

**RECORD OF PROCEEDINGS
SPECIAL TRUSTEE MEETING OCTOBER 9, 2025**

The Fairfield Township Trustees held a Special Trustee Meeting Thursday, October 9, 2025, at the Administration Building, 6032 Morris Road, Fairfield Township, OH 45011, for conducting Township business. Meeting was called to order by Mr. Berding, Board Chairperson at 5:30 PM.

Motion, made by Mr. Berding, second by Mr. McAbee to appoint Kim Lapensee as Clerk Pro Tem.
All in favor.

ROLL CALL: Kim Lapensee, Clerk Pro Tem

Trustee Chairperson, Michael Berding	Present
Trustee Vice Chairperson, Shannon Hartkemeyer	Present
Trustee, Joe McAbee	Present

Pledge of Allegiance

Motion made by Mr. Berding, second Mrs. Hartkemeyer to move to Executive Session pursuant to ORC 121.22 (G) (1) to consider the discipline, appointment, employment or compensation of a public employee or official.
All in favor.

President convenes Executive Session at 5:33 PM

President resumes regular meeting at 5:45 PM

ROLL CALL: Kim Lapensee, Clerk Pro Tem

Mr. Berding	Yes
Mrs. Hartkemeyer	Yes
Mr. McAbee	Yes

I, Michael Berding, second by Mrs. Hartkemeyer move that the Board authorize the Administrator and the Chief of Police to execute the Last Chance Agreement imposing discipline on Officer Mahat and that agreement will be Exhibit A.

Mrs. Hartkemeyer – Can you tell me comparing this particular discipline to other cases you’ve had like this.

Larry Barbieri, Assistant Law Director – This is a severe penalty for what Officer Mahat did. He understood that what he did was wrong and something a police officer shouldn’t do. He and his union representative met with us in good faith, and we talked it through. Although they had reservations about agreeing to punishment that was this harsh, they understood the nature of it. They understood the feelings of the Trustees, and we were able to get them to agree, and they have signed the Last Chance Agreement.

Mr. Berding – I do want to thank Chief Chabali and Larry for your work on this.

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This is the end of a sad situation. One of our employees unfortunately did some things off duty that are not acceptable, and I think he understands this Board was in a position that we could have altered his employability for years to come. I'm not real happy about this situation but I understand in order to move this Township forward and to save us from possible litigation that could save our Township and residents \$100,000 or more dollars, I think this is the right move on our part.
All in favor.

ADJOURNMENT

Motion made by Mr. Berding, second by Mr. McAbee to adjourn at 5:49 PM.
All in favor.

Minutes submitted by:

Shelly Schultz, Fiscal Officer

Michael Berding, Trustee Chairperson

Shannon Hartkemeyer, Trustee Vice-Chairperson

Joe McAbee, Trustee

LAST CHANCE AGREEMENT

Nesh Mahat, Fraternal Order of Police, Ohio Labor Council, Inc. (hereinafter referred to as "the Union"), and Fairfield Township, for mutual consideration, the adequacy of which they each acknowledge, hereby enter into this Last Chance Agreement and agree as follows:

1. As an alternative to Fairfield Township seeking Nesh Mahat's discharge for charges of violating FTPD Policy 321.4 – General Standards; FTPD Policy 321.5.1 (b) – Laws, Rules, and Orders; FTPD Policy 321.5.8(i) – Performance; and FTPD Policy 321.5.9 (m) – Conduct, related to events which occurred on August 10, 2025, wherein Nesh Mahat was placed under arrest for Operating a Vehicle While Impaired and Obedience to a Traffic Control Device, Nesh Mahat, the Union and Fairfield Township have agreed to enter into this Last Chance Agreement as a full, final and complete settlement of this matter.

2. Nesh Mahat will be placed on a 30 day suspension without pay for violating the policies described in paragraph 1 above. By signing this Agreement, Nesh Mahat admits guilt with respect to the above charges and waives his right to a hearing.

3. Nesh Mahat and the Union will waive their respective rights to grieve or otherwise challenge the disciplinary action described in paragraph 2 above, under the Collective Bargaining Agreement between Fairfield Township and the Union, through Civil Service or through any other applicable procedure or legal means.

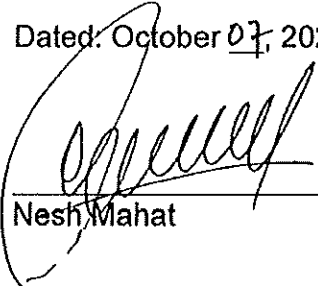
4. This Last Chance Agreement is not precedent setting and may not be cited as precedence or referenced in future disciplinary matters involving any other members of the bargaining unit other than Nesh Mahat.

5. The discipline specified in paragraph 2 above and the other terms of this Agreement provide Nesh Mahat with a "last chance" to correct his behavior. Nesh Mahat and the Union agree that the terms as set forth in this Last Chance Agreement are reasonable conditions for Nesh Mahat to comply with in order for him to save his job and continue his employment as police officer with Fairfield Township. Nesh Mahat and the Union acknowledge and agree that if Nesh Mahat engages in any further

misconduct or violation of **any** type including, but not limited to, any unauthorized absence, letter of counseling, written reprimand, or any offense as set forth in the Fairfield Township Police Department Policies, for the next **four** years from the below date of execution that it will constitute "just cause" for his discharge from employment with Fairfield Township for which Nesh Mahat and the Union will **not** grieve or challenge under the Collective Bargaining Agreement between the Township and the Union, or through any other applicable procedure or legal means. After 4 years, this discipline will cease to have any force and effect as it relates to progressive discipline.

6. Nesh Mahat acknowledges and agrees that he has received full, fair and adequate representation from his Union throughout this matter and that Nesh Mahat and the Union enter into this Last Chance Agreement knowingly and voluntarily. The rule of construction or interpreting a contract against its drafter will not apply to this Last Chance Agreement.

Dated: October 07, 2025

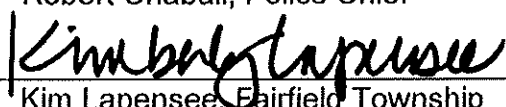

Nesh Mahat

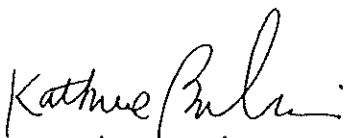
Fraternal Order of Police, Ohio Labor Council,
Inc.

by: 
Brian Brennaman, Staff Representative

Fairfield Township

by: 
Robert Chabali, Police Chief

by: 
Kim Lapensee, Fairfield Township
Administrator


Approved as to form.