

Perry Township Board of Trustees

Regular Meeting

October 17, 2023 6:00 pm

Call to Order/ Pledge of Allegiance:

Welcome/Invited Guests

Excused absence:

Police Chief Bryan Taylor

Additions/Deletions to Agenda – Roll Call by Department:

Communications/Announcements Details available at Perrytwp.com:

1. Invitation to the Perry Police Levy Meetings
2. Monday, October 23, 2023, Tuesday, October 31, 2023

Public Speaks on Agenda Items Up for Action

Unfinished Business:

Department Agenda Items (Information/Action Items)

Administration:

1. Indigent Burial

Administration Martin gave information on a recent indigent burial request. Administration Martin indicated this is a Township responsibility. There were 3 quotes obtained. Recommended is Lamielle Funeral Home for a cremation at \$650.00, and a memorial marker at \$220.00 total of \$870.00.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Road Department:

Consider the resignation of Ed Stearn as a season part-time road inspector effective May 11th, 2023.

Public Works Director Anthony Davide asked the Board to consider the resignation of Ed Stearn as a season part-time road inspector. Effective May 11, 2023. He was the paving inspector.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider an increase for Class A CDL employees

Public Works Director Anthony Davide asked the Board to consider an increase for class CDL employees. Effective the first pay period following the ratification of the MOU. They shall receive an additional \$1.00 per hour to the base rate of their salary.

Trustee Nelligan indicated to Trustee DeChiara that there was a discussion to only have three class B on staff so it does not burden our Class A when they have to move their equipment. Trustee Nelligan indicated that there was an agreement that was reached with the labor-management team.

Trustee Miller asked if we need to do this at this time. Trustee Miller indicated that there are no Class B employees at this time. The Board decided to take no action at this time and the motion was withdrawn.

Zoning:

Consider Barrel Abatement

Zoning Inspector Jeff Whytsell indicated that back in August of 2022 there was an abatement with the Gibbs Brothers who owned a residential parcel used to store their construction and trash materials. Zoning Inspector Jeff Whytsell requested a motion to utilize the services of Eco-Maxx to transport and recycle 41 barrels according to Ohio DEPA guidelines which are currently stored at Central Ohio Recovery. Central Ohio Recovery has been storing these barrels for the township at no cost to the township. These need to be removed from the Central Ohio Recovery and he researched 3 companies and Zoning Inspector Jeff Whytsell recommended Eco-Maxx. Eco-Maxx works with Akron Canton Waste Oil which would haul the production located at 1701 Sherrick Rd SE in Canton, Ohio. The cost will be \$20,603.00. Zoning Inspector Jeff Whytsell stated the barrels should be gone by October 31, 2023.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider Nuisance Declaration and Citation at 4691 Shermont Ave NW

Zoning Inspector Jeff Whytsell requested a motion to declare 4691 Shermont Ave NW a nuisance and approve a financial citation of \$100.00. With this approval the township will follow the tiered financial citation amount every 30 days until or unless compliance is achieved, or the property owner contacts the township to appeal the citation or otherwise discuss the history of the mobile home and the residential dwelling. There are restrictions for mobile homes which he explained.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider Nuisance Declaration and Citation at 4154 Harbook Ave SW Navarre.

Zoning Inspector Jeff Whytsell requested a motion to declare 4154 Harbrook Ave SW Navarre, Ohio a nuisance and approve a financial citation of \$250.00 with approval to follow the tiered financial citation amounts every 30 days until or unless compliance is achieved or the property owner contacts the township to appeal the citation or otherwise discuss the zoning violation associated with this property. Zoning Inspector Jeff Whytsell stated a \$100.00 citation was approved by the Board on August 1, 2023 with no response. He presented pictures of a rusted vehicle without plates, tall weeds, and trash.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Police Department:

Fire Department:

Fire Chief Larry Sedlock would like the Board to consider adopting and adding the EMTS to the unit. Chief Sedlock presented a Memorandum of Understanding. He felt the changes were minimal and everything applied correctly. The Law Director reviewed and responded the terms were acceptable. Fire Chief Larry Sedlock asked the Board to accept and add the MOU to the contract.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Law Director:

Fiscal Officer Report

Consider Pending Warrants

Fiscal Officer Chessler stated the following pending warrants for week ending 10-3-2023 for bill/payroll in the amount of \$1,232,073.77 and week ending 10-10-2023 for bills in the amount of \$124,008.57 for a combined total of \$1,356,982.34. Fiscal Officer indicated that the large amount was due to moving monies into appropriations from the CARE Act monies that were done in February 2023.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

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

Consider accepting meeting minutes

Fiscal Officer Chessler asked the Board to consider accepting regular meeting minutes for 9-5-23, and 9-19-23 and special meeting minutes from 9-26-23.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Board of Trustees of Trustees Updates – Roll Call

1. Trustee Nelligan
2. Trustee Miller

Trustee Miller gave a park update. He stated that on the new restrooms at Perry Park and Summerdale, the old restrooms were torn down and the next step is site preps. Next will be then to pour the concrete pad and get the utilities where they need to be. Trustee Miller also indicated that the delivery of the new bathrooms consists of a single piece of concrete and they will be put into place. Meredith Park and the lack of rain have slowed things down. We are waiting for the grass to grow before we start working on the walking path. Trustee Miller indicated they may try to get some fertilization just to try to get some growth on the field for this fall so soccer can resume this spring.

3. Trustee DeChiara, Jr

Public Speaks:

Tim Lewton:

Tim Lewton gave his address of 1615 Sherwood Ave NW Massillon, Ohio. He indicated that his road was paved and then today they dug it up. Mr. Lewton indicated this was to replace the culvert. He indicated that it is been bad for 5-6 years why are they doing it now? Trustee Miller explained the reasoning. Public Works Director Anthony Davide also explained the reason for doing so.

Tim Newton then asked about the meeting held at Fasnacht Farm and what was the outcome. Trustee Nelligan indicated that the house is sound but the chimney is not. The barn is sound also except for the corner that we knew was bad. Mr. Newton wants to know when something is being done and when it will be mowed. Tim Newton thinks the tenant farmer is not living there anymore.

Simon Warstler

Simon Warstler gave his address of 802 27th Street SW Massillon, Ohio. Mr. Warstler indicated he is running for the School Board. He feels the townships and the schools need a lot more collaboration. He would like more communication between the two.

Attorney Homer Richards

Homer Richards gave his address at 2632 Fordham Cir NW North Canton, Ohio 44720. He represents Young Truck Sales. Attorney Richards stated that as part of the relocation Young Truck Sales applied with the Stark County Commissioners for a tax abatement. Canton Township is required to give notice to Perry Township and the director of development a 30-day notice that Young Truck Sales intends to relocate. He indicated they are not moving out of Perry Township just as a growth move. He asked if Perry Township could give notice of acknowledgment of receiving notice of Young Truck Sales documentation on the agreement and receipt of notice of moving. Attorney Richards indicated that the company will use the Perry location as a dedicated facility for maintaining the lease maintenance. Also dedicated space for the other truck franchises. The major part of the company is selling used trucks for rehabilitation at this facility. Also, truck parts will be sold there. Law Director Mathews asked Attorney Richards questions and Attorney Richards explained a few more details on the relocation and the statute. Attorney Jim Mathews indicated the Township just received the paperwork yesterday.

Trustee Nelligan stated acknowledgment of receiving the 30-day notice of Young Truck Sales from Canton Township. Seconded by Trustee DeChiara.

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

Problem Properties:

Department Matters Not Requiring Board of Trustees 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 of Trustees, Trustee Nelligan made a motion to adjourn the regular meeting at 6:47 pm; Seconded by Trustee Miller

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

With nothing further to come before the Board of Trustees, Trustee Nelligan made a motion to adjourn into executive session at 6:47 pm; Seconded by Trustee Miller.

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

Executive Session(s):

ORC 121.22 (G)(1) personnel to include the Board, Law Director, Fire Chief, and Administrator

ORC 121.22 (G)(3) discussion of imminent or pending legal action to include Board and Law Director

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn the executive meeting at 9:15 pm; Seconded by Trustee Miller

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

Lisa Nelligan, President

Craig Chessler, Fiscal Officer