

Perry Township Board of Trustees

Regular Meeting

September 4, 2018 7:00 pm

Call to Order/ Pledge of Allegiance:

John M. White – Veteran Pledge

Trustee Haines welcomed Mr. John White to lead us in the Pledge this evening. Trustee Haines indicated that Mr. White is the President of Protection Management LLC and a nationally recognized security subject matter expert and published author. Mr. White is a retired law enforcement officer from southern California and served in the United States Navy from 1974-1978; Mr. White was home based in San Diego and served aboard the aircraft carrier USS Ranger with Fighter Squadron VF 154.

On behalf of the Board, Trustee Haines thanked Mr. White for being here this evening and presented him with a flag/display case as a token of appreciation for his dedicated service. Mr. White stated it was his pleasure.

Excused absence: -Mark Martin, Fire Chief; Deputy Chief Sedlock here in his absence
-John Masalko, Road and Parks Superintendent; Assistant Road Superintendent
Chris Young here in his absence
-Joyce Fetzer, Administrator

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Lorraine Wilburn – Candidate for 48th District Ohio House

Trustee Haines welcomed Lorraine Wilburn, candidate for the 48th District Ohio House and Matt Dutko, representing Ken Harbaugh, democratic party candidate for Congress in Ohio's 7th district here with us tonight.

Ms. Wilburn stated she wanted to express her appreciation for having her here this evening and gave a brief background of her personal history; Ms. Wilburn indicated that her concern for health care and her wish to bring representation back to her community and back to the people is what brought her to the decision of running against her opponent. Ms. Wilburn stated that she would be happy to take any questions or concerns after the meeting tonight.

Mr. Matt Dutko stated his thanks to the Board of Trustees and Perry Township for letting him address the room tonight. Mr. Dutko indicated that he was here representing Ken Harbaugh and gave a brief history of Mr. Harbaugh's service as a U.S. Navy pilot as well as signifying Mr. Harbaugh's platform of service above self. Mr. Dutko relayed that Ken is out in the district doing the hard work and stated that he would love to have the opportunity to bring him here to speak with each of you in the near future to talk about what issues are affecting you the most.

Trustee Haines stated that he appreciated both Lorraine and Matt being here tonight and thanked them on behalf of the Board.

Communications:

Ramon Yingling -- Concerns of Kimble Company

Trustee Haines indicated that the Board received a communication from resident Ramon Yingling dated 9-28-18 and read aloud Mr. Yingling's letter expressing his concern regarding the early time that the Kimble Company collects trash in his neighborhood. Mr. Yingling requested the Board's assistance to reach out to the Kimble Company on his behalf. Additionally, Mr. Yingling also asked for the Board's assistance regarding the new ditch in his allotment and the trees and branches that have fallen into it.

Trustee Haines referenced addressing this same type of issue regarding early trash pickup in the past. Trustee Chessler indicated that he believed it was Republic Waste regarding a neighborhood across from Central Catholic and relayed that although the Board could not force the refuse company, as a good neighbor and as a good corporate citizen, they did adjust their schedule a little bit in that situation. Trustee Haines indicated that he would then follow up with the Kimble Company.

Additionally, Trustee Haines inquired of Assistant Road Superintendent Chris Young if he could ask him or relay to Road Superintendent Masalko to reach out to someone at the county on Mr. Yingling's behalf regarding this county ditch project. Law Director Hall relayed that after Mr. Yingling's letter came in, he did speak with Road Superintendent Masalko concerning this matter and indicated that Mr. Masalko did specifically reach out to County Administrator, Brant Luther and expressed his frustration with the county's response. Trustee Haines indicated that he would follow up with Road Superintendent Masalko upon his return next week.

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 \$143,646.03 for the week ending August 28, 2018 and bills and payroll in the amount of \$283,797.68 for the week ending September 4, 2018 for a combined total of \$427,443.71; Seconded by Trustee Chessler.

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

Fiscal Officer:

Administration:

Consider Stark Tusc. Wayne Solid Waste Plan Summary

Trustee Haines indicated that Administrator Fetzer shared with the Board the 2019 Draft of the Stark-Tuscarawas-Wayne Solid Waste Management District's Amended Plan, attached before the Board; in

order to continue participating with their existing programs, the legislative authorities of each municipal corporation and township in the District must review and approve or disapprove the 2019 Draft Solid Waste Management Plan by ordinance. Trustee Haines asked if there were any questions or discussion regarding this summary. Trustee DeChiara verified that the Township would be staying in the District for 2019; Trustee Haines confirmed yes. Trustee Chessler verified of Law Director Hall if there was any reason not to approve this plan; Mr. Hall indicated that there was not.

Trustee Chessler made a motion that the Board of Trustees for Perry Township indicate its approval recommendation of approval for the Draft Solid Waste Management Plan; Seconded by Trustee Haines.

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

Fire Department:

Consider Accepting FEMA Regional Radio Grant in the Amount of \$692,094.00

The Fire Department is requesting that the Board of Trustees accept a FEMA Grant in the amount of \$692,094.00 to purchase new P-25 compliant 800 radio equipment.

- Earlier this year, a regional grant request was submitted to FEMA under the Assistance to Firefighters Grant program to purchase the departments 800 radio equipment.
- This is a regional grant with Nimishillen Fire Dept.; Canal Fulton Fire Dept., Beach City Fire Dept., Brewster Fire Dept., North Lawrence Fire Dept. and Gatchell Grant Services.
- The actual FEMA contribution is \$629,177.00, the remainder must be contributed by the other fire departments.
- Because this was a regional grant, one department was required to be the host department; It is recommended that the largest agency be the host department; therefore, Perry Township Fire Department is the host agency. This means that all of the financial transaction will flow through Perry Township and the collaborating agencies will be refunding Perry Township.

Trustee Chessler referenced this FEMA Regional Radio Grant and relayed to Ms. Wilburn and Mr. Dutko of the Harbaugh campaign that this was probably the good side of the state and federal government regarding obtaining monies we need for very important things that we otherwise couldn't afford.

Trustee Chessler explained that in order to link to the current county radio system, many of the local subdivisions did not have the money to buy the radios needed to join with this new radio system; this grant will be immensely helpful to allow us to step up with all the other villages, townships and cities across the county to have one radio system that's not only inter-operable but allows us to communicate all throughout the state.

Trustee Chessler also referenced the very large source of monies and income from the state level being cut several years ago that Perry Township and most other townships, relied on. Trustee Chessler indicated that as a result of that and in order to support the level of service that we have had in our fire and police departments, we had to go to our voters and ask for the increased millage to support these safety services. Trustee Chessler indicated that these cuts came at the cost of the local governments

and relayed in regard to the campaign aspect, felt this was a hot button issue to be found in common township trustees and local government.

Trustee Haines indicated that he would add to that and stated that it was absolutely tremendous to be able to accept this FEMA grant for the fire side of the radio purchases, but in order for the police and road department to also be able to communicate together on this system, we had to take on the burden of funding the remainder of these radio purchases.

Trustee Haines made a motion that the Board accept the FEMA Regional Radio Grant in the amount of \$692,094.00; Seconded by Trustee Chessler.

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

Consider Accepting FEMA Self Contained Breathing Apparatus Grant in the Amount of \$184,991.00

The Fire Department is requesting that the Board of Trustees accept a FEMA Grant in the amount of \$184,991.00 to purchase new Self Contained Breathing Apparatus.

- Earlier this year, a grant request was submitted to FEMA under the Assistance to Firefighters Grant program to replace the department's Self Contained Breathing Apparatus.
- The department currently has forty (40) SCBA's in inventory. The SCBA's are 15 years old, several are damaged all are out-of-date based on the recommended NFPA Standard.
- The grant request was for twenty-nine (29) new SCBA's. An evaluation of current operations revealed that we could reduce our overall inventory of SCBA's; thereby enhancing our grant request and reducing our yearly maintenance fees on SCBA's.
- The grant request was for twenty-nine (29) SCBA's, two (2) air bottles per SCBA and sixty-eight (68) face pieces. The additional face pieces are so that every member has their own face piece.
- Under the FEMA grant program, we are required to contribute 10% (\$18,499.00) and FEMA will provide the remainder of the funding (\$184,991.00).
- If the Township accepts the grant, Chief Martin indicated that he would notify FEMA and begin the process for purchasing the new SCBA's.

Trustee Haines inquired if our fill station will work with these new units; Deputy Chief Sedlock stated that he believed so and indicated that although he had not actually seen them, he didn't believe that the necks on the bottles where they connect have changed so our system would handle that.

Trustee Chessler made a motion that the Board gratefully accept from FEMA the grant in the amount of \$184,991.00 for the self-contained breathing apparatus purchase; Seconded by Trustee DeChiara.

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

Police Department:

Road and Park Department:

Consider Permission to Solicit Quotes for 2018 Striping of Various Township Roads

Regarding Road Superintendent's August 30, 2018 memo to the Board, the Road Department is asking the Board's permission to solicit quotes for the 2018 Striping of various Township roads.

Trustee Chessler made a motion that the Board authorize soliciting quotes for the 2018 center line and edge marking of various township streets; solicitation start date to begin today, September 4, 2018 and we will take proposals up to September 18, 2018 at 3 pm; Seconded by Trustee DeChiara.

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

Law Director:

Zoning:

Problem Properties:

1239 Whipple Ave. SW – Consider Authorizing Law Director to File a Lawsuit in Court of Common Pleas

Trustee Haines asked Zoning Inspector Cugini to please give the details regarding the property at 1239 Whipple Avenue SW. Zoning Inspector Cugini stated that he would first like to recognize that Mr. Hall, owner of the property at 1239 Whipple Avenue SW was in the audience tonight. Mr. Cugini indicated that this property was given a violation notice under the Zoning Department's residence property maintenance code for peeling and chipping paint in October 2017. Zoning Inspector Cugini gave a brief explanation of the progress regarding this violation notice and indicated that he would request that the Board give the Law Director authorization to move forward with the lawsuit pending the completion of the painting.

Law Director Hall indicated that the Township has sent letters to Mr. Hall regarding this matter and relayed that his suggestion would be that if Mr. Hall does not complete this project in a timely manner, we take him to court and have the court make him do it. Zoning Inspector Cugini stated that he felt ten (10) days would be an appropriate time frame in this situation.

Trustee Chessler made a motion that the Board authorize the Law Director to proceed immediately with the lawsuit to abate any and all violations that have existed for over a year at this property, 1239 Whipple Avenue SW; Seconded by Trustee Haines.

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

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department: None.

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Announcements:

~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.

~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; 5:00 to 9:00 pm.

Public Speaks-Open Forum:

Brian Jones, 5870 Richville Dr. – Mr. Jones stated that he would like to present a concern of his for the Board’s consideration that has to do with the new ODOT facility at the corner of Richville Drive and Rockford. Mr. Jones indicated that his concern was not the facility itself, but with the entrance to the facility. Mr. Jones gave a brief explanation and description of what he felt was a dangerous location for this entrance and indicated that he reached out to road safety at ODOT District 4 but has not heard any reply. Mr. Jones indicated that he was hopeful that from a township point of view, this might be something that could be addressed from a government to government standpoint.

Trustee Chessler indicated that the Board could act as an advocate regarding this inquiry. Trustee DeChiara verified that this property was annexed by the City of Massillon; Trustee Haines stated that although the City of Massillon has annexed the nearby street, there were still Perry Township residents and homes nearby and the Board could certainly reach out to somebody in District 4 to see if we could get some answers.

Mr. Jones stated that he would appreciate that and thanked the Board for their time. Trustee Haines also thanked Mr. Jones and indicated that they would reach out to District 4.

Executive Session(s):

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) with regard to hiring to include the Board, Fiscal Officer, Law Director and Police Chief; upon conclusion of this, the Board will address ORC 121.22 (G) (3) for a conference with the legal counsel concerning imminent or pending court action 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: 7:38 pm

The Board adjourned from Executive Session at: 8:09 pm

Law Director:

Law Director Hall indicated that he received a call from Sharon Miller of the county engineer's office today regarding the fatal accident at Partridge St. and Summerdale St. NW and the Board's intersection change or four-way stop request. Mr. Hall relayed that Ms. Miller indicated that they could not give us a letter stating the change for the intersection, but it would be within our discretion to make this a four way stop. Trustee Haines indicated that the Board was looking for official direction regarding this intersection. Law Director Hall confirmed that he would contact Ms. Miller to indicate that the Board is looking for direction and guidance from the engineer's office regarding this four-way stop request.

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:10 pm; Seconded by Trustee Chessler.

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

Doug Haines, President

Joe Schlegel, Fiscal Officer