

## **RECORD OF PROCEEDINGS**

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

**JUNE 14, 2010**

Pizzino called the meeting to order at 4:38 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Ruwadi present.

Pizzino moved and Burger seconded a motion to go into Executive Session for Park Department Personnel (Appointment/Employment/Compensation) – Interview applicants for temporary programming assistant and temporary maintenance worker. **3-0 yes**

Upon return from Executive Session, Pizzino opened the Work Session at 4:55 p.m.

#### **Work Session**

##### **ATTACHMENT 06/14/10 A**

Boger introduced Rich LaRocco from ME Companies who presented the Trustees with information and findings regarding the Fulton Widening Project. He explained the number of lanes that would be added, where traffic lights were indicated, and what intersections will be involved and what the changes could be. There were some questions about locations and easements. Mr. LaRocco explained the project hasn't progressed that far yet. He said it would be a "three year development".

At 5:07 p.m., Pizzino called the General Session to order with all department heads present except Joni Poindexter who was on vacation. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

**Public Speaks** – None.

#### **Police Department**

##### **RESOLUTION 10-040, ATTACHED SERGEANT'S PROMOTION**

Walters moved and Burger seconded a motion pursuant to the enclosed Memorandum of Understanding and Promotional Panel Waiver Agreement, we hereby appoint Sean D. Wackerly to the position of Full Time Sergeant in the Jackson Township Police District Department, effective 0001 on June 19, 2010, with a probationary period of three hundred sixty five days and we hereby accept the attached Oath of Office. **3-0 yes**

Pizzino called a short recess to allow for pictures.

Walters presented Sergeant Wackerly a commission on his promotion. Walters also said that the decision was difficult to make and that all the candidates were highly qualified. He said that was a “wonderful testament to the department”.

Walters moved and Burger seconded a motion to accept a \$2,250.00 donation to the “Hooked on Fishing, Not on Drugs” Program from WalMart Stores, Inc. **3-0 yes**

**ATTACHMENT 06/14/10 B**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 209.250.5387, Discretionary, to account code 209.250.5363, Hooked on Fishing, in the amount of \$2,250.00. **3-0 yes**

**Administration Department**

**RESOLUTION 10-041, ATTACHED  
SOLID WASTE PLAN**

Walters moved and Burger seconded a motion whereas, we have received the attached April 12, 2010 letter from the Stark-Tuscarawas-Wayne Joint Solid Waste Management District.

Be it resolved that we hereby approve the Draft Solid Waste Plan on file and the Law Director shall send a certified copy of this Resolution to the Solid Waste District. **3-0 yes**

Lyon explained that the Solid Waste District is periodically required to update the solid waste management plan as required by the EPA. She said this update covers a period of eleven years ending in 2020 and that it includes programs and projections for solid waste generation recycling disposal.

**ATTACHMENT 06/14/10 C  
FIRST ENERGY AGREEMENT**

Lyon explained this is not aggregation but is an agreement that would allow the Township to enter a discount program for the four largest accounts. She pointed out this program would be effective right away and the aggregation issue would be on the ballot in November.

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President’s signature upon the attached Customer Supply Agreement and Fixed Price Pricing Attachment. **3-0 yes**

Pizzino updated the Board regarding Aqua Ohio. He said it was a three year agreement that Massillon City Council passed. He said that the agreement made by Massillon City Council is binding on Township residents. The Law Director was asked how it could be renegotiated.

Fitzgerald said the Sanitary Sewer and Water District has jurisdiction over water lines in unincorporated areas and they have the authority to delegate to a private company to construct water lines and how the rates would be set. Fitzgerald said the County Commissioners could look into getting this changed.

Pizzino also asked that Fitzgerald look into how this could be changed and how the money received by Massillon for capital improvements could be distributed to other jurisdictions affected by the agreement.

Gonzalez said if it was statutory, he didn't have a problem with talking to our legislators about changing the statute. He said he has an additional problem with the Joint Board picking who is to do the negotiating. He said "water is being continually used as annexation leverage against townships and now we're going to let incorporated areas negotiate for unincorporated areas."

## **Highway Department**

### **RESOLUTION 10-042, ATTACHED HILLS AND DALES ROAD AGREEMENT**

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with the Board of Stark County Commissioners for the improvement of Hills and Dales Road between Whipple Avenue and Woodlawn Avenue.

**3-0 yes**

### **RESOLUTION 10-043, ATTACHED 2010 STRIPING PROJECT**

Walters moved and Burger seconded a motion to authorize the attached Advertisement for Bids for 2010 Striping Project in accordance with the Specifications on file.

**3-0 yes**

### **ATTACHMENT 06/14/10 D**

Walters moved and Burger seconded a motion to approve Budget Module No. 2010-34-A for Meadowview Drainage Repair in the amount of \$25,000.00.

**3-0 yes**

### **ATTACHMENT 06/14/10 E**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5558, Drainage, in the amount of \$25,000.00.

**3-0 yes**

### **ATTACHMENT 06/14/10 F**

Walters moved and Burger seconded a motion to adopt and ratify the attached Addendum #1 to the 2010 Curbing Replacement Specifications.

**3-0 yes**

Boger opened and read the curbing bids received as follows.

BCS Contractors, Inc.	\$128,499.85
SA, Inc.	\$105,799.19
Tony Zumbo and Son	\$141,144.00
RMI Cement	\$185,251.50
Lockhart Concrete	\$173,489.50

## **Legal Department**

### **ATTACHMENT 06/14/10 G**

Walters moved and Burger seconded a motion not to request a hearing on the transfer of the liquor permit to A1 Japan Inc. dba A1 Japan Steakhouse, 4770 Dressler Rd. N.W., Canton, Ohio 44718. **3-0 yes**

## **Park Department**

### **ATTACHMENT 06/14/10 H**

Walters moved and Burger seconded a motion to hire Marcus Cirelli as a seasonal park programming assistant, through the temporary service, subject to a negative drug screen, at the rate of \$7.30 per hour, effective June 16, 2010, per the recommendation of the Park/Operations Director. **3-0 yes**

### **ATTACHMENT 06/14/10 I**

Walters moved and Burger seconded a motion to authorize the hiring of Frank Thristino as a park maintenance worker, through the temporary service, subject to a negative drug screen, at the rate of \$8.00 per hour, effective June 16, 2010, per the recommendation of the Park/Operations Director. **3-0 yes**

### **ATTACHMENT 06/14/10 K**

Walters moved and Burger seconded a motion to authorize the Park Department's participation in the attached described Goodwill Summer Youth Employment Program. **3-0 yes**

### **ATTACHMENT 06/14/10 L**

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Agreement with Todd T. Taylor for entertainment at the Community Celebration. **3-0 yes**

### **ATTACHMENT 06/14/10 M**

Walters moved and Burger seconded a motion to authorize temporary road closures for the 2010 Community Celebration 5K Run in accordance with the attached memorandum from the Park/Operations Director. **3-0 yes**

## **Zoning & Planning Department**

Pizzino moved and Walters seconded a motion to set a public hearing for Zoning Amendment 584-10 (Text changes) on June 28, 2010 at 5:20 p.m. **3-0 yes**

### **RESOLUTION 10-044, ATTACHED**

#### **NOXIOUS WEEDS – FOREST TRAIL STREET NW, FOREST TRAIL ALLOTMENT, LOT 30, PARCEL NO. 16-28002**

Walters moved and Pizzino seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of McDonald Development Corporation in Jackson Township, described as Township.

Be it resolved that said McDonald Development Corporation, whose mailing address is 8324 Cleveland Avenue NW, North Canton, OH 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2010. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 10-045, ATTACHED**

**NOXIOUS WEEDS – 6360 STRAUSSER STREET NW, HILLFIELD ALLOTMENT 1, LOT 7, PARCEL NO. 16-03984**

Walters moved and Pizzino seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Renee Blashak in Jackson Township, described as follows: 6360 Strausser Street NW, Hillfield Allotment 1, Lot 7, Parcel No. 16-03984, Jackson Township.

Be it resolved that said Renee Blashak, whose mailing address is 6360 Strausser Street NW, North Canton, Oh 44720, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2010. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**RESOLUTION 10-046, ATTACHED**

**NOXIOUS WEEDS – MICHAEL DRIVE NW, BEL AIR ESTATES, LOT 17, PARCEL NO. 16-03038**

Walters moved and Pizzino seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Carl & Patricia Chappie in Jackson Township, described as follows: Bel Air Estates, Michael Drive NW, Lot 17, Parcel No. 16-03038, Jackson Township.

Be it resolved that said Carl & Patricia Chappie, whose mailing address is 4533 Stephen Circle NW, #307, Canton, OH 44718, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from

the date of this Resolution until September 30, 2010. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**NOXIOUS WEEDS – WESTON PLACE AVENUE NW, BILTMORE ESTATES, LOT 3, PARCEL NO. 16-27794**

Walters moved and Burger seconded a motion whereas, the Jackson Township Board of Trustees, having been informed in writing that noxious or other harmful weeds are growing on the lands in charge of Norman & Shamaila Rafique in Jackson Township, described as follows: Biltmore Estates, Weston Place Avenue NW, Lot 3, Parcel No. 16-27794, Jackson Township.

Be it resolved that said Norman & Shamaila Rafique, whose mailing address is 6274 Glengarry Avenue NW, Canton, OH 44718, be notified by serving on them by certified mail with return receipt requested, a written copy of this resolution that said noxious weeds are growing on such lands and that, pursuant to ORC Section 5579.05, they must be cut or destroyed within five (5) days after the service of such notice or show this Board cause why there is no need for doing so. The owner shall have a continuing duty to cut or destroy the noxious weeds every 30 days from the date of this Resolution until September 30, 2010. If the owner fails to meet this obligation within the five-day period, or the subsequent 30 day periods, the Township will mow at \$150.00 per hour with a \$400.00 minimum charge per lot or parcel. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee per lot or parcel will be placed on your tax duplicate. **3-0 yes**

**Fiscal Office**

**ATTACHMENT 06/14/10 N**

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,450,483.86. **3-0 yes**

**ATTACHMENT 06/14/10 O**

Pizzino moved and Burger seconded a motion to approve the minutes of the May 24, 2010 Board of Trustees meeting. **3-0 yes**

**ATTACHMENT 06/14/10 P**

Pizzino moved and Burger seconded a motion to approve the financial reports for May 2010. **3-0 yes**

**RESOLUTION 10-048, ATTACHED  
RESCISSION OF GENERAL CAPITAL PROJECTS FUND #322**

Gonzalez explained that this fund can only be open for ten years. He said the money will go back to the fund that it came from and at the next meeting another capital projects fund will be reopened for another ten years.

Walters moved and Pizzino seconded a motion pursuant to ORC Section 5705.13(C), we hereby rescind Resolution No. 08-108 and all prior resolutions related to the establishment and/or amendment of Capital Projects Fund #322 and to transfer the balance contained in Capital Projects Fund #322 of \$1, 025,960.75 to General Fund #101. **3-0 yes**

## **Routine Business**

### **Announcements**

- Next regular Board of Trustees meeting, June 28, 2010, 4:00 p.m., Executive Session and/or Work Session, 5:00 p.m., General Session, Township Hall.
- CIC meeting, June 21, 2010, 5:00 p.m., Township Hall.
- LOGIC meeting, June 21, 2010, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Citizens Advisory Committees:
  - Community Celebration, July 13, 2010, 5:30 p.m., Township Hall.
  - Park, August 10, 2010, 6:30 p.m., Township Hall.
  - Highway/Traffic, August 18, 2010, 6:30 p.m., Township Hall.
- **Jackson Community Celebration**, June 16 – 19, 2010, North Park. Food, Rides, Live Entertainment, Children's Activities, and Fireworks on Saturday night.
- **Board of Trustees Town Hall Meeting**, Thursday, June 17, during the Community Celebration, from 6:00 – 7:00 p.m., North Park, Jackson Township Tent.
- **Jackson-Belden FoodFest & Fireworks**, July 30 – 31, 4:00 – 11:30 p.m., Kent State Stark Campus.
- **Weekly Farmers Market** this summer on Thursdays from 3:00 – 7:00 p.m., beginning July 15 through October 14 in North Park.
- **Visit Jackson Township's new website** at [www.jacksontwp.com](http://www.jacksontwp.com).

**Old Business** – None

**New Business**

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

\$100.00 from A/C Laser Technologies, Inc.

\$100.00 from Midwest Sign Center

\$250.00 from Southeastern Equipment Co., Inc.

**3-0 yes**

**Public Speaks – Open Forum**

No one came forward.

Pizzino moved and Burger seconded a motion to adjourn.

**3-0 yes**

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**John Pizzino**

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**Randy Gonzalez**