

**Perry Township Board of Trustees**

**Regular Meeting**

**November 1, 2016 7:00 pm**

**Call to Order/ Pledge of Allegiance:**

**Excused absence:** Trustee Chessler

**Additions/Deletions to Agenda:**

Trustee Haines made a motion to delete the Agenda Items: **1.** Proposed MOU Response under Public Hearings/Invited Guests; **2.** Consider Joint Grant Application for Dispatch Consoles Upgrade under Administration. Trustee Haines also indicated an addition to the Agenda under Road and Park Department: Community Development Block Grant Discussion.

Trustee DeChiara inquired how much time the Board would have regarding the block grant discussion if no motions were passed this evening. Administrator Fetzer verified that this block grant opened October 31<sup>st</sup> and would end sometime in January. Trustee DeChiara seconded Trustee Haines motion.

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

**Public Hearings/Invited Guests:**

**Communications:**

**Consider Four Way Stop Request of Charles Collinworth**

Trustee Haines stated that the Board has received a letter from Mr. Charles Collinworth of 4846 Glenhurst St. SW communicating a request for safety with some four way stops. Trustee Haines indicated that he would restate and verify of Chief Pomesky and Road Superintendent Masalko that four way stops cannot be used to control speed. Road Superintendent Masalko indicated that if we do a study there, it would show that there is not an x factor that would even warrant signs. Trustee Haines inquired if there was any place in that neighborhood that would warrant the study of the whole neighborhood. Law Director Hall indicated that rather than request a study, we could ask the county engineer if a study would be worthwhile.

Trustee Haines stated that before going on to the next agenda item, wanted to confirm that there was a lighting district hearing to be on this evening's agenda and was not going forth, but wanted to make mention of this matter as a deletion.

Law Director Hall also verified that as mentioned to Administrator Fetzer, the Board does not need to take formal action regarding this matter, but let the minutes reflect that the majority of the applicants have withdrawn from the lighting district.

**Consider Road Sign Request of Erin Morabito**

Trustee Haines indicated that the Board received a letter dated October 24, 2016 from Erin Morabito, certified Nurse Practitioner that is a caregiver for Deborah Rohr residing at 336 Overmont Ave., Massillon, Ohio. The letter states that this resident is legally blind and both she and her husband are legally deaf. Trustee Haines indicated that the Nurse Practitioner is requesting a road sign be placed nearby indicating this. Road Superintendent Masalko indicated that the top portion of the pedestrian symbol signage is \$37.50 and the wording text is \$21.00. Trustee Haines asked if we could make this signage; Road Superintendent Masalko indicated that we could not.

Trustee Haines made a motion that the Board approve the purchase of a pedestrian sign indicating a deaf-blind resident is in close proximity for the corner of Overmont Avenue and Connecticut Street for a total not to exceed \$78.50; Seconded by Trustee DeChiara.

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

**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 \$99,806.97 for the week ending October 25, 2016 and bills and payroll in the amount of \$285,843.31 for the week ending November 1, 2016 for a combined total of \$385,650.28; Seconded by Trustee DeChiara.

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

**Fiscal Officer:**

**Consider Approving October 18, 2016 Meeting Minutes**

Trustee Haines made a motion to approve the October 18, 2016 meeting minutes; Seconded by Trustee DeChiara.

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

**Administration:**

**Fire Department:**

**Consider Accepting the Resignation of Part Time Firefighter/EMT Adam Fisher**

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/EMT Adam Fisher effective Monday, October 31, 2016. Chief Martin

indicated that Adam has taken on additional responsibilities with his full-time job and doesn't feel as though he will be able to meet the minimum requirements of the department.

Trustee DeChiara made a motion that the Board accept the resignation of Adam Fisher from the Fire Department effective Monday, October 31, 2016 and thank him for his time with the Department; Seconded by Trustee Haines.

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

### **Consider Construction Loan in the Amount of \$300,000 for Stations 2 and 3**

Fire Chief Martin stated that the Fire Department would like the Board to consider authorizing the procurement of the loan for \$300,000 from First Merit Bank for construction of the additions at Station 2 and 3. Chief Martin stated that as outlined in his memo to the Board, the approximate bid for both stations is \$400,000. Once that bid was accepted, he met with Fiscal Officer Joe Schlegel and looked for some possible funding opportunities as opposed to taking \$400,000 out of the budget all in one year. Chief Martin stated that what they agreed upon was a shared type of project to which we would borrow \$300,000 for five (5) years at an interest rate of 3.25% and also contribute \$100,000 out of the budget for 2017. Chief Martin added that if we were to take the loan for the entire five (5) years, we would pay \$32,765.15 twice a year on that loan over a five (5) year period, however, Chief also noted that at the end of 2017, depending on carryover, we could contribute to the principle as to what is considered a prepayment.

Chief noted in the example given in the referenced memo, if we did a \$50,000 prepayment every year, 2017, 2018 and 2019, the loan would be paid off at that point and we would pay not quite half of the interest which over a five (5) year period, is \$27,651.52. Chief Martin stated that he and Fiscal Officer Schlegel felt that this was a prudent way to go because you never know in any one year what type of capital expenditure you may have that you didn't initially anticipate; \$400,000 can be a significant chunk out of the budget that could put the fire Department in jeopardy at that point. Chief Martin stated that obviously in the past, there were times when the Fire Department was able to borrow some money from the General Fund, but the General Fund does not have that kind of money now should we have some type of Capital expenditure that we had not anticipated.

Trustee DeChiara verified of Fiscal Officer Schlegel and Chief Martin that this construction was planned for when the Department passed the levy a few years ago and verified that we have been also setting aside monies for this purpose. Chief Martin indicated that we did not set money aside because the levy monies did not come in until this year.

Trustee Haines stated that each year that the levy goes on, there is less carry-over because everything increases such as higher salaries, higher expenses, etc.

Trustee DeChiara indicated that he does not mind the loan and added that he is a little hesitant on having to pay interest since he does not like to do that. More discussion took place regarding this matter.

Trustee Haines inquired of Fiscal Officer Schlegel if this was similar to what was done with the Police Department. Mr. Schlegel stated that this would be a little different and gave a brief explanation in this regard.

Trustee Haines verified of Fiscal Officer Schlegel if fiscally, this was the right thing to do in reference to his and Chief Martin's discussion. Fiscal Officer Schlegel briefly indicated that it is not possible to know what type of unexpected expenditure that could possibly emerge. Trustee Haines inquired if we would know what our carryover would be for this year. Mr. Schlegel stated that we still have two months left in the year so it is too early to be able to indicate.

Chief Martin stated that it is not just an unexpected expenditure on any type of apparatus; we have 60 year old buildings that we are dealing with. Further discussion took place regarding this matter.

Trustee Haines made a motion that the Board approve the procurement of a \$300,000.00 loan from First Merit Bank for the construction of the additions of Station 2 and 3 not to exceed \$300,000.00 for five (5) years at the best fixed rate; Seconded by Trustee DeChiara.

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

Fiscal Officer Schlegel indicated that just so the Board is aware and since the Board has approved this, he will forward a letter to First Merit with copy made to the Board to set forth the motion to procure these monies. Trustee Haines thanked Fiscal Officer Schlegel and Fire Chief Martin.

#### **Police Department:**

##### **Consider Purchase of Body Cameras**

Police Chief Pomesky indicated that over the last several months, the Police Department has been researching body cameras and the most efficient way to implement these in day-to-day operations of the police department. Chief Pomesky stated that the Police Department is asking the Board's consideration to approve the purchase of body cameras for the patrol division from Digital Ally in the amount of \$24,904.65.

Chief Pomesky stated that it is his recommendation for this purchase through our OVI Enforcement and Education Fund.

Law Director Hall stated that for the minutes he reviewed the application and purpose of the fund and this would be a lawful expenditure from that fund.

Trustee Haines inquired of Chief Pomesky if the Sergeants and PD would wear these also. Chief Pomesky indicated that there will be times when we won't be able to have them on and gave a brief explanation in this regard.

Trustee Haines inquired of Chief Pomesky if new policy would have to be instituted regarding when they come on and how they are used. Chief Pomesky stated that everyone will have to do the new policy training, performance training and hardware training.

Fiscal Officer Schlegel stated that the Board does not have to make a motion on this since it will be coming out of the OVI Enforcement Fund and it is a lawful expenditure.

Law Director Hall confirmed that he suggested to Chief Pomesky that since this is new and will become a new policy within the department, to make sure the Board would be fully aware of what is happening.

Trustee DeChiara stated that he thinks that this is a good protection for the officers and the Township from liabilities, but inquired of Law Director Hall what the pros and cons were regarding this matter.

Law Director Hall stated that the negatives were if you have a policy and the officers were not properly following the policy as well as the downside is that videos do not give the complete picture and it is just one snippet, one tool, and one piece of evidence and this is the negative; people latch onto that one video; we have to be careful that the public and the department does not rely just on the video to make their case or where the situation warrants; good training within a department, but good public education through our community policing to make sure that the community understands that this is a limited tool just like any other tool in a police officer's arsenal.

More discussion took place regarding this matter.

#### **Consider Donation of Obsolete Equipment**

Police Chief Pomesky indicated that attached for the Board of Trustees' review and approval is a list of obsolete department equipment that is no longer needed. These items are currently located in the service bay of the maintenance garage. The items contained in this list are no longer of use to the department as they fit the older style patrol cars (Crown Vics) that have been removed from service. These items cannot be installed in the newer patrol cars that have been placed in-service.

Chief Pomesky indicated that he received a phone call from Chief Cimterman of the Amsterdam Police Department a few weeks ago expressing interest in these items to assist his agency citing fiscal constraints for his department. Chief Pomesky stated that it is recommendation to the Board to donate the listed property to the Amsterdam Police Department.

Trustee Haines indicated that this would be a good thing to be able to donate. Trustee DeChiara inquired if we have to do anything as far as the value and taking it out of inventory or has that all been done already. Mr. Hall stated that as soon as the Board passes this resolution, that accomplishes that; Mr. Hall cited the statute acknowledging this.

Trustee DeChiara made a motion that the Board authorize the Police Chief and the Law Director to donate our obsolete Police Department equipment to Amsterdam Ohio Police Department; Seconded by Trustee Haines.

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

Trustee Haines inquired of Fire Chief Martin if there was anything from the Fire-Department that would be obsolete or would be able to be donated. Trustee Haines stated that they would like to see if some

of the equipment in and around the bay areas of the maintenance garages would be able to be cleaned up so they would have more room out there.

#### **Consider Emergitech Annual Maintenance Agreement**

Police Chief Pomesky stated that attached for the review and approval of the Board is a copy of the Emergitech annual support and maintenance agreement in the amount of \$5,338.27. Chief Pomesky indicated that Emergitech is utilized as their internal records management system as well as for all of their mobile reporting terminals in the field, crime/crash scene drawing, property and evidence management/bar coding, and department inventory.

Trustee DeChiara made a motion that the Board authorize the Police Department to enter into an agreement with Emergitech for \$5,338.27 for the period of 12-1-16 through 11-30-17; this will be for software upgrades and maintenance; Seconded by Trustee Haines.

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

#### **Road and Park Department:**

#### **Consider Accepting Seasonal Weight Restrictions SCE**

Road Superintendent Masalko indicated that Jason Manson, Assistant Highway Engineer of the Stark County Engineer's Office has requested that we supply them with a list of Township roads that a weight reduction should be applied to, attached list before the Board. Road Superintendent Masalko stated that this weight reduction runs from June 1<sup>st</sup> to May 1<sup>st</sup>.

Trustee Haines inquired if there were any additional roads added from last year. Road Superintendent Masalko confirmed yes and referenced Ashwell Ave. due to new construction there. Trustee Haines verified that smaller loads will need to be brought in that area during construction. Mr. Masalko stated that was correct. Trustee Haines inquired of Road Superintendent Masalko how we will monitor a neighborhood road like this one; Mr. Masalko indicated that the Sheriff's Dept. does that watch. Trustee Haines confirmed that they would then let them know if there is a basement being dug out and the lot being cleared. Mr. Masalko confirmed yes.

Trustee Haines made a motion based on the information given from the Road Department, due to seasonal weight restrictions of 25% for the list of roads that the Road Superintendent has provided us; Seconded by Trustee DeChiara.

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

#### **Community Development Block Grant Discussion**

Road Superintendent Masalko stated that he sits on the Block Grant Committee and was made aware of monies that are available to surrounding entities with low to moderate income areas. Two areas in need within the Township would be the resurfacing of asphalt at the Oakhill Park basketball court as well as address the lack of off-road parking on Glenhurst Avenue near Oakhill Park. Mr. Masalko

indicated that he spoke with Transportation Engineer, Karl Oprisch of Hammontree & Associates in regard to these projects being feasible within the grant proposals. Mr. Masalko indicated that they have put together a grant application proposal for these projects with our local in-kind match in the amount of \$6,345.00. Trustee Haines inquired what we would be asking for in grant dollars as well as what the total amount of parking spaces would be included for the Glenhurst Avenue parking. Road Superintendent Masalko confirmed that the total amount of the grant would be \$91,345.00; the parking spaces would total 40.

Road Superintendent Masalko indicated that Perry Park would fall into the low to moderate income category and stated that the walking track at the park will be repaved as well as the asphalt parking off of Rowmont Avenue into the park on Harsh Street. Mr. Masalko stated that we are asking for a block grant in the amount of \$40,000.00 and our portion would be \$6,345.00.

Road Superintendent Masalko stated that they are also asking for a sidewalk improvement on 13<sup>th</sup> Street; from Genoa Avenue to the existing sidewalk on 13<sup>th</sup> Street in front of Perry High School; block grant in the amount of \$45,000.00 and our portion would be \$4,990.00.

Road Superintendent Masalko indicated that the total for all three grant applications would be \$176,345.00, our total portion will be \$17,675.00. Mr. Masalko stated that they are asking for the Board's approval as well as the Fiscal Officer's verification that we have these monies. Trustee Haines verified that two of these would be out of the General Fund portion and the other one would come out of the Road Department.

Trustee DeChiara inquired regarding the monies out of the Road Department fund and referenced his previous conversation about our matching monies for the county projects and sewer districts; Road Superintendent verified that amount to be \$55,000 for our in-kind match on the OPWC grant and added that he would figure that in for next year's budget.

Trustee Haines made a motion that we apply under the Community Development Block Grant for the Oakhill Park Improvement Project which is repaving the basketball court and adding off-road parking; Perry Park Improvement Project which is paving the walking track and also paving the lot along Harsh connecting to the Rowmont Pavilion; and the 13<sup>th</sup> Street Sidewalk Improvement Project taking it from in front of the Police Department from Genoa Avenue to Perry High School, our portion of the match would not exceed \$17,675.00; Seconded by Trustee DeChiara.

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

**Law Director:**

**Zoning:**

Trustee Haines stated that he wanted to say thank you to zoning and all the crew for the hard work that was done at the Pine Hills home that has been an ongoing problem. Trustee Haines stated thanks to the Police Department for their security there while the clean up was being done as well.

**Consider Waiving Portable Sign Permit for Central Catholic Annual Open House**

Trustee DeChiara made a motion that the Board of Trustees waive the permit fee charged to Central Catholic High School for the portable sign for advertising their Open House in 2016; Seconded by Trustee Haines.

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

**Problem Properties**

Zoning Inspector Cugini indicated that they were happy to be able to help eliminate the problems on the referenced Pine Hills problem property.

Law Director Hall stated that they are requesting that the Board authorize the clean up assessments on the above referenced Pine Hills property; Mr. Cugini to certify the cleanup costs as well as to include the police department costs, as soon as that is determined since we are up against a deadline and that property is in foreclosure.

Mr. Cugini indicated that he was planning to submit these assessments at the next regular scheduled Board meeting along with all the other assessments; December 1<sup>st</sup> being the scheduled deadline for these assessments to be received by the Stark County Auditor's Office.

Administrator Fetzer indicated that she misspoke earlier; for clarification regarding the local government safety capital grant program; referencing the supporting documents that the application period commences October 31st, 2016 and are due January 6th, 2017.

**Executive Session(s):**

**Department Matters Not Requiring Board Action:**

**Administration:** None.

**Fire Department:** None.

**Police Department:**

September Stats

**Road Department:** None.

**Parks/Recycling:** None.

**Zoning:** None.

**Law Director:** None.

**Upcoming Events:**



~Fall Leaf Drop Off Program: Collection Site – Perry Road Department, 1500 Jackson Ave. SW, Massillon 44646 – October 22<sup>nd</sup> through November 20<sup>th</sup>, 2016. Weekdays: 7 am to 2:30 pm; Saturday and Sunday: 8:00 am to 3:30 pm. Leaves only please. No bags, boxes, tree limbs, garbage or commercial dumping. CLOSED VETERAN’S DAY, NOVEMBER 11, 2016.

~2016 Light Up Perry – Christmas Decorating Contest for Residential and Commercial Structures – Application must be submitted by December 12<sup>th</sup>. Buildings must be lit by December 19<sup>th</sup>. Visit [www.perrytwp.com](http://www.perrytwp.com) for details. Sponsored by Aqua Ohio.

**Public Speaks-Open Forum:**

Lee Laubacher, 5006 14<sup>th</sup> St. SW, Canton – Mr. Laubacher stated that in 1993 and 1994, Perry Township Trustees authorized the Dannemiller ditch project to put storm sewers in the Redurban area. During this project, only half of the street was paved and 14<sup>th</sup> Street was not paved nor has it been paved in 20 years. Trustee Haines indicated that Road Superintendent Masalko has already started to put a list together for the 2017 projected streets to be paved.

Mr. Laubacher stated that one other thing he wanted to mention was regarding a recent football game at the Central Catholic stadium. There are two signs on Bordner Avenue that indicates no parking, but there were 20 cars on the east side of Bordner Ave.; either take the signs down or the people are ticketed. Why spend money on the signs if you are not going to do anything with regard to them.

Trustee Haines stated that he wanted to make two comments on this; he thinks Central was overwhelmed with their rental agreement with McKinley; football season is over and added that he does not foresee this happening again. More brief discussion regarding this matter followed.

**Adjournment:**

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:50 pm; Seconded by Trustee DeChiara.

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

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Doug Haines, President

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Joe Schlegel, Fiscal Officer