

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

JULY 26, 2010

Pizzino called the meeting to order at 4:33 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Zink present.

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

Upon return from Executive Session, Pizzino called the General Session to order at 5:03 p.m. 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

ATTACHMENT 07/26/10 A

Trustee Walters presented a Certificate of Recognition to Eagle Scout John Crum for his project of building ten handicap accessible picnic tables for the Park Department.

Police Department

ATTACHMENT 07/26/10 B

Chief Zink presented a Certificate of Appreciation to Officer Stephen Cindea for ten years of service to the “Hooked on Fishing – Not on Drugs” program.

ATTACHMENT 07/26/10 C

Walters moved and Burger seconded a motion to authorize Detective Jason Collins to travel out-of-state to attend the Annual Crimes Against Children Conference in Dallas, Texas, August 9 – 12, 2010, in accordance with the Travel Policy. **3-0 yes**

Administration Department

ATTACHMENT 07/26/10 D

Walters moved and Burger seconded a motion to approve and authorize the Board members’ signatures on the attached Certificate of Appreciation for Mark S. Stevens in recognition of his thirty-two years of dedicated service to the Jackson Township Highway Department. **3-0 yes**

ATTACHMENT 07/26/10 E

Walters moved and Burger seconded a motion to authorize advertising for the position of full-time labor specialist in the Highway Department. **3-0 yes**

**RESOLUTION 10-064, ATTACHED
RECYCLING STATION LEASE RENEWAL**

Walters moved and Burger seconded a motion to renew the attached Lease with the Jackson Township Recycling Station, Inc. for a one year term expiring August 31, 2011. **3-0 yes**

Fire Department

**RESOLUTION 10-065, ATTACHED
PART TIME FIREFIGHTER ELIGIBILITY LIST**

Walters moved and Burger seconded a motion pursuant to the Part time Firefighter hiring policy and authority granted in ORC Section 505.38 “to provide for the employment of firefighters as it considers best”, we hereby establish the attached eligibility list specifying the order in which candidates will be considered for the appointment to the position of Part time Firefighter. **3-0 yes**

Walters moved and Burger seconded a motion to accept a \$400.00 donation to the Fire Department from Perry Heights Firefighters Association. **3-0 yes**

ATTACHMENT 07/26/10 F

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Cont. & Disc., to account code 210.210.5396, Vehicle Maintenance, in the amount of \$45,000.00. **3-0 yes**

Highway Department

**RESOLUTION 10-066, ATTACHED
2010 STRIPING PROJECT**

Walters moved and Burger seconded a motion that we hereby determine that J. D. Striping & Services, Inc. is the lowest and best bidder for the 2010 Striping Project and hereby award a Contract to them in the amount of \$40,683.75 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 07/26/10 G

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President and Fiscal Officer’s signatures upon the attached OPWC Disbursement Request Form for the Lafayette/Highmill project. **3-0 yes**

Legal Department

**RESOLUTION 10-067, ATTACHED
ELECTRICAL AGGREGATION**

Walters moved and Burger seconded a motion whereas, The Ohio Legislature has enacted electric deregulation legislation (“Am. Sub. S.B. No. 3”) which authorizes the legislative authorities of municipal corporations, townships and counties to aggregate the retail electrical loads located within the respective jurisdictions and to enter into service agreements to facilitate for those loads the purchase and sale of electricity (“Governmental Aggregation”); and

Whereas, such legislative authorities may exercise such authority jointly with any other legislative authorities; and

Whereas, Governmental Aggregation provides an opportunity for residential and small business consumers to participate collectively in the potential benefits of electricity deregulation through lower electricity rates which would not otherwise be available to those electricity customers individually; and

Whereas, the Board of Trustees of Jackson Township, seeks to establish a Governmental Aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code (the "Aggregation Program") for the residents, businesses and other electric consumers in the Township and in conjunction jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law;

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

1. This Board of Trustees finds and determines that it is in the best interest of the Township, its residents, businesses and other electric consumers located within the corporate limits of the Township to establish this Aggregation Program in the Township. Provided that the Aggregation Program is approved by the electors of the Township pursuant to Section 2 of this Resolution, the Township is hereby authorized to automatically aggregate, in accordance with Section 4928.20, Ohio Revised Code, the retail electric loads located within the Township, and, for that purpose, to enter into service agreements to facilitate for those loads the purchase and sale of electricity. The Township may exercise such authority jointly with any other municipal corporation, township or county or other political subdivision of the State of Ohio to the full extent permitted by law. The aggregation will occur automatically for each person owning, occupying, controlling or using an electric load center proposed to be aggregated and will provide for the opt-out rights described in Section 3 of this Resolution.
2. The Board of Elections of Stark County is hereby directed to submit the following question to the electors of Jackson Township, Stark County, Ohio at the general election on Tuesday, November 2, 2010:

**PROPOSED RESOLUTION
JACKSON TOWNSHIP**

A Majority Affirmative Vote is Necessary for Passage.

Shall the Board of Trustees of Jackson Township have the authority to aggregate the retail electric loads located in the Township, and, for that purpose, enter into service agreements to facilitate for those loads the sale and purchase of electricity, such aggregation to occur automatically except where any persons elects to opt out?

YES

NO

The Fiscal Officer of Jackson Township is instructed to immediately file a certified copy of this resolution and the proposed form of the ballot question with the Stark County Board of Elections. The Aggregation Program shall not take effect unless approved by a majority of the electors voting upon this resolution and the Aggregation Program provided for herein at the election held pursuant to this Section 2 and Section 4928.20, Ohio Revised Code.

3. Upon approval of a majority of the electors voting at the general election provided for in Section 2 of this Resolution, this Board of Trustees of Jackson Township, individually or jointly with any other political subdivision, may develop a plan of operation and governance for the Aggregation Program. Before adopting such plan, this Board of Trustees of Jackson Township shall hold at least two public hearings on the plan. Before the first hearing, notice of the hearings shall be published once a week for two consecutive weeks in a newspaper of general circulation in the Township. The notice shall summarize the plan and state the date, time and place of each hearing. No plan adopted by this Board of Trustees shall aggregate the electric load of any electric load center within the Township unless it, in advance, clearly discloses to the person owning, occupying, controlling, or using the load center that the person will be enrolled automatically in the Aggregation Program and will remain so enrolled unless the person affirmatively elects by a stated procedure not be so enrolled. The disclosure shall state prominently the rates, charges, and other terms and conditions, of enrollment. The stated procedure shall allow any person enrolled in the Aggregation Program the opportunity to opt-out of the program at least every three years, without paying a switching fee. Any such person that opts out of the Aggregation Program pursuant to the state procedure shall default to the standard service offer provided under division (a) of Section 4928.35, Ohio Revised Code until the person chooses an alternative supplier.

4. It is hereby found and determined that all formal actions of this Board of Trustees of Jackson Township concerning and relating to the passage of this Resolution were adopted in an open meeting of this Board of Trustees of Jackson Township and that the deliberations of this board of Trustees and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements including section 121.22 of the Ohio Revised Code. **3-0 yes**

**RESOLUTION 10-068, ATTACHED
MASTER AGREEMENT TO PROVIDE SERVICES**

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Master Agreement to Provide Services to an Aggregated Group with the FirstEnergy Solutions, Corp. **3-0 yes**

Park Department

ATTACHMENT 07/25/10 H

Walters moved and Burger seconded a motion to approve a \$.50 per hour wage increase for temporary maintenance worker, Tom Guist effective the next pay period. **3-0 yes**

Zoning & Planning Department

ATTACHMENT 07/25/10 I

Walters moved and Burger seconded a motion to approve and authorize the Board members' signatures on the attached Notice to County Auditor for Nuisance Abatement Processing for 6367 Portage Street NW. **3-0 yes**

ATTACHMENT 07/25/10 J

Walters moved and Burger seconded a motion to approve and authorize the Board members' signatures on the attached Notices to County Auditor for mowing noxious weeds on the following properties:

1. Parcel No. 16-05600, 6629 Dale Ave., N.W., Lot #69, Frances Acres Allotment for the amount of \$550.00
2. Parcel No. 16-04527, 7418 Knight St. N.W., Lot #57, Cloverdale Allotment for the amount of \$550.00.
3. Parcel No. 16-04736, 3911 Michael Dr. N.W., Lot #25, Bel Air Estates for the amount of \$550.00. **3-0 yes**

Fiscal Office

ATTACHMENT 07/25/10 K

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$680,681.98. **3-0 yes**

ATTACHMENT 07/25/10 L

Pizzino moved and Burger seconded a motion to approve the minutes of the July 12, 2010 Board of Trustees meeting. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, August 9, 2010, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Township Hall.
- Joint Public Hearing with the City of Canton on Cooperative Economic Development Agreement (CEDA), August 9, 2010, 6:00 p.m., Township Hall.
- LOGIC, August 5, 2010, 9:00 a.m., Safety Center, Chief's Conference Room.
- CIC, August 16, 2010, 5:00 p.m., Township Hall.
- Zoning Commission, August 19, 2010, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:

- Park, August 10, 2010, 6:30 p.m., Township Hall.
- Highway/Traffic, August 18, 2010, 6:30 p.m., Township Hall.
- Community Celebration, October 12, 2010, 5:30 p.m., Township Hall.
- **Jackson Township Farmers Market** every Thursday from 3:00 – 7:00 p.m., in North Park.
- **Jackson-Belden FoodFest & Fireworks**, July 30-31, 4:00 – 11:30 p.m., Kent State Stark Campus.
- **Arts in Jackson Park**, August 29, 2010, 11:00 a.m. – 6:00 p.m., North Park.

Old Business

Gonzalez reported on the meeting held at the County Engineer’s Office about “bid express”. He said the Commissioners did follow up with Commissioner Ferguson calling a meeting with Regional Planning. Gonzalez said he thought “it would go forward”. He explained that where Ralph is now receiving and opening the bids, those bids would be received electronically. He explained that instead of each subdivision buying the program, it would be purchased by Regional Planning and all the subdivisions would be able to use it.

New Business – None

Public Speaks - Open Forum

Kathy Henderson, 8923 Ontario N.W., asked Mr. Boger if something will be done about the bush on the Lafayette/Highmill project. Boger said they were familiar with the problem. He said one of the fir trees is on the public right-of-way but the rest of the trees are on private property. He said they will have to negotiate with the owner to take them down.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez