

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

OCTOBER 22, 2007

Meeks called the meeting to order at 3:00 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Chief Heck present.

Meeks moved and Burger seconded a motion to go into Executive Session for Fire Department Personnel (Appointment/Employment/Compensation) – Interview part-time firefighter applicants. **3-0 yes**

Meeks moved and Pizzino seconded a motion to go into Executive Session for Police Department Personnel (Appointment/Employment/Compensation/Discipline).

1. Interview applicants for Lieutenant.
2. Consider applicants for Sergeant.
3. Consider discipline of a public employee.

3-0 yes

At 5:45 p.m., Meeks opened the Work Session.

Work Session

Park Department

ATTACHMENT 10/22/07 A

Ruwadi: Basically, I come before the Board this evening to ask the approval of the Board to put in an additional ball field for the Youth Baseball Association. It's the age group that is overcrowded and Jackson Baseball is willing to make a \$10,350.00 donation toward the fencing. It will take a little material and work from the Park Department once that field is fenced but this age group is the overcrowded ball fields that we discussed in the spring and the recommendation from the Board was for me to find a way to alleviate these problems and this seems to be the solution. All the things have been checked with the EPA, the building, zoning, the last thing we are waiting on is a letter from Dominion East Ohio Gas, they have given their preliminary okay, but I'm waiting on a letter from them and we should be ready to go if the Board approves it.

Meeks: Okay, thanks, Dave. We do appreciate all those cooperative organizations working together for the betterment of the kids and that's truly what we stand for and I know you do as well. It isn't about just creating more fields, it's about creating the right fields and you've done that. Thank you for doing your homework. And we do appreciate these organizations stepping up to the plate with their pledge and their monies to help us help them. By far the true winners are the youth of our Township who will benefit by all of our fields and especially this new field. Thank you very much.

Pizzino: Mr. Ruwadi, what is the total cost of that field?

Ruwadi: The cost of the fencing in the outfield is \$10,350.00, I believe is what I had.

Meeks: That's the total cost of

Pizzino: No.

Ruwadi: That's for all of the fencing.

Pizzino: No, I want to know what the total cost is to build that field.

Ruwadi: The initial cost would be the Park Department spending approximately \$720.00 for ball field mix, two players benches at \$893.00 and two concrete dugout pads which would be \$900.00 but I'm working on a donation on that and then the labor from the Park Department.

Pizzino: And how many hours do you project?

Ruwadi: Four to five days of labor.

Pizzino: And how many men?

Ruwadi: Probably four. This is mostly a grassed in field, John, because we discussed it with the gas company and we really don't want to do any excavating. We just want to cut out the base paths. More like a Jacobs Field look grassed in field and keep it simple so it doesn't have a lot of that loamy material.

Meeks: Thank you.

Pizzino: Thank you.

Ruwadi: I have a drawing if anybody needs to look at where it would be. Thank you.

Meeks moved and Pizzino seconded a motion to accept the \$10,350.00 donation from JBA to help construct and erect the new ball field at Fisher Park Field 5. **3-0 yes**

At 6:00 p.m., Meeks called the General Session to order 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

Police Department

RESOLUTION 07-123, ATTACHED

Meeks moved and Pizzino seconded a motion that a predisciplinary hearing upon the statement of charges against Officer Eric B. Martzolf has been held and the hearing officer's written

recommendation has been filed, and based on the investigative report provided to us, the Police Chief's recommendation and pursuant to the negotiated agreement, we hereby terminate Eric B. Martzolf as a full-time Patrol Officer and Police Constable for the Jackson Township Police District, Stark County, Ohio, effective October 23, 2007 at 0001 hours and authorize the placement of our signatures upon the attached letter. **3-0 yes**

Administration Department

ATTACHMENT 10/22/07 B

Meeks moved and Burger seconded a motion to approve an unpaid leave of absence for Bruce Wilson for the purpose of Family & Medical Leave, not exceed his remaining FMLA balance.

3-0 yes

RESOLUTION 07-124, ATTACHED

Meeks moved and Pizzino seconded a motion pursuant to ORC Section 505.10 (D), the Board of Trustees may sell personal property, including motor vehicles, road machinery, equipment, tools or supplies, which is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction.

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

Section 1. This Board hereby expresses its intent to sell, during calendar years 2007 and 2008, personal property, with a value of \$2,500 or less and which is not needed for public use or is obsolete, or is unfit for the use for which it was acquired, by internet auction.

Section 2. Pursuant to ORC Section 505.032(G), the Township Administrator is hereby assigned the duty of making the declarations contemplated by ORC Section 505.10(D), on behalf of this Board, as to any personal property proposed to be offered for sale via internet auction and to file each such declaration with the Fiscal Officer.

Section 3. Internet auctions of such personal property shall be conducted on any acceptable internet auction medium and with no minimum price being required. Each such auction shall provide full and fair opportunity for competitive bidding during a period of not less than fifteen (15) days, and all bidders shall be required to pay for their purchases with cash, certified checks, bank checks, or cashier's checks and to pick up and pay for their purchases at one or more locations within the Township to be specified in the auction notices. The Township Administrator is authorized to determine any other auction terms.

Section 4. The Fiscal Office shall publish the attached notice and the notice shall be posted throughout calendar years 2007 and 2008 in a conspicuous place in the Board's office and on its web site. **3-0 yes**

ATTACHMENT 10/22/07 C

Meeks moved and Burger seconded a motion to approve the attached Jackson Township Harassment Policy and to rescind all previous harassment and sexual harassment policies. **3-0 yes**

RESOLUTION 07-125, ATTACHED

Meeks 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, 2008. **3-0 yes**

ATTACHMENT 10/22/07 D

Meeks moved and Burger seconded a motion to appoint the attached list of members to the 2008 Community Celebration Committee. **3-0 yes**

Police Department

RESOLUTION 07-126, ATTACHED

Meeks moved and Pizzino seconded a motion pursuant to ORC Section 505.49 and 509.01, Gary E. Frascone is hereby appointed as Part Time Patrol Officer and Township Constable for the Jackson Township Police District, Stark County, Ohio, effective October 27, 2007, at the established compensation rate and we hereby accept the attached Oath of Office. **3-0 yes**

Administration Department

Meeks moved and Burger seconded a motion to withdraw the motion to appoint the attached list of member to the 2008 Community Celebration Committee. **3-0 yes**

Pizzino moved and Burger seconded a motion to appoint the attached list of members to the 2008 Community Celebration Committee with the addition of Steven Meeks. **3-0 yes**

Fire Department

RESOLUTION 07-127, ATTACHED

Meeks moved and Burger seconded a motion pursuant to Step 5 of 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 appoint the attached listed persons to the position of part-time firefighter, conditioned on their successful completion of required physical and psychological examinations and negative drug test. **3-0 yes**

ATTACHMENT 10/22/07 E

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with Quad Ambulance District, Stark County for the sale of an Exterior Radio Housing Box. **3-0 yes**

Highway Department

ATTACHMENT 10/22/07 F

Meeks moved and Pizzino seconded a motion to adopt and authorize the placement of our signatures upon the attached Agreement with Jefferson Township, Williams County for the sale of a 1990 Elgin Whirlwind Sweeper. **3-0 yes**

ATTACHMENT 10/22/07 G

Meeks moved and Burger seconded a motion to approve Budget Module No. 4-07-B for additional funds needed for the 2007 resurfacing contract due to additional asphalt and profiling.

3-0 yes

ATTACHMENT 10/22/07 H

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5606, Resurfacing, in the amount of \$19,750.00.

3-0 yes

ATTACHMENT 10/22/07 I

Meeks moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5526, Fuel, in the amount of \$15,000.00.

3-0 yes

ATTACHMENT 10/22/07 J

Meeks moved and Burger seconded a motion to approve a “Then and Now” Certificate for Purchase Order No. RG 70665, to M E. Companies to cover additional costs due to construction delays.

3-0 yes

Park Department

ATTACHMENT 10/22/07 K

Meeks moved and Burger seconded a motion to approve the Skate Park Rules and Regulations.

3-0 yes

Meeks asked if these rules would be posted soon. Ruwadi said the rules would be posted hopefully within a week. Meeks said that should be expedited and asked if it was being done in-house. Ruwadi said it wasn't planned to be done in-house. The same type of sign used at the tennis courts is what he had in mind. Meeks suggested something temporary be put up until the permanent sign arrived.

Fiscal Office

ATTACHMENT 10/22/07 L

Meeks moved and Pizzino seconded a motion to pay the bills in the amount of \$1,609, 588.24.

3-0 yes

ATTACHMENT 10/22/07 M

Meeks moved and Pizzino seconded a motion to approve the minutes of the October 3, 2007 Board of Trustees meeting.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, November 13, 2007, 4:00 p.m. Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- LOGIC, November 1, 2007, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- CIC, November 19, 2007, 5:00 p.m., Township Hall.
- Board of Zoning Appeals:
 - October 25, 2007, 7:00 p.m., Township Hall.
 - November 8, 2007, 7:00 p.m., Township Hall.
- Zoning Commission, November 15, 2007, 5:00 p.m., Township Hall.
- Citizens Advisory Committees:
 - Highway/Traffic, November 14, 2007, 6:30 p.m., Township Hall.
 - Park, November 20, 2007, 6:30 p.m., Township Hall.
- Haunted Hayride, Saturday, October 27, 2007, 7:00 – 10:00 p.m., South Park on Fulton Drive NW.
- Halloween Trick or Treat, Sunday, October 28, 2007, from 3:00 to 5:00 p.m.

Old Business – None

Public Speaks – Open Forum

No one came forward.

New Business

At 6:30 p.m., Meeks opened the public hearing for The Hermitage Street Lighting District.

Gonzalez explained the petition is for a street lighting district which only includes three street lights, there is one owner and the power company is AEP. He asked if there was anyone who wanted to speak in favor of the proposed lighting district. No one came forward. He then asked if anyone wanted to speak against the proposed lighting district. No one came forward.

RESOLUTION 07-128, ATTACHED

Pizzino moved and Meeks seconded a motion that a hearing having been had upon the attached petition requesting that the Board of Jackson Township Trustees take all lawful and proper proceedings to light artificially the streets and public ways in an unincorporated district in this Township, following notice and actual view taken, and the Board of Township Trustees finding:

- (1) That the petition was filed with the Township Fiscal Officer on September 11, 2007 and that the Board of Township Trustees was duly notified by him of such filing and a copy of the petition was delivered to it on October 3, 2007.
- (2) That the petition was signed by owners of more than one-half of the front feet of the lots and lands abutting on the streets and public ways of the aforesaid district, and that the petition complied with the law in specifying the metes and bounds of the district but included no lands more than 660 feet from, nor any lands not abutting on, the streets and public ways in such districts; and
- (3) That due notice of a hearing before the Board of Township Trustees on the petition for The Hermitage was duly and timely served on all lot owners and corporation affected by the proposed improvement, and was duly and timely published as against nonresidents pursuant to RC 515.04, and return of due service and publication was made according to law.

Be it further resolved by the Board of Trustees of Jackson Township, Stark County, Ohio, that the proposed improvement to light artificially the streets and public ways in the district is necessary, and the petition is granted accordingly; that the number of lights necessary to light properly the streets and public ways is 3, that the lights shall be standard street light lumens; that they shall be located at the places described in the attached print; and that the kind of supports therefore shall be as described on the print.

Be it further resolved that, pursuant to ORC Section 9.30 and 515.08 and in accordance with the attached contract with American Electric Power and PUCO tariff schedule, we hereby contract with American Electric Power for not less than one (1) year and shall continue thereafter until terminated sixty (60) days after either party has given written notice to the other of the intention to terminate, for the installation and maintenance of the lights described in the attached plan in the amount of approximately \$13.85 per light per month for three (3) 9,000 high pressure sodium post-top lights for The Hermitage. There will be no installation costs if these lights are installed at the same time as the residential underground backbone for the electric service.

Be it further resolved that the costs and expenses of furnishing and maintaining such lights shall be paid from a fund made by special assessment against the lots and lands in the district which are benefited by such lighting as provided in the attached assessment chart and the Fiscal Officer shall certify this Resolution and assessment chart to the Stark County Auditors Office. **3-0 yes**

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

Upon return from Executive Session, Meeks called the meeting back to order.

RESOLUTION 07-129, ATTACHED

Meeks moved and Burger seconded a motion pursuant to the enclosed Memorandum of Understanding, we hereby appoint Tyson Bissler to the position of Full Time Lieutenant in the Jackson Township Police District Department, Stark County, Ohio effective October 27, 2007, who will be compensated at the rate and benefits established in the Negotiated Agreement between the Board of Trustees of Jackson Township and the Fraternal Order of Police, Ohio Labor Council, Inc., with a probationary period of 365 days. **3-0 yes**

Meeks moved and Pizzino seconded a motion to post the position of sergeant. **3-0 yes**

Pizzino moved and Meeks seconded a motion to adjourn. **3-0 yes**

Steven Meeks

Randy Gonzalez