

2600 Easton St. NE  
Canton, OH 44721

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February 26, 08

**REGULAR MEETING**

**OPENING:** The regular meeting was called to order at 7:00 p.m. by President Bossart, who led the staff and audience in the pledge of allegiance.

**ATTENDANCE:**

Pamela Bossart, Louis Giavasis, Albert Leno, II, Claude W. Shriver, II, Eric Williams, Lisa Sabina-Campbell, Joe Iacino, Steve Peroz, John Sabo, Todd A. Alexander, Chuck Kegley.

Media present: **Natalie Lariccia, the Repository; Betty O’Neil-Roderick, Akron Beacon Journal.**

**AGENDA:** New Business #2 was moved to **Administrator’s** report #2 and added to Fire Department #3 - SCBA report. The agenda was then accepted.

**SHERIFF'S REPORT:**

No report

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

- False Alarms

#08-084

Motion by Mrs. Bossart,  
WHEREAS, the Plain Township Board of Trustees has authorized charges for each false alarm from an automatic security system in excess of three false alarms within a calendar year pursuant to its authority under Ohio Revised Code Section 505.511 (Resolutions #06-568) in the following amounts: for the fourth false alarm...**\$50.00; for the fifth false alarm....\$100.00; for all false alarms in any calendar year occurring after the fifth false alarm...\$150.00; and**  
WHEREAS, the Plain Township Board of Trustees has been duly notified by the Stark County Sheriff, under contract to Plain Township, that an excess of three (3) responses to such alarms have been made at the following businesses and/or residences:

NAME	ADDRESS	#	AMOUNT
BP Procure	5020 Whipple Ave	4	\$ 50.00
Schumacher Homes	2715 Wise Avenue	5	\$100.00
Diebold Computer Science	2100 38 <sup>th</sup> Street	7,8	\$300.00
Edgewood Gold Club	6850 Market Avenue	4	\$ 50.00
Fisher Foods	4403 Cleveland Ave	8,9,10	\$450.00
Valvoline Instant Oil	3106 Whipple Avenue	4	\$ 50.00
Spee-D-Foods	3002 Market Avenue	5,6,7	\$400.00
Starfire Express	2433 Columbus Road	4	\$ 50.00
Time Warner Cable	5520 Whipple Avenue	10,11 12,13,14	\$750.00
Advanced Auto Parts	2314 Columbus Road	4,5,6	\$300.00
Big K Express	3801 Harmont Avenue	4	\$ 50.00
Aultworks Occupation	3730 Whipple Avenue	5,6,7	\$400.00
Fordyce & Associates	3722 Whipple Avenue	5	\$100.00
Whiskers, Wings, & Wild	2696 Easton Street	5,6,7	\$400.00
Pathway Caring for Children	6370 Wise Avenue	6	\$150.00
Stephen Deuble	2815 Midvale Rd NW	4	\$ 50.00
Ruth Vernier	4210 22 <sup>nd</sup> Street	4	\$ 50.00
Pauli S. Young	100 Pittsburgh Ave	4	\$ 50.00
Janet Lunceford	317 Brookpoint St	4	\$ 50.00
Conny Cunningham	1755 Diamond Street	4	\$ 50.00

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NOW THEREFORE BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to direct the Plain Township Fiscal Officer to send a Notice of Bill for Excess False Alarms to the locations identified above; and in the event that any bill noted above is not paid within thirty (30) days of the date of such notice;

BE IT FURTHER RESOLVED to direct the Plain Township Fiscal Officer to send a notice by certified mail to the manager and the owner, if different, of the real estate of which the commercial establishment is a part, or to the occupant, lessee, agent or tenant and to the owner, if different, of the real estate of which the residence is a part, stating that failure to pay the bill within 30 days, or to show just cause why the bill should not be paid, will result in the assessment of a lien upon the real estate in the above-stated amount.

BE IT FURTHER RESOLVED that if payment is not made within 30 days, or just cause shown, then the Fiscal Officer shall cause the above-stated amounts for each false alarm in excess of three (3) per year to be entered upon the tax duplicates of each location as a lien upon said real estate from the date of entry, which shall **be collected as other taxes and returned to the Township's General Fund.**

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

**FISCAL OFFICER'S REPORT:**

#08-085 1. Pending Warrants

Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the payment of pending warrants in an amount of \$ 545,361.16 as attached hereto and made a part of these minutes.

Seconded by Mrs. Bossart.

Vote: Mr. Leno, yes; Mrs. Bossart, yes Mr. Giavasis, yes.

#08-086 2. Regular Payroll –

Motion by Mr. Leno,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment of the regular payroll in an amount not to exceed \$150,000.00.

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

#08-087 3. Payment of Medical Claims –

Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize payment for the following medical claims as provided by AultCare:

<u>DATE</u>	<u>WARRANT</u>	<u>AMOUNT</u>
02/21/2008	12668	\$ 10,437.37
02/26/2008	12669	8,717.57

Seconded by Mr. Giavasis.

Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

4. The Investment report was given. It was accepted by the Board with no questions.

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#08-088 5. Transfer of Funds  
Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following transfer of funds and to authorize the Plain Township Fiscal Officer to certify this transfer to the Stark County Auditor:

FROM	TO	AMOUNT
1000-4110-599-0000 – Other Expenses	1000-4610-316-0-000 – Engineering – Schneider Park	\$ 16,100.00

Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart.

**ADMINISTRATOR:**

1. Foreign Steel  
Mrs. Campbell went into discussion regarding the resolution and was thanked by the Board for doing a fine job.

#08-084 WHEREAS, there are several companies located in Stark County engaged in steel making and other related steel products business and they, along with other steel industry in Ohio and throughout the nation, are threatened by the continued importation of foreign-made steel. AND  
WHEREAS, the effects of unfair business conditions presented by the dumping and subsidizing of foreign steel also adversely effects workers and their families who live in Plain Township. AND  
WHEREAS, the State of Ohio and other counties and townships are adopting requirements for the use of domestic steel in public-funded projects.  
NOW, THEREFORE BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, that this Board hereby adopts the requirement that all structural steel used in projects bid out by this Board shall be restricted to steel produced in the United States. Foreign-made steel will not be allowed in any such project for structural purposes, such as for load-bearing use in the construction of a building, bridge, or other structure, and for reinforcement in concrete. This requirement will be included into all future Plain Township bid specifications and as such be included in all construction contracts. A sworn affidavit will be required of contractors as part of the concluding contract paperwork.

Seconded by Mr. Leno.  
Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis.

2. Lindford Avenue  
Mrs. Campbell went over the process for the grant that we fell short of for the Lindford Avenue project and designed this resolution so that we would have an engineer look at this so we could have a better systematic approach when applying for the grants in the future. The Board agreed and said this project needs to get underway.

#08-090 Motion by Mr. Giavasis,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio, to authorize payment to M.E. Companies for preliminary design for a storm sewer drainage design for the Lindford Street area in an amount of \$21,300.00

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from Fund #1000-4330-360-6045 and Fund #2021-4330-360-6045.

Seconded by Mr. Leno.

Vote: Mrs. Bossart, yes; Mr. Leno, yes; Mr. Giavasis, yes.

**FIRE DEPARTMENT:**

#08-091            1. Purchase of Fuel  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio, to authorize the purchase of gasoline, oil and diesel fuel at a cost not to exceed \$15,000.00 to be taken from Account #2111-4220-420-3070.  
 Seconded by Mrs. Bossart.  
 Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart

#08-092            2. Second Step Hiring for Fulltime Career Firefighter Paramedics  
 Motion by Mrs. Bossart,  
 WHEREAS, Michael Hill, Joseph Kieffer, Eric Weidlebacher, Michael Evans, Scott Bauer, Zak Magee, Richard Morabito, Kyle Nussbaum, Shane Berger, Adam Reardon, Alex Hoce and Michael **Kamp have successfully completed the Township’s assessment of the skills and medical physical needed to perform essential job functions;**  
 BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that Michael Hill, Joseph Kieffer, Eric Weidlebacher, Michael Evans, Scott Bauer, Zak Magee, Richard Morabito, Kyle Nussbaum, Shane Berger, Adam Reardon, Alex Hoce and Michael Kamp be hired as of this date as Type III Career Firefighter/Paramedics with a twelve (12) month probationary period.  
 Seconded by Mr. Leno.  
 Vote: Mr. Leno, yes; Mr. Giavasis, Mrs. Bossart.

3. Self Contained Breathing Apparatus  
 Chief Sabo went over a detailed description of the grant that he applied for and that we were accepted. The truck arrived this morning with the self-contained breathing apparatus on board.

**ROAD DEPARTMENT:**

1. Orion Drainage – Mr. Leno gave a report about a resident that he visited on Orion Road claiming his driveway apron is being eroded by the water from the roadway and adjoining properties. After a brief discussion, the Board agreed to have our engineer look to see if there is anything we can do to alleviate this problem.

**ZONING DEPARTMENT:**

1. BZA Meeting  
 Mr. Peroz announced a Board of Zoning Appeals meeting to be held on Wednesday, March 5, 2008 at 7 pm regarding the rear set of a backline at 4609 Cleveland Avenue NW.

**PARKS & RECREATION:**

- 1. Easter Egg Hunt – will be held on March 22, 2008
- 2. Ball Fields at Diamond Park – use of the fields was discussed by Mr. Alexander.
- 3. Resolution for Field Use

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#08-093 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trustees, Stark County, Ohio to authorize the following exclusive rights to outdoor fields at Diamond Community Park:

- The Challenger League will have exclusive rights to field 1 during the spring season and we will waive the \$500.00 fee. In addition, the Challenger League will supply the home plates, pitching rubbers, and infield dirt and lime.
- Plain Local Baseball will have exclusive rights to fields 2, 3, 4, and 5 during the spring season and will pay \$500.00 per field for a total of \$2,000.00 and, in addition, Plain Local Baseball will supply the home plates, pitching rubbers, and infield dirt and lime.

Seconded by Mr. Giavasis,  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-094 4. Scrap Metal  
Motion by Mr. Giavasis,  
WHEREAS, Ohio Revised Code Section 505.10(A) provides that the Board of Trustees may sell property at private sale, if the Board determines that:

- 1) the property is no longer needed; and
- 2) the value of the property is less than \$2,500.00; and

WHEREAS, the Township has accumulated scrap metal which it no longer needs and which has a salvage value of less than \$2,500.00;  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees, Stark County, Ohio that said scrap metal be sold.  
Seconded by: Mr. Leno.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

#08-095 5. Superior-Speedie Portables  
Motion by Mr. Leno,  
BE IT HEREBY RESOLVED, by the Plain Township Board of Trsutees, Stark County, Ohio to authorize Todd A. Alexander, Parks and Recreation Director to enter into and execute the attached agreement.  
Seconded by Mrs. Bossart.  
Vote: Mr. Leno, yes; Mr. Giavasis, yes; Mrs. Bossart, yes.

6. Fence at Alpine – Discussion of the fence at Alpine Park. It has blown down due to the weaving within the fence. Mr. Alexander explained that the Township owns the fence but the weaving is owned by the residents who placed it there for more privacy and peace for their dogs. However, the fence company that has repaired the fence said that it is wind that is causing the problems. It can not go thru the fence, is hitting the weaving and knocking the fence down. Our law director, Mr. Williams said that a letter had been sent and the recommendation is that the weaving be removed from the fence or it will continue to be a problem.

**LAW DIRECTOR:**

No report

**CENTRAL MAINTENANCE:**

No Report

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**COMMUNICATIONS:**

- 1. Safety Council CEO Breakfast will be held on March 18<sup>th</sup>.

**CONCERNS OF CITIZENS:**

- 1. Mr. Tom Pieper – 2010 River Run Circle NW, President of the Plain Township Historical Society announced there will be a bi-centennial in 2009 the 200<sup>th</sup> anniversary celebration and he was asking for any and all volunteers. Anyone that wants to help is more than welcome.

**CONCERNS OF TRUSTEES:**

**CONCERNS OF FISCAL OFFICER:**

**ANNOUNCEMENTS:**

**ADJOURNMENT:**

#08-096 Motion by Mrs. Bossart,  
BE IT HEREBY RESOLVED by the Plain Township Board of Trustees,  
Stark County, Ohio to adjourn at 7:34 p.m.  
Seconded by Mr. Leno.  
Vote: Mr. Leno, yes; Mrs. Bossart, yes; Mr. Giavasis, yes.

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Pamela S. Bossart  
Trustee

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Louis P. Giavasis  
Trustee

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Albert P. Leno, II  
Trustee

ATTEST: \_\_\_\_\_  
Claude W. Shriver, II  
Fiscal Officer