

## RECORD OF PROCEEDINGS

### MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 12 2010

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

Pizzino moved and Burger seconded a motion to go into Executive Session for Highway Department Personnel (Appointment/Employment/Compensation) – Interview Labor Specialist applicant. **3-0 yes**

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

Pizzino moved and Burger seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation), and prepare for negotiations with public employees concerning their compensation or other terms and conditions of their employment. **3-0 yes**

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

Upon return from Executive Session, Pizzino called the General Session to order at 5:35 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

#### **Fire Department**

##### **ATTACHMENT 10/12/10 A**

Walters moved and Burger seconded a motion to accept the resignations of part-time firefighters Christopher A. Sorm effective August 23, 2010, and Gary Trompower effective September 30, 2010. **3-0 yes**

##### **ATTACHMENT 10/12/10 B**

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Cont. & Disc., to account code 210.215.5485, Sta. 5 Electric, in the amount of \$1,500.00 and from account code 210.210.5387, Cont. & Disc., to account code 210.211.5490, Sta. 1 Sewer, in the amount of \$500.00. **3-0 yes**

**ATTACHMENT 10/12/10 C**

At 5:30 p.m., Pizzino opened the Public Hearing on Zoning Amendment 586-10, St. George Serbian Orthodox Church requests to re-zone property located at 4667 Applegrove NW, from R-4 Multi-Family Residential to I-1 Industrial District.

Poindexter told the Board the amendment was requested by Thomas M. Musarra, 4367 State Rd., Akron, Ohio 44319 who is the agent for St. George Serbian Orthodox Church, 4667 Applegrove St. NW, North Canton, Ohio. She said the reason for the change is to increase their options for signage. She said this application went before the Stark County Regional Planning Commission on September 7 and RPC recommended approval of the rezoning. She said on September 16 the petition went before the Zoning Commission and they also recommended approval.

Pizzino asked if the applicant was in attendance and if he would like to say anything.

Tom Musarra said he is the agent for St. George Serbian Orthodox Church located on Applegrove St. and that the property was zoned I-1 when it was purchased and that the zoning was changed to R-4 in 1992. He said the applicant was Rudy Turbovich who was acting on behalf of the church and the plan was to put multi-family housing on the properties. He said the church contacted him about replacing the signs at the church and the current zoning limits their options on signage. He is asking that the property be re-zoned to the original I-1 which would give the church more options for signage.

Pizzino asked if anyone else would like to speak in favor of the zoning change. No one came forward. Pizzino then closed that portion of the hearing. He asked if anyone would like to speak against the zoning change. No one came forward. He then closed that portion of the hearing.

Walters moved and Burger seconded a motion to adopt the recommendation of the Zoning Commission. **3-0 yes**

**Administration Department**

**RESOLUTION 10-079, ATTACHED  
SUPPORT FOR PASSAGE OF HOUSE BILL 344 AND SENATE BILL 228**

Walters moved and Burger seconded a motion whereas, the residents of Jackson Township, Stark County, Ohio have been subjected to excessive rate increases for water in recent years, and

Whereas, Representatives Goyal and Harris have proposed House Bill 344 and Senators Goodman and Hughes have proposed Senate Bill 228, which are bills that limit the recovery of rate-case expenses from consumers for certain water works companies; and

Whereas, the bills would put reasonable limits on the fees publicly owned water works companies may charge their customers for rate-case expenses; and

Whereas, the bills represent an important effort to keep water reasonable for economic development and to create communities that are affordable to live in; and

Whereas, current law allows water works companies to pass on one hundred percent (100%) of their rate case expenses including legal fees, research costs, rate-related study costs, and more; and

Whereas, House Bill 344 and Senate Bill 228 apply only to companies who serve 15,000 or more customers; and

Whereas, the bills would involve approximately 145,000 Ohio customers receiving water services from companies which would be affected by these bills, and

Whereas, Aqua, Ohio serves Jackson Township, Stark County, Ohio affected by these bills; and

Whereas, the residents and business owners of Jackson Township, Stark County, Ohio are positively impacted by passage of House Bill 344 and Senate Bill 228.

Be it resolved by the Board of Trustees of Jackson Township, Stark County, Ohio that the following Resolution be, and it hereby is adopted:

Section 1. That the Board of Trustees of Jackson Township, Stark County, Ohio hereby expresses its support for House Bill 344 and Senate Bill 228 on the basis that the legislation will put reasonable limits on rate case expenses that can be passed on to consumers.

Section 2. That a copy of this resolution be sent to the House of Representatives Public Utilities Committee, the Senate Energy and Public Utilities Committee, the Senator and Representative representing the Board of Trustees of Jackson Township, Stark County, Ohio, the General Assembly leadership, Governor Strickland, the Chairman of the Public Utilities Commission of Ohio, and the Office of the Ohio Consumers' Counsel. **3-0 yes**

### **Central Maintenance Department**

#### **ATTACHMENT 10/12/10 D**

Walters moved and Pizzino seconded a motion to approve the attached Highway/Maintenance Facility and Park Maintenance Building Municipal Operations Pollution Prevention & Good Housekeeping Manuals and the Highway/Maintenance Facility and Park Maintenance Building Spill Prevention & Emergency Response Plans and authorize the Central Maintenance Director, Highway Superintendant and/or Park/Operations director to update as needed. **3-0 yes**

#### **ATTACHMENT 10/12/10 E**

Walters moved and Burger seconded a motion to accept the attached retirement notice from David Crum, effective October 29, 2010. **3-0 yes**

Walters moved and Burger seconded a motion to advertise for the position of mechanic in the Central Maintenance Department. **3-0 yes**

## **Highway Department**

### **RESOLUTION 10-080, ATTACHED HIGHWAY DEPARTMENT LABOR SPECIALIST**

Walters moved and Pizzino seconded a motion to authorize the employment of Jeremiah H. Thompson for the full-time position of Highway Department Labor Specialist, effective October 25, 2010, at the compensation set forth in the negotiated agreement between the Board of Trustees of Jackson Township and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Jeremiah H. Thompson will serve a one hundred eighty day probationary period during which time he may be terminated without cause by the Board of Trustees. **3-0 yes**

### **ATTACHMENT 10/12/10 F**

Walters moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached ODOT Traffic Report for the State Route 687 – Fulton Road Phase 3 Project. **3-0 yes**

## **Park Department**

### **ATTACHMENT 10/12/10 G**

Walters moved and Burger seconded a motion to accept a \$375.00 donation to the Park Department from Boy Scout Troop 122, St. Michael's Parish, from Eagle Scout Project and Brian Atkinson. **3-0 yes**

### **ATTACHMENT 10/12/10 H**

Walters moved and Burger seconded a motion to accept a Dogwood Pink Stellar Tree to be planted in North Park in memory of Randy Schuler from Don and Mary Lou Wilton. **3-0 yes**

### **ATTACHMENT 10/12/10 I**

Walters moved and Burger seconded a motion to accept the attached described electrical services donation from the Michael Jay Danner Memorial Fund. **3-0 yes**

Mike Danner reminded the Board that he built the gazebo in North Park in memory of his son and that the first intention was to run water to that side of the park and that was done when the gazebo was built. He said his second intention was to have electric there for security and to benefit the park. He said he realizes the park didn't have the budget to install electricity so he raised the money to have it done.

## **Zoning & Planning Department**

### **ATTACHMENT 10/12/10 J**

Walters moved and Burger seconded a motion to adopt the attached amendments to the Zoning Certificate Fee Schedule effective October 13, 2010. **3-0 yes**

**ATTACHMENT 10/12/10 K**

Walters moved and Burger seconded a motion to send a report to the County Auditor for mowing noxious weeds and for Administrative Fees for 7871 Oakdale Street NW, Lot #96, Oakdale Allotment in the amount of \$550.00. **3-0 yes**

**Fiscal Office**

**ATTACHMENT 10/12/10 L**

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,049,853.83. **3-0 yes**

**ATTACHMENT 10/12/10 M**

Pizzino moved and Burger seconded a motion to approve the minutes of the September 27, 2010 Board of Trustees meeting. **3-0 yes**

**ATTACHMENT 10/12/10 N**

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

**ATTACHMENT 10/12/10 O**

Gonzalez explained that “this is the amount that the Budget Commission says that our levies will generate”. He said there will be a large loss next year because the reimbursement of personal property tax will no longer be made. He said this will particularly affect the Fire and Police Departments.

He explained that for the last three times the levies have been renewed. He said the Fire, Police and Highway Departments have been running on the “same amount of dollars for close to eight years”. He pointed out that the “Township isn’t asking for more tax revenue but that the Township has really tightened its belt over the years”.

Pizzino moved and Burger seconded a motion to accept amounts and rates as determined by the Budget Commission and authorize the necessary tax levies and certify them to the County Auditor. **3-0 yes**

**Routine Business**

**Announcements**

- Next regular Board of Trustees meeting, October 25, 2010, 4:00 p.m. Executive Session and/or Work Session, 5:00 p.m., General Session, Township Hall.
- CIC, October 18, 2010, 5:00 p.m., Township Hall.
- LOGIC meeting, November 4, 2010, 9:00 a.m., Safety Center, Chiefs’ Conference Room.

- Board of Zoning Appeals:
  - October 14, 2010, 6:30 p.m., Township Hall.
  - October 26, 2010, 6:30 p.m., Township Hall.
- Citizens Advisory Committees:
  - Park, November 9, 2010, 6:30 p.m., Township Hall.
  - Highway/Traffic, November 17, 2010, 6:30 p.m., Township Hall.
- **Jackson Township Farmers Market**, Thursday, October 14, from 3:00 – 7:00 p.m., North Park. Last market of the season.
- **Pancake Breakfast**, Jackson Local School District, Saturday, October 23, 2010, 8:00 a.m. – Noon, Jackson High School Commons.
- **Township Auction**, Saturday, October 23, 2010, 10:00 a.m., at Skipco, Canal Fulton.
- **Haunted Hayride**, Saturday, October 23, 2010, 7:00 – 10:00 p.m., South Park.
- **Halloween Trick-or-Treat**, Sunday, October 31, 2010, 3:00 – 5:00 p.m.

**Old Business** – None

**New Business** – None

**Public Speaks – Open Forum**

No one came forward.

Pizzino called a recess until 6:30 p.m.

Pizzino called the general session back to order at 6:13 p.m. He said they were going to amend the Highway Department new hire to change the effective starting date from October 25 to October 18.

**Highway Department**

**RESOLUTION 10-081, ATTACHED  
HIGHWAY DEPARTMENT LABOR SPECIALIST**

Walters moved and Burger seconded a motion to amend Resolution Number 10-080 to authorize the employment of Jeremiah H. Thompson for the full-time position of Highway Department Labor Specialist, effective October 18, 2010 at the compensation set forth in the negotiated agreement between the Board of Trustees of Jackson Township and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Jeremiah H. Thompson will serve a one hundred eighty day probationary period during which time he may be terminated without cause by the Board of Trustees. **3-0 yes**

Pizzino called a recess until 6:30 p.m.

**ATTACHMENT 10/12/10 P**

Pizzino opened the Electric Aggregation Informational Meeting at 6:30 p.m.

Lyon introduced Emily Ochsenhirt of First Energy Solutions.

Ms. Ochsenhirt explained that the residents will be voting on an “opt-out aggregation program, which means they will be included in the program unless they choose not to be included”. She said First Energy Solutions will send a letter that will explain the savings and the price to compare and there will be a section to be returned to First Energy Solutions if you do not want to participate in the program. She said there are twenty-one days to respond.

She said it is a nine year program and the current savings for residential is 6%, which is the minimum. She explained the percentage could increase in the future. She also explained that residents would have the option to opt-out every three years without a fee and that a person could opt-out at any time for a fee of \$25.00.

Ray Martinez explained that “when the option is completed that will establish the rate for a three year period and that rate will not change for three years”.

Ms. Ochsenhirt explained how Ohio Edison purchases electric and how the electric auctions work.

It was explained that currently this program will affect only Ohio Edison customers. Fitzgerald explained that this gives the Township Trustees the authority to enter into an electric aggregation agreement and that in the future it could affect and include American Electric Power customers.

Pizzino said that as a Board of Trustees it was a “win – win situation”. He said the residents have a choice on “whether to pass it and if it is passed you still have the decision to opt out”.

Pizzino thanked Ms. Ochsenhirt and Mr. Martinez for coming in to explain the program to the residents and the Board.

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

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**John Pizzino**

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**Randy Gonzalez**