

**Perry Township Board of Trustees**

**Regular Meeting**

**August 16, 2022 7:00 pm**

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

**Welcome/Invited Guests**

**Nancy Nozik, Brandstetter Carroll Presentation 6:15 pm**

**Opening of Road Paving Bids 7:00 pm**

Fiscal Officer Chessler noted that the Township received 3 bids for the Road Paving Project. Northstar Asphalt, Inc., Superior Paving, and the Shelly Company. The Road Superintendent asked the Fiscal Officer if the Board would consider a resolution authorizing the Law Director and the Road Superintendent to review the bids and if appropriate, to authorize these to be put out for bid because if not tonight, another 3 weeks will pass.

<b>Company</b>	<b>Total Bid Amount</b>
Northstar Asphalt, Inc.	\$3,532,774.00
Superior Paving	\$3,481,379.20
The Shelly Company	\$3,454,128.20

Fiscal Officer Chessler asked for a motion to refer the bids to the Law Director and Road Superintendent and if they are in order and meet the best bids and allow the Road Superintendent to proceed with the paving contract.

Trustee Nelligan made a motion to accept the bids and to authorize the Law Director and the Road Superintendent to review the bids that have been submitted. Seconded by Trustee Miller.

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

**Swearing in of part-time Fire Dept. personnel: Patrick Kline, Brian Knox, Jason Tate, and Ian Zimmerman**

**Swearing-in Ceremony of Ian Zimmerman – Part-Time Fire Fighter**

1. Swearing in of Firefighter Ian Zimmerman

Trustee DeChiara asked Ian Zimmerman to please raise his right hand.

I, Ian Zimmerman, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, Resolutions of Perry Township, Ohio; the rules, Regulations, Standard Operating Guidelines, Standard Operating Procedures, and Policies of the Perry Township Fire Department; and will faithfully, honestly and impartially discharge the duties of Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God

The Board members extended their congratulations to Firefighter Ian Zimmerman.

### **Swearing-in Ceremony of Jason Tate – Part-Time Fire Fighter**

#### 2. Swearing in of Firefighter Jason Tate

Trustee DeChiara asked Jason Tate to please raise his right hand.

I, Jason Tate, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, Resolutions of Perry Township, Ohio; the rules, Regulations, Standard Operating Guidelines, Standard Operating Procedures, and Policies of the Perry Township Fire Department; and will faithfully, honestly and impartially discharge the duties of Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God

The Board members extended their congratulations to Firefighter Jason Tate.

### **Swearing-in Ceremony of Patrick Kline – Part-Time Fire Fighter**

#### 3. Swearing in of Firefighter Patrick Kline

Trustee DeChiara asked Patrick Kline to please raise his right hand.

I, Patrick Kline, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, Resolutions of Perry Township, Ohio; the rules, Regulations, Standard Operating Guidelines, Standard Operating Procedures, and Policies of the Perry Township Fire Department; and will faithfully, honestly and impartially discharge the duties of Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God

The Board members extended their congratulations to Firefighter Patrick Kline.

### **Swearing-in Ceremony of Brian Knox – Part-Time Fire Fighter**

#### 4. Swearing in of Firefighter Brian Knox

Trustee DeChiara asked Brian Knox to please raise his right hand.

I, Brian Knox, do solemnly swear to support the Constitution of the United States, the Constitution of the State of Ohio, Resolutions of Perry Township, Ohio; the rules, Regulations, Standard Operating Guidelines, Standard Operating Procedures, and Policies of the Perry Township Fire Department; and will faithfully, honestly and impartially discharge the duties of Firefighter of the Perry Township Fire Department and this I do as I shall answer unto God

The Board members extended their congratulations to Firefighter Brian Knox.

**Public Speaks: Scheduled Speakers:**

**Excused absence:**

1. John Masalko ~ Road/Park Superintendent

**Additions/Deletions to Agenda Call by Department:**

Trustee Nelligan to the agenda to discuss adding additional monies for Brandstetter Carroll.

Trustee Nelligan also added to eliminate the first executive session under ORC 121.22 (G) (1) to discuss hiring and personnel topics to include the Board, Law Director, Fiscal Officer, and administrator

**Public Hearings/Invited Guests:** none

**Communications:/Announcements**

1. Save the date! Perry Township Rotary Community Parade & Perry Township Oktoberfest coming Saturday ~ September 10<sup>th</sup> from 11:30 am to 4:00 pm at Hartwick Park. Vendor registration is open. Visit perrytwp.com for details.

**Public Speaks on Agenda items up for Action:**

**Unfinished Business**

**Resolution 2022-**

**Fireworks Resolution**

Previously, Trustee DeChiara wanted to have the Fireworks Resolution limited to the 4<sup>th</sup> of July from 8-11 p.m. and New Year's Eve from 12:15- 12:30. He also indicated that the Board should come up with the enforcement action. Trustee Nelligan wanted to remind everyone of the days that the State of Ohio recommended. Trustee Nelligan indicated that this issue was tabled for further consideration previously. Trustee DeChiara stated this will make it manageable and that we can adjust the resolution as time goes on. Trustee Miller asked what the clarification of the enforcement looks like. Chief Pomesky stated that once the resolution is passed, the constraints that are within the resolution will allow the police department to take action. The Board asked Law Director Mathews whether this will be a civil fine or does this need to be criminal. Law Director Mathews stated this will need to be adjusted to a home rule resolution. Law Director Mathews indicated that this cannot be done together. This will need to be separate. He indicated you can later adopt civil enforcement. Trustee Miller indicated that he is more concerned with the enforcement than the number of days of allowing fireworks. Trustee Nelligan is more concerned with the longevity of the weekends.

Trustee Nelligan made a motion to allow fireworks to be discharged on the 1<sup>st</sup> day of January from midnight to 12:15 a.m., Chinese New Year's Day, the 5<sup>th</sup> day of May, the 4<sup>th</sup> of July, 19<sup>th</sup> of June, Memorial Day, Labor Day, and Dwali, All from 8:00 p.m.-11:00 p.m. Then the thirty-first day of December: New Year's Eve from 8:00 pm to midnight. Seconded by Trustee Miller.

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

### **Follow-up on Tornado Siren discussion**

Chief Sedlock stated at the last meeting there was a concerned citizen regarding the tornado siren warning devices. Chief Sedlock did research and indicated some pricing of the companies that sell these sirens. He took a wide range and indicated that the company with the smallest one was 107 decimals per 100 feet ranging that price at \$14,541.80. And the biggest on that website came in at \$127 decimals per 100 feet ranging that price at \$57,090.88. Chief Sedlock also indicated that there are additional costs involved. He would say that a study would need to be done, how many sirens would the township need, where would their placement be, and how loud they need to be. He indicated there would be also a mounting cost. He said there would be electrical and maintenance also. Chief Sedlock reached out to surrounding cities but has not received any returned calls at this time.

Trustee Nelligan asked if there was any discussion. Trustee Nelligan also asked Chief Sedlock about Massillon's standpoint on the mechanics of everything. Chief Sedlock stated he would reach out to the Massillon Fire Chief. The Board all agreed to have Chief Sedlock reach out to the Massillon Fire Chief to review his findings. Law Director stated that Lawrence Township adopted its siren program about 4 years ago and indicated to Chief Sedlock to maybe reach out to Lawrence Township for information.

### **Department Agenda Items (Information/Action Items)**

#### **Administration:**

#### **Road Department:**

#### **Park Department:**

#### **Zoning:**

#### **Police Department:**

#### **Fire Department:**

### **Consider hiring All Comfort Heating and Air Conditioning to install heaters for Station 2**

Chief Sedlock asked the Board to consider hiring a company to do the heating and cooling at Station 2. He informed the Board that Station 2 has been without heat for some time now. He indicated the system is approximately 30-35 years old. He indicated they can't seem to get parts for them either. Chief Sedlock incorporated some cost analyses from different companies for quotes. The quotes he indicated were using the same equipment as they have now and the quotes are identical except for the prices. All Comfort came in at the lowest price. He is asking the Board to hire All Comfort to install the heating systems along with the tubing.

Trustee DeChiara asked if the company All Comfort has all the materials now to do the job. Chief Sedlock stated the company indicated that they would not have a problem installing before the colder months.

Trustee Nelligan did not see the quote on any warranty. Chief Sedlock states the warrant probably comes from the manufacturer. Trustee Nelligan is not clear if that is the difference in price being the warranty.

Trustee Nelligan made a motion to table the issue of replacing the heating unit until contacting the company on purchasing heaters for Station 2 until more information is received on the warranty. Seconded by Trustee DeChiara.

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

### **Consider purchasing of 2023 Ford F-150**

Chief Sedlock asked the Board to consider purchasing a 2023 Ford F-150 pickup truck. Chief Sedlock stated the Fire Department is in the process of hiring a Deputy Chief and would like to replace the current Ford Explorer that is driven by the shift captains. The Ford F-150 would be utilized by the shift captains and provide more versatility to this vehicle. Chief Sedlock stated he has worked with the mechanics and the shift Captains regarding the vehicle. The mechanics indicated that some of the parts can still be utilized with vehicles that have been previously purchased. This will be continued in standardizing our equipment. Chief Sedlock presented the quote from George Waikem that meets the state bid. He is recommending this purchase for a price not to exceed \$45,226.72.

Trustee Nelligan made a motion to purchase a 2023 Ford F-150 pickup truck in the amount not to exceed \$45,226.72. Seconded by Trustee Miller.

Trustee Nelligan made a motion that the funds for the purchase of the 2023 Ford F-150 pickup truck come from the ARPA funds in the amount of \$45,226.72.

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

### **Consider Hall Public Safety to upfit the new 2023- Ford 150 with emergency lighting**

Chief Sedlock asked the Board to have that Ford F-150 pickup truck up-fitted with the necessary equipment of emergency lighting, siren, etc. just as that is on the Ford Explorer.

Trustee Nelligan made a motion to consider installing the up-fitting from Hall Public Safety for the 2023 Ford F-150 pick-up truck in the amount of \$10,914.47. Seconded by Trustee DeChiara.

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

### **Consider to Hire Part-Time Fire Department Personnel**

Trustee Nelligan made a motion to hire part-time Fire Department Personnel, Patrick Kline, Brian Knox, Jason Tate, and Ian Zimmerman effective 8-16-2022. Seconded by Trustee DeChiara.

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

**Law Director:**

**Fiscal Officer:**

**Consider approval of the 2023-Alternative Budget**

Fiscal Officer Chessler asked the Board to consider the approval of the 2023 Alternative Tax Budget. He gave each Board member a packet. Fiscal Officer Chessler indicated that there are various schedules to follow. First, of which is, the county has to certify to the township by March 1 the tax rates. They also have to provide what is called an official certificate of estimated resources with the tax rates on the certificate with the outside mileage and inside mileage. We have two forms of inside mileage, the general fund, and the road and bridge fund. We have two fire levies, two police levies, and 2 road levies. Those are outside mileage with the effective dates and the rates of mileage and the final column is the money they generate every year. We ask the department heads to submit their budget for calculations here and determine what cash balance we have had for 2020-2021 thru July of this year. You will also see a schedule of all the other funds that we have and beginning balance total estimated and total estimated expenditures and the ending balance of 2023 all estimates. Fiscal Office Chessler is asking the Board to pass a resolution adopting the alternative tax budget to submit to the county budget commission on August 20, 2022.

Trustee Nelligan made a motion to consider approving the 2023 alternative budget. Seconded by Trustee Miller.

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

**Consider Pending Warrants**

Fiscal Officer Chessler stated the following: Week ending 8-2-22 for bills in the amount of \$34,125.57 and week ending 8-9-22 for bills/payroll in the amount of \$247,618.23 for a combined total of \$281,743.80.

Trustee Nelligan made a motion to approve the pending warrants for week ending 8-2-22 for bills in the amount of \$34,125.57 and week ending 8-9-22 for bills/payroll in the amount of \$247,618.23 for a combined total of \$281,743.80. 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 asked the Board to consider the 07 Lighting District Renewal. The lighting bills come from the electricity providers and Perry Township pays these bills. Those amounts are accessed by this action that the Board will take. Perry Township receives the monies back from the Auditor's Office. Fiscal Officer Chessler's assistant, every year contacts AEP and Ohio Edison to make sure the

rates won't change so the Township does not charge too much or too little. Fiscal Office Chessler indicated aggregation cost only pertains to residential or consumer rates.

Trustee Nelligan made a motion to consider accepting and approving the 07 Lighting District Renewal in the amount of \$17,135.40. Seconded by Trustee Miller.

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

### **Board of Trustees Updates –**

Trustee Miller – Stark County Regional Planning ~ Comprehensive Plan

Trustee Miller stated as you recall there was a Work Session presented by Stark County Regional Planning and the development of Perry Township. We have a return of a suggested scope of work. Essentially, what we are looking at are the elements within the program that we would want them to look at. What categories do we want assistance with, do we want all, do we want some or etc. This would be for your review tonight. Through the Administrator, you can give any comments or feedback and Trustee Miller will forward these to the director and that will allow them to take the next step in that process which would be depending on what areas we would like assistance with and like to look into. Trustee Miller indicated they will then develop that plan and provide us with a menu of services and cost to go along with the construction.

### **Brandstetter Carroll Additional Funds**

Trustee Nelligan stated she would like to make a motion for the additional monies for Brandstetter Carroll of \$920.00 to continue their project to get to completion and onto bids.

Trustee Nelligan made a motion for the additional monies for Brandstetter Carroll of \$920.00 to continue their project to get completion and onto bids. Seconded by Trustee DeChiara.

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

### **Problem Properties:**

### **Public Speaks-Open Forum:**

#### **James Riley**

James Riley stated his address as 4864 4<sup>th</sup> St NW Canton. Mr. Riley discussed the paving program. He asked if the 32 ½ miles are included in the bids. There was further talk with the Board on the process of the road paving bids and project dateline.

#### **Donna Plunkett**

Donna Plunkett stated her address as 4638 7<sup>th</sup> St SW Canton, Ohio. She indicated she lives in West Manor and sees many run-down homes. She would like to help in any way residents that need assistance with updating their properties. Trustee Nelligan referred her to contact Zoning Inspector

Whytself on working with her on these homes that are run-down properties and Trustee Nelligan indicated that we would help these residents.

**Executive Session(s):**

1. ORC 121.22 (G) (1) to discuss hiring and personnel topics to include the Board, Law Director, Fiscal Officer, and administrator (removed)
2. ORC 121.11 (G)(1) to discuss employment dismissal to include the Board, Law Director, and Police Chief

Trustee Nelligan made a motion that the Board adjourn into Executive Session pursuant to ORC 121.22 (G) (1) Seconded by Trustee Miller.

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

The Board adjourned into Executive Session at: 7:58 pm

The Board adjourned from Executive Session at: 8:38 pm

**Department Matters Not Requiring Board Action:**

**Administration:**

**Fire Department:**

**Police Department:**

**Road Department:**

**Parks/Recycling:**

**Zoning:**

**Law Director:**

**Announcements:**

**Adjournment:**

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn the meeting at 8:39 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