

Perry Township Board of Trustees

Regular Meeting

April 2, 2019 7:00 pm

Call to Order/ Pledge of Allegiance:

Troy K. Rhoades ~ United States Air Force Reserves -- Veteran

Trustee Chessler welcomed Troy K. Rhoades, Retired United States Air Force Reserves member from 1983 to 2014 to lead us in the Pledge this evening. Trustee Chessler gave a brief summary of Mr. Rhoades' dedicated service and military background; he is retired with thirty-one years of service and prior to retiring, he was assigned as Command Chief Master Sergeant of the 910th Airlift Wing as an advisor to the Wing Commander on matters concerning the health, morale, welfare and the effective utilization of the Reserve members within the wing, and serves as the commander's representative to numerous committees, councils, boards, and military and civilian functions.

On behalf of the Board, Trustee Chessler thanked Mr. Rhoades for joining us here tonight and presented him with a flag/display case as a token of appreciation for his dedicated service. Mr. Rhoades thanked the Board for this opportunity and also gave a brief explanation of his military aspirations since he was a young boy. Mr. Rhoades again expressed his thanks to the Board.

Excused absence:

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Rich Rohn -- Stark Soil and Water Presentation

Trustee Chessler introduced Rich Rohn, here this evening from the Stark Soil and Water Conversation District regarding a Memorandum of Understanding between Perry Township and Stark County Ohio Soil & Water Conservation District for Technical Assistance.

Rich Rohn gave a brief introduction and detailed the technical assistance the Stark Soil & Water Conservation District would be addressing in partnership with Perry Township.

Trustee Chessler stated for discussion purposes, made a motion that subject to the Law Director's approval as to form and substance and is in the case and on the contract itself, we approve and enter into the renewal of the Memorandum of Understanding between Perry Township and Stark Soil and Water; Seconded by Trustee Haines.

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

Communications:

Request of Perry Youth Baseball

Trustee Chessler indicated that he received an email request from Thom Ross explaining that in his capacity as heading the youth baseball softball program for Perry, they are scrambling to find additional ball fields due to the number of participants this year. Mr. Ross inquired if they could repurpose what was previously a baseball field at Meredith Park, at their time and cost, to be usable for the upcoming season. Trustee Chessler stated that he had forwarded this for the Agenda this evening for discussion and relayed that Meredith Park has currently been used for soccer purposes.

Trustee Haines stated he would just ask that Administrator Fetzer please first reach out to the youth soccer president to confirm their utilization capacity of that park before we make any commitment to somebody else with that field. Trustee Chessler confirmed of Administrator Fetzer if she had Mr. Ross's contact information; Administrator Fetzer stated that she did.

Request of Jason M. Stevens Concerning Purchase of Parcel # 46-00365

Trustee Chessler indicated that the Board received an email request of March 25, 2019 from Jason M. Stevens inquiring about the property next to his, Parcel #46-00365; Mr. Stevens stated that he has been maintaining this property and wanted to know how he would go about acquiring it. Trustee Chessler indicated that Law Director Hall's response was to have Mr. Stevens contact the County Engineer for recommendation and if appropriate, the Board would assist him in filing the petition to vacate regarding this property to the County Commissioners.

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business: None.

New Business:

Trustee Chessler made a motion to approve bills and payroll in the amount of \$184,461.09 for the week ending March 19, 2019 and bills only in the amount of \$136,003.56 for the week ending March 26, 2019 and bills and payroll for the week ending April 2, 2019 in the amount of \$137,896.56 for a combined total of \$458,361.21; Seconded by Trustee DeChiara.

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

Fiscal Officer:

Consider Accepting March 5th Regular Meeting Minutes and March 14th Special Meeting Minutes

Trustee Chessler indicated that the Board has received supporting documents for the minutes from March 5, 2019 and March 14, 2019 and inquired if there were any proposed edits or corrections; seeing none, Trustee Haines made a motion.

Trustee Haines made a motion to approve the meeting minutes of March 5th Regular Meeting and March 14th Special Meeting; Seconded by Trustee DeChiara.

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

Administration:

Consider Ohio Department of Transportation 2018 Mileage Certificate

Trustee Chessler indicated that this next Agenda item is the annual certification we receive from the Stark County Engineer indicating the number of miles that are considered township roads, 144.820 miles; and we are to sign and acknowledge this certification.

Trustee Chessler made a motion that the Board authorize executing the certification for 2018 Township Highway Mileage; Seconded by Trustee DeChiara.

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

Consider Earth 'n Wood 3-year Contract

Trustee Chessler indicated that the Board has been requested to consider an agreement that is executed in conjunction with our recycling program from Earth 'n Wood and it includes a scope of service standards in terms and agreement. Trustee Chessler asked if Administrator Fetzer would please give more direction regarding this matter. Administrator Fetzer confirmed that the Board is selecting a three-year service agreement term with Earth 'n Wood regarding yard waste materials.

Trustee Chessler indicated his concern that if any changes would be necessitated by Stark Tusc Wayne during the year, we could possibly not receive our reimbursements; Law Director Hall indicated that there was a cancellation provision that the Township could utilize in that regard. Additional information was relayed regarding the grant funding through the Stark Tusc Wayne Waste District and the Township's ability to control the deflation of the funds, as necessary.

Trustee Chessler made a motion that the Board ratify entering into an agreement with regard to yard waste services with Earth 'n Wood for a three-year term on the prices voted on that agreement; Seconded by Trustee Haines.

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

Consider Nixle Mass Notification System

Trustee Chessler referenced the recent storms and the wind damage that has occurred as a result of area storms; Trustee Chessler indicated that it has become a topic of conversation regarding the proper method and means of notifying the general public about events such as this. Trustee Haines referenced the system that has also been utilized by the City of Massillon, the Nixle System, a texting system that is a type of a mass community notification system and gave a brief explanation regarding this.

Additionally, Fire Chief Martin relayed that there are a number of what is considered mass community notification systems out there and specified that the Nixle System is one that is being used by over eight thousand communities in the United States. Chief Martin explained that the uses to this type of system were literally limitless and gave some explanation regarding this as well. Chief Martin stated that the cost for this system was in the approximate amount of \$5,000.00 annually with a one-time \$400.00 set up fee and then the service is free to the residents.

The Board relayed their agreement to the introduction of this system.

Trustee Chessler made a motion that the Board authorize the Fire Chief to take the further steps necessary to sign the Township up with the Nixle program, that is appropriate to the Township, based on our discussion tonight and consider that agreement as soon as it is available; Seconded by Trustee Haines.

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

Trustee Chessler stated that he wanted to note that in looking into this matter a little further and also for the people that were here this evening, it has been a long, long time since the sirens in Perry Township have been operational. Trustee Chessler relayed that they were very cost prohibitive to maintain in this day and age and indicated that their original purpose was to summon the firemen to the fire station; they were not for weather alerts or other ancillary things like that.

Consider Authorizing FMLA Leave Requests for Employees A-04-0219 and B-04-0219

Trustee Chessler indicated that this next item on the Agenda has to do with FMLA leave requests and relayed that the Board would move this Agenda item to after the Executive Session is conducted.

Consider Payment to Stark Soil and Water in the Amount of \$5,000

Trustee Chessler indicated that the next Agenda item is in regard to the payment to Stark Soil & Water and made a motion that the Board approve payment to Stark Soil & Water in the amount of \$5,000.00 for the previous assessments for the services that were rendered; Seconded by Trustee Haines.

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

Consider Accepting Grant Checks in the Amount of \$2,500.00 and \$2,155.51 from Stark Tusc Wayne

Trustee Chessler stated that by memo dated April 1, 2019, the Board is in receipt of two grant fund checks; one is from the 2019 annual post compost clean-up grant in the amount of \$2,500.00; it is in recognition of the Board's willingness to host multiple recycling locations within the Township, next to the Township Hall and the Southway and Perry location; and the second grant is for the last quarter of 2018; the Yard Waste Block Grant in the amount of \$2,155.51 and is in reference to the on-site location at 1500 Jackson Ave. SW. Trustee Chessler made a motion that the Board accept those grants; Seconded by Trustee Haines.

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

Fire Department:

Consider Purchase of Smoke Alarms

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase of 450 Kidde 10-year photoelectric smoke alarms from Home Depot, 2406 Lincoln Way East, Massillon at a cost not to exceed \$6,750.00.

Trustee Chessler stated that based on that makes a motion that the Board authorize the Fire Chief to purchase the smoke alarms as he has outlined in the memo, the cost not to exceed \$6,750.00; Seconded by Trustee Haines.

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

Consider Cen Com Dispatching Contract

Trustee Chessler indicated that the next Agenda item is a memo from Chief Martin dated March 29th regarding the dispatch services contract. Trustee Chessler stated that this is an annual renewal, the contract itself is with the Nimishillen Township Board of Trustees. Trustee Chessler acknowledged Law Director Hall's review of this and also asked if Chief Martin had any other comments regarding this matter. Chief Martin referenced his memo information and again indicated the increase amount from the 2018 bill.

Trustee DeChiara stated his view opposing the Cen Com contract being renewed and gave explanation regarding a more seamless dispatch communication if both police and fire were under the same roof at the Red Center. Fire Chief Martin gave his view and explanation regarding this as well.

Trustee Chessler stated that he was not opposed to taking another look at this matter and inquired of Law Director Hall if we needed to renew this contract or have a contract in effect for dispatch. Mr. Hall indicated that he would recommend that the Board enter and approve the contract subject to knowing that the 30-day notice implies that cancellation of the contract can be made, if warranted.

Trustee Haines stated that he felt there was still a lot of homework to be done before we would arbitrarily pull out of the dispatch center and go to another dispatch center but relayed that he was open for more discussion concerning this matter.

Trustee DeChiara stated that he would agree to go with Cen Com if forming a short contract with them until more homework could be done but would not be in agreement in staying with them for the long term.

Trustee Chessler relayed that if the Board could request more details and additionally, if Chief Martin would take a look at how in 2019 with the MARCS System and the consolidation of the safety forces, radios and dispatching, we could shine more of a light on this and take a closer look, we could again make a tough decision, if necessary.

Trustee Chessler stated that based on our discussion and knowing the terms of this contract, made a motion that the Perry Township Board of Trustees renew the Fire and Dispatching services agreement with Nimishillen Township with the written terms they have provided in the updated agreement at a cost not to exceed \$133,992; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, no. Mr. Haines, yes.

Consider Purchase of MARCS Console

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase of a Motorola APX console 7/800 MHz from Motorola Solutions at a price not to exceed \$4,942.20. Chief Martin also indicated:

- To assist the department transition onto the MARCS Radio System, an APX console needs to be purchased; this console will be installed at Cen Com Dispatch Center.

- The consolette is essentially a multi-band transceiver that will allow for back and forth communication; this piece of equipment was not requested in the grant process so as to enhance the changes of receiving the grant funding.
- As a result of the grant, Perry Township received approximately \$244,000 in radio equipment at an expense of only \$24,400.
- The State Bid quote for the consolette is \$6,501.00; the extended quote for Perry Township is \$4,942.20.

Trustee DeChiara indicated that again, if going to the Red Center, the consolette would not be needed. Trustee Haines inquired if we could then use the portable radio within our own department. Chief Martin indicated that we would probably be able to use that as a base, but even if you go to the Red Center, some type of equipment cost would be needed to be able to transfer things and that cost would fall on us.

Trustee Chessler made a motion that the Board authorize the Chief to proceed with the purchase of a Motorola APX consolette 7/800 from Motorola Solutions at a price not to exceed \$4,942.20; Seconded by Trustee Haines.

ROLL CALL: Mr. Chessler, yes. Mr. DeChiara, no. Mr. Haines, yes.

Consider Resignation of Sarah Hardie

Consider Resignation of Andrew Paster

Trustee Chessler indicated that we have two resignations, the first of which is Sarah Hardie, effective April 2, 2019; Sarah thanks us for the opportunity to be part of the organization, but circumstances prohibit her from being able to continue with that.

Trustee Chessler made a motion accepting the resignation of Sarah Hardie, effective April 2, 2018; Seconded by Trustee Haines.

Trustee Chessler indicated that likewise, Chief Martin has given the Board a memo which accompanied Andrew Paster's letter of resignation; Andrew thanks us for the opportunity and we wish him well in that pursuit.

Trustee Chessler made a motion that the Board accept from Andrew Paster, his letter of resignation, effective today, April 2, 2019; Seconded by Trustee Haines.

Police Department:

Consider PRIDE Donation

Trustee Chessler indicated that Chief Pomesky has given the Board a memo asking for the Boards' acceptance of a donation in the amount of \$1,000.00 from the Perry Adult Booster Club for use in the PRIDE program. Chief Pomesky confirmed this request and again asked for the Board to accept this money; Trustee Chessler stated so moved; Seconded by Trustee Haines.

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

Consider Smoothwall Renewal

Trustee Chessler stated that Chief Pomesky is also asking for the Board's approval for the renewal of the Smoothwall agreement, firewall protection. Chief Pomesky indicated that Smoothwall has been their firewall provider for quite some time and added that this product has been outstanding for the department. Chief Pomesky relayed that this renewal covers the software upgrade assurance for three (3) years, the internet content filtering and our web filter licenses; the cost of this renewal is \$2,900.00.

Trustee Chessler made a motion that the Board approve and authorize the Chief to enter into an agreement with Smoothwall at a cost not to exceed \$2,900.00 for a three-year term of firewall protection; Seconded by Trustee Haines.

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

Road and Park Department:

Consider Cancellation of Cintas Contract

Trustee Chessler stated that the Board previously received emails from the Road Superintendent and that the Law Director has also weighed in on this matter regarding the Cintas uniform contract with the Road Department.

Road Superintendent Masalko gave a brief explanation regarding this matter. Law Director Hall also explained the two provisions being discussed regarding the Cintas contract; there has to be a sixty-day notice to Cintas with intent not to renew or it automatically renews and the provision agreement that any time Cintas notifies of a price increase, we have the right to reject that. Mr. Hall indicated that Mr. Masalko did send Cintas a notice of rejection and he expects that Cintas will either honor the formal agreement or they will cancel the contract. Law Director Hall stated that we will have to monitor this contract with Cintas and take any necessary steps for cancellation purposes.

Trustee Chessler made a motion that the Board authorize the Road Superintendent and the Law Director to monitor the agreement with Cintas and take the steps appropriate to defend the Boards' interest and cancel the contract, if necessary; Seconded by Trustee Haines.

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

Law Director:

Zoning:

Consider Zoning Agreement with Slesnick to Dispose of Junk Motor Vehicles

Trustee Chessler indicated that the next item on the Agenda is a zoning agreement with Slesnick to dispose of junk vehicles. Trustee Chessler relayed that the Law Director and Zoning Inspector have been working together to develop an agreement that is acceptable to the Board and meets the provisions of the revised code.

Law Director Hall gave a brief description of the process regarding Slesnick's contract concerning the junk motor vehicles and relayed that this was the best recommendation that he and Zoning Inspector Cugini could make under the present circumstances.

Trustee Chessler made a motion that the Board approve the contract which has been drafted by our Law Director and assisted by our Zoning Inspector, that contract is between the Board of Trustees and Slesnick iron and metal company of 927 Warner Rd. SE, Canton, Ohio; Seconded by Trustee Haines.

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

Problem Properties:

Trustee Chessler stated that the next item listed on the Agenda is an Executive Session and indicated that the Board will proceed with that after the Public Speaks portion.

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department:

February Stats

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Announcements:

~Visit www.perrytwp.com and view Save the Dates for Perry Township Community Calendar 2019

~Rotary Easter Egg Hunt, Saturday, April 13, 2019; 10:00 am to Noon at Perry Career & Wellness Center and PHS Stadium Continental Breakfast, Coloring Contest, Easter Egg Hunt and Easter Bunny

~Perry Rotary Patriots Parade and Patriots in the Stadium, Saturday, May 11, 2019 from 11:00 am to 3:00 pm. Sponsored by Perry Rotary and AQUA.

Public Speaks-Open Forum:

Mike Bowen, 3900 Groveland Ave. SW, Navarre – Mr. Bowen stated that he was here to represent Richville baseball and indicated that there would possibly be a need for some additional room for ball fields or request the use of some ball fields for next year. Mr. Bowen stated that they were at the point where they were outgrowing some of their boundaries and wanted to come before the Board for discussion regarding some direction concerning any upcoming park availability for ball fields.

Trustee Haines gave a brief overview of the ball fields in the Township and indicated that as the baseball/softball programs progress we will need to look at the analytics of it; how many players do we have in both the Richville youth league and Perry youth league, how many fields are out there; look at the numbers and come up with a type of field-use schedule.

Mr. Bowen indicated that he would also be willing to have some discussion about a space where we could work together to build another field; Trustee Haines stated that when he was involved with Perry Youth Soccer about ten years ago, they were talking to Perry Schools about possibly utilizing some of their property off of Southway near the railroad tracks to build youth soccer fields. Trustee Haines stated that while he could or would not speak for Perry Schools, he would be willing to help organize some discussion regarding a possible location to build a new ball field.

Mr. Bowen verified if it would be fair then, if when talking with the school board, to say that the Township Trustees would be willing to get together to work something out; Trustee Haines stated absolutely, he would be happy to do that.

Tiffany Poirier, 1405 Beechnut Dr., Akron

Dean Porter, 3546 Hilton St. NW,

Ms. Poirier stated that they were here to propose putting a memorial in Perry Park and change the name of the Rowmont Pavilion to a Perry Student Memorial Pavilion. Ms. Poirier explained that this would create something where any person that lost a student at Perry at any time could memorialize them in a public place. Ms. Poirier gave detail to what they envisioned the memorial's elements to be and stated they also have other long-term things they would like to introduce as part of the memorial, but initially would start with this. Mr. Porter also stated the one thing he wanted to make clear was that this was not a suicide memorial. Mr. Porter stated that when they started all of this months ago, they spoke to many, many people and added that this is why they wanted to create a memorial for the whole community.

Trustee Haines referenced the previous conversations he and Trustee Chessler have had with Mr. Porter and Ms. Poirier and relayed the concerns concerning the memorial details; Trustee Haines added that the Board has to do the right thing as a whole. Further discussion took place regarding the memorial; Trustee Haines stated that this is definitely good conversation and indicated that it's been an ongoing conversation to reach what they were looking for in terms of remembering their loved ones.

Trustee Chessler also referenced the previous discussions with Mr. Porter and Ms. Poirier and again expressed that this is information that includes mental health professionals, law enforcement, the Township's liability insurance and the community's school psychologist. Trustee Chessler stated that he feels that they all most certainly have the best of intentions and have control over what they intend but did not think they had control over what people will perceive. Trustee Chessler relayed that despite all the best intentions, as the elements of the memorial would recognize not only the young people that have committed suicide, feels that it is kind of the centerpiece and would be perceived as that anyway. Trustee Chessler stated that in looking for a fitting location, the schools and the Township are both public places as opposed to a private garden or business. Trustee Chessler indicated that these are all considerations they must think about when making these decisions.

Mr. Porter stated that though he respects that, he cannot say that he agrees and relayed that they did not want this memorial to be perceived as a bad or negative image. Mr. Porter stated that basically, what it will come down to is what is best for the community and indicated that he would be more than happy to talk to anybody that has any questions or concerns about this. Ms. Poirier stated that they

have been very willing to compromise and added that if there were other ideas, they were willing to listen to them.

Trustee DeChiara inquired of Mr. Porter if putting this memorial in Calvary Cemetery would be out of the question; Mr. Porter indicated no they did not want to put this in the cemetery and relayed that when they first introduced their memorial plans, it has progressed to wanting to do something to remember these six students and loved ones to include a student memorial, something for the whole community; Mr. Porter stated that this doesn't have to be a place to grieve; it should be a place to go where they can remember.

Trustee Chessler stated that their dialogue will continue on this memorial and referenced the written copy of their memorial proposal, attached before the Board. Mr. Porter stated their thanks.

Executive Session(s):

Trustee Chessler made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) and (5) for both personnel matters and matters to be kept confidential by Ohio or U.S. law to include the Board, Fiscal Officer, Law Director and Administrator and indicated that there may be action taken; Seconded by Trustee Haines.

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

The Board adjourned into Executive Session at: 8:31 pm

The Board adjourned from Executive Session at: 8:55 pm

Trustee Chessler stated that he would address the Agenda item under Administration: Consider Authorizing FMLA Leave Requests for an employee designated as A-04-0219; the Board has received information from the Administrator and the medical provider for approving the FMLA reading subject to further information that we may receive; Seconded by Mr. Haines.

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

Trustee Chessler stated with regard to the case nominated as B-04-0219, the Board has received that information and at this time would approve the request for FMLA leave, but it appears as though based on existing policy and our records, there is no other source of authorized compensation neither by vacation time, sick leave or mesentery time that has been authorized by the fiscal office, so it appears that this would be unpaid leave; Seconded by Trustee DeChiara.

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

Adjournment:

With nothing further to come before the Board, Trustee Chessler made a motion to adjourn the meeting at 8:57 pm; Seconded by Trustee Haines.

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

Craig Chessler, President

Joe Schlegel, Fiscal Officer