

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

NOVEMBER 23, 2009

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

Pizzino moved and Burger seconded a motion to go into Executive Session for Zoning Department Personnel (Appointment/Compensation) – Board of Zoning Appeals and Zoning Commission. **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**

Upon return from Executive Session, Pizzino opened the Work Session at 5:36 p.m.

Work Session

Departmental Budget Reviews

Fire Department

Chief Heck gave a brief review of the estimated revenue from the fire levy and ambulance charges.

Pizzino moved and Burger seconded a motion to approve Budget Module 10-01 for Fire Suppression, EMS, Training and Fire Prevention in the amount of \$8,548,518.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 10-02 for HazMat Team Membership with Stark County in the amount of 10,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 10-03 for Station 4 Roof Repairs in the amount of \$47,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 10-04 for Mattress Replacement at Station 4 in the amount of \$5,600.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 10-05 for Battalion Chief's Vehicle Replacement in the amount of \$43,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 10-06 for Thermal Imaging Cameras in the amount of \$37,800.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 10-07 for Tower 2 General Reconditioning in the amount of \$28,000.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 10-08 for Telephone System in the amount of \$45,000.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 228-10-01 for EMS Operations in the amount of \$1,058,440.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 228-10-02 for Life Pack Replacement in the amount of \$27,200.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 228-10-03 for Ambulance Replacement in the amount of \$163,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 228-10-04 for Joint Entry Team Medics for Police Department in the amount of \$15,689.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 228-10-05 for AEDs for Engine Companies in the amount of \$3,745.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 228-10-6 for Telephone System in the amount of \$45,000.00. **3-0 yes**

Gonzalez pointed out that the money collected from the EMS charges has saved the taxpayers money since they did not have to increase the millage on the levy. He explained this is money collected from non-residents and from insurance of residents who use the service.

At 6:00 p.m., Pizzino called the General Session to order with all department heads present except Moore. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks

A question was asked about the nuisance on Beatty Street and Poindexter explained that the nuisance has been abated and that everything that was to be corrected, has been. The audience member said it wasn't done. Pizzino told her that after the session they would talk with her about it since it was not on the agenda tonight.

Administration Department

ATTACHMENT 11/23/09 A

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached Health Benefit Plan Amendment 2009-3 in accordance with the recommendation of the Health Insurance Committee, effective January 1, 2010. **3-0 yes**

ATTACHMENT 11/23/09 B

Walters moved and Burger seconded a motion to approve the Negotiated Agreement between the Jackson Township Board of Trustees and the Fraternal Order of Police, Ohio Labor Council, Inc. (Sergeants), effective September 1, 2009 to August 31, 2012. **3-0 yes**

ATTACHMENT 11/23/09 C

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached HIPAA Business Associate Agreement with the Employer's Health Purchasing Corporation of Ohio. **3-0 yes**

ATTACHMENT 11/23/09 D

Walters moved and Burger seconded a motion to adopt and authorize the placement of our signatures upon the attached Report to the Stark County Auditor for abatement of nuisance at 9065 Paulding NW, Parcel 16-11504, Lot #165, Woodmoor Allotment No. 5. **3-0 yes**

ATTACHMENT 11/23/09 E

Walters moved and Burger seconded a motion to rescind the attached Notice to the Stark County Auditor for mowing noxious weeds at 4926 Dressler Road NW, Parcel No. 16-19405. **3-0 yes**

Fire Department

ATTACHMENT 11/23/09 F

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc. & Cont., to account code 210.210.5480, Telephone, in the amount of \$1,800.00. **3-0 yes**

ATTACHMENT 11/23/09 G

Walters moved and Burger seconded a motion to approve a leave of absence for part-time firefighter Gary Trompower from November 1, 2009 to May 1, 2010. **3-0 yes**

Highway Department

**RESOLUTION 09-081, ATTACHED
WACKERLY DRIVE SPEED STUDY**

Walters moved and Burger seconded a motion whereas, a request has been made to this Board that the statutory vehicular speed limit established by ORC Section 4511.21 is greater than that considered reasonable and safe on Wackerly Drive between Everhard Road and Hills and Dales Road.

Whereas, this Board has caused to be made an engineering and traffic investigation upon the section of road described above; and

Whereas, it is the belief of this Board that such investigation confirms the allegation that the statutory speed limit of 55 mph is unrealistic.

Now, therefore be it resolved by the Board of Trustees of Jackson Township, Stark County, Ohio that:

Section 1. By virtue of the provisions of ORC Section 4511.21 the Director of Transportation is hereby requested to review the engineering and traffic investigation and to determine and declare a reasonable and safe prima facie speed limit on Wackerly Drive between Everhard Road and Hills and Dales Road, Jackson Township, Stark County, Ohio.

Section 2. That when this Board is advised that the Director of Transportation has determined and declared a reasonable and safe speed limit on the section of road described in Section 1 hereof, standard signs, properly posted and giving notice thereof will be erected. **3-0 yes**

**RESOLUTION 09-082, ATTACHED
LAFAYETTE/HIGH MILL INTERSECTION IMPROVEMENT PROJECT AWARD**

Walters moved and Burger seconded a motion whereas, we have received the attached Notice to Proceed from the Ohio Public Works Commission (OPWC).

Be it resolved that we hereby determine that Wenger Excavating, Inc. is the lowest and best bidder for the Lafayette/High Mill Intersection Improvement Project in the amount of \$576,470.12 and therefore, award a Contract to them in the amount of \$576,470.12 in accordance with their attached proposal and the Specifications and further authorize the placement of our signatures on the Contract. **3-0 yes**

Legal Department

ATTACHMENT 11/23/09 H

Pizzino moved and Burger seconded a motion to increase the work hours of the secretary/legal assistant position from 30 to 32 hours per week, effective January 1, 2010. **3-0 yes**

**RESOLUTION 09-083, ATTACHED
RESCISSION OF HIGHWAY DEPARTMENT CAPITAL PROJECTS FUND #324**

Walters moved and Pizzino seconded a motion pursuant to ORC Section 5705.13(C), we hereby rescind Resolution No. 08-115 and all prior resolutions related to the establishment and/or amendment of Capital Projects Fund #324 and to transfer the balance contained in Capital Projects Fund #324 of \$3,657,852.25 to Highway Levy Fund #211. **3-0 yes**

Fitzgerald explained the Capital Projects Funds can only be established for 10 years. He said new funds would be created next meeting and the funds put back in.

Gonzalez said these funds are saved to cover the costs of specific, large road improvements projects.

**RESOLUTION 09-084, ATTACHED
RESCISSION OF FIRE DEPARTMENT CAPITAL PROJECTS FUND #323**

Walters moved and Burger seconded a motion pursuant to ORC Section 5705.13(C), we hereby rescind Resolution No. 08-114 and all prior resolutions related to the establishment and/or amendment of Capital Projects Fund #323 including the initial establishment Resolution No. 99-751 and to transfer the balance contained in Capital Projects Fund #323 of \$169,361.64 to Fire Levy Fund #210. **3-0 yes**

Fiscal Office

ATTACHMENT 11/23/09 I

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$520,562.64. **3-0 yes**

ATTACHMENT 11/23/09 J

Pizzino moved and Burger seconded a motion to approve the minutes of the November 9, 2009 Board of Trustees meeting. **3-0 yes**

Routine Business

Announcements

- Next regular Board of Trustees meeting, December 14, 2009, 4:00 p.m., Executive Session and/or Work Session; 6:00 p.m., General Session, Township Hall.
- LOGIC, December 3, 2009, 9:00 a.m., Safety Center, Chief's conference Room.
- CIC, December 21, 2009, 11:45 a.m., La Pizzaria on Dressler Road NW.
- Citizens Advisory Committees:
 - Community Celebration, December 8, 2009, 5:30 p.m., Township Hall.
 - Park, December 8, 2009, 6:30 p.m., Township Hall.
- Santa's Mailbox – Letters to Santa will be accepted from December 1 to December 15 at Santa's Mailbox outside of the Administration Building entrance. Be sure to include the return address so Santa can send a response.
- Holiday in the Park, Saturday, December 12, 2009, 5:00 – 7:00 p.m., North Park. Sponsored by the Jackson Service Unit Girl Scouts and the Park Department.

- Township Flag Contest – Deadline for entries has been extended to December 16. Award will be in honor of Judy Haas and will be announced on January 25, 2010. The winner will receive \$400.

Old Business – None

New Business – None

Public Speaks – Open Forum

Shelley Henkel of 4930 Andette Ave. said she thought the nuisance was going to be re-evaluated based on the photos she brought. Poindexter explained that Ron and Neal Fitzgerald went to the property and while there, called Mr. Phillippi and told him everything that needed to be done. Poindexter said all that was completed. Mr. Fitzgerald asked what still needed to be done. Mrs. Hinkel said there were still 2x4's and sheet metal lying around. She said it was under the tar paper which was picked up, put into a trash bag and left in front of the shed door. It was pointed out that the wood was stacked neatly and that is all that is required.

There was some additional discussion regarding the property.

Pizzino re-opened the Work Session.

Work Session

Departmental Budget Reviews

Highway Department

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-01 for Current Level of Operations Fund 202 in the amount of \$94,100.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-02 for Current Level of Operations Fund 203 in the amount of \$113,897.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-03 for Road Salt in the amount of \$206,912.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-04 for Current Level of Operations Fund 204 in the amount of \$1,998,728.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-05 for Re-striping in the amount of \$50,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-06 for Stark County Combines General Health District (NPDES #3) in the amount of \$10,835.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-07 for Stark Soil & Water (NPDES #4 & #5) in the amount of \$5,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-08 for Stark County RPC for storm system mapping in the amount of \$32,646.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-09 for Road Salt in the amount of \$301,288.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-10 for Curbing Replacement in the amount of \$200,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-11 for New Equipment in the amount of \$132,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-12 for New Equipment in the amount of \$20,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-13 for New Equipment in the amount of \$20,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-31 for Telephone System in the amount of \$14,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-14 for Current Level of Operation Fund 205 in the amount of \$165,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-15 for Current Level of Operations Fund 211 in the amount of \$1,036,677.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-16 for Engineering in the amount of \$50,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-17 for Arlington Storm Sewer in the amount of \$150,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-18 for Springlake Road Drainage into Lake O'Springs in the amount of \$25,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-19 for Resurfacing in the amount of \$600,000.00. **3-0 yes**

Pizzino moved and Walters seconded a motion to approve Budget Module 2010-20 for Current Level (Accumulated Benefits Fund 294) in the amount of \$288,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-21 for Current Level (Capital Projects Fund 327) in the amount of \$2,093,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-22 for High Mill / Lafayette Intersection Improvement in the amount of \$100,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-23 for Fulton / Wales Intersection Improvement in the amount of \$10,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010 -24 for Hills & Dales West Improvement (Design) in the amount of \$7,500.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-25 for Hills & Dales West Improvement (R/W) in the amount of \$7,500.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-26 for Strausser/Lutz Intersection Improvement (Utility) in the amount of \$17,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-27 for Portage West I (Utility) in the amount of \$15,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-28 for Frank Ave. Improvement – Mega to Shuffel (Design) in the amount of \$150,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-29 for Frank Ave. Improvement – Mega to Shuffel (R/W) in the amount of \$300,000.00. **3-0 yes**

Pizzino moved and Burger seconded a motion to approve Budget Module 2010-30 for High Mill – Lafayette OPWC Grant – Current Level in the amount of \$525,000.00. **3-0 yes**

Walters moved and Burger seconded a motion to adjourn. **3-0 yes**

John Pizzino

Randy Gonzalez