

Perry Township Board of Trustees

Regular Meeting

May 16, 2017 7:00 pm

Call to Order/ Pledge of Allegiance:

Excused absence:

Additions/Deletions to Agenda:

Trustee Chessler made a motion to make an addition to the Agenda under the Road and Park Department as a third item, discussion regarding paving. Trustee Chessler indicated that this will be a continued discussion from the last meeting; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Public Hearings/Invited Guests:

Proclamation for Vinny Arrigo

Trustee Chessler stated that the next item he would like to address this evening came as a result of a call to the Township not long ago from Mr. Vince Arrigo. Trustee Chessler stated that Mr. Arrigo spoke with Administrator Fetzer and added that he also had the pleasure of speaking with him. Trustee Chessler stated that Mr. Arrigo has offered as a donation to the Township on behalf of his grandson, Vinnie Arrigo, records that were maintained of Township activity back in the 1850's. Trustee Chessler stated that they (records) seem to be very well preserved and quite legible and are a part of our past that would be very instructive. Trustee Chessler stated that there are things in here that prevail in the day that we might find surprising; one of the things was a census that was taken of approximately 112 people within the Township.

Trustee Chessler stated that as a result of Mr. Arrigo's donation, he would like to read aloud and give a Proclamation in recognition of this:

This is a Proclamation from the Perry Township Board of Trustees in acknowledgement of the donation of the 1856 Perry Township records; Whereas, the Perry Township Board of Trustees acknowledge the discovery of the 1856 historical records pertaining to record of SubDistrict #5, Perry Township, Stark County, Ohio and Whereas, the expense records from 1856 to 1858 documented by Mr. David Ball, Township Clerk, indicated that the population consisting of white males, 58; white females, 50; colored males, 2; colored females, 2 with a combined total population being 112 residents of Perry Township, and Whereas, the Board of Trustees thankfully acknowledge the efforts of Mr. Vince Arrigo who has generously donated the 1856 records to the Perry Township Board of Trustees which shall be kept on record in conjunction with the existing 1886 to 1919 Perry Township Meeting Minutes ledger and now

therefore, in recognition of this recordable donation, be it resolved that duly noted this 16th day of May, 2017 that the Perry Township Board of Trustees does hereby gratefully accept and proclaim our gratitude of the grandson of Mr. Vince Arrigo, Vinnie Arrigo, for the donation of the historical documentation pertaining to Perry Township, Stark County, Ohio awarded this Tuesday meeting, May 16, 2017.

Trustee Chessler invited Vinnie Arrigo to please step forward and stated his thanks and appreciation on behalf of the Board. Trustee Chessler stated that this documentation is now a part of our history. Mr. Arrigo's grandson, Vinnie Arrigo stated that he wanted to thank his grandfather for donating these records in his name and added that he greatly appreciated it. Vinnie relayed that maybe someday his kids and grandkids will look back and know that their great grandfather donated these on behalf of them.

Trustee Chessler requested if Mr. Arrigo would kindly care to explain how he came to be in possession of these records. Mr. Arrigo stated that he had found the Perry Township documents when he was sorting through some storage boxes for his boss. Mr. Arrigo indicated that several organizations had been invited to search the boxes to determine if any were historical to their cause. Mr. Arrigo said the Perry Township meeting minute documents just haphazardly fell out of a box; he asked his boss if he could have them to donate to Perry Township in his grandson's name, Vinny Arrigo, and his boss agreed.

Trustee Chessler stated that he would like to take this opportunity to thank Mr. Arrigo again for his generous donation.

Consider Case PE-01-17 Zone Change

Trustee Chessler stated that we have previously announced the Case entitled PE-01-17 would be heard by the Board of Trustees tonight; Trustee Chessler indicated that he will note the history of this case; the matter was considered by our Zoning Commission on April 20, 2017 to consider the request of Mr. James Goist; it is to rezone a 5.23 acre parcel of land located at 4680 Carmont Ave. SW. It is known in the Auditor's records as Parcel #10-008727 from its current classification of ID Industrial to R-2 Single and Two Family Residential district; the purpose is for Mr. Goist to be able to build a single family home as his residence. Trustee Chessler indicated that Stark County Regional Planning recommended approval of the request; the Perry Township Zoning Commission voted to approve the zone change; it was a unanimous vote. Trustee Chessler referenced and indicated that the Board should have the supporting documents regarding this request.

Trustee Chessler briefly explained to Mr. Goist what the procedures were in these matters. Trustee Chessler indicated that it was Mr. Goist's application and inquired if he had appeared before the Zoning Commission. Mr. Goist stated yes. Trustee Chessler also indicated that this matter was also considered by Stark County Regional Planning and inquired if Mr. Goist also attended that proceeding. Mr. Goist indicated that he did. Trustee Chessler relayed that both had recommended that this request be approved. Mr. Goist confirmed yes. Trustee Chessler stated that again, that is the recommendation from the Zoning Commission and since it is unanimous recommendation to approve that, our Board considers that and we will make a decision tonight; it would have to be unanimous the other way to

overturn their decision though that is not likely to happen. Trustee Chessler stated that we conduct our own hearing and will make a transcript and have these records part of that hearing. Trustee Chessler stated that as part of that process will ask Mr. Goist if there are any comments that he would like to make in speaking in favor of the zone change.

Mr. Goist made a brief explanation in favor of this zone change request.

Trustee Chessler inquired if there was anyone else in the audience that would like to address the Board with comments in favor of the zone change; seeing none, inquired if there was anyone in the audience with comments in opposition to the zone change. Trustee Chessler stated that he would like to make part of the record of our hearing tonight and point out some of the comments that Stark County Regional Planning Commission had made in their recommendation to us. Trustee Chessler read aloud an excerpt from the RPC's approval recommendation in Mr. Goist's Case Number: PE-01-17:

It is generally recommended that zoning schemes follow a gradual transition based on the intensity of permitted land uses. Should the township decide to rezone the property to R-2, RPC (Regional Planning Commission) staff would suggest the township also rezone the surrounding area to protect the residential homes from the potential incompatible uses permitted in an industrial district.

Trustee Chessler stated that he did not read the Zoning Commission transcript verbatim, but inquired of Mr. Goist if there was any discussion of that. Mr. Goist stated yes. Trustee Chessler indicated that the concern of Regional Planning was that the remaining area that is zoned industrial could be used for industrial purposes and that could adversely affect Mr. Goist's property and other properties surrounded there used for residential purposes.

Trustee Haines relayed that they (Regional Planning Commission) were making the consideration for the future in that possibly fifty years down the road, if something happens to that land and all of a sudden, somebody from the family sells this, you then would have rural homes sitting in the middle of all the surrounding industrial land. Regional Planning is inquiring if there should be a recommendation to make all of that residential versus industrial.

Trustee Chessler referred to the map before the Board and indicated that the map shows that the zoning on the books and all of the blue or purple (shaded on the map) is zoned industrial. Trustee Chessler stated that Mr. Goist's request is for this and indicated that it will then be shaded yellow. Trustee Chessler again referred to the map and stated that their concern is that all the remaining blue (shaded area) could be used for someone for industrial purposes, literally right next door. Trustee Chessler added that this is why they are asking us to consider changing more of this land in this area to be compatible with this use; adding that would eliminate the worry about this in the future. Mr. Goist made a comment (not audible). Trustee Chessler inquired of Mr. Goist if he thought anyone would oppose that zone change of making it residential. Mr. Goist made a comment (inaudible). Trustee Chessler asked Zoning Inspector Cugini if he could check into this regarding taking the Regional Planning recommendation to the next step and see what would be appropriate, to possibly square this off.

Zoning Inspector confirmed this request and referenced Item #6 of Regional Planning's recommendation; there is actually 650 acres in that area that they recommend that we rezone to R2. Mr. Cugini read aloud Item #6 recommendation of the Regional Planning Commission:

6. In 1986, when the 84.5 acres to the north was rezoned to R-2, RPC recommended approval provided the surrounding industrial area was planned for rezoning also. Since 1977, RPC has recommended that Perry Township rezone the area generally bounded by SR 30 on the north, the Massillon City Limit on the east and the Township boundary on the south and west, an approximately 650 acre area, from industrial to residential.

Zoning Inspector Cugini relayed that he could make known that informally, the Zone Commission had a discussion and thought it would be a good thing to further investigate changing this land from industrial to R2 to preserve the residences around there from having problems if industrial was built on that land.

Trustee Chessler verified of Law Director Hall if that was the proper domain of the Zoning Commission to initiate those types of changes. Mr. Hall stated yes and added that it can come from this Board, from the Zoning Commission or from the landowner. Mr. Hall stated that based on the history of this, he recommends giving this back to the Zoning Commission. Trustee Chessler stated that not knowing the other Board members' preference, he would prefer the Zoning Commission do the diligence that's necessary to try and project future land uses and make a recommendation and initiate that zone change. Law Director Hall stated that he agreed.

Trustee Haines verified of Mr. Goist if he was okay with that. Mr. Goist stated yes. Trustee Haines confirmed that the Board would approve this for tonight to enable Mr. Goist to continue with his project.

Trustee Chessler made a motion that the Board adopt the recommendation of the Zoning Commission to approve the zone change as requested; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Communications:

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business: None.

New Business:

Trustee Chessler made a motion to approve bills in the amount of \$22,546.66 for the week ending May 9, 2017, and bills and payroll in the amount of \$221,378.87 for the week ending May 16, 2017, for a combined total of \$243,925.53; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Fiscal Officer:

Administration:

Consider Koby Electric Quote Not to Exceed \$2,665 for Hartwick Park Electrical Improvements as Donated by Rotary of Perry Township

Trustee Chessler stated that Administrator Fetzer has provided the Board with estimates for the installation of electric service at the Hartwick Park Pavilion. Trustee Chessler indicated that we have a quote from Koby Electric and one from J.W. Didado Electric. Trustee Chessler verified of Administrator Fetzer that other than the terms of their outlines, was there anything else we should know about Koby Electric other than it is a lower quote. Administrator Fetzer stated no and added that they both came out and gave an expanded thoughts recommendation and Koby was the most reasonable. In addition, Administrator Fetzer indicated that Koby Electric was the originator of the installation there.

Trustee DeChiara inquired if there was any lighting involved with this quote or if it was for electrical upgrades only. Administrator Fetzer confirmed that the quote was for electrical upgrades only.

Trustee Chessler verified that these monies were in- fund from the donation of the Perry Township Rotary. Administrator Fetzer confirmed that was correct.

Trustee Chessler made a motion that the Board accept and enter into an agreement for the installation of electric service at Hartwick Park with Koby Electric for a cost not to exceed \$2,665; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Consider ODOT Authorized Road Closing for the Perry Rotary Patriots Parade

Trustee Chessler indicated that we have received notification from ODOT regarding our request for the parade day, May 27, 2017, and asked if Administrator Fetzer would give more detail on this matter.

Administrator Fetzer stated that the Perry Rotary Patriots Parade would be taking place for the very first time this year and added that the Perry Township Rotary would be sponsoring this event. Administrator Fetzer relayed that we will have our Police Department on hand to make sure that everything operates safely and will give the proper notifications per the Board's Community Events policy. Administrator Fetzer indicated that the parade will line up at the recycle station next to the Administration office on Saturday, May 27, 2017 at 10 am with step-off at 11 am; the parade route will continue down Austin Avenue to Lincoln Way with a right on Genoa Road, a left on 13th Street and will conclude at Edison Junior High.

Fire Department:

Consider Authorizing the Fire Department to Extend an Offer of Full Time Employment to a Current Candidate on the Eligibility List

Trustee Chessler indicated that Fire Chief Martin has submitted a memo to the Board requesting that the Board authorize the Fire Department to extend an offer of full-time employment to a current qualified candidate on the eligibility list. Trustee Chessler asked Chief Martin to please outline the details of this matter.

Chief Martin stated that their goal has always been to put five full-time fire medics per shift. Chief Martin stated that currently, two of the shifts are at four and one shift is at three because of an illness on the shift. Chief Martin stated that he would like to extend an offer to this candidate so that he can bring the shifts up to staffing; that would give us one shift with five and the other shift with four, with that other person coming back hopefully soon. Chief Martin stated that we will still need to do two additional hirings moving forward, but added that at this point in time, he was not ready to make a recommendation on two more hirings.

Trustee Chessler inquired if this eligibility list and the offer we are extending and the terms of employment are all outlined in our Collective Bargaining Agreement. Chief Martin confirmed yes.

Trustee Haines inquired how many more candidates we had on the eligibility list and further inquired when we will have to retest for this.

Chief Martin indicated that one candidate is a medic, but there is also a candidate that is not a medic at this point and time but added that he did not think that this candidate would be a candidate in time where we could make an offer to that individual. Chief Martin further added that we will probably have to come back to the Board to be able to discuss an option to find at least one more candidate and maybe even two.

Trustee Haines inquired if we may have to do a whole test over; Chief Martin stated that could be and stated that those are options we have, but indicated that we are not bound to give a competitive examination for entry.

Trustee DeChiara stated that he would like to see us get a list of who is eligible; Trustee Chessler relayed to Chief Martin that we have a request for the list. Trustee DeChiara inquired if Chief Martin would update the Board on the list.

Chief Martin stated that he can provide a list of names but added that he would like to move forward with the hiring of this candidate.

Trustee Haines verified of Chief Martin that this is the only candidate that meets all of the requirements at this point. Chief Martin confirmed yes.

Trustee Haines also verified of Chief Martin if the rest of the individuals on the list were ones that did not achieve high enough on the test. Chief Martin stated that one is a current medic and the other one is not a medic at this time. Chief Martin stated that there are two medics, technically, but added that he wanted to extend an offer to the one medic. Trustee Haines verified that was fine and addressed Trustee DeChiara by asking unless he would want to see the list. Trustee DeChiara indicated that he

would like to table this until we get a little more background on this and then go from there. Trustee Haines stated he was fine with this. Trustee Chessler inquired if there was a motion to that effect.

Trustee DeChiara made a motion that we table the hiring of the Fire Department until we get an updated list from the Chief and we will go from there; Seconded by Trustee Chessler.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Trustee Chessler verified that we will have this matter on the Agenda for the next regular meeting.

Trustee Chessler stated that the next item has come about quite recently, within the last 24 hours, and added that he has traded communications with the Fire Chief about a tragedy that they were both made aware of through the Akron newspaper in the City of Akron. Trustee Chessler indicated that they thought it would be appropriate at this time to call attention to that and to shine some light on what we think is a very important issue in light of that tragedy. Trustee Chessler stated that he would like to read some remarks that the Chief has kindly provided and added that he thinks it expresses well on behalf of the Township.

In the early morning hours of Monday, May 15, the City of Akron experienced a heart wrenching tragedy; seven people perished in a residential structure fire. The loss of life included two adults and five children. We want to express our deepest sympathies to the families and first responders affected by this tragedy. While the investigation is still evolving, we feel compelled to remind our residents of the importance of protecting their homes with working smoke alarms.

Every year, nearly 3,000 Americans die in home fires and more than 75% of the fire related deaths in Ohio occurred in homes with no working smoke alarms. In Ohio, cooking is the leading cause of residential fires and smoking is the leading cause of residential fire deaths. Many individuals do not realize that a fire doubles in size every 45 to 60 seconds; the best chance for escape is with the smoke alarms early warning. Working smoke alarms cut the risk of dying in a fire by half; smoke alarms should be installed in every bedroom, outside each sleeping area and on every level of the home, including the basement. Larger homes may need additional smoke alarms to provide enough protection. Working smoke alarms save lives.

Perry Township firefighters have been instructed when in a house for any type of run, and time and circumstances are appropriate, to offer smoke alarms and installation to any resident. As community leaders, we read about fire deaths everyday that could have been prevented by a working smoke alarm. We always wonder why so many people ignore something so important. Perry Township firefighters take a public oath to protect the citizens of Perry Township from fire; the most efficient and effective way is to make sure that working smoke alarms protect every household. The Perry Township Fire Department will install smoke alarms in your residence at no cost to you. Fire Department personnel will install smoke alarms that are powered by a 10 year, lithium battery that is

sealed in the smoke alarm; there is no need to change the battery; at the end of 10 years, you simply throw the entire smoke alarm away and install a new one.

To have smoke alarms installed in your residence, you only need to meet “one” of the following conditions:

1. Your residence currently has no working smoke alarms
2. The smoke alarms in your residence are older than 7 years
3. You do not have smoke alarms on every floor
4. You do not have smoke alarms in every bedroom

If you want the Perry Township Fire Department to install smoke alarms in your residence, please contact the Perry Fire Department Administration at 330-833-3865 or visit www.perrytwp.com and access the Fire Department tab to request smoke alarm installation.

Trustee Chessler thanked Fire Chief Martin very much for those cautionary words and added that if we could, would like to ask our friends in the newspaper to help us with getting this word out and reminding people, ad nauseam if necessary, of the importance of smoke alarms. Trustee Chessler also indicated that if we could please put this in a prominent place on our Township website to get the greatest exposure.

Smoke Alarm Program

Trustee Chessler indicated that Fire Chief Martin has brought, as visual items, the smoke detectors that we mentioned earlier; at no cost, they can be installed in your home if they are less than seven years old and you don't have them on every level, this is a life saving device.

Trustee Chessler stated that another thing we are doing in our Fire Department, also thanks to Chief Martin for this program, are the reflective address markers that will help our services help residents in the event of an emergency; when it is dark out and your house is back off the road; if there is shrubbery in the way, these provide a very visible beacon in the night for our safety forces to be able to find the right house in the shortest amount of time. Trustee Chessler also indicated that the township fire personnel will come to the residence and install them and they are free of charge. Trustee Haines added that these are free based on a grant that the Fire Department has received.

Police Department:

Road and Park Department:

Consider Approval of 2017 Program Startup Grant/Recycle Site

Trustee Chessler stated kudos to Road Superintendent Masalko and Renee' Schalmo for their diligent work in seeking and obtaining a \$2,000 startup grant recycle/site grant to improve the recycling site at the Road Department. Trustee Chessler stated that we are awarded and we are being asked tonight to accept \$21,641.00 which will be used to pave 5,100.10 square feet of our recycling site along with two (2) surveillance cameras. Trustee Chessler stated that this grant is so nice because it requires no

matching funds from the Township and added that the terms of the grant are contained in a several page document.

Trustee Chessler made a motion that the Board gratefully accept and approve the grant of \$21,641.00 from the program startup grant/recycle site of Stark-Tusc-Wayne; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Consider Approval of 2017 Diesel Emission Grant

Trustee Chessler stated that again, gratitude is owed to Road Superintendent Masalko and Renee' Schalmo and the Road Department because we are being asked to approve a 2017 Diesel Emission Grant which will supply the Road Department with two new Class 5 diesel utility trucks. Trustee Chessler stated that we applied for a \$112,615.40 grant and we were awarded 75% reimbursement funds which come to \$84,461.55; we are required by the terms of this grant to come up with a 25% match which amounts to \$28,153.85 and there is also a written agreement specifying the program and grant terms that we are being asked to approve.

Trustee Chessler stated that for purposes of discussion makes a motion that we approve and accept this grant; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Trustee Chessler inquired of Fiscal Officer Schlegel if the money and funds were available to accept this. Mr. Schlegel confirmed yes.

Trustee Haines inquired of Road Superintendent Masalko if these two vehicles would be replacing four (vehicles) and further inquired if then four vehicles would have to come out of service. Mr. Masalko stated no and added that they would be for the replacement of two vehicles. Mr. Masalko gave further explanation as to the change of wording for the grant terms.

Trustee Chessler asked for the previous motion and second to motion be withdrawn and makes a motion that subject to the Board confirming the vehicles that are involved coming out of service, that we will authorize the Road Superintendent to enter into the agreement; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Consider the 2017 Paving Program

Trustee Chessler stated that this next item is the item that we added to the Agenda; the Board previously received a spreadsheet that outlined the streets, the length of street, the thickness and the itemized cost for those and at last meeting, there were some questions and we did not want to go forward with approving the list as submitted and this is up for discussion again tonight.

Trustee DeChiara stated that he would like to ask about 14th St. SW. Road Superintendent Masalko gave a brief explanation regarding paving 14th St. SW/Bletzer Ave. from Perry Dr. SW to 13th St. SW. More

discussion took place regarding the paving budget and whether or not any other street would be able to be paved this year. Road Superintendent Masalko confirmed no.

Trustee DeChiara inquired if there was money set aside in the Road Department budget for the county match program should the need arise. Trustee Haines indicated that is where we have gotten into trouble with the road paving; when the opportunity for certain grants come up, these monies get pulled out of the paving budget. Trustee Haines stated that we have to be more cognizant of those (grant opportunities) in the future since it does affect our paving.

Trustee DeChiara indicated that is where the \$28,000 is coming from (the above stated 25% match for the 2017 Diesel Emission Grant) and added that it's hard not to take that when we're getting \$84,000, but added that is really stretching the money. Mr. Masalko agreed and added that that he did not see any additional drainage projects in the foreseeable future that would require us to match funds with the county. Trustee Haines added that he felt we should keep this in mind for 2018; Trustee DeChiara agreed.

Fiscal Officer Schlegel stated that he wanted to note that the last payment on our loan will be in 2018. Mr. Schlegel stated that this loan is \$180,000 and once paid, will free up \$180,000. Trustee DeChiara verified that we will then have \$180,000 more to pave with. Road Superintendent Masalko confirmed yes.

Trustee DeChiara inquired of Road Superintendent Masalko if the (road) levy would be up in 2018 or 2019. Mr. Schlegel stated that it actually runs through 2019, but added that it can actually be put on the ballot in November of 2018.

Road Superintendent Masalko stated that he wanted to indicate that the OPWC project they were doing on 4th Street will be paved and so will part of Manor and Pleasant Hills and added that could also be added to the paving list for this year.

Trustee DeChiara stated that he thought we got turned down for that grant. Mr. Masalko indicated that we got turned for the block grant, but then had to up our match on the OPWC grant to cover that. Trustee Haines inquired if that was about one half of a mile; Road Superintendent Masalko stated yes, it was about one half of a mile.

Trustee Chessler indicated that the process the road department employs every year is to try and do the worst first. Mr. Masalko stated that was correct. Trustee Chessler inquired if we could assure our residents who may look out at the end of their driveway and see some potholes or worn street surfaces that these streets that we're paving this year are that bad or worse. Mr. Masalko stated they are.

Trustee Chessler stated in reference to the written information provided by the Road Superintendent on the proposed streets to be paved this year with our paving budget, I will make a motion that the Board approve the list as submitted; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Law Director:

Consider Mr. Dedmon's Request to Vacate Road

Trustee Chessler stated that the Board had previously received a request from one of our residents to vacate an unmanned and unconstructed road and we are identifying this with the Parcel #: 43-07932 and 43-07933. Trustee Chessler stated that our Law Director has reviewed this and provided a written resolution to approve that; we have also asked our Fire Chief and Police Chief and Road Superintendent to view the area and make a determination that this will not affect the provision of safety services or cause traffic or a roadway problem and that is the case for this future roadway. Trustee Chessler stated that for the benefit of the audience, we still have many areas that if you look on a map it shows that a road is laid out to be there, but it was never constructed; we call those paper streets; they exist on a map, but a lot of these may run right in the middle of where a house sits right now because homes were constructed over these areas. Trustee Chessler stated that from time to time this comes up when someone wants to build something or use that land for another purpose and we will get a request from a homeowner to vacate or take away the public use rights on that land. Trustee Chessler stated that the Board has no authority to grant that request. What the Stark County Commissioners do, and they will look to us for recommendation, so we have asked our Department Heads to make sure that this is a valid request and it seems to be; the Law Director has prepared a written resolution.

Trustee Chessler made a motion that based on the information that we have, we recommend to the Stark County Board of Commissioners that the vacation be approved for an unnamed and unconstructed road between Parcels #43-07932 and #43-07933; Seconded by Trustee DeChiara.

Trustee Chessler inquired of Law Director Hall if everything was in order for this request. Law Director Hall confirmed, yes it is.

Trustee Chessler inquired if we could have a copy of this resolution forwarded to the Stark County Commissioners. Administrator Fetzer confirmed yes.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Zoning:

Consider Approving the Lowest and Best Bid from CRS Contracting for Demolition of 3600 Bailey Avenue NW

Trustee Chessler stated that the Board has been made aware on several previous occasions of the condition of a house whose address is 3600 Bailey Avenue NW. Trustee Chessler requested Zoning Inspector Cugini to please walk the Board through the steps of the efforts he has made to get the approval to have this fire damage structure demolished.

Zoning Inspector Cugini indicated that at the April 11, 2017 Board of Trustees meeting a resolution was passed by the Board declaring the 3600 Bailey Avenue NW structure a public nuisance and it authorized the Zoning Department to serve official notice to the owner and the lien holder of our intentions to

demolish the house and also, to authorize the Zoning Department to seek three (3) bids for the demolition of said house. Mr. Cugini stated that on April 12, 2017, a notice was sent to Seth Kimball McGary whose is the noted owner of the property and also Ryan Construction who was a lien holder of the property. Mr. Cugini stated that any owner or lien holder had thirty (30) days to appeal or to write to our Fiscal Officer for a hearing if they did not agree with this. Zoning Inspector Cugini stated to date, we have not received an appeal so we would like to move forward with the demolition to abate this nuisance. Mr. Cugini stated that CRS Contracting was the lowest and best bidder at \$8,800 and will ask the Board to approve this to be able to move forward with the demolition.

Trustee Chessler stated that he will also note that we did solicit and receive two (2) other quotes, one from Cottrill Wrecking and one from Butcher and Sons which were in amounts higher than the \$8,800; this is the lowest and appears to be the most responsive and best bid for the work and they have submitted a written proposal.

Trustee Chessler made a motion that the proposal from Commercial and Residential Services general contracting company for demolition of the structure located at 3600 Bailey Avenue NW be accepted at a cost not to exceed \$8,800 for the demolition of that property; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Trustee DeChiara inquired of Law Director Hall if it was possible in regard to the owner of this property who lives in Utah for the Township to sue for the \$8,800 and if it was possible or worth it to try and get our money back. Law Director Hall stated that it is possible, but added that after we get everything done and we know the final tally, he will come back to the Board for a recommendation as far as pursuing this to recoup these monies.

Trustee DeChiara stated that we do not know this individual's financial background; Mr. Hall stated that one problem is that since the owner lives so many states away, it further complicates the situation. Trustee Chessler stated that we will certify the costs as a lien on the real estate. Mr. Hall stated that the statute also allows the Board not only to certify but to pursue rather than simplify.

Consider Accepting Lowest and Best Bid from Waikem Auto Group for Purchase of a New Truck for Zoning Department

Trustee Chessler stated that this next item on the Agenda is a matter the Board previously discussed individually with Zoning Inspector Cugini. Trustee Chessler stated that the Board had requested Mr. Cugini to provide quotes to purchase a vehicle that would be dedicated for the use of the zoning officials. Trustee Chessler referred to the quote from the Waikem Auto Family, attached before the Board, and asked Mr. Cugini to please outline the terms of this quote.

Zoning Inspector Cugini stated that this information was previously brought before the Board, but was removed from the Agenda due to the information that there was no state minimum bid for the proposed zoning vehicle. Mr. Cugini stated that several more bids were also solicited for a comparable vehicle. Mr. Cugini stated that this is for a 2017 F-150 Ford Regular Cab, 4x4. Waikem's bid was:

\$21,698.56; a bid from Progressive Chevrolet for a Dodge truck in the amount of \$23,537.50; and Liberty Ford priced the same truck as Waikem in the amount of \$22,184.64. Mr. Cugini stated that there will also be a title/filing fee in the amount of \$15.00 and a charge for a 45 day tag in the amount of \$18.50.

Trustee Chessler stated that based on the information provided makes a motion that the Board approve the resolution to authorize the purchase of a 2017 F-150 Regular Cab XL 4x4 truck vehicle from Waikem Auto Family at the quoted price of \$21,698.56 and the other ancillary charges connected with the purchase; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Consider Grass Mowing Contractors Rotation List

Trustee Chessler stated that it is that time of year again when we are looking to mowing companies in the area to assist us in keeping the Township looking good; we have regularly over the past several years sought applications and supporting documentation from different mowing companies to review and approve to do the work that is necessary at this time of year for those who choose not to mow their grass. Trustee Chessler indicated that we have four (4) companies that have submitted information that has or will be approved after review by our Law Director; these companies would be used on a rotating basis and we have set the rate of compensation at \$40.00 per hour, submitted and paid on invoice. Trustee Chessler inquired of Zoning Inspector Cugini if there was a Worker's Comp issue with one of these companies. Mr. Cugini stated that there is a Worker's Comp issue with three (3) of them; they did not provide their worker's comp and after further review by our Law Director, he determined that there was not the necessary Worker's Comp certificate in with their packets. Mr. Cugini stated that he is asking the Board to approve them subject to them submitting their Workers Comp certificates.

Trustee Chessler verified of Law Director Hall if he would find that provisional acceptance tonight. Mr. Hall stated that he had discussed this in length with Mr. Cugini and added that he has already been in contact with the non-complying contractors so once that information is provided, they will be included on a rotation basis.

Trustee Haines verified that there was only one remaining contractor on the rotation list (of the four companies submitted with all pertinent documentation). Mr. Cugini stated that was correct.

Trustee Chessler stated that based on the information that has been submitted, makes a motion that subject to any and all compliance issues and approval by the Law Director, we will accept the offers from the contractors on a rotating basis for 2017 for our mowing requirements; those four (4) contractors being:

- Invision Landscaping
- Gino's Lawn Service
- Grow & Mow, Inc.
- Marcelli's Lawn And Landcare

Seconded by Trustee Haines. Trustee Chessler verified of Zoning Inspector Cugini if there were any other copies of requirements.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Problem Properties

Trustee Chessler requested that Zoning Inspector Cugini please give a brief update on the properties listed this evening:

142 Elizabeth Ave. SW
308 Highland Ave. SW
500 Bernower Ave. SW
215 Westland Ave. NW

Zoning Inspector relayed that the above stated properties appear to have been abandoned and indicated that they are properties that the Zoning Department has to continually mow and maintain. Mr. Cugini indicated that in the last several years, these four (4) properties have cost the zoning department assessments in the amount of \$10,400.83. Zoning Inspector Cugini stated that this matter is on the Agenda tonight upon the recommendation of Trustee DeChiara to discuss the possibility of requesting the county to foreclose on these properties and possibly allow the adjacent property owners to purchase these properties.

Trustee DeChiara briefly relayed that to have an ongoing expense regarding these properties is wasteful. Trustee DeChiara stated in regard to the above stated property at 308 Highland, the owner of the property is deceased, the bank does not want the property so the Township is stuck with the bill (of mowing) and the neighbors are stuck with an eyesore. Trustee DeChiara inquired of Law Director Hall if there was a way that the Township could force these properties into foreclosure.

Law Director Hall indicated that the Board can initiate foreclosure action on the lien. Mr. Hall stated that the problem is that you are going to incur an additional \$1,500-\$2,000 in court costs and certification fees. Mr. Hall briefly explained this process and more discussion took place regarding this matter.

Motion to Increase the Weekly Cash on Hand Amount for Change in the Zoning Drawer from \$25 to \$100

Trustee Chessler inquired of Law Director Hall if this matter was something the Board should do by resolution; Mr. Hall indicated yes.

Trustee Chessler made a motion that the Board, by resolution, authorize the weekly cash on hand amount for the change in the zoning drawer increase from \$25 to \$100; Seconded by Trustee DeChiara.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Executive Session(s):

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department:

Trustee Chessler stated that the Board has a Proclamation in acknowledgement of Police Week and indicated that Congress and the President of the United States has designated May 15th as Peace Officers Memorial Day. Trustee Chessler read aloud this Proclamation.

Police Chief Pomesky stated that we are very fortunate in our agency to have the officers that we do and commended the members of our police force.

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Announcements:

~The HERO HUNT . . . not your mama's egg hunt! Friday, May 26th from 9:00 pm to 11:00 pm. Details at www.operationflagsoffreedom.com or Eventbrite.com

~The Perry Rotary Patriots Parade (11:00 am) immediately followed by Patriots in the Park—Community Events (noon to 4:00 pm) in conjunction with Operations Flags of Freedom—Memorial Day Weekend Event details at www.perrytwp.com

~Perry Township Fire Department – HERO 5k Run-Walk on Memorial Day – May 29, 2017 – starts at 8:30 am at Perry High School www.runsignup.com

Public Speaks-Open Forum:

Joe Maio, 1036 Norwich Ave. NW, Massillon – Mr. Maio stated that he was here at the last meeting (May 2, 2017) and indicated that his issue was regarding the garbage trucks coming so early in the morning. Mr. Maio stated that he wanted to thank the Board since the garbage pickup didn't come until 9 am this month. Mr. Maio stated that he also wanted the Board to consider using one garbage company and take bids for this. Mr. Maio stated that this would cut down on traffic and reduce the heavy load damage done to the streets.

Trustee Haines indicated that he spoke with Deputy Robinson with the Stark County Sheriff's Office and added that he has the portable scales and handles all the overweight trucks for the county. Trustee

Haines relayed that they have proposed that these scales be utilized throughout the Township to demonstrate that the Township is weighing trucks and would indicate that we care how much weight is being carried. Trustee Haines stated that Deputy Robinson has indicated that trucks can weigh anywhere from 58,000-86,000 pounds; 86,000 pounds is an overweight amount for our streets.

Trustee DeChiara relayed that the Board has been looking into getting a preferred trash company that may offer a better rate and look at more details regarding this possibility.

Mr. Maio stated that he looks at this as a protection of our roads; more discussion took place regarding this matter.

Shannon Dedmon – 4404 Richville Dr. SW – Mr. Dedmon inquired what Step 3 was and asked if he had to go to the county meeting. Trustee Chessler stated that this was a very good question and explained that we will have that written resolution that was passed tonight sent to the County Commissioners and they will have to schedule it for a viewing and a hearing and they (County Commissioners) will advise you of the date of that hearing. Trustee Chessler added that they will have a hearing that day; before they do the hearing, the Commissioners will go out and view the area and then the hearing is after that. Trustee Chessler added that usually we have a representative of the Board present and stated that he would appear on behalf of the Board and voice our preference that this be approved.

Trustee Chessler stated that he finds no reason that this wouldn't be approved. Trustee Haines stated that once the process is started, it usually goes right on through.

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:12 pm; Seconded by Trustee Chessler.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, yes. Mr. Haines, yes.

Craig Chessler, President

Joe Schlegel, Fiscal Officer