

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

SEPTEMBER 14, 2009

Pizzino called the meeting to order at 5:30 p.m. at the Jackson Township Hall with all Trustees, Fiscal Officer, Lyon, Fitzgerald and Neftzer present.

Pizzino moved and Burger seconded a motion to go into Executive Session for Zoning Personnel (Appointment/Compensation) – Board of Zoning Appeals applicants. **3-0 yes**

Upon return from Executive Session at 6:05 p.m., Pizzino called the General Session to order with all department heads present except Chief Heck who was represented by Battalion Chief Miller. He requested that all cell phones and pagers be turned off at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Administration Department

ATTACHMENT 09/14/09 A

Walters moved and Burger seconded a motion to approve and authorize the Board President to sign Caremark's Exhibit I, Form of Addendum. **3-0 yes**

ATTACHMENT 09/14/09 B

Walters moved and Burger seconded a motion to enroll in the 2010 Frank Gates Service Company Group Rating Program for workers compensation. **3-0 yes**

RESOLUTION 09-071, ATTACHED INTERNET AUCTION

Walters moved and Burger 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property, including motor vehicles, road machinery, equipment, tools, or supplies, which is not needed for public use, is obsolete, or is unfit for the use for which it was acquired, by internet auction.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its intent to sell, personal property, with a value of \$2,500.00 or less and which is not needed for public use or is obsolete, or is unfit for the use for which it was acquired, by internet auction.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 or the declarations contemplated by ORC Section 505.10(A)(7) and arrange for such property to be discarded or salvaged and to file each such declaration with the Fiscal Officer.

Section 3. Internet auctions of 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 in a conspicuous place in the Board's office and on its web site. **3-0 yes**

RESOLUTION 09-072, ATTACHED HALLOWEEN TRICK OR TREAT

Walters moved and Burger seconded a motion whereas, the Stark County Commissioners recommended that all political subdivisions within Stark County uniformly observe Halloween (door-to-door trick or treat activities) each year between 3:00 and 5:00 p.m. on the afternoon of October 31 if it falls on Saturday or Sunday or the afternoon of the preceding Sunday if October 31 falls on a weekday (Monday through Friday).

Now therefore be it resolved that, in accordance with the recommendation of the Stark County Commissioners, the Jackson Township Board of Trustees hereby designates Halloween (Trick or Treat) on Saturday, October 31, 2009 from 3:00 to 5:00 p.m. in Jackson Township. **3-0 yes**

Walters moved and Burger seconded a motion to change the date of the regular Trustees meeting from October 12 to October 13 due to Columbus Day holiday. **3-0 yes**

ATTACHMENT 09/14/09 C

Walters moved and Burger seconded a motion to approve and authorize the Board members' signatures on the attached reports to the County Auditor to place a lien upon the tax duplicates for administrative fees and/or for mowing noxious weeds on properties located at the following addresses:

1. 8682 Candleberry Street N.W., Lot #8, Pines Hollow Allotment, Parcel No. 16-17167.
2. 4926 Dressler Road N.W., 1.79 Acres, Parcel No. 16-19405.
3. 5321 Meadowlark Street N.W., Lot #111, Song Bird Allotment #2, Parcel No. 16-06296.
4. 5580 Cherokee Drive N.W., Lot #36, Portage Park Estates 2, Parcel No. 16-04145.
5. 9810 Emerald Brook Circle N.W., Lot #133, Emerald Estates 3, Parcel No. 16-26800.

3-0 yes

ATTACHMENT 09/14/09 D

Walters moved and Burger seconded a motion to approve and authorize the Board members' signatures on Certificates of Appreciation for the "Arts in Jackson Parks" volunteers. **3-0 yes**

Fire Department

ATTACHMENT 09/14/09 E

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc./Conting., to account code 210.210.5319, Tuition, in the amount of \$6,000.00. **3-0 yes**

ATTACHMENT 09/14/09 F

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc./Conting., to account code 210.210.5448, Prof. Testing Services, in the amount of \$1,200.00. **3-0 yes**

ATTACHMENT 09/14/09 G

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 210.210.5387, Disc./Conting., to account code 210.210.5319, Tuition, in the amount of \$1,122.20. **3-0 yes**

Highway Department

RESOLUTION 09-073, ATTACHED

LAFAYETTE/HIGH MILL INTERSECTION IMPROVEMENT PROJECT

Walters moved and Burger seconded a motion to authorize the attached Advertisement for Bids for Lafayette/High Mill Intersection Improvement Project in accordance with the Specifications on file. **3-0 yes**

ATTACHMENT 09/14/09 H

Pizzino moved and Burger seconded a motion to approve Budget Module 2009-21-A for High Mill / Lafayette Intersection Improvement in the amount of \$3,800.00. **3-0 yes**

ATTACHMENT 09/14/09 I

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.311.5712, High Mill – Lafayette, in the amount of \$3,800.00. **3-0 yes**

ATTACHMENT 09/14/09 J

Pizzino moved and Burger seconded a motion to approve Budget Module 2009-35-A for Fulton / Wales Intersection Improvement in the amount of \$1,583.00. **3-0 yes**

ATTACHMENT 09/14/09 K

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 324.310.5387, Discretionary, to account code 324.313.5712, Fulton-Wales, in the amount of \$1,582.26. **3-0 yes**

ATTACHMENT 09/14/09 L

Pizzino moved and Burger seconded a motion to approve Budget Module 2009-37-A for Higbee SARTA Location in the amount of \$8,000.00. **3-0 yes**

ATTACHMENT 09/14/09 M

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 211.310.5387, Discretionary, to account code 211.310.5652, Higbee SARTA, in the amount of \$8,000.00. **3-0 yes**

ATTACHMENT 09/14/09 N

Pizzino moved and Burger seconded a motion to approve Budget Module 2009-36-A for Coventry Hills Drainage Repair in the amount of \$14,000.00. **3-0 yes**

ATTACHMENT 09/14/09 O

Pizzino moved and Burger seconded a motion to approve the appropriation transfer request from account code 204.310.5387, Discretionary, to account code 204.310.5558, Drainage, in the amount of \$14,000.00. **3-0 yes**

ATTACHMENT 09/14/09 P

Walter moved and Burger seconded a motion to adopt and authorize the placement of the Board President's signature upon the attached change order #2 from Superior Paving & Materials, Inc. for the Mudbrook Widening Project. **3-0 yes**

ATTACHMENT 09/14/09 Q

Walters moved and Burger seconded motion to adopt and authorize the placement of the Board President's signature upon the attached change order #3 from Superior Paving & Materials, Inc. for the Mudbrook Widening Project. **3-0 yes**

Legal Department

ATTACHMENT 09/14/09 R

Walters moved and Burger seconded a motion not to request a hearing on the liquor permit to Maha Kali Inc., 4625 Portage Rd., North Canton, Ohio 44720. **3-0 yes**

Park Department

Walters moved and Burger seconded a motion to accept a \$25.00 donation to the Park Tree Fund from Paul Mallue, Jr. on behalf of members of the 2009 Jackson Bears Purple 14U Baseball Team as a tribute to Coaches John Colangelo, Kent Shutley, and Mike Stuffel. **3-0 yes**

Walters moved and Burger seconded a motion to accept a \$500.00 donation to the Park Department from Jackson Fury Soccer Club. **3-0 yes**

Police Department

Walters moved and Burger seconded a motion to accept a \$1,000.00 grant for the Bicycle Rodeo from Target. **3-0 yes**

Chief Neftzer updated the Board about the intern from Kent State. He told the Board this is a positive opportunity to give to criminal justice students at KSU. He explained it is a short internship of about 105 hours but the department tries to expose the interns to as many aspects of police work as possible.

Zoning & Planning Department

RESOLUTION 09-074, ATTACHED

NOXIOUS WEEDS – 8740 NEARWOOD STREET NW, LOT #23 NORTH HAVEN ACRES, PARCEL NO. 16-03149.

Walters moved and Burger seconded a motion that 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 James Preiss in Jackson Township, described as follows: 8470 Nearwood Street NW, Lot #23 North Haven Acres, Parcel No. 16-03419, Jackson Township.

Be it resolved that said James Preiss, whose tax mailing address is 8470 Nearwood Street NW, Massillon, OH 44646, 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, 2009. 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. As stated in our prior courtesy letter to you, pursuant to ORC Sections 5579.06 and 5579.07, a \$150.00 administrative fee will be placed on your tax duplicate. **3-0 yes**

Fiscal Office

ATTACHMENT 09/14/09 S

Pizzino moved and Burger seconded a motion to pay the bills in the amount of \$1,547,249.55. **3-0 yes**

ATTACHMENT 09/14/09 T

Pizzino moved and Burger seconded a motion to approve the minutes of the August 24, 2009 Board of Trustees meeting. **3-0 yes**

ATTACHMENT 09/14/09 U

Pizzino moved and Burger seconded a motion to approve the August 2009 financial reports.

3-0 yes

Gonzalez explained that the attempt to get ambulance and zoning fees paid with credit cards hasn't generated as much interest as first thought. He recommended that the service be discontinued.

ATTACHMENT 09/14/09 V

Walters moved and Burger seconded a motion to authorize Randy Gonzalez, Fiscal Officer, to sign the attached letter to First Merit Bank N.A. terminating the Merchants Bankcard Account effective immediately.

3-0 yes

Routine Business

Announcements

- Next regular Board of Trustees meeting, September 28, 2009, 4:00 p.m., Executive Session and/or Work Session, 6:00 p.m., General Session, Township Hall.
- CIC meeting, September 21, 2009, 5:00 p.m., Township Hall.
- LOGIC meeting, October 1, 2009, 9:00 a.m., Safety Center, Chiefs' Conference Room.
- Citizens Advisory Committees:
 - Park, September 15, 2009, 6:30 p.m., Township Hall.
 - Highway/Traffic, November 18, 2009, 6:30 p.m., Township Hall.

Old Business – None

New Business – None

Public Speaks – Open Forum

No one came forward.

Walters moved and Burger seconded a motion to adjourn.

3-0 yes

John Pizzino

Randy Gonzalez