

**Perry Township Board of Trustees**

**Regular Meeting**

**July 19, 2016 7:00 pm**

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

**Excused absence:** Doug Haines, Trustee

**Additions/Deletions to Agenda:**

**Public Hearings/Invited Guests:**

**Swearing In Ceremony of PT Firefighters**

Trustee Chessler opened the meeting and stated that he wanted to welcome everyone this evening for the Swearing In Ceremony of our new Part-time Firefighters and stated that he would also like to take this opportunity to welcome our new Zoning Inspector, Tim Cugini. Trustee Chessler stated that we normally do not get a crowd for anything but those two things (laughter). Trustee Chessler stated that he knows that many are here tonight that are anticipating this event, family members are with us and we want to be respectful of their time. Trustee Chessler indicated that what we have to do is administer an Oath of Office, we have to pass a Resolution to authorize the hiring of each of our new Part-time Firefighters as well as one form that we will ask each of them to sign. Trustee Chessler also indicated that there is a written Oath of Office that we will try to, for lack of a better way, do in an assembly line fashion. Trustee Chessler indicated that after the formalities are complete, we will ask each of our new Part-time Firefighters to stop by and sign the form as well as the Oath of Office so each individual can be official as soon as possible.

Trustee Chessler again thanked the family members for being here this evening adding that this certainly is a very important occasion for each of you and for our Fire Department as well.

Trustee Chessler stated that he will read the names of our new Part-time Firefighters and ask each of them to come forward:

1. **Victoria Carafelli**
2. **Cody Duncan**
3. **Savva Gyparakis**
4. **Brandon Hamm**
5. **Stuart Hunt**
6. **Ryan Jones**
7. **Robert McCaslin**
8. **John Phillips**
9. **Joseph Siko**
10. **Michael Smith**

Trustee Chessler stated that as a note of reference regarding the Oath of Office asked each individual to please raise their hand and repeat the following oath:

*I, \_\_\_\_\_ do solemnly swear to support the Constitution of the United States, The Constitution of the State of Ohio, the Resolutions of Perry Township, Ohio, the Rules, Regulations, Standard Operating Guidelines, Standard Operating Procedures and Policies of the Perry Township Fire Department, and I will faithfully, honestly and impartially discharge the duties of Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God.*

Trustee Chessler asked each of these individuals to please take their seats and indicated that we will continue to proceed with the formalities and the motion.

Trustee Chessler stated that Fire Chief Martin has provided the Board a memo dated July 15, 2016 with the names of the hiring of these Part-time Firefighters along with Brandon Hamm who we will conduct his swearing-in at a later time, but for those names that appear on that memo of July 15, 2016 and who have taken the Oath of Office tonight makes a motion that those named individuals are hired as part-time firefighter/EMT-B's and/or P's effective Tuesday, July 19, 2016. This hiring is condition upon the individuals completing the Fire Department's skills performance course and following all rules, regulations and procedures of the Fire Department and Township. It is also condition upon the member's adherence to all current wage and hour regulations established by the Township pertaining to part-time employment. All individuals will be afforded the current benefits of part-time personnel and will serve a one year probationary period; Seconded by Trustee DeChiara.

Trustee Chessler stated that before taking a vote on this matter, further indicated that one of the forms required for signature tonight is in recognition of the limitations that are imposed on all part-time employees as far as the maximum number of hours worked.

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

Trustee Chessler stated that we will take a 5 minute recess and invited everyone; the new fire personnel and family members and stated that they were all welcome to enjoy cake and punch.

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**5 Minute Recess**

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Trustee Chessler resumed this evening's meeting at 7:23 pm and indicated that we will now continue with our Agenda following the swearing-in of the part-time firefighters.

**Communications:**

**Public Speaks on items up for Board Approval:**

**Township Business requiring Board Action:**

**Unfinished Business:** None.

**New Business:**

Trustee Chessler made a motion to approve bills and payroll in the amount of \$145,700.63 for the week ending July 12, 2016 and bills in the amount of \$207,037.90 for the week ending July 19, 2016 for a combined total of \$352,738.53; Seconded by Trustee DeChiara.

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

**Fiscal Officer:**

**Consider August 16<sup>th</sup> Alternative Budget Hearing**

Fiscal Officer Schlegel stated that this is in regard to the Budget Hearing that we have to conduct every year and then turn in to the Budget Commission; this is due by August 20, 2016. Fiscal Officer Schlegel stated that he has already informed and spoke to each of the Department Heads in regard to turning in their budgets. Mr. Schlegel indicated that this is to be a public hearing and will be posted in the newspaper and requests that the Board set this hearing for Tuesday, August 16, 2016.

Trustee Chessler indicated that the Board will set the budget hearing for Tuesday, August 16, 2016 at 7:00 pm; this will be the second regular meeting scheduled in August.

**Administration:**

**Consider the CareWorks Comp Renewal**

Administrator Fetzer stated that two years ago the Board invited Mr. Andy Frank of the Risk Care Services to give a presentation to the Board; at that time he recommended that we continue on with the Group Retrospective Rating program; he is also recommending that to the Board again this year. The Group Retro Program is recommended to help reduce our Township risk premium and performance and is based on BWC programs. An entity must be invited and the Board of Trustees was invited to engage in this program. Some of the benefits are listed in the supporting documents; they provide hearing, representation, safety programming, BWC discount program evaluations and day-to-day claims management on behalf of the Township. Administrator Fetzer stated that for all of those reasons listed in the document and for further discussion is requesting the participation of the 2017 Group Retrospective Rating Program administered by CareWorks Comp at a service fee of \$7,321.00.

Trustee Chessler stated that based on the information presented makes a motion that we continue with CareWorks Comp for the 2017 Group Retrospective Rating Program at a service fee of \$7,321.00; Seconded by Trustee DeChiara.

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

**Consider District #19 Formal Designee and Alternate**

Trustee Chessler stated that this next item is involving the Board's participation in District 19. Previously, Perry Township had been requested to provide a participant to the Board representing large

Townships. Trustee Chessler indicated that Lee Laubacher had previously served in that capacity. Trustee Chessler stated at a recent meeting, there was difficulty establishing a quorum and it reminded him that we should probably renew and designate our formal representative to that Board; it is an important Board that we participate in to divvy up and hopefully get some allocation of Public Works monies to come back for our road, drainage and other related projects. Trustee Chessler stated that the appropriate thing to do would be to give it to the guy not here (laughter).

Trustee DeChiara inquired if they meet once a month or how often. Road Superintendent Masalko confirmed that this Board meets on a quarterly basis.

Trustee Chessler indicated that he feels this is important and added that each year, the Township tries to incorporate some proposed project. Trustee DeChiara stated that he would volunteer to be the representative/participant from the Township for this Board.

Trustee Chessler made a motion that the Board appoint Ralph DeChiara to be our Perry Township representative for the Ohio Public Works Commission committee and Trustee Chessler added that he will continue to be designated to be the alternate since many times he is downtown and could go in Trustee DeChiara's absence if needed; Seconded by Trustee DeChiara.

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

#### **Consider Waiving Central Catholic Portable Sign Permit Fee**

Trustee Chessler stated that as we have done in the past, Central Catholic High School, through Father Kaylor, has submitted a letter to the Board requesting that we waive the zoning permit fee that we charge for portable signs for their annual Booster Club event steak fry on the school/park premises.

Trustee Chessler made a motion, based on Father Kaylor's request, that the Board waive the permit fee for the 2016 Central Catholic Booster Club steak fry; Seconded by Trustee DeChiara.

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

#### **Fire Department:**

#### **Police Department:**

#### **Consider Accepting Drug Use Prevention Grant**

Police Chief Pomesky stated that the Attorney General's Office has awarded the Police Department \$20,783.36 for the 2016-2017 Drug Use Prevention Grant. The Police Department uses these funds to help pay the salaries of the DARE Officer and School Resource Officer. Chief Pomesky stated that he is asking that the Board accept the grant award in the amount of \$20,783.36.

Trustee Chessler made a motion that the Board accept the 2016-2017 Drug Use Prevention Grant in the amount of \$20,783.36 and authorize the Chief to take the steps necessary to comply with the terms of the grant; Seconded by Trustee DeChiara.

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

**Road and Park Department:**

**Consider Proposal for Engineering Services**

Road Superintendent Masalko stated that the Road Department is planning to submit an application for a (CDBG) Community Development Block Grant due on November 6, 2016. The reason for this grant is due to severe flooding after torrential downpours along 4<sup>th</sup> St. NW, Manor and Pleasant Hills Rd. NW. Road Superintendent Masalko stated that in order to score well with the CDBG grant, we must submit engineering drawings and drainage calculations and have asked Karl Oprisch from Hammontree and Associates to put together a cost proposal sheet. Said proposal in the amount of \$23,000 is attached before the Board. The \$23,000 will be used within the grant as our local in-kind match.

Trustee Chessler indicated that this is a drainage problem that we have been aware of for some time. Mr. Masalko indicated that it is in the area of 4<sup>th</sup> St. and Whipple and starts there because the volume of water that comes off the parking lot at Canton Baptist Temple and it goes down that hill and makes the turn and goes down to Manor and Pleasant Hills indicating that he has photographs referencing this situation.

Trustee DeChiara also referenced a resident that lives in that area that experienced terrible flooding.

Fiscal Officer Schlegel stated that one of the problems that he and Road Superintendent Masalko have discussed is that the \$23,000 that we have to put forward at this time would mean that he would have to cut something out of this year's budget. Mr. Schlegel stated that as the Board is quite aware, the Road Department's budget is right on the money that we have anticipated and there are no extra funds there. Mr. Masalko indicated that he did some calculations, and stated that we budgeted \$312,000 this year for paving, but paving came in under \$269,000.

Law Director Hall stated that he would like the minutes to also reflect that the amount of the professional services is below the statutory amount that would require selection of a consultant based upon qualifications.

Trustee Chessler stated that based on all of this information makes a motion that the Board accept the proposal by Hammontree and Associates for engineering services on what we have denominated as the 4<sup>th</sup> St./Pleasant Hills drainage project at a cost not to exceed \$23,000.

Trustee DeChiara stated that before he seconds that motion would like to ask how we came upon the services of Hammontree and further inquired if they have done work for the Township before. Road Superintendent Masalko indicated that they (Hammontree) have done engineering services for the Township for the past seven (7) years.

Trustee Chessler stated that he would also add that townships do not have a statutorily appointed engineer. The county does, it is an elected position, but it is common for many townships that have this need on an ongoing basis to affiliate themselves with a particular engineering firm, especially when our

results and our relationship with them has been so good over the years. Trustee Chessler stated that when we were previously doing the work on the Fasnacht Farm, the Board did request qualifications and we were looking for an engineering firm that had a specialty or an expertise; but as far as the drainage and road improvement projects, Hammontree has demonstrated, over several years, that they have done quality work. Trustee Chessler also added that they know our roads, they know our weakness and as you can see, Mr. Oprisch, being here at our meeting this evening has always been attentive to these projects as they have proceeded. Trustee Chessler also indicated that he has the utmost regard for their services.

Trustee DeChiara verified that we are good under the amount of \$50,000 and can choose whomever we wish. Trustee Chessler confirmed this and added without engaging in the process that is akin to bidding where qualifications are requested as well as an interview and negotiating.

Law Director Hall stated that if this were a larger project, even though Hammontree has a quantified professional relationship with the Board, we would still have to go through the proposal procedure.

Seconded by Trustee DeChiara.

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

Trustee Chessler stated that these are all very good questions and added that it is always good to revisit the basics.

**Law Director:** None.

**Zoning:**

**Problem Properties~Verbal Status Update**

Trustee Chessler added that another item that has been added to our Agenda under Zoning is Problem Properties. Trustee Chessler stated that we have nothing formally listed, but added that he will deviate from the normal practice of requiring something to be on the Agenda and will again welcome new Zoning Inspector Tim Cugini. Trustee Chessler inquired of Mr. Cugini if he, for our record, could give a summary of what has transpired last week and how the situation stands in regard to the pig property nuisance matter.

Zoning Inspector Cugini gave a brief summary of the matter in regard to the pig pen and junk/cut up car complaint(s) made by neighbors on either side of 5980 Faircrest St. SW. Mr. Cugini briefly specified that the resident did comply with the pig pen matter, but the junk car was removed on behalf of the Township.

Mr. Cugini also gave a brief summary regarding a complaint made in regard to trash and debris at the front of 3110 Wattova Rd. NW. Mr. Cugini briefly specified that this property was cleaned up.

Zoning Inspector Cugini stated that he again wanted to relay that he promises to interpret and enforce the zoning laws of Perry Township entirely and effectively for the betterment of Perry Township and its citizens.

Trustee Chessler stated that Mr. Cugini has set the bar high and thanked him on behalf of the Board.

**Executive Session(s):**

**Department Matters Not Requiring Board Action:**

**Administration:** None.

**Fire Department:** None.

**Police Department:**

**Consider June Stats**

Police Chief Pomesky gave a brief summary in regard to the June Monthly Activity Report.

**Road Department:** None.

**Parks/Recycling:** None.

**Zoning:** None.

**Law Director:** None.

**Upcoming Events:**

**Public Speaks-Open Forum:**

Trustee Chessler stated that the floor is now open to Public Speaks and asked that each person please step to the podium, state their name and address and please keep comments and matters to township concerns.

Bard Huntsman, 4025 Prosway Ave. SW, Massillon – Mr. Huntsman stated that he doesn't come to the meetings just to eat cake and punch (laughter); Mr. Huntsman stated that his mother passed away on July 10<sup>th</sup> and indicated that that his mother was one of the original people pardoned for a plot at the Richville Cemetery. Mr. Huntsman stated that he wanted to relay his appreciation for the professionalism and kindness of the cemetery sexton and Road and Park Superintendent for taking care of his concerns of the placement of the excavation equipment trailer as well as the prompt mowing of the cemetery in preparation of his mother's burial the following day. Mr. Huntsman also stated that his extended family from outside the area commented about the Richville Cemetery being one of the most beautiful they had seen.

Trustee Chessler thanked Mr. Huntsman for his comments.

**Adjournment:**

With nothing further to come before the Board, Trustee Chessler made a motion to adjourn the meeting.

Trustee DeChiara stated that before we adjourn wanted to say something to the Department Heads. Trustee DeChiara briefly relayed from the Fire Chief to the Law Director that if he sends an email or call, he would expect the decency to receive a response since we are to work together as a team as well as relaying that he would prefer not to find out about the meeting agenda items two days before the draft agenda or upon receiving the draft agenda. Trustee DeChiara expressed his appreciation for their cooperation.

Seconded by Trustee DeChiara.

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

Fiscal Officer Schlegel stated that the meeting is adjourned at 7:48 pm.

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Craig Chessler, Vice President

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Joe Schlegel, Fiscal Officer