

Perry Township Board of Trustees

Regular Meeting

September 17, 2019 6:00 pm

Call to Order/ Pledge of Allegiance:

Excused absence:

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Communications:

Public Speaks on items up for Board Approval: None.

Township Business requiring Board Action: None.

Unfinished Business:

Consider Grievance Response to Adam Reiger

Trustee Chessler indicated that the Board had a scheduled grievance hearing with Adam Reiger of the Fire Department at the last Regular Meeting and gave some brief explanation regarding this matter.

Trustee Chessler made a motion that the Board affirm the decision of Chief Martin to deny the Grievance as it was submitted; Seconded by Trustee Haines.

Trustee Chessler inquired of Law Director Hall if he would memorialize the hearing of September 3, 2019, Regular Meeting and tonight's decision; Mr. Hall confirmed yes.

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

Consider Purchasing Cloud Security for Office 365 from Virtual Data Works

Trustee Chessler stated that this next Agenda item was a matter the Board previously had an initial discussion on and asked if Administrator Fetzer would please explain the details.

Administrator Fetzer again gave a brief explanation regarding the new email security package upgrade through our IT specialists, Virtual Data Works and indicated that Trustee DeChiara had some conversation with the owner of Virtual Data, Mr. Matt Dewees to have some of his questions answered regarding this email security upgrade.

Trustee Chessler verified that the proposal from Virtual Data Works is the Cloud security setup and configuration, the one-time set up fee for that, \$1,000.00; the per station cost of \$15.00 for 25 users at a cost of \$375.00 per month.

Trustee DeChiara indicated that Mr. Dewees explained our basic IT package; Trustee DeChiara stated that he was certainly in favor of our IT security but relayed that he wanted to have a more detailed review of the IT services to see where we were currently at with this, as well as what we would need to do in the future regarding email security measures.

Trustee Haines indicated that this email security package was a month-to-month contract so we would not be tied into a binder contract and additionally, felt that the sooner the Board acted on this, the sooner we could become secured. Trustee Haines stated that if we wanted to do more research to see if there was something better or more competitive out there, we could still do that, but in the meantime, we would be utilizing this needed level of protection promptly.

Administrator Fetzer stated that if she might add, the Board had done their due diligence in 2017 when we purchased the new server and had quotes from three different companies; Virtual Data Works was our lowest and best bid and additionally, Administrator Fetzer stated that she felt we were right on track with all of these things.

Trustee Chessler relayed the quote from Virtual Data Works for Cloud security for Office 365; the set up and configuration and the per unit cost for the security package upgrades and support in the phishing threat protection at a \$1,000.00 initial fix cost and a recurring \$375.00 charge per month. Trustee Chessler made a motion that the Board accept and enter into that agreement with Virtual Data Works; Seconded by Trustee Haines.

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

New Business:

Trustee Chessler made a motion to approve bills in the amount of \$14,500.00 for the week ending September 10, 2019 and bills and payroll in the amount of \$144,752.95 for the week ending September 17, 2019 for a combined total of \$159,252.95; Seconded by Trustee Haines.

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

Fiscal Officer:

Consider Accepting 08/16/19 and 09/03/19 Meeting Minutes

Trustee Chessler indicated that the Board has in its supporting documents, the minutes for the meetings of August 6, 2019 and September 3, 2019 and inquired if there were any proposed changes to the minutes as submitted; seeing none, Trustee Chessler made a motion that the Board approve the minutes as submitted for the 8-6-19 and 9-3-19 meetings; Seconded by Trustee Haines.

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

Consider Amended Certificate 14A DARE Money \$21,200.00

Fiscal Officer Schlegel stated that he was requesting that the Board do an Amended Certificate in the increase of 14A DARE money account by \$21,200.00. Mr. Schlegel indicated that this is money that we received in grants from the state and is an increase in that budget.

Trustee Chessler stated that based on the request of the Fiscal Officer, made a motion that the Board approve an Amended Certificate in the amount of \$21,200.00 to be credited to the 14A DARE money account; Seconded by Trustee DeChiara.

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

Administration:

Consider Updated Tenant Farmer Contract

Trustee Chessler referenced this next Agenda item under Administration and a memo the Board received of September 13th submitted by Administrator Fetzer memorializing a meeting that she and Trustee Haines had with Fasnacht Farm Tenant Farmer, Paul Bender. Trustee Chessler indicated that we have discovered that the five-year contract of renewal for the tenant farmer activities at Fasnacht Farm had not been formally executed; in addition, there were some issues that the Board thought were opportune to discuss at a periodic meeting with Mr. Bender. Trustee Chessler asked if Trustee Haines would give more detail.

Trustee Haines gave a brief overview from the meeting held last week, present, including himself, Administrator Fetzer, Paul Bender, and a representative of Stark Parks with a summary of what has been happening at Fasnacht Farm. Trustee Haines stated that they did discuss some of the items that were in disrepair throughout the entire property and shared Mr. Bender's understanding and confirmation of making sure things were kept trimmed and more maintained.

Trustee Chessler inquired if it would be necessary to put this in writing to incorporate the zoning maintenance code; Law Director Hall referenced the zoning resolution, occupation of premises and indicated that he could add the verbiage specifically incorporating the residential property maintenance code to the residential buildings at Fasnacht Farm, subject to the Board's satisfaction.

Trustee DeChiara also referenced complaints made about the overall condition of the Fasnacht Farm property and inquired if anything was mentioned at this recent meeting from the Stark Park representative regarding more developments between Stark Parks and Fasnacht Farm. Trustee Haines indicated that the Stark Parks representative present at the meeting was in charge of tours held at Fasnacht Farm but stated that he did voice his opinion to him that we would like to be on Mr. Fonte's radar regarding the trails continuing through Fasnacht Farm.

Trustee DeChiara inquired what the other Board members thought about getting in touch with Bob Fonte to set up another meeting for further discussion with Stark Parks. Trustee Chessler indicated that he was in favor of that. In addition, Trustee Chessler also indicated that he would like to review the language and add more specific, enforceable verbiage regarding the tenant farmer contract. Mr. Hall confirmed that he would circulate that to the Board, Administrator, Zoning Inspector and Park Director.

Consider Township Administration Sidewalk Quote

Trustee Chessler thanked Administrator Fetzer for keeping the Board apprised regarding the sidewalk repair outside of the Administration building and asked if she would please give more detail concerning this matter.

Administrator Fetzer gave a brief explanation regarding the sidewalk repair around the Administration building and indicated that she received quotes from two concrete companies, M D Concrete, Inc. in the amount of \$8,900.00 and McBurney Concrete, Inc. in the amount of \$3,884.50. Further discussion took place concerning this repair.

Trustee Chessler made a motion that the Board accept the quote from McBurney Concrete, Inc. for the repair and replacement of the sidewalk around the Administration Building at a cost not to exceed the quoted price of \$3,884.50; Seconded by Trustee DeChiara.

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

Consider FMLA Request of Employee "A"

Trustee Chessler stated that in regard to this matter, it was recommended to us by our outside legal counsel that we have a specific action by the Board of Trustees concerning this request and asked if Administrator Fetzer would please give more detail.

Administrator Fetzer indicated that it is in regard to medical information as to the reference of Employee "A". Administrator Fetzer also stated that this employee's medical certification is attached for the Board's review; said employee is aware that he must schedule his time away with the Department Head and indicated that he has been doing that. Also, said employee is concurrent with his sick leave and vacation as per the Board's policy.

Trustee Chessler made a motion that the Board of Trustees approve the request for Family Medical Leave Act for the Township employee identified as Employee "A" to preserve his identity; Seconded by Trustee Haines.

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

Fire Department:

Consider New Air Compressor for Station #1

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase and installation of a new air compressor for Station 1 from Akron Air Products at a cost not to exceed \$3,241.07.

Chief Martin relayed that the air compressor at Station 1 is over 25 years old; the current compressor is continually failing to provide adequate air pressure to maintain the air shocks and brakes on the fire apparatus. Chief Martin indicated that three (3) quotes were obtained and the lowest quote is actually the best compressor; the Fire Department recommends Akron Air Products.

Trustee Chessler made a motion that based on the Chief's request, the Board enter into an agreement with Akron Air Products for a compressor installation for an air compressor for Station 1 at a cost not to exceed \$3,241.07; Seconded by Trustee DeChiara.

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

Consider Extended Warranty and Maintenance Agreement for Cardiac Monitors

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize a one (1) year extended warranty and service maintenance contract with Zoll Medical Corporation to provide coverage for the department's five (5) Zoll Cardiac monitors; cost of agreement not to exceed \$6,588.75.

Chief Martin stated that the cost of a new monitor is approximately \$30,000.00, therefore an agreement to keep these monitors in good working condition is an advantage for the Fire Department; the department currently has five (5) Zoll cardiac monitors which were obtained through a FEMA Fire Act grant.

Trustee Chessler made a motion the Board authorize entering into a one (1) year extended warranty and service maintenance agreement with Zoll Medical Corporation to provide coverage for our cardiac monitors at a cost not to exceed \$6,588.75; Seconded by Trustee Haines.

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

Police Department:

Consider Server Purchase Request

Police Chief Pomesky stated that the Police Department is requesting that the Board of Trustees authorize the purchase of a new server for the department in the amount of \$4,864.06. Chief Pomesky indicated that this purchase will replace a service that is running software that will be at end of life at the conclusion of 2019; Chief Pomesky is requesting to purchase this by using funds from the State Law Enforcement Trust Fund. Law Director Hall stated that he did review this purchase and it is a proper and authorized expenditure of that fund.

Trustee Chessler stated that based on the Chief's request, made a motion that the Board authorize the Chief to purchase a new server for the Police Department; the cost of the purchase is not to exceed \$4,864.06 and we will request that those funds be paid from the State Law Enforcement Trust Fund; Seconded by Trustee DeChiara.

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

Consider Request to Purchase Flares

Police Chief Pomesky stated that the Police Department is requesting that the Board of Trustees approve a purchase that was made at American Parts Equipment Supply for 20 cases of Orion 20-minute road flares in the amount of \$2,539.80, including shipping. Chief Pomesky stated that since this purchase ended up being over \$2,500.00 by \$39.80, he is asking that the Board authorize this purchase.

Trustee Chessler stated that based on the information contained in Chief Pomesky's memo of September 11th made a motion that the Board approve the purchase already made by the police department for flares in the amount of \$2,539.80; Seconded by Trustee Haines.

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

Road and Park Department:

Consider OPWC 4th Street/Pleasant Hills Pay Request #5

Trustee Chessler stated that per Road Superintendent Masalko's memo of September 12th, he has presented the pay requests that we have received from the 4th St./Pleasant Hills Storm Sewer Improvement Project Phase 2; there is a request coming from Hammontree & Associates for their pay disbursement and Easton Construction Company for theirs; on each there is an Ohio Public Works Commission portion that is paid and on each there is a township portion to be paid, outlined and detailed on the supporting documents before the Board.

Trustee Chessler made a motion that the township approve payment to Hammontree & Associates its township portion of \$333.85 and the township portion to Easton Construction Company of \$36,728.94; Seconded by Trustee Haines.

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

Consider 4th Street Pleasant Hills Storm Sewer Project Change Order

Trustee Chessler stated that Road Superintendent Masalko's memo, also of September 12th is in regard to the same project; change order #1 for the 4th St./Pleasant Hills Storm Sewer Project Phase 2. Trustee Chessler asked if the Road Superintendent or Hammontree & Associates Engineer, Karl Oprisch would be able to give more detail concerning this change order.

Road Superintendent Masalko stated that due to the extra materials used and the relocation of utilities required by Canton Water, extra pavement, planing, milling and extra asphalt were used to fill in low spots and to make the transition of drive approaches, etc., and resulted in the project increase in the amount of \$21,575.18.

Trustee DeChiara referenced that the majority of this increase was due to the City of Canton recently putting in new water lines and stated that he could certainly agree with that, but inquired if since it is the City's system, why they were charging us to do that work. Mr. Oprisch gave a brief explanation regarding the extra costs being our part of this project.

Trustee Chessler stated that he would also note that the Board has received its supporting documents with all the calculations of the original contract price, the measurements and the calculations that comprised this increase amount.

Trustee Haines stated that based on the conditions due to extra materials and the relocation of the utilities provided by Canton Water, extra pavement, planing, milling and the extra asphalt used to fill low spots and to make the transition of drive approaches, the project increased the change order in the amount of \$21,575.18; Seconded by Trustee Chessler.

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

Law Director:

Zoning:

Problem Properties:

Department Matters Not Requiring Board Action:

Administration: None.

Fire Department: None.

Police Department:

August Activity Report

Road Department: None.

Parks/Recycling: None.

Zoning: None.

Law Director: None.

Announcements:

~Saturday, September 21st – Join us for the 6th Annual Perry Township Community Parade from 11:30 am to 12:30 pm. Keith Nutter – AQUA Director is the Grand Parade Marshall! Immediately following the parade, we will celebrate the 6th Annual Perry Township Oktoberfest from 12:00 pm to 3:00 pm at Hartwick Park – Food, Fun & Fellowship for all to enjoy! Perry Township Community Events are sponsored by AQUA

~Nixle Alert System free to community members is now available by texting 888777 and entering perrytwpoh – view additional information at www.perrytwp.com

~Meet the Township Day – Saturday, October 5, 2019 at Marc’s Plaza from 11:30 am to 2:30 pm

Public Speaks-Open Forum:

Bruce Hunter, 809 Netherwood Ave. NW – Mr. Hunter stated that he has lived at this address for 46 years and stated that their street has not been blacktopped in almost 46 years. Mr. Hunter gave a detailed explanation regarding the history status of roadwork done on Netherwood and stated that although he knows that the blacktopping is finished for this year, asked if their street might be considered to be repaved in the upcoming year, as well as being swept.

Trustee Chessler stated that they could at least address the street being swept at this time and thanked Mr. Hunter for his comments.

Dana Vargo – indicated that she wanted to make an announcement for the Perry History Club regarding their upcoming Johnny Appleseed Festival this coming Saturday, September 21st from 11 am to 2 pm at the Genoa School Yard serving homemade soup, apple pie and apple butter.

Johanne Simone, 4557 12th St. NW – Ms. Simone stated that she has lived at this property for 44 years and indicated that she never had a water issue until about three or four years ago when the county did a project on 12th Street wherein they raised the road approximately 12 inches and indicated that she’s had a horrible flooding problem ever since.

Trustee Haines stated that he and Road Superintendent Masalko would make arrangements to come out to Ms. Simone’s property to assess this issue and see if there was something they could do or get

the county's input on the situation and see if there was anything they could do to work together to redirect the water flow. Ms. Simone stated her thanks and appreciation.

Executive Session(s):

Trustee Chessler made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) to include the Board, Fiscal Officer, Law Director and Police Chief with no action to be taken; Seconded by Trustee Haines.

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

The Board adjourned into Executive Session at: 6:52 pm

The Board adjourned from Executive Session at: 7:17 pm

Adjournment:

With nothing further to come before the Board, Trustee Chessler made a motion to adjourn the meeting at 7:17 pm; Seconded by Trustee Haines.

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

Craig Chessler, President

Joe Schlegel, Fiscal Officer