

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

**DECEMBER 14, 2009**

Pizzino called the meeting to order at 5:30 p.m. at the Jackson Township Hall with Trustees Pizzino and Burger, Fiscal Officer, Lyon, and Fitzgerald present.

Pizzino moved and Burger seconded a motion to go into Executive Session for Zoning Department (Appointment/Compensation) – Interview zoning board applicants. **2-0 yes**

Pizzino moved and Burger seconded a motion to go into Executive Session at the end of the meeting 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. **2-0 yes**

Upon return from Executive Session at 6:29 p.m., Pizzino called the General Session to order with all department heads present, except Poindexter. Trustee Walters was in attendance. Pizzino requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

**Public Speaks** – None

#### **Administration Department**

##### **ATTACHMENT 12/14/09 A**

The Board presented a Certificate of Recognition to Thomas R. Garncarz for his achievement of earning the Eagle Scout badge.

##### **ATTACHMENT 12/14/09 B**

Lyon presented the Board with information regarding a Farmers' Market being proposed for next summer. Burger asked if any of the local grocery stores felt a Farmers' Market would be in competition with them. Lyon explained that if the grocery carried home grown produce, they would be able to participate. There was some additional discussion regarding the location and the rules.

##### **ATTACHMENT 12/14/09 C**

Walters moved and Burger seconded a motion to approve the 2010 Jackson Township Budget and Planning Document. **3-0 yes**

##### **ATTACHMENT 12/14/09 D**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 101.110.5385, Other Expense, to account code 101.110.5432, Computer Related Services, in the amount of \$9,540.00. **3-0 yes**

**ATTACHMENT 12/14/09 E**

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with Bates Amusement, Inc. for the Community Celebration. **3-0 yes**

**ATTACHMENT 12/14/09 F**

Walters moved and Burger seconded a motion to adopt the attached Jackson Township Employee Handbook which replaces all prior adopted employee handbooks. **3-0 yes**

**ATTACHMENT 12/14/09 G**

Walters moved and Burger seconded a motion to adopt the attached Jackson Township HIPAA Policy and reappoint Neal Fitzgerald as HIPAA Privacy Officer. **3-0 yes**

**ATTACHMENT 12/14/09 H**

Walters moved and Burger seconded a motion to adopt the attached Lockout/Tagout Program. **3-0 yes**

**ATTACHMENT 12/14/09 I**

Walters moved and Pizzino seconded a motion to appoint John Clark to serve as a member of the Jackson Township Zoning Commission for a five-year term, from January 1, 2010 through December 31, 2014. **3-0 yes**

Walters moved and Burger seconded a motion to appoint Daniel Kimar to serve as an alternate member of the Jackson Township Zoning commission for a one-year term, from January 1, 2010 through December 31, 2010. **3-0 yes**

Walters moved and Burger seconded a motion to appoint Philip Kirkbride to serve as a member of the Jackson Township Board of Zoning Appeals for a five-year term, from January 1, 2010 through December 31, 2014. **3-0 yes**

Walters moved and Burger seconded a motion to appoint Leon Vitale as an alternate member of the Jackson Township Board of Zoning Appeals for a one-year term, from January 1, 2010 through December 31, 2010. **3-0 yes**

Pizzino moved and Burger seconded a motion to cancel the regular Trustees' meeting on December 28, 2009. **3-0 yes**

**Fire Department**

**ATTACHMENT 12/14/09 J**

Pizzino moved and Walters seconded a motion to approve the adjusted Ambulance Fee Schedule and to change the amounts in the Ambulance Billing Policy to reflect the changes. **3-0 yes**

**RESOLUTION 09-085, ATTACHED**

**VOLUNTEER FIRE FIGHTERS DEPENDENTS FUND BOARD**

Walters moved and Burger seconded a motion pursuant to ORC Section 146.03, we hereby elect Lawrence Baughman and Francis Haraburda to be members of the Volunteer Fire Fighters Dependents Fund Board. **3-0 yes**

**ATTACHMENT 12/14/09 K**

Pizzino moved and Burger seconded a motion to extend Budget Module 09-7 for Vehicle Replacement in the amount of \$46,600.00 to 2010. **3-0 yes**

**RESOLUTION 09-086, ATTACHED**

**FULLTIME FIREFIGHTER HIRING**

Walters moved and Burger seconded a motion pursuant to ORC Section 505.38 and in accordance with the Fulltime Firefighter Hiring Procedure and the Township Personnel Hiring Policy, we hereby authorize the posting and implementation of the attached Notice of Examination. **3-0 yes**

Chief Heck gave a brief explanation of the hiring process into the Fire Department.

**RESOLUTION 09-087, ATTACHED**

**PART-TIME FIREFIGHTER HIRING**

Walters moved and Burger seconded a motion pursuant to ORC Section 505.38, we hereby authorize Fire Chief Ted Heck to seek applications and test for part-time firefighter positions in accordance with the attached policy. **3-0 yes**

**Highway Department**

**RESOLUTION 09-088, ATTACHED**

**FULTON ROAD PRELIMINARY ENGINEERING AGREEMENT**

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Fulton Road Widening Preliminary Engineering Agreement. **3-0 yes**

There were several questions and comments about other current highway projects.

**ATTACHMENT 12/14/09 L**

Pizzino moved and Burger seconded a motion to approve Budget Module 2009-23-B for the Fulton/Wales Streetscape in the amount of \$6,000.00. **3-0 yes**

**Legal Department**

**RESOLUTION 09-089, ATTACHED**

**GENERAL FUND ACCUMULATED BENEFITS #292**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution No. 08-120 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 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 09-090, ATTACHED**

**HIGHWAY DEPARTMENT CAPITAL PROJECTS FUND #327**

Pizzino moved and Burger seconded a motion pursuant to attached ORC Section 5705.13(C), we hereby:

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 Exhibit A.
2. Authorize the transfer and/or receipt of monies set forth in Exhibit A totaling \$4,457,852.25 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 \$4,457,852.25 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 #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 Exhibit A. **3-0 yes**

**RESOLUTION 09-091, 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. 08-113 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 \$250,000.00 from Account 209.250.5965 to be deposited in a special fund named the Capital Projects Account Fund #325, bringing the total deposits to \$1,385,096.05, 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 09-092, ATTACHED**

**POLICE DEPARTMENT ACCUMULATED BENEFITS #295**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.13B, we hereby amend attached Resolution Number 08-118, effective December 14, 2009, 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 \$100,000 from Account 209.250.5964 to be deposited in a special 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 transfers 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 09-093, ATTACHED**

**POLICY LEVY ADDITIONAL RESERVE BALANCE ACCOUNT #431**

Walters moved and Burger seconded a motion pursuant to attached ORC Section 5705.132, we hereby amend attached Resolution No. 08-116, effective December 14, 2009, as follows:

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 additional transfer of \$607,200 from Account(s) 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 #431 which said reserve balance account will continue for five fiscal years, commencing fiscal year 2007 and the maximum total amount of money that may be credited to the account during its existence is \$1,800,000.00 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 #431 – Police Reserve Balance Fund; receipt #431.000.4990 transfers in from Police Fund, and expense code #431.250.5951 – Police Reserve Balance Fund, Police operations cost center, transfer to #209 Police Levy object code. **3-0 yes**

Gonzalez explained what these accounts are used for and how they are used like a savings account to cover those costs. He also explained that the Trustees and department heads have looked forward and made a long range plan and that is the reason for these accounts.

### **Park Department**

#### **ATTACHMENT 12/14/09 M**

Pizzino moved and Walters seconded a motion to approve the appropriation transfer request from account code 214.510.5520, Turf, to account code 214.510.5214, Medicare, in the amount of \$450.00. **3-0 yes**

#### **ATTACHMENT 12/14/09 N**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 214.510.5520, Turf, to account code 214.510.5210, Pension, in the amount of \$388.60 and from account code 214.510.5520, Turf, to account code 214.510.5212, Pension, in the amount of \$1,442.65. **3-0 yes**

#### **ATTACHMENT 12/14/09 O**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 214.510.5520, Turf, to account code 214.510.5110, Regular Salaries, in the amount of \$4,500.00. **3-0 yes**

### **Police Department**

#### **ATTACHMENT 12/14/09 P**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5396, Vehicle Expense, in the amount of \$3,000.00 and from account code 209.250.5114, Temp. Service Exp., to account code 209.250.5110, Regular Salaries, in the amount of \$12,000.00. **3-0 yes**

#### **ATTACHMENT 12/14/09 Q**

Walters moved and Burger seconded a motion to approve an unpaid leave of absence for Diana Greenwell for the purpose of Family & Medical Leave, not to exceed her remaining FMLA balance. **3-0 yes**

**Zoning & Planning Department**

Pizzino moved and Burger seconded a motion to set a public hearing for Glenmoor PUD revisions to the general development plan on January 11, 2010 at 6:30 p.m. **3-0 yes**

**Fiscal Office**

**ATTACHMENT 12/14/09 R**

Walters moved and Burger seconded a motion to pay the bills in the amount of \$1,351,399.65. **3-0 yes**

**ATTACHMENT 12/14/09 S**

Walters moved and Burger seconded a motion to approve the minutes of the November 23, 2009 Board of Trustees meeting. **3-0 yes**

**ATTACHMENT 12/14/09 T**

Pizzino moved and Burger seconded a motion to approve the Financial Reports for November 2009. **3-0 yes**

**ATTACHMENT 12/14/09 U**

Pizzino moved and Burger seconded a motion to transfer the insurance premium account interest posted in 2009 from General Fund #101 to Self-Funded Medical Insurance Fund #727 in the amount of \$162.80. **3-0 yes**

**ATTACHMENT 12/14/09 V**

Pizzino moved and Walters seconded a motion to approve fund transfers in accordance with the reserve account resolutions:

From Fund	To Fund	Amount
101 General Fund	292 General Accum. Benefits Fund	\$25,000.00
211 Road Levy	327 Highway Capital	\$4,457,852.25
209 Police Levy	295 Police Accum. Benefits Fund	\$100,000.00
209 Police Levy	325 Police Capital	\$250,000.00
209 Police Levy	431 Police Addtl. Reserve Account	\$607,200.00

**3-0 yes**

**ATTACHMENT 12/14/09 W**

Pizzino moved and Walters seconded a motion to send the request for additional amended certificate to the Stark County Auditor in the amount of \$6,720,696.05. **3-0 yes**

**ATTACHMENT 12/14/09 X**

Pizzino moved and Walters seconded a motion to approve the following supplemental appropriations:

Fund	Amount	
211 Road Levy Fund	\$ 3,748,244.66	
213 Zoning Fund	\$ (43,000.00)	
214 Park Fund	\$ (42,468.98)	
236 ARRA – Justice Asst Grant	\$ 68.12	
324 Highway Capital – 2009	\$(1,400,000.00)	
327 Highway Capital – 2019	\$ 4,457,852.25	<b>3-0 yes</b>

#### **ATTACHMENT 12/14/09 Y**

Pizzino moved and Burger seconded a motion to approve the 2010 Permanent Appropriations of \$36,728,292.12. **3-0 yes**

#### **ATTACHMENT 12/14/09 Z**

Pizzino moved and Walters seconded a motion to approve the depository agreements for 2010 – 2014 for Charter One Bank, Fifth Third Bank, First Merit Bank, N.A., JP Morgan Chase Bank, Key Bank, N.A., National City Bank, Star Ohio, Huntington National Bank, U.S. Bank, N.A. **3-0 yes**

### **Routine Business**

#### **Announcements**

- Next regular Board of Trustees meeting, January 11, 2010, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC meeting, December 21, 2009, 11:45 a.m., LaPizzaria, Dressler Road NW.
- LOGIC meeting, January 7, 2010, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Citizens Advisory Committees:
  - Community Celebration, January 12, 2010, 5:30 p.m., Township Hall.
  - Park, February 9, 2010, 6:30 p.m., Township Hall.
  - Highway/Traffic, February 17, 2010, 6:30 p.m., Township Hall.
- THANK YOU to the Jackson Service Girl Scouts, volunteers, sponsors, and Township personnel for a successful Holiday in the Park.
- The deadline for the Jackson Township Flag Contest is December 16. The winner will be announced at the Trustees' meeting on January 25, 2010.

**Old Business** – None

**New Business**

Walters moved and Burger seconded a motion to accept a \$500.00 sponsorship donation to the Community Celebration from Aultra Administrative Group. **3-0 yes**

**Public Speaks – Open Forum**

No one came forward.

Pizzino called a recess for photographs by WRL for the Township video after which the Trustees went 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.

Upon return from Executive Session at 7:46 p.m., Walters moved and Burger seconded a motion to adjourn. **3-0 yes**

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**John Pizzino**

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**Randy Gonzalez**