

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 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 10:01 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 Cowan	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

Mr. Rivers noted they had hoped to live stream the meeting today; but due to a few issues it will be recording the meeting the same as always.

10:00 A.M. TONY EYERMAN AND MR. DAN GRIFFIN, EVAN'S FARM DEVELOPMENT,
REGARDING A RAILROAD CROSSING QUIET ZONE AT LEWIS CENTER ROAD

Dan Griffin and Tony Eyerman, 1550 Lewis Center Road, Lewis Center, Ohio 43035 came forward.

- They were here to file the documents to ask the township for a quiet zone
- History; since the day they began they had met with a lot of people
- Thought the quiet zone would be nice for the crossings at Lewis Center, Shanahan, and Peach Blow
- Have met with county and the township about what had to be done
- Found out before filing request have to go through some government agencies
- It would be at their cost
- They were here to get the process started

Mr. Rivers asked what goes into a quiet zone. Mr. Griffin responded:

- You file and then everyone gets together
- Reason was so they do not blow their whistles unless there is an emergency
- After the group gets together; the townships and the county get together to decide what needs to be done at each particular crossing
- He gave examples as to what can be done, gates, lane size changes

Mr. Griffin and Mr. Eyerman continued to answer the Board's questions.

Ms. Taranto asked if they had full support at all the meetings. They said yes, but it didn't mean there were people who were not in support.

Ms. Knapp asked how dramatically the crossings would change. They could not answer for sure.

Mr. Bodnar reminded everyone of a public meeting in July with the two railroads regarding the closing of the Franklin Street crossing.

The gentleman continued to address the Board's questions.

Mr. Rivers asked for public comment and that the public limit their comments to three minutes.

David Dill, 557 Franklin Street, Lewis Center, Ohio 43035 came forward.

- The gentlemen didn't live at 1550 Lewis Center Road
- They were all in agreement to keep Franklin Street open
- So whatever this proposal is, include Franklin Street
- He felt a single gate would close it; run it on the same detectors as the Lewis Center Road

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 2019

- Felt this would be an easy way to keep it open,
- He felt there were other alternatives
- Quite crossings have been mentioned at other meetings, everyone didn't seem to know about it, but it keeps coming up
- He asked the Board to have Evans Farm commit to Franklin Street also, along with Lewis Center, Shanahan and Peach Blow

Mr. Rivers commented he thought it would be best to address all the issues, including Franklin Street, with the county, the railroads and the community and maybe come up with a plan that works for everyone. Mr. McCarthy commented with other issues, not quiet crossings, the parties have come up with MOUs (Memorandum of Understanding) which states which party is responsible for what part of the issue.

There was discussion among the Board, Mr. Bodnar, Mr. McCarthy and voices from the audience.

Mr. Dill suggested/asked if anyone had looked into the costs of a sound wall. Living as close to the crossing as he does, whistle is not as loud as mile long trains with empty coal cars. They are extremely loud and likened the sound to someone banging on an empty drum barrel.

Mr. Bodnar suggested if the Board is looking to move forward, he and Mr. McCarthy could work together to get the information that would be necessary for the application portion to a level of comfortability and in tandem with that; have Mr. McCarthy draft an MOU so before submitting applications as far as payment, maintenance, etc.; would be addressed in the MOU. Mr. Rivers asked if the Evans Farm people were in agreement to add Franklin Street; the reply heard was we can try. The Board gave consensus to allow Mr. Bodnar and Mr. McCarthy move forward.

Frank leChrome, 1425 Church Street, Lewis Center, Ohio 43035 addressed the Board.

- The Railroad Commission is involved in the closing of Franklin Street, but not the quiet crossings, with the changes to the crossing if it is made a quiet crossing, why would they not be involved in that

Ms. Knapp commented it is the Commission. Mr. Bodnar commented that the Railroad Development Commission ties are severed after the Railroads petitioned to close the crossing.

PUBLIC COMMENTS

Mr. Rivers asked anyone to come forward with comments about items not on the agenda.

Jerri Dill, 1557 Franklin Street, Lewis Center, Ohio 43035 came forward. Her concerns were:

- She asked what it takes to get the full video of the meetings, especially of the ones in the morning times
- It appears to be morning meetings, that she cannot attend; they tend to be cut off; it doesn't video through the end of the meeting

Mr. Bodnar commented he would look into it. He was unaware, and he explained the process.

Ms. Dill continued:

- These minutes got posted pretty timely but there are times when they are a least a month out, it is her only source
- She asked Mr. Bodnar to check also. Mr. Bodnar conveyed to Ms. Dill she could also call him and he would be happy to share with the best of his recollection and notes

Thersa Wickline, 1354 Church Street, Lewis Center, Ohio 43035 came forward. Her concerns were:

- She wondered if Evans Farm has a publicist whom someone could go to; to ask questions or speak with

Mr. Bodnar commented he would be happy to help.

Ms. Wickline continued:

- She questioned their clarity of their messages, at different meetings; different thoughts were conveyed

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 2019

Ms. Taranto commented her understanding is they promised quiet zones during zoning and they are just following up on that. The township has not had much interest in it because of the cost and the fact they may not be that quiet. There was discussion between Ms. Wickline, Ms. Taranto and Mr. Bodnar. Mr. Bodnar commented he thought the redundancy of the two crossings was the main reason for the petition for closure. Voices from the audience joined in the discussion.

Mr. Dill came forward and commented that they feel that Evans Farm has been disingenuous with most of their dealings with them. They feel they have never been told the straight deal. They have come in with a plan and have changed it numerous times, calling them marketing changes, he disagreed. He reviewed some of the instances where things were said and they were not done that way. Mr. Dill asked the Board to listen to them and not rubber stamp every idea they come up with. He asked them to be objective.

EXECUTIVE SESSION

Motion by Mr. Rivers to go into Executive Session: To Consider Confidential Information Directly Related To Negotiations With Other Political Subdivisions Respecting Requests For Economic Development Assistance That Is To Be Provided Or Administered Under Chapter 715 Of The Ohio Revised Code And That The Board Determines The Executive Session Is Necessary To Protect The Interests Of The Applicants Or The Possible Investment Or Expenditure Of Public Funds To Be Made In Connection With The Economic Development Project

Seconded by Ms. Knapp.

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

Motion by Mr. Rivers to return to Regular Session.

Seconded by: Ms. Knapp.

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

APPROVAL OF MINUTES

APRIL 18, 2019 SPECIAL TRUSTEE MEETING

Mr. Mayer commented this was discussed at the last meeting, where he asked for input. He got some input from only one trustee. He has listened to the audio and watched the video many times. Over the weekend he sent two different versions, explaining the difference and asked the trustees which version they would like to approve.

Ms. Knapp commented she is not going to approve either of them. She felt they were lacking in detail. Ms. Taranto commented she was not going to vote for it either.

ZONING REPORT

ORANGE TOWNSHIP ZONING HEARINGS/MEETINGS REPORT

Planning and Zoning Director Ms. Boni reviewed the zoning report.

DISCUSSION AND POSSIBLE ACTION REGARDING AN ALTERNATIVE MEMBER FOR THE ZONING COMMISSION

RES.19-220 APPOINT DUSTIN DOHERTY AS AN ALTERNATE TO THE ZONING COMMISSION BOARD

Motion by Mr. Rivers to appoint Dustin Doherty as alternate member to the Orange Township Zoning Commission, to fill a new term effective June 3, 2019, and expiring on December 31, 2021.

Seconded by Ms. Taranto.

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

MAINTENANCE REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING GREEN MEADOWS/HIGHFIELD DRIVE ROUNDABOUT PROJECT BIDS

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 2019

Director of Operations, Mr. Cowan read from his email what he had sent from the county regarding this topic. The low bidder was George J. Igel Company. Their bid was \$941,275.13. The engineers estimate was \$997,000.00.

PARK REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING NORTH ROAD/LEWIS CENTER TRAIL BID CHANGE

DISCUSSION AND POSSIBLE ACTION REGARDING NORTH ROAD/LEWIS CENTER TRAIL ESTIMATE

The bids for the bike path were all over 10% of the estimate. Mr. Riley suggested two things that may reduce the bid. One was to change the top soil from 6% organic content to 4% minimum organic content. That would be a savings of \$15,000.00. There was discussion among Ms. Taranto, Mr. Bodnar and Mr. Cowan about the topsoil, the appearance of the grass, etc. The other option would be for the county to raise their estimated bid costs and again send it out to bid. The Board gave consensus to request a revised cost estimate amount and rebid the project.

Mr. Mayer reminded the Board that there will be 2 levies coming up and there will need to be a resolution of necessity at the next meeting.

PUBLIC SAFETY REPORT

UPDATE ON BWC GRANT FOR FIREFIGHTER HOODS

Fire Chief Matt Noble advised the Board in updating their cancer preventive policy; they applied for a BWC grant (Environmental Grant) for protective hoods. They did receive the grant for \$11,800.00 to go towards the purchase of these hoods. Total cost of the hoods is \$14,200.00. Each firefighter will be given two hoods; one a primary and the second a back up. The Board congratulated the fire department and gave consensus to move forward on the purchase of the hoods.

THEN AND NOW PURCHASE ORDER

RES.19-221 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO ICE MILLER LLP

Motion by Mr. Rivers to authorize the issuance of a purchase order to Ice Miller LLP in the amount of \$6,163.75, for legal services.

Second: Ms. Knapp.

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

ACCEPT RESIGNATION FROM PART-TIME FIREFIGHTER/EMT

RES.19-222 ACCEPT RESIGNATION OF PART TIME FIREFIGHTER/EMT

Motion by Mr. Rivers to accept the resignation of firefighter/EMT Dylan Mullen effective May 6, 2019.

Seconded by Ms. Knapp.

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

APPOINTMENT OF MICHAEL KEMMERLING AS A FULL-TIME FIREFIGHTER/PARAMEDIC EFFECTIVE JUNE 19, 2019 WITH FULL BENEFITS PACKAGE PER THE COLLECTING BARGAINING AGREEMENT

RES.19-223 APPOINTMENT OF MICHAEL KEMMERLING AS A FIREFIGHTER/PARAMEDIC, WITH PROBATIONARY PERIOD

Mr. Rivers moved the adoption of the following resolution:

BE IT RESOLVED that Michael Kemmerling is appointed to the non-exempt, full-time, bargaining unit position of Firefighter/Paramedic, effective June 19, 2019.

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 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 Michael Kemmerling of a drug screen, physical examination, background investigation and PRADCO assessment.

Motion seconded by Ms. Taranto.

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

ACCEPT RESIGNATION FROM PART-TIME FIREFIGHTER/EMT

RES.19-224 ACCEPT RESIGNATION OF PART-TIME FIREFIGHTER/EMT

Motion by Mr. Rivers to accept the resignation of part-time firefighter/EMT Michael Kemmerling effective June 18, 2019.

Seconded by Ms. Knapp.

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

REIMBURSE SICK, VACATION, COMPENSATORY, AND HOLIDAY HOURS DUE TO INJURY LEAVE

RES.19-225 AUTHORIZE THE REIMBURSEMENT OF SICK LEAVE HOURS

Motion by Mr. Rivers to authorize the reimbursement of 190.01 hours of sick, 270.23 hours of vacation, 67.76 hours of compensatory and 48.0 hours of holiday leave due to an injury for Raechel Peters.

Motion seconded by Ms. Knapp.

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

Chief Noble shared a thank you to medics, FFs. Peters, Dewart and Hager, for their assistance.

FISCAL OFFICE REPORT

MARCH AND APRIL FINANCIALS

Mr. Mayer commented that he would like the trustees to sign at the bottom of the first page of each set of financials. He answered Ms. Knapp's question regarding the financials and would need to look into the other question. Ms. Knapp asked for a detailed explanation when there are balances that differ between the months. She had a concern about outstanding payments from previous years. Mr. Mayer commented they now have time to focus on those and they are in the process of contacting the individuals or vendors to ask about those outstanding payments.

ADMINISTRATIVE REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING THE RENOVATIONS TO THE TOWNSHIP HALL

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 2019

Mr. Bodnar gave an update. He will be meeting soon with the architect. He should have information by the next meeting. He asked that this item be tabled until the next meeting.

DISCUSSION AND POSSIBLE ACTION REGARDING THE TOWNSHIP WEBSITE PROJECT KICKOFF MEETING

Mr. Bodnar commented the Project Team will be attending the kickoff meeting tomorrow. He will have more information at the next meeting and he asked that this item be tabled.

DISCUSSION AND POSSIBLE ACTION REGARDING THE TOWNSHIP RECORDS COMMISSION MEETING

Mr. Bodnar shared with the Board the Records Commission met last week. He will soon be compiling information for the Board's consideration. He asked the Board to table until next meeting.

OLD BUSINESS

TABLED ITEM: ACH DISCUSSION AND POSSIBLE ACTION

Mr. Mayer commented the policy stood as discussed at the last meeting. Ms. Knapp disagreed with Mr. Mayer and pointed out that the trustees have to provide approval of ACH payments. Ms. Taranto thought that when Mr. Fowler left he was going to redo the policy. Mr. Mayer clarified what he had said at the last meeting. The auditors told him that the way all townships are using ACHs is okay; as long as there are controls in place to mitigate the chance of fraud. Ms. Knapp and Mr. Mayer continued to differ in opinion.

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

Mr. Cowen commented he hoped this would be moving forward in the next couple weeks. This item was tabled.

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION REGARDING MOVIE IN THE PARK EVENT

Ms. Sheterom commented she and Mr. Cowen had gotten the date, July 20, 2019 the park is available and she put a deposit down with FunFlicks to guarantee we have the date with FunFlicks. The paperwork was still at the prosecutor's office for review. She has gotten in touch with Swank Productions for a movie, which needs to be decided. She also has Swank Production's paperwork at prosecutor's office. August 17, 2019 is the rain date. She has reached out to food vendors. A sheriff deputy presence was discussed. Lego 2 was the movie picked by the Board.

DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION OF A CONTRACT FOR AUTONOMOUS DRONE DISPATCH WITH PALADIN DRONES

Mr. Rivers commented and gave a brief history of what has led up to now. The newest NDA (non-disclosure agreement) arrived for review during the meeting. Hard copies were given to the trustees.

RES.19-226 AUTHORIZATION OF FIRE CHIEF MATT NOBLE

Motion by Mr. Rivers to authorize Chief Noble to execute and move forward with the agreement which shall be in the forms received from the county and reviewed and approved by the prosecutor's office with Paladin Drones.

Seconded by Ms. Knapp.

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

Ms. Knapp commented it was very exciting and an innovative project. She was very proud that Orange Township is the one that is going to be involved. She is hoping the county will see value in it and use this company and using the data to increase the safety of Delaware County residents overall.

Mr. Rivers commented this gives Orange Township the opportunity to serve as a leader in this pilot program and the results which will provide the ultimate goal that this will be a county wide project.

NEW BUSINESS

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, June 3, 2019

Nothing to report

There was no further business meeting adjourned at 11:55 a.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