

Perry Township Board of Trustees

Regular Meeting

April 2, 2024, 6:00 pm

Call Meeting to Order

Call to Order/ Pledge of Allegiance:

Welcome & Recognition of Invited Guests

Trustee Miller stated that Teriese Brown and her family were in attendance

Excused absence: Chief Taylor is absent (Sergeant Fisher is in for his absence)

Communications/Announcements Details available at Perrytwp.com

Public Speaks on Agenda Items Up for Action

Consent Agenda Items

Old Business:

Additions/Deletions to Agenda – Roll Call by Department:

Fire: Hiring of Zach Hutson

Chief Sedlock asked the Board to formally hire Zach Hutson on 3-19-24, starting on 3-21-24.

Administration: none

Road: none

Police: none

Zoning: The occupant at 1227 Whipple Ave contacted Zoning Inspector Jeff Whytsell on Friday, March 31, 2024, with a plan of action. Zoning Inspector Jeff Whytsell drove past the property and the property owner is now in compliance.

Law Director: none

Fiscal Officer: none

Trustee DeChiara: none

Trustee Miller: none

Trustee Nelligan wished to add an executive session under ORC (121.22) (G)(1) under personnel to include the Board, Administrator, Public Works Director, and Law Director.

New Business:

Fire

Trustee Miller made a motion to hire Zack Hutson's start date of 3-21-2024. Seconded by Trustee DeChiara.

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

Police - none

Public Works

Consider Snow and Ice treatment purchase in the amount of \$271,040.00

Trustee Nelligan asked Public Works Director Anthony Davide if the salt and ice treatment is for the past year. He replied for the years 2024-2025.

Trustee Miller made a motion to purchase the salt and ice treatment not to exceed \$271,040.00 for the 2024-2025 season. Seconded by Trustee DeChiara.

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

Consider paying an invoice to Cross Trucking in the amount of \$2,362.50

Public Works Director Anthony Davide brought pictures of the Tommy Gate that Cross Trucking installed on the truck.

Trustee Miller made a motion to pay the invoice to Cross Trucking in the amount of \$2,362.50 for the Tommy Gate installation. Seconded by Trustee DeChiara.

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

Zoning

Consider a motion to declare parcel 43-01201 located at Lennox Ave SW a nuisance and issue a financial citation of \$100.00.

Trustee Miller made a motion to 43-01201 located at Lennox Ave SW a nuisance and issued a financial citation of \$100.00. Seconded by Trustee DeChiara.

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

Consider a motion to declare 5224 Trent Rd NW Canton a nuisance and issue a financial citation of \$100.00

Trustee Miller made a motion to declare 5224 Trent Rd NW Canton a nuisance and issue a financial citation of \$100.00. Seconded by Trustee DeChiara.

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

Consider a motion to amend a previous motion by the Board which accepted a quote to abate 4141 Shepler Church SW by Junk Luggers and accept the quote by Central Ohio Recovery for a quoted abatement fee in the amount of \$7,150.00

Trustee Miller made a motion to amend the previous motion by the Board and accept the quote from Central Ohio Recovery for the abatement fee of \$7,150.00 and authorization for the fiscal office to transfer from the others account under the general fund to the appropriate Zoning fund to cover the fees. Seconded by Trustee DeChiara.

Trustee DeChiara asked if we would be filing suit for the \$7,150.00. Law Director Mathews stated that we will probably need to eventually. Law Director Mathews stated you could wait and collect it through a cycle of the tax receipts to see if they pay it on the taxes or file suit. It will be charged as a special assessment first.

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

Administration

Consider the authorization of a grant match for the One Time ~ Capital Budget grant application for Phase 11 ~ Fasnacht Barn

Trustee DeChiara stated we went over this topic last week at a special meeting. He indicated that we are applying for this one-time grant opportunity. We will be contributing \$100,000.00. He is hoping we can rebuild the barn at Fasnacht Farms. He stated if we do not receive the grant, we will get the \$100,000.00 back into our account.

Trustee Miller made a motion to consider the authorization for the grant match for a one-time capital budget grant application for phase 11 for Fasnacht Park and of the match of \$100,000.00. Seconded by Trustee DeChiara.

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

Consider the Yard Waste Service Agreement for Kurtz Brothers

Trustee DeChiara mentioned that this is covering our cost of transporting and dumping fees. It is not covering our road workers overtime to work this on a Saturday. Administrator Martin indicated it is the same agreement we have had for the last 7 years.

Trustee Miller made a motion to accept the Yard Waste Service Agreement for Kurtz Brothers.
Seconded by Trustee Nelligan

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

Consider the discussion of Superior Dairy's Tax Incentive Review Council request

Fiscal Officer Chessler spoke stating this topic came up at the Tax Incentive Review Council meeting. There were only 2 submissions to Perry Township, one from the Timken Company and the other was Superior Dairy. The reason is that the Tax Incentive Review Council takes up the issue of whether or not to terminate the tax agreement.

Trustee Miller made a motion at the request of Superior Dairy and the lack of expansion originally outlined, that Perry Township hereby requests to terminate the tax incentive review council abatement project located at 4719 Navarre Rd S.W., Canton, Ohio. Including parcels #4315081, 4301861, 4301866, and 4300874 CRA area #5. This abatement may be revisited in the future if requested by the property owner. Seconded by Trustee DeChiara.

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

Law Director

Discussion of the Capital Reserve and Special Reserve accounts

Law Director Mathews indicated he wanted to give an update on the status of the Capital Reserve Accounts, Reserve Balance Account for the General Fund, and Special Revenue Accounts that the Board has been discussing and planning. The Fiscal Officer has created the accounts so they will be included as part of a resolution that we will suggest be put on record. Here are the amounts that will be included in the resolutions.

Capitol Reserve Account from General: Maximum to be collected would be \$250,000.00 beginning with \$25,000.00.

Police: \$250,000.00 beginning with \$100,000.00

Fire: \$1,750,000.00 beginning with \$250,000.00

Road: \$1,500,000.00 maximum for the 10 years beginning with \$250,000.00

General: \$250,000.00 with the maximum drawn on the account for 10 years beginning with \$25,000.00

Reserve Balance

General: \$18,000.00 per year for a maximum of \$90,000.00.

Police, Fire, Road: (special revenue funds) \$10,000.00 a year with a maximum of \$50,00.00. This is to provide for payouts, sick leave accounts, vacation, or any accrued amounts that would be owed at the time of either a discharge or retirement.

Law Director Mathews stated we can create as many of these funds as you may deem appropriate. If these numbers are acceptable, Law Director Mathews will fill in the numbers on the forms and pass them to Fiscal Officer Chessler and he will insert the numbers needed where the numbers will be drawn from. These will be on the agenda at the next meeting.

There was a continued explanation of the special funds between Law Director Mathews and the Board on how this will work and what this tool will earmark in the future.

Fiscal Office

Consider approval of pending warrants

Trustee Miller made a motion approving the pending warrants ending week 3/19/2024 for bills/payroll of \$1,115,665.26 and week ending 3/26/2024 for bills in the amount of \$304,534.65 for a combined total of \$1,420,199.91. Seconded by Trustee DeChiara.

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

Consider Meeting Minutes

Regular meeting minutes, 12/19/23, 1/2/24, 1/16/24, 2/6/24, 2/20/24, 3/5/24. Special meeting 1/9/24, 1/30/24, 2/6/24, 2/13/24, 2/20/24, 2/27/24, 3/5/24, 3/12/24.

Trustee Miller made a motion to approve meeting minutes regular meeting minutes, 12/19/23, 1/2/24, 1/16/24, 2/6/24, 2/20/24, 3/5/24. Special meeting 1/9/24, 1/30/24, 2/6/24, 2/13/24, 2/20/24, 2/27/24, 3/5/24, 3/12/24. Seconded by Trustee DeChiara.

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

Enter for the record the Oath of Office for Craig Chessler, Fiscal Officer for the term commencing April 1, 2024.

Fiscal Officer Chessler explained the procedure of the terms of office for the fiscal office. Judge Forchione administered his Oath of Office yesterday and the certificate is in his office. He thanked Administrator Martin for looking into the fact that the bond that the Trustees, Fiscal Office, and the assistants that handle money, is no longer a bond but a certificate or faithful performance certificate. All in the fiscal office will be protected.

Appointment of Teriese Brown as an Assistant Fiscal Officer.

Fiscal Officer Chessler introduced Teriese Brown as the new assistant fiscal officer. Lisa Bray will be leaving on May 2, 2024. Teriese Brown's start date is 4-1-24 and her wage is set at an hourly rate of \$23.50 plus other standard benefits are full-time employment for township employees as well as the terms and conditions of the township employee handbook. He performed the Oath to Teriese Brown.

Trustee Matt Miller made a motion to include the compensation of the Fiscal Officer, Craig Chessler to the assignment of the fiscal officer in the budget and appropriations. Seconded by Trustee DeChiara.

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

Trustees

1. Trustee Nelligan- none
2. Trustee DeChiara Jr. -Discuss on Solar Panels
3. Trustee Miller - Trustee Miller brought up the subject that he received a reply from a resident regarding the Bit Deer project in Massillon. Before this, residents reached out to Trustee DeChiara. He spoke with some residents. Law Director Mathews made a statement to Massillon City Council on their concerns. They were concerned with flooding issues noise pollution etc. Trustee Miller brought up one of the resident's concerns for discussion. There was continued discussion on this issue.

Trustee DeChiara stated he talked with the Mayor of Massillon and they talked about a lot of different topics. He asked the mayor to please consider the positions of the residents of Perry in this particular case. He understands that there is only so much that can be done.

Law Director Mathews passed out literature, an excerpt of a case expressing what the nuts and bolts are. He gave what the resident can legally do.

No action was taken.

Public Speaks:

Mathew Bowman

Mathew Bowman stated his address as 4141 Shepler Church SW. His concern is with the amount of building products around the property. He is trying to have it removed but at this time the ground is very wet and he can not get his truck in that area. He needs more time. He indicated he lost a lot of money and storage spots and didn't have anywhere else to store it. The ground has gotten softer and softer and could not organize it. He indicates it is not trash but commercial racking and wood. He is proposing a 30-60 days extension of time to be able to get the place cleaned up. There was continued discussion on his property and what his plan would be. Trustee Miller told Mr. Bowman to contact Perry Helping Perry to see if they may give him help. Zoning Inspector Whytsell stated he has worked on this property since January. He discussed having a company come in to remove the products. Mr. Bowman would like an extension to do it himself. No action was taken to have a company go to the property at this time. Trustee Miller stated that May 21st is a date given to Mr. Bowman to be re-evaluated.

Jen Miller

Jen Miller stated her address as 4895 3rd St NW., Canton. Her topic is Fasnacht Farm. She asked what Phase 1 consisted of. Trustee Miller explained that the same grant that the township applied for was awarded to Meredith Park. Then we applied for it again and that deals with Phase 1 and is moving the entrance up near the south end of the park. The reason for Phase 11 because there was a second round of funding that came out after the fact and then if we take it further for restoring the buildings, it would be considered Phase 11.

Jen Miller then asked about the farmhouse. Trustee Nelligan explained that the grant would be only for the exterior part but nothing inside. Phase 1 is for the corner of the barn and to stabilize it.

Jen Miller asked that now the tenant farmer is gone what will happen? The Trustees stated nothing at this time.

Executive Session

With nothing further to come before the Board, Trustee Miller made a motion to adjourn into five executive meetings at 6:54; Seconded by Trustee Nelligan

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

Executive Session(s):

ORC 121.22 (G) (1) executive session to include the Board, Public Works Director, and Law Director

ORC 122.22(G)(1) executive session, discussion of personnel matters to include the Board, Public Works Director, Administrator, and Law Director

ORC 121.22 (G) (3) executive session for legal counsel concerning pending court action to include the Board and Law Director

ORC 121.22 (G) (1) executive session conference with legal counsel concerning personnel matters to include the Board and Law Director

Adjournment:

The Board returned from the executive session at approximately -----

Trustee Miller made a motion to adjourn the meeting. Seconded by Trustee DeChiara

With nothing further to come before the Board of Trustees, Trustee Miller made a motion to adjourn the meeting at ;

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

Matt Miller, President

Craig Chessler, Fiscal Officer