

## **RECORD OF PROCEEDINGS**

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

**MARCH 8, 2022**

Hawke called the meeting to order at 3:12 p.m. at the Jackson Township Hall with Trustees Todd Hawke, John Pizzino and Jim Thomas present. Fiscal Officer Gonzalez, Administrator/Law Director Vaccaro, Fire Chief Berczik, Police Chief Brink, Zoning Inspector Poindexter, and Public Works Director Rohn were also in attendance.

The first order of business was a work session to discuss the 2022 Concert Season Sponsorship Packages, 2022 Community Celebration Sponsorships, and the Lighting Agreement.

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

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Administration Department Personnel (Appointment / Employment / Compensation) – Management Package - Holidays.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session to consider the purchase of property for public purposes.

**3-0 yes**

Hawke moved and Thomas seconded a motion to go into Executive Session for Administration Department Personnel (Appointment / Employment / Compensation) – Management Package – Compensatory Time, Education, and Compensation.

**3-0 yes**

Upon return from Executive Session at 5:00 p.m., Hawke called the General Session to order. He requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

**Public Speaks - None**

**Fire Department**

**RESOLUTION 22-069 ATTACHED**

**JACKSON TOWNSHIP PART-TIME FIREFIGHTER HIRING**

Hawke moved and Thomas seconded a motion that pursuant to Part-time Firefighter hiring procedure and authority granted in ORC Section 505.38, we hereby appoint Joshua D. Bow to the

position of Part-time Firefighter, effective, March 14, 2022 at 0800 hours, at the Part-time Firefighter probationary rate of \$15.00 per hour.

**3-0 yes**

There was a brief recess for pictures.

**RESOLUTION 22-070 ATTACHED  
JACKSON TOWNSHIP PART-TIME FIREFIGHTER OATH**

Hawke moved and Pizzino seconded a motion that we hereby accept the attached oath of Office for Joshua D. Bow, Part-time Firefighter for the Jackson Township Fire Department, Stark County, Ohio, effective March 14, 2022 at 0800 hours.

**3-0 yes**

**ATTACHMENT 03/08/22 A**

Hawke moved and Thomas seconded a motion to accept the attached resignation from Part-Time Firefighter/EMT, Joshua Amstutz, effective March 3, 2022, at 0800 hours.

**3-0 yes**

**Administration Department**

**ATTACHMENT 03/08/22 B**

Hawke moved and Thomas seconded a motion to authorize and place the Board Members' signatures on a letter of support for Stark Parks Devonshire Trail Development.

**3-0 yes**

**Legal Department**

**RESOLUTION 22-071 ATTACHED  
COMMUNITY CELEBRATION BAND BOOKING AGREEMENT**

Hawke moved and Thomas seconded a motion that whereas, the Board of Trustees plans and operates the Community Celebration in Jackson Township, Stark County, Ohio.

Whereas, the Board of Trustees has determined that, as part of its programming for the Community Celebration, the acts identified in the attached contracts is to be engaged for a performance for the 2022 Community Celebration.

Be it resolved that, we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Booking Agreement for the following band:

1. Ultimate Aldean

**3-0 yes**

Chief Brink had to step out momentarily, so the Trustees moved onto the Public Works Department.

**Public Works Department**

**Highway Division**

**RESOLUTION 22-072 ATTACHED**

**HIGHWAY LABOR SPECIALIST, PUBLIC WORKS DEPARTMENT, HIGHWAY DIVISION**

Hawke moved and Thomas seconded a motion that we hereby authorize the employment of Brian E. Wahl for the full-time position of Highway Labor Specialist, Public Works Department, Highway Division, at the Step 3 starting rate of \$24.1603, effective March 12, 2022, at 0700 hours, in accordance with the negotiated agreement between the Jackson Township Board of Trustees and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Brian E. Wahl will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees.

**3-0 yes**

**RESOLUTION 22-073 ATTACHED**

**HIGHWAY LABOR SPECIALIST, PUBLIC WORKS DEPARTMENT, HIGHWAY DIVISION**

Hawke moved and Thomas seconded a motion that we hereby authorize the employment of Kurt P. Hall for the full-time position of Highway Labor Specialist, Public Works Department, Highway Division, at the Step 2 starting rate of \$23.1095, effective March 12, 2022, at 0701 hours, in accordance with the negotiated agreement between the Jackson Township Board of Trustees and the Utility Workers Union of America, AFL-CIO, Local 568, contingent upon a negative pre-employment drug screen.

Be it further resolved that Kurt P. Hall shall be required to obtain a Class B Commercial Driver's License within three hundred sixty five (365) days of his effective date.

Be it further resolved that Kurt P. Hall will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees.

**3-0 yes**

**RESOLUTION 22-074 ATTACHED**

**2022 CURBING REPLACEMENT PROJECT**

Hawke moved and Thomas seconded a motion that we hereby authorize the attached Advertisement for Bids for 2022 Curbing Replacement Project in accordance with the Specifications on file.

**3-0 yes**

**RESOLUTION 22-075 ATTACHED  
2022 RESURFACING PROJECT**

Hawke moved and Thomas seconded a motion that we hereby authorize the attached Advertisement for Bids for 2022 Resurfacing Project in accordance with the Specifications on file.

**3-0 yes**

**RESOLUTION 22-076 ATTACHED  
HIGHWAY DIVISION SKID STEER PURCHASE**

Hawke moved and Thomas seconded a motion that pursuant to ORC Section 9.48, we hereby adopt and authorize the placement of the Board Chairman’s signature upon the attached Quotation with Clark Equipment Co. dba Bobcat Company for the Purchase of a new T76 T4 Bobcat Compact Truck Loader in the amount of \$70,169.08 and a Snow Pusher in the amount of \$3,303.92 for a total purchase amount of \$73,473.00 as described in the Quotation, which the prices are listed in the Sourcewell Purchasing Contract.

**3-0 yes**

**Park Division**

5:00 p.m. Bid Opening – North Park Pickleball Complex - 1 Bid Received:

1. Vasco Asphalt Co. \$233,215.00

The bid will be reviewed and a recommendation will be made at the next meeting.

**RESOLUTION 22-077 ATTACHED  
PARK CREW LEADER, PUBLIC WORKS DEPARTMENT, PARK DIVISION**

Hawke moved and Thomas seconded a motion that we hereby authorize the hiring of Justis L. Garabrandt, a full-time Park Crew Leader, Public Works Department, Park Division, at the Step 2 starting rate of \$21.3568, effective March 12, 2022, at 0700 hours, as 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 Justis L. Garabrandt will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees.

**3-0 yes**

**RESOLUTION 22-078 ATTACHED  
PARK CREW LEADER, PUBLIC WORKS DEPARTMENT, PARK DIVISION**

Hawke moved and Thomas seconded a motion that we hereby authorize the hiring of James H. Monigold, a full-time Park Crew Leader, Public Works Department, Park Division, at the Step 2 starting rate of \$21.3568, effective March 12, 2022, at 0701 hours, as 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 James H. Monigold will serve a seven hundred thirty (730) day probationary period during which time he may be terminated without cause by the Board of Trustees.

**3-0 yes**

Hawke moved and Thomas seconded a motion to accept the following 2022 Community Celebration Sponsorships:

IBI Group	\$ 1,000.00
Vasco Asphalt Co.	\$ 750.00
DeHoff Development Co.	\$ 500.00
Gruber, Haren, Thomas & Co., LPA	\$ 500.00
GBC Design Inc.	\$ 100.00
Hardesty Partners	\$ 100.00

**3-0 yes**

**ATTACHMENT 03/08/22 C**

Hawke moved and Thomas seconded a motion to approve an appropriation transfer from 214.510.5387 Discretionary-Park, to 214.510.5240 Uniforms – Park, in the amount of \$600.00.

**3-0 yes**

**ATTACHMENT 03/08/22 D**

Hawke moved and Thomas seconded a motion to authorize the hiring of one (1) new Leased Park Maintenance Worker, as attached, through a temporary service, subject to a negative drug screen, effective and at the rate and start date identified in the attached memorandum from David Ruwadi.

**3-0 yes**

**RESOLUTION 22-079 ATTACHED  
SCHURING PARK TREE REMOVAL**

Hawke moved and Thomas seconded a motion that we hereby accept and authorize the placement of the Board Chairman’s signature upon the attached quote with Haymaker Tree and Lawn for tree removal services at Schuring Park.

**3-0 yes**

Gonzalez thanked Rohn for quickly obtaining the quote for the tree removal since the work needs to be complete by the end of March.

**Police Department**

**ATTACHMENT 03/08/22 E**

Hawke moved and Thomas seconded a motion to authorize out-of-state travel for Patrolman Lucas S. Shanklin to attend training in Nogales, Arizona on April 25, 2022 through April 28, 2022, in accordance with the Jackson Township Travel Policy.

**3-0 yes**

**Fiscal Office**

**ATTACHMENT 03/08/22 F**

Hawke moved and Pizzino seconded a motion to pay the bills in the amount of \$1,826,581.47.

**3-0 yes**

**ATTACHMENT 03/08/22 G**

Hawke moved and Pizzino seconded a motion to approve the minutes of the February 22, 2022 Board of Trustees' Meeting.

**3-0 yes**

**ATTACHMENT 03/08/22 H**

Hawke moved and Pizzino seconded a motion to approve the monthly reports for February 2022.

**3-0 yes**

**RESOLUTION 22-080 ATTACHED**

**JOINT ECONOMIC DEVELOPMENT DISTRICT INCOME TAX REVENUE DISTRIBUTION PRIORITY**

Hawke moved and Thomas seconded a motion that pursuant to attached ORC Section 715.72 (prior to September 13, 2016: ORC Sections 715.72 to 715.81), we hereby amend attached Resolution Number 19-304, effective immediately, as follows:

We hereby authorize that any income tax monies received for any Joint Economic Development District (JEDD) Contract that we are a party to be distributed as follows:

1. To any department, which expends funds for the acquisition of an asset later used for economic development.
2. To the obligations of the JEDD contract.
3. To each department which expended funds for the improvement and/or construction of public infrastructure associated with the specific JEDD project.
4. Split equally and deposited into the Fire Department and Police Department receipt codes established by the Fiscal Officer.

**3-0 yes**

**RESOLUTION 22-081 ATTACHED**

**INCURRENCE OF OBLIGATIONS**

Hawke moved and Thomas seconded a motion that whereas, Ohio Revised Code 507.11(A) permits a Township Board of Trustees to allow township officers and employees to authorize spending and obligate the township up to ten thousand (\$10,000.00) dollars.

Be it resolved that pursuant to Ohio Revised Code 507.11(A) we hereby authorize township officers and employees to incur obligations of eight thousand (\$8,000.00) dollars or less on behalf of Jackson Township.

**3-0 yes**

#### **ATTACHMENT 03/08/22 I**

Hawke moved and Thomas seconded a motion to approve the amendment to the Township's Purchase Order Documentation Policy.

**3-0 yes**

#### **Routine Business**

#### **Announcements**

- Next regular **Board of Trustees'** meeting, March 22, 2022, 4:00 p.m., Executive Session and/or Work Session; 5:00 p.m., General Session, Jackson Township Hall.
- **CIC**, March 17, 2022, 9:00 a.m., Jackson Township Hall
- **LOGIC**, April 7, 2022 9:00 a.m., Jackson Safety Center, Chief's Conference Room
- **Celebration Committee Meeting**, March 15, 2022, 2:30 p.m., Jackson Township Hall
- **Zoning Meetings:**
  - **Board of Zoning Appeals**, March 10, 2022, 5:00 p.m., Jackson Township Hall
  - **Zoning Commission**, March 17, 2022, 5:00 p.m., Jackson Township Hall
- **Easter Egg Hunt**, Saturday, April 9, 2022, 11:00 a.m., sharp, Jackson North Park. Children age: crawlers through 4<sup>th</sup> grade.

#### **Old Business - None**

#### **New Business**

#### **RESOLUTION 22-082 ATTACHED 2022 AMPHITHEATER PERFORMANCE LIGHTING**

Hawke moved and Thomas seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote with Stageworx for providing performance lighting for the 2022 Amphitheater season.

**3-0 yes**

#### **RESOLUTION 22-083 ATTACHED AMPHITHEATER BAND BOOKING AGREEMENT**

Hawke moved and Thomas seconded a motion that whereas, The Board of Trustees owns the Jackson Amphitheater in Jackson Township, Stark County, Ohio.

Whereas, the Board of Trustees has determined that, as part of its programming for the Jackson Amphitheater, the acts identified in the attached contracts are to be engaged for performances for the 2022 season.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached Booking Agreement for the following band:

1. Ravenwood

**3-0 yes**

Hawke moved and Thomas seconded a motion to commence the yard waste site operations effective March 14, 2022.

**3-0 yes**

**RESOLUTION 22-084 ATTACHED  
OHIO POLICE & FIRE PENSION FUND – FIRE CHIEF**

Hawke moved and Pizzino seconded a motion that whereas, pursuant to federal and Ohio laws, the Jackson Township Board of Trustees may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Police & Fire Pension Fund (OPFPF) and such individuals will not be required to pay federal and state income taxes on such contributions; and

Be it resolved that, pursuant to IRC Section 414(h)(2) and effective with the first pay period ending in April 2022, twelve and a quarter (12.25%) percent, and except for any subsequent increases of the statutorily required employee contributions to OPFPF, shall be picked up and paid as a fringe benefit by the Jackson Township Board of Trustees for each person within any of the classes established herein. The "pick up" shall be an offset against future salary increases. This "pick up" by the Jackson Township Board of Trustees shall be designated as public employee contributions and shall be in lieu of full contributions to OPFPF by each person within any of the classes established herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPFPF directly instead of having it "picked up" by the Jackson Township Board of Trustees or of being excluded from the "pick up". The Jackson Township Board of Trustees shall, in reporting and making remittance to OPFPF, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

Be it resolved that, the "pick up" by the Jackson Township Board of Trustees provided by this resolution shall apply to all persons that are employed as Fire Chief for the Jackson Township Board of Trustees, and who is or becomes a contributing member of OPFPF.

Be it resolved that, under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employee's twelve and a quarter (12.25%) percent statutorily required contribution to OPFPF, and the employee will be required to pay the remaining statutory amount under post tax method.



Be it resolved that, the Jackson Township Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the “pick up” of the statutorily required contributions to OPFPF for those persons reflected herein so as to enable them to have their employee contributions paid by their employer as specified herein.

**3-0 yes**

**RESOLUTION 22-085 ATTACHED**

**OHIO POLICE & FIRE PENSION FUND – POLICE CHIEF**

Hawke moved and Pizzino seconded a motion that whereas, pursuant to federal and Ohio laws, the Jackson Township Board of Trustees may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

Be it resolved that, pursuant to IRC Section 414(h)(2) and effective with the first pay period ending in April 2022, thirteen (13%) percent, and except for any subsequent increases of the statutorily required employee contributions to OPERS, shall be picked up and paid as a fringe benefit by the Jackson Township Board of Trustees for each person within any of the classes established herein. The “pick up” shall be an offset against future salary increases. This “pick up” by the Jackson Township Board of Trustees shall be designated as public employee contributions and shall be in lieu of full contributions to OPERS by each person within any of the classes established herein. No person subject to this “pick up” shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it “picked up” by the Jackson Township Board of Trustees or of being excluded from the “pick up”. The Jackson Township Board of Trustees shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this “pick up” has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

Be it resolved that, the “pick up” by the Jackson Township Board of Trustees provided by this resolution shall apply to all persons that are employed as Police Chief for the Jackson Township Board of Trustees, and who is or becomes a contributing member of OPERS.

Be it resolved that, under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employee’s thirteen (13%) percent statutorily required contribution to OPERS, and the employee will be required to pay the remaining statutory amount under post tax method.

Be it resolved that, the Jackson Township Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the “pick up” of the statutorily required contributions to OPERS for those persons reflected herein so as to enable them to have their employee contributions paid by their employer as specified herein.

**3-0 yes**

**RESOLUTION 22-086 ATTACHED**

**OHIO POLICE & FIRE PENSION FUND – PUBLIC WORKS DIRECTOR**

Hawke moved and Thomas seconded a motion that whereas, pursuant to federal and Ohio laws, the Jackson Township Board of Trustees may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

Be it resolved that, pursuant to IRC Section 414(h)(2) and effective with the first pay period ending in April 2022, ten (10%) percent, and except for any subsequent increases of the statutorily required employee contributions to OPERS, shall be picked up and paid, as a fringe benefit by the Jackson Township Board of Trustees for each person within any of the classes established herein. The "pick up" shall be an offset against future salary increases. This "pick up" by the Jackson Township Board of Trustees shall be designated as public employee contributions and shall be in lieu of full contributions to OPERS by each person within any of the classes established herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by the Jackson Township Board of Trustees or of being excluded from the "pick up". The Jackson Township Board of Trustees shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

Be it resolved that, the "pick up" by the Jackson Township Board of Trustees provided by this resolution shall apply to all persons that are employed as Public Works Director for the Jackson Township Board of Trustees, and who is or becomes a contributing member of OPERS.

Be it resolved that, under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employee's ten (10%) percent statutorily required contribution to OPERS, and the employee will be required to pay the remaining statutory amount under post tax method.

Be it resolved that, the Jackson Township Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the "pick up" of the statutorily required contributions to OPERS for those persons reflected herein so as to enable them to have their employee contributions paid by their employer as specified herein.

**3-0 yes**

**RESOLUTION 22-087 ATTACHED**

**OHIO POLICE & FIRE PENSION FUND – ADMINISTRATOR / LAW DIRECTOR**

Hawke moved and Thomas seconded a motion that whereas, pursuant to federal and Ohio laws, the Jackson Township Board of Trustees may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

Be it resolved that, pursuant to IRC Section 414(h)(2) and effective with the first pay period ending in April 2022, ten (10%) percent, and except for any subsequent increases of the statutorily required employee contributions to OPERS, shall be picked up and paid as a fringe benefit by the Jackson Township Board of Trustees for each person within any of the classes established herein. The “pick up” shall be an offset against future salary increases. This “pick up” by the Jackson Township Board of Trustees shall be designated as public employee contributions and shall be in lieu of full contributions to OPERS by each person within any of the classes established herein. No person subject to this “pick up” shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it “picked up” by the Jackson Township Board of Trustees or of being excluded from the “pick up”. The Jackson Township Board of Trustees shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this “pick up” has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

Be it resolved that, the “pick up” by the Jackson Township Board of Trustees provided by this resolution shall apply to all persons that are employed as Administrator/Law Director for the Jackson Township Board of Trustees, and who is or becomes a contributing member of OPERS.

Be it resolved that, under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employee’s ten (10%) percent statutorily required contribution to OPERS, and the employee will be required to pay the remaining statutory amount under post tax method.

Be it resolved that, the Jackson Township Fiscal Officer is hereby authorized and directed to implement the provisions of this resolution to institute the “pick up” of the statutorily required contributions to OPERS for those persons reflected herein so as to enable them to have their employee contributions paid by their employer as specified herein.

**3-0 yes**

Vaccaro provided an update concerning the Keck Park Project. The Board of Trustees had requested a Statement of Qualifications from various professional engineering service firms. Interested firms had to have their qualifications submitted no later than 4:00 p.m. today, March 8, 2022. Of the nine firms that requested additional information, only one firm, MS Consultants, submitted their qualifications.

**ATTACHMENT 03/08/22 J**

Hawke moved and Pizzino seconded a motion to adopt the attached Amended Benefit Package for Management Personnel (Hired prior to July 1, 2012 and Hired after July 1, 2012), effective March 9, 2022, (Amended Holiday Pay), which shall supersede all previous Benefit Packages for Management Personnel.

**3-0 yes**

**ATTACHMENT 03/08/22 K**

Hawke moved and Thomas seconded a motion to adopt the attached Amended Benefit Package for Management Personnel (Hired prior to July 1, 2012 and Hired after July 1, 2012), effective March 9, 2022, which shall supersede all previous Benefit Packages for Management Personnel.

**3-0 yes**

**Public Speaks - None**

Hawke moved and Thomas seconded a motion to adjourn.

**3-0 yes**

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**Todd Hawke**

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**Randy Gonzalez**