

RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE BOSTON TOWNSHIP TRUSTEES
FEBRUARY 24, 1987

7:00P.M.

The meeting was called to order by Chairman, Daniel Schneider, Jr. at 7:00P.M. Present: Trustee Schneider, Broderick. Absent: Trustee Fisher. Deputy Clerk, Molly Morgan, was present. Absent: Clerk Longina Morgan.

The first item of business was the auction of the truck and spreader per Ohio Revised Code. The auction was duly advertised in the Akron Beacon Journal for three consecutive weeks prior to sale, pursuant to law. The bid as listed in the Akron Beacon Journal was

as follows: Upon resolution of the Board of Trustees of Boston Township, it has been determined that the following property is no longer needed for Township purposes: (1) 1977 Ford #750 dump truck, serial #T73FV058593; minimum bid: \$3,500.00; (2) Good Roads "V" Box Salt Spreader; minimum bid: \$1,000.00.

Pursuant to Ohio Revised Code 505.10, notice is hereby given that said items will be sold at public auction on the 24th. day of February, 1987, at 7:00p.m. at the township hall.

Said items may be seen by appointment by contacting the township road superintendent in the township hall: (216) 657-2600.

Said sale shall take place during the regular township meeting on the 24th. day of February, 1987, at 7:00P.M. at the township hall at which time oral bids shall be taken. The minimum bids shall be no less than as specified above.

Terms of the sale are cash. The successful bidder must pay the stated amount for the minimum bid on the date of sale and pay the balance, if any, on or before the date of delivery of the items.

The successful bidder shall have full responsibility in removing all items from the township property at the successful bidder's cost.

The sale shall be conducted in accordance with the law. The Township Trustees reserve the right to reject any and all bids.

Boston Township Board of Trustees,
Molly Morgan, Deputy Clerk
Riverview Road at Route 303
Peninsula, OH 44264

Daniel Schneider, prior to opening the bidding, read the Beacon Journal bid procedures to all present. The first item put out for bid was the 1977 Ford Truck #750. Trustee Schneider indicated that the minimum bid would be \$3,500.00. After receiving numerous oral bids from the bidders,

the final bid was \$6,700.00 made by Terry Nickschinski, 215 W. Highland, Northfield, Ohio. Motion was made by Broderick, seconded by Schneider that the bid of Terry Nickschinski be duly accepted by the Trustees. Voting yes: Broderick, Schneider. *R47-13*

After the bidding, Mr. Nickschinski indicated that the check as required pursuant to the specifications and the bid notice was not presently in his possession but it would be delivered to the town hall. The minimum bid price, \$3,500.00, would have to be received on the date of the acceptance of a bid. The check did arrive forthwith and was deposited with the Township Clerk and accepted by the Trustees. Mr. Nickschinski indicated that the balance of the purchase price would be paid by certified check on February 25, 1987, when he wishes to take possession of the truck.

The next item to be put out for bid was the spreader which required a minimum bid of \$1,000.00. There were no bids. One individual requested to bid a price less than the specified minimum bid. The Trustees, after discussion, stated that the minimum bid that could be accepted was \$1,000.00. Motion by Broderick seconded by Schneider that inasmuch as there were no bids, the spreader would be removed from the auction. Voting yes: Broderick, Schneider. *R57-14*

Motion by Broderick seconded by Schneider that the minutes of February 3, 1987 be duly approved as submitted to the Trustees. Voting yes: Schneider, Broderick. *R57-15*

Motion by Broderick seconded by Schneider that the bills as presented by Deputy Clerk Molly Morgan be accepted and paid. Voting yes: Broderick, Schneider. *R47-16*

Deputy Clerk Molly Morgan indicated that she had received notification from the U.S. Government that the sum of \$3,143.41 was owing for U.S. government withholding taxes. These monies were from the time period during 1985 when Longina Morgan was disabled. Molly Morgan asked that a motion be made authorizing her to make the payment of said government withholding tax. Motion by Schneider seconded by Broderick to authorize the payment. Voting yes: Broderick, Schneider. *R57-17*

Molly Morgan, Deputy Clerk, presented a letter to the Trustees from The State Auto Insurance Company indicating that policy no. 290-019, Valley Rubbish Service, Inc., was cancelled as of February 2, 1987. The Trustees indicated to Clerk Morgan that they were aware of the cancellation and that the new rubbish company, Redlin Rubbish Services, Inc. assumed the contractual responsibility of Valley Rubbish Services, Inc. pursuant to the same agreement and understanding as previously entered into with Valley.

Deputy Clerk Molly Morgan read a letter to the Trustees from the National Park Service asking the Trustees to vote to vacate the western end of Stein Road right-of-way area. After review and discussion, it was the consensus of the Trustees that the matter of the vacation of Stein Road area be discussed at the regular Trustees' meeting to be held on March 10, 1987. In this way, notice can be given to the people of said request by the National Park Service and any comments can be made by the public at that time. Motion by Schneider seconded by Broderick to table the matter until March 10, 1987. Voting yes: 18
Schneider, Broderick. AS-78

Deputy Clerk Molly Morgan read and presented to the Trustees the Department of Transportation Annual Mileage Report for the Township. The Township has 13.09 miles of highway.

Deputy Clerk Molly Morgan indicated that the Trustees and the other employees of the Township should return, as soon as possible, the new W4 forms for federal income tax purposes.

Motion by Broderick, seconded by Schneider, that the fire contract as presented to the Trustees and reviewed by the Trustees be accepted and signed as drawn and presented. Voting yes: Broderick, Schneider. AS-79
Copy of the contract as signed by the Trustees is attached hereto. After signing the contract, Trustees Broderick and Schneider instructed the legal counsel, Edward C. Pullekens, to forward the contract to the Valley Fire District Board for forwarding to the Village of Peninsula. The contract will then be presented to the Prosecutor's Office for review and approval as to form.

Motion by Broderick, seconded by Schneider, to move the Tuesday morning meeting next week (March 3, 1987 at 10:00A.M.) to the library. R37-40
Voting yes: Broderick, Schneider.

Deputy Clerk Molly Morgan indicated that her mother, Clerk Longina Morgan, wanted to return to her official duties as of February 28, 1987. Her mother is still in a wheelchair and would appreciate that the meetings be held at the library or other building accessible to the handicapped. The Trustees indicated that all efforts would be made to have the meeting at the library and would obtain the approval of the library to have the meeting there on Tuesdays, alternating morning and evening. Deputy Molly Morgan also indicated that as of this meeting, her mother would be the official township clerk and assume full responsibility for the same.

Trustee Broderick reaffirmed the position that awareness should be made to the local federal political officials relative to obtaining the assistance of the National Park Service in maintaining township roads and services. This matter will be followed through by the Trustees.

Representatives from Whaley Road, Mr. Vargo and Mr. Herbeck were in attendance. They stated their continued dissatisfaction in regard to trash being stored behind a fence at 87 Whaley Road. Apparently, the property owned by United Foundations is being used for purposes not allowed pursuant to the zoning regulations and in accordance with the zoning permit issued at the site. Jim Jones, Zoning Inspector, indicated that he had discussed the situation with the owners of the property approximately three times. He will again review the matter and if the situation is not corrected, he will issue the appropriate citation, if required. The residents from Whaley Road issued a written complaint to the Trustees regarding the problem. Jim Jones indicated that he will report back to the Trustees forthwith regarding his resolution of the matter.

Trustee Broderick inquired of Deputy Clerk Morgan whether any reply had been received from the National Park Service regarding the alleged hazardous materials being stored at the Hines Hill Road dump. Molly Morgan has received no information to date.

Motion by Broderick seconded by Schneider that the Summit County Engineer be authorized to proceed with engineering and/or studies R37-31 regarding specific locations on the township roads system. Specifically, the resolutions are as follows:

1) The Boston Township Board of Trustees hereby RESOLVE and authorize the Summit County Engineers' Office to do a feasibility study relative to the current speed and load limits on Oak Hill Road, Hines Hill Road and Stanford Road and make a determination as to the R37-32 applicability of the current limits and any recommendations of appropriate

changes in said limits based upon current road standards, current conditions and any other information made known and available by the Summit County Engineer's Office. Voting yes on said Resolution:

Broderick, Schneider.

2) RESOLUTION authorizing the Summit County Engineer's Office to conduct further engineering and, specifically, soil investigations on Oak Hill Road. Specifically, the studies should be done on the current hill area of Oak Hill Road between Wheatley Road and the top of the hill. Voting yes: Broderick, Schneider. *P87-83*

3) RESOLUTION authorizing the Summit County Engineer's Office to conduct further engineering and, specifically, soil investigations on Hines Hill Road. Voting yes: Broderick, Schneider. *P87-84*

4) RESOLUTION regarding an engineering study of the curve on Oak Hill Road in the vicinity of the covered bridge to authorize the Summit County Engineer's Office to do a feasibility study thereon and an engineering study thereon. Voting yes: Broderick, Schneider. *P87-85*

Attorney Edward C. Pullekens had indicated to the Trustees that Attorney Gus Yognour of the Summit County Engineer's had been in contact with him over the last several weeks relative to the resolutions. Mr. Pullekens indicated to the Trustees that he had a telephone conference with Mr. Yognour who stated that he had not received the resolutions from the township clerk. Mr. Pullekens presented a letter from Mr. Yognour dated February 19, 1987, to the Trustees. The motions made are in response to said letter and are full authority of the Summit County Engineer's Office to proceed with the work as outlined in the letter and previous discussions with the township.

Various residents of the Oak Hill area were in attendance to discuss the entire situation as it relates to the Oak Hill Road closing. Attached hereto is a list of the residents in attendance. The residents expressed their fears and suggestions regarding making the repairs and/or studies of the road. The consensus was that the matter should be reviewed as soon as possible and that the township should immediately take the necessary steps to ascertain the situation that exists on the Oak Hill Road hill.

Motion by Broderick seconded by Schneider that legal counsel, Edward C. Pullekens be authorized to contact Gus Yognour at the Summit County Engineer's Office regarding the Oak Hill Road situation to see if a timetable could be obtained. Voting yes: Broderick, Schneider.

Road Superintendent Doug Anderson indicated to the people that he had been in contact with representatives of the Engineer's Office relative to the problem. Mr. Anderson explained to the people in attendance the reasons for his concern relative to the road and why it was his suggestion that the road be closed.

After further discussion, the Trustees assured the residents that the situation would be reviewed and a report issued to them.

Motion by Schneider seconded by Broderick that the meeting be adjourned. Voting yes: Broderick, Schneider. Meeting duly adjourned at 9:46P.M.

CHAIRMAN

DEPUTY CLERK

P.E. Co - 522.50
 First Hill Bank - 1245.42
 Blue Book - 309.46
 B. L. & W. L. Park - 162.00
 Action Working - 16.50
 New - 10.45
 Ohio Edison - 218.11
 East Longview - 374.85
 C. L. Co - 78.00
 P. L. & W. Valley - 2622.24
 P. L. & W. Valley - 28.00
 Valley Ford - 11.07
 L. & W. Midwest - 74.68
 East Hill - 6.00
 P. L. & W. Valley - 422.24
 L. & W. Midwest - 2.50