

Perry Township Board of Trustees

Regular Meeting

September 5, 2023, 6:00 pm

Call to Order/ Pledge of Allegiance:

Welcome/Invited Guests

Matt DeWees IT consultant computer information

Each Board member had a discussion with Matt DeWees, IT consultant on products and issues with their computers. Matt DeWees gave them options and talked about pricing. They also discussed security issues with the computers. Mr. DeWees explained the pricing would be \$3,000.00 each year for the township devices. Matt DeWees stressed this may have to be done within the next 18 months. The Board stated they would discuss this further and get back to Matt DeWees on their decision. Chief Sedlock also mentioned his office computers are running slow and Matt DeWees indicated their time will be up soon for replacement. Jason Fisher represented the police department and gave an update on their computer systems. Road, Zoning, Fiscal Office and Administration gave updates on their computer issues.

Trustee Nelligan discussed with Matt DeWees the options of how to help publicize our meetings with recording, and streaming our meetings. Matt DeWees gave information about why the streaming stopped and gave recommendations.

Excused absence:

Police Chief Taylor – Sergeant Jason Fisher present

Additions/Deletions to Agenda – Roll Call by Department:

Chief Sedlock added a Lexipol issue

Zoning Inspector Whytsell requested to postpone the nuisance violation issues he had on his agenda. The new owner of the property stated he would be making the repairs. Zoning inspector Whytsell gave the resident to the next Board meeting to make those repairs.

Communications/Announcements Details available at Perrytwp.com:

1. Perry Township Rotary ~ Community Parade & 9th Annual Township Oktoberfest Saturday, September 9th, from 12 pm to 4 pm at Hartwick Park Details at perrytwp.com

Public Speaks on Agenda Items Up for Action

Unfinished Business:

Department Agenda Items (Information/Action Items)

Administration:

Consider accepting the OTARMA Capital Budget distribution check in the amount of \$10,680.21

Administrator Martin asked the Board to accept the OTARMA Capital Budget distribution check in the amount of \$10,680.21.

Trustee Nelligan stated so moved. Seconded by Miller

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

Consider Edits of Employee Sick Leave Donation Policy forms

Administrator Martin stated the Board recently adopted the Employee Sick Leave Donation Policy. Administrator Martin stated since the creation of this policy, we recognized the need for two additions to the forms. The verbiage will read: The recipient will own any unused donated hours. The verbiage will also be on the receipt form as well as the donor form. The date and time will also be added to those forms. Administrator Martin asked the Board to authorize the editing of the employee sick leave policy and associated forms.

Trustee Nelligan stated so moved. Seconded by Miller

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

Consider communications from Brian Tucke

Administrator Martin stated to the Board that they are in receipt of a letter from Mr. Brian Tucke of 523 Highland Ave SW. In the letter he referenced the heavy storm on August 23, 2023. His basement had 8 inches of water from the storm. Neither of the drains were functioning properly. Mr. Tucke also stated that when the culverts were cleaned out across the street, his drains worked again and the water from his basement was dispensed. Mr. Tucke believes the drain would have functioned properly if the drain had not clogged across the street. Therefore, Mr. Tucke is requesting that the township provide him with \$2,500.00 in restitution for both his washer and dryer. Law Director Mathews provided the Attorney General's opinion and several supporting documents concerning this issue.

Law Director Mathews stated these issues are difficult to address. Generally speaking, there is no liability on a township for a result that may stem from someone tying their own drain system into your roadside drain system. This is what he understood happened in this situation.

There was much discussion concerning the restitution issue.

Trustee Nelligan tabled this issue to discuss it in a work session. Trustee Miller wanted to respond to Mr. Tucke through Administrator Martin and to state that the Board received his request and is taking it under consideration and is not being ignored. The Board will take this issue under advisement.

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 approving the purchase of IWorQ program

The Public Works Director Anthony Davide, asked the Board to implement the IWorQs program in the Road Department. He asked for the Board's approval to enter into a service agreement with IWorQ's Systems, Inc. It will be a non-exclusive, non-transferrable agreement. Training and support are free and typically implementation will take less than 60 days. With this system, he indicated that they will be able to better track work orders, inventory, parts, and materials, track work done by location, and track maintenance history on Road Department equipment.

Services for September, October, and November will be free and pro-rated. The invoice of \$1,375.00 will cover services for December and the full annual rate of \$16, 500 will be due January 2024.

Law Director Mathews reviewed the contract and made a change to the provisions. There was an error in using Utah Law and they will change the contract to read Ohio.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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

Consider agreement with Public Works1 Inc.

The Public Works Director Anthony Davide, asked the Board to enter into a service agreement with Public IWorks1. Public Works1 Inc. will send the staff members on-site to track requested street-level imagery, assets, and GPS data points utilizing their high-resolution camera and a pavement condition assessment. Recommend treatment will be made and a complete data set will be entered into the IWorqs Pavement Management application. We will be able to use this information for budgeting, planning, and future paving projects. The service total fee is \$22,500.00 and is a one-time fee.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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

Consider Road Vacation off of 18th Street

The Public Works Director Anthony Davide, asked the Board to consider vacation off 18th Street. Mr. Cross of Cross Trucking Co. is requesting the Board to vacate the paper road off 18th Street SW. This is not part of the township roadway mileage. The Board may petition the Stark County Commissioners to have it vacated. Law Director Mathews had prepared several supporting documents for the Board's review.

Law Director Mathews instructed the Board to either choose to do nothing, choose to advise the property owner who is interested in taking the property to apply separately under an abandonment principal or you could initiate a petition to vacate it.

The Board asked several questions concerning this issue. Law Director Mathews explained the steps and the outcome. He advised the Board to review the Resolution attached.

Trustee Nelligan made a motion to petition to vacate 18th Street SW and specify highlighted GIS Mapping. Seconded by Trustee DeChiara.

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

Zoning:

Police Department:

Fire Department:

Consider Lexipol Contract

Chief Sedlock asked the Board for consideration of the renewal of the Lexipol Contract. He indicated the fire department is starting to use this program more and more to define department policies. It provides access for each person within their department. Chief Sedlock asked the Board to renew the Lexipol contract for \$8,792.40.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

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

Consider purchasing fire helmets from Atlantic Emergency Solutions in the amount of \$9,150.00

Chief Larry Sedlock stated the current fire helmets are showing their age requiring repairs with some even being expired or close to expiring. Therefore, with the gracious donation we received from the

McKinley Eagles, and based on the 3 quotes Chief Sedlock obtained, he recommended the purchase of 30 new fire helmets from Atlantic Emergency Solutions for the amount of \$9,150.00.

Trustee DeChiara asked Chief Sedlock about the existing helmets that are no longer usable in the fire service, are they going to be given to the members or do we have to auction them off? Chief Sedlock will look into this.

Law Director Mathews stated that the key factor is whether the property is beyond its lifespan and is obsolete. You can dispose of them however you wish if the Board determines that the helmets are obsolete.

Chief Sedlock stated the new helmets will be good for 10 years.

Trustee Nelligan stated so moved. Seconded by Trustee Miller

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 8-15-2023 for bills in the amount of \$69,385.74 and week ending 8-22-2023 for bills/payroll in the amount of \$570,793.96 and for week ending 8-29-2023 for bills in the amount of \$71,914.24 for a combined total of \$712,093.94.

Trustee Nelligan stated so moved. Seconded by Trustee DeChiara

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

Consider request for 07 Lighting District Renewal

Fiscal Officer Chessler stated he would like a motion to renew the terms of the Lighting District Renewal. The Fiscal Office checked and confirmed with the utility providers that the cost of providing electricity is the same. Fiscal Officer Chessler stated it would be the same. Charges and assessments that will be going on the tax bills will be the same when we renew the district.

Trustee Miller asked about the areas that would like to have the lighting. The Fiscal Officer stated that it is initialed with a petition and then a hearing by the Board.

Trustee Nelligan stated so moved. Seconded by Trustee Miller.

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

Consider accepting meeting minutes

Fiscal Officer Chessler asked the Board of Trustees to consider accepting meeting minutes from the August 1, 2023, regular meeting, the 8-3-23 special meeting, and 8-15-2023 regular meeting

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
3. Trustee DeChiara, Jr

Public Speaks:

Frank Myers

Frank Myers stated his address but was inaudible. He gave his opinion on the new Police Chief. He had questions on calls that go to the fire department and the police department. He was concerned with the cost. Trustee Nelligan explained to him the procedure for those calls. Mr. Myers then went on to issues in the Road Department. Mr. Myers then went on to Fasnacht Farms. He stated he read somewhere that the Board was going to go over to the farm. Trustee Nelligan responded with the date the Board will be having a work session at the farm.

Mr. Myers was concerned with chickens in the township. He asked about the acres to have chickens. He asked about how to change the rules on having chickens. Trustee Miller asked Zoning Inspector Whytsell about the procedure for any zoning changes. Zoning Inspector Whytsell explained the application process and fees. There was continued discussion on chickens, lot size, and roosters.

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 7:00 pm; Seconded by Trustee Miller

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

There is a scheduled work session at 7:30 pm

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 7:00 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 7:32 pm

Lisa Nelligan, President

Craig Chessler, Fiscal Officer