

**RECORD OF PROCEEDINGS**

**MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING**

**DECEMBER 12, 2011**

Pizzino called the meeting to order at 4:05 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald, Zink and Hogue present.

Walters moved and Burger seconded a motion to cancel the public meeting scheduled at 4:00 p.m. on the issue of the Public Works Director/Highway Superintendent being reemployed part-time in the same position. **3-0 yes**

Pizzino moved and Burger seconded a motion to go into Executive Session to review negotiations with public employees. **3-0 yes**

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

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

Upon return from Executive Session at 5:02 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** – No one came forward.

**Administration Department**

**ATTACHMENT 12/12/11 A**

Walters moved and Burger seconded a motion to approve the 2012 Jackson Township Budget and Planning Document. **3-0 yes**

**ATTACHMENT 12/12/11 B**

Walters moved and Burger seconded a motion to cancel the regular Board of Trustees meeting on December 26, 2011 due to Christmas holiday and set organizational meeting on Tuesday, January 10, 2012. **3-0 yes**

**Fire Department**

**RESOLUTION 11-127, ATTACHED  
EMS CHARGES BILLING AGREEMENT EXTENSION**

Walters moved and Burger seconded a motion to extend the attached EMS Charges Billing Agreement with the City of Massillon until March 1, 2012. **3-0 yes**

**Legal Department**

**ATTACHMENT 12/12/11 C**

Fitzgerald presented the OTARMA Renewal and Intergovernmental Contract to the Trustees for review with action to be taken at the next meeting.

**RESOLUTION 11-128, ATTACHED  
PETITION FOR AMENDMENT OF BARGAINING UNIT CERTIFICATION**

Walters moved and Burger seconded a motion to adopt the attached Petition for Amendment of Bargaining Unit Certification and authorize the placement of the Law Director's signature thereon. **3-0 yes**

**ATTACHMENT 12/12/11 D**

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Waiver Agreement with the Fraternal Order of Police. **3-0 yes**

**RESOLUTION 11-129, ATTACHED  
ROADWAY USE, REPAIR, AND MAINTENANCE AGREEMENT**

Walters moved and Burger seconded a motion to authorize the proposed attached Roadway Use, Repair, and Maintenance Agreement with Chesapeake Exploration LLC or other applicable company. **3-0 yes**

**ATTACHMENT 12/12/11 E**

Pizzino moved and Burger seconded a motion not to request a hearing on the Ohio Division of Liquor Control Notice for Sam Ragu LLC, dba Bombay Sitar, 4633 Belden Village Street NW. **3-0 yes**

**Police Department**

**RESOLUTION 11-130, ATTACHED  
JAIL TRANSPORTATION AGREEMENT**

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Jail Transportation Agreement with the City of Massillon. **3-0 yes**

**ATTACHMENT 12/12/11 F**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5299, Discretionary PS, to account code 209.258.5110, DB Reg Salaries, in the amount of \$25,000.00. **3-0 yes**

## **Public Works Department**

### **Highway**

#### **RESOLUTION 11-131, ATTACHED 2012 TRUCK CAB, CHASSIS, AND EQUIPMENT AWARD**

Walters moved and Pizzino seconded a motion that we hereby determine that Pallotta Ford, Inc. is the lowest responsible bidder for the 2012 Truck Cab, Chassis, and Equipment with the gasoline engine and hereby award a Contract to them in the amount of \$41,107.26 in accordance with the Company's proposal and the Specifications and authorize the placement of the Board's signatures on the Contract. **3-0 yes**

#### **ATTACHMENT 12/12/11 G**

Walters moved and Pizzino seconded a motion to approve Budget Module No. 2011-35-A for New Equipment in the amount of \$41,028.00. **3-0 yes**

#### **ATTACHMENT 12/12/11 H**

Walters moved and Pizzino seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5552, Road Materials, in the amount of \$6,300.00. **3-0 yes**

#### **ATTACHMENT 12/12/11 I**

Walters moved and Pizzino seconded a motion to agree to the cancellation of the attached Memorandum of Understanding with the Stark County Health District. **3-0 yes**

## **Park Department**

Walters moved and Burger seconded a motion to accept a \$100.00 donation to the Parks from Jason & Sharon Hoover. **3-0 yes**

Walters moved and Burger seconded a motion to accept a \$500.00 sponsorship donation to the 2012 Community Celebration from A. A. Hammersmith Insurance Inc. **3-0 yes**

#### **ATTACHMENT 12/12/11 J**

Pizzino moved and Walters seconded a motion to accept the attached retirement notice from Public Works Director/Highway Superintendent Ralph E. Boger, effective December 31, 2011. **3-0 yes**

#### **RESOLUTION 11-132, ATTACHED PUBLIC WORKS DIRECTOR/HIGHWAY SUPERINTENDENT POTENTIAL REHIRE NOTICE AND MEETING**

Walters moved and Pizzino seconded a motion pursuant to ORC Section 145.381, we hereby adopt and authorize the Fiscal Officer to publish the attached Public Notice, the language of which is incorporated herein. **3-0 yes**

## **Zoning & Planning Department**

### **ATTACHMENT 12/12/11 K**

Walters moved and Burger seconded a motion to appoint Scott Sandrock to serve as a member of the Jackson Township Zoning Commission for a five-year term, from January 1, 2012 through December 31, 2016. **3-0 yes**

Walters moved and Burger seconded a motion to appoint William Wallace to serve as an alternate member of the Jackson Township Zoning commission for a one-year term, from January 1, 2012 through December 31, 2012. **3-0 yes**

Walters moved and Burger seconded a motion to appoint Leon Vitale to serve as a member of the Jackson Township Board of Zoning Appeals for a five-year term, from January 1, 2012 through December 31, 2016. **3-0 yes**

Walters moved and Burger seconded a motion to appoint Daniel Creighton as an alternate member of the Jackson Township Board of Zoning Appeals for a one-year term, from January 1, 2012 through December 31, 2012. **3-0 yes**

Walters moved Burger seconded a motion to set a public hearing for Zoning Amendment 593-11 on January 10, 2012 at 5:30 p.m. David and Mark Best request to re-zone from B-3 Commercial Business to R-R Rural Residential, a portion of one parcel, approximately 3.218 acres, located on the south side of Huckleberry Street, east of Wales Avenue. **3-0 yes**

## **Fiscal Office**

### **ATTACHMENT 12/12/11 L**

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$462,943.56. **3-0 yes**

### **ATTACHMENT 12/12/11 M**

Pizzino moved and Burger seconded a motion to approve the minutes of the November 28, 2011 Board of Trustees' meeting. **3-0 yes**

### **ATTACHMENT 12/12/11 N**

Pizzino moved and Burger seconded a motion to approve the financial reports for November 2011. **3-0 yes**

### **ATTACHMENT 12/12/11 O**

Walters moved and Pizzino seconded a motion to request the additional amended certificate in the amount of \$3,880,186.35. **3-0 yes**

### **ATTACHMENT 12/12/11 P**

Pizzino moved and Burger seconded a motion for 2011 Supplemental Appropriations in the amount of \$3,882,686.35. **3-0 yes**

**ATTACHMENT 12/12/11 Q**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5220, Hospitalization, to account code 209.250.5964, Transfer to #295, Accum. Benefits Fund, in the amount of \$250,000.00. **3-0 yes**

**RESOLUTION 11-133, ATTACHED**

**GENERAL FUND ACCUMULATED BENEFITS #292**

Walters moved and Pizzino seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution No. 10-090 as follows:

1. Establish a General Fund Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$100,000 in 2007, \$25,000 in 2008, \$25,000 in 2009, \$25,000 in 2010 and \$25,000 in 2011 from Account 101.150.5982 to be deposited in a special sub fund named the General Fund Special Revenue Fund #292, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Fiscal Officer.
3. Authorize the creation of the following new codes in the accounting system: Fund #292 – General Fund Special Revenue Fund, #292.4990 transfers in from General Fund, expense code #292.150.5140 General Fund Special Revenue Fund, Fiscal cost center, severance object code. **3-0 yes**

**RESOLUTION 11-134, ATTACHED**

**HIGHWAY DEPARTMENT ACCUMULATED BENEFITS #294**

Walters moved and Pizzino seconded a motion pursuant to attached ORC Section 5705.13B we hereby amend attached Resolution Number 07-158, effective December 12, 2011, as follows:

1. Establish a Highway Department Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$20,000 from Account 204.310.5963 to be deposited in a special sub fund named the Highway Department Special Revenue Fund #294, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Township Fiscal Officer.
3. Authorize the creation of the following new code in the accounting system: Fund #294 – Highway Special Revenue Fund, #294.000.4990 transfers in from Highway Fund, expense code #294.310.5140 – Highway Special Revenue Fund, Highway operation cost center, severance pay object code. **3-0 yes**

**RESOLUTION 11-135, ATTACHED**

**HIGHWAY DEPARTMENT CAPITAL PROJECTS FUND #327**

Walters moved and Pizzino seconded a motion pursuant to attached ORC Section 5705.13(C), we hereby amend attached Resolution No. 10-092 to now read as follows:

1. Establish a Capital Projects Reserve Balance Account, Fund #327, for the purpose of accumulating resources for the acquisition, construction or improvement of fixed

- assets for Highway Department services through the performance of the projects described in attached amended Exhibit A.
2. Authorize the transfer and/or receipt of monies set forth in a mended Exhibit A totaling \$700,000 from Account 211.310.5959 to be deposited in a special fund named the Capital Projects Reserve Balance Account Fund #327 bringing the total deposits to \$6,070,983.69 which is the amount to be accumulated in the Reserve Balance Account and which said amount shall be accumulated over a ten year period from the effective date of this Resolution and shall be established, maintained and monies therein to be invested the Township Fiscal Officer.
  3. Authorize the creation of the following new codes in the accounting system: Fund #327 – capital projects fund, Receipt #327.4990 – transfer in, Expense code #327.310.5387 – capital projects fund, highway cost center, road improvements object code and all expense codes on attached amended Exhibit A. **3-0 yes**

### **RESOLUTION 11-136, ATTACHED**

#### **POLICE DEPARTMENT ACCUMULATED BENEFITS #295**

Walters moved and Pizzino seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution Number 10-093, effective December 12, 2011, as follows:

1. Establish a Police Department Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$350,000.00 from Account 209.250.5964 to be deposited in a special sub fund named the Police Department Special Revenue Fund #295, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Township Fiscal Officer.
3. Authorize the creation of the following new codes in the accounting system: Fund #295 – Police Special Revenue Fund, #295.000.4990 transfer in from Police Fund, expense code #295.250.5140 – Police Special Revenue Fund, Police operations cost center, severance pay object code. **3-0 yes**

### **RESOLUTION 11-137, ATTACHED**

#### **POLICE DEPARTMENT CAPITAL PROJECTS FUND #325**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13(C), we hereby amend attached Resolution No. 10-094 as follows:

1. Establish a Capital Projects Fund #325, for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets for Police Department services through the acquisition of Police Department cruisers as described in attached Amended Exhibit A.
2. Authorize the transfer of monies set forth in amended Exhibit A totaling \$150,000.00 from Account 209.250.5965 to be deposited in a special fund named the Capital Projects Account Fund #325, bringing the total deposits to \$1,585,096.05, which is the amount to be accumulated in the Capital Projects Account and which said amount shall be accumulated over a ten year period from the effective date of this Resolution and shall be established, maintained and monies therein to be invested by the Township Fiscal Officer.

3. Authorize the creation of the following new codes in the accounting system: Fund #325 – Police capital projects fund, Receipt #325.000.4990 – transfer in, Expense code #325.250.5960 – capital projects fund, Police cost center, equipment object code. **3-0 yes**

**RESOLUTION 11-138, ATTACHED**

**POLICE LEVY FUND RESERVE BALANCE ACCOUNT #430**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13(A)(1), we hereby amend attached Resolution 10-095 to now read as follows:

1. Establish a Reserve Balance Account to accumulate currently available resources in the Police Levy Fund for the purpose of stabilizing the Police Department Budget against cyclical changes in revenues and expenditures.
2. Authorize the transfer of \$14,830.12, per attached Exhibit A, from Account 209.250.5968 to be deposited in a special fund for Police Department operating purposes named Police Levy Reserve Balance Account Fund #430 and shall be established, maintained and the monies therein to be invested by the Township Fiscal Officer.
3. Authorize the establishment of the following new codes in the accounting system: Fund #430 – Police Reserve Balance Fund, Receipt #430.000.4900 transfers in from Police Fund, and Expense code #430.250.5956 – Police Reserve Balance fund, Police operations cost center, transfer to #309 Police fund object code. **3-0 yes**

**RESOLUTION 11-139, ATTACHED**

**RESCISSION OF POLICE LEVY ADDITIONAL RESERVE BALANCE ACCOUNT #431**

Walters moved and Burger seconded a motion pursuant to ORC Section 5705.132, we hereby rescind Resolution No. 10-096 and all prior resolutions related to the establishment and/or amendment of Police Levy Additional Reserve Balance Account #431 of \$1,656,198.17 to Police Levy Fund #209. **3-0 yes**

**RESOLUTION 11-140, ATTACHED**

**POLICE LEVY ADDITIONAL RESERVE BALANCE ACCOUNT #432**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.132, we hereby:

1. Establish a Reserve Balance Account used to accumulate currently available resources in the Police Levy Fund for the cost of future employee's salaries, benefits and other related costs.
2. Authorize the transfer of \$1,873,013.31 from Account 209.250.5968 to be deposited in a special fund for Police Department future employee's salaries, benefits and other related costs named Police Levy Additional Reserve Balance Account Fund #432 which said reserve balance account will continue for five fiscal years, commencing fiscal year 2011 and the maximum total amount of money that may be credited to the account during its existence is \$1,900,000.00 and the maximum amount of money to be credited to the account each fiscal year the account exists is \$800,000.00 and shall be established, maintained and the monies therein to be invested by the Township Fiscal Officer.

3. Authorize the establishment of the following new codes in the accounting system: Fund #432 – Police Reserve Balance Fund; receipt #432.000.4990 transfers in from Police Fund, and expense code #432.250.5951 – Police Reserve Balance Fund, Police operations cost center, transfer to #209 Police Levy Object code. **3-0 yes**

**RESOLUTION 11-141, ATTACHED**

**FIRE DEPARTMENT ACCUMULATED BENEFITS #293**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution Number 10-063, effective December 12, 2011 as follows:

1. Establish a Fire Department Special Revenue Fund for the purpose of accumulating resources for the payment of accumulated sick leave and vacation leave, and for payments in lieu of taking compensatory time off, upon the termination of employment or the retirement of officers and employees of the subdivision.
2. Authorize the transfer of \$128,500 from Account 210.210.5962 to be deposited in a special sub fund named the Fire Department Special Revenue Fund #293, and can be supplemented if subsequently determined by the Board of Trustees and shall be established and maintained by the Township Fiscal Officer.
3. Authorize the creation of the following new codes in the accounting system: Fund #293 – Fire Special Revenue Fund, #293.000.4990 transfer in from Fire Fund, expense code #293.210.5140 – Fire Special Revenue Fund, fire operations cost center, severance pay object code. **3-0 yes**

**RESOLUTION 11-142, ATTACHED**

**FIRE FUND CAPITAL PROJECTS FUND #328**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13(C), we hereby amend attached Resolution No. 10-091, effective December 12, 2011, to now read as follows:

1. Establish a Capital Projects Reserve Balance Account, Fund #328, for the purpose of accumulating resources for the acquisition, construction or improvement of fixed assets for Fire Department services through the performance of the projects described in attached amended Exhibit A.
2. Authorize the transfer and/or receipt of monies set forth in amended Exhibit A totaling \$399,000.00 from Account 228.210.5958 to be deposited in a special fund named the Capital Projects Reserve Balance Account Fund #328 bringing the total deposits to \$974,000.00 which is the amount to be accumulated in the Reserve Balance Account and which said amount shall be accumulated over a ten year period from the effective date of this Resolution and shall be established, maintained and monies therein to be invested by the Township Fiscal Officer,
3. Authorize the creation of the following new codes in the accounting system: Fund #328 – fire capital projects fund, Receipt #328.4990 – transfer in, Expense code #328.210.5660 – capital projects fund, fire cost center, ambulance/trucks object code.

**3-0 yes**

**RESOLUTION 11-143, ATTACHED**

**RESCISSION OF FIRE LEVY FUND ADDITIONAL RESERVE BALANCE ACCOUNT #421**

Walters moved and Burger seconded a motion pursuant to ORC Section 5705.132, we hereby rescind Resolution No. 08-117 and all prior resolutions related to the establishment and/or amendment of Fire Levy Fund Additional Reserve Balance Account #421 and to transfer the balance contained in Fire Levy fund Additional Reserve Balance Account \$421 of #350,000.00 to Fire Levy Fund #210. **3-0 yes**

**RESOLUTION 11-144, ATTACHED**

**FIRE LEVY FUND ADDITIONAL RESERVE BALANCE ACCOUNT #422**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.132, we hereby:

1. Establish a Reserve Balance Account used to accumulate currently available resources in the Fire Levy Fund for the cost of future employee's salaries, benefits and other related costs.
2. Authorize the transfer of \$350,000 from Account 210.210.5967 to be deposited in a special fund for Fire Department future employee's salaries, benefits and other related costs named Fire Levy Additional Reserve Balance Account Fund #422 which said reserve balance account will continue for five fiscal years, commencing fiscal year 2011 and the maximum total amount of money that may be credited to the account during its existence is \$800,000.00 and the maximum amount of money to be credited to the account each fiscal year the account exists is \$400,000.00 and shall be established, maintained and the monies therein to be invested by the Township Fiscal Officer.
3. Authorize the establishment of the following new codes in the accounting system: Fund #422 – Fire Reserve Balance Fund; receipt #422.000.4990 transfers in from Fire Fund, and expense code #422.210.5951 – Fire Reserve Balance Fund, fire operations cost center, transfer to #210 Fire Levy object code. **3-0 yes**

**ATTACHMENT 12/12/11 R**

Pizzino moved and Burger seconded a motion to approve fund transfers in accordance with the reserve account resolutions for a total of \$6,016,541.60. **3-0 yes**

**ATTACHMENT 12/12/11 S**

Pizzino moved and Burger seconded a motion to approve the permanent appropriations from codes and amounts for the year 2012 in the amount of \$39,319,236.60, by fund, classified by department &, within each, the amount for personal services. **3-0 yes**

**Routine Business**

**Announcements**

- Next regular Board of Trustees meeting, January 10, 2012, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.

- CIC, December 19, 2011, 12:00 p.m., Papa Bears Restaurant, Dressler Road NW.
- LOGIC, January 5, 2012, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Zoning Commission, December 15, 2011, 5:00 p.m., Township Hall.
- Board of Zoning Appeals, January 12, 2012, 5:30 p.m., Township Hall.
- Park Citizens Advisory Committee, February 7, 2012, 6:30 p.m., Township Hall.
- Santa's Mailbox, December 1 – 15, at the front entrance of the Administration Building.

**Old Business** – None

**New Business** – None

**Public Speaks – Open Forum**

No one came forward.

Pizzino moved and Walters seconded a motion to adjourn.

**3-0 yes**

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**John Pizzino**

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**Randy Gonzalez**