

Orange Township Board of Trustees
Delaware County, Ohio
Regular Trustee Meeting, May 20, 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 6:00 p.m.

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

ALSO PRESENT:

| | |
|------------------|--|
| Bill Cowan | Director of Operations |
| Amanda Sheterom | Human Resources/Communications Manager |
| Lee Bodnar | Township Administrator |
| Michael McCarthy | Township General Counsel |

PLEDGE OF ALLEGIANCE

DELAWARE COUNTY SHERIFF RUSSELL MARTIN WITH THE DELAWARE COUNTY SHERIFF'S OFFICE

Ms. Taranto commented she didn't feel the sheriff or chief deputy needed to come tonight. It was decided to move the discussion to the end of the Maintenance Report.

PUBLIC COMMENTS

Mr. Rivers asked for any public comment for items not on the agenda. No one came forward.

APPROVAL OF MINUTES

APRIL 18, 2019 SPECIAL TRUSTEE MEETING

Ms. Knapp voiced concerns about comments added to the last set of minutes and she thought it was left that Ms. Ross was going to listen and make any changes. Fiscal Officer, Mr. Mayer, commented he listened to the audio/video; he made a few minor changes. He felt right now it was an accurate account of that meeting. Ms. Knapp felt there were discussion items in there that were included that were his and that Ms. Taranto's and hers were not. Ms. Knapp read an email sent to Mr. Mayer by Ms. Ross stating her confusion on how minutes should be handled. Mr. Mayer explained he had a discussion with Ms. Ross and it was important to keep the minutes to what is required; recording the decisions of the Board and to provide enough additional information to the minutes so residents would understand why decisions were made. Mr. Mayer went on to comment that if anyone had concerns to write them out and give them to him; he will go back and compare them to the recording and if changes are warranted; he will make them. There continued discussion between Ms. Knapp and Mr. Mayer. Ms. Taranto commented she was pretty specific about Mr. Bodnar being thrown under the bus with his tongue in cheek comment. She felt it was out of context. Mr. Mayer commented he listened again and there was no joking. Mr. Rivers felt the minutes were accurate. An audio of the section in question was played for the Board on Mr. Bodnar's phone. Ms. Knapp and Ms. Taranto commented on hearing chuckling and laughter. Ms. Knapp didn't want the minutes to be used as an instrument of propaganda. Mr. Mayer asked that he be given the changes and he will go and make the changes. Ms. Knapp asked that the minutes be tabled. Mr. Rivers asked that any additions or deletions be sent to Mr. Mayer.

APRIL 23, 2019 EMERGENCY TRUSTEE MEETING

RES.19-199 APPROVAL OF MINUTES

Motion by Mr. Rivers to approve the April 23, 2019, emergency trustee meeting minutes as presented.

Seconded by Ms. Knapp.

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

MAY 6, 2019 REGULAR TRUSTEE MEETING

RES.19-200 APPROVAL OF MINUTES

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Motion by Mr. Rivers to approve the May 6, 2019, regular trustee meeting minutes as presented.

Seconded by Ms. Knapp.

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

ZONING REPORT

ORANGE TOWNSHIP ZONING HEARINGS/MEETINGS REPORT

Ms. Boni, Planning and Zoning Director, was not present. Mr. Bodnar commented the report could be found on the table.

MAINTENANCE REPORT

TO ACCEPT ORANGE TOWNSHIP PROPERTY MOWING BID RESULTS

Mr. Cowan, Director of Operations, came forward and gave a brief review of the mowing bid procedure; recommending Burdens Lawn Care.

RES.19-201 TO ACCEPT ORANGE TOWNSHIP PROPERTY MOWING BID RESULTS OF MAY 7, 2019

Motion by Mr. Rivers to accept the results of the May 7, 2019 Bid-Openings for mowing of properties owned by Orange Township as described therein. Bids received from (1) Zig Zag Lawn Care: 3 year contract at a cost of \$174,000.00 and (2) Burdens Lawn Care: 3 year contract at a cost of \$98,496.54.

Seconded by Ms. Knapp.

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

TO AUTHORIZE DIRECTOR OF OPERATIONS TO SIGN BID DOCUMENTS AND ENTER INTO AN AGREEMENT FOR MOWING TOWNSHIP PROPERTIES AND PURCHASE ORDER TO AGREED VENDOR

RES.19-202 AUTHORIZE DIRECTOR OF OPERATIONS TO SIGN BID DOCUMENTS AND ENTER INTO AN AGREEMENT WITH BURDENS LAWN CARE FOR MOWING TOWNSHIP PROPERTIES.

Motion by Mr. Rivers to award the Bid to Burdens Lawn Care and authorize the Director of Operations, Mr. William Cowan, to sign all documents related to the provision of service.

Seconded by Ms. Knapp.

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

RES.19-203 MODIFICATION OF RES.19-201

Motion by Mr. Rivers to accept the results of the May 7, 2019 Bid-Openings for mowing of properties owned by Orange Township as described therein. Bids received from (1) Zig Zag Lawn Care: 3 year contract at a cost of \$174,000.00 and (2) Burdens Lawn Care: 3 year contract at a cost of \$98,469.54.

Seconded by Ms. Knapp.

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

PURCHASE ORDER

RES.19-204 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO BURDENS LAWN CARE.

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Burdens Lawn Care in the amount of \$32,823.18, for the mowing of properties owned by Orange Township for the remainder of 2019, mowing season as specified in the bid agreement.

Seconded by Ms. Knapp.

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

DISCUSSION AND POSSIBLE ACTION REGARDING TEMPORARY AND PERMANENT EASEMENT NECESSARY FOR THE GREEN MEADOWS/HIGHLAND DRIVE IMPROVEMENT PROJECT

AUTHORIZATION OF PAYMENT OF WARRANT TO VAUGH EQUITY SERVICES, LLC FOR \$48,471.00

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Mr. Cowan explained this is for the roundabout.

PURCHASE ORDER

RES.19-205 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO VAUGHN EQUITY SERVICES LLC

Motion by Mr. Rivers to authorize the issuance of a Purchase Order to Vaughn Equity Services LLC in the amount of \$48,471.00 for authorization of payment to parcel address 7749 Green Meadows Drive.

Seconded by Ms. Knapp.

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

REQUEST FOR CONSENSUS FOR PAYMENT TO DELAWARE COUNTY ENGINEER FOR 194.39 TONS OF ROAD SALT; PAYMENT OF \$15,514.27

RES.19-206 AUTHORIZING THE PURCHASE OF ROAD SALT

Motion by Mr. Rivers to authorize the purchase to Delaware County in the amount of \$15,514.27, for road salt.

Seconded by Ms. Taranto.

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

DISCUSSION OF PARK AND MAINTENANCE DEPARTMENT BUDGET

Mr. Cowan commented on information given to the Board. It started with needing a broad vision of where they will be in the next couple of years with all the different projects. He reviewed all the dollar amounts with the Board. Mr. Cowan and Mr. Mayer answered the Board's questions. It was thought there would not be any money to offset for the sheriff levy.

DISCUSSION SHERIFF CONTRACT

Ms. Taranto commented after the discussion at the last meeting; there will be two levies on the ballot this year, which are needed. She didn't think 3 levies in one year is a direction they wanted to go. She would also like to take some time to be able to discuss with residents, maybe have some town hall meetings, she stated there will be an article that will be in the newsletter. She has encouraged residents to email the trustees with their questions, etc. She thought it may be wise to go on the ballot next year. Ms. Knapp agreed. Ms. Taranto reviewed the history. Ms. Taranto thought it came down; to do you want community policing or do you like it the way it is. Ms. Knapp thought there were more deputies hired, and she has seen them more when going out. Mr. Rivers felt there was definitely a need. He thought maybe a block watch may make more sense. He felt with more commercial and what was on the horizon there would be a definite need for more coverage in the future. Ms Knapp gave alternatives ideas for coverage. Discussion continued among the Board. The Board thought maybe next year, but start educating, and getting feedback now.

PARK REPORT

The Board complemented Mr. Cowan and the workers on all the work they have done on the pool and the landscaping. Mr. Cowan commented he would be sure and pass it on to the men.

OBSOLETE ITEMS

RES.19-207 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.

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BE IT FURTHER RESOLVED that such property shall be discarded or salvaged and the Director of Operations, William Cowan or his/her designee shall oversee its' disposal.

Motion seconded by Ms. Taranto.

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

Exhibit "A"

| Amt | Description | Model # | Serial # |
|-----|-------------------------------|---------|--------------|
| 3 | Pool Basketball Hoop and Base | | |
| 1 | Panasonic Microwave | 1300W | B00064U00AP |
| 1 | GE Microwave | | 501TAEJ02164 |

DISCUSSION REGARDING MOVIE IN THE PARK

Ms. Sheterom commented she had some vendors wondering about the park events for this year. She was asking the Board what direction they would want to go in this year. There was discussion among the Board, Ms. Sheterom, and Mr. Cowan. There was concern about availability of movies and the availability of the park. They had questions with Mr. McCarthy about volunteers. The Board thought scaling it down this year, and checking on the evening date July 20.

PUBLIC SAFETY REPORT

Mr. Bodnar commented in Fire Chief Matt Noble’s absence that the only thing he had was fuel cards.

REQUEST BP FUEL CARDS FOR OFFICERS AND INSPECTOR

RES.19-208 AUTHORIZE THE FISCAL OFFICE TO OBTAIN A CREDIT CARD TO BP FOR THE FOLLOWING EMPLOYEES: INSPECTOR CRAIG COLEMAN, LIEUTENANT ANDREW SAPP, LIEUTENANT KEN BROOKS & LIEUTENANT JOE LINE

Motion by Mr. Rivers to authorize the fiscal office to obtain a credit card to BP for Inspector Craig Coleman, Lieutenant Andrew Sapp, Lieutenant Ken Brooks & Lieutenant Joe Line.

Seconded by Ms. Knapp.

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

MR. SCOTT BELCASTRO OF TREBEL LCC REGARDING ELECTRIC AGGREGATION PROGRAM

Mr. Scott Belcastro of Trebel LLC came forward. He commented:

- Distributed information to the Board
- Over last couple weeks rates have been super low
- He went out to look for bids and see what was out there and has now received them
- Was here to talk about the proposals and formulate a plan for moving forward
- He reviewed the documentation given the Board
- Reviewed and explained capacity and how it will effect rates of the next few years
- Existing contract does not expire until next year
- Reviewed, companies, rates and variables
- He asked for the Board’s interest at this time, has been cost in the past
- Current rate 5.199
- Continued to answer the Board’s questions; gave his suggestions
- Mr. McCarthy gave options upon questions from the Board
- The Board would like for next time to look at renewable energy and possibly partnering with other townships

The Board continued discussion and asked Mr. McCarthy for an resolution that would indicate what they wished from Trebel LLC. Mr. McCarthy asked the Board to continue with the meeting as he worked on finding and working on said resolution.

FISCAL OFFICE REPORT

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ACH POLICY DISCUSSION AND POSSIBLE ACTION

Mr. Mayer asked that the ACH Policy discussion be tabled until later in the meeting as Mr. Fowler from the Delaware County Prosecutor's Office was coming to help answer questions.

THEN AND NOW PURCHASE ORDERS

RES.19-209 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO MICHAEL J. MCCARTHY

Motion by Mr. Rivers to authorize the issuance of a Then & Now Purchase Order to Michael J. McCarthy for \$12,329.75, for legal services.

Second: Ms. Taranto.

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

RES.19-210 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO TREASURER OF STATE OF OHIO

Motion by Mr. Rivers to authorize the issuance of a Then & Now Purchase Order to Treasurer of State of Ohio for \$6,724.00, for audit services for year 2018.

Second: Ms. Knapp.

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

FISCAL OFFICE UPDATES

There was no discussion.

ADMINISTRATIVE REPORT

OBSOLETE ITEMS

RES.19-211 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 Amanda Sheterom or his/her designee shall oversee its' disposal.

Motion seconded by Ms. Taranto.

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

Exhibit "A"

| Amt | Description | Model # | Serial # |
|-----|-----------------------------------|---------|----------|
| 1 | Lenovo ThinkCentre Computer Tower | | MJWY23 |
| 1 | Lenovo ThinkVision Monitor | | V6-HC197 |
| | Computer Cables | | |
| | | | |

DISCUSSION AND POSSIBLE ACTION REGARDING TOWNSHIP PROPERTY AND CAUSALITY INSURANCE COVERAGE

RES.19-213 AUTHORIZE THE ACCEPTANCE OF THE TOWNSHIP PROPERTY AND CAUSALITY INSURANCE COVERAGE

Motion by Mr. Rivers to authorize the acceptance of the Township Property and Causality insurance coverage by Trident Public Risk Solutions and McGowan Governmental Underwriters from June 3, 2019 to June 3, 2020.

Second: Ms. Knapp.

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

RES.19-214 AUTHORIZATION TO ADMINISTRATOR

Motion by Mr. Rivers to authorize Township Administrator, Lee Bodnar, to execute the agreement for the Property and Causality Insurance coverage.

Seconded: Ms. Knapp.

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

OLD BUSINESS

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

There was a brief discussion among the Board, Mr. Bodnar and Ms. Sheterom involving numerous items, including:

- Not being able to see guest speaker at podium
- Movement of the existing camera
- Or movement of the podium
- Placement of second camera
- And/or stationary or a mobile second camera
- Signage was also discussed
- It was decided to continue this at the next meeting so changes could be made.

TABLED ITEM: DISCUSSION AND POSSIBLE ACTION REGARDING THE WEBSITE REDESIGN

Mr. Bodnar commented the money cannot be refundable from CivicPlus because it has been a year. The Board to move forward with CivicPlus .

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

Mr. Cowan asked that it continued to be tabled.

Mr. Rivers called a brief recess.

Mr. Rivers called the meeting back to session.

REGULAR SESSION (Continued)

FISCAL OFFICE (continued)

ACH POLICY DISCUSSION AND POSSIBLE ACTION

Mr. Mayer commented this was very important and he had been working on this the past month with Mr. Fowler.

Mr. Mayer commented:

- He had been working on this for over a month
- Is not a black and white issue; it is a very gray issue
- He felt that at the end of the discussion the Board will want to make some decisions
- He gave brief history
 - Last year credit cards were not getting paid on time; got cut off; there were late fees
 - Township is not allowed to incur or pay late fees
 - This year credit card procedure was changed which was included in credit card policy
 - The credit card user is responsible for reconciling their statement with their receipts; they sign off; their supervisor signs off; it then goes to the fiscal office

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- If not complete or no receipts ; the user makes up the difference
- Procedure is tight; about 15 days between when the credit card bill is received and when it is due
- He talked with First Commonwealth's credit card department and they commented that other entities use ACH
- He talked with persons to get their opinions, auditor's from the state; LGS, the visiting fiscal officer, other neighboring townships
 - The state auditor stated as long as controls are in place to mitigate risks of fraud
 - Other entities who use ACH commented that UAN produces a statement that the fiscal officer and trustees sign

Ms. Knapp asked if this was after payments were made and Mr. Mayer commented yes.

- Mr. Mayer explained what most ACH payments were related to
- He reviewed documents he gave to the Board

Ms. Knapp asked about the sales tax placement under "other" not "direct". Mr. Mayer defined what was meant by "direct".

Mr. Mayer continued to explain the problems they have been having with BP cards. MasterCard is currently being done through ACH. He explained another option was to gather all the backup information together with a cover sheet; have the trustees sign it. It would have to be signed before the credit cards are due. This was for Master Card.

Ms. Knapp asked the time between receiving and payment due on the BP cards. She wondered if the BP statements could be sent by email instead of mail. Mr. Mayer was going to check.

He explained Point and Pay and then receipt of funds.

Mr. Mayer explained the law and how times have changed to the way of electronic payments.

Ms. Knapp commented there has been no internal control, information on this or sign offs and she thought everyone at the table was interested in this and they need to be aware of the procedure and that the internal controls are there.

Mr. Mayer commented there have been strong internal controls and they have been there for 6 months. The sign off hasn't been there, but now they know they can go with the payment voucher.

Ms. Knapp didn't think it was right to get approval post facto. She thought the packet idea would be better. Mr. Mayer commented any way the Board would like.

Ms. Knapp commented the last 2 months there has been ACH actions for credit cards and they have not received any of the backup documentation. She commented it wasn't legal and she has asked for the documentation several times and have not received it. Mr. Mayer commented he would have to check. Ms. Knapp continued stating that it is required by law that they sign off on payments. If the law needs to be changed it needs to be changed, but does not cover right now. She would like the Board to see all that information and in the future see all the information. It is not whether or not the Board wants to do this; it is who is it going to; who is paying it out; how do the trustees know who it is going to or what it is for. She felt if there was a policy that clearly defines this; she was in favor of it.

Mr. Mayer asked Mr. Fowler to speak. Mr. Fowler commented:

- It appears the Auditor gives some leeway to the law in some ways

Ms. Knapp asked what leeways. Mr. Fowler commented they are allowing electronic payments to be paid. She agreed as long as there are adequate controls. He agreed. She continued; not to just make payments without prior approval.

There was a discussion among the Board about the internal controls on payment.

Mr. Fowler commented he thought perhaps the credit card packet was the best way to do it.

There was a discussion about OPERS, BWC and payroll.

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There was a disagreement between Mr. Mayer and Ms. Knapp about internal controls. Ms. Knapp asked questions as to the procedure for payment, who opens the payment envelope, who writes the check, who signs the check. Mr. Mayer commented he reviews the backup material the same as a trustee would. Ms. Knapp gave her thoughts on the procedure and how it should be done. Mr. Mayer suggested she contact the auditor's office.

Ms. Knapp continued to ask questions about the proposed policy. There continued discussion among the Board, Mr. Mayer, and Mr. Fowler about how in depth the policy should be. Ms. Knapp commented the policy was a good start but she felt there needed to be a separation of duties, a list of all vendors and their account numbers and that all the ACH are actually going where there suppose to.

Ms. Knapp is going to share a link with the Board to help show her concerns. Mr. Fowler volunteered to help get the additional steps added to the policy.

This will be placed on the next agenda.

ELECTRIC AGGREGATION (Continued)

RES.19-212 TO SELECT FIRST CHOICE BIDDERS TO SUPPLY ELECTRIC FOR THE ORANGE TOWNSHIP ELECTRIC AGGREGATION PROGRAM

Mr. Rivers moved the adoption of the following resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio selects First Energy Solutions Corp. as its first choice supplier for its Orange Township Electric Aggregation Program for a term of 12 months following the expiration of the current agreement with Capital Energy LLC and directs Scott Belcastro of Trebel LLC to move forward with negotiation of a master retail supply agreement for presentation to the Board.

BE IT FURTHER RESOLVED that, if an agreement cannot be reached with First Energy Solutions Corp., then and in that event the Board selects Dynegy Energy Services East as its first choice supplier for its Orange Township Electric Aggregation Program for a term of 12 months following the expiration of the current agreement with Capital Energy LLC and directs Scott Belcastro of Trebel LLC to move forward with negotiation of a master retail supply agreement for presentation to the Board.

BE IT FURTHER RESOLVED that any resulting agreement shall be presented to the Board, or the then-current situation presented, at a special meeting of the Board to be held on May 24, 2019 at 10:00 a.m.

Motion seconded by Ms. Taranto.

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

NEW BUSINESS

Nothing to report.

EXECUTIVE SESSION

Not needed.

There was no further business meeting adjourned at 8:35 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

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Lisa Knapp, Vice-Chairman

Deborah Taranto, Trustee

Attest: _____
Wesley Mayer, Fiscal Officer