

**Perry Township Board of Trustees**

**Regular Meeting**

**January 19, 2021 6:00 pm**

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

**Public Speaks: Scheduled Speakers:**

Kelsey Amos, 4706 Southway SW, Massillon, OH 44706 – Mr. Amos gave a lengthy explanation regarding a complaint he has about a Perry Township police officer being parked outside his house with no apparent reason. Trustee Haines indicated to Mr. Amos that Chief Pomesky would look into this matter and get back to him.

**Excused absence:**

**Additions/Deletions to Agenda:**

**Public Hearings/Invited Guests:**

**Communications:**

**Public Speaks on items up for Board Approval:**

**Township Business requiring Board Action:**

**Unfinished Business:**

**New Business:**

Trustee Haines made a motion to approve payroll in the amount of \$181,219.97 for the week ending January 5, 2021 and bills in the amount of \$124,023.18 for the week ending January 12, 2021 for a combined total of \$305,243.15; Seconded by Trustee Shreffler.

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

**Fiscal Officer:**

**Consider Bank Reconciliation**

Trustee Haines made a motion that the Board approve the bank reconciliation; Seconded by Trustee Shreffler.

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

**Consider Outstanding Checks for the Year 2020 in the Amount of \$2,000.95**

Fiscal Officer Chessler gave a brief explanation regarding township issued checks that have not come back to our bank account as cashed and relayed that we will have to cancel those checks out and clear them off the books.

Trustee Haines made a motion to clear the four (4) checks in the total amount of \$2,000.95 from the books; Seconded by Trustee Shreffler.

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

**Consider 12/15/20 and 01/05/21 Meeting Minutes and 01/12/21 Special Meeting Minutes**

Trustee Haines made a motion that the Board approve the 12/15/20 and the 1/5/21 meeting minutes and also the 1/12/21 Special Meeting Minutes; Seconded by Trustee Shreffler.

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

**Administration:**

**Consider Accepting GovDeals Checks for Online Auction Items in the Amount of \$1,995.63**

Trustee Haines made the motion that the Board accept the GovDeals checks for online auction items in the amount of \$1,995.63; Seconded by Trustee DeChiara.

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

**Consider Stark Tusc Wayne Joint Solid Waste Management District Checks \$6,701.00**

Trustee Haines made a motion that the Board consider the Stark Tusc Wayne Joint Solid Waste Management District check for \$6,701.00; Seconded by Trustee Shreffler.

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

**Consider Accepting Payments from the Fasnacht-Tenant Farmer for Farmland and Housing Rent in the Amount of \$3,835.41**

Trustee Haines made a motion that the Board accept the payments from the Fasnacht Farm tenant farmer for farmland and housing rent in the amount of \$3,835.41 for the year 2020; Seconded by Trustee Shreffler.

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

**Consider Accepting Aqua Check in the Amount of \$10,200 for Richville Water Project Reimbursements**

Trustee Haines gave a brief explanation regarding the Richville water project that was created approximately 17 years ago; the township receiving money through Aqua Ohio for new water-hook-ups reimbursements.

Trustee Haines made a motion that the Board accept the Aqua check in the amount of \$10,200.00 for the continuation of the Richville water project reimbursement; Seconded by Trustee Shreffler.

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

### **Consider Flex Spending Account for Township Employees**

Trustee Haines referenced the supporting documents and indicated that based on the information received, made a motion that the Board approve the flex spending account for the twelve (12) township employees; Seconded by Trustee Shreffler.

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

### **Consider Stark Soil & Water Services in the Amount of \$7,500**

Administrator Fetzer indicated that the Board has been informed that Mr. John Weedon, the Executive Director of Stark Soil and Water may assist us with the program each year for the satisfying of the unfunded mandate requirements of the EPA (Environmental Protection Agency). Administrator Fetzer referenced the 1-5-21 meeting wherein the Board approved the annual permit payment to the Ohio EPA and stated that we are requesting that the Board consider making a motion to continue to offer these Stark Soil & Water services in the amount of \$7,500.00.

Trustee Haines stated that based on that information and the mandate, made a motion that the Board pay the Stark Soil and Water Services in the amount of \$7,500.00; Seconded by Trustee DeChiara.

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

### **Consider a Motion to Accept Employee A's Request for FMLA**

Administrator Fetzer referenced her memo and supporting documents before the Board and indicated that Employee A is requesting undetermined days of FMLA leave for his/her own serious illness; the applicant has met the appropriate criteria for FMLA.

Trustee Haines stated that based on the information that the Administrator has given us, made a motion that the Board approve Employee A's request for FMLA; Seconded by Trustee Shreffler.

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

### **Consider Architectural Design and Construction Management Fees for Outdoor Restrooms at Perry and Summerdale Parks**

- 1. Blythe Construction \$13,000 – if selected as General Contractor \$5,000 Construction Fees Waived Equaling \$8,000 Fee**
- 2. Sara Stucky Sayner \$42,000**
- 3. Brandstetter Carrol \$42,000**
- 4. Motter & Meadows \$18,800**

Trustee Haines stated that discussion regarding the architectural design and construction management fees for outdoor restrooms at Perry and Summerdale Parks would take place at this time. Trustee Shreffler indicated that all of the architect applicants were very good and further relayed that he felt that Blythe Construction was not only the lowest bid, but felt for various reasons that he was the best

guy for this project; Trustee DeChiara and Trustee Haines confirmed their agreement as well. Further discussion took place regarding this matter.

Trustee Haines stated that based on this discussion, made a motion that the Board approve the architectural and design construction management fees for the outdoor restrooms for Tim Blythe for a price not to exceed \$13,000.00; Seconded by Trustee DeChiara.

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

#### **Fire Department:**

##### **Consider Chassis Change**

Chief Martin referenced his memo of January 14, 2021 to the Board regarding a chassis change through Ohio Ambulance Sales (LifeLine). Chief Martin stated that this is the company that will be building the three (3) ambulances we have purchased. Chief Martin gave a brief explanation regarding this change.

Trustee Haines stated that based on the information the Chief has given us tonight, made a motion that if they (LifeLine) can make it work with the upper management that the Board is okay with it being a 2019 chassis versus a 2021 and we receive a \$2,000.00 credit with the hopes of getting the ambulance a couple of months earlier; Seconded by Trustee Shreffler.

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

##### **Consider Vacation Carryover**

Chief Martin indicated that fire department employee Jack Keim III finished 2020 with 206 hours of unused vacation and gave a brief explanation regarding Jack Keim's request to carry these 206 vacation hours over into 2021; more discussion took place regarding the contract verbiage and this specific request for carryover. The Board unanimously agreed that they did not want to set a precedent with this vacation carryover request and additionally, agreed to deny the request.

Trustee Haines stated that based on the information and discussion among the Board, made a motion that the Board honor the contract and the verbiage that it says with the deadline that it says and the amount it says and the deadline was not met at this point; Seconded by Trustee DeChiara.

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

#### **Police Department:**

##### **Road and Park Department:**

##### **Consider the Purchase of Snow and Ice Treatments**

Road Superintendent Masalko stated that he is asking the Board's approval for snow and ice treatment purchase in the amount of \$247,590.00 to be used for the vendors of Cargill Inc. De-icing Technologies and DRS Services for salt purchase and elevation.

Trustee Haines stated that based on that information, made a motion that the Board approve \$247,590.00 to be used for the vendors of Cargill Inc. De-icing Technologies and DRS Services for salt purchase and elevation; Seconded by Trustee DeChiara.

Law Director Hall indicated that let the minutes reflect that this is part of a state purchasing bid.

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

**Law Director:**

**Consider Resolution to Investigate Fire Department EMS Conduct**

Law Director Hall stated that the Board has directed him to obtain information from the state auditors as a result of their finding for recovering. Mr. Hall stated that his recommendation was to appoint a special investigator to look into this matter to see whether or not there was any reason to bring further charges or investigate fire department personnel. Mr. Hall referenced the motion and proposed contract in front of the Board at this time

Trustee Haines stated that based on this information made a motion that the Perry Township Board of Trustees use a consultant of Krugliak, Wilkins, Griffiths & Dougherty Co. to do an investigation with Attorney Leslie Iams Kuntz with the total sum not to exceed \$10,000.00 to be paid out of the fire department fund; Seconded by Trustee Shreffler.

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

**RESOLUTION 2021 - 003**

**Consider Road Levy Renewal 2.00 Mill**

Trustee DeChiara made a motion that the Perry Board of Trustees submit to the renewal of an existing tax levy for the benefit of Perry Township, Stark County for the general construction, reconstruction, resurfacing and repair of the streets, roads and bridges in Perry Township, Stark County, Ohio to the Stark County Board of Elections the renewal of a 2.00 mill levy for each year commencing the tax year 2021 to be first collected in calendar year 2022 and for five (5) successive years being 2021, 2022, 2023, 2024 and 2025; Seconded by Trustee Haines.

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

**RESOLUTION 2021 - 002**

**Zoning:**

**Consider Reappointing Keith Holland to Another 5-Year Term on the Board of Zoning Appeals**

Zoning Inspector Cugini stated that he is asking the Board to consider reappointment of Keith Holland to another five (5) year term on the Board of Zoning Appeals. Mr. Cugini relayed that this matter was on the agenda in November but indicated that the zoning commission interviews inadvertently overshadowed this request so he wanted to bring it back to the Board for consideration tonight.

Zoning Inspector Cugini stated that this reappointment would be a five (5) year term; Mr. Holland's current term expired on December 31, 2020 and the new term would be from January 1, 2021 to December 31, 2025.

Trustee Haines stated that based on that information, made a motion that the Board appoint Keith Holland to another five (5) year term on the Board of Zoning Appeals from January 1, 2021 to December 31, 2025; Seconded by Trustee DeChiara.

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

### **Consider Zone Commission Member Appointments**

Trustee Haines stated that the next appointments are for zone commission member considerations; the Trustees interviewed candidates for zone commission considerations last Tuesday and stated that he would ask that this be tabled now until the Board adjourns out of the Executive Session to enable the discussion of appointment in there.

### **Problem Properties:**

### **Department Matters Not Requiring Board Action:**

#### **Administration:**

#### **Fire Department:**

#### **Police Department:**

#### **Road Department:**

#### **Parks/Recycling:**

#### **Zoning:**

#### **Law Director:**

#### **Announcements:**

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

### **ORC 121.22 (G) (1) Hiring to Include the Board and Zoning Inspector**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) hiring to include the Board and the Zoning Inspector; Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 7:01 pm

The Board adjourned from Executive Session at: 7:07 pm

Trustee Haines stated that based on the conversation in the Executive Session, made a motion that the Board appoint Ray Schembechler to replace Doyle Parcell; his term will be from January 1, 2021 through

December 31, 2025; and then continuing with that motion, the Board will appoint Conrad Mueller to replace Jim English in an unexpired term that runs from January 1, 2019 to December 31, 2023 and will appoint alternate member, Darryl Smith, which is currently replaced of an unexpired term of January 1, 2020 through December 31, 2024; Seconded by Trustee Shreffler.

**ORC 121.22 (G) (1) Personnel to Include the Board, Fiscal Officer, Fire Chief and Law Director**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) personnel to include the Board, the Fiscal Officer, the Fire Chief and the Law Director; Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 7:08 pm

The Board adjourned from Executive Session at: 8:01 pm

**ORC 121.22 (G) (1) Personnel to Include the Board, Fiscal Officer and Administrator**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) personnel to include the Board, the Fiscal Officer and the Administrator; Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 8:03 pm

The Board adjourned from Executive Session at: 8:33 pm

**Adjournment:**

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:34 pm; Seconded by Trustee Shreffler.

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

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Doug Haines, President

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Craig Chessler, Fiscal Officer