

**Perry Township Board of Trustees**

**Regular Meeting**

**December 7, 2021 6:00 pm**

**Early Start Time 5:10 pm**

Trustee Doug Haines opened the meeting and indicated the early start time for budget hearings beginning at 5:10 pm

**2022 Budget Hearings**

Fiscal Officer Chessler gave a brief summary of the specified appropriations for each for the following departments: The formal documents are held in the fiscal office for review.

**ROAD DEPARTMENT**

**PARK DEPARTMENT**

**POLICE DEPARTMENT**

**FIRE DEPARTMENT**

**ZONING DEPARTMENT**

**ADMINISTRATION**

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

**Public Speaks: Scheduled Speakers:**

**Excused Absence:** Charlie Hall, Law Director

**Additions/Deletions to Agenda:**

Trustee Haines stated to add to the agenda under the police department the Virtual Data Works discussion.

Trustee DeChiara made a motion to add to the agenda under the police department concerning Virtual Data Works. Seconded by Trustee Mike Shreffler

ROLL CALL: Mr. Haines, no. Mr. Shreffler, yes. Mr. DeChiara yes.

**Public Hearings/Invited Guests:**

Matt DiRuzza – Insurance Broker Presentation of Flexible Spending Account and Cigna Offer.

## **FSA Plan**

Mr. DiRuzza discussed the flexible spending account the township has in place as well as the other benefit through Cigna. It is offered as part of the Aultcare plan and the township could choose to add this benefit. The Flexible Plan has been in place a couple of years. To review, FSA allows employees set money aside pre-tax basis and to pay for eligible medical, visual and dental for themselves, spouses and dependents. An employee can contribute up to \$2,750.00 annually to that account. It is deducted throughout the year equally. There is also a dependent FSA in place. An employee can put up to \$5,000.00 away for daycare and preschool expenses, etc. An employee can roll over up to \$550.00 annually. Anything over \$550.00 they would lose. FSA comes with a debit card. Funding as it aligns with the current funding that the township has for dental and vision claims with Aultcare. This is a benefit that the employees will have to re-enroll every year. The employee would make a new election on how much they would want to contribute and resign by January 1. It is not like the healthplan process.

## **Cigna Benefit**

Aultcare has an agreement with Cigna. If an employee has an Aultcare health plan, and that employee was out of the area, if the employer chooses to add Cigna network, at no additional cost to the employer or employee, they can choose to go on the Cigna network as opposed to going on the Aultcare network.

Trustee Haines made a motion we offer Cigna to all members. Seconded by Trustee Mike Shreffler

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

Trustee Haines made a motion we approve the Flexible Spending Account to all members that have registered which totals 10 employees. Seconded by Trustee Mike Shreffler

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

## **Communications:**

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

### **Township Business requiring Board Action:**

### **Unfinished Business:**

### **New Business:**

### **Consider Bank Reconciliation**

Trustee Doug Haines made a motion to approve bills in the amount of \$94,989.28 for the week ending November 16, 2021 and approve bills and payroll in the amount of \$218,296.44 for the week ending November 23, 2021 and for bills and payroll in the amount of \$318,543.13 for a week ending November 30, 2021 for a combined total of \$631,828.85; Seconded by Trustee Mike Shreffler.

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

**Fiscal Officer:**

**Consider approving Meeting Minutes of 10-5-21, 11-9-21, 11-16-21, and Special Meeting 10-26-21**

Trustee Haines made a motion that the Board accept the meeting minutes from 10-5-21, 11-9-21, 11-16-21, and Special Meeting 10-26-21. Seconded by Mike Shreffler.

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

**Administration:**

**Consider Cares Act funding and Covid sick time reimbursements**

Administrator Joyce Fetzer stated per the CARES Act guidelines, all CARES Act Funding currently encumbered must be spent by December 31<sup>st</sup> or returned to the federal government. Department Heads were notified to submit their last requests for the final tracking of Covid-19 related time and/or payment reimbursement from each respective department. Per Covid-19 guidelines, an employee may only use the complete benefit time only once.

Trustee Haines made a motion that the Board consider that the police department member requesting 64 hours reimbursement and a total of \$1,872.64 be reimbursed to the police department budget from the Cares Act funds. Seconded by Mike Shreffler.

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

Trustee Haines made a motion that the Board consider that the police department member requesting 64 hours reimbursement and a total of \$1,927.68 be reimbursed to the police department budget from the Cares Act funds. Seconded by Mike Shreffler.

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

Trustee Haines made a motion that the Board consider that the fire department member requesting reimbursement for sick time hours only in the amount of 94.5 hours from the Cares Act funds. Seconded by Mike Shreffler.

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

**Consider Stark Tusc Wayne Recycling Yard Waste Clean Up Grant Check**

Administrator Fetzer asked to consider the Stark Tusc Wayne Recycling Yard Waste Grant check in the amount \$1,696.00. Administrator Fetzer stated this is a successful program. This is funded for Stark County residents only.

Trustee Haines made a motion that the Board accept the Stark Tusc Wayne Recycling Yard Waste Grant check in the amount \$1,696.00. Seconded by Mike Shreffler.

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

**Fire Department:**

### **Consider purchase order for LifeForce Management**

Fire Chief Sedlock asked the Board to consider a purchase order for LifeForce Management for \$60,000.00. The current purchase order only has \$155.96 left. Chief Sedlock stated we have not received bills for November or December 2021 and of course, 2022. Based on the above average, that the actual amount is unknown due to not knowing our call volume or actual billable calls, and if there will be a price increase upon possibly renewing the current contract with LifeForce in March 2022. The Chief requested the Board approve a purchase order for \$60,000.00. This amount was calculated using the average of \$4,200.00 X 14 months. Contract ends in March. This company does an excellent job stated by Chief Sedlock.

Trustee Haines made a motion to approve a purchase order for LifeForce Management for \$21,000.00 to get through November, December, 2021 and January, February and March of 2022. Seconded by Mike Shreffler.

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

### **Police Department:**

#### **Consider renewal of RED Center Dispatching Service**

Chief Mike Pomesky asked the Board to consider renewal of a 3-year contract with RED Center Dispatching Service. One change was made, he indicated, was to the funding formula. It went from \$12.90 per person based on population to \$13.41 per person in 2022. A 3% per person increase for 2023 and a 3% per person increase for 2024 for the 3-year contract. Total amount for 2022 contract is \$380,838.33. Total amount for the contract in 2023 will be \$392,263.48. The total for 2024 contract will be \$404,031.38. Chief Pomesky would recommend to the Board to renew the contract for these services. Chief Pomesky stated we receive great service through the RED Center. He submitted the agreement to Law Director Hall and he contacted the director of RED Center and made a couple of changes and those changes were made to the agreement. Perry Township may cancel this agreement for any reason with or without cause, by giving thirty (30) days' written notice. In the past, in previous years the rate did not change. We have enjoyed a steady rate and this is a mild rate change. The township has been with RED Center for 5 years.

Trustee Haines made a motion to approve the police dispatch services with a maximum to \$13.41 per person in 2022. A 3% per person increase for 2023 and a 3% per person increase for 2024 for the 3-year contract. Total amount for 2022 contract is \$380,838.33. Total amount for the contract in 2023 will be \$392,263.48. The total for 2024 contract will be \$404,031.38. Seconded by Mike Shreffler.

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

#### **Virtual Data Works**

Trustee Ralph DeChiara stated he is not comfortable with the way things transpired recently with Virtual Data Works. Mr. DeChiara asked Mr. Chessler to explain July 27, 2021 motions. Trustee Haines stated he had in front of him the July 27, 2021 meeting minutes where the Board approved the two motions. The first motion considered Virtual Data Works Police email service quote. The Board approved the email service quote in the amount of migration fees of \$3,125.00 in basic monthly fee of \$775.00. Then

the next motion considered was Virtual Data Works police department IT server quote where the Board approved the server back up quote, for a total of \$5,811.57 and expenses of \$2,360.00. Trustee DeChiara asked how long is this contract and Administrator Fetzer stated one year. Trustee Haines stated he discussed with Administrator Fetzer that he was in agreement as long as it was within the guidelines of that motion and wasn't higher than what was agreed. Trustee DeChiara stated what is the purpose of this since we approved this in July. Trustee DeChiara asked "what is this about then?". Fiscal Officer Chessler stated there were two things that needed to be done. We were getting several requests for public records back in July 2021. It is incumbent upon my office to properly comply with records request and emails. As you recall, all the departments, but the Police Department, are under the server of Virtual Data Works. The Police Department was not. It was imperative that we get the emails server for the emails under one umbrella with Virtual Data Works. That was the first motion. The rest of the information under the Police Department umbrella and migrating to and there was a timing sensitivity so we asked the police department to work with Virtual Data Works to come up with what was necessary to make that happen. The second part had not occurred and the police department and Virtual Data Works never reached an understanding of what was needed.

Chief Pomesky stated within that invoice there was equipment we already owned. Some of the equipment in that invoice was not needed. Mr. Chessler stated that is where we were counting on the Police Chief to work with Virtual Data Works and to be cooperative and find out things like that and that never happened.

Chief Pomesky said we are getting to that point and we are still not through the email migration. There are still issues that are outstanding. One which we need an additional email address in our records bureau. We need another email address for our mechanics so we can send our work orders. At the previous meeting he asked about the emails and there was supposed to be a review of the agreement. I don't know the status to get the email addresses we need for the township services. The migration to the state RMS system we are going to be sizing down some of our equipment needs so the quotes going to be over quoted in certain areas and under quoted in other areas and so it is not sure without that migration happening with the RMS that totally size that. Some of those issues are going to roll over in 2023. Once we make that switch over, Chief Pomesky stated he would be able to inspect that in a better light. One of the things that will be hard to absorb is that monthly fee. He stated the expenditures he will have in the coming years.

Trustee Haines stated his recommendation that the Board approved in July 2021 its one-year contract. We have 8 months to pay out exactly what that is and review the contract in July. Trustee Haines stated to Chief Pomesky to try to get as much on all your servers so we know what exactly what we need to cover for all your servers and work with Virtual Data Works. Chief Pomesky asked will we be pulling off all the hardware that we don't need from that quote? Chief Pomesky stated he needs to buy other things for the police department. Trustee Haines stated you will have to work with Virtual Data Works within the contract. Trustee DeChiara asked if the Law Director reviewed the contract and Mr. Chessler stated he believed he had.

Craig Chessler stated he talked to Virtual Data Works and the reason it has not come about is the difficulties of the police department not getting back with them, not getting information and not working with them. We need to get this done.

Trustee Shreffler asked if Virtual Data Works have clearance? They are getting ahold of our confidential emails. Chief Pomesky said he will have to review that with the state. They will have to have certain security clearance training and pass background checks to have access to certain areas. All those things will have to be accounted for with this.

Chief Pomesky stated he was not involved in the original quoting process. In reviewing the invoice, I noticed all the hardware in it. In effort to structure in public safety we don't general pick off every single system. RMS system needs to transition to the Attorney General's office, once that happens that we go to the next step. We're not not cooperating at all from the Police Department side of it, it just has to follow a process so we are not buying more than what we need.

Trustee Haines stated to Chief Pomesky that the contract was reviewed back in July and to work with Virtual Data Works and weed out what we don't want and then by RMS contract exactly what we need.

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

#### **Resolution 2021-33**

#### **Law Director:**

#### **Consider Opioid Settlement with Johnson and Johnson**

Trustee Haines stated before him is the Johnson and Johnson Opioid Settlement that all government municipalities can take part of and part of the litigation settlement funds that Perry Township could be entitled to through this settlement with Johnson and Johnson. Law Director Hall has reviewed the settlement and sent back with his approval. We are joining with other municipalities and we would receive our fair share.

Trustee Haines made a motion that we enter into Opioid Settlement with Johnson and Johnson as Perry Township and its emergency resolution authorizing to execute the participation agreement for the OneOhio Subdivision settlement with Janssen Johnson and Johnson pursuant to the OneOhio Memorandum of Understanding regarding the pursuit and use of potential opioid litigation settlement funds and consistent with the material terms of the July 21, 2021. Seconded by Mike Shreffler.

Trustee Shreffler stated the settlement is a good thing.

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

#### **Zoning:**

#### **Problem Properties:**

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

#### **Administration:**

#### **Fire Department:**

#### **Police Department:**

#### **Road Department:**

## Parks/Recycling:

## Zoning:

## Law Director:

## Public Speaks-Open Forum:

**Mr. Doll:** Mr. Doll stated his address as 1205 Glen Abbey Ave NE, North Canton. He came to speak about Fasnacht Farm. Last meeting had given him some concern regarding the lawyer that spoke and what was built into the agreement. He stated the Board came to Mr. and Mrs. Fasnacht a number of years ago with the possibility of purchasing the farm. Mr. and Mrs. Fasnacht were up in age and had concerns and were looking for direction. An offer was made to purchase their land and make a recreational park. They thought about it and thought it was a good way to transition their legacy to a piece of property to Perry Township. In the matter of two years Perry Township Trustee's came up with a map which laid out what possibly what the land could become. But now, his feelings are that there has not been a lot done with the plan. It has been 10 years since Dale passed. Several ideas came and nothing has been done. Mr. Doll discussed all the ideas that the farm was going to become. He is very concerned. He would like to see the Trustee's go ahead and move forward. Ten years and nothing happened. He stated the Trustee's need to have some public relations and get with the people of Perry Township involved and where the township is going with the plan. It was a gem of a land. We would like to see it come back knowing we can't have it a farm again, but would like some movement on the farm.

Fiscal Officer Chessler stated he was on the Board of Trustee's at the time of the purchase. He indicated to Mr. Doll that at the time Mr. Fasnacht was upset with what the county engineers were wanting to do in cutting off his property. He was also concerned with the threat that the city of Massillon was going to annex his property and surrounding properties without their consent. It wasn't 100% Trustees pursuing him, he came to us as a welcoming participant to the table and was angry at what the county had done and what was going to happen. There are restrictions set before in the deed, but over the course of those many years the board had some grand ideas but could not be adequately funded. That is why these things have not been done. Mr. Chessler stated he agreed with Mr. Doll on the condition of the property. The Board is trying to find creative ways. Mr. Chessler would like to speak privately with Mr. Doll. Mr. Doll stated he appreciated the conversation with Fiscal Office Chessler.

**Steve Toohey:** Transparency: We all heard about it and we speak about it, so his question is: There are other townships with police departments? Correct? He asked if every police department have separate servers and as the Board checked into other townships to see how they are set up? Mr. Chessler stated not comprehensively but some. Mr. Toohey asked have we always had a separate server with the police department historically? When did this separate server begin? Chief Pomesky stated it's always been in effect. Mr. Toohey asked, always, - before your time? Chief Pomesky stated, yes always.

Mr. Toohey's question is, having had problems getting some emails from several months back, I still have concerns for what is still out there. When he put in a public request in and doesn't see information he is requested, he had more concerns. Are there places where these emails hang out that don't show up? If this is a public government, for the people, by the people,,,,,then transparency needs to take place. Whatever it costs. The cost is probably not as much as one would expect if we do as Mr. Chessler

said, work with these people, talk to other townships and how their set up is and proceed. Mr. Toohey made a request and it's been months and does it exist? He knows it does exist.

Mr. Toohey stated his opinion on Fasnacht Farms. His request is until something is done with the farm, is that we take down the Fasnacht Farm sign. It would be nice to have a sign that says "Fasnacht Park coming soon, or under consideration". That is not Perry Pride on that hill.

**Announcements:**

**President Doug Haines Recognition**

Administrator Fetzler asked department heads to join her upfront. Administrator Fetzler stated to Mr. President, Doug Haines, you have been with this Board for a decade, which is a very long time to do anything let alone lead a township. She presented him with a plaque in recognition of his 10 years of service to Perry Township. Trustee Haines stated it was an honor to serve. Trustee Haines thanked everyone.

**Adjournment:**

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 6:46 pm; Seconded by Trustee Ralph DeChiara.

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