

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

August 26, 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: No police representative was present. Trustee Ritch reported Chief McCue has been suspended, with pay, pending the outcome of an investigation by the Summit County Sheriff's Department. Sgt. Dan Rentz is in charge in the interim. Trustee Ritch will discuss with Sgt. Rentz the availability of extra foot patrol officers to monitor organized events.

Zoning: The Fiscal Officer reported another phone line has been installed to be used by Zoning. The number is 330-657-2601; the phone will have a remote access answering device.

Zoning Inspector Sulzer reported

- Completing a scheduled site inspection on August 18th at All-Ohio,
- Completing a list of vacant or transitional land to be included in the Summit County Land Bank data base,
- The Zoning Secretary has received an updated list of all junk vehicles and has 7 letters prepared for mailing,
- He will send a separate letter to Mr. Pruitt concerning the tires at 5068 Akron Cleveland Road,
- He has assisted Joseph Bovelich with a zoning application for the property at 2311 Boston Mills, Road,
- The members of the BZA were updated on the status of All-Ohio at their August 25th meeting,
- He is looking into an inquiry from T-Mobile concerning co-locating at two towers in the Township,
- He will advise Mr. Rueddy to submit a variance application that includes everything on the property that needs variance approval, including, but not limited to building heights, square footage, and the in-ground pool.

Assistant Zoning Inspector submitted a draft copy of a proposed zoning application he and the Zoning Secretary are working on. Zoning Secretary Brandt reported she is still coordinating visits to Suncrest Gardens from the appropriate Summit County agencies. Mr. Mayer said he will be going there on August 27th with Summit Soil and Water. All three reported the revised fee schedule will be ready for the next meeting.

Approval of Minutes: The trustees reviewed the minutes of the August 12, 2009 meeting submitted by the Fiscal Officer. **Motion** by Bergdorf, seconded by Ritch, to approve the minutes as submitted. Voting: All Voting, YES. Motion passed.

[2009-0826-01]

Boston Township Bi-Centennial (January 15, 1811): Trustee Bergdorf reported he and the Fiscal Officer are working on a web site article about checks and invoices selected from the 1917 through 1999 records disposal project. The first meeting of the Bi-Centennial Committee will be held September 16th.

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

Township Buildings and Grounds. Trustee Ritch reported receiving one HVAC quote; he will obtain at least one more before any work begins.

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Future Planning and JEDD. Trustee Ritch reported that Susan Truby, Cuyahoga Falls Planning Department, said documents concluding the JEDZ are nearing completion. Sewer and pumping station construction are on schedule.

Valley Fire District: Trustee Anderson reported meeting Lori Groves Rowley and Nick Ciofani, Congressman LaTourette's staff members. The Township Fiscal Officer was also at the meeting, and representatives of Boston Heights Village, Peninsula Village and Valley Fire District. The purpose of the meeting was to explore funding options for the entities through the PILOT (Payment in Lieu of Taxes) Program. Ms. Rowley said that operating funding was improbable through the program, but tangible expenditures would be considered. For the Fire District Trustee Anderson requested a new fire engine; for the Township, sewer and water funding in the business corridor and replacement trucks for the road department. Trustee Anderson will also be meeting with Mayor Goncey of Boston Heights.

Road Department: The Fiscal Officer reported attending the CUE meeting this week and learning the only bidder for the salt supply contract is Cargill. The price of salt this season will be \$46.48 per ton, a 14% increase over the last season.

Road Superintendent Tesmer reported he had to order a new pump for the twenty year old tar kettle,

Mr. Tesmer has received the 1948 road dedication plan of Geoppert Road from the County, showing a turn-around that probably is in the lane area at the end of the road, with creeks on either side; it would have to be surveyed to see if this is the actual area of the turn-around. He will see if the County will undertake the survey. If not, there may be some other alterations possible to facilitate turning a vehicle at the end of the road.

He reports that Summit County cannot locate a drainage easement for the corner of Akron Cleveland and Whaley Roads. He is confident the problem can be resolved with a larger culvert pipe and will see if the County will install it.

Jeff Cumberlidge, Property Manager for Major Projects has requested modification of a street light at 2570 Major Road. Mr. Tesmer has consulted Ohio Edison and learned that placement of a baffle to direct light straight down onto the road and not onto the surrounding property will not be detrimental to adequately lighting the 90 degree turn in the road. **Motion** by Anderson, seconded by Ritch, to approve the baffle with the condition there is no deterioration in lighting of the turn and no cost to the township for installation. Voting: All Voting, YES. Motion passed. **[2009-0826-02]**

Other Business: The Trustees reviewed and agreed to recommendations made as a result of a review of general liability and road department operations by Ohio Plan Risk Management in their July 31st survey of the property.

Approval of Payroll: **Motion** by Bergdorf, seconded by Ritch, to approve the payroll prepared by Fiscal Officer Noragon. Voting: All Voting, YES. Motion passed. **[2009-0826-03]**

Approval for Payment of Bills: **Motion** by Bergdorf, seconded by Ritch, to pay the bills prepared by Fiscal Officer Noragon. Voting: All voting, YES. Motion passed. **[2009-08-26-04]**

Executive Session: **Motion** by Bergdorf, seconded by Ritch, to go into Executive Session to review litigation matters. Voting: All voting, YES. Motion passed. **[2009-0826-05]**

The Trustees entered into Executive session at 7:55 P.M. The Trustees reconvened at 8:15 P.M. The Trustees stated they reviewed the status of All-Ohio litigation with Legal

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Counsel Pullekens and agreed he should file motions with the Court to show cause that All Ohio should not be held in contempt of Court; to enforce the current injunction; to move to dismiss/and or to have the court proceed to schedule a hearing in regard to the issues pending in the Common Pleas Court action; and to request a current stop work order and to require a bond.

Motion by Bergdorf, seconded by Ritch to adjourn. All voting yes. Meeting duly adjourned. **[2009-0826-06]**

CHAIRMAN

FISCAL OFFICER