

**Perry Township Board of Trustees**

**Regular Meeting**

**July 21, 2020 6:00 pm**

**Call to Order/ Pledge of Allegiance:**

Trustee DeChiara opened the meeting and indicated that the Board would step outside to conduct a brief ceremony to recognize the retirement of one of our Perry Township Fire Department members. Trustee DeChiara also indicated that he wanted to make a reminder that as recommended by the State of Ohio and the Safe Ohio Directive, commencing with the June 2, 2020 meeting and subject to future resolutions by our Board, that our meetings shall be open to the public, however, attendance is limited to 10 persons in the room; that includes all of our department heads and employees that are participating in the meeting.

Trustee DeChiara indicated that social distancing will remain in effect; any member of the public wishing to address the Board in public speaks must register with the Board's administrative office by calling 330-833-2141 no later than 3 pm on the date of the scheduled meeting; Public Speaks will be listed on the Agenda immediately following the Pledge of Allegiance and will be addressed by our Board following the Pledge at 6:05 pm; persons registered for Public Speaks shall remain in the parking lot until they are invited into the meeting by the Board; persons registered will be called into the meeting in the order in which they were registered to address the Board.

Fiscal Officer Chessler indicated that we will go off the record at this time.

Fiscal Officer Chessler indicated that we are back on the record at this time.

**Public Speaks: Scheduled Speakers**

Dana Vargo, President of the Perry History Club, 2910 Green Oaks Circle NW – Ms. Vargo indicated that she just wanted to give an update of what's been going on with the Perry History Club and gave a brief overview of their plant sale and strawberry ice cream social. On behalf of the Board, Trustee DeChiara thanked Ms. Vargo.

**Excused absence:**

**Additions/Deletions to Agenda:**

Trustee Haines indicated that regarding additions to the Agenda, under the Police Department, Chief Pomesky would like to add two (2) additions: consider the Lexipol renewal and consider the Drug Use Prevention Grant.

Trustee Haines indicated that under the Road Department, Road Superintendent Masalko would like to add two (2) additions: consider additional roads to be paved as well as a faulty piece of playground equipment for discussion.

**Public Hearings/Invited Guests:**

## **Presentation to Adam Silla**

### **Communications:**

#### **Consider No Through Trucks Sign Genoa/Kemary**

Trustee DeChiara referenced an email from Danny Hackworth regarding no through trucks signage; Trustee DeChiara read aloud the email from Mr. Hackworth; a brief discussion regarding the consideration of placing signage took place.

Law Director Hall indicated that he would suggest to the Board that he work with Road Superintendent Masalko and draft a resolution for the Board's consideration; we can send this resolution both to the ODOT district office and the Stark County Engineer and let them know that the township would like to act upon this matter the first thing in August and ask for their consent and acquiescence.

Trustee Haines stated that once we would get this signage posted, our Police Department would be able to enforce this.

#### **Consider No Through Trucks Sign on Marion**

Trustee DeChiara stated that our second email is from Christine Dekowski regarding a request for no truck signage on Marion Avenue due to the dump truck traffic at the former Doctors Hospital site. A brief discussion regarding this matter took place; Trustee DeChiara indicated that if we could attempt to reach out to the contractor to try and address this issue; Chief Pomesky indicated that he would reach out to the contractor; Trustee Haines thanked Chief Pomesky in advance.

#### **Consider Perry Rotary Accolade Request**

Administrator Fetzer indicated that Tom Nelligan is the president of Perry Rotary this year and referenced Mr. Nelligan's compliments on the new Welcome to Perry Township signs and attached accolades signage; on behalf of Perry Rotary, Mr. Nelligan is requesting the Board's authorization to post approximately six or seven accolade signs to be included with the Welcome to Perry Township signs. A brief discussion took place regarding this sign request and Trustee Haines indicated that if Perry Rotary would do a mock-up of their accolade signage, the Board would take a look at this. Administrator Fetzer indicated that she would request a draft of the proposed accolade signage so that the Board could continue to weigh in on this.

### **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 \$497,499.40 for the week ending June 23, 2020 and bills in the amount of \$79,170.17 for the week ending June 30, 2020 and bills and payroll for the week ending July 7, 2020 in the amount of \$198,662.53 and bills in the amount of \$57,640.23 for the week ending July 14, 202 for a combined total of \$832,972.33; 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 06/16/20**

Fiscal Officer Chessler stated that the Board has before them, the minutes from the June 16, 2020 meeting and supporting documents for consideration and approval.

Trustee Haines made a motion that the Board accept the minutes for the meeting of June 16, 2020; Seconded by Trustee DeChiara.

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

**Consider Bank Reconciliation**

Fiscal Officer Chessler referenced the auditor's request from the last meeting regarding the bank reconciliation and the requirement of the Board to not only review it, but pass a motion approving it. Trustee Chessler gave a brief overview of the bank reconciliation process for the Board's review.

Trustee Haines made a recommendation that the Board approve the bank reconciliations of 5-29-20 and 6-30-20; Seconded by Trustee Shreffler.

**Consider Grant Application for Saratoga**

Fiscal Officer Chessler referenced a matter regarding a stretch of road south of Navarre Road that is an extension of Saratoga Avenue; it's a road that has about five (5) industrial access points to it for different businesses and because of the heavy truck traffic, it has deteriorated. Mr. Chessler indicated that the last couple of times we have had to address this deterioration with road patching, we have had to spend a lot for what is only a temporary repair. Fiscal Officer Chessler stated that Road Superintendent Masalko has set to the task of trying to come up with a more permanent and adequate solution for that road and the kind of use it gets and have asked Karl Oprisch, engineer for Hammontree & Associates to get a very basic cost estimate to do the resurfacing of that road. Mr. Chessler gave a brief explanation regarding a proposed grant that would pay for 75% of the costs for this project and the possibility of meeting with the other stakeholders on that road to see if they would share a portion of the costs with the township and the balance of the 75% grant.

Trustee Haines verified that this would just be the approval to apply for the grant; Mr. Chessler confirmed yes and indicated that he would be willing to complete the grant application process and submit it on behalf of the township and be the contact person.

Trustee Shreffler made a motion that the Board allow the Fiscal Officer to pursue looking into the grant for the reconstruction and repaving of Saratoga at Navarre; Seconded by Trustee DeChiara.

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

**Consider Depository Resolution**

Mr. Chessler referenced a requirement from the auditor's office regarding setting up an official depository agreement and resolution. Trustee Haines inquired if a motion would be needed to approve this; Law Director Hall verified yes, for the publication and since it would cause some expenditure.

Trustee Haines stated that based on the information, made a motion that the Board approve the depository resolution as printed with the correction where it is highlighted in yellow; Seconded by Trustee Shreffler.

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

Law Director Hall stated that for the minutes he wanted to relay that he believes this yellow highlighted item has been corrected but would verify that with Fiscal Officer Chessler tomorrow morning.

#### **Administration:**

##### **Consider Accepting OTARMA Distribution Check in the Amount of \$11,001.43**

Administrator Fetzer referenced the many good programs that Perry Township has partnered with OTARMA (Ohio Township Association Risk Management Authority) for the past 26 years and indicated that each year, if the Board renews the contract with them, we receive a distribution check; this year the check is in the amount of \$11,001.43 and is asking for the Board to accept that distribution check.

Trustee Haines stated that based on that information, made the motion that the Board accept the OTARMA distribution check in the amount of \$11,001.43; Seconded by Trustee Shreffler.

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

#### **Fire Department:**

##### **Consider Resignation of Adam Silla Part-Time Medic Member of Perry Fire Department**

Fire Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of Adam Silla as a part-time firefighter/paramedic with the Perry Township Fire Department effective July 17, 2020.

Trustee Haines stated with regret, made a motion that the Board accept the resignation of Adam Silla as a part-time firefighter for Perry Township; Seconded by Trustee DeChiara.

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

##### **Consider FEMA COVID-19 Supplemental Grant Award**

Fire Chief Martin stated that the Perry Township Fire Department as been awarded \$28,309.09 from FEMA to expend on the supplies or equipment related to COVID-19 response and gave a brief explanation regarding this grant award. Chief Martin stated that the Fire Department is recommending that the Board of Trustees accept the FEMA COVID-19 grant award.

Trustee Haines stated that based on this information, made a motion that the Board accept the FEMA grant in the amount of \$28,309.09 for equipment related to COVID-19 response that goes retroactive back to March 1, 2020; Seconded by Trustee Shreffler.

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

**Police Department:**

**Consider Lexipol Renewal**

Police Chief Pomesky stated that the police department is asking the Board's approval for our annual Lexipol agreement in the amount of \$8,200.

Trustee DeChiara stated that based on the information from the Police Department, made a motion that the Board approve a one-year law enforcement policy manual subscription for Lexipol; total amount will be \$8,200.00; Seconded by Trustee Haines.

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

**Consider Drug Use Prevention Grant**

Police Chief Pomesky stated that the second agenda item before the Board is a grant for the drug use prevention in the amount of \$20,564.29. Chief Pomesky stated that these funds will be able to help pay for their DARE officers at Perry Local Schools for 2020 to 2021 and further stated that he is asking for the Board's approval tonight to accept this grant.

Trustee DeChiara made a motion to accept the grant from the Ohio Attorney General's Office to be used for the Police Department DARE Program; the amount of \$20,564.29; Seconded by Trustee Shreffler.

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

**Road and Park Department:**

**Consider Approving the Purchase of Two (2) Zero Turn Mowers for Park Department**

Road and Park Superintendent Masalko referenced his email information to the Board regarding the replacement of two worn out zero turn mowers in the total amount of \$26,190.44; Mr. Masalko stated that mechanic, Tim Corbi solicited for two prices from Sterling Farm Equipment, Sterling, Ohio and Unkefer Equipment, Inc. in Minerva, Ohio. Mr. Masalko indicated that Unkefer was the best quoted price, also a state purchasing product; unit purchasing price is after source well discount (state purchasing). Total unit price in the amount of \$13,095.22 x 2 = \$26,190.44. Additionally, Road and Park Superintendent Masalko stated that according to the mechanics, the reason for replacement is the 2006 Kubota's hydraulic system is totally worn out and the 1999 Steiner 325 has mower deck issues and parts are no longer available for that year and model.

Trustee Haines stated that based on this information, made a motion that the Board approve the purchase of two new Kubota mowers, ZD1211-60 diesel engine to replace the 2006 Kubota and the 1999 Steiner with a total not to exceed the price of \$23,690.44 and that's including the trade-in in the amount of \$2,500.00; Seconded by Trustee DeChiara.

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

## **Discussion of Richmond Drainage**

Trustee DeChiara referenced previous discussion regarding the Richmond drainage matter. Trustee DeChiara verified that he and Mr. Masalko have gone out to assess this drainage issue and asked Mr. Masalko if he could address this matter for the Board and Law Director. Mr. Masalko gave a brief overview of the drainage conditions on Richmond Avenue; Trustee DeChiara stated that with the Township's manpower and time, this should resolve a water problem for the residents in the Richmond Avenue area.

## **Consider Additional Paving on Nave Street**

Road Superintendent Masalko gave a brief explanation regarding the Road Department's request for the Board's consideration of additional paving in coordination with the City of Massillon. Mr. Masalko referenced his communication with Massillon City Engineer, Greg McCue whereby he had been informed that the City of Massillon would be paving Nave Street from Erie Avenue to the corporation line close to R.G. Drage Career Center; this would leave a portion from the corporation line to Genoa Avenue unpaved.

Road Superintendent Masalko stated that since our 2020 paving program came in with good pricing, he was asking the Board to authorize the Road Department to add Nave Street from the Massillon corporation line to Genoa Avenue in the amount of \$45,738.70. Mr. Masalko relayed that Superior Paving has both the City of Massillon and Perry Township's paving programs this year.

Road Superintendent Masalko indicated that Superior Paving would use the same pricing of our Phase I paving; Law Director Hall indicated that we should at least get a written change order for this price of adding that street to the additional paving. Trustee Haines verified the pricing for this portion from the corporation line to Genoa Avenue in the amount of \$45,738.70. Law Director Hall recommended that the Board ask for the resolution authorizing the change order for Nave from the corporation line to Genoa Avenue and stated that he would like to make sure we have a change order for documenting that process.

Trustee Haines stated that based on the information given, made a motion that the Board approve the paving of Nave from Genoa to the Massillon City line for a price not to exceed \$45,738.70 and this would be a change order to our already approved contract with Superior Paving.

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

Road Superintendent Masalko made reference to what he considered to be the Phase II paving; Trustee Haines indicated that this was not on the Agenda, but stated that based on the information given, made a motion to approve Road Superintendent Masalko to take the 2020 paving program out to bid so that we can get it completed this year; Trustee Haines also stated that he would add to the motion that we open these bids at our second meeting in August, August 18, 2020, and the bids would be due by 6:00 pm; Seconded by Trustee DeChiara.

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

## **Faulty Piece of Playground Equipment**

Trustee Haines stated that this last item under the Road and Park Department was regarding a faulty piece of playground equipment at Perry Park. Trustee Haines indicated that based on the pictures Mr. Masalko forwarded, it validated that the sliding board would need to be removed and possibly replaced with a safer and more updated piece of equipment. Mr. Masalko indicated that this piece of playground equipment was probably about 35 years old. Trustee Haines inquired if a motion would be needed regarding this matter, Law Director Hall confirmed no, and stated not when it comes to replacing.

**Law Director:**

**Consider Nuisance Abatement Procedures**

Law Director Hall referenced the nuisance abatement procedures that has come to the Board's attention regarding a zoning resolution or a renewal of a zoning resolution for nuisance abatement and high grass, trash and debris. Mr. Hall gave a brief summary of explanation and indicated that the two options before us would be that these matters be brought to the Board at each meeting or give the Board's authority to the Zoning Inspector to continue to proceed with the enforcement of high grass, trash and debris; as well as his recommendation that the Board delegate the authority in reference to any junk motor vehicles or structures or houses.

Trustee Haines confirmed that the Board would need to make a motion to delegate to the zoning inspector, the authority to abate the nuisance for high grass, weeds, trash and debris; Mr. Hall confirmed yes. Trustee DeChiara further verified that if these said nuisance conditions would progress to a more problematic nature, it would be brought to the Boards' attention for review and discussion.

Trustee Haines stated that based on that information, made a motion that the Board delegate the authority to declare a nuisance and abate it to the zoning inspector for high grass and weeds and trash and debris; seconded by Trustee Shreffler.

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

Trustee Shreffler inquired of Law Director Hall if it would be necessary to address the nuisance abatement procedures each year; Mr. Hall recommended that the Board address this matter every January.

**Consider COVID-19 Procedures**

Law Director Hall gave a brief explanation regarding the COVID-19 procedures of the how and when an employee would receive COVID pay and addressed some additional questions the Board members had regarding this matter.

**Consider CARES Act Purchases**

Law Director Hall gave brief direction regarding the departmental purchases under the CARES Act grant monies. More discussion took place regarding these purchases for each of the township departments.

On behalf of the Board, Trustee Haines indicated that regarding this discussion matter, the Board would approve the specific list and prices of departmental purchases under the CARES (Coronavirus Aid, Relief and Economic Security) Act; overall list already approved by Law Director Hall and Attorney Greg Beck; at the August 5, 2020 meeting; and further, if any COVID-related purchase is under \$2,500, to go ahead

and proceed with the order for time sensitive order items; any other departmental COVID-related purchases over \$2,500 would be up for approval at the next regularly scheduled Board meeting.

### **Consider Township Credit Card Usage Updates**

Law Director Hall referenced the state auditor's review request concerning the matter of updating the credit card user list and indicated his recommendation that the Board review the credit card user list periodically or at the annual reorganizational meeting in January; the Board's approval regarding who has access and the right to use which credit cards would be addressed; the current user list submitted by Administrator Fetzer, attached before the Board.

Trustee DeChiara made a motion that based on the list provided by Administrator Fetzer of the authorized users from our township credit cards that we proceed with those users; Seconded by Trustee Haines.

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

### **Zoning:**

#### **Problem Properties:**

#### **Executive Session(s):**

**ORC 121.22 (G) (1) Conference with Legal Counsel Concerning Imminent or Pending Court Action to Include Trustees and Fiscal Officer With No Action to Be Taken**

**ORC 121.22 (G) (1) Employment, Dismissal, Discipline, Promotion, Demotion of a Public Employee to Include Trustees**

Trustee DeChiara indicated that there are two executive sessions under ORC 121.22 (G) (1) conference with legal counsel concerning imminent or pending court action to include the trustees, the fiscal officer with no action to be taken; the second one will be an executive session under ORC 121.22 (G) (1) for the employment, dismissal, discipline, promotion, demotion of a public employee to include the trustees and no action will be taken tonight on that.

Trustee Shreffler made a motion that the Board move the executive session to confer with legal counsel for pending court action and that includes all those listed here; Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 7:24 pm

Trustee Shreffler made a motion that following the A) Executive Session, we have an executive session to consider employment, dismissal, discipline, promotion or demotion of a public employee; this will be the trustees and possibly the law director; Seconded by Trustee DeChiara.

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

Fiscal Officer Chessler stated that he would note for the record: 7:25 pm the motion was made on the second executive session.



**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.

~Summer/2020 Newsletter – The Perry Township Community Connection is posted at [www.perrytwp.com](http://www.perrytwp.com). Register on the home page to receive seasonal newsletters via email.

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Ralph DeChiara Jr., President

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Craig Chessler, Fiscal Officer