

**Perry Township Board of Trustees**

**Regular Meeting**

**April 6, 2021 6:00 pm**

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

**Public Speaks: Scheduled Speakers:**

**Excused Absence:**

**Additions/Deletions to Agenda:**

Trustee Haines stated that there was one addition to the Agenda tonight, received today under the Road Department regarding the resignation of Jacob Blöse; Seconded by Trustee DeChiara.

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

**Public Hearings/Invited Guests:**

**Case #PE-01-21 A-List Land Development Reclassification of Property**

Trustee Haines indicated that the Board would now hear the case number PE-01-21, A-List Land Development Reclassification of Property. Trustee Haines stated that this meeting is being live-streamed to the public for the convenience of those who cannot attend. Trustee Haines stated that he would swear in everybody that was present (thereupon, all potential witnesses were sworn).

Trustee Haines stated that Case #PE-01-21 was presented to the Stark County Regional Planning Commission on February 24, 2021 and we received it back from Regional Planning on March 10, 2021.

Current Zoning: R-2 Single and Two Family Residential

Proposed Zoning: R-3 Single Family, Duplex and Four Family Residential

Description of Property: Three tracts, approximately 42.96 acres, located on the southwest corner of Southway and Jackson in the SE ¼ Section 16, Perry Township (legal description on file with Township)

Owner/Applicant: Gerald Ramold Sr., and A-List Land Development

Current Use: Single Family Agricultural

Proposed Use: Single Family Residential

Stark County Regional Planning Recommendation: Denial

Trustee Haines relayed that the Regional Planning Commission recommended denial of this proposed rezoning to R-3 Single Family, Duplex and Four Family Residential.

Trustee Haines read aloud the Stark County Regional Planning recommendations, numbers 1-11.

Trustee Haines stated that he would invite those who would like to speak in favor of the proposed zone change to the podium at this time and asked for each person to please state their name, address and reason for being here.

Bob Warner, Environmental Design Group, 450 Grant St., Akron, Ohio – Mr. Warner stated that they were the engineering company working on these plans. Mr. Warner indicated that he would address several of the comments from Regional Planning and gave a brief explanation regarding the extension of the sewer to the proposed new development as well as their plan to build single family homes and their intent to provide a buffering zone around the adjoining properties.

Trustee Haines inquired what their time line was on this; Mr. Warner stated that they would like to begin construction of the utilities later this fall and then most likely not be able to pave until next spring. Mr. Warner also indicated that they intend to build this new development in two phases.

Sean Sanford – NAI Spring Realty, 8234 Pittsburg Ave. NW, North Canton, Ohio – Mr. Sanford stated that he wanted to reiterate that the intent is to specifically build single family homes in the proposed new development. Trustee DeChiara inquired if the sewer installation costs would be coming out of the development in general; Mr. Sanford confirmed that was correct and gave brief explanation.

Carl Kasler, 2515 Southway, Massillon – Mr. Kasler stated that he lives right behind where the proposed new development is going in and had quite a few concerns; Mr. Kasler gave explanation as to what his concerns were in regard to this new development.

Tim Stern, 1525 Jackson Avenue SW – Mr. Stern indicated that he owns five acres and lives to the south and east of the property that surrounds the new development; Mr. Stern had questions and gave explanation as to what his concerns were in regard to this new development. Mr. Stern also inquired about the possibility of him changing the zoning of his property to go along with R-3 so he could sell and get the most value for his land; Law Director Hall indicated that Mr. Stern would have to make an application to the Zoning Inspector and gave a brief explanation of this zoning process.

Jeff Poland, 1630 Jackson Avenue – Mr. Poland stated that he lives two doors down from the Perry Township Road Department and gave explanation as to what his concerns were in regard to this new development.

Brad Bartolone, 1320 Jackson Avenue SW – Mr. Bartolone had questions and gave explanation as to what his concerns were in regard to this new development.

Ted Karam – 1333 Stardale Avenue – Mr. Karam had questions and gave explanation as to what his concerns were in regard to this new development.

More discussion took place regarding the additional traffic on Jackson Avenue and Richville Drive. Trustee Shreffler and Trustee DeChiara also gave additional comment regarding the proposed new development.

Trustee Haines stated that he wanted to make it clear that at this time, the Board would affirm or deny the Perry Township Zone Commission's decision of March 18, 2021.

Trustee Haines stated that based on all the discussion tonight, the testimony from the property owners for and against, and referenced Trustee Shreffler's statement that we are looking at eleven more houses here to maintain this property in Perry Township and made the motion that the Board adopt the recommendation for our Zoning Commission to move forward; Seconded by Trustee Shreffler.

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

Trustee Haines indicated that we will take a brief 5-minute recess.

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**5 Minute Recess**

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**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 bills in the amount of \$53,261.37 for the week ending March 16, 2021 and bills and payroll in the amount of \$255,902.43 for the week ending March 23, 2021 for a combined total of \$409,532.93; Seconded by Trustee Shreffler.

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

**Fiscal Officer:**

**Consider Accepting 03/16/21 Meeting Minutes**

Trustee Haines made a motion that the Board approve the March 16, 2021 meeting minutes; Seconded by Trustee Shreffler.

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

**Consider Rea and Associates Invoice in the Amount of \$3,000**

Fiscal Officer Chessler referenced the invoice in the amount of \$3,000.00 and gave a brief explanation regarding the compilation of financial statements for year ending 12/31/20 by Rea and Associates.

Trustee Haines stated that based on the information provided by our Fiscal Officer, made a motion that the Board approve the payment to Rea & Associates and invoice in the amount of \$3,000.00; Seconded by Trustee Shreffler.

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

**Administration:**

**Consider FMLA Request of Employee A**

Administrator Fetzer referenced the supporting documents and request for FMLA for Township Employee A and asked that the Board consider making a motion to authorize this FMLA leave as submitted.

Trustee Haines stated with this information, makes a motion that the Board approve the FMLA request for Employee A; Seconded by Trustee Shreffler.

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

**Consider Stark County Engineer's 2021 Speed Zone Study Request Form**

**RESOLUTION 2021 – 013**

Trustee Haines stated that the Board received a letter from the Stark County Engineer in request to submit a Township roadway section to be included in their 2021 Speed Zone Studies. Trustee Haines inquired of Road Superintendent Masalko and Chief Pomesky if they would make their recommendations regarding this speed zone study; more discussion took place regarding these recommendations.

Trustee Haines made a motion of doing a speed zone study request form for 2021 for the Stark County Engineer that we recommend doing Nave Street from Genoa to the corporation line and 13<sup>th</sup> Street and Genoa and then on Perry Drive next to Brookdale; Seconded by Trustee DeChiara.

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

**Consider Trustee DeChiara's Request to Discuss Scheduling a Work Session for Dispatching Services**

Trustee Haines indicated that this next Agenda item was in regard to Trustee DeChiara's request to schedule an upcoming Work Session in order to receive presentations and review of alternative dispatching services.

Trustee DeChiara relayed that he has set up invitations to several dispatch centers regarding their attendance of an upcoming Work Session to give a presentation regarding their services and gave the suggestion of Tuesday, April 27 at 6:00 pm; both Trustee Haines and Trustee Shreffler confirmed this Work Session date and time. Trustee Haines made suggestion that the scheduled presentation times to consider be heard at 6:00 pm; 6:30 pm and 7:00 pm.

**Fire Department:**

**Consider Resignation of Part Time Firefighter Amanda Fricke**

Chief Martin stated that the Fire Department is requesting that the Board of Trustees accept the resignation of part-time firefighter/paramedic Amanda Fricke, effective Tuesday, April 6, 2021, resignation letter attached before the Board.

Trustee Haines stated that based on that information, made a motion that the Board accept the resignation of part-time firefighter Amanda Fricke, effective Tuesday, April 6, 2021; Seconded by Trustee DeChiara.

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

**Police Department:**

**Consider Ballistic Vest Purchases**

Chief Pomesky stated that the Police Department is requesting that the Board of Trustees authorize the purchase of three (3) bullet proof vests for three (3) officers whose vests will be expiring this year from

Galls. The cost of one Ohio State Contract Point Blank FLXIII A with two (2) Vision Carriers is \$864.50; the total cost for three (3) vests is \$2,600.45 (with shipping charges). Chief Pomesky indicated that once the vests are purchased and paid for, they will submit for 50% reimbursement through the Department of Justice-Bullet Proof Vest Grant; the Police Department will get reimbursed \$1,300.23.

Trustee Haines stated that based on that information, made a motion that the Board approve the purchase of three (3) bullet proof vests for three (3) officers whose vests will be expiring this year from Galls. The cost of one Ohio State Contract Point Blank FLXIII A with two Vision Carriers that is \$864.50, the total cost for three (3) vests is \$2,600.45 with a reimbursement grant that we will get reimbursed \$1,300.23; Seconded by Trustee Shreffler.

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

### **Consider Cleaning Service Request**

Chief Pomesky indicated that in March, the Police Department was notified that their previous cleaning service was going out of business. Chief Pomesky referenced the four (4) cleaning service quotes obtained and indicated his recommendation that the Board approve Getz Cleaning Service for the Police Department.

Trustee Haines stated that based on that information, made a motion that the Board approve the Getz Cleaning Service at a cost not to exceed \$700.00 per month; Seconded by Trustee Shreffler.

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

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

#### **Consider Approval to Advertise for 2021 Cab and Chassis**

Road Superintendent Masalko stated that the Road Department is requesting that the Board authorize the request to advertise for the 2021 cab and chassis bids. Mr. Masalko indicated that this will be advertised in the local newspaper and the bid opening will be on May 4, 2021 at 6:00 pm.

Trustee Haines stated that based on this information, made a motion that the Board authorize to send out the 2021 or newer Freightliner 108SD cab and chassis bid; we will accept bids until 6:00 pm or as soon thereafter as the Board's Agenda allows consideration of the same on the 4<sup>th</sup> day of May, 2021 for one (1) 2021 or newer Freightliner 108SD cab and chassis with all the specifications listed below; Seconded by Trustee Shreffler.

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

#### **Consider Approval to Advertise for Pickleball Court at Regis Perry Memorial Park**

Road and Park Superintendent Masalko stated that the Park Department is requesting the Board authorize the request to advertise for the Tennis Court/Pickleball Court Construction at Regis Perry Memorial Park, 3172 Harsh Street SW, Massillon, Ohio. Mr. Masalko indicated that this will be advertised in the local newspaper and the bid opening will be on May 4, 2021 at 6:00 pm.

Trustee Haines stated that based on this information, made a motion that the Board approve this to go out to bid with the tennis court/pickleball court construction at Regis Perry Memorial Park, 3172 Harsh

Street SW, Massillon, Ohio; this will be advertised in the local newspaper and the bid opening will be on May 4, 2021 at 6:00 pm with the specification below; Seconded by Trustee Shreffler.

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

**Consider Approval of 2021 Paving Program**

**RESOLUTION 2021 – 014**

Road Superintendent Masalko stated that the Road Department is requesting that the Board authorize the request to advertise for the 2021 Paving Program. Mr. Masalko indicated that this will be advertised in the local newspaper and the bid opening will be on May 4, 2021 at 6:00 pm.

Trustee Haines stated that based on this information, made a motion that the Board approve the list of streets to go out to bid; the bid opening will be on May 4, 2021 at 6:00 pm based on the specifications that Road Superintendent Masalko has provided; Seconded by Trustee Shreffler.

**Resignation of Jacob Blose**

Road Superintendent Masalko stated that the Park Department is requesting that the Board accept the resignation of Jacob Blose, effective 4-5-2021; Seconded by Trustee Shreffler.

Trustee Haines stated that based on this information, made a motion that the Board approve the resignation of Jacob Blose, effective 4-5-2021; Seconded by Trustee Shreffler.

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

**Announcements:**

Trustee Haines stated that he would make one announcement that the April 20, 2021 Board meeting will not be scheduled to take place; the next Board of Trustees meeting will be scheduled for Tuesday, May 4, 2021.

**Law Director:**

**Zoning:**

**Problem Properties:**

**Department Matters Not Requiring Board Action:**

**Administration:**

**Fire Department:**

**Police Department:**

**Road Department:**

**Parks/Recycling:**

**Zoning:**

**Law Director:**

**Executive Session(s):**

**ORC 121.22 (G) (1) Hiring to Include the Board and Fire Chief**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) hiring to include the Board, Law Director and Fire Chief with possible action to be taken; Seconded by Trustee Shreffler.

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

The Board adjourned into Executive Session at: 7:39 pm

The Board adjourned from Executive Session at: 7:52 pm

Trustee Haines stated that based on the statute in the Executive Session and the recommendation of the Chief, made the motion that the Board authorize the Chief to extend an offer of full-time employment to the candidate and based on that candidate completing the polygraph, psychological assessment and the State of Ohio mandated pension physical, to hire that candidate; Seconded by Trustee DeChiara.

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

**ORC 121.22 (G) (1) Discipline to Include the Board and Upon Invitation the Fire Chief and Fiscal Officer**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) discipline to include the Board and the Law Director at this point, upon invitation, the Fire Chief and Fiscal Officer; Seconded by Trustee Shreffler.

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

The Board adjourned into Executive Session at: 7:53 pm

The Board adjourned from Executive Session at: 8:26 pm

**ORC 121.22 (G) (3) Consultation on Pending Matters to Include the Board, Fiscal Officer and Law Director**

Trustee Haines made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (3) consultation on pending matters to include the Board, Fiscal Officer and Law Director with no action to be taken; Seconded by Trustee Shreffler.

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

The Board adjourned into Executive Session at: 8:27 pm

The Board adjourned from Executive Session at: 8:45 pm

**Adjournment:**

With nothing further to come before the Board, Trustee Haines made a motion to adjourn the meeting at 8:46 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