

Orange Township Board of Trustees
Delaware County
Special Trustee Meeting, May 24 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 – absent due to prior commitment
Wesley Mayer, Fiscal Officer – present

ALSO PRESENT

Matt Noble	Fire Chief
Bill Cowan	Director of Operations
Michele Boni	Planning and Zoning Director
Lee Bodnar	Township Administrator
Michael McCarthy	Township General Counsel

PLEDGE OF ALLEGIANCE

The purpose of this meeting is:

Regular Session:

1. Discussion and possible action regarding the selection of an electric rate and supplier for the Orange Township Electric Aggregation Program for a term of 12 months following the expiration of the current agreement with Capital Energy LLC and authorization of the execution of a master retail supply agreement with the selected firm.
2. Discussion and possible action regarding the Township's live streaming Video System, Township YouTube Channel and Video System Policy
3. Discussion and possible action regarding authorization of a Then and Now Purchase Order to Delaware County Engineer in the amount of \$27,904.77 for Road Salt.
4. Discussion and possible action regarding authorization of a Then & Now Purchase Order to Isaac Wiles Burkholder & Teetor, LLC for \$4,345.50, for legal services.
5. Discussion and possible action regarding authorization of a Contract for Autonomous Drone Dispatch with Paladin Drones, such services to be on a three month trial basis.

Executive Session:

To Consider the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of a Public Employee or Official

Regular Session:

1. Discussion and Possible Action Regarding Continuing Salary and Benefits of Employee During BWC Temporary Total Application Period

REGULAR SESSION

DISCUSSION AND POSSIBLE ACTION REGARDING THE SELECTION OF AN ELECTRIC RATE AND SUPPLIER FOR THE ORANGE TOWNSHIP ELECTRIC AGGREGATION PROGRAM FOR A TERM OF 12 MONTHS FOLLOWING THE EXPIRATION OF THE CURRENT AGREEMENT WITH CAPITAL ENERGY LLC AND AUTHORIZATION OF THE EXECUTION OF A MASTER RETAIL SUPPLY AGREEMENT WITH THE SELECTED FIRM

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Mr. Rivers asked Ms. Kim Bojko representing Trebel LLC but with the law firm Carpenter, Lipps and Leland LLC. who specialize in governmental aggregation. She presented the master service agreement with First Energy Corp. She reviewed the concerns and reviewed the modifications to the agreement to address their concerns. General Counsel Mr. McCarthy reviewed the work done on his part regarding the agreement and the resolution. Mr. McCarthy and Ms. Bojko addressed all the Board's concerns.

RES.19-215 DESIGNATION OF FIRST ENERGY SOLUTIONS CORP. AS COMPETITIVE RETAIL ELECTRIC SERVICE ("CRES") PROVIDER AND AUTHORIZATION TO EXECUTE AGREEMENT

Mr. Rivers moved the adoption of the following resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio ["Board"] designates First Energy Solutions Corp as the competitive retail electric service ["CRES"] provider and agent for the provision of electric power and power-related services to eligible customers of the Orange Township Electric Aggregation Program for a term of 12 months following the expiration of the current agreement with Capital Energy LLC as CRES.

BE IT FURTHER RESOLVED that the Board enter into an Agreement with First Energy Solutions Corp. ("FES"), which shall be in the form submitted by Trebel LLC, titled *Master Agreement to Provide Services To An Aggregated Group* ("*Master Agreement*") and bearing the identifier of Trebel v3.19, with those changes reflected in the *Memo* to Scott Belcasto from the Township General Counsel dated May 24, 2019 ("*Memo*") and with the following insertions:

1. Attachment A to the *Master Agreement*, titled *Pricing and Other Conditions to Retail Generation Service Offer* shall be completed consistently with the bid proposal of FES and the *Memo*.
2. A copy of Form PEDACKN (Revised 6/2017) of the Ohio Public Employees Retirement System shall be attached to the Master Agreement as Attachment B.
3. The Township's standard *CERTIFICATION/AFFIDAVIT IN COMPLIANCE WITH O.R.C. SECTION 3517.13* shall be attached to the Master Agreement as Attachment C.

BE IT FURTHER RESOLVED that the Township Administrator is authorized and directed to execute the Agreement on behalf of the Board and to take all other necessary action to conclude and implement the same.

BE IT FURTHER RESOLVED that this Resolution shall be effective from and after the date of its passage and that all formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this 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. Section 121.22.

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

DISCUSSION AND POSSIBLE ACTION REGARDING THE TOWNSHIP'S LIVE STREAMING VIDEO SYSTEM, TOWNSHIP YOUTUBE CHANNEL AND VIDEO SYSTEM POLICY

Mr. Bodnar, Township Administrator, commented at last Monday's Trustee Meeting there were questions noted; removal of language to the policy. All the items of concern was addressed. There was short discussion among the Board, Mr. McCarthy, and Mr. Bodnar. Some of the topics discussed were signage and possible starting date of June 3, 2019.

RES.19-216 ADOPTING A VIDEO SYSTEM POLICY

Mr. Rivers moved the adoption of the following Resolution:

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WHEREAS, it is desire of the Board of Township Trustees of Orange Township, Delaware County, Ohio (“Board”), to adopt a policy to regulate the use of the live streaming video system and related equipment installed by the Board of Township Trustees in the Moffett Room of the Township Hall;

NOW THEREFORE, BE IT RESOLVED as follows:

1. The Board hereby adopts the *Video System Policy* (“Policy”) presented to the Board and bearing identifying version date of Ver. 052219, the contents of which are incorporated by reference into this Resolution.
2. The Board finds the Policy is necessary and reasonable.
3. The Policy shall be placed into full force and effect beginning May 24, 2019.
4. All formal actions of this Board concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board, and all deliberations of this Board and 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.
5. This Resolution shall take effect immediately upon adoption.

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

DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION OF A THEN AND NOW PURCHASE ORDER TO DELAWARE COUNTY ENGINEER IN THE AMOUNT OF \$27,904.77 FOR ROAD SALT

RES.19-217 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO DELAWARE COUNTY ENGINEER

Motion by Mr. Rivers to authorize the issuance of a Then & Now Purchase Order to Delaware County Engineer for \$27,904.77, for delivered road salt.

Second: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION OF A THEN AND NOW PURCHASE ORDER TO ISAAC WILES BURKHOLDER & TEETOR, LLC FOR \$4,345.50, FOR LEGAL SERVICES

RES.19-218 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO ISAAC WILES BURKHOLDER & TEETOR, LLC

Motion by Mr. Rivers to authorize the issuance of a Then & Now Purchase Order to Isaac Wiles Burkholder & Teetor for \$4,345.50, for legal services.

Second: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes.

DISCUSSION AND POSSIBLE ACTION REGARDING AUTHORIZATION OF A CONTRACT FOR AUTONOMOUS DRONE DISPATCH WITH PALADIN DRONES, SUCH SERVICES TO BE ON A THREE MONTH TRIAL BASIS

Fire Chief Matt Noble came forward and gave a recap of what has happened so far. He has met with Delaware County Assistant Prosecutor, Mark Fowler. They addressed the Board’s concern and revised the agreement. Ms. Knapp asked Mr. McCarthy if he reviewed all of it. Mr. McCarthy conveyed his thoughts. Ms. Knapp had concerns about the language of parts of the agreement. It was decided to table to the June 3, 2019, regular trustee meeting.

EXECUTIVE SESSION

Motion by Mr. Rivers to go into Executive Session:

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1. To Consider the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of a Public Employee or Official

The following were invited to attend: Fire Chief Noble; Township Administrator Mr. Bodnar, and Township General Counsel, Mr. McCarthy.

Seconded by: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes.

Motion by Mr. Rivers to return to Regular Session.

Seconded by: Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes.

REGULAR SESSION (CONT)

DISCUSSION AND POSSIBLE ACTION REGARDING CONTINUING SALARY AND BENEFITS OF EMPLOYEE DURING BWC TEMPORARY TOTAL APPLICATION PERIOD

Ms. Knapp explained this is an issue that came before them due to the collective bargaining unit of the fire department.

RES.19-219 AUTHORIZE SALARY AND BENEFITS TO FIREFIGHTER/PARAMEDIC RAECHEL PETERS

Mr. Rivers moved the adoption of the following Resolution:

WHEREAS, Firefighter/Paramedic Raechel Peters is currently off work due to a work related injury; and

WHEREAS, Article 32 of the currently effective collective bargaining agreement between Orange Township and International Association of Fire Fighters, Local 3816 provides that an employee will receive injury leave provided they seek and are awarded Temporary Total (TT) from the Ohio Bureau of Workers Compensation (BWC); and

WHEREAS, Firefighter/Paramedic Raechel Peters has not accrued sufficient sick or vacation leave to cover the TT application period; and

WHEREAS, Article 32.2 also states that if an employee does not have sufficient sick or vacation leave to cover the TT application period, the employer will continue salary and benefits, upon the approval of the Board of Township Trustees, for up to sixty (60) days; and

WHEREAS, the Fire Chief has indicated his approval of the extension of this benefit;

NOW THEREFORE BE IT RESOLVED that, per Article 32 of the currently effective collective bargaining agreement, Firefighter/Paramedic Raechel Peters shall continue to receive salary and benefits, effective May 22, 2019, for a period of up to sixty (60) days, until TT is awarded, or she returns to work, whichever of these shall be earliest.

BE IT FURTHER RESOLVED that, per Article 32 of the currently effective collective bargaining agreement, should the Workers' Compensation claim ultimately be disallowed, all monies paid to the employee during this period shall be repaid to the employer.

Motion seconded by Ms. Knapp.

VOTE: Rivers – yes, Knapp – yes.

There was no further business, meeting adjourned at 11:00 a.m.

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Ryan Rivers, Chairman

Lisa Knapp, Vice Chairman

Deborah Taranto, Trustee

Attest: _____
Wesley Mayer, Fiscal Officer