

**MINUTES OF MEETING
BOSTON TOWNSHIP BOARD OF TRUSTEES
APRIL 26, 1988
REGULAR MEETING**

THIS REGULAR MEETING OF THE BOSTON TOWNSHIP BOARD OF TRUSTEES was called to order at 7:00 P.M. by Daniel Schneider, Jr., Chairman of the Board of Trustees. Also present: Trustees George Fisher, Jr., Randolph Bergdorf. Also present: Clerk John Krusinski.

The first item of business was the review of various correspondences by Clerk John Krusinski. Mr. Krusinski indicated that he has forwarded to the Zoning Commission the request that part of Boston Mills Road be rezoned from residential to commercial.

Mr. Krusinski indicated that he received a letter from the Board of Elections asking to use the town hall for elections on May 3, 1988. A letter will be sent to the Board of Elections indicating that the hall can be used. Also, a bill will be sent to the Board of Elections regarding the same.

Mr. Krusinski indicated to the Trustees that he is in the process of obtaining a catalog from Data Legal Blank to obtain the various forms and books that he needs for his job as Clerk. Inasmuch as the State Auditor is still reviewing the books, he has not received all of the records, to date. Also, it appears that the supplies for the Clerk are almost non-existent. He will advise the Trustees of the projected cost of the supplies at the next meeting.

Mr. Krusinski indicated that he received the notification in the form of the Certificate Of Auditor that total appropriations from each fund do not exceed official estimated resources dated April 15, 1988, from Auditor Tim Davis. This certifies that the appropriations previously forwarded to the Auditor's Office by the Trustees are within the official estimate of monies that will be available.

The Trustees reviewed the Minutes of the March 29, 1988, meeting as previously sent. Trustee Bergdorf indicated that page -3- of the Minutes should be changed to indicate that it was George Fisher, Jr., who received the letter from Patty Tessmer. Other than this change, MOTION by Bergdorf seconded by Fisher to approve the Minutes as submitted and corrected. Voting yes: Schneider, Bergdorf, Fisher.

Trustee Fisher advised that he has received complaints from residents concerning the rubbish pick-up. He spoke to Dave Redlin of Redlin Rubbish and informed Mr. Redlin that at various times, all the rubbish was not being picked up. Mr. Redlin was not aware of the problem. He will see that the matter is corrected. Mr. Redlin indicated that if the rubbish is not picked up by 4:00 P.M. on the date of delivery, the residents should contact the building department of the township. He will then see that the rubbish is picked up by his company. Mr. Fisher stated that he will follow through on any further complaints received from the residents.

There was discussion regarding the problems with the

township mail. The Trustees have been notified by the post office that mail which was being forwarded to Longina Morgan at her house is being returned to the sender and not being forwarded to John Krusinski. John will go to the post office and check on this matter and see that township mail is properly routed to the township mail box, or his personal address.

MOTION by Fisher seconded by Bergdorf to pay the bills and payroll as submitted. Voting yes: Schneider, Fisher, Bergdorf.

The next item of business was to review the bids opened at the April 18, 1988, meeting of the township. The bids were for a road bermer and road roller. The advertisement for the bids was published in the Akron Beacon Journal for the statutory time period and read as follows:

Notice is hereby given that bids will be received by the Boston Township Board of Trustees at the Peninsula Library, 6105 Riverview Road, Peninsula, OH 44264, until April 18, 1988, at 7:00 P.M. for the purchase of road roller and a berming machine. A copy of the specifications may be obtained by contacting the Road Superintendent for Boston Township, Doug Anderson, at the Town Hall garage located at the corner of Route 303 and Riverview Road, Peninsula, OH. (657-2600). The contract will be awarded to the lowest and best bidder. The Boston Township Trustees reserve the right to reject any and all bids.

At the April 18, 1988 meeting, the following sealed bids were opened by the Trustees and read:

Bids for roller:

1) Southeastern Equipment Co., Inc.	\$10,637.00
FOB Peninsula	
2) McLean Co.	
Price FOB Cleveland	\$ 8,085.00
Delivery to Peninsula	\$ 150.00
Options-keylock	\$ 27.00
Fiberglass water tank	\$ 129.00
TOTAL	\$ 8,391.00
3) Vasco Equipment Co.	\$13,478.48

The following bids were opened at the April 18, 1988 meeting relative to bids for the road bermer:

1) Goodyear Street & Highway Co.	
FOB Boston Township-with 12" chain	\$ 4,495.00
FOB Boston Township-with 18" chain	\$ 4,595.00
2) Dexter Company	
Concord Model 960 per township	
specifications delivered to garage	\$ 3,950.00

After the April 18, 1988 meeting, the Trustees indicated that they would review the matter further with the road crew to analyze each of the bids and the decision would be reached on April 26, 1988.

Daniel Schneider, Jr. indicated that the Trustees and the Road Superintendent had an opportunity to review each of the

bids. In regard to the purchaser of a bermer, MOTION by Schneider seconded by Fisher to accept the bid of Dexter Company for \$3,950.00 for the purchase of the Concord Model 960 per township specifications delivered to the garage. Voting yes: Fisher, Schneider, Bergdorf. The Dexter Company bid was the lowest and best bid.

MOTION by Schneider seconded by Fisher to purchase the road roller from the McLean Co. for the sum of \$8,391.00. Voting yes: Bergdorf, Schneider, Fisher. The bid of McLean Co. was the lowest and best bid.

MOTION by Bergdorf seconded by Fisher to approve the Minutes of the Trustees meeting dated March 12, 1988 as presented. Voting yes: Fisher, Schneider, Bergdorf.

John Krusinski gave each of the Trustees a new bank authorization card and bank resolution required by the township depository, First National Bank of Ohio, Hudson Branch. Each of the Trustees signed the cards and returned the cards and resolutions to Clerk Krusinski for proper filing and forwarding to the bank. This new resolution supersedes the prior resolution dated April 18 which was sent to First National Bank of Ohio.

Trustee Dan Schneider Jr. indicated that Doug Anderson, Road Superintendent, will be back to work on Monday, May 2, 1988. He has been on sick leave.

The next item of business concerned complaints received by the Trustees concerning an accident which took place at the intersection of Boston Mills Road and Riverview Road. The accident involved a Mrs. Benanato, a township resident. Mrs. Benanato was returning from her husband's funeral. She was in a car driven by her son. She was involved in a hit-skip accident at this intersection. Immediately after the accident, the Peninsula police were called to investigate the accident. The police did arrive at the scene within five or ten minutes after the call. However, they indicated to Mrs. Benanato and her son, that they did not have jurisdiction to investigate and take a report. It would be necessary for the State Highway Patrol to review the matter. The State Highway Patrol was called by the Peninsula Police. They arrived approximately 15-20 minutes later. The Peninsula Police did remain at the accident site until the Highway Patrol arrived.

The main concern of the Benanato's is why the Peninsula Police did not have jurisdiction over the matter, and why they did not attempt to locate the hit-skip driver. The Benanato's indicated that an APB was put out for the driver. However, the APB was not put out for 20 to 30 minutes after the accident. The hit-skip driver was not apprehended and this will cause insurance problems for the Benanato's.

The Benanato's were represented at the meeting by their daughter and son-in-law. They indicated that the Peninsula Police contacted their mother after the accident and indicated that they were looking into the matter. They asked that the officer in charge, Officer Rentz, make a confidential report to the Captain.

The Benanato's are interested to know why the township is contracting with the Peninsula Police Department for such a large sum of money if, in fact, the reports are not being

taken by the police. If the Highway Patrol is to conduct the investigations, many of the residents feel that there is no need for the Peninsula Police to be retained by the Township. Also, there was concern that possibly the reason why the accident was not being investigated by the Peninsula Police is because they were not hired to escort the funeral procession. There were other residents present at the meeting who expressed complaints about the Peninsula Police. Residents of the trailer park indicated that they have not seen the police patrol the park on a regular basis. The only time they are in the park is if they are called. Also, various complaints were received from other residents that their roads were not being patrolled on a regular basis.

Each of the Trustees indicated to the residents that they were in favor of looking into this situation in more detail. The Trustees told the residents that it was their understanding, pursuant to the contract with Peninsula, that the roads of the township would be patrolled on a regular basis, every day. A minimum of one tour of each township street should be made within each 8 hour shift. Trustee Chairman Schneider stated that he would arrange a meeting with the police to discuss these complaints. Mr. Schneider will arrange a meeting with Mayor Ruoff and police officials for Wednesday, May 4, 1988, at 10:00 A.M. At that time, all of the Trustees will meet with the Mayor and police officials. All of the problems will be discussed in detail. Hopefully, a resolution to the problems can be obtained. Thereafter, the Village and police department will be asked to attend a township meeting so that the citizens can review their questions and problems directly with the police department.

Trustee Fisher indicated that, despite requests, the Trustees have not received a copy of the signed 1988 contract, to date. Said documents were being processed by the Village Clerk. This matter will be further explored by the Trustees.

Citizen, Joseph Broderick, asked the Trustees what was happening relative to the buildings. Trustee Bergdorf, head of the Buildings Review Committee for the renovation of the township buildings, gave a complete report. He indicated that previously the township was considering the possibility of the post office using part of the building. However, this will not be possible inasmuch as the post office appears to be re-located on Bronsan St. in Peninsula. Mr. Bergdorf advised that the Trustees have met with the insurance representative of the township to determine the insurability of the buildings. There is the possibility that the brick building could be renovated without the complete renovation of the wood building. The wood building is the main problem. It appears to be uninsurable due to its unstable nature and the inability to fireproof the building. However, all options are still being considered by the Trustees. Mr. Bergdorf is also looking into the possibility of various historical societies and/or Kent State University Architectural classes to review and assist in the renovation of the buildings. However, there are no definite plans in this regard at this time. Mr. Bergdorf feels that the Trustees are moving along in this matter. He will keep the residents informed in these matters.

Mrs. Fred Fedele stated that there appears to be a problem

near Hines Hill Road. People are running the stop sign at the bottom of the hill. She asked whether the police are reviewing this situation. She also asked how many tickets have been written in the township by the Peninsula Police. The police will be informed of the problem on Hines Hill. Very few tickets are, in fact, written in the township. Most of the tickets written are for DWI and reckless operation. These are matters that the Trustees will review with the police at their upcoming meeting.

Trustee Bergdorf indicated that there appears to be a commercial establishment being created at 2325 Stine Road, Peninsula, OH. This is a building being rented from the National Park Service by Max Ratner. This matter has been referred to Jim Jones, Zoning Inspector, for review. Mr. Bergdorf showed a real estate advertisement indicating the commercial uses planned for the building. Legal counsel indicated that Jim Jones will review the matter. If there is a violation, Mr. Jones will file the appropriate complaint. It can then be referred to the Board of Zoning Appeals.

Mrs. Urbank of Whaley Road contacted Trustee Bergdorf relative to the United Foundations situation. There is excessive noise problems with United Foundations. This has been an ongoing problem. Jim Jones has gone to the scene numerous times. Mr. Jones was told that the problems were being resolved as subtenants of the premises were being evicted. Mr. Jones will review the matter again and report to the Trustees at the next meeting.

Regarding the Demchak property on Morris Road, Mr. Fisher indicated that he has looked into the matter. There appears to be a rotted drain pipe on the road under the driveway area. This matter will be looked into further. Trustee Bergdorf has also been reviewing this situation.

There was inquiry to the Trustees whether animals are permitted to be kept on property located on Main Street. This should be referred to the zoning inspector for review.

Regarding the roads, the Trustees questioned whether a report has been received from Poly Systems on Oak Hill. Nothing has been received to date. Mr. Pullekens has contacted Poly Systems on two occasions, but has received no replies. MOTION by Schneider seconded by Bergdorf that a letter be forwarded to Poly Systems for a status report.

There is some confusion as it relates to John David Jones and their continued involvement in the project. The Trustees, at a prior meeting indicated that they did not want any further work done by John David Jones concerning the possible obtaining of an easement from the National Park Service until such time as Poly Systems has completed its report. Another letter is to be written to John David Jones indicating the position of the Trustees.

Trustee Bergdorf advised that he attended the County Annexation Symposium. There is a proposal to attempt to ease the negative aspects of annexation for unincorporated areas by creating a joint economic development zone. The Committee requested that the proposal be written by the township concerning their position as it relates to annexation. Trustee Bergdorf will prepare a draft of a such a proposal for review by the Trustees at their next

meeting.

The issue concerning the purchase of disability insurance and other insurance for the township employees and trustees was raised. Attorney Pullekens advised that, pursuant to the opinion of the Attorney General's Office, such benefits purchased from public funds are fringe benefits and are valuable prerequisites of an office and are as much a part of compensation of office as the paycheck. Insurance coverage may be authorized for an officer if it is authorized prior to the commencement of the term for which the officer has been elected or appointed. The Ohio Constitution, Article II, Section 20 provides that the general assembly, in cases not provided for in this constitution, shall fix the term of office and the compensation of all offices, but no change therein shall affect the salary of any officer during his existing term, less the office be abolished. The Attorney General has ruled that the term salary and compensation as used in this section are synonymous. Thus, any insurance plan authorized after commencement of office would be a change of salary and, therefore, unconstitutional. Legal counsel indicated that any insurance coverages which were provided for the Trustees and/or Clerk prior to their taking office could be continued as compensation for said officers. It should also be noted that this affects elected officers and does not affect the common employees of the township.

Trustee Fisher presented the Trustees with a report concerning the Valley Fire District in the meeting held by the Trustees on Monday, April 25, 1988. He distributed a copy of the report prepared by the Fire District concerning the calls made in the month of March 1988. He also reviewed the situation relating to the tax levy proceeds. The County Auditor projected \$42,000.00 per half as the projected proceeds from the levy. However, only \$31,000.00 (estimate) has been received to date by the fire district. This matter will be reviewed further by the fire district.

Trustee Fisher indicated that the fire district is preparing the reports required by the Contract to be furnished to the Township and Village. The proposed 1989 budget is being prepared by the Fire Board. A projected budget should be ready by May 31, 1988.

MOTION by Schneider seconded by Fisher to adjourn. Voting yes: Fisher, Schneider, Bergdorf.

CHAIRMAN

CLERK