

Perry Township Board of Trustees

Regular Meeting

September 19, 2023, 6:00 pm

Call to Order/ Pledge of Allegiance:

Welcome/Invited Guests

Recognition of Fire Captain Harry Ellis

Trustee DeChiara spoke on his work connection with Captain Ellis. He gave a brief history of Captain Ellis and his years of service with the Perry Township Fire Department.

Chief Sedlock spoke on the years that he worked with Captain Ellis. Chief Sedlock thanked Captain Ellis for all his work with the Perry Township Fire Department. Chief Sedlock presented Captain Ellis with a plaque and his fire helmet.

10 Minute Recess

Excused absence:

Additions/Deletions to Agenda – Roll Call by Department:

Communications/Announcements Details available at Perrytwp.com:

Public Speaks on Agenda Items Up for Action

Unfinished Business:

Tabled from 9-5-23 Communication from Brian Tucke

Administrator Martin stated to the Board that there was a copy of a letter from Mr. Brian Tucke of 523 Highland Ave SW. In the letter, it was noted at the last meeting that Mr. Tucke requested that the township provide him with \$2,500.00 in restitution for both his washer and dryer because of a drain issue at this home. This was tabled until further review at this meeting.

Trustee Nelligan stated in her opinion with the information Law Director Mathews provided, she feels this is not something that they should get involved in. Trustee Nelligan stated she would like a discussion. Law Director Mathews stated with the information that was provided from Mr. Tucke that the Township has no liability to him. The Board had the discussion and decided it was an unfortunate event but they feel the township is not liable to reimburse Mr. Locke.

Administrator Martin stated she would contact Mr. Tucke with the Board's decision and she also informed the Board that Mr. Locke was invited to the Board meeting but did not attend. Trustee Nelligan felt that no motion was needed.

Department Agenda Items (Information/Action Items)

Administration:

Consider Opening Capital Budget accounts for all departments

This item was tabled for the October 3, 2023 meeting.

Consider authorizing the GOV Deals Auction

Administrator Martin would like the Board to consider the GOV deals auction items. The Board had in front of them the listed items. This will begin on September 24, 2023.

Administrator Martin asked the Board to consider the auction items for sale and that the items have no value to the township's current operations and will be sold to the highest bidder on the GOV deals auction site.

Trustee Nelligan stated so moved. Seconded by Miller

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

Road and Park Department:

Consider authorizing the advertising of hiring of two Road Maintenance Specialists

The Public Works Director Anthony Davide, requested the Board's permission to advertise and interview for two Road Maintenance Specialists. They would work under administrative direction and report directly to the Public Works Director and Road Foreman. This position is on a 24-hour call-out basis for snow and ice removal and/or other emergencies as deemed necessary by the Public Works Director and/or Road Foreman.

Public Works Director Anthony Davide stated that in 2015 the Road Department employed nine Road Maintenance Specialists. Due to previous members retiring and not being replaced in 2023, we currently have seven Road Maintenance Specialists. The hiring of two additional Road Maintenance Specialists would allow us to maintain additional roads, address pipes and lateral maintenance, ditch and culvers, and ice and snow patrol routes.

Public Works Director Anthony Davide requested the board to make a motion to authorize him to advertise and conduct interviews for two Road Maintenance Specialists at the rate of \$21.70 per hour, which would increase to \$24.23 after 6 months.

Trustee Nelligan asked about the Union Contract on the CDL class A or B and Public Works Director Anthony Davide stated he spoke with the union on this issue.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

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

Consider increasing the wages of Park Employees

The Public Works Director Anthony Davide, asked the Board's approval to increase three park employees' wages from \$14.71 to \$16.00 per hour. 2 employees have been employed for over 5 years and one employee for 2 years. The effective date should be the next pay since they have two more months of work.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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

Consider accepting the BWC grant in the amount of \$6,637.50

The Public Works Director Anthony Davide, stated to the Board the Road Department was awarded a grant from the Bureau of Workers Compensation in the amount of \$6,637.50. With this grant money, the Road department will be able to partially fund two new Tommy Gates, which will make it easier and safer for the Road Maintenance Specialist to take equipment in and out of the trucks. The Public Works Director Anthony Davide stated in order to install the one Tommy Gate, we will need to update the grade of the tool truck which is over 10 years old. The cost to upgrade the tool truck is \$14,900.00. This quote is from Cross Trucking, a local business in Perry Township. Public Works Director Anthony Davide asked the Board to approve the use of the Bureau of Workers Compensation grant money to purchase the two Tommy Gates and approve Cross Trucking to upgrade the truck to fit the new Tommy Gate.

Trustee Nelligan stated so moved to accept the grant money. Trustee Nelligan also approved the purchase of two Tommy Gates and approved Cross Trucking to upgrade the tool truck to fit the new Tommy Gate for the amount of \$14,900.00. Seconded by Trustee DeChiara.

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

Zoning:

Consider 4567 17th Street NW a nuisance

Zoning Inspector Jeff Whytsell requested a motion to declare 4567 17th Street NW Canton, Ohio 44708 a nuisance property and to issue a fine of \$100.00. Zoning Inspector Jeff Whytsell stated the individual who received the notification did not respond in a timely fashion and has actually gone forward and

expanded what he is doing on the property. Zoning Inspector Jeff Whytsell presented pictures of the property.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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

Police Department:

Consider accepting a donation from the McKinley Eagles to purchase Halloween candy in the amount of \$600.00

Chief Taylor requested the Board of Trustees to accept the donation from the McKinley Eagles for trick-or-treat candy. The total donation was in the amount of \$600.00.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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

Fire Department:

Law Director:

Fiscal Officer Report

Consider Pending Warrants

Fiscal Officer Chessler stated the following pending warrants for week ending 9-5-2023 for bill/payroll in the amount of \$339,268.65 and week ending 9-12-2023 for bills in the amount of \$135,804.79 for a combined total of \$475,073.44.

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
 - a. Follow up conversation on Water District Work session

Trustee Nelligan indicated that 2 weeks ago there was a work session where there was discussion concerning drainage improvement. Trustee DeChiara was going to research and speak with Jackson

Township. He was going to see if we could sit down and talk about this issue. Trustee DeChiara indicated that he did not because he wanted to talk about this issue with the Board first. Trustee DeChiara did talk with Stark County and they have two employees in the GIS department who have worked for the Muskingum watershed district. They were directly involved in the assessments and structure of how this was put together, Trustee DeChiara indicated. These employees have offered to help Perry Township. Trustee DeChiara asked Stark County how many parcels, which he feels are quite a few, and asked the Board Members if it would be easier to go with Stark County GIS employees instead of having another agency involved. He would like to have the GIS employees come to a work session. They recommended further discussion at a future work session.

Ditch Petition

Trustee Nelligan had a discussion about the current situation on how to go about addressing these drainage issues. Trustee Nelligan indicated that from Stark Soil and Water, we could do a drainage improvement petition where the county would come in and access it and potentially look at taxing those areas that have effective drainage into that pile. Trustee Nelligan discussed tabling or maybe discussing as a township offering to do the \$1500.00 to petition the county. Mr. Rome indicated to her 1% could go, or a neighborhood could do, or a town discussion. She wanted to open this discussion up to the Board.

Trustee Nelligan indicated that the Road Department is affected by this drainage issue. The Board had a discussion. Trustee Nelligan indicated that the County has put this in place because they no longer do clean out of culverts. The problem is that no one has been successful since the county put this in play to do this type of thing.

Trustee Nelligan made a motion to authorize the preparation of a submission of a drainage improvement with a petition for the consideration of the county commissions and authorizing payment of \$1500.00 for the required fee. Seconded by Trustee DeChiara

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

Ortt Street update

Trustee Nelligan asked Zoning Inspector Jeff Whytsell to give an update on the Ortt Street issue. Zoning Inspector Jeff Whytsell stated he received written communication from a Scheetz representative about objects being on-site. A form of legal authorization that our Law Director put together, was issued to our police department so the notice could be posted. He understands that Police Chief Taylor had some questions about the codes as they were listed. Chief Taylor stated that the issue has been rectified. Chief Taylor indicated that 2 notices were posted that morning that concerned the obstructions of the right away. As for the other issue, there was a piece of property that was strangling the property line, and that has been taken care of and is no longer a factor. Chief Taylor had a conversation with Mr. Cottrill and there is communication between them and the representative from Scheetz.

2. Trustee Miller

3. Trustee DeChiara, Jr

Public Speaks:

Bruce Mencer

Bruce Mencer of 538 Roxbury NW Massillon, Ohio spoke during the discussion of the water drainage issues.

Linda Cottrill

Linda Cottrill of 3576 Erie St S.W. expressed her gratitude towards Zoning Inspector Whytsell for giving them extended time. She explained the progress on the clean-up of the property. Ms. Cottrill asked several questions concerning the access road. The Board indicated that they do not have the lease on the road and were unable to answer her questions. Ms. Cottrill asked for an extension to continue cleaning up the property till October 1, 2023. Law Director Mathews asked for her legal representative's name for communication that commits to this date to have the items removed.

No motion was needed as indicated by Trustee Nelligan in extending the Ortt Street property right of away until September 30, 2023, at midnight which allows Police Chief Taylor to pull back the 48-hour notice contingent on the notices from her attorney. 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:

Adjournment:

With nothing further to come before the Board of Trustees, Trustee Nelligan made a motion to adjourn the regular meeting at 6:55 pm; Seconded by Trustee Miller

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

Executive Session(s):

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

With nothing further to come before the Board of Trustees, Trustee Nelligan made a motion to adjourn into executive session at 6:56 pm; Seconded by Trustee Miller.

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

The Board of Trustees adjourned from Executive Session at _____pm

Lisa Nelligan, President

Craig Chessler, Fiscal Officer