

**Perry Township Board of Trustees**

**Regular Meeting**

**February 7, 2023 6:00 pm**

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

**Welcome/Invited Guests:**

**Oath of Office - Jared Baer**

**Public Speaks: Scheduled Speakers:**

**Excused absence:** none

**Additions/Deletions to Agenda:**

**Public Hearings/Invited Guests:**

**Communications:**

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

**Township Business requiring Board Action:**

**Unfinished Business:**

**New Business:**

**Administration:**

**Status update on park restroom facilities**

Administrator Martin gave a brief update on the status of the park restroom facilities. Administrator Martin indicated that Nancy Nozik informed the Board that she has sent 3 renditions of the restrooms. Ms. Nozik plans on joining the Board at the February 21<sup>st</sup> meeting to give a brief presentation.

**Status update on four-way stop sign request of John Strazisar on 7<sup>th</sup> Street NW between Woodlawn and Whipple**

Administrator Martin indicated that Public Works Director, Anthony Davide had a meeting with the Stark County Engineers and 4 members. They did a study on 7<sup>th</sup> and 8<sup>th</sup> street at the Manor Ave. and Ambrose intersection. The study recognized that a certain site distance and a certain number of vehicles warrant a 4-way stop sign. Public Works Director, Anthony Davide had a discussion with the members of the Stark County Engineers and they gave some consideration to placing a flashing speed limit light. Public Works Director, Anthony Davide is researching those options and prices and will return to the Board with more information and determination.

## **Resolution 2023-2**

### **Consider Stark County Engineer Speed Zone Study request of Earl Road**

Administrator Martin asked the Board to consider the Stark County Engineers' speed study on Earl Rd. Administrator Martin indicated that this happens annually. The Stark County Engineers office received a grant and allows for one street in Perry Township.

Administrator Martin asked the Board for authorization to conduct the study on Earl Rd on behalf of the Stark County Engineers and then they will bring the study back to the Board for consideration after the study is completed.

Trustee Nelligan made a motion for authorization to conduct the study on Earl Rd on behalf of the Stark County Engineers for 2023. Seconded by Trustee Miller.

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

### **Consider appointing 2023 Tax Incentive Review County**

Administrator Martin asked the Board to consider an appointment to the 2023 Tax Incentive Review Council ~ TIRC. Administrator Martin talked with Jill Gerber from Stark County Regional Planning Commission and relayed to Ms. Gerber that tentatively we will be the same as last year. This would be Trustee Lisa Nelligan and Trustee Matt Miller with Fiscal Officer Craig Chessler as the alternate if the Board would move to vote on this.

Trustee Nelligan made a motion to appoint herself, Trustee Matt Miller, and Fiscal Officer Craig Chessler as the alternate of the 2023 Tax Incentive Review Council ~ TIRC. Seconded by Trustee DeChiara.

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

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

#### **Consider 2023 Material Quotes**

Anthony Davide, Public Works Director indicated the first item would be accepting the material quotes for 2023. On review of the quotes received, the Law Director and the Public Works Director, Anthony Davide are reporting all quotes are in compliance and asking the Board to accept all the material quotes for 2023. The quotes were from American Sand and Gravel, National Lime and Stone, Huth Ready Mix, and Hei-Way, LLC.

Trustee Nelligan made a motion to consider all 4 of the 2023 material quotes from the above companies. Seconded by Trustee DeChiara.

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

#### **Consider Plymouth Knolls Sewer Improvement Phase 2**

Public Works Director, Anthony Davide asked the Board to consider authorizing the Public Works Commission Director and the Law Director to review and approve the invitation to bid and advertise in

the Massillon Independent on February 13 and 20<sup>th</sup> for the Plymouth Knolls Storm Sewer improvement project.

Trustee Nelligan made a motion to consider the bid process for the Plymouth Knolls Storm Sewer Improvement Phase 2 plan. Seconded by Trustee DeChiara.

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

Trustee Miller asked Karl Oprisch from Hammontree and Associates what the repayment plan looks like. Mr. Oprisch stated the Board is aware they approved for the Township to apply for OPWC (Ohio Public Works Commission) funding for the fiscal year 2023. Back in September 2022, the project was awarded. The bid will be published in the Massillon Independent on February 13<sup>th</sup> and 20<sup>th</sup>, 2023, and will also be published on [www.aablueprint.com](http://www.aablueprint.com) and can be obtained for \$35.00 from this website.

Mr. Oprisch continued stating that the engineering estimate for this project is \$899,500.00. Construction work shall be completed 160 calendar days after the date of the Notice to proceed.

The local in-kind match is \$200,000.00. The loan is \$360,000.00. Grant monies are \$340,000.00. Bids will be received until 3:00 pm at the Perry Township Road department at 1500 Jackson Ave SW Massillon, Ohio 44646 on March 7, 2023. They will be opened and read at 6:00 p.m. on the same date at the Offices of the Perry Township Board of Trustees, 3111 Hilton St NW Massillon, Ohio 44646. Seconded by Trustee Miller

#### **Consider the resignation of Ed Stearn**

Public Works Director, Anthony Davide informed the Board that Ed Stearn has handed in his resignation letter, effective, January 9, 2023. Ed was a great asset overseeing the paving and striping program each year, making sure everything was done according to contract specification. With the Board's permission, Mr. Davide asked the Board to start advertising for Mr. Stearn's replacement. Trustee Nelligan talked about his replacement. Mr. Stearn only worked 108 hours last year she stated. Public Works Director, Davide indicated the road department can absorb those hours within the department. Public Works Director, Davide will look into this and do some research.

Trustee Nelligan made a motion to accept Ed Stearn's resignation. Effective January 9, 2023. Seconded by Trustee DeChiara.

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

#### **Consider participating in the Hall of Fame Enshrinement Festival Balloon Classic**

Public Works Director, Anthony Davide asked the Board's permission to use our Perry Township parks as a possible target location for the Hall of Fame Enshrinement Festival Balloon Classic festivities. The road department received a letter from the Canton Regional Chamber of Commerce requesting permission to use our park system as one of their target locations for the balloon classic.

Trustee Nelligan made a motion to consider participating in the Hall of Fame balloon classic. Seconded by Trustee Miller.

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

**Zoning:**

**Consider Zoning Fee Adjustments**

Zoning Inspector Jeff Whytsell proposed to the Board an adjustment to the current fee schedule for zoning permits and certificates for the following categories:

|   |                        |
|---|------------------------|
| Jacuzzi/Hot Tubs                        | \$35.00                |
| Decks                                   | \$25.00                |
| Solar Panels                            | \$35.00                |
| Outdoor Wood Burning Furnace            | \$35.00                |
| Wind Energy System                      | \$35.00                |
| Signs adjust price for signs up to 32SF | \$50.00                |
| Signs between 32 and 64 SF              | \$80.00                |
| Subdivision Sign (Temporary)            | \$30.00 up to 6 months |
| Permanent subdivision sign <20SF        | \$35.00                |
| Permanent Subdivision Sign >20SF        | \$40.00                |

Trustee Nelligan made a motion to consider the zoning fee adjustments for 2023 based on information provided by the Zoning Inspector, Jeff Whytsell. Seconded by Trustee DeChiara

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

**Police Department:**

**Consider Federal Law Enforcement Trust Fund filing statement**

Police Chief Guist requested the Board's approval so that the Federal Law Enforcement Trust Fund form can be properly filed therefore keeping our account active. Chief Guist attached a copy of last year's report for comparison.

Trustee Nelligan made a motion to consider the Federal Law Enforcement Trust Funding filing statement to be approved and signed. Seconded by Trustee Miller.

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

**Consider the purchase of Bullet Proof Vests**

Chief Guist requested the Board of Trustees authorize the purchase of ten (10) bulletproof vests for eight (8) officers whose vests will be expiring this year and the two (2) new officers from Galls. The cost

of one Ohio State Contract Point Blank FLXIII A with two Visions Carriers is \$830.00. The total cost for ten is \$8,300.00. There is an additional \$700.00 charge on the invoice for the thor-shield sleeve and \$15.00 for shipping. Chief Guist indicated that once the vests are purchased and paid for, he will submit for 50% reimbursement through the Department of Justice Bullet Proof Vest Grant. The Police Department will be reimbursed for \$4,150.00. The grant only covers the cost of the vests themselves and does not cover the cost of the thor-shield. Chief Guist requested that the Board of Trustees authorize the purchase of the bulletproof vest from Galls for a total expenditure not to exceed \$9,015.00.

Trustee Nelligan made a motion to authorize the purchase of ten (10) bulletproof vests for eight (8) officers whose vests will be expiring this year and the two (2) new officers from Galls. The total purchase of the bulletproof vest from Galls for a total expenditure not to exceed \$9,015.00. Seconded by Trustee Miller.

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

### **Fire Department:**

#### **Consider hiring Jared Baer as a full-time Firefighter/Paramedic**

Chief Sedlock stated he would like to ask the Board to hire Jared Baer as a full-time firefighter/paramedic. Chief Sedlock stated Jared has been with our department as a part-time firefighter paramedic since 2017. He has been an asset to the department and served our community proudly.

Trustee Nelligan made a motion to hire Jared Baer as a full-time Firefighter/paramedic effective February 10, 2023 at the rate of \$18.35. Seconded by Trustee DeChiara.

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

#### **Consider ESO reporting software for fire department incidents and inspections**

Chief Sedlock asked the Board to consider allowing the Fire Department to move forward with the purchase of the ESO reporting software. This software will allow the fire department to remain in sync with the other departments in Stark County. The medical reporting portion of the software is being purchased by the Cleveland Clinic Mercy. We only need to purchase the fire and inspection reporting portions.

Trustee Nelligan made a motion to purchase the medical reporting portion of the software that is being purchased by the Cleveland Clinic Mercy. We only need to purchase the fire and inspection reporting portions. Total fees \$7,835.00. recurring fees then will be \$6,055.00. Seconded by Trustee DeChiara.

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

Law Director Mathews reviewed the ESO documents and was in agreement.

#### **Consider donating expired turnout gear to Stark State College**

Chief Sedlock indicated to the Board of Trustees that based upon the NFPA standard 1851, turnout gear has a 10-year lifespan. Therefore, Chief Sedlock recommended that the Board authorize him to donate

the following items to Stark State College for the Fire Science training classes. There will be 20-coats and 17-pants.

Trustee Nelligan made a motion to donate the following items to Stark State College for the Fire Science training classes. There will be 20-coats and 17-pants. Seconded by Trustee DeChiara.

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

### **Consider approving the Ohio Fire Chiefs contract for the Deputy Chief search**

Fire Chief Sedlock asked the Board to consider hiring the Ohio Fire Chiefs Association to assist in the selection process for the Deputy Chief position. Chief Sedlock stated we are starting over to find a Deputy Chief for the Fire Department. We have utilized Ohio Fire Chiefs Association before and they have done a great job in assisting us during the prior selection process as well as the testing for the open Captains position. The cost of this service is not to exceed \$12,200.00.

Trustee Nelligan made a motion to hire the Ohio Fire Chiefs Association to assist in the selection process for the Deputy Chief position. The cost of this service is not to exceed \$12,200.00. Seconded by Trustee DeChiara.

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

### **Law Director:**

#### **Police Department grievance**

Law Director Mathews stated that the grievance that was reported on at the last meeting has been thoroughly investigated and he had the results and a proposed resolution to be reviewed at the executive session.

### **Fiscal Officer Report (informational/action items)**

#### **Consider Pending Warrants**

Fiscal Officer Chessler stated the following pending warrants for week ending 1-17-23 for bills in the amount of \$128,449.16 and week ending 1-24-2023 for bills/payroll in the amount of \$595,174.20 and for week ending 1-31-2023 for bills in the amount of \$88,634.37 for a combined total of \$812,257.73. Fiscal Officer Chessler asked the Board for a Motion to approve the pending warrants.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

#### **Consider approval of J.L. Uhrig and Associates, Inc.**

Fiscal Officer as the Board to consider approval of two (2) years of performed services with J.L. Uhrig and Associates, Inc. to assist the township with the professional notes and filing of the annual final report with the Auditor of State via the Hinkle system. The proposed agreement is provided as a supporting document.

There was a discussion between the Board and Fiscal Officer Chessler on the years of the agreement. The Board asked what neighboring townships use for this process. Fiscal Officer Chessler indicated he will look into the fees further and information on the accounting firms in other townships.

Trustee Nelligan tabled the consideration of J.L. Uhrig and Associates, Inc. contract until the next meeting.

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

1. Trustee Nelligan
2. Trustee Miller
3. Trustee DeChiara, Jr.

### **Public Speaks:**

#### **Tim Blythe**

Tim Blyth stated his name and gave his address as 1996 Masters Point SE Massillon, Ohio 44646. Mr. Blythe began speaking of an individual who posts quite frequently on the “Growing up in Perry” page on Facebook concerning how bad the roads are. The individual stated about a property on the road he lives on. Mr. Blythe went to Hess Road to review what the individual was concerned with. Mr. Blythe passed through this area and then call Zoning Inspector Whytsell who then invited Mr. Blythe to come to a meeting and state his concerns on what he had about Hess Road. Mr. Blythe stated there were car parts laying in the middle of the road. Mr. Blythe had pictures of the area and asked if the Board would be comfortable living across from the home in question. Mr. Blythe told the Board the zoning code of this property. Mr. Blythe stated he feels the owner of the property is not conforming to the zoning laws. Zoning Inspector Whytsell stated that in the past they have had to go in and tell the resident he was not in conformance. Mr. Blythe asked the Board to act on this property.

#### **Tony Haubert**

Tony Haubert stated his name and gave his address 1124 Easton St NE Canton, Ohio 44721. He was there to express his grievance with the Perry Township PD whom he had reached out to for over a year for help. He gave a history of his custody issue. He explained the incident that happened between his son and him at Perry High School. Mr. Haubert continued to give the history of his custody battle. Mr. Haubert went back to 2017 on issues he had with the Perry Township Police Department.

#### **Thom Ross**

Thom Ross stated his address as 2845 Standish SW. Mr. Ross gave thanks for starting up the ESO system. He discussed the 911 system. He discussed the dispatch center not being set up.

Thom Ross stated to the new Public Works Director, Anthony Davide, that on 4 separate occasions, he tried to get someone out to look at the road. There is a big dip in the road. It is now 3 inches and stretches the length of the road. He saw a child on a skate board hit the dip and ended up with stitches.

**Problem Properties:**

**Executive Session(s):**

**ORC 121.22 (G)(1) personnel to discuss police department grievance to include Board, Law Director, Police Chief**

**ORC 121.22 (G)(1) personnel to discuss light duty request to include Board, Law Director, Fire Chief and Administrator**

**ORC 121.22 (G)(1) to discuss compensation matters to include Board, Law Director, Administrator**

**ORC 121.22 (G)(1) to discuss personnel and compensation matters to include Board, Fire Chief**

Trustee DeChiara made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G)(1) investigate charges to include the Board and Law Director with no action to be taken. Seconded by Trustee Nelligan.

The Board adjourned from Executive Session at: 7:05 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 9:36 pm; Seconded by Trustee DeChiara

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