

RECORD OF PROCEEDINGS

MINUTES OF JACKSON TOWNSHIP BOARD OF TRUSTEES MEETING

AUGUST 9, 2023

Hawke called the meeting to order at 3:30 p.m. at the Jackson Township Hall with Trustees Todd Hawke, Justin Hardesty, and John Pizzino 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.

There was a work session to discuss Jackson Amphitheater season ticket refunds and the Fire Department tanker truck.

Hawke moved and Hardesty seconded a motion to go into Executive Session for details relative to the security arrangements for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public body or public office: Information Technology System.

Hawke – yes
Hardesty – yes
Pizzino - yes

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

Hawke – yes
Hardesty – yes
Pizzino - yes

Hawke called the General Session to order at 5:10 p.m. He requested that all cell phones be silenced at this time.

The Pledge of Allegiance was recited.

Public Speaks – None

Fire Department

Fire Chief Tim Berczik began by saying that they have recently responded to several emergency events at Mr. Don DeVille's properties. As a result, Mr. DeVille approached Mr. Gonzalez about doing something to show his appreciation to the Fire Department for their efforts. Chief Berczik explained that his department has been working on having a new fire prevention vehicle built. The intent is for the vehicle to be operational by Christmas this year. Mr. DeVille has very generously offered to cover the cost of the new vehicle.

Mr. DeVille explained to the Board that in a span of three weeks, there were fires at three properties he owns in Jackson Township: a small grease fire, one on a deck and a major event at a six-unit apartment building. In appreciation to the Jackson Township Fire Department, Mr. DeVille is

donating the funds to purchase the new fire prevention truck. He added that it is an honor for him and his son to make this donation. He said the Fire Department does a great job for Jackson Township and hopes this truck will better their response time and fire investigation efforts.

Hawke moved and Hardesty seconded a motion to accept a donation to the Fire Department of \$102,000 from Don DeVille.

3-0 yes

**RESOLUTION 23-156 ATTACHED
EMS CHARGES BILLING AGREEMENT**

Hawke moved and Hardesty seconded a motion to adopt and authorize the placement of our signatures upon the attached EMS Charges Billing Agreement with the Board of Trustees of Lawrence Township, Stark County, Ohio.

3-0 yes

Administration Department

ATTACHMENT 08/09/23 A

Hawke moved and Pizzino seconded a motion to authorize the scheduling of the 2024 Community Celebration, to include the 5K Run and Fireworks for June 19, 20, 21, & 22, 2024.

3-0 yes

**RESOLUTION 23-157 ATTACHED
2024 COMMUNITY CELEBRATION – BATES BROTHERS AMUSEMENT COMPANY
AGREEMENT**

Hawke moved and Hardesty seconded a motion that whereas, the Board of Trustees has scheduled the 2024 Community Celebration for June 19, 2024 through June 22, 2024.

Be it resolved that, we hereby adopt and authorize the placement of the Board members' signatures on the attached Agreement with the Bates Brothers Amusement Company.

3-0 yes

**RESOLUTION 23-158 ATTACHED
INTERXEPTOR MANAGED DETECTION AND RESPONSE**

Hawke moved and Hardesty seconded a motion that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote with Ankura Consulting Group for the Carbon Black Audit and Remediation licensing in the amount of \$4,500.00, InterXeptor Managed Detection and Response in the amount of \$49,800.00, and Light Cybersecurity Program Assessment in the amount of \$9,500.00, for a total cost of \$63,800.00.

3-0 yes

**RESOLUTION 23-159 ATTACHED
TOWNSHIP BUDGET PLANNING POLICY AMENDMENT**

Hawke moved and Hardesty seconded a motion that we hereby adopt the attached amended Township Budget Planning Policy.

3-0 yes

Police Department

Hawke moved and Hardesty seconded a motion to accept a donation of \$500 from The Strip Delaware LLC.

3-0 yes

ATTACHMENT 08/09/23B

Hawke moved and Pizzino seconded a motion to accept the attached retirement notice from full-time Police Lieutenant, Richard T. Mitchell, effective, August 31, 2023 at 14:30 hours.

3-0 yes

ATTACHMENT 08/09/23C

Hawke moved and Pizzino seconded a motion to approve the appropriation transfer request from code 209.250.5414 Equipment Maintenance Contract to 209.250.5522 Facility Maintenance, in the amount of \$20,000.00.

3-0 yes

ATTACHEMENT 08/09/23D

Hawke moved and Hardesty seconded a motion to permit Officer McDannold to increase his one-time annual vacation buyout from forty (40) hours to seventy (70) hours in accordance with Article 18, section 6, of the collective bargaining agreement between the Jackson Township Board of Trustees and Fraternal Order of Police (Patrol Officers), effective January 1, 2021 to December 31, 2023. This approval shall be non-precedent setting.

3-0 yes

RESOLUTION 23-160 ATTACHED

SCHOOL RESOURCE OFFICER MEMORANDUM OF UNDERSTANDING WITH THE JACKSONLOCAL SCHOOL DISTRICT

Hawke moved and Hardesty seconded a motion to adopt and authorize the placement of our signatures upon the attached Memorandum of Understanding for the provision of School Resource Officers to the Jackson Local School District with the Board of Education of the Jackson Local School District.

3-0 yes

Public Works Department

Park Division

RESOLUTION 23-161 ATTACHED

OHIO HIGH SCHOOL ATHLETIC ASSOICATION AGREEMENTS

Hawke moved and Hardesty seconded a motion to adopt and authorize the placement of the Board Chairman's signature upon the attached Site Confirmation Agreement with attached General Terms and Conditions and Indemnification Agreement with the Ohio High School Athletic Association for the Girls Sectional Tennis Tournament.

3-0 yes

Central Maintenance Division

ATTACHMENT 08/09/23E

Hawke moved and Hardesty seconded a motion to approve the appropriation transfer request from code 101.115.5652 Capital Equipment to 101.115.5432 Computer Services, in the amount of \$5,000.00.

3-0 yes

Amphitheater Division

RESOLUTION 23-162 ATTACHED

AMPHITHEATER BAND BOOKING AGREEMENT- 2024 COMMUNITY CELEBRATION

Hawke moved and Hardesty seconded a motion that whereas, the 2024 Community Celebration is scheduled for June 19, 2024 through June 22, 2024; and,

Whereas, the Board of Trustees has determined that, as part of its programming for the 2024 Community Celebration, the act identified in the attached contract are to be engaged for performance for the 2024 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. Disco Inferno Cleveland (PWE Productions, LLC).

3-0 yes

Zoning and Planning Department

Hawke moved and Pizzino seconded a motion to cancel a Nuisance Hearing for 2859 Whipple Ave. NW, Canton, OH 44708, Parcel 1702589 for August 22, 2023 at 5:00 p.m.

3-0 yes

RESOLUTION 23-163 ATTACHED

DEMOLITION QUOTE FOR 7811 PARKFORD ST. N.W.

Hawke moved and Hardesty seconded a motion that whereas, on September 27, 2022, pursuant to Resolution 22-234, the Board of Trustees, Jackson Township Stark County, Ohio, issued an Order to Remove the Structures located at 7811 Parkford St., N.W. (Jackson Township) Massillon, OH 44646-1558 (see Exhibit A); and,

Whereas, on October 25, 2022, a party of interest filed a Notice of Appeal of the Board of Trustees’ order issued pursuant to Resolution 22-234, and appealed the Trustees’ decision to the Stark County Court of Common Pleas; and,

Whereas, on June 23, 2023, the Stark County Court of Common Pleas (Honorable Taryn L. Heath) issued a decision affirming the Board of Trustees’ decision issued in Resolution 22-234; and,

Whereas, no party of interest has filed an appeal of the Stark County Court of Common Pleas' decision issued on June 23, 2023.

Be it resolved that we hereby adopt and authorize the placement of the Board Chairman's signature upon the attached quote for demolition services with American Demolition, Inc., in the amount of \$11,460.00.

3-0 yes

ATTACHMENT 08/09/23F

Hawke moved and Hardesty seconded a motion to submit a notice to the County Auditor for fees and expenses for mowing noxious weeds at 4606-20th Street NW, Parcel No. 1700112 SE Qtr. Section 36, Jackson Township.

3-0 yes

ATTACHMENT 08/09/23G

Hawke moved and Hardesty seconded a motion to submit a notice to the County Auditor for fees and expenses for mowing noxious weeds at 8190 Caroline St. NW, Lots 4-5 Highland View Farm Allotment, Parcel No. 1603740 NE Qtr. Section 32, Jackson Township.

3-0 yes

ATTACHMENT 08/09/23H

Hawke moved and Hardesty seconded a motion to submit a notice to the County Auditor for fees and expenses for mowing noxious weeds at 7811 Parkford St. NW, Parcel No. 1602131 SW Qtr. Section 28, Jackson Township.

3-0 yes

Fiscal Office

ATTACHMENT 08/09/23I

Hawke moved and Hardesty seconded a motion to pay the bills in the amount of \$2,603,571.78

3-0 yes

ATTACHMENT 08/09/23J

Hawke moved and Pizzino seconded a motion to approve the minutes of the July 25, 2023 Board of Trustees' meeting.

3-0 yes

ATTACHMENT 08/09/23K

Hawke moved and Pizzino seconded a motion to approve the monthly reports for July 2023.

3-0 yes

**RESOLUTION 23-164 ATTACHED
2024 ALTERNATIVE TAX BUDGET DOCUMENT**

Hawke moved and Hardesty seconded a motion to adopt the attached Alternative Tax Budget Document for Fiscal Year 2024 as required by the Stark County Budget Commission in their attached June 15, 2023 directive and pursuant to the July 13, 2006 action of the Stark County Budget Commission, authorize the Township Fiscal Officer to sign the Alternative Tax Budget

Document and authorize the Township Fiscal Officer to file said Alternative Tax Budget Document with the Stark County Auditor's Office.

3-0 yes

Gonzalez said that today is the filing deadline to run for his office and he has chosen not to file. His term goes through the beginning of April and he plans on working through then. He told the Board that it's been a pleasure working with them. It's been 32 years and he thinks it's time to take a break.

Routine Business

Announcements

- Next regular **Board of Trustees'** meeting, August 22, 2023, 4:00 pm, Executive Session and/or Work Session; 5:00 pm, General Session, Jackson Township Hall.
- **LOGIC**, September 7, 2023, 9:00 am, Jackson Township Hall.
- **Zoning Meetings:** (Jackson Township Hall)
 - **Board of Zoning Appeals** – August 10, 2023, 5:00 pm
 - **Zoning Commission** – None scheduled
- **Farmers Market**, Thursdays – July 6 through September 28 from 3:00 pm to 7:00 pm in the Nash Family Jackson Amphitheater Parking lot.
- **Kids Stuff**, September 9 – Movie in the Amphitheater-Sonic the Hedgehog 2, 6:00 pm – 8:00 pm.
- **Free Concert, August 9** – Böaterhead-Smooth Rock Party Band, Gates open at 5:00 pm and show starts at 6:30 pm.
- **Summer Concert Series**, The Nash Family Jackson Amphitheater, Gates open at 5:30 pm and show starts at 7:30 pm Tickets at www.jacksonamphitheater.com:

August 11 – Rescheduled KISS Tribute Band – Mr. Speed

August 12 – Fleetwood Mac Tribute Band – Fleetwood Macked

August 26 – Queen Tribute Band – Queen Flash

September 2 – Led Zeppelin Tribute Band - ZOSO

Old Business - None

New Business

**RESOLUTION 23-165 ATTACHED
FIRE DEPARTMENT FIRE TANKER PURCHASE**

Hawke moved and Hardesty seconded a motion that whereas, the Jackson Township Fire Department filed an application with the Assistance to Firefighters Grant for the purchase of a Tanker Truck.

Whereas, the Federal Emergency Management Agency (FEMA) has made funds available for the purchase of fire tanker truck in the amount of \$425,851.23 with a 10% cost match of their award in the amount of \$42,585.13, for a total approved budget of \$468,436.36.

Be it resolved that, pursuant to ORC Section 505.37, we hereby adopt and authorize the following:

1. The acceptance of the Assistance to Firefighters Grant in the amount \$425,851.23 with a 10% cost match of their award in the amount of \$42,585.13, for a total approved budget of \$468,436.36
2. We further authorize the Fire Chief or his designee to complete any required reporting documentation necessary for the completion of the grant program.
3. The payment of Jackson Township's 10% cost match in the amount of \$42,585.13.
4. The payment to Jackson Township Fire Department's grant writer in the amount of \$12,436.00.
5. The placement of the Board Chairman's signature upon the attached Purchase Agreement with Atlantic Emergency Solutions for the purchase of a 2100 Gallon Freightliner Tanker 106 Chassis 38571 and related equipment for a total amount of \$439,595.28.

3-0 yes

Public Speaks - None

Hawke moved and Pizzino seconded a motion to adjourn.

3-0 yes

Todd Hawke

Randy Gonzalez