

Perry Township Board of Trustees

Regular Meeting

May 5, 2020 6:00 pm

Call to Order/ Pledge of Allegiance:

Trustee DeChiara stated that based on the recommendation of Governor DeWine and the Ohio Department of Health, the Perry Township Board of Trustees will conduct the May 5, 2020 Regular Meeting at 6:00 pm live-streamed on the Perry Township Police Department Facebook page. Trustee DeChiara indicated that the meeting may be viewed by typing in Perry Township Police Department, Stark County, Ohio Facebook; the general public is not permitted to physically attend this public meeting; however, you may submit questions or comments to office@perrytwp.com or 330-833-2141.

Excused absence: John Masalko, Road/Parks Superintendent; Joyce Fetzer, Township Administrator; Tim Cugini, Zoning Inspector

Additions/Deletions to Agenda:

Public Hearings/Invited Guests:

Swearing In of 8 Part-Time Members of the Fire Department

Trustee DeChiara indicated that the Fire Department is requesting that the following individuals be hired as part-time employees; these members shall comply with all township resolutions, state and federal laws relating to total and average hours allowed to work per week and per year. Members will be required to follow and complete all current requirements placed on employees; members will be afforded all benefits currently applicable to part-time employees; these hires are provisional pending final drug and alcohol screening reports; starting wage will be \$15.00 per hour; hiring date will be effective tonight, Tuesday, May 5, 2020.

Trustee DeChiara made a motion to hire the following individuals; Seconded by Trustee Haines.

1. **Eddie Murray**
2. **Max Tisdale**
3. **Ryan Hendershot**
4. **Thomas Kidd**
5. **Kytt Rothermel**
6. **Gabriel Mahaney**
7. **Nathaniel Devis**
8. **Jacob Fondriest**

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

Trustee DeChiara indicated that in order to accommodate the swearing in for spacing and social distancing purposes, the Board would pause at this time and go outside for the swearing in of the new recruits.

Trustee DeChiara asked the eight (8) new recruits to please raise their right hands and repeat:

I, _____ do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, the Resolutions of Perry Township, Ohio, the Rules, Regulations, the Standard Operating Guidelines, Standard Operating Procedures and Policies of the Perry Township Fire Department; I will faithfully and honestly and impartially discharge the duties of the Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God.

On behalf of the Board, Trustee DeChiara extended his congratulations to each of the newly hired Perry Township part-time fire department employees.

Fiscal Officer Chessler indicated that the Board was in recess at 6:07 pm.

Fiscal Officer Chessler indicated that the Board was back on the record at 6:15 pm.

Eagle Scout Presentation

Trustee Haines indicated that the Board received a request from Perry High student, Jarret Bracken, Troop 265, regarding an Eagle Scout project request for a bulletin board to be constructed at Meredith Park. This bulletin board would display the youth soccer league scheduling information for matches being played on game day, as well as fund raising information and other relevant announcements for the soccer league. Jarret explained some design details regarding the bulletin board and referenced a drawing he had included in his supporting documents for the Board's review. The Board members asked several questions regarding the details of the project.

Trustee Haines referenced Park Superintendent Masalko being informed of this project request and being in agreement to the placement and details as well. Trustee Haines indicated that Jarret was welcome to email him any equipment requests or questions and they would do their best to be able to assist in whatever way possible.

Communications:

Public Speaks on items up for Board Approval:

Township Business requiring Board Action:

Unfinished Business:

New Business:

Trustee DeChiara stated that the Board will consider the approval of bills and payroll in the amount of \$243,651.57 for the week ending May 4, 2020 and bills in the amount of \$19,709.84 for the week ending May 5, 2020 for a combined total of \$263,361.41; so moved by Trustee Haines; Seconded by Trustee Shreffler.

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

Fiscal Officer:

Consider Accepting the Meeting Minutes from 04/21/20

Trustee DeChiara stated that the Board would consider accepting the meeting minutes from April 21, 2020; so moved by Trustee Haines; Seconded by Trustee Shreffler.

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

Consider Reappointing C. Seybold as Assistant Fiscal Officer

Fiscal Officer Chessler gave a brief explanation regarding the State Auditor's request for a copy of the resolution where Ms. Seybold was hired on January 6, 2020. Mr. Chessler indicated that this did not appear in the meeting minutes nor the terms of Ms. Seybold's employment. Mr. Chessler indicated that he would go back and ratify Cindy's employment for the Board's approval; she was hired January 6, 2020 at the rate of \$20.00 per hour and relayed that the statute that applies indicates that the Fiscal Officer has the authority to hire and set the compensation subject to the approval of the Board of Trustees.

Trustee Haines stated that based on this information, made the motion that the Board pass a resolution to hire Cynthia Seybold as of January 6, 2020 as the Assistant Fiscal Officer at an hourly rate of \$20.00 per hour with all of the benefits of a full-time employee; Seconded by Trustee DeChiara.

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

Consider Retroactive Designation of First Commonwealth Bank as an Additional Depository

Fiscal Officer Chessler stated that again, this matter comes to us by a request from the auditor's representatives that have been present in the office for several weeks; one of several questions; when did the Township switch the majority of its money from Huntington to First Commonwealth; when did the Huntington account close; did the Board approve the First Commonwealth opening; did the Board approve the closing of the Huntington account.

Mr. Chessler stated that we have gone back and searched the records and minutes for several years and the law, as applicable, requires the Township to approve its depositories every five years. Fiscal Officer Chessler indicated that it does not appear that we have had a formal resolution approved by the Board to establish the township depository so he has asked Law Director Hall to prepare a resolution that will do two things; it will start the process that the Board has to engage to advertise and make a selection of township depository and the other was to designate First Commonwealth Bank as additional depository.

Fiscal Officer Chessler also stated that he wanted to address the township account called Star Ohio which is a statutorily authorized account and gave a brief explanation stating that we do not currently use this account, but we are going to keep that account open and that would designate these matters as our active and inactive depository accounts.

Trustee DeChiara made a motion that effective February 21, 2017 and with the transfer of any public funds from Perry Township, Stark County from Huntington Bank, the First Commonwealth Bank, the First Commonwealth Bank is appointed and acknowledged as an additional depository for this Board and we will include Star Ohio with this; Seconded by Trustee Haines.

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

Consider Resolution to Advertise for Public Depository

Fiscal Officer Chessler stated that he is requesting a resolution to start the process to advertise for bids for public depository.

Trustee DeChiara made a motion to accept applications substantially in form as provided by the Ohio Revised Code section 135.06 for inactive deposits, 135.08 for interim deposits and 135.10 for active deposits will be received from eligible institutions until 6:00 pm EST on June 16, 2020 for the deposit of inactive funds of Perry Township at which time the applications will be examined and the designation of a depository or depositories made for a period of five (5) years commencing from the date of Notice and Agreement with the designated depository; whereas the eligible financial institutions within Perry Township offering the highest rate of interest per annum on inactive deposits shall be made the depository or depositories of fund of Perry Township for a period of five (5) years. If no financial institution in Perry Township bids a satisfactory rate of interest on the inactive deposits, then the financial institution, located close to Perry Township, bidding the highest rate of interest shall be made as our depository; Seconded by Trustee Haines.

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

Administration:

Consider BWC Settlement Claim of C. Schafer

Trustee DeChiara referenced Administrator Fetzer's 5-1-20 memo to the Board regarding Fire Department employee Chad Schafer's settlement claim in the amount of \$2,000;00; this settlement claim is concerning Chad's 2017 authorized BWC claim #17-14198 for injuries sustained; this settlement is paid by the Bureau of Worker's Compensation and is recommended by our Third-Party Administrator.

Trustee DeChiara made a motion that the Board accept the settlement for Chad Schafer in the amount of \$2,000.00; Seconded by Trustee Shreffler.

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

Fire Department:

Consider Termination Proceeding Against Part-Time Firefighters Emere Mack and Jeff Riggs

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees terminate the part-time employment of Mr. Emere Mack and Mr. Jeff Riggs for failure to comply with department scheduling policy effective Tuesday, May 5, 2020. Chief Martin gave a brief explanation regarding this request.

Trustee Haines stated that he would make a recommendation based on the information given to us by the Fire Chief that the Board take termination proceedings against part-time firefighters, Emere Mack and Jeff Riggs; Seconded by Trustee DeChiara.

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

Consider Purchase of Smoke Detectors

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the Fire Department to purchase one hundred ten (110) cases of smoke alarms (333 alarms) from the Home Depot Store in Massillon at a cost not to exceed \$4,588.74. Chief Martin gave a brief explanation regarding this purchase request.

Trustee Haines stated that based on that information, made a motion to approve the purchase of one hundred ten (110) cases of smoke alarms from the Home Depot store at 2406 Lincoln Way E., Massillon, Ohio at a cost not to exceed \$4,588.74; Seconded by Trustee Shreffler.

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

Consider Purchase of Victory Electrostatic Sprayers

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase of one (1) Victory Sprayer Hand-Held Kit at \$835.00; one (1) Victory Sprayer Backpack Kit at \$1,975.00; and three (3) cases (3 – 32 oz. bottles per case) of Husky 824 quick care disinfectant at \$50.00 per case from FriendsOffice in Columbus, Ohio. More discussion took place regarding this matter.

Trustee Haines stated that based on the information given from the Fire Department, made a motion that the Board authorize the purchase of one Victory Sprayer Hand-Held kit at \$835.00; one Victory Sprayer Backpack Kit at \$1,975.00; and three (3) cases (3 – 32 oz. bottles per case) at \$50.00 per case from FriendsOffice out of Columbus, Ohio with the total not to exceed \$2,960.00 and this will be purchased under the new Care Act; the money will come out of that account; Seconded by Trustee Shreffler.

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

Consider Hiring 8 Part-Time Employees

Police Department:

Consider Massillon Prisoner Transportation Agreement MOU

Police Chief Pomesky referenced his memo to the Board dated 4-24-20 regarding the Updated MOU-Prisoner Transportation Agreement from the City of Massillon and gave a brief explanation regarding this matter. Chief Pomesky relayed that the MOU itself does not change how the Prisoner Transportation Agreement functions for us or create an additional expense, but the goal of this is to amend the Section 3 of the contract documenting compliance with Executive Order 2018-03K that was previously issued. Chief Pomesky indicated that this formalizes in words what we have already been doing for quite some time.

Trustee Haines stated that based on information from the Police Chief made a motion that the Board enter into a Memorandum of Understanding (MOU) between the City of Massillon and the Township; the purpose of the Memorandum of Understanding is to amend Section 3 of the transport agreement in order for those agencies participating in the transportation agreement to better comply with the Executive Order 2018-03K issued by Governor Kasich on April 23, 2018; Seconded by Trustee DeChiara.

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

Consider Clorox 360 Purchase

Police Chief Pomesky referenced his memo to the Board dated 4-24-20 regarding the Police Department's request to purchase a Clorox 360 Machine and gave a brief explanation regarding this purchase.

Trustee Haines stated that based on the information from the Police Chief, made a motion that the Board approve the purchase of one Clorox 360 Machine at a cost of \$650.00 and two cases of the cleaner and that's \$183.00 total for a total of \$833.00, the total not to exceed \$833.00 and this will also be purchased from the Care Act account; Seconded by Trustee DeChiara.

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

Road and Park Department:

Consider Purchase of Street Sweeper Vac

Trustee DeChiara referenced Road Superintendent Masalko's April 30, 2020 memo to the Board regarding the Road Department's request for the Board's authorization to purchase a new street sweeper/vac.

Trustee Haines relayed with a brief explanation of Mr. Masalko's explanation regarding the price quotes he received for the new street sweeper/vac.

Trustee Haines made a motion that the Board approve the purchase of a 2018 Schwarze A7000 Street Sweeper from Southeastern Equipment, 6415 Premier Ave. NW, North Canton 44720 with a total price not to exceed \$226,000.00; Seconded by Trustee DeChiara.

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

Law Director:

Zoning:

Consider Grass Mowing Contractors List

Trustee DeChiara referenced Zoning Inspector Cugini's memo for the Board's consideration concerning the two (2) applications received from grass mowing contractors for the mowing rotation list for 2020.

Trustee Haines made a motion that based on the information and applications and supporting documents we have received from the two different grass mowing contractors for consideration to be added to our mowing rotation list for 2020 is Gino's Lawn Service, Gino Lanza and Marcelli's Lawn Care, Adam Marcelli; each contractor will be used on a rotating basis at the rate of \$40.00 per hour; Seconded by Trustee DeChiara.

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

Announcement of May 18, 2020 Board of Zoning Appeals Meeting

Trustee DeChiara referenced Zoning Inspector Cugini's May 1, 2020 memo to the Board relaying the Special Board of Zoning Appeals hearing scheduled for Monday, May 18, 2020 at 6:00 pm; Mr. Cugini indicated that there will be seven (7) cases scheduled for that evening.

Problem Properties:

Department Matters Not Requiring Board Action:

Administration:

Fire Department:

Police Department:

Road Department:

Parks/Recycling:

Zoning:

Law Director:

Announcements:

~Yard Waste Site at 1500 Jackson Ave. SW -- Monday, Wednesday and Saturday 8 am to 4 pm.

Public Speaks-Open Forum:

Executive Session(s):

ORC 121.22 (G) (1) Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of an Employee to Include the Board and Possibly Law Director as needed, with no action to be taken.

Trustee DeChiara made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or compensation of an employee to include the Board of Trustees and possible Law Director as needed, with no action to be taken; Seconded by Trustee Shreffler.

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

The Board adjourned into Executive Session at: 7:05 pm

Fiscal Officer Chessler indicated that a motion to come out of Executive Session was made by Trustee Shreffler; seconded by Trustee Haines at 7:26 pm.

Adjournment:

Fiscal Officer Chessler indicated that a motion to adjourn was made by Trustee Haines; Seconded by Trustee DeChiara at 7:26 pm.

Ralph DeChiara Jr., President

Craig Chessler, Fiscal Officer