

Perry Township Board of Trustees

Meet and Greet 6:00 pm

Regular Meeting

April 19, 2022 7:00 pm

Call to Order/ Pledge of Allegiance:

Public Speaks: Scheduled Speakers:

Trustee Nelligan thanked Nancy Nozik from Brandstetter Carroll, Inc. for coming to the “Meet and Greet” and reviewing the parks with master planning of Perry Parks and the restroom design for Summerdale and Perry Park.

Excused absence:

Additions/Deletions to Agenda:

Trustee Miller stated he would like to add an executive session to include the Board, Fiscal Officer, Township Administrator, and the Law Director under Ohio Revised Code 121.22(G)(3) to discuss pending litigation.

Fiscal Officer Chessler stated he spoke with Law Director Mathews and discussed establishing funding limits with the use of the ARPA funds as it relates to purchasing large ticket items. He prepared a resolution and will be asking the Board to add it to the agenda under the Law Director.

Trustee Nelligan stated she would like to switch the first and second executive sessions.

Public Hearings/Invited Guests:

Communications:

Yard Waste Site

Reminder Yard Waste site is open. 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 23rd, 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 and the Perry Facebook page.

Wreaths Across America

The Wreaths Across America Mobile trailer sponsored by Perry Rotary will be displayed at Perry High School at 3737 13th Street S.W. Massillon on Friday, May 6th, 2022 from 9am to 5pm. The exhibit is free of charge.

Public Speaks on items up for Board Approval:

Township Business requiring Board Action:

Unfinished Business:

New Business:

Administration:

Township Administration Hall Reservation Agreement

Administrator Martin reviewed the Township Administration Office/Hall Celebratory Guest Guidelines and Expectations sheet with the Board. Administrator Martin indicated that these guidelines have been in effect for many many years. She discussed with the Board the new addition to the agreement is adding a cleaning/damage deposit of \$75.00. This would be required at the time of the reservation and may be deposited if any of the above guidelines are breached. Administrator Martin indicated this would only be for gatherings and celebrations. This would be not applicable to regular meetings. This would be only for celebrations because of some damage in the past and the need for any repairs.

Trustee Nelligan made a motion to make an amendment to the Township Administration Office/Hall Celebratory Guest Guidelines. Seconded by Trustee Miller.

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

Road and Park Department:

Consider hiring Casual Part-time employee Michael Watson

Superintendent Masalko requested the Board to consider hiring casual part-time employee Michael Watson. Superintendent Masalko indicated Mr. Watson would be hired in the park and roads department at a wage of \$14.39. The position will fill both parks and roads when needed. Mr. Watson did have a background check and a driver's license background check. Mr. Watson has obtained his Class A CDL license and his goal is hopefully to get on at the road department full time. His effective date is 4-19-22.

Trustee Nelligan made a motion to hire casual part-time Michael Watson for the park and road department. His hire date will be 4-19-22 with a wage of \$14.39. Seconded by Trustee DeChiara.

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

Consider approval of the Proposed 2022 paving Program

Superintendent Masalko presented to the Board the Paving Program for 2022. The Road Department developed a rating system to which roads are the most in need of repair. Superintendent Masalko

stated this is the best program the Township has seen in years, and the best fiscally responsible for the use of the different fundings we select from. The project will consume the summer calendar and possibly overflow into 2023. After reviewing the budget with the Fiscal Officer, and the Board of Trustees at the work session on April 5, 2022, the Road Department feels that this is the best program to date. It will come to approximately 26 miles of road. The funding will come out of the gasoline tax, ARPA fund, and carry over from last year's budget. With the Boards approval, this will go out to bid on April 20th, 2022 with bid openings being on either May 4, 2022, or May 18th, 2022 at 7:00 pm. This will be advertised in the local press.

Trustee Nelligan made a motion to approve the proposed 2022 paving program to be sent out to bid. The funds will come from the Gas Road bridge, ARPA funds, and general fund. Seconded by Trustee DeChiara

ROLL CALL: Ms. Nelligan, yes. Mr. Miller, yes *** (see page 6 for change of his vote). Mr. DeChiara, yes.

Zoning:

Consider Central Ohio Recovery Towing/Storage Fee Schedule

Zoning Inspector Whytsell asked the Board to consider the supplied schedule fee for towing, storage, scrap, or auction of vehicles. He reached out to four local towing companies and of those four, Central Ohio Towing was the most prepared to offer this service to the township. Central Ohio Towing presented a detailed process and fee schedule. Zoning Inspector Whytsell stated he had a discussion with Fiscal Officer Chessler that the funds would come from the Zoning Department and be reimbursed from the vehicle owners.

Trustee Nelligan asked Fiscal Officer Chessler when we enter into this agreement, what happens if the owner does not pay, what do we do with the invoices? He responded that the bill will be referred to the Law Director and certify the amount to the Auditors office.

Trustee Nelligan made a motion to enter into an agreement and fee schedule with Central Ohio Recovery Towing and Storage. Seconded by Trustee Miller.

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

Police Department:

Resolution -2022

Discussion of Dispatching Services

Chief Pomesky discussed the Police Department Dispatching Services. Chief Pomesky is asking for the Boards approval for a contract for dispatching services with CenCom/Nimishillen Township. The current dispatching company for the township is Red Center and they are currently experiencing low staffing. Chief Pomesky was concerned with some failure of services. A consultant was hired and identified several recommendations to the LOGIC Board. The discussion focused on Perry PD as police and fire were not under one roof. This would be a benefit to our Perry Township for Emergency Services to put the police and fire under one roof. The RED Centers' current state and based on their executive Director, it is not in Perry Township's interest to move the Fire Department over to Red Center as the

stability of the center is in question. Chief Pomesky did a survey and Cencom was \$29,166.00 per month. That is less than what the police department is paying at Red Center. Chief Pomesky discussed the option of having our own dispatching center and staffing would be over half a million dollars to have our own center. Chief Pomesky sent the contract with Cencom to the Law Director for review. Chief Pomesky stated that based on the above information and the established services our Fire Department has at CenCom, he would recommend to the Board of Trustees to consider migrating our dispatch services to CenCom. The rate would change to \$29,166.00 per month.

Law Director Mathews stated he reviewed the contract and drafted a proposed Resolution if the Board is inclined to proceed with adopting the CenCom agreement. Once there is a handle on the timing of migration then you can coordinate the notice to Red Center.

Trustee Miller asked what the migration looks like and what that process looks like. Chief Pomesky stated migration in this form is not turning systems on and off, it is a series of turning them on and testing them, and shutting our systems off. Chief Pomesky stated also that validating the frequencies and that everything is on the same page. There will be a date and time which is feasible to migrate over. Chief Pomesky stated that will be communicated with the Board and the Law Director so we can time the 30-day notice to Red Center and that billings will coordinate.

Trustee DeChiara made a motion to enter into an agreement to move the Police Dispatching to service to CenCom Nimishillen. Effective as soon as possible for the transition. Seconded by Trustee Nelligan.

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

Consider SHEP ~ Summer Holiday Enforcement Proposal Grant through the Ohio Traffic Safety Office in the amount of \$18,364.67

Chief Pomesky stated the police department has been approved for the SHEP (Summer Holiday Enforcement Program) grant in the amount of \$18,364.67. These funds are to be used for short-term highway safety support. Chief Pomesky stated the federal grant program operates on a reimbursement basis. The police department will first incur the cost for approved expenditures and then apply for reimbursement.

Chief Pomesky is asking that the Board approve the grant in the amount of \$18,364,67 and to follow all terms and conditions for reporting throughout the grant term of April 1- September 30, 2022.

Trustee Nelligan made a motion to approve the Summer Holiday Enforcement Proposal Grant through the Ohio Traffic Safety Office in the amount of \$18,364,67 and to follow all terms and conditions for reporting throughout the grant term of April 1- September 30, 2022. Seconded by Trustee Miller.

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

Warwick Support Contract

Chief Pomesky asked the Board to authorize and approve the annual Warwick support contract for the police department phone system. In the past, the police department has used Option #2 – Premium Plus Standard offer. The total cost of Option #2 – Premium Plus Standard is \$2,966.54.

Trustee Nelligan made a motion to approve Warwick's support contract for the police department phone system in the amount of \$2,966.54. Seconded by Trustee DeChiara.

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

Consider approving DARE Grant in the amount of \$26,216.32

Chief Pomesky stated each year the police department applies for the Drug Use Prevention Grant through the Attorney General's Office. These funds help pay the salary of the DARE Officer. The funds will be disbursed in four payments. Chief Pomesky is asking that the Board allow the department to apply for the grant in the amount of \$26,216.32 and follow all terms and conditions for reporting throughout the 2022-2023 school year.

Trustee Nelligan made a motion to approve the DARE Grant in the amount of \$26,216.32. Seconded by Trustee Miller.

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

Fire Department:

Law Director:

Resolution -2022

Consider Parking Bureau Resolution Motion

Law Director Mathews presented a revised resolution concerning organizing a local parking violation bureau. This version has some minor corrections and modifications made for adoption. Law Director Mathews stated that while the resolution still speaks to the Uniform Traffic Ticket, the Chief and Police Department may want some flexibility in the charging process, so the revision allows for an alternative form to be adopted. He also included a provision to specifically recognize that parking tickets may be "constructively" served (affixed to unlawfully parked vehicles).

Trustee Nelligan made a motion to consider the Parking Bureau Resolution. Seconded by Trustee DeChiara.

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

Unfinished Business ~ consider Airgas Sale Agreement

Law Director Mathews reviewed an addendum for the Airgas Sale Agreement, which was discussed with the Board at the last meeting. A simple addendum to the sale agreement would be to delete paragraph 12 which was an overreaching indemnity clause. Also, to delete paragraph 14 which was overreaching the attorney's fees clause and revise paragraph 16 of the proposal that the fire department would be bound by Ohio Law and Delaware Law. His recommendation would be that Board accepts the proposal to switch to Airgas and with the addendum, then this will be presented to the company.

Trustee Nelligan made a motion to accept the Airgas Sale Agreement with the addendum. Seconded by Trustee Miller.

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

Fiscal Officer:

Resolution -2022

Government Services Resolution “Standard Allowance” (ARPA)

Fiscal Officer Chessler brought to the Board the Government Services Resolution of Standard Allowance. Fiscal Officer Chessler stated there was a discussion about using ARPA funds which will allow us to adopt this resolution for a standard allowance in the prevention of revenue loss using the ARPA funds. Law Director Mathews stated that under the Treasury Regulations that were issued in January it allows the township to adopt a standard allowance which is a presumption that you have had harm from the pandemic and allows you to spend up to 10 million dollars but up to your full allotment for anything that is a standard government service. Law Director Mathews continued to give examples of the standard governmental service that you could then use the ARPA funds for. If this is adopted by the Board this will elect the standard allowance and confirm that you have not spent any of your ARPA money prior to March 3, 2021.

Trustee Nelligan made a motion to elect the standard allowance for ARPA money. Seconded by Trustee Miller.

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

Consider Bank Reconciliation Documents

Fiscal Officer Chessler proposed a motion that the Board consider pending warrants for the week ending 4-5-22 for bill/payroll in the amount of \$254,763.53 and the week ending 4-12-22 for bills in the amount of \$36,235.45 for a combined total of \$290,998.98

Trustee Nelligan made a motion that the Board consider pending warrants for week ending 4-5-22 for bill/payroll in the amount of \$254,763.53 and the week ending 4-12-22 for bills in the amount of \$36,235.45 for a combined total of \$290,998.98. Seconded by Trustee DeChiara.

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

Board of Trustees Updates – Roll Call

***Trustee Miller stated he wanted to change his vote on the 2022 Road Paving Motion to NO. He would like to see the ratings.

Problem Properties:

Executive Session(s):

#1 Trustee Nelligan made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) discussion considering hiring a deputy chief to include the Board, Law Director, and Fire Chief. Seconded by Trustee Miller.

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

The Board adjourned into Executive Session at: 8:04 pm

The Board adjourned from Executive Session at: 8:40 pm

#2 Trustee Nelligan made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) to discuss fire department personnel and to engage the sources of the Ohio Fire Chiefs Association assessment center for the development and hiring of deputy fire chief position to include the Board, and Law Director. Seconded by Trustee Miller.

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

The Board adjourned into Executive Session at: 8:41 pm

The Board adjourned from Executive Session at: 8:46 pm

#3 Trustee Nelligan made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(3) concerning imminent or pending court action to include the Board and Law Director. Seconded by Trustee Miller.

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

The Board adjourned into Executive Session at: 8:47 pm

The Board adjourned from Executive Session at: 9:12 pm

#4 Trustee Nelligan made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(3) Seconded by Trustee DeChiara.

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

The Board adjourned into Executive Session at: 9:12 pm

The Board adjourned from Executive Session at: 9:46 pm

Department Matters Not Requiring Board Action:

Administration:

Fire Department:

Police Department:

Road Department:

Parks/Recycling:

Zoning:

Law Director:

Announcements:

Public Speaks-Open Forum:

Tim Lewton

Tim Lewton stated his address as 1615 Sherwood Ave Massillon. He would like to applaud the new Trustees for restarting the parks. He stated it's been years since anything has been done with them. One of the main issues is maintaining the parks. He brought up Fasnacht Farms and complained about the plastic and junk at the farm and nothing has been done to it. He would like to see a dumpster at the Farm.

Matt Gatschell

Matt Gatschell stated his address as 629 Kolpwood. He has been with the fire department for 19 years. He spoke concerning the opening of the Fire Prevention position. He talked about Mark Murphy and his qualities and was disappointed that the Board advertised outside the department and that the department has someone qualified to fill the position within the department. He gave his recommendation and references to Mr. Murphy. He presented to the Board 29 more references on the behalf of Mark Murphy.

Guy Lindsay

Guy Lindsay stated his address as 1800 Clearbrook NW Massillon, Ohio. He discussed the roads and asked if there was going to be a road levy and why he should vote for a road levy. His questions were directed to the Board and Trustee Nelligan explained to Mr. Lindsay that the township is making a commitment to the community with the monies that have been approved for this year for the roads using a significant amount of our ARPA money to help get caught up. There are a lot of catch-ups to do. Trustee Nelligan stated the Board is not going to be talking about a road levy at this time.

Tim Blythe

Tim Blythe stated his address as 1996 Masters Point SE Massillon. He discussed the dispatching history. A levy was passed to increase services. In February 2015 that dispatching service went away. Mr. Blythe continued discussions on the dispatching issues. Mr. Blythe and Trustee DeChiara debated the dispatching companies.

Adjournment:

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn the meeting at 9:47 pm; Seconded by Trustee

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

Lisa Nelligan, President

Craig Chessler, Fiscal Officer