

Perry Township Board of Trustees

Regular Meeting

November 6, 2018 7:00 pm

Call to Order/ Pledge of Allegiance:

Trustee Haines stated that the Board has made a special request this evening and indicated that we have two families in the audience tonight, that of Sergeant Richard Ramey and Sergeant Daniel Patron. Trustee Haines welcomed the parents of these two gentleman who lost their lives while they were in combat and asked if they would kindly come forward to lead us in the Pledge of Allegiance.

Trustee Chessler read aloud a Proclamation:

WHEREAS, brave patriots have protected our Nation's ideals, rescued millions from oppression, and helped spread freedom around the world. America's veterans answered the call when asked to protect our Nation from some of the most brutal tyrants, terrorists and militaries the world has ever known. They stood in the face of danger and enabled our nation to become the greatest force for freedom in human history. Members of our armed forces have answered a higher calling to serve and protect America. Veterans Day offers the nation and Perry Township an opportunity to show our appreciation and say "thank you for your service"; and

WHEREAS, our country is forever indebted to our veterans for their quiet courage and exemplary service. We also remember and honor those who laid down their lives in freedom's defense. These brave men and women and their families made the ultimate sacrifice for our benefit; and

WHEREAS, we shall always remember Perry Township's Fallen Heroes;

- ❖ SSG Richard Ramey US Army November 6, 1976 ~ February 8, 2004
- ❖ SGT Daniel J. Patron USMC April 30, 1985 ~ August 6, 2011
- ❖ CPL Robert Roshong US Army May 4, 1949 ~ May 28, 1970
- ❖ SP/4 Gary Weekly US Army August 15, 1948 ~ March 24, 1969
- ❖ LCPL John Weisbrod USMC April 1, 1949 ~ May 13, 1969
- ❖ LCPL Timothy Cox USMC May 27, 1945 ~ March 13, 1967
- ❖ LCPL Clayton Byers Jr. USMC May 30, 1948 ~ May 24, 1967
- ❖ LCPL Marvin Banar USMC August 29, 1947 ~ December 2, 1967
- ❖ PFC Robert Wuertz USMC October 14, 1944 ~ June 25, 1966
- ❖ LT Thomas Murphy US Army April 26, 1942 ~ November 6, 1966
- ❖ PFC James Wymer US Army May 28, 1946 ~ December 15, 1966

WHEREAS, to this day, Tuesday, November 6, 2018, and for all time, acknowledge our honorable and courageous Fallen Heroes and all service members of the United States Military; and

NOW THEREFORE, The Perry Township Board of Trustees, Stark County, Ohio, do hereby proudly proclaim Sunday, November 11, 2018 as VETERANS DAY. In recognition of all Veterans' valor, we urge

all citizens to give a fitting tribute by reflecting on the true sense of Veterans Day on this day and forevermore.

On behalf of the Perry Township Board of Trustees, Trustee Haines presented the parents of Sergeant Richard Ramey and Sergeant Daniel Patron with flags as a symbol of appreciation for their honorable and faithful service. The Ramey and Patron families thanked the Board very much.

Excused absence:

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Communications:

Letter from Ms. Tiffany L. Poirier ~ Memorial Request

Trustee Haines referenced the letter to the Board from Ms. Tiffany Poirier, here this evening in regard to a memorial request and asked Ms. Poirier to detail what the specifics of their memorial request would be and how the Board could help.

Ms. Poirier indicated that she was here this evening to discuss putting a memorial and possibly a bench in Perry Park to memorialize and honor their children. Trustee Chessler referenced his previous telephone conversation with Ms. Poirier and verified that she and other members from five families were communicating with one another and pushing in the same direction to have something done to memorialize the hopeful aspect of going forward to honor their children. Trustee Chessler indicated that through discussion this evening, details, as well as a timeline of structure for this memorial request could hopefully be outlined.

Trustee Haines gave several examples from other memorial requests at Summerdale Park and Perry Park and indicated that the Board please be given final approval on the memorial and structure details. One of the family members inquired if there was anyone in particular they should contact with upcoming details about the renderings of the memorial and bench; Trustee Haines indicated that he would be happy to be their point of contact and stated that he would share his contact information with them to forward any specifics. Trustee Haines stated that as far as the final renderings and details, they would look at that together as a Board, at a future meeting, just to approve everything. Trustee Haines thanked Ms. Poirier and other family members for being here this evening.

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 \$270,633.20 for the week ending October 23, 2018 and bills and payroll in the amount of \$242,369.77 for the week ending October 30,

2018 and bills in the amount of \$92,275.50 for the week ending November 6, 2018, for a combined total of \$605,278.47; Seconded by Trustee Chessler.

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

Fiscal Officer:

Consider Accepting the Meeting Minutes of 10/09/18 and 10/16/18

Trustee Haines made a motion to accept the meeting minutes from October 9, 2018 and October 16, 2018; Seconded by Trustee Chessler.

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

Administration:

ODOT Authorization to Close a Section of Lincoln Way for the 22nd Annual Perry Rotary Turkey Trot 5K Run/Walk

Administrator Fetzer indicated that on Thanksgiving morning, November 22, 2018 from 7:30 to 10 am, Perry Rotary will be continuing their family event; the family Turkey Trot Walk/Run; ODOT has provided the letter for closing and Perry Rotary is requesting the Board's approval to do so.

Trustee Haines made a motion that the Board approve the closure of Route 172 from Saratoga Avenue to Delverne Avenue for the Turkey Trot 5K race on Thursday, November 22, 2018 from 7:30 to 10 am; Seconded by Trustee Chessler.

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

Discussion of Richville Cemetery Foundation Replacement Request

Trustee Haines stated that in regard to this next Agenda item, felt we were moving in the right direction and asked if Administrator Fetzer would share with us the Richville Cemetery foundation replacement request.

Administrator Fetzer stated that attached before the Board were supporting documents, some from the meeting held at the Administration Office with herself, Mrs. Anania; Ohio Monument Foundations representative, Brandon Berkey; Law Director Hall and cemetery sexton in attendance. Administrator Fetzer indicated that the amount to have the remediation done for the Anania foundation would be \$553.20 for the complete repair; and the amount for a temporary repair, a level of shimming, would be \$200.00.

Law Director Hall stated that the recommendation was not to shim because it would probably just settle within the year and relayed that the complete repair would involve removing the monument, removing the existing foundation and then building a whole new foundation then re-setting the monument. Mr. Hall stated that as he has suggested in other correspondence to the Board, this is not really a Board problem, but for the fact that as soon as you pull into Richville Cemetery, it is the first item you see.

Trustee DeChiara relayed that since the sinking issue of the foundation was not the plot holder's fault, Mrs. Anania, or our fault, it seems like the burden should fall on the person who did the foundation work. Trustee DeChiara inquired of Law Director Hall what their comment was as far as their willingness to bear the responsibility; Law Director Hall stated that the assistant at the meeting was not in the position to accept responsibility but added that they were very non-committal and silent when it came to that question.

Law Director Hall relayed that he agreed with Trustee DeChiara in that if the foundation sinks and you were the one who dug the foundation, that is where the responsibility lies. Mr. Hall indicated that there was a question as to whether the contracted grave excavator got too close to the existing monument, and Mr. Berkey, Ohio Monument Foundations representative, indicated that he was able to probe down to determine that the vault was properly situated; Mr. Hall indicated that it was just one of those circumstances, the type of soils, the compaction of the soils over time and the slope of the cemetery.

Law Director Hall indicated that he could forward a letter to Ohio Monument Foundations claiming that it is the preference of the Board that they step forward and take responsibility. Trustee Chessler relayed that we also let Mrs. Anania know that we are advocating on her behalf. Mr. Hall confirmed he would do that.

Trustee Haines indicated that we have other foundations that have been done by Ohio Monument Foundations in Richville Cemetery and we want to make sure this is addressed in the future. Law Director Hall indicated that they would address the matter of cribbing or shoring for future excavations in possible new cemetery rules for next year.

Trustee Haines indicated that we need to make sure we get that monument taken care of; Law Director Hall indicated that he understood the Board's direction.

Fire Department:

Consider Part-Time Firefighter Resignations

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignations of the following part-time employees, effective Tuesday, November 6, 2018, resignation letters attached before the Board.

Cody Duncan – Accepted fulltime position with Wadsworth Fire Department
Joseph Kalascik – Accepted fulltime position with Canton Fire Department
Kayla Kalgreen – Accepted fulltime position with Cleveland EMS
Joshua Frank – Unable to dedicate time to organization

Trustee Chessler made a motion that based on the information the Chief has presented to us that we accept the resignation of Cody Duncan, Joseph Kalascik, Kayla Kalgreen and Joshua Frank, effective today, November 6, 2018; Seconded by Trustee DeChiara.

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

Consider Purchase of Smoke Alarms

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase of 300 Kiddie P3010L lithium battery operated smoke alarms at a cost not to exceed \$4,125.00 from Home Depot, 2406 Lincoln Way, Massillon, Ohio. Chief Martin indicated:

- The Department has exhausted all of the funding that was provided by FEMA under the Fire Prevention Grant;
- The FEMA funding purchased over 5000 smoke alarms for installation in Perry Township;
- The Department continues to receive requests for smoke alarm installations from residents;
- Recently, at 5 am in the morning, a resident experienced a fire in her residence; the individual was awakened by her smoke alarm activating. The smoke alarms were installed by the Fire Department as part of our smoke alarm program;
- Home Depot -- $\$13.75 \times 300 = \$4,125.00$; Walmart -- $\$14.84 \times 300 = \$4,452.00$

Trustee Chessler made a motion that the Board authorize the Fire Department to purchase 300 Kiddie P3010L lithium battery operated smoke alarms at a cost not to exceed \$4,125.00 from Home Depot; Seconded by Trustee DeChiara.

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

Police Department:

Consider Promotional Board Request

Police Chief Pomesky stated that as the Board was aware, there is a vacancy to fill within the Sergeant's rank of the department. Chief Pomesky indicated that over the last several weeks, he has taken the steps to schedule a promotional exam and assessment center; the third segment of the promotion process is to interview the candidates with a Promotion Board. Chief Pomesky indicated that there are two candidates that will take part in this process. Chief Pomesky stated that he would like to ask for a member of the Board of Trustees to sit on the Promotional Board to assist with the assessment process for these candidates.

Trustee Haines made a motion that Trustee DeChiara will sit on the Promotional Board for the police sergeants with the Board that Chief puts together; Seconded by Trustee Chessler.

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

Consider Emergitech Maintenance Support Agreement

Police Chief Pomesky stated that the Police Department is requesting that the Board of Trustees consider the approval of the annual Zuercher/EmergiTech Maintenance and Support Agreement; the total cost is \$6,087.61. Chief Pomesky indicated that this is the 2019 maintenance agreement for EmergiTech; it starts December 1, 2018 and runs through November 30, 2019.

Trustee Chessler stated so moved; and indicated that under the terms that have been quoted in the invoice Zuercher/EmergiTech Company to the Township quoting the price of \$6,087.61 for what has been termed the Maintenance Agreement; this is a one year; Seconded by Trustee DeChiara.

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

Consider OVITF MOU

Police Chief Pomesky stated that attached for the Board's review and consideration is the Memorandum of Understanding of the OVI Task Force. Chief Pomesky indicated that this is a grant that comes through the State into the County and it conducts OVI checkpoints, additional increased OVI enforcement patrols, traffic enforcement and focuses on the day-to-drove approach; participation of the OVI task force will be reimbursed through this grant and the program. Chief Pomesky indicated that he would ask for the Board's approval of the Memorandum of Understanding to enable them to again participate with this program.

Trustee Chessler verified of Law Director Hall that this Memorandum was one that we have entered into for several years and verified that it met with his approval. Mr. Hall confirmed yes.

Trustee Chessler made a motion that the Board once again enter into the Memorandum of Understanding with the Stark County Sheriff's Office for the OVI Task Force; Seconded by Trustee Haines.

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

Road and Park Department:

Consider 4th Street Pleasant Hills Phase II Pay Request for Easton Construction

Trustee Haines verified that this next Agenda item was to consider the 4th Street Pleasant Hills Phase II Pay Request for Easton Construction Company; Road Superintendent Masalko confirmed yes and stated that he would like to make a correction to this; it should be to consider the pay request for Easton Construction and Hammontree & Associates.

Road Superintendent Masalko stated that this would be the second request for the OPWC Phase II of the 4th Street Storm Sewer Improvement project and indicated that Hammontree & Associates' request is \$6,489.00; OPWC will be responsible for \$4,467.64; the Township will be responsible for \$2,021.36.

Road Superintendent Masalko stated that Easton Construction's total request is \$289,677.42; OPWC will be responsible for \$211,464.52; the Township will be responsible for \$78,212.00.

Road Superintendent Masalko indicated that Hammontree's portion is for observation and calculations of the project; Easton Construction's portion is for what is being performed out on the site. Mr. Masalko indicated that they were making great progress out there and added that he thinks it will be done by the deadline.

Trustee Haines made a motion that the Board approve the pay request for the OPWC project with Hammontree & Associates with the Township's portion being \$2,021.36 and Easton Construction, the Township's portion being \$78,212.00; Seconded by Trustee Chessler.

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

Consider Discussions Regarding the 2018 Paving Contract Invoice

Road Superintendent Masalko gave a brief overview and explanation regarding the 2018 paving contract invoice from Superior Paving and Materials Company and the poor paving practices regarding the Genoa Road paving on October 5, 2018. Mr. Masalko referenced the November 1, 2018 letter from Law Director Hall to Superior Paving and Materials Company; Mr. Hall verified this forwarded letter to Scott Oster, Vice-President of Superior Paving and Materials and his recommendation to withhold payment until this matter could be addressed and a mutual agreement could be made. More discussion among the Board members took place regarding this matter.

Trustee Haines made a motion that the Board withhold the payment of \$52,000.00 plus \$400.00 for the extra loop detector inspection until we come to a reasonable agreement with Superior Paving and how the road will hold up; Seconded by Trustee Chessler.

Law Director:

Zoning:

Problem Properties: None.

Consider Request of Stark Parks to Waive Permit Fee

Zoning Inspector Cugini stated that Stark Parks is installing a 192 square foot gazebo at Exploration Gateway and indicated that they have asked the Board to waive the permit fee.

Trustee Haines verified of Law Director Hall that this is something the Board has done in the past; Mr. Hall confirmed that was correct.

Trustee Chessler made a motion that the Board honor the request of the Stark County Park District and waive the permit fee for the gazebo construction project at 5710/5712 12th Street NW, Canton, Perry Township; Seconded by Trustee Haines.

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

Executive Session(s):

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department:

August and September Stats

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Announcements:

Public Speaks-Open Forum:

Lee Laubacher, 5006 14th St. SW, Canton – Mr. Laubacher indicated that there were approximately twenty lights (streetlights) out along West Tusc and Lincoln Way and approximately eight lights out from Whipple Avenue to Executive Catering and then from Executive Catering to Jackson Avenue, as well as approximately eight lights that were out on Genoa and 13th Street; Mr. Laubacher suggested that someone contact AEP and Ohio Edison to let them know about the lights out in those areas. Trustee Haines thanked Mr. Laubacher.

Mr. Maio, 1036 Norwich – Mr. Maio stated that he wanted to publicly acknowledge the Road Superintendent and his department for the excellent job they did with the culvert install and the drainage ditch.

Trustee Haines verified that it was working; Mr. Maio stated that he did not yet know but indicated that he wanted to address the water issues on Conover Street, the street above his and gave a brief explanation of this water issue that eventually flows into his backyard. Mr. Maio stated that he thinks Conover has to be taken care of next and then indicated that he felt once that was done, it would absolutely solve the water issues.

Road Superintendent Masalko gave a brief explanation of the profile process and indicated that when Conover Street was next on the road resurfacing list, they would make sure to do a profile. Trustee Haines thanked Mr. Maio for his comments.

Adjournment:

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 7:55 pm; Seconded by Trustee Chessler.

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

Doug Haines, President

Joe Schlegel, Fiscal Officer