

Orange Township Trustees
June 18, 2018
Regular Meeting

The audio recording, resolutions passed, and any attachments constitutes an accurate record of the Orange Township Trustee Minutes at the above dated meeting as determined by the Fiscal Officer. The following summary is provided as an overview of the meeting and a “road map” to the audio recording. Copies of this record are available by request at the Orange Township Fiscal Office, 1680 East Orange Road, Lewis Center, Ohio 43035.

Ms. Knapp called the meeting to order at 7:01 p.m.

This meeting was held at the Orange Township Hall, 1680 East Orange Road, Lewis Center, Ohio 43035.

ROLL CALL: Lisa F. Knapp – present, Ryan Rivers – present, Deborah Taranto – present.

TOWNSHIP OFFICIALS ALSO PRESENT

Matt Noble	Fire Chief
Joel Spitzer	Fiscal Officer
Amanda Sheterom	Human Resources/Communications Manager
Beth Hugh	Maintenance and Parks Director
Michele Boni	Planning and Zoning Director
Lee Bodnar	Township Administrator
Michael McCarthy	Township General Counsel

PLEDGE OF ALLEGIANCE

The minutes were prepared by Administrative Assistant for Maintenance and Parks Mary Ann Ross.

7:00 P.M. EXECUTIVE SESSION

Motion by _____ to go into Executive Session to consider

- To Consider Confidential Information Related to Negotiations with Another Political Subdivision Respecting Requests for Economic Development Assistance that is Directly Related for Economic Development Assistance that Involves Public Infrastructure Improvements Under 5709.77 to 5709.81 of the Ohio Revised Code, and an Unanimous Quorum of the Public Body Determines, by Roll Call Vote, that the Executive Session is Necessary to Protect the Interests of the Applicant or the Possible Investment or Expenditure of Public Funds to be Made in Connection with the Economic Development Project.

Seconded by Ms. Taranto.

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

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The following were invited to attend: the Board; Mr. McCarthy (audio and video stopped; did not hear who all was invited).

Motion by Ms. Knapp to return to regular session.
Seconded by Ms. Taranto.
VOTE: Knapp – yes, Taranto – yes, Rivers – yes.

REGULAR SESSION (CONTINUED)

PUBLIC COMMENTS

Ms. Knapp asked for any public comments about anything other than what is on the agenda. No one came forward.

APPROVAL OF MINUTES

Nothing to report.

ZONING REPORT

ORANGE TOWNSHIP ZONING HEARINGS/MEETINGS REPORT

Ms. Boni, Planning and Zoning Director, reviewed her zoning hearings/meetings report that is found on the table as you walk into the meeting room.

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

Ms. Boni explained the process; there were 2 applicants, they were reviewed, although both were good fits; she and Mr. Bodnar felt at this time Mr. Pychewicz would be the better fit. Ms. Knapp asked if he was present. He was and he came forward. Mr. Pychewicz commented he works at an architectural firm as a project manager. He has 15 years experience. He really would like to become involved in one of the fastest growing communities.

RES.18-216 APPOINTMENT OF ALTERNATE MEMBER TO THE ORANGE TOWNSHIP ZONING COMMISSION

Motion by Ms. Knapp to appoint Adam Pychewicz, as an Alternate Member to the Orange Township Zoning Commission to fill an unexpired term effective immediately and expiring on December 31, 2022.

Seconded by Ms. Taranto.

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

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SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-18-02 , HOME HIGH LLC C/O BRAD BLOCK & 216 HOME ROAD LLC

This item was removed.

SET DATE FOR BOARD OF TRUSTEES HEARING REGARDING ZONING CASE #ZON-18-03, SCIOTO ROOKERY PROPERTIES LLC

This item was removed.

MAINTENANCE REPORT

Ms. Hugh, Director of Parks and Maintenance, commented first she wanted to share some information from the Delaware County Engineers Office. The resurfacing program for 2018 regarding Arnold Place; they do not think they are going to have the culvert done until at least August or September so they are going to have to push Arnold Place until next year. They will use the additional money this year for curb replacements.

RESOLUTION FOR FLASHING SPEED LIMIT SIGNS- 50% TOWNSHIP AND 50% HOA

Ms. Hugh explained the agreement and resolution. She commented she had just gotten it this afternoon and if the Board would like time to review; they could wait and pass the resolution at the next meeting. Ms. Hugh answered the Board's questions. Ms. Knapp had concerns for the more public roadways.

RES.18-217 APPROVING AN AGREEMENT WITH TOWNSHIP HOMEOWNER'S ASSOCIATIONS FOR PURCHASE OF FLASHING SPEED LIMIT SIGNS

Motion by Ms. Knapp;

WHEREAS, pursuant to Chapters 5571 and 5573 of the Ohio revised Code, as well as R.C. §5543.10, the Orange Township Board of Trustees ("Board) is responsible for all aspects of Orange Township road;

WHEREAS, some homeowner's associations in the Township have expressed concern to the Board about vehicular speeding on the Township roads located within their neighborhoods; and,

WHEREAS, the Board desires to collaborate with homeowner's associations to reduce the incidence of speeding on Township roads; and,

WHEREAS, flashing speed limit signs have shown to be effective in reducing vehicular speeding; and,

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WHEREAS, the Board is willing to pay for half of the cost of a flashing speed limit sign to be installed in neighborhoods if the homeowner's association is willing to pay the other half of the cost; and,

WHEREAS, the Board desires to enter into the attached Agreement with the homeowners' associations that request the flashing speed limit signs.

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

Section 1. The Board hereby approves the attached "Agreement to Reimburse Cost of Flashing Speed Limit Signs" with any homeowner's association in the Township that requests one, subject to the following conditions:

- The Agreements will be entered into in the order that they are received
- The Agreements are subject to the availability of funds and manpower
- The Board may discontinue the program at any time and for any reason

Section 2. The Board designates Lee Bodnar as the person authorized to sign 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.

Seconded by Ms. Taranto.

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

PURCHASE ORDER

Ms. Hugh commented this was an attachment for their zero turn mower. Ms. Hugh answered the Board's questions.

RES.18-218 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO JEFFERY V. MILLER

Motion by Ms. Knapp to authorize the issuance of a purchase order to Jeffrey V. Miller, in the amount of \$2,300.00, for Exmark Lazer Zero Turn Ultra Vac.

Seconded by Mr. Rivers.

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

PARK REPORT

APPROVE CONTRACT WITH FRANKLIN EXPRESS FOR MOVIE/ORANGE SUMMER NIGHTS – JUNE 23, 2018

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Ms. Hugh explained this is the same band as what they used last year. She answered the Board's questions.

RES.18-219 APPROVING AN AGREEMENT FOR MUSICAL SERVICES WITH THE BAND FRANKLIN XPRESS

Motion by Ms. Knapp;

WHEREAS, the Orange Township Board of Trustees ("Board") will be holding an Orange Township Summer Nights event on June 23, 2018 at North Orange Park; and,

WHEREAS, pursuant to R.C. 505.261 the Board desires to provide entertainment for the event; and,

WHEREAS, the Board desires to contract with the band Franklin Xpress for the event.

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

Section 1. The Board hereby approves the attached Entertainment Agreement with Franklin Xpress and/or its agent Jim Miller.

Section 2. The Board hereby authorizes payment under the Agreement to the order of Franklin Xpress for two hundred and eighty dollars (\$280).

Section 3. The Board hereby authorizes Orange Township Maintenance and Parks Director Beth Hugh to sign the Agreement on the Board's behalf.

Section 4. 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 5. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by Ms. Taranto.

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

THEN AND NOW PURCHASE ORDER

Ms. Hugh explained why this then and now purchase order was needed. She explained before she could go forward with the resolution; she would have to move money to the right account.

RES.18-220 AUTHORIZE SUPPLEMENTAL APPROPRIATION

Motion by Ms. Knapp to approve a supplemental appropriation from account code 2901.760.730.0000 to account code 2901.410.430.0000 in the amount of \$2,616.00.

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Seconded by Mr. Rivers.

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

RES.18-221 AUTHORIZE THE ISSUANCE OF A THEN AND NOW PURCHASE ORDER TO WASSERSTROM

Motion by Ms. Knapp to authorize the issuance of then and now a purchase order to Wasserstrom, in the amount of \$2,616.00, for freezer, microwave.

Motion seconded by Mr. Rivers.

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

APPROVE PAY APPLICATION #7 TRUCCO – NORTH ORANGE PARK \$221,669.91

RES.18-188 AUTHORIZE RELEASE OF PAYMENT TO TRUCCO

Motion by Ms. Hugh to authorize release of payment to Trucco for pay application # 7 in the amount of \$254,533.38, for North Orange Park.

Seconded by Mr. Rivers.

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

DISCUSSION AND POSSIBLE ACTION REGARDING MOVIE EVENTS FOR JUNE 23, 2018

RES.18-222 AUTHORIZING THE MAINTENANCE AND PARKS DIRECTOR TO CONTRACT FOR ENTERTAINMENT FOR THE SUMMER NIGHTS EVENT SCHEDULED FOR JUNE 23, 2018

Motion by Ms. Knapp;

WHEREAS, the Orange Township Board of Trustees (“Board”) will be holding an Orange Township Summer Nights event on June 23, 2018 at North Orange Park; and,

WHEREAS, pursuant to R.C. 505.261 the Board desires to provide entertainment for the event; and,

WHEREAS, the Board desires to authorize the Orange Township Maintenance and Parks Director to enter into contracts for the rental or lease of entertainment equipment or for services for that event. Examples of such entertainment include a bounce house, tents, face painters, balloon artists, and mimes.

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

Section 1. The Board hereby authorizes the Orange Township Maintenance and Parks Director to contract on the Board’s behalf for entertainment contracts or agreements of no more than five thousand dollars (\$5,000).

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Section 2. This authority is limited to entertainment contracts for services and supplies for the Summer Nights event to be held on June 23, 2018 at North Orange Park.

Section 3. Any agreement entered into under this authority shall be paid from the approved Blanket Purchase Order for Park Operating Supplies account number 2901-610-420-2908.

Section 4. The Board hereby authorizes Orange Township Maintenance and Parks Director Beth Hugh to sign the Agreement on the Board's behalf.

Section 5. 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 5. This Resolution shall be in full force and effect immediately upon adoption.

Motion seconded by: Ms. Taranto.

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

APPROVE CHANGE ORDER #2 GEORGE J. IGEL & CO., INC – ALUM CREEK BRIDGE TRAIL - \$4,580.00

Ms. Hugh answered the Board's questions.

RES.18-223 AUTHORIZE CHANGE ORDER #2 TO GEORGE J. IGEL & CO. INC.

Motion by Ms. Knapp to authorize the deduct change order #2 to George J. Igel & Co. Inc., for Alum Creek Bridge Trail, in the amount of \$4,580.00.

Seconded by Mr. Rivers.

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

APPROVE PAY APPLICATION # 7 GEORGE J. IGEL & CO., INC. - ALUM CREEK BRIDGE TRAIL - \$48,931.74

RES.18-189 AUTHORIZE RELEASE OF PAYMENT TO GEORGE J. IGEL & CO., INC.

Motion by Ms. Knapp to authorize release of payment to George J. Igel & Co., Inc. for pay application # 7 in the amount of \$48,931.74, for Alum Creek Bridge Trail.

Seconded by Mr. Rivers.

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

APPROVE PAY APPLICATION #8 WITH RETAINAGE GEORGE J. IGEL & CO., INC., ALUM CREEK BRIDGE TRAIL - \$18,977.81

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RES.18-190 AUTHORIZE RELEASE OF PAYMENT TO GEORGE J. IGEL & CO., INC.

Motion by Ms. Knapp to authorize release of payment to George J. Igel & Co., Inc. for pay application # 8 with Retainage in the amount of \$18,977.81, for Alum Creek Bridge Trail.

Seconded by Mr. Rivers.

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

8:00 P.M. NEW BUSINESS

DISCUSSION AND POSSIBLE ACTION REGARDING THE ORANGE TOWNSHIP OUTREACH AND COMMUNICATIONS COMMITTEE

Ms. Knapp commented they would start with the branding.

Ms. Kraft? came forward. She commented:

- She started by thanking individuals
- She had given the Board the presentation plus supporting documents
 - There was a vendor they would like to recommend
 - Discussed Reference calls, the questions they asked
 - And how they scored them
- They would like to go forward with the recommendation of Guide's Studio
- The committee of 7 felt they did a great job of venting
- The reasons they would like to move forward with Guide:
 - Experienced with the County as well as the city of Delaware
 - Extensive experience with branding especially within the public sector
 - They have very solid references
 - A proven approach to data research and gathering; meeting facilitation; brand strategy and planning
- The team would like to move forward with the next step in this process which would be contract negotiation and execution of the amount not to exceed \$25,000.00; which has been allocated in the township budget
- They would like to field any questions or concerns

Ms. Taranto commented:

- She has been involved in a couple branding initiatives for a couple different organizations
- She was impressed with the proposal
- She liked their action plan
- She like their work with South Euclid and North Homestead Falls
- She was impressed with it
- She saw the action plan was an additional cost

Ms. Kraft commented:

- The implementation plan?

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- They clarified that through other questions and they will make sure that is part of their contract

Ms. Taranto

- felt that was where they got a little lost last time
- They did one here and it didn't get implemented
- There were great ideas; but it didn't go anywhere

Ms. Knapp asked what would be the next step in this. Ms. Kraft responded it was contract negotiation and execution. Which would be our scope; timeline; facilitation clearly spelled out in the contract; that they are one of our point people for this; terms; number of meetings on site (4) as well as virtual meetings and logo redesign; just confirming everything.

Ms. Knapp asked if they would be bringing back a contract for the Board to sign. She commented yes; Mr. Bodnar, Mr. McCarthy and Mr. Rivers could lead her through that process. Ms. Knapp asked if she needed a consensus at this point to move forward and Ms. Kraft commented yes.

Ms. Knapp asked Mr. McCarthy if he would be able to work with them and he agreed. Ms. Knapp wondered time frame. Mr. McCarthy thought by the next meeting. Ms. Knapp asked if that would be enough time for Ms. Kraft. Ms. Kraft thought so; and she could have additional information from them as to what they need from the township. There was a brief discussion about what was involved and Ms. Knapp wanted to make sure the trustees could have the opportunity to get involved.

A male voice commented one of the reasons they chose them was their ability to seek input from different parties.

Mr. Rivers commented he has been along with the process and all of his questions have been answered. He felt this group has done a ton of work; been a very thorough process; they have done a fantastic job.

The Board thanked them for all their work. A male voice commented he would also like to thank the Chair for all her work.

The Board gave consensus to move forward.

RES.18-224 ACCEPTING THE RESIGNATION OF MR. JEFF SEGHI FROM THE OUTREACH AND COMMUNICATIONS COMMITTEE

Motion by Ms. Knapp to regrettfully accept the resignation of Mr. Jeff Seghi from the OTOCC.
Seconded by Mr. Rivers.

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

There was a short discussion and it was decided to advertize the position.

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Ms. Kraft continued with the update on the vet's memorial. She asked two people to come up with her.

A voice (Mr. Grumbles?) commented:

- He had sent his presentation to the Board earlier
- He was hoping to structure what they had going forward (in the layout)
- They met the Wednesday after the advisor was created
- He named the attendees
- Admittedly there were some things that they were able to work through at the front of the meeting
- But the meeting resumed productively shortly there after
- They have exchanged emails and have stayed in touch; they had a following meeting Thursday
- He thought the meeting went extremely well
- There was a lot of data exchanged at that point
- Mr. Quigley had a binder of work he had done to date
- He had notes which he has been reviewing
- Their goal has been to, as a group, was to look at the current constraints or challenges to get this alignment that is needed to move forward
- He has broken those into 3 pillars; the group got behind that approach
- The pillars are
 - Location
 - Funding
 - Formal concept or design
- The collective opinion is the location consensus is first and foremost
- He went back to 2013 and reviewed all the details;
- Mr. Quigley prepared a presentation for the group to review
- There were notes about a survey done at OSU; various aspects of that
- There were 4 locations considered
- Ms. Hugh sent out the Park Board notes; they were along the same timeline
- There was not a lot of disconnect noted in that review
- He has other requests out that he is waiting on to review
- What he has gathered from between the news articles; minutes; etc., that location from 2013 on was well established
- The fork in the road kinda happened where the construction was noted
- He got that; there were concerns etc.
- With location; their position was; and with talking to veterans himself; if you didn't put it at a site that is visible, you would be doing yourself a disservice
- He spoke of his discussion with veterans
- If there is a constraint with that location, they would need to go out and speak with people and see what the options are

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- His opinion on what they will find as a veteran and working with veterans and talking the last month and half to veterans is that they are not going to want to hide it
- With all the work the schools, news articles, reading the comments from teachers and students about that location being proximity
- Whether the memorial goes there or not there are benefits from the parks standpoint having the roads and the trails connecting
- There has been concern about taxes; he has asked for a lot of financials; he hasn't gotten those yet
- What he has received there are unencumbered funds; in your account or whatever you want to call it is 2.8 million dollars in 2017
- He didn't feel it would break the bank to put in a play area in the natural setting
- The goal; in their group was to make it a park; not a playground
- So if you go after that and leave the green space largely intact; have a natural play area
- They all agreed to move away from the sand, the volley ball, botche ball, those are going to be expenses the township is going to face – maintaining those
- Leave it; integrate a natural playground
- The current company that we were going to pay \$5,000.00 to come up with these concepts, they have that, in the slide he presented to them
- He didn't think adding a shed at the top of the hill would be a bad idea
- He commented on a vet's memorial in Iowa and what they have
- Mr. Rivers asked about the play area
- He reviewed the play area that was in their presentation they were given
 - The reason this slide was chosen was because of parking area, pavilion, the play area and the memorial was more off the road
- The AEP Easement was a concern; he asked Ms. Hugh about this
- There was a discussion among this person, Ms. Hugh and Mr. McCarthy; with the date of October 10, 2016 mentioned as when certain points were discussed
- Discussion continued with questions from the Board

Mr. Rivers asked looking at the next steps; Mr. Rivers read what he had proposed portion of funds to survey area if necessary. Mr. McCarthy asked if this would be from park funds. The gentleman responded negative. There was discussion continued between Ms. Hugh and the gentleman, the Board and Mr. McCarthy. The gentleman clarified what he was asking. Mr. McCarthy explained what he and Mr. Bodnar had discussed regarding the township capabilities. He stressed the need to distinguish between a vet memorial or a park. Ms. Knapp asked Mr. Bodnar to facilitate and help decide if it would be memorial or a park.

The gentleman reviewed a report that was evidently in the presentation given to the Board. He felt what he presented in the report was realistic and had the potential to improve. He reviewed the potential for donations and fund raising.

Ms. Knapp was concerned about the AEP easement and asked Mr. Bodnar to look into that. Ms. Knapp asked questions about the presentation. The size of the monument; the monument itself was 4 x 8; it will have a pedestal so it will depend on what is wanted. She is concerned about

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visibility. With the flag poles the group thought it would be visible. The discussion continued regarding the flags, flag poles and installation.

Mr. Rivers commented from the presentation and the meeting he attended; to get things moving forward; he wondered would it make the most sense to go forward with the design. Mr. Grumbles commented we have \$26,200.00 and the contract/agreement he read with the Delaware County Foundation they are pretty clear, they are to come and talk to the Board, they release the funds and then they spend it. He was proposing this evening is to progress. He believed the first step would be a survey. If the final factor of putting the memorial there is a survey and feasibility study; he felt it needed to be done. He answered Ms. Knapp's questions.

Mr. Rivers wondered how we could get 100% one location. There was a discussion about location. Ms. Kraft commented if they do the survey; the easement issue is put to bed; what else is needed to get a stamp of approval that this is the location that we want to move forward with. Ms. Kraft mentioned emails, and other information she had read. Ms. Knapp would like to see the information Ms. Kraft mentioned. Discussion continued about the right location; what the committee needed to do to solidify the location to the Board. Ms. Knapp told what she would like to see in a possible opinion survey of residents. It was reiterated that the strongest they heard from veterans was visibility.

RES.18-225 AUTHORIZE THE TOWNSHIP ADMINISTRATOR

Motion by Ms. Knapp that the Township Administrator be directed to authorize a request to the Delaware County Foundation for an issuance of a grant for the purpose of a survey related to the Veteran's Memorial in the amount of \$2,500.00.

Seconded by Mr. Rivers.

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

Mr. Rivers commented so everyone is on the same page:

- OTOCC is going to take care of community input
- There are two locations; Township Hall where prairie garden used to be or the old township hall at the corner of Orange Road and Old State Rd
- Survey
- Funding; Mr. McCarthy and Mr. Bodnar to look into it for the Board
- All this put together for the next trustee meeting

APPROVAL TO GO OUT TO BID FOR ON-CALL ENGINEERING/SURVEYING SERVICES

Ms. Hugh explained the reasoning for this resolution.

RES.18-226 AUTHORIZING THE PUBLIC ANNOUNCEMENT OF CALLS FOR STATEMENTS OF INTEREST AND REQUESTS FOR QUALIFICATIONS FROM ENGINEERS AND SURVEYORS TO PROVIDE ON-CALL SERVICES TO THE TOWNSHIP FROM 2018 THROUGH 2021 AND TO PROCEED WITH THE

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COLLECTION OF STATEMENTS OF QUALIFICATION, EVALUATION OF CANDIDATES AND PRODUCE A RECOMMENDATION FOR SELECTION

Ms. Knapp 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 with a qualified firm for surveying, engineering and planning for continuing on-call services for various projects from 2018 through 2021. The services will be ongoing and on an on-call basis.

BE IT FURTHER RESOLVED that the Board approves the form of the documents prepared for the solicitation of Statements of Interest and Qualifications from interested firms, these being: Request for Qualifications including the sample Agreement between Architect and Owner as presented to the Board and each bearing the identifying version date of June 21, 2018.

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 is directed to take all action necessary to accomplish that publication.

FURTHER RESOLVED, that copies of the Public Announcement Request for Statements of Interest and Qualifications shall be forwarded to Dodge Reports, posted on the Township web site and disseminated by means of the Township list serve and the Administrative Assistant and Township Fiscal Officer are directed to cooperate in accomplishing such publication.

FURTHER RESOLVED that it is anticipated that: the *Public Announcement* will be advertised on June 22, 2018 and June 29, 2018. The Pre-Statement will be held on July 5, 2018, at 2:30 pm at the Township Hall; the Qualification Statement opening will be July 16, 2018, at 2:30 pm at the Township Hall.

FURTHER RESOLVED that the staff is authorized to collect and evaluate the statements of qualifications received in accordance with the procedures set forth in R.C. 153.65 *et seq*, ranking the qualified firms and negotiating a contact in accordance with R.C. 153.69 for the staff to propose to the Board for potential approval.

Motion seconded by Mr. Rivers.

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

PUBLIC SAFETY REPORT

Nothing to report.

FISCAL OFFICER REPORT

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FIRST COMMONWEALTH BANK – DEPOSITORY AGREEMENT/INSTITUTIONAL CUSTODY AGREEMENT

Mr. Spitzer explained the following two resolutions and spoke on all the individuals that had met together to help establish these resolutions. Mr. McCarthy was asked for his input as to the steps that are and need to be taken.

RES.18-227 DESIGNATING THE FIRST COMMONWEALTH BANK A TOWNSHIP DEPOSITORY FOR ACTIVE PUBLIC MONEYS AND AUTHORIZING AGREEMENT

Ms. Knapp moved the adoption of the following Resolution:

WHEREAS, the Township Fiscal Officer has recommended that the First Commonwealth Bank (“Bank”) be designated as a depository of active public moneys; and

WHEREAS, the Board of Township Trustees has considered this recommendation;

NOW THEREFORE BE IT RESOLVED that the Bank is hereby designated a depository for the active public moneys of Orange Township in accordance with its proposed *Agreement for Deposit of Public Funds* (“Agreement”).

BE IT FURTHER RESOLVED that this designation shall end on January 1, 2021.

BE IT FURTHER RESOLVED that the Board shall enter into the Agreement with the Bank.

Such contract shall be in the form submitted to the Board by the Bank and dated as made March 13, 2018, the contents of which are incorporated by reference into this resolution as if fully repeated herein.

BE IT FURTHER RESOLVED that the agreement shall be executed by Mr. Bodnar on behalf of the Board.

BE IT FURTHER RESOLVED that this Resolution shall be retrospective in its operation to March 13, 2018.

Motion seconded by Mr. Rivers.

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

Exhibit “A”

AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS

THIS AGREEMENT FOR DEPOSIT OF PUBLIC FUNDS (this “Agreement”) is made as of March 13, 2018 by and between First Commonwealth Bank (the “Financial Institution”) and The Board of Township Trustees of Orange Township, Delaware County, Ohio (the “Customer”).

WITNESSETH:

WHEREAS, the Financial Institution has accepted for deposit and safekeeping deposits from the Customer and may be providing certain other services for the Customer, or has proposed to do so;

WHEREAS, the Financial Institution has provided the Customer with a copy of the Financial Institution’s balance sheet as of the date of the latest report filed by the Financial Institution with one or more of its banking regulatory agencies;

WHEREAS, pursuant to the Uniform Depository Act of Ohio (the “Depository Act”) and in accordance with the rules promulgated under the Depository Act, such proposal requires the Financial Institution to pledge and deposit with one or more qualifying trustees as security for the repayment of all public moneys to be deposited in the Financial Institution by the Customer security of the kinds specified in Section 135.18, Section 135.182 or any other section of the Ohio Revised Code specifying eligible security, as such may be amended from time to time, in a sum equal to or greater than the minimum amount of security required by the Treasurer of the State of Ohio (the “TOS”) pursuant to the Depository Act and the rules promulgated under the Depository Act, as such may be amended from time to time; and

WHEREAS, the Financial Institution intends to participate in the Ohio Pooled Collateral Program (the “OPCP”) pursuant to the Depository Act and rules of the TOS;

NOW, THEREFORE, in consideration of the services to be provided by the Financial Institution, including the retention and safekeeping of deposits of the Customer, and the Customer’s new or continued award of deposits with the Financial Institution, the Customer and the Financial Institution agree as follows:

1. Eligibility to Receive Funds. The Financial Institution represents that it is eligible to receive public funds pursuant to Ohio Revised Code Chapter 135. This agreement is subject to the Depository Act, all amendments or supplements thereto, and all rules promulgated and policies adopted pursuant thereto, as well as all other applicable laws and regulations.

2. Deposits Awarded and Accepted. The Customer awards to the Financial Institution, and the Financial Institution accepts, deposits of the Customer of the types and in the maximum amounts set forth on the attached Exhibit A. The Customer and the Financial Institution agree that the services to be provided by the Financial Institution and the fees to be paid by the Customer are contained within the account agreement(s) executed by the Financial Institution and the Customer, as such services and fees may be changed by agreement of the Customer and 2

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the Financial Institution from time to time. Such agreement will be evidenced by delivery of written notice of such proposed changes from the Financial Institution to the Customer and failure of the Customer to deliver to the Financial Institution within 30 days after delivery of such notice written objection of the Customer to such changes. The Customer acknowledges having received a copy of the terms and conditions of the accounts into which the Customer's funds will be deposited (the "Accounts") and agrees that the Account terms and conditions are incorporated herein by reference. To the extent the Account terms and conditions are inconsistent with the express terms of this Agreement, this Agreement will control.

3. Limit on Amount of Funds. The Financial Institution agrees that the total amount of active, interim and inactive deposits set forth in Exhibit A do not cause the total of all public funds held by the Financial Institution to exceed the limit set by Section 135.03 of the Ohio Revised Code or rules promulgated under that Section.

4. Collateral. The Financial Institution and the Customer agree that until the Financial Institution commences participation in the OPCP, the Financial Institution will pledge eligible securities for the benefit of the Customer and all other public depositors whose money has been deposited with the Financial Institution and deposit these securities with one or more trustees qualified under the Depository Act and designated by the Financial Institution. The Financial Institution and the Customer further agree that upon the Financial Institution's commencement of participation in the OPCP, the Financial Institution will pledge to the TOS and deposit with one or more trustees qualified under the Depository Act and designated by the Financial Institution, for the benefit of the Customer and all other public depositors whose money has been deposited with the Financial Institution, eligible securities. Notwithstanding the foregoing, if the charter of the Customer requires a pledge of specific collateral for the benefit of the Customer or applicable federal law designates the pledging of specific collateral for the Customer, the Customer and the Financial Institution will make a good faith effort to submit necessary documents with the TOS to apply for and establish a specific pledge account within the OPCP. The Financial Institution and the Customer will comply in all material respects with their respective duties and obligations under the Depository Act, the rules promulgated by the TOS pursuant to the Depository Act, and the terms, conditions, policies and other requirements of the TOS pursuant to the OPCP, as such laws, rules, terms, conditions, policies and other requirements may be amended from time to time. The terms and conditions of this Agreement are subject to the terms and conditions of any agreement or agreements by and between the Financial Institution and the TOS relating to the Accounts, which agreement or agreements are incorporated herein by reference.

5. Amount of Collateral. The Customer has the right to negotiate a "public unit negotiated collateral requirement" pursuant to Section 135.182 of the Ohio Revised Code. The Customer and the Financial Institution agree that the Financial Institution will pledge for the benefit of the Customer, in accordance with the OPCP, collateral equal in value to at least 102% of the amount of all deposits of the Customer on deposit with the Financial Institution that are not insured by the Federal Deposit Insurance Corporation.

6. Trustee. The Customer agrees that the Financial Institution may, in its sole discretion, select one or more trustees qualified under Section 135.182 of the Depository Act to hold 3

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collateral for all deposits of public fund depositors held by the Financial Institution, including but not limited to those deposits made by the Customer.

7. Expenses. Each of the Customer and the Financial Institution will be responsible for and assume its respective expenses incurred as a result of compliance with and participation in the OPCP and any successor program pursuant to Ohio Revised Code Section 135.182 or any amendment or successor provision of Ohio law.

8. Termination of Participation in the OPCP. Nothing set forth in this Agreement will require the Financial Institution to continue to participate in the OPCP. If for any reason the Financial Institution is no longer eligible to participate in the OPCP or chooses to opt out of such participation, the Financial Institution will promptly provide the Customer a notice of such event. Upon receipt of such notice, the Customer will provide notice to the Financial Institution within 30 days whether the Customer will withdraw all of its deposits from the Financial Institution or maintain the Customer's deposits at the Financial Institution. If the Customer does not provide such notice to the Financial Institution within the time set forth above whether it intends to remove its deposits, the Customer will be deemed to have agreed to maintain the deposits at the Financial Institution, and the Financial Institution will pledge separate collateral for the deposits of the Customer held by the Financial Institution pursuant to the requirements applicable to separate pledging of collateral set forth in Ohio Revised Code Section 135.18 and in accordance with other applicable laws and regulations.

9. Change in Laws. The Financial Institution and the Customer agree that if any state or federal laws, rules or regulations are changed or amended during the term of the Financial Institution's designation as a public depository, and the change of laws, rules, or regulations causes this Agreement to become unlawful, in whole or in part, then this Agreement will be limited so as not to extend beyond the date when such change becomes effective.

10. Customer Privacy. The Customer consents to the Financial Institution's provision to the TOS of information supplied by the Customer to the Financial Institution, as may be required by the TOS or applicable laws, rules and policies in connection with the Accounts. The Financial Institution will not be liable to the Customer for, as a result of, or in connection with the provision of such information to the TOS nor any disclosure of such information by the TOS to any other person.

11. Term. The term of this Agreement shall end on January 1, 2021 Notwithstanding the foregoing, the parties to this Agreement may agree to renew the Agreement for a new term or change the terms and conditions set forth on Exhibit A without execution of a new agreement by execution and delivery of a writing signed by both parties or by delivery of a written notice of changed terms and conditions by the Financial Institution to the Customer to which the Customer does not deliver written notice of objection to the Financial Institution within 30 days after delivery of the notice from the Financial Institution to the Customer. If neither party notifies the other in writing at least 30 days before the end of the then current term of its intention to renew or terminate this Agreement or to change the terms and conditions of the Agreement for a new term, this Agreement will automatically renew for a term of one year with the same terms and conditions as in effect immediately before the renewal.

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12. Notices. All notices, requests and communications to a party under this Agreement must be in writing and will be deemed given if delivered personally, by facsimile, by electronic mail or by registered or certified mail (return receipt requested) to such party at its address as set forth below or such other address as such party may specify by notice to the other party.

To the Financial Institution:

First Commonwealth Bank
ATTN: S. Kate Nelson
110 Riverbend Ave
PO Box 1001
Lewis Center, Ohio 43035

E-mail: KNelson@fcbanking.com E-mail:
Facsimile: Facsimile:

To the Customer:

ATTN: _____

Email: _____
Facsimile: _____

13. Governing Law and Venue. The internal laws of the State of Ohio will govern the interpretation, construction, and enforcement of this Agreement and all transactions and agreements contemplated by the Agreement, notwithstanding any state's choice of law rules to the contrary, except to the extent federal law governs. The parties agree that the sole and exclusive venue for any legal action arising out of, in connection with, or relating to this Agreement and/or the transactions and relationships between the parties contemplated by this Agreement, will be the federal district court for the Southern District of Ohio, Columbus Division, or any court of general jurisdiction of Franklin County, Ohio. The parties consent to the jurisdiction of such courts and waive any claim of lack of personal jurisdiction, improper venue, and forum non conveniens.

14. Assignment. This Agreement may not be assigned by either party without prior written consent of the other party. Notwithstanding the foregoing, neither a merger of the Financial Institution into another financial institution, nor a sale of the Accounts to another financial institution eligible to receive public funds pursuant to Ohio Revised Code Chapter 135, along with an assignment of this Agreement, will be deemed to be an assignment.

15. Waivers. The waiver by either party of a breach of any provision of this Agreement by the other party or its assignee will not operate or be construed as a waiver of any subsequent breach by the breaching party. A waiver by either party will only be valid if it is in writing and signed by an authorized officer of the party making the waiver.

16. Execution and Delivery. The execution of this Agreement or any amendment to this Agreement in one or more counterparts and the delivery of copies and of scanned or photocopied signature pages by facsimile, electronic mail or other electronic delivery will constitute effective execution and delivery of this Agreement or any amendment.

17. Agreements Superseded. With respect to the subject matter of this Agreement, to the extent that there is any inconsistency between this Agreement and any other agreement between 5

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the Customer and the Financial Institution, the terms of this Agreement supersede all previous agreements. For purposes of clarification, with respect to any previous agreement between the Financial Institution and the Customer regarding the types and maximum amount of deposits to be received by the Financial Institution from the Customer, compliance with the Depository Act, and participation by the Financial Institution and the Customer in the OPCP, this Agreement supersedes all previous oral and written agreements.

18. Contact Persons. Information regarding the Customer's contact persons and representatives who are authorized to view, submit or otherwise access information submitted to the Ohio Pooled Collateral System with respect to this Agreement is set forth in Exhibit A. The Customer may designate substitute contact persons and authorized representatives as the Customer deems necessary or appropriate. The Customer will promptly notify the Financial Institution of such substitutions and changes.

(Signatures on following page)

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IN WITNESS WHEREOF, the undersigned have caused this Agreement for the Deposit of Public Funds to be executed by their authorized officers as of the day and year first above written.

FIRST COMMONWEALTH BANK

**THE BOARD OF TOWNSHIP
TRUSTEES OF ORANGE
TOWNSHIP, DELAWARE
COUNTY, OHIO**

By: _____
Signature

By: _____
Signature

Mark Lopushansky
Type or Print Name

Type or Print Name

SVP, Chief Treasury Officer
Title

Title

By: _____
Signature

By: _____
Signature

S. Kate Nelson
Type or Print Name

Type or Print Name

TM Sales Officer
Title

Title

EXHIBIT A

Maximum Amount of Active Deposits	<u>\$3,000,000.00</u>
Maximum Amount of Interim Deposits	<u>\$Zero Dollars</u>
Maximum Amount of Inactive Deposits	<u>\$Zero Dollars</u>

Customer Primary Contact for Ohio Pooled Collateral System:

[Name]
[E-mail address]
[Phone number]

Customer Representatives Authorized to Access Ohio Pooled Collateral System Information:

[Name]
[E-mail address]
[Phone number]

[Name]
[E-mail address]
[Phone number]

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**RES.18-228 AUTHORIZING EXECUTION OF INSTITUTIONAL CUSTODY AGREEMENT
WITH FIRST COMMONWEALTH BANK - TRUST FOR CUSTODIAL SERVICES RELATED
TO TOWNSHIP INVESTMENTS**

Mr. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED that the Board of Township Trustees of Orange Township, Delaware County, Ohio ("Board"), enter into and execute an *Institutional Custody Agreement* and related paperwork (collectively "Agreement") with First Commonwealth Bank - Trust ("Bank") for custodial services to be rendered to the Board by Bank as to certain investments.

BE IT FURTHER RESOLVED that the Agreement shall be in the form submitted to the Board, a copy of which is attached hereto as Exhibit "A", the contents of which are specifically incorporated herein.

BE IT FURTHER RESOLVED that the Township Fiscal Officer shall execute the Agreement and related paperwork on behalf of the Board.

Motion seconded by Mr. Rivers.

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

Exhibit "A"

**FIRST COMMONWEALTH BANK - TRUST
INSTITUTIONAL CUSTODY AGREEMENT**

NAME: Board of Township Trustees of Orange Township, Delaware County, Ohio

This Custody Account Agreement ("Agreement"), effective as of the date set forth below, is made by and between THE ABOVE NAMED ("Principal"), and First Commonwealth Bank - Trust, a Pennsylvania bank with its corporate offices located in Indiana, Pennsylvania ("Custodian/Directed Trustee"). Subject to the terms and conditions hereof, the authorized signer(s) hereby appoint the Custodian/Directed Trustee to hold the assets identified in Schedule A attached hereto, as well as all other assets which the authorized signer(s) may from time to time deliver to Custodian/Directed Trustee in the future (collectively, "assets") in connection with the Custody Investment Account ("Account") established and maintained by Custodian/Directed Trustee on behalf of said named institution.

Custodian/Directed Trustee may rely upon oral or written instructions required or permitted hereunder from any authorized signer which Custodian/Directed Trustee believes in good faith to be genuine.

Custodian/Directed Trustee is authorized and empowered to collect all interest, dividends and other items of income payable on all securities in this account. All dividends, interest and other income received by the Custodian in connection with the securities and property held in this account, unless otherwise directed by the authorized signer(s) in writing, shall be invested in a Money Market Account in a no-load money market mutual fund consisting exclusively of obligations described in (B)(1) or (2) of Ohio Rev. Code § 135.14.

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The Custodian/Directed Trustee will use its best efforts to carry out purchases, sales and other changes with respect to the securities held hereunder as shall be directed in writing by the Principal(s). The Custodian shall have no duty to take any action with respect to the deposited securities, unless so directed by the Principal(s) in writing, other than those specified in the above paragraph.

Custodian/Directed Trustee is authorized and empowered to surrender for payment all maturing obligations and those securities called for redemption as listed by regularly followed reporting services. Custodian/Directed Trustee is directed to invest cash from income pending distribution, maturities, redemptions or deposits, unless otherwise directed by the Principal(s) in writing, into a Money Market Account in a no-load money market mutual fund consisting exclusively of obligations described in (B)(1) or (2) of Ohio Rev. Code §135.14.

Custodian/Directed Trustee may register all investments held in the Account in its own name or in the name of its nominee; provided, however, that all such investments shall so be designated upon the records of the Custodian/Directed Trustee that the Account to which they belong shall appear clearly at all times [and any investments in certificates of deposits shall be in compliance with the provisions of Ohio Rev. Code Sec. 135.144]. Custodian/Directed Trustee shall defer all proxy voting to the Principal for voting. First Commonwealth will screen out all "nuisance" tender offers.

It is understood that the Custodian/Directed Trustee may receive dividend checks, rights pertaining to securities, notices, statements, reports and other communications directed by the authorized signer(s) and the Custodian/Directed Trustee is authorized to open all mail so addressed and if not provided for herein to make such disposition of the contents thereof as the Custodian/Directed Trustee shall deem appropriate.

Distributions from the Account may be made pursuant to any authorized signer by written direction to Custodian/Directed Trustee.

Custodian/Directed Trustee shall provide statements of account on a monthly basis. Custodian/Directed Trustee shall provide Electronic Access to account statements, if requested by client as indicated above.

It is agreed that this Account may be terminated at any time either by the Custodian/Directed Trustee or the Authorized signers(s) upon giving written notice to the other party. In the event of termination of the authority herein granted by operation of law, the Custodian/Directed Trustee shall nevertheless not be responsible for loss or liability resulting from any action taken hereunder after such termination and before receipt of actual notice thereof.

Custodian/Directed Trustee shall receive compensation in accordance with its standard schedule for services in effect at the time that Custodian/Directed Trustee's services are rendered.

Board of Township Trustees of Orange Township,
Delaware County, Ohio
(Principal)

By: _____

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Date

First Commonwealth Bank - Trust
(Custodian/Directed Trustee)

By: _____

_____ Date

Schedule A

ADMINISTRATIVE REPORT

DISCUSSION AND POSSIBLE ACTION REGARDING A PURCHASE ORDER FOR THE MID-OHIO STRATEGIC TECHNOLOGIES IN THE AMOUNT OF \$19,350.00

RES.18-229 AUTHORIZE THE ISSUANCE OF A PURCHASE ORDER TO MID OHIO STRATEGIC TECHNOLOGIES

Motion by Ms. Knapp to authorize the issuance of a Purchase Order to Mid Ohio Strategic Technologies in the amount of \$18,350.00, for the purchase of one (1) Toshiba E-Studio 3505AC Copy Machine (\$9,175.00) for the Township Hall, and one (1) Toshiba E-Studio3505AC Copy Machine (\$9,175.00) for Fire Station #361.

Seconded by: Mr. Rivers.

VOTE: no vote taken.

RES.18-230 AMEND RES.18-230

Motion by Ms. Knapp to amend RES.18-230 to read for the copier for Township Hall only.

Seconded by Mr. Rivers

VOTE: no vote taken

Motion to withdraw the above resolution, **RES.18 – 230**. Mr. Rivers seconded. No vote taken.

RES.18-231 AUTHORIZE PURCHASE ORDER

Motion by Ms. Knapp to issue a purchase order to Mid Ohio Strategic Technologies in the amount \$9,175.00, for the purchase of one Toshiba E-Studio 3505AC Copy Machine for the Township Hall.

Seconded by Mr. Rivers.

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

RES.18-232 AUTHORIZE A THEN AND NOW PURCHASE ORDER

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Motion by Ms. Knapp to issue a then and now purchase order to Mid Ohio Strategic Technologies in the amount \$9,175.00, for the purchase of one Toshiba E-Studio 3505AC Copy Machine for the Fire Station #361.

Seconded by Mr. Rivers.

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

OLD BUSINESS

**TABLED: DISCUSSION AND POSSIBLE ACTION REGARDING SHELLY & SANDS INC.
– ORANGE ROAD/US23 INTERSECTION - \$5,948.42**

Ms. Hugh commented she had located the item, and she hoped to have a corrected dollar amount at the next meeting. This item was tabled.

TABLED: APPROVE RACE PENGUIN AGREEMENT

There was a discussion between Mr. Rivers, Mr. Quigley and Ms. Knapp. Additional information was asked for and to be given to the Board; the item was then tabled to the next meeting.

ESTABLISHING PURCHASE ORDER WITH SPECIFICATION OF ACCOUNT CODE AND DIRECTING PAYMENT

Nothing reported.

EXECUTIVE SESSION

Motion by Ms. Knapp to go into Executive Session:

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

The following were invited to attend: Township General Counsel, Mr. McCarthy, Township Administrator, Mr. Bodnar; and Director of Parks and Maintenance, Ms. Hugh.

Seconded by Ms. Taranto.

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

Motion by Ms. Knapp to return to regular session.

Seconded by Ms. Taranto.

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

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**RES.18-233 ESTABLISHING PURCHASE ORDER, WITH SPECIFICATION OF
ACCOUNT CODE, AND DIRECTING PAYMENT**

Ms. Knapp moved the adoption of the following Resolution:

BE IT RESOLVED by the Board of Township Trustees of Orange Township, Delaware County, Ohio (“Board”) that the Fiscal Officer is directed to establish a purchase order to Patti Lewis in the gross amount of \$5,000.00, from account code 1000-930-930-000 for the purpose of fulfilling an obligation of the *Settlement Agreement and Release of All Claims* with Patti Lewis.

BE IT FURTHER RESOLVED that the Township Fiscal Officer is authorized and directed to make payment pursuant to the above established purchase order.

Motion seconded by Rivers.

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

There was no further business, meeting adjourned at 9:50 p.m.

Lisa F. Knapp, Chairman

Ryan Rivers, Vice Chairman

Deborah Taranto, Trustee

Attest: _____
Joel M. Spitzer, Fiscal Officer