

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP TRUSTEES MEETING

APRIL 24, 2006

Pizzino called the meeting to order at 4:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Ruwadi and Neftzer present.

Pizzino moved and Meeks seconded a motion to go into Executive Session for Park Department Personnel (Appointment/Employment/Compensation) – Interview park maintenance worker applicants. **3-0 yes**

Pizzino moved and Meeks seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation). **3-0 yes**

Pizzino moved and Meeks seconded a motion to go into Executive Session for a Conference with Attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. **3-0 yes**

Upon return from Executive Session, Pizzino opened the Work Session at 5:30 p.m.

Fire Department

Chief Heck reminded the Board that he would like to hold a test in June for part-time firefighters in order to build the eligibility list. He brought up the possibility of holding a joint test and creating a joint eligibility list with Plain Township. The Trustees expressed no opposition to doing so.

Chief Heck explained the purpose of the State's Volunteer Dependency Board was to administer funds from the State when a death or disability occurs to a volunteer firefighter. He has been notified that a Board must be in place within a department as long as there is one volunteer or part-time employee. This Board consists of two members elected by the volunteer firefighters, two members chosen by the Board of Trustees and one chosen by those four members. The Dependency Board does not need to meet except in the event of death or disability to a volunteer. Chief Heck is to start getting the Dependency Board in place.

Chief Heck then reminded the Board of the struggle it has been to provide the required training for rescue crews. Jackson Township will be hosting a building collapse class in June but may not be able to enroll our people since they are short on confined space rescue and extrication classes. Since he is a certified instructor, he would like to institute a computerized training program. The software package costs about \$5,000 to begin. Basic training would be completed in the next 6 to 8 weeks with the next year to year and a half spent doing additional training. There are 10 modules running 15 to 30 hours each. Training would be done when the crews were on duty. The additional training could make the department eligible for additional grants.

Meeks moved and Pizzino seconded to approve the Rescue Training Computer Program at a cost not to exceed \$5,200.00. **3-0 yes**

Highway Department

Rich LaRocco from ME Companies briefly updated the Board on the Fulton Road Widening Project, the Strausser / Lutz Project, the Portage / Lutz Project, the Highmill / Lafayette Project, and the Frank / Strausser / Applegrove Project. The SR 241/687 Intersection Stage 2 design plans are being reviewed by ODOT. Some design issues surfaced and ODOT is doing a speed zone study from Mudbrook to south of the intersection. Utilities will be based on the Stage 2 plans with the balance for relocation costs being submitted by Dominion.

At 6:03 p.m., Pizzino called the General Session to order with all department heads present. He requested that all cell phones and pagers be turned off at this time

The Pledge of Allegiance was recited.

Public Speaks – None

Pizzino: The first thing on our agenda is the public hearing on the tax abatement application for Graco Inc. Neal.

Fitzgerald: We set this hearing up on April 14th. The school district received their notice required by law and they did waive the fourteen day notice period at their last Tuesday night meeting. So we are able to proceed here. As we approached the middle of the week, we started to discuss the terms of the abatement agreement. The Prosecutor's Office has to verbally approve the agreement. I was able to, as of today, obtain approval of certain language. But there's two points of clarification that the General Counsel for Graco sent me late this afternoon. I think we can probably continue with this, because the Commissioners all need to sign it, but it's subject to the Prosecutor approving the final language and the intent of the language. There are a couple points of clarification. Ma'am do you want to speak about the job issues, that's the only thing I'd like to.

Hello, my name's Sharon Wright. I'm the Controller at Liquid Control Corporation. The issue Randy is discussing would be the 83 intended retention of full time employees. Graco fully intends to maintain the employment level and the average pay rates. Our attorney, Karen Park-Gallavan, she sent a letter, basically trying to document her understanding of that verbiage. The concern was the statement 'permanent employees' that you couldn't change someone out of a position, you couldn't maybe have someone leave and hire someone else or that one department may lose some people and a different department gains some people. The concern was it was a hindrance to the corporation to try to manage the business as a whole.

Gonzalez: That was not our issue.

Wright: Okay.

Gonzalez: Our issue was people at the site.

Wright: Okay.

Gonzalez: I mean that's what was discussed at the review hearing. Wasn't that your belief?

Meeks: Absolutely, if you're saying that you're going to retain 83 full time jobs.

Wright: Yes.

Meeks: In whatever capacity you assign those jobs to as long as it is 83, actually if you're saying 83 and you have 95, that's even better.

Wright: Correct.

Meeks: But it doesn't matter what their duties are or where, just as long as that facility has the numbers that you're committing to.

Wright: Okay. I think that's the clarification between Neal and Karen that we're seeking is 83 positions and you're not concerned, you're concerned that they're full time positions, which they would be, but you're not concerned what person it is or what department or position they're working in.

Meeks: You're stating that there's, say 83 permanent jobs at the range of \$70,000 a year, or whatever the salary range is. That's what we're concerned about. What you have them do, what part of the building they're located in.

Wright: Yes. And the 83 permanent jobs would remain as they are today from an average and from that perspective and then the additional positions.

Gonzalez: The point was, we wanted some protection on the existing, since we were going to extend another five years on the existing, was to open up some protection back to that one. In reading this language, it says 'intend to retain 83 existing permanent full time jobs which will maintain annual payroll'. It doesn't say where, it's pretty open.

Wright: Okay. I think the word permanent was taken in a different context. Permanent being a promise of life-long employment for a particular person.

Gonzalez: Permanent would be all right. Full time jobs, if you just struck permanent, Neal, that's fine with us. Who wrote this, you or Debbie?

Fitzgerald: I wrote it originally but there were several changes by the Prosecutor's Office and Karen. I want to be able to put them together. I think we can continue and I'll have the Trustees authorize the agreement pending final approval of the Board of County Commissioners. They are the ultimate body.

Gonzalez: You have no problem with putting the claw-back language into the existing.

Fitzgerald: No, that's not an issue. That's all agreed on.

Wright: That's correct.

Meeks: I think, moreover, that the two key words here, I know it's a concern to you is permanent, but to us retaining of the 83 presently and then the 30 new.

Wright: Correct.

Meeks: Or greater than.

Pizzino moved and Meeks seconded to continue the Public Hearing on tax exemption application from Graco, Inc. to May 8, 2006 at 6:00 p.m. **3-0 yes**

Administration Department

ATTACHMENT 4/24/06 A

Meeks moved and Burger seconded a motion to authorize the hiring of Aaron Frye as a seasonal park maintenance worker (second year), through the temporary service, subject to a negative drug screen, at the rate of \$7.50 per hour, effective May 10, 2006, per the recommendation of the Park Operations Director. **3-0 yes**

Meeks moved and Burger seconded a motion to authorize the hiring of Matthew Marlett as a seasonal park maintenance worker (second year), through the temporary service, subject to a negative drug screen, at the rate of \$7.50 per hour, effective May 22, 2006, per the recommendation of the Park Operations Director. **3-0 yes**

ATTACHMENT 4/24/06 B

Meeks moved and Burger seconded a motion to accept a donation from Massillon Cable TV Inc. in the amount of \$8,750.00 (\$2,750 for marketing supplies and materials, and \$6,000 for the Community Celebration). **3-0 yes**

The Board and Fiscal Officer expressed their gratitude to Massillon Cable TV for their generosity to the community and the YMCA.

Fire Department

RESOLUTION 06-023, ATTACHED

Meeks moved and Burger seconded a motion that pursuant to ORC Section 505.373, the Board of Trustees are authorized to adopt a standard code pertaining to fire, fire hazards and fire prevention, prepared and promulgated by the state or any department, board or other agency of the state.

Be it resolved that we hereby adopt the 2005 Ohio Fire Code on file as the Fire Prevention Code of Jackson Township, Stark County, Ohio with the attached amendments thereto, effective May 28, 2006. The previously established fire lanes on file in the Fiscal Office are also incorporated herein. The Fire Chief and / or Captain of the Fire Prevention Bureau shall have the full authority to designate subsequent fire lanes.

Be it further resolved that Resolution No. 96-254 is hereby repealed, effective May 28, 2006.

Be it further resolved that the Township Fiscal Officer shall certify to the adoption of this Resolution and shall cause the attached notice to be posted in five conspicuous places in the Township for at least thirty (30) days prior to the effective date of this Resolution and further publish said notice in the Massillon Independent for three consecutive weeks. **3-0 yes**

Highway Department

RESOLUTION 06-024, ATTACHED

Meeks moved and Burger seconded a motion to authorize the attached Advertisement for Bids for Resurfacing Project 2006 in accordance with the Specifications on file. **3-0 yes**

RESOLUTION 06-025, ATTACHED

Meeks moved and Burger seconded a motion to authorize the attached Advertisement for Bids for the Paint Striping of Roadways Project in accordance with the Specifications on file. **3-0 yes**

Legal Department

RESOLUTION 06-026, ATTACHED

Meeks moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Letter of Understanding with the Stark County Park District. **3-0 yes**

Police Department

ATTACHMENT 4/24/06 C

Meeks moved and Burger seconded a motion to accept the following donations to the "Hooked on Fishing" Program in the total amount of \$868.00.

1. \$250.00 from AALCO Manufacturing Company.
2. \$618.00 from United Way of Greater Stark County. **3-0 yes**

Fiscal Office

ATTACHMENT 4/24/06 D

Meeks moved and Burger seconded a motion to pay the bills in the amount of \$1,068,166.73. **3-0 yes**

ATTACHMENT 4/24/06 E

Meeks moved and Burger seconded a motion to approve minutes of April 10 and April 14, 2006 Board of Trustees' meetings. **3-0 yes**

ATTACHMENT 4/24/06 F

Meeks moved and Burger seconded a motion to approve the Request for Additional Amended Certificate for a total amount of \$29,882.00. **3-0 yes**

ATTACHMENT 4/24/06 G

Meeks moved and Burger seconded a motion to approve the supplemental appropriations in the amount of \$10,808.42 to Fund #217, Universal Hiring Grant, \$7,182.84 to Fund #232, Law Enforcement Trust Fund, and \$11,890.74 to Fund #234, Federal Equitable Sharing for a total of \$29,882.00. **3-0 yes**

Gonzalez pointed out to the Board that part of a recent bill passed by Senator Schuring allowed police officers the ability to issue stop orders on the scene at loud noise calls. He pointed out that parking ticket violations have not been enforced as much as they could be. Discussion followed on violations that could be ticketed and who could be used to patrol and issue those violations. Gonzalez, Fitzgerald and Chief Neftzer will work on citations and policies, and then present them to the Board.

Routine Business

Announcements

- Next regular Board of Trustees meeting, May 8, 2006, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC, May 3, 2006, 5:30 p.m., Township Hall.
- LOGIC, May 4, 2006, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Board of Zoning Appeals, May 11, 2006, 7:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Community Celebration, May 15, 2006, 6:00 p.m., Township Hall.
 - Park, May 16, 2006, 6:30 p.m., Township Hall.
 - Highway/Traffic, May 17, 2006, 6:30 p.m., Township Hall.

Old Business – None

New Business

Meeks moved and Burger seconded a motion to accept a \$250.00 donation to the Park Tree Fund from Richard Wolf. **3-0 yes**

Pizzino moved and Meeks seconded a motion to accept a \$10.00 donation to the Park Tree Fund from Barbara J. Daniels in honor of Anthony Felice. **3-0 yes**

Public Speaks – Open Forum

No one came forward.

Burger moved and Meeks seconded a motion to adjourn. **3-0 yes**

John Pizzino

Randy Gonzalez