

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 11, 2015

Walters called the meeting to order at 5:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Vaccaro, Hogue, Brink, Poindexter and Boger present.

Walters moved and Hawke seconded a motion to go into Executive Session for Public Works Department Personnel, Highway Division (Appointment/Employment/Compensation) – Interview Labor Specialist applicants. **3-0 yes**

Walters moved and Hawke seconded a motion to go into Executive Session for Public Works Department Personnel, Park Division (Appointment/Employment/Compensation). **3-0 yes**

Walters moved and Hawke seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation) – Interview police officer applicants. **3-0 yes**

Upon return from Executive Session at 6:28 p.m., Walters opened the Work Session.

Work Session

USGS Flood Warning System

ATTACHMENT 08/11/15 A

Keith Bennett, the Stark County Engineer, explained that the U. S. Army Corp of Engineers did a study of the Nimishillen basin several years ago and the report came out late last year. He said USGS approached the County with a proposal to put in additional stream gauges and precipitation gauges. He presented the Board with the current numbers and time schedule for this to be accomplished. He explained that there would be five stream gauges and a couple precipitation gauges and the entire basin would be modeled on a computer. He said the entire cost of the project over five years would be over a million dollars. He explained that there were several other entities that have agreed to split the cost. He said Jackson Township's share would be 15% or \$24,982.50 over five years.

Walters asked what the benefit to the residents would be.

Mr. Bennett said one of the benefits would be the computer model that would allow them to determine where things like retention basins would be most effective. He said the gauges are tied into an internet system and residents can actually go in and see what is going on with the gauges and can set up a true early warning system.

Dan Deckler, 5302 Fleetwood Ave. N.W., asked what would happen if Jackson Township didn't pick up their share.

Mr. Bennett said he would have to go back to the other partners and they would have to come up with the amount from somewhere else.

Walters called the General Session to order with all department heads present. He requested that all cell phones be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

ATTACHMENT 08/11/15 B

Walters moved and Hawke seconded a motion to approve the amendments to the Township Budget/Planning Policy. **3-0 yes**

ATTACHMENT 08/11/15 C

Walters moved and Hawke seconded a motion to approve the Tentative Agreement between the Board of Trustees and the Fraternal Order of Police, Ohio Labor Council Inc. (Office and Clerical Employees). **3-0 yes**

Police Department

ATTACHMENT 08/11/15 D

Walters moved and Hawke seconded a motion to extend the unpaid medical leave of absence for Ben Elias effective August 14, 2015 through August 28, 2015, with the exception that the unpaid leave of absence terminates if the employee returns to work. **3-0 yes**

ATTACHMENT 08/11/15 E

Walters moved and Hawke seconded a motion that based upon a review of the applicants' information, the interviews, and Chief Brink's recommendation, it is our intent to appoint Jamin Sprowl and Colt Weber as full-time patrol officers and Township constables at the Board's next regular meeting, August 25, 2015. **3-0 yes**

Public Works Department

Highway Division

RESOLUTION 15-042, ATTACHED

LABOR SPECIALIST, PUBLIC WORKS DEPARTMENT, HIGHWAY DEPARTMENT

Walters moved and Pizzino seconded a motion that we hereby authorize the employment of Anthony M. Davide for the full-time position of Labor Specialist, Public Works Department, Highway Division, effective August 31, 2015, at 0700 hours, a the compensation set forth in the negotiated agreement between the Board of Trustees of Jackson Township and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Anthony M. Davide will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees. **3-0 yes**

RESOLUTION 15-043, ATTACHED

LABOR SPECIALIST, PUBLIC WORKS DEPARTMENT, HIGHWAY DIVISION

Walters moved and Hawke seconded a motion that we hereby authorize the employment of Brian P. Brady for the full-time position of Labor Specialist, Public Works Department, Highway Division, effective August 31, 2015, at 0701 hours, at the compensation set forth in the negotiated agreement between the Board of Trustees of Jackson Township and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Brian P. Brady will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees. **3-0 yes**

ATTACHMENT 08/11/15 F

Walters moved and Hawke seconded a motion to authorize the Director of Public Works to proceed with joining the USGS Flood Warning System. **3-0 yes**

RESOLUTION 15-044, ATTACHED

2015 FISHER PARK PAVING PROJECT

Walters moved and Hawke seconded a motion to authorize the attached Advertisement for Bids for 2015 Fisher Park Paving Project in accordance with the Specifications on file. **3-0 yes**

RESOLUTION 15-045, ATTACHED

2015 NORTH PARK TENNIS COURT REFINISHING PROJECT

Walters moved and Hawke seconded a motion to authorize the attached Advertisement for Bids for 2015 North Park Tennis Court Refinishing Project in accordance with the Specifications on file. **3-0 yes**

Park Division

Walters moved and Hawke seconded a motion to accept a \$100.00 donation to the Parks from Nations Baseball. **3-0 yes**

Zoning & Planning Department

Walters moved and Pizzino seconded a motion to set public hearings on September 8, 2015 for the following nuisance violations.

1. 5:50 p.m. 3796 Amherst Avenue NW
 2. 6:00 p.m. 2980 Brunnerdale NW
- 3-0 yes**

Fiscal Office

ATTACHMENT 08/11/15 G

Walters moved and Hawke seconded a motion to pay the bills in the amount of \$1,398,381.87.

3-0 yes

ATTACHMENT 08/11/15 H

Walters moved and Hawke seconded a motion to approve the minutes of the July 23, 2015 Board of Trustees' Meeting.

3-0 yes

ATTACHMENT 08/11/15 I

Walters moved and Hawke seconded a motion to approve the minutes of the July 28, 2015 Board of Trustees' Meeting.

Hawke	yes
Pizzino	yes
Walters	abstained

ATTACHMENT 08/11/15 J

Walters moved and Hawke seconded a motion to approve the July 2015 Financial Reports.

3-0 yes

**RESOLUTION 15-046, ATTACHED
2016 ALTERNATE TAX BUDGET DOCUMENT**

Walters moved and Hawke seconded a motion to adopt the attached Alternate Tax Budget Document for Fiscal Year 2016 as required by the Stark County Budget Commission in their attached June 22, 2015 directive and pursuant to the July 13, 2006 action of the Stark County Budget Commission, authorize the Township Fiscal Officer to sign the Alternate Tax Budget Document and authorize the Township Fiscal Officer to file said Alternate Tax Budget Document with the Stark County Auditor's Office.

3-0 yes

**RESOLUTION 15-047, ATTACHED
FOP PATROL OFFICERS AS OF DECEMBER 31, 2008 – OPERS AMENDMENT**

Walters moved and Hawke seconded a motion whereas, The Jackson Township Board of Trustees and the Fraternal Order of Police, Patrol Officers negotiated a new Collective Bargaining Agreement, which has been ratified by both parties; and

Whereas, The Jackson Township Board of Trustees is required under the Collective Bargaining Agreement, and pursuant to Federal and Ohio law to report employee contributions to the Ohio Public Employees Retirement System.

Be it Resolved that:

Section 1: Pursuant to IRC Section 414(h)(2), effective the first pay period ending in August of 2015, 6% of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the Board for each person within any of the classes established in Section 2 herein. Effective with the first full pay in January of 2016, 3% of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the Board for each person within any of the classes established in Section 2 herein. Effective with

the first full pay in January of 2017, 0% of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the Board for each person within any of the classes established in Section 2 herein. The “pick up” shall be an offset against future salary increases. This “pick up” by the Board shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 herein. No person subject to this “pick up” shall have the option of choosing to receive the statutorily required contributions to OPERS directly instead of having it “picked up” by the Board or of being excluded from the “pick up”. The Board shall, in reporting and making remittance to OPERS, report that the public employee contribution for each person subject to this “pick up” has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan. Each person within the classes established by Section 2 herein shall not be required to pay federal and state income taxes on such contributions.

Section 2: The “pick up” by the Board provided by this resolution shall apply to employees of the Fraternal Order of Police – Patrol Officers as of December 31, 2008 that are employees of the Board who are or become contributing members of OPERS.

Section 3: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay a portion of the employees’ statutorily required contribution to OPERS according to the schedule in Section 1 above. The remaining statutory amount will be paid under post-tax.

Section 4: The Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the “pick up” of the statutorily required contributions to OPERS for those persons reflected in Section 2 herein so as to enable them to have their employee contributions paid by their employer. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, August 25, 2015, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- CIC Work Session, September 28, 2015, 3:30 p.m., Township Hall.
- CIC Meeting, August 20, 2015, 8:00 a.m., Township Hall.
- LOGIC, September 3, 2015, 9:00 a.m., Safety Center, Chiefs’ Conference Room.
- Board of Zoning Appeals, August 13, 2015, 5:30 p.m., Township Hall.
- Jackson Township Recycling Station Board, August 26, 2015, 11:00 a.m., Buehler’s Community Room.

- Bicentennial Committee, September 8, 2015, 6:30 p.m., Jackson Old School House on Fulton Road.
- Citizens Advisory Committees:
 - Community Celebration, September 9, 2015, 5:30 p.m., Township Hall.
 - Park, October 14, 2015, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 18, 2015, 6:30 p.m., Township Hall.
- Friends of the Park, October 14, 2015, 7:00 p.m., Township Hall.
- Farmers Market, every Thursday through October 1, 3:00 – 6:30 p.m., Jackson North Park.
- Movie in the Park and Jazz Concert – Enjoy free entertainment on Friday, August 21, 2015. “The Jazz Workshop” Concert begins at 6:30 p.m. and the Disney Movie “Big Hero 6” will be shown at 8:30 p.m. in Jackson North Park on Fulton Drive across from Jackson High School.

Old Business – none

New Business – none

Public Speaks – Open Forum

Dan Deckler, 5302 Fleetwood Ave. N.W., Canton, Ohio 44718, said he is an engineering professor at the University of Akron and wanted to talk to the Board about the lack of public awareness of bicycling and bicycling safety in the township. He said he does a lot of cycling not only in the United States but all over the world. He said this past summer he was going east on Fulton just before Wales and a car tried to run him off the road and pin him against the curb in front of the Safety Center. He said the man then rolled down his window and yelled at him to ride on the sidewalk. Mr. Deckler said he informed the man that it was illegal for him to ride on the sidewalk. He asked the Board of Trustees consider three suggestions to raise public awareness. He said the first is that the Police Officers be more aware of cyclists in the Township, the second thing is there are yellow signs with a bicycle on it that says ‘Share the road’. He said that would be a nice thing to do just to help educate the public. He said the third suggestion was to put an article in the Jackson Township newsletter.

Hazel Edgar, 7212 Knight St. N.W., Massillon, Ohio 44646, said she was concerned about the ditch that runs behind her property. She said it is grown over with weeds and brush. She said the neighbors don’t do anything and she didn’t know who was responsible. She said she’s about the only one who does anything to the ditch as far as keeping it clear. She said she has neighbors who put leaves and grass clippings into the ditch.

Pizzino gave Ms. Edgar some background on the ditch. He said it is a county ditch and Mr. Boger agreed that it is called the Clay Ditch. Mr. Boger said there are some improvements coming but they are a long way from where she is.

Walters told her that the Township doesn't have the authority to clear the ditch since it is county. He said they could send the zoning inspector out to see if there are any zoning regulations that could be enforced. He told her they would look at it and see what they could do.

Walters moved and Hawke seconded a motion to adjourn.

3-0 yes

James Walters

Randy Gonzalez