

Perry Township Board of Trustees

Regular Meeting

October 18, 2016 7:00 pm

Call to Order/ Pledge of Allegiance:

Excused absence:

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Step II Pay Rate Grievance

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) to include the Board, Fiscal Officer and Law Director; Seconded by Trustee Chessler.

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

The Board adjourned into Executive Session at: 7:01 pm

The Board adjourned from Executive Session at: 7:26 pm

Trustee Chessler made a motion that the Board had conducted the Executive Session on matters involving Collective Bargaining; the local had requested that this be conducted in Executive Session; the parties agreed that the Board will have until its regular meeting scheduled for November 1, 2016 to render a decision on this matter; Seconded by Trustee Haines.

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

Communications:

Public Speaks on items up for Board Approval:

Township Business requiring Board Action:

Unfinished Business:

New Business:

Trustee Haines made a motion to approve bills in the amount of \$77,587.09 for the week ending October 11, 2016, and bills and payroll in the amount of \$146,402.10 for the week ending October 18, 2016 for a combined total of \$146,402.10; Seconded by Trustee Chessler.

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

Fiscal Officer:

Consider Setting Street Lighting Hearing Date

Fiscal Officer Schlegel stated that as the Board is aware, we were approached and the petition was circulated for a street lighting district on 9-29-16; it is on Glenhurst and Saratoga; a hearing must be set no more than 30 days after the notification; hearing to be set for Tuesday, November 15, 2016.

Fiscal Officer Schlegel stated that the light is going to cost \$11.73 per month; two people have signed the petition. The next step after this would be to deliver copies to every landowner at least 15 days prior to the hearing and will also be published in the newspaper.

Trustee Haines made a motion that the Board set the hearing for the Glenhurst/Saratoga lighting district for November 15, 2016 regular meeting; Seconded by Trustee Chessler.

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

Trustee DeChiara inquired if for future lighting districts including this one, would there be a possibility that the lights could be LED lighting and then it would therefore give the residents a lower monthly rate. Mr. Schlegel stated that would be something to contact AEP or the electric supplier about.

Consider Approving October 4, 2016 Meeting Minutes

Trustee Haines made a motion that the Board approve the October 4, 2016 meeting minutes; Seconded by Trustee Chessler.

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

Consider Approving Millage for 2017

Fiscal Officer Schlegel stated that he is requesting the Board's approval for the passage of the 2017 millage.

Inside Millage:

- **General Fund (.10) \$ 51,251.00**
- **Road and Bridge (1.50) \$ 764,595.00**

Outside Millage:

- **Fire Fund (4.90) \$2,393,936.00**
- **Police Fund (7.39) \$3,347,444.00**
- **Road Fund (3.00) \$1,079,931.00**
- **Total (16.89) \$7,637,157.00**

Trustee Chessler stated that based on the mill ages presented by the Fiscal Officer, makes a motion that the Board accept those mill ages as stated for the upcoming 2017 fiscal year; Seconded by Trustee Haines.

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

Administration:

Consider Hammontree & Associates Proposal for Meredith Park Pavilion Services

Administrator Fetzer stated that the Board had previously submitted a grant application to the Ohio Land and Water Conservation Fund and was authorized and approved for a 20 x 30 construction of a pavilion at Meredith Park. Administrator Fetzer stated that this is a partnership of three entities, State of Ohio, Perry Youth Soccer and Perry Rotary. From the three (3) construction quotes submitted, the Board authorized Dave Riggs Construction in July to begin construction of the pavilion at their earliest possible date. Upon the submission to the Stark County Building Department of the plans for the permit, Mr. Riggs indicated that it was determined that a stamped architectural drawing and specifications would be needed before the permit would be issued. The Township contracted the services of Sara Stucky Sayner for the drawing and specifications; however upon re-submittal of the permit, it was denied based on the fact that two (2) additional items were required: a handicap Port a Jon at Meredith as well as a civil design and survey proposal for grading and an ADA walkway to the pavilion.

Administrator Fetzer stated that the handicap Port a Jon matter has already been addressed and we have obtained a quote from Hammontree & Associates for the services of the civil design survey and grading which will satisfy the Stark County Building Department requirements. Acceptance Proposal letter from Hammontree is attached before the Board in the total amount of \$5,000.00. This outlines the partial topographical survey and base mapping as well as the Stark County Regional Planning submittal, if needed, in addition to the grading and walkway plan explanation.

Administrator Fetzer stated that the Law Director has also reviewed the standard terms and agreement from Hammontree and is requesting the Board to consider the approval of services from Hammontree and Associates.

Trustee Haines inquired of Administrator Fetzer if Mr. Riggs was successful in seeing if we moved the pavilion closer to the parking lot, if any of this could change. Administrator Fetzer stated that this was not successful.

Trustee Chessler verified of Administrator Fetzer that the proposal from Hammontree is contained in the letter from them dated October 12, 2016 and submitted by Jennifer Shumacher as an itemized listing for the description of services and corresponding fee for those which totals \$5,000.00; this is the total amount to be approved by the Board. Administrator Fetzer confirmed that was correct. Trustee Chessler stated that he does not want to voice any objection to this matter, but verified of Fiscal Officer Schlegel of the impact this has on our General Fund at this late date in the year.

Fiscal Officer Schlegel confirmed this would be satisfactory. Trustee Chessler also verified of Law Director Hall that his question of since we have contractually approved the project, but the approval of the amount could change order to that, would it be appropriate for the Board to do that by resolution. Mr. Hall confirmed yes.

Trustee Chessler made a motion that the Board accept the proposal by Hammontree & Associates for the civil site design approving the proposal for Meredith Park Pavilion, the grading and ADA walkway in the amount not to exceed \$5,000.00; Seconded by Trustee DeChiara.

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

Trustee Haines briefly remarked that we thought we were doing a good deed here; everybody came together to build this and then when you get to the end, through no fault of ours, you run into these types of snafus and it is disappointing, but we have to do it.

Fire Department:

Consider Accepting the Resignation of Part Time Firefighter-Paramedic Marc Taylor

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/paramedic Marc Taylor effective Monday, October 24, 2016. Chief Martin indicated that Marc has secured a full-time position with Jackson Township Fire Department and he feels that he longer can meet the minimum requirements of the department; his resignation letter attached before the Board.

Trustee Chessler made a motion that the Board accept the letter of resignation from Marc Taylor for resignation effective October 24, 2016; Seconded by Trustee DeChiara.

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

Police Department:

Road and Park Department:

Consider Authorizing a Small Claims Lawsuit

Law Director Hall indicated that under his advisement, the Road Department is requesting the Board for the authority to file two (2) small claim action lawsuits through the Massillon Municipal Court, Small Claims Division; the first one to be against Dan Dager, 259 Manor Ave. NW, Canton in the amount of \$120.00 and the second one against Michael J. Bechtel, owner of Bechtel Lawn Mowing Service in the amount of \$226.78, both for delinquency of payment. Mr. Hall gave a brief explanation of each circumstance.

Trustee Haines inquired of Law Director Hall regarding the matter of the homeowner, delinquent amount of \$120.00, if the homeowner's taxes could be assessed. Mr. Hall stated no, not in this

situation, but added that this would have to be done through the small claims and obtain a lien and go through that process.

Trustee Haines inquired if we would even recoup the \$120.00 amount by going through the small claims division. Mr. Hall stated that he felt confident that we would obtain the lien and in addition, for the court to order the debtor to pay the court costs. Trustee DeChiara inquired what the cost would be for the court fees. Mr. Hall stated that he believed the amount would be \$90.00.

Trustee Chessler made a motion that the Board authorize the Law Director, on behalf of the Township, particularly the Road Department, to pursue a small claims action as requested against Dan Dager, 259 Manor Ave. NW, Canton, Ohio 44708 in the amount of \$120.00 and against Michael J. Bechtel, owner of Bechtel Lawn Mowing Service in the amount of \$226.78; Seconded by Trustee Haines.

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

Law Director:

Zoning:

Problem Properties

Executive Session(s):

Trustee Chessler made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (5) to include the Board, Fiscal Officer and Law Director; Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 7:42 pm

The Board adjourned from Executive Session at: 8:03 pm

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department: None.

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Upcoming Events:

~Perry Township Trick or Treat will be recognized on Sunday, October 30 from 3:00 to 5:00 pm.

Public Speaks-Open Forum:

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:03 pm; Seconded by Trustee Chessler.

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

Doug Haines, President

Joe Schlegel, Fiscal Officer