

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, May 6, 2019

***A full and accurate account of this meeting's audio and video can be found at www.orangetwp.org ***

Mr. Rivers called the meeting to order at 10:00 a.m.

PRESENT: Ryan Rivers, Chair – present
Lisa Knapp, Vice-Chair – present
Deborah Taranto, Trustee – present
Wesley Mayer, Fiscal Officer – present

ALSO PRESENT:

Matt Noble	Fire Chief
Bill Cowen	Director of Operations
Amanda Sheterom	Human Resources/Communications Manager
Michele Boni	Planning and Zoning Director
Lee Bodnar	Township Administrator
Michael McCarthy	Township General Counsel

PLEDGE OF ALLEGIANCE

MS. HIDDLESON, HEALTH COMMISSIONER WITH THE DELAWARE GENERAL HEALTH DISTRICT TO SPEAK BRIEFLY ON UPDATES

Ms. Hiddleson commented:

- Age Friendly Data Project with SourcePoint is complete and will be out, Wednesday, May 8, 2019
- Handed out materials to the Board regarding:
 - 2018 Accidental Overdose Report (27 accidental overdoses)
 - Measles Fact Sheet
 - Community Health Improvement Plan (runs for 4 years)

MR. GEORGE KAITSA, DELAWARE COUNTY AUDITOR

Mr. Kaitsa, came forward and shared with the Board:

- Distributed to the Board an analysis regarding the Parks Levy and the viability of using some of the reducing millage to fund a police levy

Ms. Taranto gave a brief synopsis of what led to her request to the auditor's office.

Mr. Kaitsa, continued:

- The initial figure after further evaluation turned out differently after the assumption of no new taxes
- He explained the figuring that was done to come up with the second analysis
- He then explained the second analysis
- He looked out as to how the levy could be structured, assuming they use the available millage to fund the police levy

- He explained the changes to the levy process due to legislation and administration
- The responsibility of the auditor's office can be one of two things:
 - Certify a rate; if a certain amount of dollars are needed
 - Or they can certify if they specify a rate; what the amount that rate would generate
- He gave other scenarios the Board may care to use to figure a levy

Mr. Kaitsa answered the questions and concerns of the Board, Mr. McCarthy, Mr. Bodnar. and Mr. Mayer.

Mr. Wes Mayer, Fiscal Officer, gave his views on the subject. He felt additional police coverage was needed. He and Mr. Cowen, Director of Operations have discussed the levy. They were concerned about the projects to maintain the parks and there are road projects coming. Mr. Cowen is gathering information for a projection for 3 to 5 years. Mr. Mayer's concern is that the Board has all the financial information to support any decision they may make. Mr. McCarthy reviewed the process of how to get a subject on the ballot, and the timing it takes.

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10:15 A.M. MR. GARY WALTERS, PRESIDENT OF RINEHART, WALTERS, DANNER INSURANCE AGENCY, REGARDING THE P&C RENEWAL

Mr. Gary Walters, of Rinehart, Walters, Danner Insurance came forward and commented:

- He gave handouts to the Board
- He gave a brief overview of the renewal
- He gave the history of the township with the insurances
- Rates did not change; but exposures did
- Premiums increases were due to the exposure changes
- He reviewed the proposal
- He answered the Board's questions

10:30 A.M. MR. LUCAS FYKES OF TREBEL LLC, REGARDING THE NATURAL GAS AGGREGATION PROGRAM

Mr. Lucas Fykes, Director of Operations with Trebel LLC came forward and commented:

- He gave the Board information pamphlets
- Primary purpose was to discuss natural gas aggregation program possibly on the ballot in November
- 72% of residents currently in the electric aggregate program
- Reviewed graphs he had brought; and spoke of what they have done for other communities
- He answered the Board's questions
- He offered the Board a ballot used by other entities to review and also gave contact information

PUBLIC COMMENTS

Mr. Rivers asked for public comment about anything other than what was on the agenda. No one came forward.

APPROVAL OF MINUTES

APRIL 15, 2019 REGULAR TRUSTEE MEETING

RES.19-168 APPROVAL OF MINUTES

Motion by Mr. Rivers to approve the April 15, 2019, regular trustee meeting minutes as presented.

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

APRIL 18, 2019 SPECIAL TRUSTEE MEETING

Mr. Mayer explained the minutes given with the backup items were not the ones that he had given final approval of. He explained the differences. Mr. Bodnar explained his comments. Ms. Taranto and Ms. Knapp gave their views on the minutes. There was discussion among Mr. Mayer and the Board of Trustees. The minutes were tabled so that the minutes could be reviewed again by Mr. Mayer to make any changes that may be necessary.

10:00 A.M. ZONING HEARING REGARDING ZONING RESOLUTION AMENDMENTS

Zoning Hearing minutes provided by Cindy Davis.

***Board of Trustees' Meeting Minutes of May 6, 2019
Proposed Amendments to the Orange Township Zoning Resolution***

LEGAL NOTICE

Notice is hereby given that the Orange Township Board of Trustees will hold a public hearing on proposed amendments to the Orange Township Zoning Resolution initiated by Resolution #19- 077 of the Board of Township Trustees, adopted on March 4, 2019.

The amendments would modify or supplement Section 5.01, Section 5.02, Section 10.01, Section 10.03, Section 10.04, Section 10.05, Section 10.06, Section 10.07, Section 10.09,

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Section 11.01, Section 11.03, Section 11.04, Section 11.05, Section 11.06, Section 11.07, Section 14.01, Section 14.03, Section 14.05, Section 14.06, Section 14.07, Section 15.01, Section 15.03, Section 15.04, Section 15.05, Section 15.06, Section 15.07, Section 15.08, Section 15.09, Section 17.01, Section 17.03, Section 17.05, Section 17.06 and Section 17.07 of the Orange Township Zoning Resolution and delete Section 10.08 in its entirety.

The hearing will be held on Monday, May 6, 2019, at 10:00am at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035. At the conclusion of the hearing, the matter will be submitted to the Board of Township Trustees of Orange Township for its action.

Resolution #19-077, and the text of the proposed amendments will be available for examination for a period of at least 10 days prior to the hearing at the Orange Township Zoning Office, 1680 East Orange Road, Lewis Center, Ohio 43035. Zoning office hours are Monday through Friday, 8:00 a.m. to 4:30 p.m., except legal holidays.

The person responsible for the publication of this notice is Michele Boni, Orange Township Zoning Department.

***Ryan Rivers, Chairman
Michele Boni, Orange Township Zoning Department***

Please publish one time, on or before Friday, April 26, 2019 in The Delaware Gazette

Ms. Boni: read the Legal Notice, and provided the Staff Report and gave a brief summary of all the changes we proposed; overall they are very minor. This was initiated by some requests by some of the Trustees. Mr. McCarty prepared the amendment, so either he or myself can answer any questions.

Ms. Knapp: This is just a general clean up of a few areas that have been hanging for a while?

Ms. Boni: Yes, and I think particularly that intensity of use language has been removed; I know it was one of the biggest concerns.

Ms. Taranto: I noticed you used repeatedly the removing 3 year time period and reverted clause; what is that?

Ms. Knapp: That is where if you haven't commenced construction activities within 3 years, it reverted back to the prior zoning, and I think that was found to be illegal.

Ms. Boni: Yes, zoning is effective indefinitely; they have to go thru an amendment to change it.

Ms. Taranto: That kept coming up with the adult hotel because they hadn't even started, correct?

Ms. Knapp: They couldn't do it because part of the development had already commenced.

Mr. McCarthy: The 3 year term used to be in a lot of resolutions and ordinances. Prevailing opinion is that it is invalid or inoperative simply because the Revised Code is really clear that you don't change the zoning district without going thru the process, so the idea that you can say it's been 3 years, you are automatically reverted without a hearing, that is where that came from. While some of these things may seem relatively nominal, some of the members of the Board will remember the angst some of these things have caused. I think the administrative modification has scored with everybody on the Board at that time; you're taking that out. The submittal following approval for administrative review language that was tagged in a few of the districts has all been taken out. Another thing these amendments did was actually put you on the trail you've been saying that you've been walking for a long time.

Ms. Knapp: So most of these items, if not all, we haven't been enforcing and haven't been in practice for a while?

Mr. McCarthy: Certainly the administrative modifications. I think all of the members of the Board at that point indicated they were out of that business.

*Ms. Knapp: **And** the reverter clause?*

*Mr. McCarthy: The reverter clause, in terms of the Planned Districts, the Code was always a little bit split. In some ways you would say it was one type of legislation; in other ways you would say it was another, and in the end the Township settled on the fact of their **519.021 (B)** operation, and that is the one step process. While maybe longer at the front end, it's a lot shorter in the back end because you don't have a back end. Those changes I would say were fairly consequential. Hopefully the language all the way thru has been made as consistent as it can be made without major revision, and it lays out just what it is you're doing and how you expect it to be done. There*

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were changes recommended by the Zoning Commission, one of these was in Section 5.02; Ms. Boni was able to confirm that the Zoning Map's title is actually as indicated in the resolution now. It can be awkward trying to argue the Zoning Map with a different title than the one that actually counts, so it's a real plus that's happened, and the Zoning Commission put that change in. They also added 2 changes in Section 10.07. One was a relic reference to 10.08 which is what you're repealing, it's being eliminated totally, and the second was, in your original resolution, and this is pursuant to one issue that has arisen which was that there's a 25% limitation on building coverage on a particular lot in a Single Family District. The question kept coming up, what about other structures aside from buildings. Buildings have walls and a roof; structures are anything permanently sited erected on the ground. The suggestion was brought forth by the Board to the Board and adopted by the Board that structures be added to that list but we think it's going to take more discussion than really was intended for this particular round of changes, so for that reason they recommended that the structures language be taken out. The last thing done was in 11.06 and this was done at the recommendation and request of Regional Planning. They asked as to the Multi-Family Districts that we include the same platting requirements that we require in the Single Family to make it clear that one platting does apply For a condominium it will not apply, so that language would not be operative for condominiums, but where it does apply, this is what we expect to see and this is why we're entitled to have it. So that is the full action of what changes the Zoning Commission made. Those have been brought into this resolution's attachment and at this point in time, that attachment shows the changed language that will be final. Once all changes are accepted, this all falls into the text that can be plugged into the overall Zoning Resolution file that you have.

Ms. Boni: Our office will put that together and we'll distribute it.

Ms. Knapp: I want to thank Michele and the Zoning Commission for getting thru this so expeditiously; you did a good job while being efficient while also being thorough.

Ms. Boni: I anticipate a larger revamp of the Code in the near future, but these are some of the issues we thought were important.

RES.19-169 ADOPTING RECOMMENDATION OF THE ZONING COMMISSION TO THE BOARD OF TOWNSHIP TRUSTEES REGARDING AMENDMENTS TO THE ORANGE TOWNSHIP ZONING RESOLUTION.

Mr. Rivers moved the adoption of the following Resolution:

WHEREAS, pursuant to R.C. Section 519.12, the Board of Township Trustees of Orange Township, Delaware County, Ohio, on March 4, 2019, adopted its Resolution #19-077 to initiate amendments to modify or supplement Section 5.01, Section 5.02, Section 10.01, Section 10.03, Section 10.04, Section 10.05, Section 10.06, Section 10.07, Section 10.09, Section 11.01, Section 11.03, Section 11.04, Section 11.05, Section 11.06, Section 11.07, Section 14.01, Section 14.03, Section 14.05, Section 14.06, Section 14.07, Section 15.01, Section 15.03, Section 15.04, Section 15.05, Section 15.06, Section 15.07, Section 15.08, Section 15.09, Section 17.01, Section 17.03, Section 17.05, Section 17.06 and Section 17.07 of the Orange Township Zoning Resolution and delete Section 10.08 in its entirety; and

WHEREAS, the Orange Township Zoning Commission conducted a public hearing regarding that Resolution on March 19, 2019, at the conclusion of which it was recessed to April 2, 2019 to receive the recommendation of the Delaware County Regional Planning Commission; and

WHEREAS, the Delaware County Regional Planning Commission thereafter presented its recommendation of conditional approval regarding such amendments, adopted at its meeting on March 28, 2019, which recommendation was considered by the Zoning Commission; and

WHEREAS, the Orange Township Zoning Commission has, following its public hearing, submitted its *Motion of the Orange Township Zoning Commission to the Board of Township Trustees Regarding Proposed Amendments to the Orange Township Zoning Resolution, as Reflected in Resolution #19-077 of the Board* ("Motion") to the Board recommending approval of the originally proposed amendments, with three (3) modifications and rejection of one (1) proposed change; and

WHEREAS, the Board has conducted a public hearing on the proposed amendments on this 6th day of May, 2019;

NOW THEREFORE BE IT RESOLVED that the Board adopts the recommendation of the Orange Township Zoning Commission and approves the amendments to the Orange Township Zoning Resolution as recommended in the Motion of the Zoning Commission.

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BE IT FURTHER RESOLVED that those sections of the Zoning Resolution affected by this resolution are amended to read as indicated in Attachment "A" attached hereto and incorporated by reference herein.

Motion seconded by Ms. Taranto

Vote on Motion: Mr. Rivers-yes, Ms. Taranto-yes, Ms. Knapp-yes

Motion Carried

Minutes prepared by Cindy Davis, Zoning Secretary

74 page attachment "A" can be found with Michael McCarthy or in Zoning Office.

ZONING REPORT

ORANGE TOWNSHIP ZONING HEARINGS/MEETINGS REPORT

Ms. Boni, Planning and Zoning Director, reviewed the hearings/meetings report.

MAINTENANCE REPORT

Mr. Bill Cowen, Director of Operations, came forward and reviewed his resolutions he brought forth.

PURCHASE ORDER

RES.19-170 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE ROBERT WEILER COMPANY

Motion by Mr. Rivers to authorize the issuance of a purchase order to The Robert Weiler Company, in the amount of \$17,350.00, for land appraisal East Orange Road phase 2.

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

APPROVAL AND ACCEPTANCE OF DELAWARE COUNTY ENGINEER CONSTRUCTION COST ESTIMATE FOR GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT

RES.19-171 APPROVE AND ACCEPT DELAWARE COUNTY ENGINEER CONSTRUCTION COST ESTIMATE FOR GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT PROJECT DEL-TR409-00.28

Motion by Mr. Rivers to approve and accept the Delaware County Engineer's construction cost estimate for Green Meadows Drive and Highfield Drive roundabout project.

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

AUTHORIZE BID ADVERTISEMENT FOR GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT PROJECT DEL-TR409-00.28

RES.19-172 AUTHORIZE BID ADVERTISEMENT FOR GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT PROJECT DEL-TR409-00.28

Motion by Mr. Rivers to authorize the bid advertisement for construction of Green Meadows Drive and Highfield Drive Improvement project.

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

AUTHORIZE THE ORANGE TOWNSHIP BOARD OF TRUSTEES TO SIGN THE DEL-TR409-00.28 GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT PROJECT TITLE SHEET

RES.19-173 AUTHORIZE ORANGE TOWNSHIP BOARD OF TRUSTEES TO SIGN THE DEL-TR409-00.28, GREEN MEADOWS DRIVE AND HIGHFIELD DRIVE INTERSECTION IMPROVEMENT PROJECT TITLE SHEET

Motion by Mr. Rivers to authorize signing by the Orange Township Board of Trustees, Green Meadows Drive and Highfield Drive Improvement project DEL-TR409-00.28 plan title sheet.

Seconded by Ms. Knapp.

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VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

POSSIBLE DISCUSSION AND ACTION REGARDING LOCAL PAVING AGREEMENT VIA
DELAWARE COUNTY ENGINEER'S OFFICE

**RES.19-174 APPROVE SIGNATURE BY ORANGE TOWNSHIP BOARD OF TRUSTEES ON
CONTRACT WITH THE SHELLY COMPANY**

Motion by Mr. Rivers to approve Orange Township Board of Trustees to sign a contract for local paving between The Shelly Company and Orange Township Board of Trustees. Contract amount One Million Fifty-Six Thousand Forty-Two Dollars and Sixty Cents (\$1,056,042.60)

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

**RES.19-175 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE SHELLY
COMPANY**

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to the Shelly Company in the amount of One Million Fifty-Six Thousand Forty-Two Dollars and Sixty Cents (\$1,056,042.60)

Seconded by Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

PARK REPORT

Mr. Cowen again reviewed the resolutions he brought forth to the Board. He answered the Board's questions.

THEN AND NOW PURCHASE ORDER

**RES.19-176 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO THE
WILDLIFE CONTROL COMPANY, INC.**

Motion by Mr. Rivers to authorize the issuance of a purchase order to The Wildlife Control Company, Inc. in the amount of \$2,500.00, for coyote removal.

Second: Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

APPROVAL AND ACCEPTANCE OF DELAWARE COUNTY ENGINEER CONSTRUCTION COST
ESTIMATE FOR LEWIS CENTER ROAD AND NORTH ROAD SHARED USE PATH, PID NO. 1035

**RES.19-177 APPROVE AND ACCEPT DELAWARE COUNTY ENGINEER CONSTRUCTION
COST ESTIMATE FOR LEWIS CENTER ROAD AND NORH ROAD SHARED USE PATH, PID
NO. 1035**

Motion by Mr. Rivers to approve and accept the Delaware County Engineer's construction cost estimate for construction of Lewis Center Road and North Road shared use path.

Seconded by Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

AUTHORIZE THE BID ADVERTISEMENT FOR LEWIS CENTER ROAD AND NORTH ROAD
SHARED USE PATH, PID 1035

**RES.19-178 AUTHORIZE THE BID ADVERTISEMENT FOR LEWIS CENTER ROAD AND
NORH ROAD SHARED USE PATH, PID 1035**

Motion by Mr. Rivers to authorize the bid advertisement for construction of the Lewis Center Road and North Road shared use path.

Seconded by Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

PURCHASE ORDER

**RES.19-179 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO THE DWA
RECREATION COMPANY**

Motion by Mr. Rivers to authorize the issuance of a purchase order to the DWA Recreation Company in the amount of \$10,200.00, for repairs to the North Orange Park swimming pool floor. Expenditure Account No.2901-610-323-0000.

Seconded by Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

APPROVING TASK ORDER AGREEMENT WITH KORDA/NEMETH FOR ORANGE ROAD CSX/NS TRAIL CROSSING; TASK NO. 2019-4

RES.19-180 APPROVING A TASK ORDER AGREEMENT WITH KORDA/NEMETH FOR ORANGE ROAD CSX/NS TRAIL CROSSING, TASK NO. 2019-4

Motion by Mr. Rivers:

WHEREAS, the Orange Township Board of Trustees (“Board”) previously approved a Consulting Agreement (“Agreement”) with Korda/Nemeth Engineering (“Korda”); and,

WHEREAS, pursuant to that Agreement, the Board now desires to utilize Korda’s construction administration services on the North Orange Road CSX/NS Trail crossing project; and,

WHEREAS, the Board now desires to approve the attached Task Order (No. 2019-4) with Korda according to the terms and conditions found therein and in the related exhibit.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby approves the attached Task Order (No. 2019-4) for North Orange Road CSX/NS Trail crossing project construction administration services pursuant to the terms and conditions found therein and in the related exhibit.

Section 2. The Board hereby authorizes Township Director of Operations William Cowen to execute the Task Order Agreement on the Board’s behalf.

Section 3. 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.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

PURCHASE ORDER FOR THE ABOVE; KORDA/NEMETH ENGINEERING INC., \$47,400.00; CONSULTING SERVICES FOR DESIGN, CONSTRUCTION ADMINISTRATION, AND INDEPENDENT MATERIAL TESTING FOR TASK NO. 2019-4, ORANGE ROAD CSX/NS RAIL TRAIL CROSSING AGREEMENT

RES.19-181 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO KORDA/NEMETH ENGINEERING, INC. TASK NO. 2019-4

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Korda/Nemeth Engineering, Inc. in the amount of \$47,400.00, for consulting services required for design, construction administration and independent material testing for Task No. 2019-4, Orange Road CSX/NS rail/trail crossing Agreement.

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes. Taranto – yes.

APPROVING A TASK ORDER AGREEMENT WITH KORDA/NEMETH FOR NORTH ORANGE PARK ADA SWINGS AND RESURFACING, TASK NO. 2019-3

RES.19-182 APPROVING A TASK ORDER AGREEMENT WITH KORDA/NEMETH FOR NORTH ORANGE PARK ADA SWINGS AND RESURFACING, TASK NO. 2019-3

Motion by Mr. Rivers;

WHEREAS, the Orange Township Board of Trustees (“Board”) previously approved a Consulting Agreement (“Agreement”) with Korda/Nemeth Engineering (“Korda”); and,

WHEREAS, pursuant to that Agreement, the Board now desires to utilize Korda’s construction administration services on the North Orange Park ADA swings and resurfacing project; and,

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WHEREAS, the Board now desires to approve the attached Task Order (No. 2019-3) with Korda according to the terms and conditions found therein and in the related exhibit.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby approves the attached Task Order (No. 2019-3) for North Orange Park ADA swings and resurfacing project construction administration services pursuant to the terms and conditions found therein and in the related exhibit.

Section 2. The Board hereby authorizes Township Director of Operations William Cowen to execute the Task Order Agreement on the Board's behalf.

Section 3. 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.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

PURCHASE ORDER FOR THE ABOVE; KORDA/NEMETH ENGINEERING INC., \$29,875.00 FOR CONSULTING SERVICES REQUIRED TO DEVELOP AT NORTH ORANGE PARK A NEW ADA COMPLIANT SWING SET AREA AND REPLACEMENT OF EXISTING SOFT SURFACE AT EXISTING PLAY STRUCTURE, TASK NO. 2019-3

RES.19-183 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO KORDA/NEMETH ENGINEERING, INC. TASK NO. 2019-3

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Korda/Nemeth Engineering, Inc. in the amount of \$29,875.00, for consulting services required to develop at North Orange Park a new ADA compliant swing set area and replacement of existing soft surface at existing play structure, Task No. 2019-3. Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

PUBLIC SAFETY REPORT

Fire Chief Matt Noble briefly described his items on the agenda.

THEN AND NOW PURCHASE ORDERS

RES.19-184 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO TARGET SOLUTIONS

Motion by Mr. Rivers to authorize the issuance of a purchase order to Target Solutions in the amount of \$7,609.31, for training.

Second: Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

RES.19-185 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO MOHAWK RESOURCES

Motion by Mr. Rivers to authorize the issuance of a purchase order to Mohawk Resources in the amount of \$17,927.27, for 4303 future fire station.

Second: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

APPOINTMENT OF JOHN (MATT) KOKAS AS FULL-TIME FIREFIGHTER/PARAMEDIC EFFECTIVE MAY 22, 2019 WITH FULL BENEFITS PACKAGE PER THE COLLECTING BARGAINING AGREEMENT

RES.19-186 APPOINTMENT OF JOHN (MATT) KOKAS AS A Firefighter/PARAMEDIC, WITH PROBATIONARY PERIOD

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Mr. Rivers moved the adoption of the following resolution:

BE IT RESOLVED that John (Matt) Kokas is appointed to the non-exempt, full-time, bargaining unit position of Firefighter/Paramedic, effective May 22, 2019.

BE IT FURTHER RESOLVED that this appointment is probationary in accordance with Section 4.1 of the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that, during the probationary period, the compensation for this position shall be as provided for a probationary firefighter/paramedic in the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816, with paychecks to be issued based on a 14-day pay period.

BE IT FURTHER RESOLVED that, if the probationary period is successfully completed, the compensation for this position shall be as provided for a firefighter/paramedic in the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816, with paychecks to be issued based on a 14-day pay period.

BE IT FURTHER RESOLVED that the compensation for this position shall also include the standard employee benefits package provided for all full-time union personnel in resolutions of the Board of Township Trustees and/or the current collective bargaining agreement between Orange Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that this appointment is contingent upon the satisfactory completion by John (Matt) Kokas of a drug screen, physical examination, background investigation and PRADCO assessment.

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

ACCEPT RESIGNATION FROM PART-TIME FIREFIGHTER/EMT, JOHN (MATT) KOKAS
EFFECTIVE MAY 21, 2019

RES.19-187 ACCEPT RESIGNATION OF PART TIME FIREFIGHTER/EMT

Motion by Mr. Rivers to accept the resignation of part time firefighter/EMT John (Matt) Kokas effective May 21, 2019.

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

APPOINTMENT OF JONATHAN HIGHLEY AS FULL-TIME FIREFIGHTER/PARAMEDIC
EFFECTIVE MAY 22, 2019 WITH FULL BENEFITS PACKAGE PER THE COLLECTING
BARGAINING AGREEMENT

**RES.19-188 APPOINTMENT OF JOHNATHAN HIGHLEY AS A FIREFIGHTER/PARAMEDIC,
WITH PROBATIONARY PERIOD**

Mr. Rivers moved the adoption of the following resolution:

BE IT RESOLVED that Jonathan Highley is appointed to the non-exempt, full-time, bargaining unit position of Firefighter/Paramedic, effective May 22, 2019.

BE IT FURTHER RESOLVED that this appointment is probationary in accordance with Section 4.1 of the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that, during the probationary period, the compensation for this position shall be as provided for a probationary firefighter/paramedic in the current collective bargaining agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816, with paychecks to be issued based on a 14-day pay period.

BE IT FURTHER RESOLVED that, if the probationary period is successfully completed, the compensation for this position shall be as provided for a firefighter/paramedic in the current collective bargaining

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agreement between the Township and the Orange Township Professional Firefighters, IAFF Local-3816, with paychecks to be issued based on a 14-day pay period.

BE IT FURTHER RESOLVED that the compensation for this position shall also include the standard employee benefits package provided for all full-time union personnel in resolutions of the Board of Township Trustees and/or the current collective bargaining agreement between Orange Township and the Orange Township Professional Firefighters, IAFF Local-3816.

BE IT FURTHER RESOLVED that this appointment is contingent upon the satisfactory completion by Jonathan Highley of a drug screen, physical examination, background investigation and PRADCO assessment.

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

ACCEPT RESIGNATION FROM PART-TIME FIREFIGHTER/EMT JONATHAN HIGHLEY
EFFECTIVE MAY 21, 2019

RES.19-189 ACCEPT RESIGNATION OF PART TIME FIREFIGHTER/EMT

Motion by Mr. Rivers to accept the resignation of part time firefighter/EMT Johnathon Highley effective May 21, 2019.

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

Chief Noble commented on behalf of the fire department he wanted to thank the Board and Township for all they did the past three weeks in regards to the passing of FF Trever Murphy.

Ms. Knapp asked for a two minute recess.

Mr. Rivers recessed the meeting.

Mr. Rivers returned the meeting to regular session.

REGULAR SESSION (CONT)

FISCAL OFFICE REPORT

Mr. Rivers asked Mr. Mayer to come forward and give a brief review of his agenda items. He explained in depth the TIFF recoupment which has led to the adjustments in the permanent appropriations. He, Mr. Bodnar, and Mr. McCarthy answered the Board's questions. There was continued discussion about TIFFs.

FISCAL OFFICE UPDATE

FEBRUARY FINANCIALS

Fiscal Officer, Wes Mayer commented the February Financials went out April 17, 2019.

**DISCUSSION AND POSSIBLE ACTION REGARDING A TOWNSHIP POLICY ON HOW TO
HANDLE ACH PAYMENTS**

This item was tabled.

**RETROACTIVELY INCREASING PERMANENT APPROPRIATIONS ESTABLISHED IN RES.19-097
BLANKET CERTIFICATES**

**RES.19-190 RETROACTIVELY INCREASING PERMANENT APPROPRIATIONS
ESTABLISHED IN RES. 19-097**

Mr. Rivers moved the adoption of the following Resolution:

BE IT RESOLVED that the appropriations for the fiscal year ending December 31, 2019, as made at the Trustee Meeting March 18, 2019, in Res.19-097, are increasing Retroactively on 3/18/2019 as follows in exhibit "A":

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Exhibit "A"

Purposes for which expenditures are to be made for and during said fiscal year, as follows, via:

1 GENERAL FUND 01

That there be appropriated from the GENERAL FUND for MISCELLANEOUS PURPOSES:

1-A ADMINISTRATIVE

1000-110-100	Salaries	\$	0.00
1000-110-200	Benefits	\$	0.00
1000-110-300	Purchased Services	\$	40,000.00
1000-110-400	Supplies & Materials	\$	0.00
1000-110-500	Other	\$	0.00
1000-110-700	Capital Outlay	\$	0.00
	Total Miscellaneous Purposes	\$	40,000.00

That there be appropriated from the ROAD LEVY FUND:

2141-330-	Salaries	\$	0.00
100			
2141-330-	Purchased Services	\$	8,500.00
300			
2141-330-	Supplies & Materials	\$	0.00
400			
	Total Road Levy Tax Fund	\$	8,500.00

FIRE LEVY FUNDS 20

That there be appropriated from the FIRE LEVY FUNDS:

2191-220-100	Salaries	\$	0.00
2191-220-200	Benefits	\$	0.00
2191-220-300	Purchased Services	\$	95,000.00
2191-220-400	Supplies & Materials	\$	0.00

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2191-220-500	Other	\$	0.00
2191-760-360	Contracted Services	\$	0.00
2191-760-700	Capital Outlay	\$	0.00
	Total Fire Levy Funds	\$	95,000.00

1 PARK LEVY FUND 12

That there be appropriated from the PARK LEVY FUND:

2901-610-	Salaries	\$	0.00
100			
2901-610-	Benefits	\$	0.00
200			
2901-610-	Purchased Services	\$	36,000.00
300			
2901-610-	Supplies & Materials	\$	0.00
400			
2901-610-	Other	\$	0.00
500			
2901-610-	Capital Outlay	\$	0.00
700			
	Total Park Levy Fund	\$	36,000.00

BE IT FURTHER RESOLVED that the Township Fiscal Officer shall file a copy of the adjusted appropriations with the Delaware County Auditor upon completion.

Motion seconded by Ms. Knapp.
 VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

CERTIFICATE

State of Ohio, Delaware County

I, the undersigned Township Fiscal Officer of Orange Township, Delaware County, Ohio, certify that the foregoing Resolution No. 14-283 is taken and copied from the record of proceedings of the township, and that it has been compared by me with the resolution on the record and is a true copy. Further, I certify that the adoption of such resolution occurred in an open meeting held in compliance with section 121.22 of the Revised Code.

Date: May 6, 2019

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 Wesley W. Mayer, Township Fiscal Officer
 Orange Township, Delaware County, Ohio

BLANKET CERTIFICATES

RES.19-191 APPROVAL OF BLANKET CERTIFICATES

Motion by Mr. Rivers to approve the following list of 2019 blanket certificates. With the exception of blankets covering fringe benefits, individual purchases of ten thousand dollars or more within a blanket certificate require board approval:

DEPT.	ACCOUNT #	DISCRIPTION	AMOUNT
Fire	2191-220-311-0000	ACCOUNTING & LEGAL FEES	\$17,000.00
Fire	2191-220-420-7101	OPERATING SUPPLIES PREVENTION	\$4,000.00

Seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

THEN AND NOW PURCHASE ORDER

RES.19-192 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO ICE MILLER

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Ice Miller for \$4,331.15, for fire legal services.

Second: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

LIQUOR PERMIT

The Board gave consensus to not have a hearing for Allure Nail Studio LLC.

AMINISTRATIVE REPORT

OBSOLETE ITEMS

RES.19-193 FINDING CERTAIN PERSONAL PROPERTY NOT NEEDED FOR PUBLIC USE, OBSOLETE, OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED TO HAVE NO VALUE AND ORDERING IT TO BE DISCARDED OR SALVAGED

Mr. Rivers moved the adoption of the following Resolution:

WHEREAS, the Township has certain used property which has no value and is not needed for public use, is obsolete, or is unfit for the use for which it was acquired;

NOW THEREFORE BE IT RESOLVED that the property listed in Exhibit "A" of this resolution, incorporated herein by reference as if fully repeated, is found to be not needed for public use, is obsolete, or is unfit for the use for which it was acquired, and to have no value.

BE IT FURTHER RESOLVED that such property shall be discarded or salvaged and the Township Administrator, Lee Bodnar or his/her designee shall oversee its' disposal.

Exhibit "A"

Amount	Description	Product/Model #	Serial #
1	Micro Intevations Cordless Mouse		
1	Lenovo Think Centre Hard Drive	1S7517B4UMJKWAPG	11SOA65311ZVJ6DR22FQ7R
1	Monitor HPLP1965	RA373A	CNN7400ZYJ October 2007

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1	Monitor HP Compaq LE1711	EM886A	CNC015NZGX

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

DISCUSSION AND POSSIBLE ACTION CONCERNING THE TOWNSHIP HALL RENOVATION PROJECT AGREEMENT WITH TRIAD ARCHITECTS

Mr. Bodnar gave a brief synopsis and Mr. McCarthy added the explanation of the indemnity clause. They answered the Board’s questions.

RES.19-194 APPROVING AN AGREEMENT WITH TRIAD ARCHITECTS LTD. FOR DESIGN SERVICES

Motion by Mr. Rivers;

WHEREAS, the Orange Township Board of Trustees (“Board”) desires to renovate the Orange Township Hall and offices in order to create a more usable and efficient workspace for its officials and employees; and,

WHEREAS, after conducting a rigorous selection process, the Board chose Triad Architects Ltd. (“Triad”) as the design firm they desired to negotiate the terms and conditions of the Project; and,

WHEREAS, the Board now desires to approve the attached “B105-2017 Standard Short Form of Agreement Between Owner and Architect” and the Addendum (collectively “Agreement”) with Triad according to the terms and conditions found therein; and,

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby approves the attached “B105-2017 Standard Short Form of Agreement Between Owner and Architect,” along with the Addendum, with Triad Architects, Ltd. for design services pursuant to the terms and conditions found in the Agreement.

Section 2. The Board hereby authorizes Township Administrator Lee Bodnar to execute the Agreement on the Board’s behalf.

Section 3. 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.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Knapp.

VOTE: Rivers – no, Knapp – yes, Taranto – yes.

Mr. Rivers commented he has no problem with Triad; he would like to see this project done in phases. Ms. Taranto commented just to point out; the contract had nothing to do with phases. Ms. Knapp commented she was concerned about this project being completed for the employee’s safety and efficiency.

DISCUSSION AND POSSIBLE ACTION REGARDING THE VIDEO SYSTEM, TWP YOUTUBE CHANNEL AND SYSTEM POLICY

Mr. Bodnar explained he was asked at the last meeting to take charge of this. He received late Friday a policy and has not had time to review. He would like to review it with Ms. Sheterom to make sure it meets all the concerns.

DISCUSSION AND POSSIBLE ACTION REGARDING THE WEBSITE REDESIGN

Mr. Bodnar shared there will be a program team meeting scheduled for this Thursday (May 9, 2019).

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Mr. Rivers commented he had also included a proposal from Guide in the backup packet. He reviewed the costs for the redesign, more of a makeover. With the recent branding and with working with Guide; he would take the opportunity to look at other options and do a comparison with what we have. He remarked on different townships and their capabilities they have with their website. Ms. Knapp voiced concerns. Mr. Bodnar gave a history of what had happened approximately a year ago. He went on to describe what Civic Plus has given us and what Guide is offering in their proposal. Mr. Rivers wondered if the money spent to Civic Plus is refundable. There was discussion among the Board, Mr. Bodnar and Ms. Sheterom. Mr. Bodnar and Ms. Sheterom was asked to find out if the money is refundable from Civic Plus, and to resend to the Board the different sites to look at and review. Mr. Rivers commented they would put together several scenarios and get back with them at the next meeting.

DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR QUALIFICATIONS (RFQ) CONCERNING THE VETERAN'S MEMORIAL PROJECT

Mr. Bodnar commented he, Mr. McCarthy and Mr. Grumbles met to come up with the RFQ regarding the Veteran's Memorial Project. There was a brief discussion among the Board, Mr. McCarthy and Mr. Bodnar.

RES.19-195 PUBLICLY ANNOUNCING AVAILABLE CONTRACT FOR ARCHITECTURAL AND/OR ENGINEERING SERVICES RELATED TO VETERANS MEMORIAL, APPROVING PUBLIC ANNOUNCEMENT FORM AND AUTHORIZING SOLICITATION OF STATEMENTS OF QUALIFICATION

Mr. Rivers moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio, publicly announces its intent to contract for architectural and/or engineering services to provide an illustrative site plan, a 3D computer rendering and a preliminary cost estimate regarding the Veterans Memorial.

BE IT FURTHER RESOLVED that the Board approves the form and content of the *Public Announcement* presented to the Board and bearing in its footer the identifying version date of 050119.

BE IT FURTHER RESOLVED that the publication, once a week for two weeks in the Delaware Gazette, of the *Public Announcement* regarding such contracts is hereby authorized and the Township Fiscal Officer and Township Administrator are directed to take all action necessary to accomplish that publication.

BE IT FURTHER RESOLVED, that copies of the *Public Announcement* shall also be posted on the Township web site, disseminated by means of the Township list serve and emailed to professional design firms who have provided services to the Board within the past 3 years and also on the township main list serve.

Motion seconded by Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING THE DEVELOPMENT OF AN AGREEMENT WITH EVAN FARM DEVELOPMENT CONCERNING THE PURSUIT OF A QUIET ZONE DESIGNATION AT THE LEWIS CENTER ROAD RAILROAD CROSSING

Mr. Bodnar commented on a discussion he had with representatives from Evans Farm with their pursuit and willingness to finance a quiet zone for the Lewis Center Railroad Crossing. He was asking for authorization from the Board for himself and Mr. McCarthy to be able to draft an agreement addressing all township's concerns.

Mr. Bodnar addressed the questions and concerns of the Boards. Ms. Taranto wanted to make it clear that it would be Evans Farm Development's quiet zone and just has to go through the township to obtain it.

Ms Sandy LeCrone, 1425 Church Street, Lewis Center, Ohio 43035 came forth and asked if the Village of Lewis Center would have a say in it if Evans Farm pays for it. Mr. Bodnar thought if the Village did not wish to have a quiet zone there the Board would take that into consideration before moving forward. She thought it would be dangerous not to hear a whistle of a train going through. She commented that all day yesterday the CSX crossing arm was down. Mr. Bodnar explained the process of designating a crossing as a quiet zone and commented there would be substantial upgrades to the crossing. The engineer of the train still has the digression to blow the whistle if he sees the need. There was a discussion among Ms. LeCrone, the Board,

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Mr. Bodnar, and the Board as to what they would look like. It was decided more information is needed before a decision could be made. Mr. Bodnar asked this item be removed from the agenda.

DISCUSSION AND POSSIBLE ACTION REGARDING THE PURCHASE OF A 75" SMART BOARD AND CART

RES.19-196 AUTHORIZATION OF THE ISSUANCE OF A PURCHASE ORDER TO TOUCHBOARDS.COM

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to TouchBoards.com in the amount of \$4,811.48, for the purchase of a 75" TouchIT 75Z10 LED Display Smart Board and mounting Cart.

Second: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes, Taranto – yes.

OLD BUSINESS

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION REGARDING NEW PLOW TRUCK PURCHASE (STATE COOPERATIVE PURCHASING PROGRAM)

This is tabled.

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION REGARDING ENGINEERING FOR THE LEWIS CENTER TRAIL PROJECT

RES.19-197 APPROVING A TASK ORDER AGREEMENT WITH KORDA/NEMETH FOR LEWIS CENTER TRAIL PHASE 2, TASK NO. 2019-2

Motion by Mr. Rivers;

WHEREAS, the Orange Township Board of Trustees ("Board") previously approved a Consulting Agreement ("Agreement") with Korda/Nemeth Engineering ("Korda"); and,

WHEREAS, pursuant to that Agreement, the Board now desires to utilize Korda's construction administration services on Phase 2 of the Lewis Center Trail project; and,

WHEREAS, the Board now desires to approve the attached Task Order (No. 2019-2) with Korda according to the terms and conditions found therein and in the related exhibit.

NOW THEREFORE BE IT RESOLVED by the Board of Trustees of Orange Township, Delaware County, Ohio, that:

Section 1. The Board hereby approves the attached Task Order (No. 2019-2) for Lewis Center Trail, Phase 2 construction administration services pursuant to the terms and conditions found therein and in the related exhibit.

Section 2. The Board hereby authorizes Township Director of Operations William Cowen to execute the Task Order Agreement on the Board's behalf.

Section 3. 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.

Section 4. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

RES.19-198 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO KORDA/NEMETH ENGINEERING, INC. TASK NO. 2019-2

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Korda/Nemeth Engineering, Inc. in the amount of \$41,925.00 for construction administration and independent material testing for Task No. 2019-2, Lewis Center Trail Phase 2.

Seconded by Ms. Taranto.

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VOTE: Rivers – yes, Taranto – yes, Knapp – yes.

DISCUSSION AND POSSIBLE ACTION FOR AUTONOMOUS DRONE PROJECT

Chief Noble gave a synopsis of this project; how it works etc., what was previously presented and discussed. It is very costly. There is a 90 day agreement that would cost approximately \$10,000.00. He reviewed what the 90 day agreement would entail. Chief Noble answered the questions of Ms. Knapp and discussed the agreement. Discussion continued for a short while. Consensus to move forward with the agreement and pursue the project was given.

DISCUSSION SHERIFF CONTRACT

Discussed during Mr. Kaitsa's presentation.

NEW BUSINESS

Nothing to report.

EXECUTIVE SESSION

There was nothing.

There was no further business meeting adjourned at 1:55 p.m.

Notice: Copies of documents referred to in these minutes can be obtained by contacting the Orange Township Administrator, Lee Bodnar.

Ryan Rivers, Chairman

Lisa Knapp, Vice-Chairman

Deborah Taranto, Trustee

Attest: _____
Wesley Mayer, Fiscal Officer