

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

APRIL 25, 2011

Pizzino called the meeting to order at 3:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Boger present.

Pizzino moved and Walters seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Interview Captain applicants; Battalion Chief appointment. **3-0 yes**

Pizzino moved and Walters 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 Walters seconded a motion to go into Executive Session to Review Negotiations for Public Employees. **3-0 yes**

Upon return from Executive Session Pizzino called the General Session to order with all department heads present except Poindexter who was excused. He requested that all pagers and cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

ATTACHMENT 04/25/11 A

Walters presented a Citizen Award of Honor to William & Donna Allen.

Whereas, on Sunday, September 19, 2010, William & Donna Allen assisted an individual in a life threatening situation; and

Whereas, Mr. & Mrs. Allen came to the aid of Kevin Ciptak, who was a victim of multiple gunshot wounds, by covering and compressing Mr. Ciptak's wounds until the Jackson Township EMS arrived; and

Whereas, Kevin Ciptak, the shooting victim, credits Mr. & Mrs. Allen with saving his life.

Now therefore be it resolved that the Jackson Township Board of Trustees hereby presents this citizen Award of Honor to recognize Jackson Township residents, William & Donna Allen, for their acts of Heroism and bravery without regard to their own safety or well being.

Chief Hogue and Chief Zink recognized the firefighters/paramedics that were on duty with Medic 3 and the Police officers who were involved.

Pizzino added his thanks to all involved. Mr. Ciptak then came forward and described his thoughts after being shot and the Allens actions. He thanked Officer Hall and the rescue squad for what they did.

Police Department

Chief Zink presented the Police Department Awards. The first was for the Citizen of the Year for 2010. It went to Mr. Jeff Bushman who is a Township resident and is head of the Massillon AAA. Zink said Mr. Bushman has been involved in the Hooked on Fishing Program for many years. Zink said Mr. Bushman secured a grant through the Massillon AAA for \$15,000.00 for the command center.

Chief Zink announced that Officer Andy Kneffler was presented with the Life Saving Award. He gave a brief description of Officer Kneffler's actions during an apartment complex fire. The Merit Award went to Officer Dan Kunkel for saving a suicidal person. Sgt. Jim Monigold was awarded the Commendation Award for developing programs and training officers on radar use. The Chief's Award went to Detective Jason Collins for his professionalism, particularly in crimes against children. Officer Josh Escola was awarded the Officer of the Year Award for his work on patrol. Officer Escola made more than 400 traffic stops without a complaint.

Pizzino called a short recess to allow time for pictures to be taken.

Pizzino moved and Walters seconded a motion to accept a \$500.00 donation to the Hooked on Fishing program from the Ohio Department of Natural Resources. **3-0 yes**

Administration Department

RESOLUTION 11-031, ATTACHED AMENDED NUISANCE LEGISLATION

Walters moved and Burger seconded a motion that pursuant to ORC Sections 505.86 and 505.87, we hereby amend the attached nuisance legislation to include and be placed on the tax duplicate the Stark County 1.25% collection fee and a \$140 processing charge for certified mail, title search and other administrative costs relating to nuisance actions which is additional to abatement costs. **3-0 yes**

ATTACHMENT 04/25/11 B

Walters moved and Burger seconded a motion to award Certificates of Recognition to Andrea Kardohely and Allison Londeree who have earned the Gold Award in Girl Scouts. **3-0 yes**

Fire Department

ATTACHMENT 04/25/11 C

Pizzino moved and Burger seconded a motion to accept the attached retirement notice from Captain Frank Krauss, effective June 17, 2011. **3-0 yes**

Highway Department

RESOLUTION 11-032, ATTACHED 2011 CURBING REPLACEMENT PROJECT

Pizzino moved and Burger seconded a motion to authorize the attached Advertisement for Bids for 2011 Curbing Replacement Project in accordance with the Specifications on file. **3-0 yes**

RESOLUTION 11-033, ATTACHED ENGINE BRAKE RESTRICTION

Walters moved and Pizzino seconded a motion whereas, ORC Section 505.17 authorizes a Board of Township Trustees to make such regulations and orders as are necessary to control passenger car, motorcycle, and internal combustion engine noise, as permitted under ORC Section 4513.221; and

Whereas, ORC Section 4513.221(E)(4) authorizes a Board of Township Trustees to regulate noise from passenger cars, motorcycles, or other devices using internal combustion engines in the unincorporated area of the township by prohibiting racing the motor of any vehicle using an internal combustion engine in such a manner that the exhaust system emits a loud, cracking, or chattering noise unusual to its normal operation; and

Whereas, the Board of Township Trustees of Jackson Township, Stark County, Ohio, has received complaints from residents in the vicinity of High Mill Avenue NW between Clearway Avenue NW and Erie Avenue North with regard to loud noises emitted by trucks using diesel engine retarders known as “Jake brakes,” which reduce the trucks’ rate of speed, but cause the trucks’ exhaust systems to emit loud, cracking, or chattering noises unusual to their normal operations; and

Whereas, such residents have complained that these noise emissions have occurred at all times of the day and night, but are particularly annoying in the dark hours when said residents are attempting to sleep; now therefore,

Be it resolved by the Board of Township Trustees of Jackson Township, Stark County, Ohio, as follows:

Section 1. This Board hereby determines that the use of an engine retarder (including, but not limited to, so-called “Jake brakes”) on a motor vehicle causes the motor vehicle’s motor to race in such a manner as to cause its exhaust system to emit a loud, cracking, or chattering noise unusual to its normal operation, and by this regulation hereby prohibits such use on High Mill Avenue NW between Clearway Avenue NW and Erie Avenue North. This regulation does not apply to “emergency vehicles” or “public safety vehicles” as defined by ORC Section 4511.01.

Section 2. Whoever violates the prohibition set forth in Section 1 above is guilty of a minor misdemeanor.

Section 3. The effective date of this resolution shall be ten (10) calendar days after the posting of signage by the Township Highway Superintendent in accordance with attached Section 201-7 of the ODOT Traffic Engineering Manual. **3-0 yes**

ATTACHMENT 04/25/11 D

Pizzino moved and Burger seconded a motion to approve Budget Module 2011-30-A for Equipment in the amount of \$5,370.00. **3-0 yes**

ATTACHMENT 04/25/11 E

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5652, Equipment Purchase, in the amount of \$5,370.00. **3-0 yes**

Boger announced that the Recycling Station drainage and resurfacing will begin on May 9 and that it should take about a week to complete. He said the Recycling Station will be closed during that time.

Park Department

Pizzino moved and Burger seconded a motion to accept a \$500.00 donation to the Park Department from Jackson Select Soccer Club. **3-0 yes**

ATTACHMENT 04/25/11 F

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached agreement with Clint Miller for staging for the Community Celebration. **3-0 yes**

Walters moved and Burger seconded a motion to accept sponsorship donations to the Community Celebration:

1. \$100.00 from Preferred Temporary Services, Inc.
2. \$100.00 from Standard Plumbing & Heating Co., Inc.
3. \$500.00 from Suarez Corporation Industries Direct LLC.

3-0 yes

ATTACHMENT 04/25/11 G

Walters moved and Burger seconded a motion to hire Jessica Young as a seasonal park programming assistant (third year), through the temporary service, subject to a negative drug screen, at the rate of \$8.30 per hour, effective May 9, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

ATTACHMENT 04/25/11 H

Walters moved and Burger seconded a motion to authorize the hiring of Andrew J. Blinco as a seasonal park maintenance worker (first year), through the temporary service, subject to a negative drug screen, at the rate of \$7.40 per hour, effective May 9, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

Walters moved and Burger seconded a motion to authorize the hiring of David M. Calhoun as a seasonal park maintenance worker (first year), through the temporary service, subject to a negative drug screen, at the rate of \$7.40 per hour, effective May 2, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

ATTACHMENT 04/25/11 I

Walters moved and Burger seconded a motion to authorize the hiring of Alex J. Lyons as a seasonal park maintenance worker (third year), through the temporary service, subject to a negative drug screen, at the rate of \$8.30 per hour, effective May 16, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

Walters moved and Burger seconded a motion to authorize the hiring of Stephen A. Guerrier as a seasonal park maintenance worker (third year), through the temporary service, subject to a negative drug screen, at the rate of \$8.30 per hour, effective May 16, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

ATTACHMENT 04/25/11 J

Walters moved and Burger seconded a motion to authorize the hiring of Wendel Draman as a park maintenance worker, through the temporary service, subject to a negative drug screen, at the rate of \$8.00 per hour, effective April 28, 2011, per the recommendation of the Park/Operations Director. **3-0 yes**

Fiscal Office

ATTACHMENT 04/25/11 K

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$691,604.12. **3-0 yes**

ATTACHMENT 04/25 11 L

Pizzino moved and Burger seconded a motion to approve the minutes of the April 8 and April 11, 2011 Board of Trustees meetings. **3-0 yes**

Gonzalez told the Board that at the department head meeting on Tuesday they would be talking to the department heads about recertifying when the budget numbers come out for this year and next.

Routine Business

Announcements

- Next regular Board of Trustees meeting, May 9, 2011, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- LOGIC, May 5, 2011, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, June 20, 2011, 5:00 p.m., Township Hall.

- Citizens Advisory Committees:
 - Community Celebration, May 10, 2011, 5:30 p.m., Township Hall.
 - Park, May 10, 2011, 6:30 p.m., Township Hall.
 - Highway/Traffic, May 18, 2011, 6:30 p.m., Township Hall.
- Hooked on Fishing Day, Saturday, May 7, 2011, 8:00 a.m., Jackson North Park Pond.

Chief Zink reminded everyone that on Saturday, April 30, the Safety Center will be accepting unused prescription drugs between 10:00 and 2:00.

Old Business

ATTACHMENT 04/25/11 M

Boger described some of the changes made in the plans for the Recycling Station drainage and resurfacing project. He said that Central Allied Enterprises has agreed to accept the amount on the non-performance. Fitzgerald said the exact amount was \$2,269.80.

Pizzino moved and Walters seconded a motion to approve the attached change order regarding the Recycling Station drainage and resurfacing project. **3-0 yes**

New Business

Pizzino said he has been talking to the Recycling Station and they would like to close in everything on the outside and they may need some financial assistance. He said they would probably pay for two-thirds of the cost and the Township was considering giving them a five year loan. He pointed out this is still in the first stages.

Public Speaks – Open Forum

Wade Meyer of 3855 Westlynn near the southeast corner of Traphagen and Amherst. He said he has concerns about a property owner next door to him at 8594 Traphagen. He said his concerns are the junk cars which have been reduced to about five. He said there are also piles of broken concrete along Traphagen. Mr. Meyer said the occupant also has a constantly barking dog outside. Boger said if the concrete was in the right-of-way, the Highway Department would have the right to remove them. Chief Zink said in the case of the barking dog to call the police department and all they would require is a statement from one of the neighbors. He said they try to get voluntary compliance but if that doesn't work then a citation could be issued.

Pizzino and Gonzalez held the Records Commission Meeting.

Pizzino called the regular session back to order.

Pizzino moved and Walters seconded a motion to go back into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Interview Captain applicants; Battalion Chief appointment. **3-0 yes**

Upon return from Executive Session, Pizzino called the General Session back to order at 5:57 p.m.

Fire Department

Pizzino asked Chief Hogue for his recommendation for the position of Battalion Chief. His recommendation was Captain Sam Mallette.

Chief Hogue recommended Firefighter Mike Crable, Firefighter Joe Hafer, and Firefighter Dave Seibert for openings for the rank of Captain created by other promotions.

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

John Pizzino

Randy Gonzalez