

**BOSTON TOWNSHIP TRUSTEES
MINUTES OF THE REGULAR MEETING**

December 11, 2013

Present at this regular meeting of the Boston Township Trustees were Trustees Amy Anderson, Jerry Ritch and Randy Bergdorf; Fiscal Officer Joanne Noragon and Legal Counsel Ed Pullekens. Trustee Chairperson Anderson called the meeting to order at 6:30 P.M.

Police Protection Report: A police representative dropped off the current police reports. Trustee Ritch asked for an Executive Session at the end of regular business to discuss the Peninsula policing contract renewal.

Zoning: Zoning Inspector Sulzer reported

- No response from the owner of the old Bencin property, or from the owner of the Hi-Lif equipment displayed on the property.
- Jeff Prochnow, the code enforcement officer for Hudson has issued a stop work order on backfilling the property at 5600 Sullivan Road.
- Crown Castle, owner of the cell tower on the Jim Jones Construction property, has been asked to comply with established procedure before further upgrading their tower.
- He will issue a citation for violation to the property owner at 244 Kendall Park Road if application is not received for the accessory building.

Mr. Mayer reported activity on the Pruitt/Brown property has ceased and there has been no communication in a month. Trustee Bergdorf said he would call Mr. Brown. Mr. Pullekens recommended removing trailers tagged for removal, and he will call Mr. Brown's attorney.

Mr. Mayer reported Boston Car is on notice from the Army Corps of Engineers to cease backfilling the wetland. The large storage shed on the Boston Car property was brought to the attention of the zoning inspector by those in attendance who have observed it.

Mr. Mayer reported The Virginia Motel is on notice from the Ohio EPA of inadequacy of their septic system, which must be brought up to code.

Trustee Bergdorf reported the Zoning Commission will hold their public hearing on the Garage Sale amendment at 6:30 PM at the beginning of their regular Zoning Commission meeting on January 14, 2014.

Correspondence: The trustees reviewed the correspondence received since the last meeting. Donations to the township were recognized: **Motion** by Anderson seconded by Bergdorf to thank the Sergis for their donation to Share-a-Christmas. Voting: All Voting, YES. Motion passed. **[2013-1211-01]**

Motion by Anderson seconded by Bergdorf to thank the Michael Mraz, for his donation offsetting the cost of the new police radios. Voting: All Voting, YES. Motion passed. **[2013-1211-02]**

Approval of Minutes: The trustees reviewed the minutes of the November 27, 2013 regular meeting submitted by the Fiscal Officer. **Motion** by Bergdorf, seconded by Ritch to approve the minutes. Voting: All Voting, YES. Motion passed. **[2013-1211-03]**

Township Buildings and Grounds: Trustee Bergdorf said the roof is nearing completion. There was a discussion of the dedication of the crew installing the shingles; the men are working seven days a week when possible, and keeping the roof tarped over at night to keep it accessible for the next day's work. Much of the installation has been completed in cold, wet and snowy conditions.

Future Planning and JEDD: Trustee Ritch reported no information from Mike Weant about a meeting with the Water Pollution Control Fund or a meeting with Cuyahoga Falls concerning the new administration. The trustees decided to wait a month to contact the new administration.

Mayor Mayer reported briefly on Peninsula's attempt to secure sewer funding for their failing septic systems. He reiterated the village could go straight to the Akron sewer plant in the valley but were trying to secure a system that would go the Akron Cleveland Road, benefiting the township as well.

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Boston/Peninsula JEDD: Trustee Ritch set the next meeting of the Boston/Peninsula JEDD Board at 6 PM on January 8, 2014, before the next meeting of the Township Trustees.

Valley Fire District: Trustee Anderson reported Valley Fire will be delivering Share-a-Christmas on December 21st, with help from Boston Heights Mrs. And Mr. Santa. The Fairview Cemetery Association's Women's Group hosted a dinner for firemen, their spouses, and members of the District's board of trustees.

Road Department: Road Superintendent Tesmer presented the EQ agreement to make the required cash settlement to repair Hines Hill to the Engineers' Specifications. Mr. Pullekens has reviewed the document. **Motion** by Bergdorf, seconded by Ritch to execute the letter of agreement releasing EQ from further liability. Voting: All Voting, YES. Motion passed.

[2013-1211-04]

Mr. Tesmer also reported the National Park Service will release the approximately \$41,000 penalty fund to use for the road on receipt of a letter from the trustees. **Motion** by Anderson, seconded by Bergdorf to authorize Trustee Anderson to prepare a letter to Paul Stoehr, acting park director, requesting release of the balance in the penalty account. Voting: All Voting, YES. Motion passed.

[2013-1211-05]

Mr. Pullekens noted that Mr. Tesmer and the County Engineer are to be commended for their diligence in bringing road repairs for the Krejci Dump remediation to a successful conclusion.

Motion by Bergdorf, seconded by Ritch to add the new radios to the Summit County radio network, contract expiring April 30, 2019. Voting: All Voting, YES. Motion passed.

[2013-1211-06]

Other Business: Trustee Ritch reported attending the Thursday, December 5th ODOT meeting to discuss the turnpike mitigation program. The room was full of people from all over the state hoping for a share of the 5 million dollars to be dispersed annually by ODOT. Trustee Ritch and Joe Paradise of the County Engineer's office are working jointly on Boston's application for turnpike sound barriers. Mr. Paradise recommends our applications come over three years, requesting first funds for a study, then funds for engineering specifications, and finally funds to undertake the project.

After discussion, **Motion** by Ritch, seconded by Bergdorf, to accept the 2014 insurance contract previously presented by Love Insurance. Voting: All Voting, YES. Motion passed.

[2013-1211-07]

Fiscal Officer Noragon presented a review of the 2014 budget and a short analysis of the current and future financial status of the township. Anticipated revenue for 2014 is \$575,600, including \$102,000 in projected revenue from the new JEDD. Revenue from this JEDD will fall to \$91,000 in subsequent years, after the township recovers expense of forming the JEDD. Township expense for 2014 is projected at \$613,000, the shortfall coming from reserves. The Fiscal Officer reviewed the sources of the shortfall: drastic cuts by the state in sharing both sales tax revenues and gasoline tax revenues with townships; and the inability of the township's real estate tax base to provide revenue for services the township provides. Annual shortfalls escalating from \$35,000 annually are projected. She recommended cuts to expenditures as the first remedial measure the township should take.

Appointments: **Motion** by Bergdorf, seconded by Ritch to reappoint Patty Tesmer to the Cemetery Board of Trustees. Voting: All Voting, YES. Motion passed.

[2013-1211-08]

Motion by Bergdorf, seconded by Ritch to appoint Ron Summers, Morris Drive resident, to the Board of Zoning Appeals, term ending June 3, 2018. Voting: All Voting, YES. Motion passed.

[2013-1211-09]

Reallocation: **Motion** by Bergdorf, seconded by Ritch to reallocate \$121.00 from 2031-330-314, Tax Collection, to 2031-330-351, Electricity. Voting: All Voting, YES. Motion passed.

[2013-1211-10]

Temporary Appropriations: **Motion** by Bergdorf, seconded by Ritch to approve the 2014 temporary appropriations presented. Voting: All Voting, YES. Motion passed.

[2013-1211-11]

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Purchase Orders: Motion by Bergdorf, seconded by Ritch to approve SBC 42 and 43-2013, 2031-330-351, Electricity, Total: \$121.00. Voting: All Voting, YES. Motion passed.

[2013-1211-12]

Bank Reconciliation: Motion by Bergdorf, seconded by Ritch to approve the November bank reconciliation. Voting: All Voting, YES. Motion passed.

[2013-1211-13]

Approval of Payroll: Motion by Bergdorf, seconded by Ritch, to approve the payroll prepared by the Fiscal Officer. Voting: All voting, YES. Motion passed.

[2013-1211-14]

Approval for Payment of Bills: Motion by Bergdorf, seconded by Ritch, to pay the bills prepared by the Fiscal Officer. Voting: All voting, YES. Motion passed.

[2013-1211-15]

Executive Session: Motion by Anderson, seconded by Ritch, to enter executive session to discuss contracts and litigation. All voting, YES. Motion passed.

[2013-1211-16]

The Trustees entered Executive Session at 7:25 pm. The Trustees reconvened at 7:50 pm.

The Trustees announced they reviewed a letter of understanding from the Township to Peninsula Village. They discussed with Mayor Mayer the billing of extra hours in the 2014 police contract. The mayor and the police chief have stated the township will not be billed cost of equipment and officers for hours past the contractual obligation, except in “major situations” and only after notifying the trustees in advance of the charges. Trustee Ritch asked the Mayor if he understood this to be the intent of the contract; the mayor and Trustee Anderson gave examples of their understanding of a “major situation.” Trustee Ritch asked that both Mayor Mayer and Police Chief Varga sign the letter of understanding. Mayor Mayer said the letter of understanding would be presented to council first.

Motion by Bergdorf, seconded Ritch, to adjourn. All voting yes. Meeting duly adjourned.

[2013-1211-17]

CHAIRMAN

FISCAL OFFICER