

**Perry Township Board of Trustees**

**Regular Meeting**

**March 15, 2022, 7:00 pm**

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

**Swearing-in Ceremony of Zacharie Lohr – FT Police Officer**

Trustee Miller asked Officer Lohr to please step forward so he could administer the Oath of Office.

Be it remembered on the 7<sup>th</sup> day of March 2022, Zacharie A. Lohr having been duly appointed a Police officer of Perry Township, Stark County, Ohio personally appeared before me, Lisa Nelligan, Board President, Perry Township Board of Trustees of Perry Township, Stark County, Ohio. Now, therefore, I certify that thereupon I administered to Zacharie A. Lohr, and he subscribed in my presence, the following oath: Trustee Miller requested Officer Lohr to please raise his right hand and repeat the following oath:

*I, Zacharie Lohr, do solemnly swear or affirm, that I will support the Constitution of the United States, the Constitution of the State of Ohio, the Resolutions of Perry Township and I will faithfully, honestly, and impartially discharge the duties of a Police Officer in and for the Police District of Perry Township, Stark County, Ohio during my continuance in that office.*

The Board members extended their congratulations to Officer Lohr.

**Public Speaks Scheduled Speakers:**

**Excused absence:**

**Additions/Deletions to Agenda:**

**ODOT Invoice**

Fiscal Officer Chessler stated that it had come to the attention of the Fiscal Office that there was an outstanding invoice from the Ohio Department of Transportation for the State Rt. 172 project. Fiscal Officer Chessler had asked the Board previously on January 4, 2022 Board Meeting to approve a quote that was given to Perry Township. Those cost figures were increased and ODOT sent the Township the revised cost figures which were \$15,810.00. At that time the Board approved and accepted the increased bid. Fiscal Officer Chessler stated at the January 4, 2022 meeting that was not an approval of payment but acceptance of the bid. ODOT has continued to call the Road Department to inquire about the payment of the invoice. Fiscal Officer Chessler stated without authority, he could not process the payment. Fiscal Officer Chessler asked the Board for authority to pay the \$15,810.00 to the Ohio Department of Transportation.

Trustee Nelligan made a motion to pay ODOT for the State Rt. 172 light poles in the amount of \$15,810.00. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

## **Fire Prevention**

Trustee Nelligan stated she wanted to add to the agenda the status of the Fire Prevention position under the Fire Department. Chief Sedlock will give an update on the Fire Prevention position.

### **Public Hearings/Invited Guests:**

### **Communications:**

#### **Perry Rotary “Clean Up Perry Township Event”**

Trustee Nelligan stated the Board received a letter concerning the Clean Sweep Program from Daryl Smith of Perry Rotary. The letter entailed information concerning the event to clean up Perry Township that Perry Rotary organized for April 8, 2022. They are planning that day of having approximately 8-10 bags of garbage and would like to utilize Perry Township dumpsters. The Rotary is requesting patrol officers on that day also. Trustee Nelligan wanted to bring this request to the attention of the Board and would like to vote on it at the next meeting. Trustee Nelligan also indicated to Chief Pomesky that she would forward the letter to him and would like to discuss the event.

#### **Chuck Isler’s Concerns for the Stardale St.**

Mr. Chuck Isler lives on Stardale St. Trustee Nelligan spoke with Mr. Isler last Friday and had a concern with semi-trucks coming down Stardale St. This road is located behind the Perry Township Road Department. Trustee Nelligan drove the road and stated it is a small road. Trustee Nelligan did observe that there are signs on Richville Drive that state “No Semi/ No Trucks”. Trustee Nelligan determined that the semi-trucks are cutting thru on Southway St. and asked Road Superintendent Masalko if he could observe and look into this issue. Road Superintendent Masalko stated he would look into this matter. Mr. Isler is requested to have a sign erected for “No Semi-Trucks” on Stardale St. Trustee Nelligan stated she would bring the issue to the Board at the next meeting.

#### **Yard Waste Opening Dates**

Trustee Nelligan announced that the Perry Township Yard Waste Site opened on March 9, 2022 – Hours of operation will be Monday, Wednesday, and Saturday from 8 am to 4 pm.

#### **Spring Clean-Up Day**

Trustee Nelligan announced that Saturday, April 23<sup>rd</sup>, 2022 will be the Spring Clean-Up Date. This will be located at the Road Department at 1500 Jackson Ave SW, Massillon. Details can be viewed at [www.perrytwp.com](http://www.perrytwp.com) and the Perry Facebook page.

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

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

### **Unfinished Business:**

### **New Business:**

## **Administration:**

### **Brandstetter Carroll, Inc. Proposal**

Trustee Nelligan stated on March 1, 2022, at the Board of Trustee Meeting, the Board met with Nancy Nozik of Brandstetter Carroll, Inc. The Board discussed the concept of building two Perry Township Restrooms. One at Summerdale Park and the other at Regis Perry Memorial Park. During the Trustees meeting, the Trustees requested that Brandstetter Carroll, Inc. expand its services to create a Master Plan for Regis Perry Memorial Park. Trustee Nelligan explained this master plan will identify where the proposed restroom building should be located in the context of the intended future development on the site. Trustee Nelligan brought to the Board for approval to make a motion to amend the purchase price of the contract which would be an additional \$5,000.00. Trustee Nelligan suggested a motion to increase that contract to \$52,000.00. Trustee Nelligan explained this would cover the design of the restrooms that were discussed and the addition of master planning for Perry Park and geotechnical services that were also added.

Trustee DeChiara recommended considering hiring Brandstetter Carroll, Inc. on giving an overview of all assessments of the park system and presenting their proposal to the Board as to what may be added or deleted at the parks and parts that could be sold off. Trustee DeChiara also indicated there may be parts that should be enlarged. The Board agreed with Trustee DeChiara's recommendations but would like to get the present issue under contract and move forward with the design of the restrooms and Perry Park. Trustee Nelligan then suggested having an additional work session and starting to talk about all of the parks.

Trustee Nelligan made a motion to approve the amount of \$50,000.00 and to provide a cushion in case of the geotechnical services would be more than \$52,000.00. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Unfinished Business – Consider Capital Budget Grant Submissions**

Trustee Miller indicated that the Capital Budget Grant needs to be submitted by the end of the week. The Board looked at last week's presentations on splash pads and playground equipment. However, Perry Park was a more complicated situation and the Board wanted to have a better idea of a master plan to best utilize that space. The Board then turned their attention toward Meredith Park. Trustee Miller indicated that this park is a blank slate in the idea that we could do something there that is more basic and that the Board could get a quick turnaround on quotes. If utilizing Meredith Park, Trustee Miller indicated that the Board wouldn't be doing something that would be possibly locking ourselves in down the road. Last week the Board met with Beaver Excavating as well as a representative from the Perry Youth Soccer Program. The Soccer program is the primary user of that space. There was a discussion about how that space is utilized, where the problem areas are located in terms of useable land, and what is keeping that land from being useable, particularly standing water, etc. Trustee Miller indicated that Beaver Excavating put a quote together for the Township for some grading, drainage, and a walking track that would go around the perimeter of the park. Trustee Miller expressed the motivation was that of the park being a blank slate. He indicated there is no playground equipment, no basketball or pickleball at Meredith Park and this would be a good basic investment. This would allow the Board to take advantage of the funding in a short period while turning the attention to more detailed planning

regarding the other parks. With that being said, Trustee Miller stated, that we received the drainage quote of \$390,810.00 for the grading and drainage from Beaver Excavating. Beaver Excavating also provided a quote for a limestone walking path around the perimeter of the park. The quote was \$79,250.00. The Board reached out to Vasco Co. and produced a quote for \$128,935.00 to do a walking path. Significantly more expensive, but Vasco's quote was an asphalt walking path vs a limestone walking path. Where that stands, Trustee Miller stated the Board would need to make a decision tonight on whether or not to move forward with the application for the Capital Budget Grant. Trustee Miller asked if an exact dollar figure had to be provided tonight or could the Board say "not to exceed \$550,000.00" while we decide if we want to go limestone or asphalt? Administrator Martin indicated it would need to be the exact dollar amount. Trustee Miller indicated that the first discussion should be whether this is the project we want to pursue by the end of the week. Second, do we want to pursue funding for an asphalt walking path or a limestone walking path?

Trustee DeChiara asked what is the maximum amount to list and what the share amount should be? Administrator Martin responded that there is no maximum amount and they do not mandate what you should submit. However, it was discussed previously that 10% would be a nice good faith effort. Administrator Martin indicated that would give a good rating when they go to value and score the application. Trustee DeChiara asked how big of an issue is the field drainage? Trustee Miller replied there is a significant area that does not seem to dry up. Beaver Excavating stated, that the way the park is laid out, will always be a problem unless measures are taken to improve the area. Some of the areas are usable but there is a significant portion of the area that continues to be soft. Trustee DeChiara asked if the grant is limited to one item or can it be several? Administrator Martin answered the grant is limited to one location. However, she indicated it can be multiple items but one park. Since the share would be 10%, Trustee DeChiara stated that would be a good investment. He was concerned with so many needs of the township. Trustee DeChiara asked Fiscal Officer Chessler if the general fund could handle that? Fiscal Officer Chessler stated the fund was not budgeted specifically for parks this year, but we have other funds in the general fund that could be used for this project.

Trustee Nelligan stated after listening to the softball and soccer teams last week, the representatives indicated the need for fields. The soccer program also had concerns with the growth of the soccer program and the increase of children, families, and elderly walking to the fields. Trustee Nelligan thinks a walking path for safety purposes is good for access to the fields. Trustee Nelligan doesn't want to be short-sited for the needs of the park development and not put in a walking path.

Trustee Miller asked if this is an all-or-nothing approval with this grant? Administrator Martin indicated to Trustee Miller that is correct. Trustee Miller directed his concern to the Perry Soccer coach, this would leave the soccer program without a park for an undetermined time. The soccer coach indicated they could find temporary fields.

Trustee Nelligan stated she was so glad to see the community come last week and talk about their needs. She loves all the ideas and this showed stewardship with the monies as we design a master plan for Perry Parks. Trustee Nelligan stated that there is a grant available to Perry Township now and would like to try for the grant. Trustee Nelligan asked Administrator Martin how often do these grants come up? Administrator Martin indicated every two years the grant becomes available.

Trustee Miller asked Administrator Martin if she was looking for an exact dollar amount? Did we decide on a combination of Beaver and Vasco with the asphalt or limestone?

Law Director Mathews indicated the Board would treat the grant just like your own money so you would have to bid in light of the amount. Trustee DeChiara indicated the amounts could come in higher.

Trustee Nelligan asked Administrator Martin how quickly is the turnaround and when would we know if we received the grant? Administrator Martin indicated a successful applicant would know within a 2–3-month period and within 90 days you would have a full check in hand.

Trustee Miller asked if there can be an allowance built into that application for an overage amount? Administrator Martin responded that what is placed on the application would be the monies the Township would receive. Trustee Nelligan asked if receipts needed to be submitted to show how the monies were used? Administrator Martin indicated that the Grant does not require receipts. Trustee DeChiara asked since we are going to put in the matched 10%, can we ask over what is quoted? Administrator Martin stated no, the amount must be the exact amount.

Trustee Miller made a motion to submit to the Capital Budget Funding Grant opportunity in the amount of \$519,745.00 for improvements. Trustee Miller also included the 10% match of \$51,974.50. Seconded by Trustee Nelligan.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

#### **Consider accepting the 4<sup>th</sup> Quarter Yard Waste Grant**

Administrator Martin would like the Board to accept the 4<sup>th</sup> quarter Yard Waste Grant in the amount of \$5,040 from Stark Tusc Wayne.

Trustee Nelligan made a motion to accept the 4<sup>th</sup> quarter Yard Waste Grant in the amount of \$5,040 from Stark Tusc Wayne. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

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

##### **NPDES MS4 Annual Report Agreement**

Road Superintendent John Masalko requested the Board to consider and approve the annual proposal for the NPDES MS4 Annual Report Agreement with Hammontree and Associates to perform the duties of the annual report in the amount of \$12,816.00. In the past, the Road Department has performed this task but due to the shrinking department, they can no longer keep up with this task. Road Superintendent John Masalko stated this funding would come from the general fund or ARP funds. He stated that Law Director Mathews did review the proposal and approved it.

Trustee Nelligan made a motion to consider and approve the annual proposal for the NPDES MS4 Annual Report Agreement with Hammontree and Associates in the amount of \$12,816.00. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

## **Western Branch Diesel Payment**

Road Superintendent Masalko asked for the Board's approval on payment to Western Branch Diesel in the amount of \$3,427.07. There was a snowplow/salt truck in need of repair. The truck was losing power and emitted a code which meant the turbocharger was leaking and needed to be replaced. The Booster pressure sensor was also faulty. Road Superintendent Masalko stated the truck needed immediate attention. The reason the truck had to go to Western Branch Diesel was that if the road mechanics had done the work, it would not have been warranted. Road Superintendent Masalko had discussed this with Trustee Nelligan for approval.

Trustee Nelligan made a motion to approve payment to Western Branch Diesel of \$3,427.07. Trustee Nelligan stated the purchase was made at an early date but is currently being approved. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

## **Zoning:**

### **Police Department:**

#### **Jail Transportation**

Chief Pomesky received information regarding the prison transport numbers. He stated there is a 10% increase in cost. Chief Pomesky asked for direction on how to proceed. He suggested possibly scheduling a meeting with Massillon's Mayor Catazaro-Perry along with a Board Member. Trustee Nelligan stated she would join Chief Pomesky in a meeting with Massillon. Trustee Nelligan would then present the information to the Board. Chief Pomesky will pull last year's information and send it to the Board for comparison.

#### **Safety Town Electra Tarp**

Chief Pomesky asked the Board to consider a purchase from Electra Tarp for the Safety Town tarp for \$5,207.50. The Safety Town program is for children entering Kindergarten up to 1<sup>st</sup> grade. Chief Pomesky stated this is a great opportunity for children to explore their community and learn the importance of safety.

Chief Pomesky stated the police department has previously borrowed the safety town tarp and accessories from other townships. Chief Pomesky proposed since we had a successful year and would like to continue to hold this program and would like to purchase our own Safety Town tarp. The cost for the tarp is \$5,207.50.

Trustee Miller asked Chief Pomesky if this could be part of ARPA funds? Chief Pomesky would like to review this with the Law Director. Law Director Mathews stated that would fall under general allowance because it is a government service.

Trustee Nelligan made a motion to purchase the Safety Town Tarp from Electra Tarp in the amount of \$5,207.50. Seconded by Trustee DeChiara.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

Trustee Nelligan also made a motion to open a purchase order for the purchase of the Safety Town Tarp to utilize the ARPA funds in the amount of \$5,207.50. Seconded by Trustee Miller.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Donation of Outdated Safety Vests to Ukrainian Military**

Chief Pomesky stated he received a letter from Governor DeWine on March 11, 2022, regarding an initiative through the National Guard to collect expired safety vests for Ukrainian.

Trustee DeChiara made a motion to allow the Police Department to send the outdated safety vests to Ukrainian Military. Seconded by Trustee Nelligan.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Fire Department:**

#### **Fire Prevention Position Update**

Chief Sedlock stated since the retirement of the previous Fire Prevention Chief Abbott, we have not had anyone in that position full time. We are currently in the stages of advertising this position. This is an extremely important position for our fire department. The person in this position must be highly professional because they are visible throughout our community at all times. Chief Sedlock continued by stating the qualifications of this position and the duties of the Fire Prevention Position. He explained where the position is being advertised. Chief Sedlock explained that on the Perry Township website there is a link to the application. The deadline is April 8<sup>th</sup> at 3:00 pm.

### **Law Director:**

#### **Executive Session ORC 121.22 (G)(5)**

Law Director Mathew requested an executive session to discuss rights and obligation matters.

Trustee Nelligan made a motion that the Board adjourns after the conclusion of the Public Speaks into Executive Session pursuant to ORC 121.22(G)(5). Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

There will be no action to be taken recommended by Law Director Mathews

### **Fiscal Officer:**

#### **Consider Pending Warrants**

Fiscal Officer Chessler requested a motion to approve bills in the amount of \$199,970.94 for the week ending March 1, 2022, and bills and payroll in the amount of \$195,356.63 for the week ending March 8, 2022, for a combined total of \$395,327.57.

Trustee Nelligan made a motion to approve bills in the amount of \$199,970.94 for the week ending March 1, 2022, and bills and payroll in the amount of \$195,356.63 for the week ending March 8, 2022, for a combined total of \$395,327.57. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider Bank Reconciliations for January 2022**

Fiscal Officer Chessler stated this is the first Bank Reconciliation converting from the old accounting system into the new banking system. He is asking the Board for approval of the January 2022 Bank Reconciliation.

Trustee Nelligan made a motion to consider the Bank Reconciliation for January 2022. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider appointing TIRC Members – Tax Incentive Review Committee members**

Fiscal Officer Chessler indicated that the Stark County Tax Incentive review counsel had their annual meeting. Fiscal Officer Chessler stated he had previously performed on behalf of the Board in the years past. The Board should have a resolution making a designation subject to the Law Directors' approval. Participation is required and designate a representative to the Board and also an alternate. Fiscal Officer Chessler stated he would serve in either capacity. Fiscal Officer Chessler was asking for a motion for the appointment.

Trustee Nelligan made a motion to appoint Fiscal Officer Chessler as a review committee member for the TIRC Committee. Trustee Nelligan stated she would be the alternate. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Consider accepting February 15, 2022 work session and regular meeting minutes**

Fiscal Officer Chessler asked the Board to accept the February 15, 2022 work session and regular meeting minutes for approval.

Trustee Nelligan made a motion to accept the February 15, 2022 work session and regular meeting minutes for approval. Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes.

### **Board of Trustees Updates – Roll Call**

Trustee Nelligan stated something new added to the agenda is a roll call from the Trustees. Trustee Miller gave an update on a topic.

Trustee Miller stated at the department head meeting, it was mentioned about newsletter updates and possibly reviewing how we communicate with the community. He suggested a monthly newsletter mailed to every address in the township. He stated we are on our way to finding a compromise. There will be no action to be taken at this time just an update. Trustee Miller passed information to the Board



members about options that came from Canton Data Print. Trustee Miller indicated that attached to each of the newsletters are the print cost, processing fee, and postage fees to send to each of the community. He showed 2 newspaper options that are significantly less expensive. Then a third option was a magazine like that is significantly less than what we are spending now but more expensive than the other two options. These are for your consideration as to any input on what direction you would like to see us head. Trustee Miller indicated there is more information to come.

Trustee Nelligan stated that Canton Data Print would do potentially some marketing and advertisement to offset some of the expenses. The Board would obtain 40% of that marketing which would help and cover expenses.

**Problem Properties:**

**Executive Session(s):**

Trustee Nelligan made a motion to go into Executive Session under ORC 121.22 (G)(5) matters required to be kept confidential by Ohio or U.S. law to include the Board, Fiscal Officer, Law Director, Fire chief, and Administrator. Seconded by Trustee Miller. No Action to be taken.

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

The Board adjourned into Executive Session at 8:09 pm

The Board adjourned from Executive Session at 8:50 pm

**Department Matters Not Requiring Board Action:**

**Administration:**

**Fire Department:**

**Police Department:**

**Road Department:**

**Parks/Recycling:**

**Zoning:**

**Law Director:**

**Announcements:**

**Public Speaks-Open Forum:**

**Adjournment:**

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn the meeting at 8:51 pm; Seconded by Trustee Miller

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes. Mr. DeChiara, yes

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Lisa Nelligan, President

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Craig Chessler, Fiscal Officer