

**Perry Township Board of Trustees**

**Regular Meeting**

**September 1, 2020 6:00 pm**

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

**Public Speaks: Scheduled Speakers:**

Dr. David Gannon, 4949 18<sup>th</sup> St. NW, Canton, 44708 – Dr. Gannon gave a detailed explanation regarding the noise issues he has been experiencing with the neighbor that lives next door to him and her five dogs, several of them hound dogs, that bark and howl regularly and continuously.

Trustee DeChiara indicated to Dr. Gannon that the Board was planning on calling for an upcoming Work Session to discuss some zoning issues and amendments to the current zoning rules and indicated that this could be one of the things that was incorporated into their discussion. Additionally, Chief Pomesky relayed that the police department does coordinate with other entities, the Stark County Health Department being one of those entities, when responding to dog-related noise ordinance circumstances.

Law Director Hall indicated that there is state statute for barking dogs, but relayed that the township has a limited home rule resolution concerning this matter. Mr. Hall gave a brief explanation regarding the Township issuing a possible civil citation violating our limited home rule resolution through the Massillon Municipal Court pertaining to this problem; Chief Pomesky asked Dr. Gannon if he would please leave his contact information.

**Excused absence:**

**Additions/Deletions to Agenda:**

Trustee DeChiara indicated that the Fiscal Office wanted to add Depository Resolution to the Agenda.

**Public Hearings/Invited Guests:**

**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 \$255,601.37 for the week ending August 18, 2020 and bills in the amount of \$216,645.58 for the week ending August 25, 2020 for a combined total of \$472,246.95; Seconded by Trustee Shreffler.

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

**Fiscal Officer:**

Fiscal Officer Chessler referenced the depository agreement and indicated that the state auditors specified that within the last five years, there was no record of an awarded depository contract. Mr. Chessler stated that the Board has authorized that we advertise for the receipt of applications from eligible financial institutions; we received and documented at our last public meeting that Huntington Bank and First Commonwealth had submitted proposals and asks that the Board approve the resolutions to accept both First Commonwealth and Huntington Bank as a public depository. Additionally, to authorize Mr. Chessler, as the Fiscal Officer, to enter into an agreement for the deposit of the public funds in Perry Township and further authorize Fiscal Officer Chessler to enter into a contract for the deposit of funds with both of the depository banks.

Trustee Shreffler made a motion to accept the Fiscal Officer's recommendation, this resolution as presented to you; Seconded by Trustee DeChiara.

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

**Consider 8/18/20 Meeting Minutes**

Trustee DeChiara stated that the Board would consider accepting the meeting minutes from August 18, 2020; so moved by Trustee Haines; Seconded by Trustee DeChiara.

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

**Consider Approval of 07 Lighting District Renewal – No Increase**

Fiscal Officer Chessler indicated his review of the annual process to renew the lighting districts created through the Township and referenced the supporting documents that lists each and every lighting district as well as the information that pertains to them. Mr. Chessler stated that they have contacted both First Energy and AEP to determine if there were any projected increases in rates. Additionally, Fiscal Officer Chessler indicated that the auditor assesses through real estate taxes the individual amounts of each of these districts to the parcels that are benefiting from the district, they pay that on taxes, the county will then forward that money to the Township and we will pay the lighting bills to the respective power companies as they become due. Mr. Chessler stated that he would ask for the Board to approve this renewal of the lighting district.

Trustee DeChiara made a motion that the Board approve the lighting district for the next twelve (12) months as per the request from the Fiscal Officer; Seconded by Trustee Shreffler.; Seconded by Trustee Shreffler.

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

**Administration:**

**Consider Republic Waste Services**

Administrator Fetzer referenced the supporting documents before the Board and indicated a service chart comparable between the Township's current refuse service, Kimble Company, and the proposed

services by Republic Waste Services; the monthly fee with the current Kimble Company is \$622.35 per month; Republic is willing to offer us \$438.33 per month for a total savings of \$184.02 per month; \$2,208.24 annual savings. Additionally, the new rate would be locked in for the first twelve (12) months with a cap of 5% for the second year and 7% for the third year. Administrator Fetzer indicated that Kimble was contacted to inquire about a competitive quote with no response. Administrator Fetzer stated that the terms and agreement have been reviewed by the Law Director and asks that the Board please make a motion to accept the proposal by Republic Waste Company.

Trustee DeChiara made a motion that the Board of Trustees enter into the contract with Republic Waste Services for three (3) years as described by our Administrator; Seconded by Trustee Haines.

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

### **Fire Department:**

#### **Consider 3 Installment Payments for Provident Insurance**

Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the 3<sup>rd</sup> installment payment in the amount of \$3,727.00 to Wichert Insurance for the Provident Injury Insurance program for the members of the department.

Trustee Haines made a motion that the Board approve the Fire Department to make the 3<sup>rd</sup> installment payment in the amount of \$3,727.00 to Wichert Insurance for the Provident Injury Insurance for the members of the Fire Department; Seconded by Trustee Shreffler.

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

#### **Consider Cares Act Purchases**

Chief Martin indicated that there are two items under the CARES Act purchasing request, the first one is in regard to an employee who was quarantined by the Health Department due to COVID-19. Chief Martin indicated that under federal legislation, this employee can use up to 80 hours of sick leave, it does not come out of their sick bank, but we can catch the reimbursement by the CARES Act. Chief Martin stated that he is asking that the Board authorize the redistribution of that CARES Act funding, backed by the Fire Department budget for the original sick leave hours.

Trustee Haines made a motion that we reimburse the Fire Department for a total of \$1,589.04 for a COVID quarantine by a Fire Department employee; Seconded by Trustee DeChiara.

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

Chief Martin stated that the Fire Department is requesting that the Board of Trustees authorize the purchase of two (2) medical ambulances from Pfund Superior Sales at a cost not to exceed \$482,854.00. Chief Martin referenced his August 28, 2020 memo to the Board, supporting documents, regarding the details of this ambulance purchase request.

Trustee DeChiara made a motion that the Board approve and authorize the Fire Chief to purchase two (2) new ambulances for the Fire Department, one a cost of \$237,927.00, the second at a cost of \$244,927.00; Seconded by Trustee Haines.

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

**Police Department:**

**Consider Obsolete Equipment**

Chief Pomesky referenced his August 25, 2020 memo to the Board, supporting documents, and stated that the Police Department is requesting the Board of Trustees to approve and authorize the dispose of the listed obsolete equipment; Trustee Haines also referenced Chief Pomesky's memo and inquired about the tires and rims recommended to be sold at auction; Chief Pomesky confirmed the tires would be brought to auction.

Trustee Haines stated that based on the Chief's information, made a motion that the Board allow him to dispose of the items listed here with the exception of the seven (7) mounted and unmounted tires that will go through an auction; Seconded by Trustee DeChiara.

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

**Consider Cares Act Purchases**

Chief Pomesky indicated that this second Agenda item is a request from the CARES Act expenditures; the Police Department had two (2) employees that were quarantined based on COVID-19; the total price in the amount of \$5,574.88 and asks that the Board authorize that money to be distributed back to the Police Department.

Trustee Haines made a motion that the Board designate the CARES Act in the amount of \$5,574.88 back into the Police budget to cover for the two (2) employees that were quarantined due to COVID; Seconded by Trustee Shreffler.

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

**Road and Park Department:**

**Consider Perry Park Obsolete Picnic Table Donations**

Road Superintendent Masalko stated that he would like to ask the Board to consider the donation of the twenty-one (21) obsolete picnic tables throughout the park system to the Camp Tuscazoar Foundation.

Trustee Haines made a motion that we donate to Camp Tuscazoar, the twenty-one (21) picnic tables that are to be replaced with our new commercial grade composite plastic picnic tables to Camp Tuscazoar; Seconded by Trustee Shreffler.

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

**Law Director:**

**Consider Vacation of Ortt Road S.W.**

Law Director Hall referenced a citizen petition from Ms. Linda Cottrill to the Board of County Commissioners to vacate Ortt Road SW within Perry Township. Mr. Hall gave a brief explanation regarding this request and relayed the request before the Board to pass a resolution acknowledging and

giving the consent to the County Commissioners for vacation of this Township Road. More discussion took place regarding this matter.

Trustee Haines made a motion that the Board table the Ortt Avenue vacation request until the September 15<sup>th</sup> meeting to gather more information; Seconded by Trustee Shreffler.

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

**Consider Authorization to Pursue Lawsuit of Pole Damage**

Law Director Hall referenced a resolution, attached before the Board, regarding an incident wherein Micha Lewis ran into a street scape light pole and damaged it. Mr. Hall referenced the location of the light pole and stated that the cost of the pole repair is in the amount of \$4,700.00.

Mr. Hall indicated that he has sent two (2) demand letters to the owner of the vehicle to request him to have his insurance company contact us, they have not done so. Mr. Hall stated that our next step is to file a lawsuit in Massillon Municipal Court and asks for the Board's authorization to file this lawsuit to try to recoup these repair expenses.

Trustee DeChiara made a motion that the Board allow the Law Director to pursue damage recovery for the light pole on Lincoln Way or West Tusc and whatever means necessary; Seconded by Trustee Haines.

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

**Zoning:**

**Consider Purchase of New Zoning Vehicle**

Zoning Inspector Cugini referenced his August 31, 2020 memo to the Board, supporting documents, and stated that he is asking the Board of Trustees to consider approving the state minimum bid in the amount of \$25,989.00 submitted by Waikem Ford for a 2020 Ford Escape SE AWD to replace the current zoning car. Mr. Cugini relayed that a second bid was obtained from another vendor, but it was not in line with the kind of vehicle he would choose for the department.

Trustee Haines stated that based on that information made a motion that the Zoning Inspector proceeds with purchasing a 2020 Ford Escape SE AWD from Waikem Motor at a price not to exceed \$25,989.00; Seconded by Trustee DeChiara.

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

**Problem Properties:**

**Executive Session(s):**

**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:**

**Adjournment:**

With nothing further to come before the Board, Trustee DeChiara made a motion to adjourn the meeting at 6:50 pm; Seconded by Trustee Haines.

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

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Ralph DeChiara Jr., President

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Craig Chessler, Fiscal Officer