



# HAMILTON TOWNSHIP

## HAMILTON TOWNSHIP ADMINISTRATION

Darryl Cordrey – *Board Chair*

Joe Rozzi – *Trustee*

Mark Sousa – *Trustee*

Kurt Weber- *Fiscal Officer*

7780 South State Route 48

Maineville, Ohio 45039

Phone: (513) 683-8520

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### Township Administrator

Brent Centers

(513) 239-2372

### Finance Coordinator

Ellen Horman

Phone: (513) 239-2377

### Human Resources

Kellie Krieger

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### Economic Development and Zoning

Alex Kraemer

Phone: (513) 683-8520

### Public Works

Kenny Hickey – Director

Phone: (513) 683-5360

### Police Department

Scott Hughes – Police Chief

7780 South State Route 48

Maineville, Ohio 45039

Phone: (513) 683-0538

### Fire and Emergency Services

Brian Reese – Fire Chief

69 West Foster-Maineville Rd.

Maineville, Ohio 45039

Phone: (513) 683-1622

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## TRUSTEE MEETING AGENDA 4/15/2020

6:30 PM

- Roll Call
- Pledge of Allegiance
- Approve of the Clerk's Journal and Accept the tapes as the Official Minutes of the April 1, 2020 Township Trustee Meeting
- Bills before the Board

### Public Comments – Submitted online

### Human Resources

### New Business

- **Motion:** To adopt the Additional Leave Policies Pursuant to the Families First Coronavirus Response Act

### Fiscal Officer's Report

### Administrator's Report

### Trustee Comments

### Executive Session

### Adjournment

*The agenda is to give an idea of the various discussions before the Board. The time and order of Agenda items is subject to change in order to maintain efficiency and timeliness of the meetings. Citizens may address the Board under the Public Comment section of the agenda.*

*The following guidelines protect your rights as well as those of others:*

1. *Speakers must state their name and full address for the record.*
2. *The Board Chair will recognize each speaker, and only one person may speak at a time.*
3. *Speakers will address any and all comments to the Board of Trustees and Fiscal Officer. The Board may request further information from staff at their discretion.*
4. *Anyone who willfully disrupts a Board meeting may be barred from speaking further, or may be removed from the meeting and detained by officers of the Hamilton Township Police Department. (ORC 505.09; ORC 2917.12)*

## Hamilton Township Trustees Meeting

April 1, 2020

Trustee Board Chairman, Darryl Cordrey, called the meeting to order at 6:30 pm. Mr. Cordrey, Mr. Rozzi, and Mr. Sousa were present.

The *Pledge of Allegiance* was recited by all in attendance.

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve of the clerk's journal and accept the tapes as the Official Meeting Minutes of the March 13, 2020 Emergency Trustee Meeting and the March 18, 2020 Trustee Meeting.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve Payroll for pay cycle March 8, 2020 – March 21, 2020, Electronic Fund Transfer Direct Deposit Vouchers 1181457559 - 1181457625.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve the withholding payments for payment cycle March 8, 2020 – March 21, 2020, checks numbered 31910879 – 31910901.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle March 23, 2020 – March 27, 2020, checks numbered 81319 - 81332.

Roll call as follows:

Darryl Cordrey	Yes
Joe Rozzi	Yes
Mark Sousa	Yes

Motion made by Mr. Cordrey with a second by Mr. Rozzi to approve billing invoices for payment cycle March 30, 2020 – April 3, 2020, checks numbered 81333 - 81367.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

**Public Comments**

Mr. Cordrey opened the floor to public comments at 6:32 pm.

Mr. Chad Goldstein submitted comments to Mr. Centers via email in reference to B-1 Zoning provisions specific to fast food restaurants.

Mr. Rozzi and Mr. Sousa both commented that the Zoning Code was amended and finalized as recent as 2014. The Comprehensive Plan will also be reviewed soon as well to consider some different land uses.

No additional comments were submitted therefore Mr. Cordrey closed the floor to public comments.

**Human Resources**

Mr. Centers explained that in an effort to keep staffing to a minimum for the meetings, he is going over the Human Resources items tonight.

Mr. Centers requested a motion to allow Fire Chief, Brian Reese, to hire part time Firefighter/BMT's and/or part time Firefighter/Paramedics as needed to maintain minimum staffing.

Mr. Cordrey made a motion to approve the above mentioned Human Resources item. There was a second from Mr. Rozzi.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

Mr. Centers requested a motion to allow Public Works Director, Kenny Hickey, to re-post two Seasonal Parks positions at the rate of \$12.00/hr.

Mr. Cordrey made a motion with a second from Mr. Rozzi to re-post the Seasonal Parks positions.

Roll call as follows: Darryl Cordrey Yes

Joe Rozzi                      Yes  
Mark Sousa                    Yes

**New Business**

-Motion: To declare the Heritage at Miami Bluffs Pool Building addition a Minor modification per Hamilton Township Zoning Code 5.5.8 F and allowing the Zoning Director to act accordingly. The Hamilton Township Zoning Code requires the Board of Trustees to make the final determination on Major versus Minor modifications submitted to the Zoning Director. The Zoning Director believes this addition fits the description of a Minor modification as the Major modification threshold is 10% expansion and this project is 8.77% expansion. With this declaration, Mr. Kraemer can work with the HOA directly for the remainder of this project.

Mr. Cordrey made a motion with a second from Mr. Rozzi to declare the Heritage at Miami Bluffs Pool Building Addition as a Minor modification per the Hamilton Township Zoning Code 5.5.8 F.

Roll call as follows:    Darryl Cordrey            Yes  
                                  Joe Rozzi                    Yes  
                                  Mark Sousa                 Yes

-Resolution 20-0401: A resolution to amend and Restate the Warren County Drug Task Force Council of Governments Contract

This is an amendment to our current contract with the Warren County Drug Task Force because they added additional jurisdictions to the "Council of Governments." This will not affect our contract, services, or partnership with the Warren County Drug Task Force. There is no budget impact.

Mr. Rozzi asked if this is because they changed their jurisdictions so we have to accept it on our end correct?

Mr. Centers agreed that is correct. They added a few jurisdictions so with that amendment, we have to resign.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0401.

Roll call as follows:    Darryl Cordrey            Yes  
                                  Joe Rozzi                    Yes  
                                  Mark Sousa                 Yes

-Resolution 20-0401A: Increase in Appropriations (General)

Mr. Cordrey explained that this is a resolution authorizing and approving an increase in Township Appropriations in the General Fund Parks Department to Reconcile Budgets for calendar year 2020. This will increase our contracted services line within the Parks Department budget from \$80,000 to \$92,000 for engineering work on the EPA issue at Mounts Park.

This value was increased due to the work that will be needed to complete and submit the Ohio EPA Rule 513.400 permit, fulfill the stream permitting, landfill modification design, and other support and management of the work leading up to and starting the field work next year.

This will still keep the project within the estimated \$200,000 total and 2 year timeline.

If this is not passed, we will miss a deadline with the EPA permitting process resulting in a fine from the State.

Mr. Rozzi asked Mr. Centers to give a little background on this. He understands the increase but asked what the potential fine might be.

Mr. Centers stated that he is unsure what the EPA fine would be. However they give specific deadlines to meet and the first one is coming up with the Rule 513.400 permit. We gave this project two years and we project it will be under that with this increase. We also do not want to get any dings on our perfect audits by generating any fines.

Mr. Sousa mentioned that since the stance was taken to proactively address this issue and clean this up, the EPA has been very favorable of working with Mr. Centers and Mr. Hickey and this is a show of good faith and not letting the relationship go down the negative path of generating fines and being slowed down.

Mr. Centers agreed and explained that we will not get a bill right away for this \$12,000 increase; they just need to see that those funds are available for their work.

Mr. Cordrey commented that it is a good sign that we are still projected to meet our \$200,000 threshold and still meet the timeline.

Mr. Sousa commented that we do not have any certainty but this vendor is working on some grant opportunities and we are waiting to hear to hear about some applications that could kick in and possibly reduce the Township's cost for this project.

Mr. Centers stated that is correct. This engineering firm has a pretty successful past in getting Brownfield Grants and they have applied for at least one for this project. We are hopeful that we will get it especially given our unique circumstance at Mounts Park.

Mr. Cordrey made a motion with a second from Mr. Rozzi to approve Resolution 20-0401A.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

**Fiscal Officer's Report**

Nothing to report at this time.

**Administrator's Report**

Mr. Centers mentioned that we installed the walking trail at Mounts Park. It's an 8 foot wide trail that surrounds the small lake and cuts between the big and small lake at the end. Public Works has worked very hard on this. We had a contract with Brunk Excavation who did outstanding work. Our Public Works crew will be in there over the next couple days laying down the mulch. We are still planning to open the park on April 6<sup>th</sup> so we encourage everyone to get out enjoy the parks while practicing safe, social distancing. We did contract for a Portlet down there but that will not be open at this time.

Mr. Cordrey discussed parking and asked if the gravel area at Mounts can be used or if that is for CTC Fields.

Mr. Centers explained that the large gravel area is for CTC so we are encouraging people to park around the banks of the lakes.

This will be the last meeting that we will be gathering together for a while. We will be looking into options to either remote in via video or conference. We are not sure which route we will take yet but we will make sure that we have access for the public to remote in or view. There will be more information to come on that.

**Trustee Comments**

Mr. Rozzi reminded everyone that we are all in this together and we will make it through.

Mr. Sousa mentioned the community coming together and that he has gotten feedback from our Police and Fire Chief's about kindly donations from Non-Profit's and individuals such as sanitation items and food. Everyone seems to be doing a great job of minding the social distancing rules. It's a very reassuring feeling.

Mr. Cordrey reminded everyone to stay safe. Reach out to neighbors, friends, anyone in need that may need some assistance. Keep supporting our local non-profits and businesses in the Township if you are able to.

**Executive Session**

Mr. Cordrey made a motion with a second from Mr. Rozzi to enter into Executive Session at 6:48 pm in reference to O.R.C. 121.22 (G) (2) to consider the sale of property.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

Mr. Cordrey made a motion with a second from Mr. Rozzi to come out of Executive Session at 7:07 pm.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

**Adjournment**

With no further business to discuss, Mr. Cordrey made a motion with a second from Mr. Rozzi to adjourn at 7:07 pm.

Roll call as follows: Darryl Cordrey Yes  
Joe Rozzi Yes  
Mark Sousa Yes

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** April 15, 2020

**Effective Date:** Next available date

**Agenda Item:** **Motion**  
To adopt the Additional Leave Policies Pursuant to the Families First Coronavirus Response Act.

**Submitted By:** Brent Centers

**Scope / Description:** This policy will provide specific compensation statuses and eligibilities for our employees under different situations regarding suspected or actual quarantine following COVID-19 exposure.

**Budget Impact:** N/A

**Vote Required for Passage:** 2 of 3

## **Additional Leave Policies Pursuant to the Families First Coronavirus Response Act**

Pursuant to the Families First Coronavirus Response Act, the Township will be providing the following Emergency Family and Medical Leave Expansion Policy and Paid Sick Leave Act Policy effective April 1, 2020 through December 31, 2020.

### **Emergency Family and Medical Leave Expansion Act Policy**

It is the policy of the Township to grant eligible employees up to 12 weeks of family and medical leave for a qualifying need due to a public health emergency related to COVID-19, during the period of April 1, 2020 to December 31, 2020, in accordance with the Emergency Family and Medical Leave Expansion Act. The leave may be paid, unpaid or a combination of paid and unpaid leave, depending on the circumstances of the leave and as specified in this policy.

#### **Interplay with unpaid leave under the Family Medical Leave Act**

The Emergency Family and Medical Leave Expansion Policy is an amendment to the Family Medical Leave Act. The total amount of leave available to employees under the Family Medical Leave Act, including the Emergency Family and Medical Leave Expansion as described above is up to 12 weeks. Accordingly, eligible employees are entitled to a total of 12 weeks of job protected leave in the relevant period, paid or unpaid, based on the qualifying need for the leave under the amended Family Medical Leave Act. This policy is an addendum to the Township's Family Medical Leave Act Policy.

#### **Eligibility**

To qualify to take public health emergency leave under this policy, the employee must have been employed by the Township for at least 30 calendar days prior to requesting leave.

Emergency responders may be excluded from being able to take Emergency Family and Medical Leave.

#### **Qualifying Need**

To qualify for leave under this policy, the employee must be taking leave for the reasons listed below due to a public health emergency declared by a Federal, State, or local authority related to COVID-19. The employee may take leave if the employee is unable to work or telework due to a need to care for the employee's son or daughter whose:

- elementary or secondary school or place of care is closed due to COVID-19; or
- childcare provider is unavailable due to COVID-19 if the childcare provider receives compensation for providing such care on a regular basis.

## **Use of Leave**

The first 10 days of leave under this policy will be unpaid. The employee may elect to substitute any accrued paid time off or Emergency Paid Sick Leave (if applicable) for the first 10 days of unpaid leave. If the employee is not eligible for Emergency Paid Sick Leave, the Township may require the employee to utilize accrued paid leave during the first 10 days of leave.

If appropriate, the Township may permit leave to be taken on an intermittent basis.

## **Compensation**

Beginning on the 11th day of leave, the Township will compensate the employee at a rate not less than two-thirds of the employee's regular rate of pay based on the number of hours the employee would otherwise be scheduled to work up to the statutory maximum. The Township may require the employee to utilize accrued paid leave to supplement pay during Emergency Family Medical Leave.

## **Notice**

Where leave for a qualifying need under this policy is foreseeable, the employee must provide notice of leave to Human Resources as soon as is practicable.

## **Documentation**

Employees will be required to supply documentation supporting the need for leave. Examples of acceptable documentation include notice of closure or unavailability from the child's school, place of care, or child care provider, including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to the employee from an employee or official of the school, place of care, or child care provider. Additionally, the employee will be required to certify there is no other suitable person to care for the child and, if the child is over 14, that the child is in need of care if leave is requested during daylight hours.

## **Emergency Paid Sick Leave Policy**

It is the policy of the Township to grant eligible employees up to two weeks (80 hours) of paid sick time in connection with the qualifying reasons below during the period of April 1, 2020 to December 31, 2020, in accordance with the Emergency Paid Sick Leave Act.

### **Eligibility**

All Township employees are eligible for emergency paid sick leave under this policy.

Emergency responders may be excluded from being able to take Emergency Paid Sick Leave.

### **Qualifying Reasons for Leave**

An employee qualifies for paid sick time if the employee is unable to work or telework due to a need for leave because the employee:

1. is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
2. has been advised by a health care provider to self-quarantine related to COVID-19;
3. is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
4. is caring for an individual subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine related to COVID-19;
5. is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19; or
6. is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services, in consultation with the Secretaries of Labor and Treasury.

### **Duration of Leave**

Full-time employees (defined as regularly scheduled to work 40 hours per week or more) eligible for emergency paid sick leave under this policy are eligible for up to 80 hours of leave.

Part-time employees eligible for emergency paid sick leave under this policy are eligible for the number of hours of leave that the employee works on average over a two-week period.

For reasons (4), (5), and (6), leave may be taken intermittently with permission by the Township.

### **Calculation of pay**

Eligible employees taking emergency paid sick leave under this policy for reasons (1), (2), or (3) above are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate.

Eligible employees taking emergency paid sick leave under this policy for reasons (4), (5), or (6) above are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate.

Eligible employees taking emergency paid sick leave under this policy for reason (5) above **are** entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day. If the employee is also eligible for Emergency Family and Medical Leave above, they may be eligible to receive up to \$12,000 in the aggregate (over a 12-week period).

### **Coordination with Other Paid Leave**

Employees may but are not required to first use existing paid time off leave (e.g., sick leave, paid time off, or vacation leave) prior to using emergency paid sick leave under this policy.

### **Documentation**

Employees will be required to supply documentation supporting the need for leave. Examples of acceptable documentation for (5) above include notice of closure or unavailability from the child's school, place of care, or child care provider, including a notice that may have been posted on a government, school, or day care website, published in a newspaper, or emailed to the employee from an employee or official of the school, place of care, or child care provider. Documentation to support the need for leave for (1)-(4) and (6) above, as determined by the IRS, will include information sufficient to substantiate the legitimate need for leave. Employees will be required to complete a Paid Sick Leave Request Form.

### **Notice**

Employees are required to follow the Township's notification procedures for reporting absences under the policy.

### **Unused Leave**

Emergency Paid Sick Leave provided under this policy does not carryover from one year to the next. Employees are not entitled to reimbursement for unused leave under this policy upon separation from employment for any reason.

**Families First Coronavirus Response Act - Paid Sick Leave/Family Leave Request Form**

Employee Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email Address: \_\_\_\_\_

Address: \_\_\_\_\_

Date leave is to Begin: \_\_\_\_\_ Date Leave is to End: \_\_\_\_\_

**Reason for Leave:**

- Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- Has been advised by a health care provider to self-quarantine related to COVID-19;
- Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- Is caring for an individual subject to a Federal, State, or local quarantine or isolation order related to COVID-19 or has been advised by a health care provider to self-quarantine related to COVID-19;
- Is caring for a child whose school or place of care is closed (or childcare provider is unavailable) for reasons related to COVID-19; or
- Is experiencing any other substantially-similar condition specified by the Secretary of Health and Human Services

I certify that I am unable to work, including telework, because of the above reason. Yes \_\_\_\_\_ No \_\_\_\_\_

*If ordered to quarantine or isolate by a governmental entity, the name of the governmental entity ordering such quarantine: \_\_\_\_\_*

*If caring for an individual, the name and relation of the individual: \_\_\_\_\_*

*If ordered to quarantine or isolate by a medical professional, the name of medical care professional requiring the quarantine or isolation: \_\_\_\_\_*

*If to care for a child whose school or place of care is closed, the name of the child/children: \_\_\_\_\_; the name of closed school or child care entity: \_\_\_\_\_. I certify that no other person will be caring for the child during the period for which I am receiving paid leave. Yes \_\_\_\_\_. If all of the children are over 14 years of age, a special statement explaining the need for care must be submitted.*

Doctor's Note/Other Documentation Required to Return to Work? Yes \_\_\_\_\_ No \_\_\_\_\_

**I certify that the above information is true** and correct to the best of my knowledge. I understand that falsification of documentation is a dischargeable offense.

Employee Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Employee Signature (electronic or per authority, if necessary): \_\_\_\_\_