

Perry Township Board of Trustees

Regular Meeting

August 2, 2022 7:00 pm

Call to Order/ Pledge of Allegiance:

Welcome/Invited Guests

Public Speaks: Scheduled Speakers:

Excused absence:

1. John Masalko ~ Road/Park Superintendent
2. Jim Mathews ~ Late

Additions/Deletions to Agenda Call by Department:

Public Hearings/Invited Guests: none

Communications:/Announcements

1. Perry Township Yard Waste Site opened March 9, 2022 – Hours of Operation are Monday, Wednesday, and Saturday from 8 am to 4 pm.
2. Save the date! Perry Township Rotary Community Parade & Perry Township Oktoberfest coming Saturday ~ September 10th 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

1. Fireworks Resolution

Trustee Nelligan stated that Administrator Martin reached out to the surrounding townships on information concerning their fireworks policy. Administrator Martin compiled a survey of the Stark County Townships. Administrator Martin stated most of the townships are allowing the law to stand. Meaning those key holidays and times are kept in place. There were only a couple of townships that put in other restrictions. Trustee DeChiara would like to put restrictions in place for days and times of releasing fireworks. Trustee Miller asked Chief Pomesky what is the enforcement of violating the state law and in terms of what can be enforced. Chief Pomesky stated the enforcement would be contingent upon the full passing of the resolution and the decision the Board makes. Once this is known then an enforcement mechanism can be decided. Chief Pomesky continued explaining the procedures for firework citations but stated it is a permissible activity. Chief Pomesky will research that with Massillon Law Department and the Prosecutors office. The Resolutions just deal with the action of setting off fireworks. The Board discussed various options to consider. Chief Pomesky explained to Trustee Miller how the citation would be handled. Chief Pomesky suggested a strong education component with

refining the resolution, we could have a really good work product to put out to the community. He also explained the difference between the snow removal citation and the fireworks violation. Fireworks are violating the state code. The snow ban is handled within the Township. They will refer questions to the Law Director.

This Fireworks Resolution was tabled

Department Agenda Items (Information/Action Items)

Administration:

Consider FMLA request of employee A

Administrator Martin stated the Board was in receipt of an employee requesting FMLA. The leave will begin on parental leave for the birth and bonding of a child from approximately 9-1-22 to 9-30-22. The applicant has met all the appropriate criteria for FMLA and is aware of his or her responsibility to inform the department head of their FMLA leave for scheduling purposes. Administrator Martin asked the Board to consider making the motion to authorize employee A for the request of FMLA.

Trustee Nelligan made a motion to accept the FMLA request of employee A. Seconded by Trustee Miller.

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

Consider FMLA request of employee B

Administrator Martin stated the Board was in receipt of an employee requesting FMLA. The leave will begin on parental leave for the birth and bonding of a child from approximately 3 weeks sometime in September. The applicant has met all the appropriate criteria for FMLA and is aware of his or her responsibility to inform the department head of their FMLA leave for scheduling purposes.

Administrator Martin asked the Board to consider making the motion to authorize employee A for the request of FMLA.

Trustee Nelligan made a motion to accept the FMLA request of employee B. Seconded by Trustee Miller.

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

Consider Perry Drive Improvement Project

Administrator Martin stated the Board is in receipt of a document from Stark County Engineers. The Stark County Engineer's Office is currently pursuing a highway improvement project on Perry Drive between Southway St. and SR172 (Tuscarawas St) to widen and reconstruct Perry Drive. Administrator Martin indicated Stark County Engineers has good plans for our Township Roads and an opportunity for Perry Township to partner with them. This project should begin in 2024 and will include the addition of a center turn lane, new curb and gutters, new sidewalks, new street lighting, new storm sewers, and a new water main line, which will be constructed by the City of Canton, to replace their existing water main. As part of the project, Stark County Engineers will also be installing a flashing signal at the intersection of Perry Dr. and 13th Street. Stark County Engineers would like Perry Township to partner with their office on an application for Ohio Public Works Commission (OPWC) funding for the project. Stark County Engineers are requesting a commitment of \$50,000.00 from the township, which the

township would apply directly to the lighting and the flashing signal. This partnership will greatly enhance the ability to secure OPWC funding to match the currently allocated federal dollars for the project. The Perry Township project funding would not be needed until the conclusion of the project construction in 2025. Administrator Martin indicated the agreement has been reviewed by the Law Director and approved.

Trustee Nelligan made a motion to partner with the Stark County Engineers on an application for Ohio Public Works Commission (OPWC) funding for the Perry Road project in the amount of \$50,000.00. The Perry Township project funding would not be needed until the conclusion of the project construction in 2025. Seconded by Trustee Miller.

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

Resolution #2022-025

Road Department:

Consider authorizing the Road Superintendent and Law Director to advertise the Plymouth Knolls Phase 2 Project

Chris Young would like to have the Board consider authorizing the Road Superintendent and Law Director to advertise for the Plymouth Knolls Phase 2 Project.

Karl Oprisch:

Karl Oprisch was present and addressed the Board to give an explanation of the Plymouth Knolls Phase 2 Project. Mr. Oprisch stated the Township was going into Phase 2 of this project. For reference, he also stated that Phase 1 did not get funded. Mr. Oprisch discussed with the Board the updates of the project. Mr. Oprisch discussed since it was late in the year, this would be a spring project.

Trustee Nelligan made a motion to authorize the Road Superintendent and Law Director to advertise for the Plymouth Knolls Phase 2 Project. Seconded by Trustee DeChiara.

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

Park Department:

Zoning:

Police Department:

Consider the Purchase of Rifles, Pistols and Firearms Equipment

Chief Pomesky stated he has a request to standardize the Rifles and Pistols of the Perry Township Police Department. Chief Pomesky stated this has been in process for some time to make sure all aspects were looked at. Matt Barker and Carl Johnson have worked on the project and gave a presentation:

Matt Barker and Carl Johnson presentation:

Sgt. Barker and Ofc. Johnson presented information on the advantages of having department-issued pistols. These advantages allow for the regular inspection and maintenance of the firearm to main its operability.

Chief Pomesky asked the Board of Trustees to authorize to move forward with this purchase. Not only will this outfit the officers with department sidearms, but it will also allow for each officer in the field to have a rifle. Chief Pomesky requested the use of potential ARPA funds for this purchase. If this is not a viable option, he would like to utilize Account 2261-210-599-000 the Law Enforcement Trust Fund for 50% of the purchase and the other 50% to come from the department budget. The quote was obtained through Vance's Law Enforcement totaling \$32,947.73.

Trustee Nelligan asked questions about the number of rifles. Trustee DeChiara asked if everyone would need to go through training. The Board thanked the Officers for their presentation. They then discussed the funding concerning the purchase. Trustee Nelligan asked Chief Pomesky if he had budgeted this year for this purchase. He indicated he did not. He did state there was money in other accounts.

Trustee Nelligan made a motion to purchase the rifles pistols and firearms equipment from Vance Law Enforcement totaling \$32,947.73. Seconded by Trustee DeChiara.

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

Trustee Nelligan made a second motion for the funding of the purchase of the rifles, pistols, and firearms. The calculation is 50% in the amount of \$16,473.86 out of Law Enforcement Trust Fund and 50% in the amount of \$16,473.87 out of the ARPA funds. Seconded by Trustee Miller.

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

Consider the Purchase of Body Cameras

Chief Pomesky stated he started the process in March of 2022 researching the body cameras to update our existing system. Chief Pomesky stated the department was very prompt to adopt the use of body cameras in 2016 which has proven to be very beneficial. Just like any other first-generation products, we need to update. There are many options on the market to choose from and Chief Pomesky spent time researching this extensively. The biggest issue to look at first is the decision to store data internally or move to a cloud-based solution. In 2016 when the Police department implemented the body camera system, we paid approximately \$24,904.65 for the cameras and about \$7,000 for the server and software for our system. The total was approximately \$31,904.65. Since that time, Perry Township has entered into an IT service contract with Virtual Data Works. Chief Pomesky reached out to Virtual Data Works to review our existing server/infrastructure dedicated to body camera/in-car recording to provide a quote for new hardware and equipment. Updating that equipment would be necessary because it is approaching the time it needs to be updated as well. The pricing is as follows for hardware only and no cameras:

Items	Unit Cost	Total
Hardware		\$174,363.47
VDW/Maintenance	\$3,333.60/mo	
Year 1 Maintenance		\$40,003.20
Year 2 Maintenance		\$40,003.20
Year 3 Maintenance		\$40,003.20
Year 4 Maintenance		\$40,003.20
Year 5 Maintenance		\$40,003.20
	Total:	\$374,379.47
This does not include purchasing the body cameras and is only hardware costs.		

Under our current IT services contract, it is cost prohibitive to move forward with any body camera purchase with this local storage option.

Trustee Miller asked questions concerning this product.

Trustee Nelligan made a motion to consider for the first year, purchasing the body cameras and one-year maintenance from Digital Ally in the amount of \$23,523.00. Seconded by Trustee DeChiara.

This would be subject to Law Director Mathews's review.

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

Fire Department:

Consider purchasing smoke detectors for a federal grant

Chief Sedlock is requesting the Board authorize the smoke detector purchase. Chief Sedlock stated this is an ongoing Fire Prevention and Safety grant program for installing smoke detectors. We still need to install more detectors to meet the grant requirements. In staying with what we have been purchasing and installing for our residents, Chief Sedlock obtained a quote from Home Depot for the balance of the detectors needed to fulfill the grant. Chief Sedlock indicated that with other purchases, we will be reimbursed for the expense of purchasing these detectors from the government. Therefore, he recommended that we purchase the detectors from Home Depot for the amount of \$21,658.63. These are the same smoke detectors that the fire department installed previously. They are good for a 10-year period of time. There is no battery replacement. Chief Sedlock replied they are sealed units.

Trustee Nelligan made a motion to purchase smoke detectors under the Fire Prevention and Safety grant program from Home Depot in the amount of \$21,658.63. Seconded by Trustee Miller.

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

Resolution 2022-024

Law Director:

Consider Revised ARPA Uniform Guidance

Administrator Martin read the document from Law Director Mathews and expressed the U.S. Treasury significantly relaxed the “procurement” rules last week, for the use of ARPA funds (under the standard allowance for revenue loss). In an email to the Board Law Director Mathews stated the Board already adopted the stand allowance (April 19) as you know. With these changes, Sections 200.318, 200.319, and 200.320 (and such) relating to federal procurement standards will no longer be applicable. Rather, the Board will spend its money under the revenue loss category “in accordance with laws and procedures for expending and accounting for its own funds”. A resolution to memorialize these adjustments to the Board’s policies was attached. Law Director Mathews continued in his email that this will not only satisfy the most recent changes to the ARPA Final Rule UG provisions but will also conform to the auditor’s requests.

Trustee Nelligan made a motion to be compliant with the July 27, 2022 treasury publication that the Township is acknowledging its obligation to follow Subparts A, B, C, and F of the Uniform Guidance expense categorized under the Expenditure Category 6” Revenue Replacement.
Seconded by Trustee Miller.

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

Fiscal Officer:

Consider Pending Warrants

Fiscal Officer Chessler stated the following: Week ending 7-19-22 for bills in the amount of \$116,561.81 and week ending 7-26-22 for bills/payroll in the amount of \$309,853.56 for a combined total of \$426,415.37.

Trustee Nelligan made a motion to approve the pending warrants Week ending 7-19-22 for bills in the amount of \$116,561.81 and week ending 7-26-22 for bills/payroll in the amount of \$309,853.56 for a combined total of \$426,415.37. Seconded by Trustee DeChiara.

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

Consider Bank Reconciliation Documents

Trustee Nelligan made a motion to accept the Bank Reconciliation for June 2022. Seconded by Trustee Miller.

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

Board of Trustees Updates –

Trustee DeChiara ~ Discuss of Summerdale Park – No Action

Trustee DeChiara spoke with the association near Summerdale Park. They would like to improve Summerdale Park. They are looking to split the costs of improvements to the park. They want to do some fundraisers to cover the costs. At this time, we do not know the costs. Trustee DeChiara only wanted to bring it to the attention of the Board at this time. The association told Trustee DeChiara that they would like the installation of a storage shed for Perry Youth Softball equipment, replacement enhancement of the backstop for the small field, expansion of the size of the infield for the small field, and enhancement of the backstop of a large field. They also would like the Installation of outfield fences for both fields, installation of drainage for the small field, installation of electricity and light towers for both fields, and the purchase of a small ATV to drag the infields with drags. The creation of a third field (would require either the removal of some trees or relocating the basketball court).

Trustee DeChiara stated he would like to go into more detail about this opportunity and partnership. The Board discussed many options and would like to look into this opportunity further.

Problem Properties:

Executive Session(s): *these are being heard in reverse order of the Agenda

1. ORC 121.22 (G) (1) to discuss hiring to include the Board, Fiscal Officer, Law Director and Administrator
2. ORC 121.11 (G)(1) to discuss a personnel complaint to include the Board, Law Director and Police Chief
3. ORC 121.22 (G) (1) to discuss personnel and dismissal to include the Board and Law Director

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: 8:33 pm

The Board adjourned from Executive Session at: 10:09 pm

Trustee Nelligan made a motion to approve the retro pay of the assistant Road Superintendent of \$350.00 and supplemental wage per month as long as he is in the management position of the road department. 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:

Lee Laubacher

Mr. Laubacher stated his address as 5006 14th Street SW, Canton. He indicated that approximately 2 weeks ago, he was awakened by a fire siren from Station 1 on Perry Drive. The siren continued for a long period of time at the same volume. This was concerning a possible tornado. Mr. Laubacher is interested in finding out about the siren. He spoke with Chief Sedlock and the Chief indicated that Fire Station 3 no longer has a working siren. Chief Sedlock was not sure who sets the siren off.

Trustee Nelligan stated that she understands that we are not to set off alarms for tornado warnings. That is a practice that our township does not do.

Chief Sedlock apologized to Mr. Laubacher for not returning a follow-up call but he stated our township is not set up to have sirens go off for tornado warnings and that it would have had to be manually set and he does not know who would have done that. Also dispatching does not do the alarm either. Chief Sedlock continued a review of what and where the sirens are in the township.

Trustee Nelligan stated she will have our team re-educated on the practice of not having the fire siren activated for tornado warnings.

Timothy Blythe

Tim Blythe stated his address as 1996 Masters Point, Massillon, Ohio. Mr. Blythe asked if it was a possibility to purchase and install tornado sirens. Trustee Nelligan stated the Board needs to be more educated on the use of warning sirens. Trustee Nelligan stated the Board needs to be more educated on why we don't use tornado sirens or why we should.

Trustee DeChiara stated the former Fire Chief did not want to go forward with using Tornado Sirens. He said there are sirens for that purpose. Chief Sedlock indicated that the sirens for this purpose are very expensive, however, useful but the current sirens that we have now are more stationary and the sound protrudes from them. He can obtain some pricing for the Board. She asked him to research also if there are any grant monies. Stations 1 and 2 are still working at this time.

Adjournment:

With nothing further to come before the Board, Trustee Nelligan made a motion to adjourn the meeting at 10:10 pm; Seconded by Trustee DeChiara

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

Lisa Nelligan, President

Craig Chessler, Fiscal Officer