

Perry Township Board of Trustees

May 16, 2023

Work Session 5:00 pm

ODNR Grant Opportunities

Regular Meeting 6:00 pm

Work Session:

The press has been provided appropriate notice of the work session per ORC requirements

Board President Nelligan called the work session to order at 5:00 pm.

ODNR Grant Presentation

Administrator Martin presented a power point of the Ohio Department of Natural Resources for the Board's consideration. After much discussion, the Board directed Administrator Martin to research the refurbishing of an existing tennis court into pickleball courts and a new pavilion. This topic will be revisited at the May 23rd BOT special meeting.

ARPA Funded prefab restrooms

Administrator Martin presented a power point of two double-stalled prefab restrooms; The Cortez from CXT Company. One is to be placed at Perry Park and the other at Summerdale Park. This topic will be revisited at the May 23rd BOT special meeting.

Trustee Nelligan made a motion to adjourn the work session at 5:58 pm. Seconded by Trustee DeChiara Jr.

Board President ~ Lisa Nelligan

Fiscal Officer ~ Craig Chessler

Regular Meeting:

Call to Order/ Pledge of Allegiance:

Welcome/Invited Guests

Excused absence:

Additions/Deletions to Agenda – Roll Call by Department:

Fire: Purchase Order for Life Force

Law Director: none

Police: none

Fiscal Office: OPERS and Police Chief forms

Road: none

Trustee Miller: Information update on Meredith Park

Zoning: Nuisance declaration

Trustee DeChiara: none

Administration: none

Trustee Nelligan: none

Communications/Announcements Details available at Perrytwp.com:

1. 11th Annual ~ Fallen Heroes Ceremony ~ Sat. May 27th, 2023 9:00 am to 10:00 am at Perry High School Sponsored by Perry Rotary, Perry Township, and Perry Local Schools
2. Flag Placement on Veterans Graves at Calvary Cemetery ~ Sun May 28th, 2023 Veterans Ceremony 9:00 am to 9:30 am
3. Perry Township HEROES Run/Walk Monday, May 29th at PHS
4. Perry Township Community ~ Picnic in the Park Saturday, June 10th, 12 pm to 3 pm at Hartwick Park
5. Township Survey ~ Ongoing through June visit perrytwp.com

Public Speaks on Agenda Items Up for Action

Unfinished Business:

Department Agenda Items (Information/Action Items)

Administration:

1. Consider accepting Stark Tuscarawas Wayne Yard Waste Block Grant check in the amount of \$10,440.00.

Administrator Martin stated the Board has before them supporting documents. The Township had received a check in the amount of \$10,440.00 from the Stark Tuscarawas Wayne Joint Solid Waste Management District. This is for the 2023 Yard Waste Block Grant which is half the payment that the Township received in the partnership with Stark Tusc. Wayne and currently at \$3,300.00. The site is open 6 days a week. Administrator Martin asked the Board to accept the check in the amount of \$10,440.00.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

2. Consider Employee A ~ FMLA Request

Administrator Martin stated Employee A is requesting approximately 1-2 weeks of FMLA leave. Administrator Martin asked the Board to consider FMLA (Family Medical Leave Act) request for Employee "A". The applicant has met all the appropriate criteria for being eligible for FMLA benefits. Administrator Martin explained that applicants are aware of the responsibilities of informing his/her department heads for scheduling purposes. Administrator Martin indicated we are in the process of

waiting on the physician's report but anticipate 1-2 weeks of leave. Administrator Martin continued explaining the requirements of FMLA.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

3. Consider Canton Data Print ~ Spring Community Magazine invoice in the amount of \$9,783.17.

Administrator Martin presents the Canton Data Print Invoice. Administrator Martin indicated that the residents are very appreciative of the magazine. The total of the invoice is \$9,783.17 to Canton Data Print.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

4. Consider ODNR Capital Budget Grant agreement for Meredith Park Drainage and Walking Track

Administrator Martin stated next on her agenda was the Capitol Improvement Community Recreation Conversation Project Grant. This is through the Ohio Department of Natural Resources. This Grant is from the ODNR Capital Budget. The Grant was written for the drainage at Meredith Park as well as a walking track. Both were approved and the Board has the agreement it has been reviewed and approved by the Law Director. Administrator Martin asked the Board if they had any questions about the Grant, if not, she asked the Board to accept the Grant.

Trustee Nelligan thanked Trustee Miller for leading this project along with Administrator Martin and for all the time involved.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Road and Park Department:

Consider transferring Road Maintenance Specialist Watson's sick hours from his previous employer to the township.

Public Works Director Anthony Davide stated that the Road Department is asking for the Boards approval to transfer Road Maintenance Specialist Michael Watson's accumulated sick time from his employment at Jackson Highway Department to the Perry Township Road department as stated in the AFSCME Ohio Council 8 and Local 935 Perry Organized Workers Article 19-section 7. Michael Watson has an accumulated sick leave balance of 48 hours from the Jackson Highway Department.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Zoning:

Added to the Agenda: Nuisance property located at 314 Pershing Ave NW Massillon, Ohio.

Zoning Inspector Jeff Whytsell asked the Board to consider the property at 314 Pershing Ave. NW. Massillon, Ohio a nuisance. He is requesting a Motion to declare 314 Pershing Ave NW Massillon, Ohio a nuisance and to approve a financial citation of \$100.00. Zoning Inspector Jeff Whytsell presented images of the violation. He indicated 3 notifications were sent to the property and the property owner on 4/20, 4/28, and 5/8. Zoning Inspector Jeff Whytsell received a call on 5-11-23 that the items would be gone by today. They have not been removed. A copy of a citation will be sent to the owner of the property via certified mail.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider a motion to abate via demolition the following properties:

Zoning Inspector Jeff Whytsell indicated that over the last 6 months, he discovered through the county that there are some options and resources to take a more aggressive stance on property abatement for nuisance properties. He researched this through the Stark County Land Revitalization Corporation. Zoning Inspector Jeff Whytsell stated that he wanted to applaud, Administrative Assistant Christina Whittenberger as she was an incredible help to him through this process. Zoning Inspector Jeff Whytsell had to follow protocols and seek bids on the properties. He had to research asbestos abatement and find what the other process was to do the demolition of the properties. Zoning Inspector Jeff Whytsell presented a memo for the Board to consider and approve a motion to abate via demolition the following properties. The discussion began by introducing and explaining the DAP program through the Stark County Land Revitalization Corporation and the process Perry Township will need to follow to abate said properties:

- a. 3432 Lincoln Way E. Massillon, Ohio

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

- b. 215 Westland Ave NW Massillon, Ohio

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

c. 5044 Tuscarawas St W Canton, Ohio, Massillon, Ohio

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Zoning Inspector Jeff Whytsell also asked the Board to include in the motion the request to approve Eslich Wrecking Co. for \$52,300.00 for all three demolitions. Zoning Inspector Jeff Whytsell attached documents from the SCLRC/DAP program. He also included a bid sheet for each property (three bid minimum required by SCLRC). There is a Resolution 505.86 for each property for the Board to sign. The DAP program would reimburse the township for approximately \$26,150.00. The complete files are available on each property for the Board upon request.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Police Department:

Consider replacement of the voice/radio traffic recorder and subsequent maintenance agreement

The Police Department is requesting that the Board of Trustees approve the attached Equature/DDS Corporation 5-year proposal. The Equature/DDS Corporation maintenance agreement includes hardware components, software, technical support, and remote monitoring of the police department's recorded phone lines and radios. The current system and server for the recoding system is in its sixth year and it is more complicated to support due to its age. The new proposal would provide us with a new server, continued maintenance, and support.

The new proposal which includes a new server has two (2) options for payment. Option 1 (Traditional Purchase) would require that the total cost of \$19,885.00 be paid upfront and then each year the department would be invoiced annually for \$2,732.00 for the annual service and support. Option 2 (Premier Partner Program) allows the department to pay the total cost over a five (5) year period. This is not a lease and there are zero finance fees associated. This is a slow payment plan. Below is what the payment allocation could be over the next five years.

Year 1	\$6,787.00	Annual Investment and Installation
Year 2	\$5,787.00	Annual Investment
Year 3	\$5,787.00	Annual Investment
Year 4	\$5,787.00	Annual Investment
Year 5	\$5,787.00	Annual Investment

Historically, the police department has opted into Option 2 (Premier Partner Program) and I would like to continue to do that so that we can update the server and pay over the period of five (5) years.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider the Board’s permission to join the Defense Logistics Agency also known as the 1033 Program for the use of US Military Surplus within the Township Police Department

Chief Taylor asked the Boards permission to join the Defense Logistics Agency otherwise known as the 1033 program. This is essentially the US Department of Defense’s military surplus department. This program will allow the Police Department to use excess surplus military items within the police department. Chief Taylor gave examples as some of the properties you would get are controlled (you have to inventory and maintain inventory on the items) and report back. Other items are just a given he stated. An example would be materials given could be cold weather clothing for fire and police departments military-grade. Particularly in the control department, he would look at offsetting the Police Department’s ammunition costs by acquiring available amounts of long rifle ammunition to use as practice ammunition instead of spending money on it. There are restrictions. This would offset taxpayers’ funds.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider the Board’s authorization to introduce the Seniors Staying Connected ~ Senior Watch Program

Chief Taylor asked for the Boards authorization to introduce a program that is geared toward the seniors in our area. It is called Seniors Staying Connected. He explained that it is a senior watch program. Two

options, seniors can register for the program and we can place phone calls on a regular basis to them to check in with them and see if the police need to be present at their address. The other one he explained is a little more involved, it is the senior watch program. That may be geared more towards seniors who may or may not have family living close by or out of state. This would be a once-a-week visit just to check in with them. There would be a paper application available at the township and the police department. And also, online registration is available for family members that may live out of state that want to register their loved ones.

Trustee DeChiara asked if there was any charge for this service and he indicated there was not. Several people in the department have volunteered to spend their time making these phone calls and officers are willing to go to residents to check into the elderly.

Trustee Miller asked Chief Taylor if he had experience with this program and he indicated he does have experience with this program. Trustee Miller asked if there was any issue with the family wanting their loved one checked on but the senior citizen does not. It is up to the individual Chief Taylor stated.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Chief Taylor gave an update on Cops and Bobbers. Chief Taylor indicated it was extremely well attended and well organized. They had big winners!

Fire Department:

Consider purchasing new turn-out gear

Chief Larry Sedlock asked the Board to consider allowing the Fire Department to purchase 12 sets of firefighter turnout gear. Chief Sedlock stated that currently some firefighters have gear that is either expired or getting ready to expire and we will be hiring new firefighters that will require gear as well. The gear will be sized correctly to the firefighter by the sales representative. This is part of the collective bargaining agreement as well. Chief Sedlock and a committee of other firefighters from the department met with 2 vendors to show them their products. The Municipal Emergency Services sells DireDex gear which we are currently using. Their gear is very good, however, their lead time to get the gear is 6 months. The cost of their gear is \$3,455.00 per set. There is also 911 Fleet and Fire Equipment. They sell Morning Pride gear. Their gear has a history of being one of the top brands used in the fire service. Their lead time is much shorter at 60-80 days. The cost of their gear is \$3,462.00 per set for a total of \$41,544.00.

Both sets of gear are reputable and the prices are comparable however, the lead time is a lot shorter for the Morning Pride gear. Therefore, I am recommending that we purchase the Morning Pride Gear at 43,462.00 per set for a total of \$41,544.00.

Trustee Miller asked Chief Sedlock about the sizing of the gear. Chief Sedlock stated they are sized before they are ordered. Chief Sedlock stated yes, they will measure and size the individuals before they order.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider Life Force Billing

Chief Sedlock would like to have an addition to the agenda. Chief Sedlock indicated that we are still working with Life Force Billing Company for the EMS runs. The previous purchase order used has expired. With that being said, Chief Sedlock stated he has worked with the Fiscal Office, and the best way to do this that the last billings with Life Force is to add an additional \$9,000.00.

He is not sure how the new company will handle the future bills. If we don't use the funds, they will go back to the fire department funds. Trustee Nelligan stated that Life Force will have leftover billings to come in, they have to do the "run-out" of claims she stated.

Chief Sedlock asked the Board to approve a blanket certificate in the amount of \$9,000.00 for the fund to pay 4 months of invoices from Life Force.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Law Director:

Consider executive session ~ MOU entered into by the Perry Township Board of Trustees, Stark County and the Ohio Council 8 and Local 935 AFSCME~ American Federation of State, County and Municipal Employees

Law Director Mathews has an introduction to one of the executive sessions. The Board needs to consider a memorandum of understanding with the AFSCME group for the administrative employees in the Union.

Fiscal Officer Report

Consider Pending Warrants

Fiscal Officer Chessler stated the following pending warrants for week ending 5-2-23 for bills/payroll in the amount of \$222,070.34 and week ending 5-9-23 for bills in the amount of \$35,103.25 for a combined total of \$257,173.59. Fiscal Officer Chessler asked the Board for a Motion to approve the pending warrants.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara.

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

Consider Chief Taylor OPERS

Fiscal Officer Chessler has been made aware of irregularities in OPERS records regarding the rehire-retire status of Chief Taylor. There is a rule at OPERS that a person cannot be employed by two public employers in the same month. After consultation with the appropriate officials at OPERS, we understand the corrective measures that must take place.

Fiscal Officer Chessler requested the Boards authority/ratification for the Fiscal Office to do the following:

1. Re-submit the "Certification of Final Payroll" form to reflect for OPERS purposes, Chief Taylor's employment is terminated as of April 30, 2023: and
2. Re-Submit OPERS Form SR-6 confirming his OPERS re-hire date is May 1, 2023.

These steps will allow his past and ongoing OPERS contributions from Perry Township to be properly categorized. This is for OPERS purposes only.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Bank Reconciliations for April 2023

Fiscal Officer Chessler asked the Board to consider the Bank reconciliation for April 2023.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Board of Trustees Updates – Roll Call

1. Trustee Nelligan
2. Trustee Miller – Perry Park Project

Trustee Miller gave an update on the Perry Park Project. In addition to the Capital Grant Fund that was awarded, Trustee Miller stated the Township also applied for a different grant funding through the Help Foundation in Massillon. The Township was awarded \$4,000.00 in grant funding for the walking track portion from Massillon. They are interested in recreation and health benefits of that portion of the project. Upon completion of the drainage and showing proof of moving onto the next phase of the walking track, Massillon is willing to put \$4,000.00 towards the project. The current timeline for this project is to start moving dirt in mid-June and complete the seed in the ground in September.

3. Trustee DeChiara, Jr

Public Speaks:

Tim Lewton

Tim Lewton stated his address as 1515 Sherwood, Massillon, Ohio. Mr. Lewton stated he helped out with the “Cops and Bobbers” event and he indicated the Police Department did a great job. Mr. Lewton commented on the “tire store” that had been cleaned up and he thanked whoever was responsible. Mr. Lewton still has not had an answer about why his road is being taken off the paving list. Trustee Nelligan stated to Mr. Lewton that when the last quote came in, they had to make a few cuts because of supply costs going up. However, she indicated the Township is relooking at the list again, knowing that there may be some extra materials based on the new quotes. Trustee Miller asked Public Works Director, Anthony Davide if there is any consideration for the 2023 project. Public Works Director, Anthony Davide responded to Mr. Lewton that once these streets are completed on the 2022 paving projects then we will know where they are. Mr. Lewton said that on the 2022 list, his street was still on the list. The Board tried to explain the reason for his street not being paved. The Board will look into this further.

Mr. Lewton brought up cleaning up Fasnacht Farms again. He stated now it is a bigger problem since the fire. Mr. Lewton stated there is still plastic laying around. Trustee DeChiara told Mr. Lewton that the tenant farmer is leaving at the end of the year. Trustee DeChiara stated to Mr. Lewton that the Board will then be looking into cleaning up the farm and putting some investment into the park. Trustee Nelligan stated that the Board could not do anything with the barn that burned until an investigation is complete.

Maria Kimball

Maria Kimball stated her name and give an address of 3665 Briardell NW Massillon, Ohio. She was there on behalf of her mother. Maria Kimball stated her mother is 78 and lived at the property since it was built in the 70s. She has a few questions concerning the neighborhood. Maria Kimball is concerned with the residential draining issues in the neighborhood in that area. Since the homes were built there has been flooding in the homes in that area. There was a petition brought to the township. There was some improvement. Now they are filling a drainage ditch next to her mother. The area is zoned a flood zone. She asked if Brunnerdale ditch could be looked at for getting cleaned out. Public Works Director, Anthony Davide stated they are planning on cleaning up the ditch along that road. Public Works Director, Anthony Davide stated he is getting in contact with Mr. Roman with Stark, Soil, and Water. Ms. Kimball continued about the problem drain areas.

Ms. Kimball asked what the tower was across the street from her mother's home. Zoning Inspector Jeff Whytsell explained to her that it was a Telecommunications Tower that was approved 2 years ago. She would like to know who is responsible for the tower as it may be causing some issues. A couple of months ago it caused her mother's electricity to go out for about 10 seconds every day. The internet service is sporadic, it works at times but is very slow. The Board informed Ms. Kimball how the tower was approved.

Problem Properties:

Executive Session(s):

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

ORC 121.22 (G)(1) to discuss MOU entered into with BOT and new AFSCME members to include, Board, Law Director, and Administrator

ORC 121.22 (G)(1) to discuss fire department employee grievance to include the Board, Law Director, and Fire Chief

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn into executive session at 7:03 pm; Seconded by Trustee DeChiara.

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

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 executive meeting at 10:00 pm; Seconded by Trustee DeChiara.

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

Lisa Nelligan, President

Craig Chessler, Fiscal Officer