

Perry Township Board of Trustees

Regular Meeting

August 21, 2018 7:00 pm

Call to Order/ Pledge of Allegiance:

Excused absence: Joe Schlegel, Fiscal Officer; Assistant Fiscal Officer Karen Moser here in his absence

Additions/Deletions to Agenda:

Trustee Haines indicated that he had several additions to tonight's Agenda and one deletion: Consider filling in Hartwick Park Creek and discussion of recent road levy happenings. Also, removing the Executive Session ORC 121.22 (G) (1) from the Agenda. Trustee Haines inquired if there were any other additions or deletions to the Agenda, Trustee Chessler and Trustee DeChiara stated that they had none.

Public Hearings/Invited Guests:

Communications:

Communication to Board from Steve Toohey Regarding Fatal Accident at Partridge St. and Summerdale St. NW

Trustee Haines stated that the Board received a communication from Steve Toohey regarding a possible four-way stop sign at the intersection of Partridge St. and Summerdale St. NW. Trustee Haines indicated that in regard to the recent tragedy that occurred at that intersection, Mr. Toohey is asking the Board to review this four-way stop request in an attempt to make that intersection a safer one. Trustee Haines asked Police Chief Pomesky to interject his thoughts regarding this request as well as where we would need to head in the direction of pursuing this request per Law Director Hall.

Chief Pomesky indicated that they would take a statistical look of that section of roadway and would generate that report for the Board's consideration at the next meeting. Law Director Hall indicated that this four-way stop sign request should be forwarded to the Stark County Engineer. Trustee Haines inquired of Law Director Hall if we could request a timely determination from the Engineer's Office in light of the tragedy regarding this matter. Mr. Hall confirmed that he would translate the urgency surrounding this request.

Trustee Chessler verified of Mr. Toohey that our options would be to take the intersection where this tragedy occurred and switch the stop signs so it would slow down the superior lane of travel for that intersection or add a four-way stop. Mr. Toohey gave a brief explanation regarding these streets and intersections and affirmed that he would like to see a four-way stop placement.

Trustee Haines stated that they would do what they could to help expedite this request and thanked Mr. Toohey for his comments; Mr. Toohey also thanked the Board.

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business: None.

New Business:

Trustee Haines made a motion to approve bills in the amount of \$36,168.65 for the week ending August 14, 2018 and bills and payroll in the amount of \$159,848.07 for the week ending August 21, 2018 for a combined total of \$196,016.72; Seconded by Trustee Chessler.

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

Fiscal Officer:

Consider Approval of the 7/17/18; 7/31/18 and 8/7/18 Meeting Minutes

Trustee Haines made a motion that the Board approve the July 17, 2018; July 31, 2018 Special Meeting and August 7, 2018 meeting minutes; Seconded by Trustee Chessler.

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

Administration:

Pro Tech Invoices for Safety Improvements at Township Hall in the Amount of \$10,989.24

Administrator Fetzer verified that the Phase I portion of the Township Hall safety improvements have been completed for the main office, doorways, bathrooms, inner doorway and the two front doors. Administrator Fetzer referenced her detailed memo attached before the Board and relayed that the remaining balance for this project is in the amount of \$10,989.24. Additionally, Administrator Fetzer indicated that she would look to the Board's direction regarding the parking lot cameras.

Trustee DeChiara inquired why the Pro Tech invoices have been outstanding since March; Administrator Fetzer relayed that the majority of what was done was in March and it took over three months to receive the remaining over-the-counter microphone request quote to be received; upon receipt of that quote, it came in extremely high. Administrator Fetzer indicated that initially, she did instruct the Pro Tech salesman that we would not pay for the project until it was completely done. Administrator Fetzer relayed that the over-the-counter microphone was purchased from Amazon and the installation was completed today by an alternate service; since Pro Tech did not get this job, their final balance can now be paid.

Trustee DeChiara inquired of Administrator Fetzer if she would be requesting quotes for the camera system; Administrator Fetzer stated if the Board would like her to, she would do so. Trustee DeChiara verified that once the Board received that pricing information, they would either approve or disapprove it.

Trustee Haines made a motion that the Board approve the invoice for Pro Tech Security for safety improvements at Township Hall in the amount of \$10,989.24; Seconded by Trustee Chessler.

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

Fire Department:

Consider Recognizing Deputy Chief Larry Sedlock and District Chief Thom Ross for Obtaining Credentialing Certificates

Trustee Haines asked Mr. Larry Sedlock and Mr. Thom Ross to please step forward to be recognized for their accomplishments and these particular achievements, the Ohio Fire Chiefs' Credentialing certificate. Trustee Haines asked Fire Chief Martin to share some of the details in the credentialing process. Fire Chief Martin gave a brief explanation regarding the credentialing program and indicated that this process seeks to provide independent verification and certification of chief fire officers in the state.

Trustee Haines read aloud the certificate dated February 23, 2018 with the designation of Ohio Fire Chief Officer for both Deputy Chief Sedlock and District Chief Ross. Trustee Haines asked if Deputy Chief Sedlock would highlight the details of obtaining this credentialing procedure; Deputy Chief Sedlock gave a brief summary of the point system in this credentialing system. On behalf of the Board, Trustee Haines expressed their congratulations to Deputy Chief Sedlock and District Chief Ross and stated that they appreciated everything they do for the Township.

Police Department:

Consider Purchase of Police Interceptors for 2019

Police Chief Pomesky stated that the Police Department is requesting the Board of Trustees to authorize the purchase of two (2) police interceptor SUV's for 2019 in the amount of \$61,884.00 through Waikem Ford. Chief Pomesky relayed that Waikem's pricing came in under state term pricing. Chief Pomesky indicated that Ford is going to stop production of the Police Interceptor Sedan for a re-designed PI utility but relayed that 2019 PI Sedan and utility orders can be placed now through 9-21-18, or until parts run out.

Trustee Haines inquired when these would be delivered; Chief Pomesky indicated that it would most likely be after the first of the year because of the influx of orders that Ford is receiving. Trustee Chessler inquired if they would come to Waikem to put the specialized equipment on. Chief Pomesky indicated that the Police Department would need to request quotes for the outfitting of the police vehicles and relayed that there are two companies that he is working with at this time. Chief Pomesky added that there was still time to pursue this information to be able to move forward with this process.

Trustee Chessler verified that this was just the vehicle purchase through Waikem; Chief Pomesky confirmed yes and added that this was the only thing that they were on the timeline to purchase. Trustee DeChiara verified that we have the new budget to make the purchase for 2018; Chief Pomesky indicated that in speaking with Fiscal Officer Schlegel, this should be billed in 2019 and we would have the money in our budget to make this expenditure.

Trustee Chessler stated that based on the information the Board has received tonight and the request of Chief Pomesky to purchase two (2) Ford Police Interceptor vehicles from Waikem Ford at a price quoted below the state purchasing minimum; made a motion that the Board authorize the purchase of these two (2) vehicles at a total cost not to exceed \$61,884.00; Seconded by Trustee DeChiara.

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

Consider Authorization for Testing Provider for the Vacant Sergeant Position

Police Chief Pomesky indicated that with the retirement of a Sergeant this year, there is a vacant Sergeant position that needs to be filled within the Police Department; the process to fill this position is outlined in the Collective Bargaining Agreement (Article 20). The process encompasses a written examination, assessment center, and promotional board interview, Article 20 and pricing structure attached before the Board.

Chief Pomesky stated that he is asking for the Board's authorization for up to thirteen (13) candidates currently eligible to take the promotional test and assessment center evaluation in the total amount not to exceed \$13,360.00 for the assessment center and written examinations.

Trustee Haines verified that this process was covered under the Collective Bargaining Agreement; Chief Pomesky confirmed yes.

Trustee Haines made a motion that the Board approve the authorization for the testing for the vacant Sergeant position not to exceed \$13,360.00 for the assessment center and written examinations; Seconded by Trustee Chessler.

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

Consider Approval of Lexipol Contract – OTARMA to Provide Reimbursement Grant in the Amount of \$1,000

Police Chief Pomesky stated that the Police Department is requesting that the Board of Trustees approve the one-year law enforcement policy manual update subscription with Lexipol. This includes 24/7 access to "Knowledge Management System" for updates and editing. The annual subscription is from August 1, 2018 through July 31, 2019; the total expenditure amount is \$8,300.00.

Trustee Chessler made a motion that the Board approve the amount of \$8,300.00 for the annual subscription for Lexipol "Knowledge Management System" and the other information for our law enforcement policy manual update; Seconded by Trustee Haines.

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

Consider Request to Amend the Police Department's Records Retention Schedule

Police Chief Pomesky stated that in May of this year, he brought before the Board a request to update the police department records retention schedule; through the process of doing so, one of the Local Government Records Archivists identified changes for the email retention schedule. Chief Pomesky indicated that the suggested updates have been added to include "General Correspondence". Chief Pomesky stated that he is asking for the Board's approval of this updated schedule so that they can be included with the Police Department's records retention schedule.

Trustee Chessler verified the necessary records retention time period; Law Director Hall gave a brief explanation regarding that time period.

Trustee Chessler made a motion that the revision to our current records retention schedule be modified consistent with the records that the police chief has submitted for its police department records retention obligations; Seconded by Trustee DeChiara.

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

Road and Park Department:

Consider Approval of Fiscal Officer Certification of Local Funds for Joint OPWC Project with the City of Massillon

Road Superintendent Masalko indicated that the Perry Township Road Department was approached by Massillon Engineering in the spring of 2018 to do a joint rehabbing of Jackson Avenue/27th Street. Mr. Masalko indicated that the Road Department was putting together our 2018 paving program at that time and funding was not unavailable. Mr. Masalko stated that the Road Department then asked the City of Massillon if they would consider undertaking an OPWC project in partnership with Perry Township; they agreed and took the lead on the OPWC application process.

Road Superintendent Masalko indicated that to be able to move forward regarding the OPWC application deadline of September 14, 2018, he is requesting the Board's authorization for the Fiscal Officer's certification of the Road District Fund Account 11-C-02 in the amount of \$60,095.38; this would be to apply for funding for the year of 2019.

Trustee Haines verified our participation for 50% of this OPWC grant application in partnership with the City of Massillon; Trustee Chessler relayed that the monies could not be approved by the Board tonight until next year's budget was approved. Law Director Hall indicated that the Board would be approving the expenditure tonight and verified that this amount would then be readdressed to be approved in 2019. Trustee Chessler verified of Law Director Hall that the Board would need to authorize our intention to proceed with this project; Mr. Hall indicated yes, an affirmation would be necessary. Trustee Chessler affirmed that this would be in conjunction with the application; Road Superintendent Masalko confirmed that was correct and added that the OPWC project would not be awarded until next year.

Trustee Chessler made a motion that the Board acknowledge the Fiscal Officer's certification of \$60,095.38 in the Road District Fund Account 11-C-02 and made a motion to affirm the Board's intent to participate with the City of Massillon in both applying for OPWC funds and to contribute our portion of that funding toward the project; Seconded by Trustee DeChiara.

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

Consider Filling in the Hartwick Park Creek

Trustee Haines inquired of Administrator Fetzer and Road Superintendent Masalko if this proposal was about a third of the Hartwick Park Creek ditch. Mr. Masalko confirmed yes. Administrator Fetzer referenced information provided by Stark Soil and Water that gives an overall idea of the length of the creek and where it begins. Administrator Fetzer again referenced the supporting documents, attached before the Board, that described the details of this fill; total cost in the amount of \$6,921.50, half of that

cost to be Perry Township and the other half to be Perry Local Schools. Further discussion took place regarding this fill proposal.

Trustee Haines made a motion that the Board consider filling in Hartwick Park with a partnership with Perry Local Schools and the Perry Township Board of Trustees at a fifty-fifty (50/50) split with our total contribution not to exceed \$3,460.75 and with us to provide the labor.

Trustee Chessler asked Law Director Hall if he could put together a short memorandum of understanding that incorporated what we've just agreed to based on the requirements of Stark Soil and Water. Mr. Hall confirmed yes.

Trustee Haines confirmed the motion in the amount of \$3,460.75; Seconded by Trustee Chessler.

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

Consider Discussion of Recent Road Levy Happenings

Trustee Haines asked Law Director Hall if he would please bring the Board up to speed regarding the status of the road levy.

Law Director Hall stated that the Prosecutor's Office did not approve the ballot language for the 1 mill renewal and the 3 mill additional for the November election. Mr. Hall indicated that basically, the Prosecutor's Office is taking the position that in 2018, there can only be a replacement levy, not a renewal and additionally stated that this was directly contrary to all of the information provided to us by the County Auditor's Office. Law Director Hall indicated that the dispute was over the specific language of Ohio Revised Code 5705.25 and relayed that it was a question of tax year and calendar year and gave a more detailed description regarding this matter; additional questions from the Board members were also received by Law Director Hall.

Trustee Chessler made a motion that the Board authorize the Law Director, pending his further research and negotiation of the issue of whether we improperly submitted documents to the Board of Elections, to file the appropriate action in a court of confident jurisdiction to seek a writ of mandamus to get our proposed road levy measures on the ballot this November; Seconded by Trustee DeChiara.

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

Law Director:

Zoning:

Problem Properties:

Executive Session(s):

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.

Announcements:

~Ohio Division of Liquor Control notice of ALDI Inc., dba ALDI #21 at 5117 Tuscarawas, Perry Twp., Canton, Ohio requesting a new liquor license for permit #01007782025. All responses must be postmarked no later than 9/10/18.

~Pre-Game Celebrations – Rotary of Perry Township and Perry Local Schools Hosting Tailgating at Perry High School Stadium and the Wellness Center, Friday, August 31, 2018 from 5 to 7 pm.

~5th Annual Perry Township Community Parade and Oktoberfest – Saturday, September 15, 2018 from 11 am to 4 pm at Hartwick Park.

~Battle of the Badges – Saturday, September 15, 2018 from Noon to 4 pm – friendly competition between Police and Fire Union members to determine who can raise the most money at the “Punkin Chunkin Slinger” for the Pat Bardnell Cancer Fundraiser.

~Little Miss and Mr. Oktoberfest – Saturday, September 15, 2018; 1:30 pm at Hartwick Park Pavilion.

~Get in the Fight . . . Pat Bardnell Benefit – \$1,000 Grand Prize for Reverse Raffle, Saturday, September 29, 2018 at the Massillon Knights of Columbus; Doors open at 6:00 pm.

~Rotary of Perry Township and Jackson Rotary Joint Fundraiser – Run with the Fun – Night at the Races – Saturday, October 6, 2018 at the McKinley Eagles from 5:00 to 9:00 pm.

~Coordinating Your Cyber Defenses – Hosted by Perry Township Board of Trustees; featuring representatives from Virtual Data Works, Sophos and Datto – Thursday, September 20, 2018 from 9:00 am to 11:30 am at Exploration Gateway.

Public Speaks-Open Forum:

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:59 pm; Seconded by Trustee Chessler.

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

Doug Haines, President

Joe Schlegel, Fiscal Officer