

RECORD OF PROCEEDINGS
MINUTES OF THE REGULAR MEETING
OF THE BOSTON TOWNSHIP TRUSTEES
FEBRUARY 3, 1987

The meeting was called to order by Board Chairman, Daniel Schneider, Jr. Present: Trustees Broderick, Schneider, Fisher. Motion by Fisher seconded by Broderick that Edward C. Pullekens be appointed Secretary for the purposes of taking the minutes of the meeting. Voting yes: Broderick, Schneider, Fisher.

Attorney Edward C. Pullekens indicated to the Trustees that he has been notified by the Clerk of Courts that the lawsuit requesting permission from the Court of Common Pleas to transfer monies from the General Fund to the Road and Bridge Fund was misfiled by the Clerk of Courts. The matter has been rectified. Attached hereto is an updated copy of said lawsuit.

Trustees discussed the payroll problems occurring under the automatic payment with First National Bank. After discussion, motion by Fisher seconded by Broderick that Daniel Schneider Jr. and Edward C. Pullekens, legal counsel, be authorized to go to the bank with the current payroll and discuss the problems directly with the bank. Voting yes: Broderick, Schneider, Fisher. After said meeting, and reporting to the Trustees, a decision will be made as to how to handle future payrolls. Further, the overpayment of Molly Morgan shall be returned to the bank and the Township's account properly credited. Molly Morgan as Deputy Clerk shall be entitled to only compensation based upon the Clerk's regular salary. Also, the reported overpayment to Edith Minns will also be discussed with the bank.

Motion by Fisher seconded by Broderick that a proper bond be supplied for Molly Morgan if it has not been supplied to date. Voting yes: Broderick, Schneider, Fisher.

Motion by Fisher seconded by Schneider that the payroll be approved as submitted including the overtime for Tim Tessmer for 19½ hours and Doug Anderson for 24½ hours. Voting yes: Broderick, Schneider, Fisher. 287-57

Molly Morgan had taken the Minutes of the Trustees Meeting held January 27, 1987, and she will be forwarding them to the Trustees forthwith. Also, the Village Clerk took the Minutes of the joint meeting by and between the Valley Fire District and Boston Township on Monday, January 26, 1987. They will be forthcoming for review and approval.

The Trustees further indicated that the Minutes for January 20, 1987, were incorrect to the extent that the dates contained in the Minutes should reflect 1986 instead of 1985 on page 4. Also, the banquet is not in Columbus, Ohio as indicated on Page 4, but rather, the banquet is in Summit County. The changes by interdelineation were to be made. Motion by Fisher seconded by Broderick. All voting yes. 287-58

Legal counsel, Edward C. Pallekins, indicated to the Trustees that the various motions concerning the township roads including Oak Hill cannot be found. He has requested that the Deputy Clerk search for same. At this time, the Clerk cannot find said Minutes, although she did prepare them. Mr. Pallekins stated that in order to get the road situation off of dead center, another set of Resolutions should be made at the next meeting of the Trustees. The Trustees will write down the various motions which they wish to make relative to directing the County Engineer and other authorities to study the roads and the problems therein.

Trustee Fisher indicated that Bob Gioia of Peninsula has contacted him relative to the meeting set up by the National Parks Service which shall be held at 7:30P.M. on Thursday, February 5, 1987 at the Happy Days Visitors' Center on Ohio 303 near Peninsula. At that time, National Park representatives including Superintendent Albert and U.S. Attorney Richard G. French representing the Park will be present to hear the views of the residents in regards to the National Parks' present policy for removing trees from the Cuyahoga Valley National Recreation Area. Trustee Schneider indicated that he was going to attend.

said meeting. The other Trustees may also attend. Trustee Fisher indicated that this may be an opportunity for the Township to discuss other matters with the National Park Service as it relates to the Township proper.

Regarding old business, both the fire and police contracts were reviewed. Regarding the fire contract, Trustee Broderick again questioned some of the projections of the operating budget. However, it was his opinion that the budget should be approved if the Village, in fact, agreed to the breakdown of the \$137,750.00 basic budget based upon the percentage of calls made in 1986. As indicated at the joint meeting, the question of legal counsel fees for Attorney Orville Reed of the firm Buckingham, Doolittle & Burroughs who is representing the fire board members in the Thomas Morgan case would be allocated to each of the contracting entities upon receipt of billings. Motion by Broderick seconded by Schneider to approve the fire budget as presented based upon the 1986 percentage of calls. Voting yes: Broderick, Schneider. Trustee Fisher, a member of the Fire Board, abstained pursuant to law. The contract is to be for a period of one year and legal counsel, Edward C. Pallekins, was directed to prepare the fire contract per agreement with the Village and fire district.

Regarding the projections needed for capital improvements for the fire district, a joint meeting by and between the township, village and fire board has been set for Monday, February 9, 1987, to discuss the possibility of a capital improvements levy, operating levy, or combination thereof. Attorney Pallekins indicated that he had forwarded to each of the Trustees the current tax valuations as supplied by the Auditor's Office and the levy information can be deduced therefrom.

Regarding the police contract, there was lengthy discussion in regard to the same. One of the main problems was the fact that the police vehicles are not insured for property damage. Apparently, two vehicles have been recently vandalized. The Trustees were hesitant to enter into any agreement wherein there was no cap as to the liability of the Township. The Trustees were of the general consensus that any contract

approved would have a maximum cap for which the township would be responsible. Further, there was some question as to the inventory of assets owned by the police department. It was the agreement of the Trustees that the police contract would not be voted on until after the joint meeting on February 9, 1987, wherein additional questions can be reviewed and presented.

The Trustees also discussed the possibility of conducting a survey as to the cost factor in the Township creating their own police department.

Due to the scheduled joint meeting of the Township and the Village on February 9, 1987, a motion by Fisher seconded by Broderick that the regular meeting of the Trustees scheduled for February 10, 1987, at 10:00A.M. as had been previously changed, be cancelled and the Trustees will combine their regular weekly meeting with the joint meeting to be held on February 9, 1987. The Akron Beacon Journal will be notified by letter. Copy of said letter is attached to these minutes as drafted and sent. *RS-60*

Motion by Broderick seconded by Fisher to adjourn.
All voting yes: Broderick, Schneider, Fisher. *RS-61*

~~CHAIRMAN~~

DEPUTY CLERK

Edna Pullerkin	50.00
Valley Ford	11.85
Oliver Machinery	3.25
Mid Communication	243.75
Student - Tech.	182.50
International Belt	817.00
Oliver Edison	965.23
J. Pullerkin	2325.00
Lawrence Prod. Inc.	720.00
W.R.	

IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

IN RE:

APPLICATION OF BOSTON TOWNSHIP
SUMMIT COUNTY, OHIO
FOR TRANSFER OF FUNDS

JUDGE

PETITION

Now comes the Board of Township Trustees of Boston Township, Summit County, Ohio, and says that its General Fund has a present balance of approximately Four Million Dollars (\$4,000,000.00) and that said Board of Township Trustees desires to transfer the amount of FORTY THOUSAND DOLLARS (\$40,000.00) from the said General Fund to the Road and Bridge Fund.

The Board further says that such transfer of funds is necessary because there are not sufficient funds in the Road and Bridge Fund to pay the necessary and urgent expenses for the repair and maintenance of township roads, the major repairs and purchase of equipment, and that there are roads in urgent need of repairs.

The Board further says it has passed a resolution declaring the necessity for such transfer of funds at a regular meeting on December 23, 1986, and that all members of the Board of Township Trustees present (a majority) voted thereon in the affirmative. A copy of such Resolution is attached hereto and made a part hereof as though incorporated herein.

GENOVESE
&
PULLERIS
ATTORNEYS AT LAW
816 SOCIETY BUILDING
AKRON, OHIO 44308-1386
Telephone (216) 766-9451

WHEREFORE, pursuant to R.C. 5715.16,
the Board of Township Trustees of Boston Township, Summit
County, Ohio prays that the Court will approve the transfer
of funds as herein requested.

EDWARD C. PULLEXINS
Attorney for Boston Township
Board of Township Trustees
Summit County, Ohio
800 Society Building
Akron, OH 44308
Tel. No. (216) 762-8431

GENOVESE
&
PULLEXINS
ATTORNEYS AT LAW
800 SOCIETY BUILDING
AKRON, OHIO 44308-1380
TELEPHONE (216) 762-8431

RESOLUTION

The Board of Trustees of Boston Township, Summit County, Ohio,
met in regular session on the 23rd. day of December, 1986, in the
meeting room of the Township Hall with the following members
present:

~~GEORGE FISHER, JR.~~

JOSEPH BRODERICK

DANIEL SCHNEIDER, JR.

Mr. Broderick moved the adoption of the following Resolution:

Whereas: There are not sufficient funds in the Road and Bridge
Fund to pay the necessary and urgent expenses for the
repair and maintenance of township roads; the major
repairs and the purchase of equipment, and,

Whereas: The General Fund has a balance of approximately
Four Million Dollars (\$4,000,000.00), therefore,

BE IT RESOLVED: That application be made as provided by
R.C. 5706.16, to transfer the sum of FORTY THOUSAND DOLLARS (\$40,000.00)
from the General Fund to the Road and Bridge Fund.

Mr. Daniel Schneider, Jr. seconded the Resolution and the roll
being called the vote resulted as follows:

yea or nay:

~~GEORGE FISHER, JR.~~

JOSEPH BRODERICK

DANIEL SCHNEIDER, JR.

Adopted December 23, 1986

IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

) CASE NO. CV87 01 0191

) JUDGE SPICER

) DISMISSAL ENTRY

)

JAMES R. MCCARTHY

FEB 4 10 08 AM '87

SUMMIT COUNTY

CLERK

SUMMIT COUNTY, OHIO

FOR TRANSFER OF FUNDS

Due to an error by the Clerk of Courts of Summit County, Ohio, the captioned case was filed under a civil docket instead of under a miscellaneous docket.

Therefore, it is hereby ORDERED that the captioned case be dismissed and refiled by the Clerk's Office under a miscellaneous docket and that the Clerk is hereby ordered to refund to the Plaintiff his filing costs.

JUDGE


EDWARD C. PULLEKINS
Attorney for Boston Township

GENOVESE
&
PULLEKINS
ATTORNEYS AT LAW
800 SOCIETY BUILDING
AKRON, OHIO 44306-1306
TELEPHONE (216) 762-6431