and no actions were taken".

**Late Items-** There were no late items.

**Adjourn-  
RESOLUTION  
21-02-16**

**MOTION TO ADJOURN**

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

Meeting adjourned by Chairman Bullard at 10:09 p.m.

\_\_\_\_\_  
Ken O'Brien, Chairman

ATTEST:

\_\_\_\_\_  
Meghan Raehll, Co-Chairman

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

**ABSENT**  
\_\_\_\_\_  
Ron Bullard, Trustee