

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

September 23, 2009

Present at this regular meeting of the Boston Township Trustees were Trustees Randy Bergdorf, Jerry Ritch and Amy Anderson; 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: Acting Chief Renz was present. The Trustees requested the police pay special attention to bicycles running lights and stop signs and riding more than two abreast. Sgt. Renz reported that on the way to the meeting he noted a ticket being issued on Oak Hill for a bicycle impeding traffic. The police will notify the township if they hear of organized events and will also direct the event sponsor to the township's web site for permit applications and policy.

Trustee Anderson stated that, as anticipated, the Summit County Sheriff's investigation has exonerated Chief McCue of any wrong doing or criminal activity. The township appreciates the thorough and prompt investigation conducted by the Sheriff. Chief McCue has quietly supported the community for years, seeking no recognition for his contributions such as facilitating the new steeple on the Methodist Church and the construction of the new police station and sponsoring, together with the Trustees, the annual Senior Spaghetti Dinner. The Trustees anticipate his reinstatement as Chief of Peninsula Police.

Zoning: Zoning Inspector Sulzer reported photographing soil processing and other non-permitted activities at All Ohio since the last meeting and since the mediation. At the mediation session on September 16th the motion to show cause was stayed. All Ohio has indicated a new business direction; however, no applications have been filed.

He continues to follow the junk car situations and will keep the Trustees advised. The 3rd quarter cell tower inspections are done. He and Assistant Inspector Mayer will meet and review the Pro Tree application for permits and junk vehicle status. A variance document has been drafted for the Rueddy property. Trustee Ritch said the Prosecutor will go forward with the violations at that property.

Assistant Inspector Mayer reported working with a new Summit County Health Department inspector to address violations along Akron Cleveland Road. He will be meeting with an Army Corps of Engineers representative concerning the Caporaletti wetland issue. He reported the Rick Haurly, Suncrest Gardens, will be installing an engineered drain along his property.

BZA chairman Dave Calloway said he was concerned about an apparent new use at Earth 'n Wood, where he has noted roll-off dumpsters. Assistant Inspector Mayer said the EPA has observed employees sorting construction debris and will tell Earth 'n Wood it cannot be done on that property; they do not have sorting room and are leaching into the ground.

Trustee Bergdorf announced the next work session will be held October 5th at 9:00 a.m.

Approval of Minutes: The trustees reviewed the minutes of the September 9, 2009 meeting submitted by the Fiscal Officer. **Motion** by Ritch, seconded by Bergdorf, to approve the minutes as submitted. Voting: All Voting, YES. Motion passed.

[2009-0923-01]

Boston Township Bi-Centennial (January 15, 1811): Trustee Bergdorf reported the first meeting of the Bi-Centennial Committee yielded good ideas and possibilities that will continue to be developed. The next meeting will be October 21st at 6:30 p.m.

Correspondence: Fiscal Officer Noragon reviewed the various correspondence received by the Township.

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Township Buildings and Grounds. Trustee Ritch and Doug Mayer will review the five HVAC quotes in hand. Suncrest sent a representative to look over the “plaza” area.

Future Planning and JEDD. Legal Counsel Pullekens distributed a draft of the JEDZ Contract and an amendment to the Cuyahoga Falls/Boston Township JEDD agreement. A zoning “master plan” alluded to was not included with these documents.

Trustee Ritch reported the pump station is six weeks from completion and the trunk line has been laid under the Season’s Road interchange. The line is on schedule to be at the JEDD boundary in 2010.

Valley Fire District: No report.

Road Department: Road Superintendent Tesmer reported meeting with Major Properties concerning road issues. The Trustees requested the issues be presented in writing.

He is working with the County Engineer on road drainage issues; all the roads are patched and mowing for the season is complete.

Other Business:

Tax Levy Certification: After review, : **Motion** by Ritch, seconded by Bergdorf accept the tax levy amounts and rates as determined by the Budget Commission and authorize the necessary tax levies and certify them to the Summit County Fiscal Officer. Voting: All Voting, YES. Motion passed. **[2009-0923-02]**

Senior Snowplow Program Contractor quote package: After review: **Motion** by Ritch, seconded by Bergdorf to use the attached standardized quote form for snowplow contractors. Voting: All Voting, YES. Motion passed. **[2009-0923-03]**

Natural Gas Service: After review: **Motion** by Ritch, seconded by Bergdorf authorize the Fiscal Officer to switch carriers to MX Energy at \$6.99/mcf, a 12 month fixed rate with a \$150.00 early cancellation fee. Voting: All Voting, YES. Motion passed. **[2009-0923-04]**

Appropriations: **Motion** by Ritch, seconded by Bergdorf, to reduce the following appropriations:

2021-330-360	Gasoline Tax	Contracted Services	(\$2,210.51)
2181-130-599	Zoning	Other Expense	(\$1,830.00)
2191-210-599	Police Protection	Other Expense	(\$1,933.00)

Voting: All Voting, YES. Motion passed. **[2009-0923-05]**

Purchase Orders: **Motion** by Ritch, seconded by Bergdorf, to approve Purchase Order 22-2009, Ft. Dearborn Life, 1000-110-389, Other Insurance. Voting: All Voting, YES. Motion passed. **[2009-0923-06]**

Approval of Payroll: **Motion** by Ritch, seconded by Bergdorf, to approve the payroll prepared by Fiscal Officer Noragon. Voting: All Voting, YES. Motion passed. **[2009-0923-07]**

Approval for Payment of Bills: **Motion** by Ritch, seconded by Bergdorf, to pay the bills prepared by Fiscal Officer Noragon. Voting: All voting, YES. Motion passed. **[2009-0923-08]**

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Executive Session: **Motion** by Anderson, seconded by Ritch, to go into Executive Session to review litigation matters. Voting: All voting, YES. Motion passed.

[2009-0923-09]

The Trustees entered into Executive session at 7:45 P.M. The Trustees reconvened at 8:15 P.M. **Motion** by Ritch, seconded by Bergdorf, to authorize Zoning Inspector Sulzer to make a complaint and Counsel Pullekens file an injunction requesting an immediate stop work order against the Bencin non-permitted processing and scrap-sorting activities at 5649 Akron-Cleveland Road. Voting: All voting, YES. Motion passed,

[2009-0923-10]

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

[2009-0923-11]

CHAIRMAN

FISCAL OFFICER