

BOSTON TOWNSHIP TRUSTEES MINUTES OF THE REGULAR MEETING

January 25, 2006

Present at this regular meeting of the Boston Township Trustees were Randy Bergdorf, Amy Anderson, Jerry Ritch, and legal counsel, Edward C. Pullekens and Clerk Joanne Noragon. Trustee Chairperson Anderson called the meeting to order at 7:00 P.M.

Police Protection Report. There was no police report.

Zoning: Zoning inspector Paul Kaczmariski presented the Trustees with an oral summary of the activities of the Board of Zoning Appeal (BZA). Mr. Kaczmariski indicated that the zoning permit for the Church in the Valley has not been issued yet since the Water Conservation Agency has not approved the storm water management plan for the site yet. Mr. Kaczmariski reviewed a proposed Job Description for an assistant to the Boston Township Zoning inspector. The position will be advertised in the *Community News*. No definite dates for interviews have been set yet and will be decided by the trustees at a later meeting. Wes Bergdorf distributed copies of the minutes of the zoning commission meeting held on January 10, 2006.

Presentation: John Puchalsky presented to the Boston Township Trustees a proposed memorial to be constructed in honor of John Lahoski. At the present time, the BTHC (Boston Township Hall Committee) is looking into installing an historic sandstone trough on the property. The matter will be updated as more information is gathered.

Approval of Minutes: The trustees reviewed the minutes of the January 11, 2006 submitted by the clerk. **Motion** by Bergdorf seconded by Ritch, to approve the minutes as submitted. All Voting, Yes

Correspondences. Clerk Noragon reviewed the various correspondences received by the Township.

Township Buildings and Grounds. Trustee Jerry Ritch reported that the BTHC hopes to have the renovations of the basement area finished by July 1, 2006. No decision has been made yet on the occupancy of the space. The trustees are still looking into getting a key for the furnace room storage area. A problem reported by the road department was discussed. 4,000 gallons of water went into the cistern last Thursday. The cistern was not filled; water came up by the fire wall (puddle in hall) and out of the garage wall into the bays. It appears that there is a problem with the cistern. The matter is being looked at by the BTHC.

Valley Fire District Update. Trustee Amy Anderson reported that the Valley Fire District had a meeting with the NPS in regard to the proposed lease for the Dogwood Lane property. The legal counsel for the NPS is looking at a few issues. Hopefully, a final proposed lease will be presented to the Valley Fire District within the next week.

Recognition of Legal Counsel: At this point in the meeting, the Trustees held a surprise reception recognizing legal counsel Edward C. Pullekens' 25 years service to Boston Township. Most of the members of the township boards and elected officials who have worked with Mr. Pullekens over the years, friends and family were in attendance, including former Trustee George E. Fisher, Jr. and wife Florence; former trustee John Puchalsky; former Clerk Gene Kaczmariski and wife Evelyn; legal assistant Ann Williams, and Mary Pullekens. A Certificate of Appreciation signed by his colleagues and a gift certificate to Papa Joes restaurant were presented. Mr. Pullekens expressed his gratitude for the tributes and expressed that it has been his honor to represent the township for the last quarter of a century.

Road Department. The road department has reported that all the equipment is in good working order and that all is going well. Tim Tesmer made a presentation on the possibility of replacing the small truck. He estimated the cost of a new vehicle would be

approximately \$54,000.00. There was much discussion in regard to the issue. The Trustees took the matter under advisement and will review the issue at a later meeting. Mr. Tesmer will begin working on proposed specifications. The Trustees indicated that the issue in regard to the maintenance of Stanford Road is being looked at by County Council and Nick Kostandarus, our representative.

Future Planning. The trustees reviewed the JEDD matters to date. The matter will be voted on by Summit County Council on Monday, January 30, 2006. Special legal council, Al Schrader will be in attendance. Trustee Amy Anderson will also attend the County Council meeting.

Other Business: The Joint Meeting with Peninsula at Boston Township will be held on February 8, 2006. A presentation on the reverse 911 system is on the agenda of the joint meeting.

Clerk Noragon distributed copies of a draft of a proposed Employee Handbook. The trustees will review the document and will discuss the same at a later meeting.

There was a discussion in regard to the current street lights in Boston Township. The Trustees are looking into the cost of removing certain lights that are not currently needed. Ohio Edison will be contacted for financial details.

The Trustees recognized the *Community News* for the excellent special issue memorializing the life of John Lahoski.

The clerk reviewed the proposed SASWMA resolution that the solid waste district has asked be approved. In 2005, the township was awarded a \$416.00 grant and the amount will be slightly more this year. There was discussion on the matter. **Motion** by Bergdorf, seconded by Ritch as follows:

RESOLUTION NO. 2006-0118-02

RESOLUTION AUTHORIZING THE BOSTON TOWNSHIP TRUSTEES/TOWNSHIP CLERK TO FILE, ON BEHALF OF BOSTON TOWNSHIP, AN APPLICATION TO THE SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY (THE "AUTHORITY") FOR COMMUNITY RECYCLING ACCESS GRANT.

WHEREAS, BOSTON TOWNSHIP desires to assist in implementing and supporting new and existing community recycling programs that assist the Authority in meeting the goals and objective of the State of Ohio's Solid Waste Management Plan and the Authority's approved Plan; and

WHEREAS, the Authority has developed the Community Recycling Access Grant (the "Grant") to support projects which would sustain and increase recycling activities within Summit County; and

WHEREAS, a recommendation has been made to the Board of Trustees of Boston Township that Boston Township apply to the Authority for the Grant which will further the goals to sustain and increase recycling activities within Summit County.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF TRUSTEES OF BOSTON TOWNSHIP AS FOLLOWS:

1. The Clerk of Boston Township is hereby authorized and directed, for and on behalf of Boston Township, to apply for the Grant in order to sustain and increase recycling activities within Summit County.
2. The Clerk is hereby directed to send the Authority a copy of this resolution to the attention of Jenny Markovich, Program Coordinator, The Summit/Akron Solid Waste Management Authority, 13 East Exchange Street, Third Floor, Akron, OH 44308.

3. That it is found and determined that all formal actions of the Boston Township Trustees concerning and relating to the passage of this Resolution were adopted in an open meeting of the Boston Township Trustees in compliance with all legal requirements including Sections 121.22 of the Ohio Revised Code.

Voting YES: Bergdorf, Anderson and Ritch. Motion passed.

POLICE LEVY. Clerk Noragon reviewed in detail the certifications received from the Summit County Fiscal Officer (Auditor's office) in regard to the amounts that would be raised if a replacement levy was approved by the voters in the unincorporated area of Boston Township to support a police levy. The auditor has certified that the total tax valuation of the subdivision used in calculating the estimated property tax revenue rate is \$22,752,024. An 8.00 mill levy would generate \$182,016; a 7.5 mill levy would generate \$170,640; and a 7.0 mill levy would generate \$159,264.00. After discussion:

O.R.C. SECTION 5705.19(1), 5705.191,
5705.25, 5705.26, 5705.03

RESOLUTION NO. 2006-0118-03

RESOLUTION OF THE BOARD OF TRUSTEE OF BOSTON TOWNSHIP SUMMIT COUNTY, OHIO DECLARING NECESSITY TO LEVY A REPLACEMENT TAX IN EXCESS OF THE TEN MILL LIMITATION FOR THE PURPOSE OF PROVIDING AND MAINTAINING THE PAYMENT OF CONTRACT COSTS INCURRED AND OTHER COSTS INCURRED TO OBTAIN POLICE PROTECTION FOR BOSTON TOWNSHIP

Trustee Randy Bergdorf, moved the adoption of the following Resolution:

WHEREAS, the amount of taxes which may be raised within the ten mill limitation will be insufficient to provide an adequate amount for the necessary requirements of Boston Township, Summit County, Ohio; **THEREFORE**, be it:

RESOLVED, by the Board of Trustees of Boston Township, Summit County, Ohio, ALL members elected thereto concurring, that it is necessary to levy a replacement tax in excess of the ten mill limitation for the benefit of Boston Township for the purpose of providing and maintaining the payment of contract costs incurred and other costs incurred to obtain police protection for Boston Township, at a rate not exceeding 7 mills for each one dollar of valuation, which amounts to \$.70 for each one hundred dollars of valuation for 5 years; and, be it further

RESOLVED, that this Resolution is for a replacement of an existing tax.

RESOLVED, that on the 11th. day of January, 2006, Boston Township passed Resolution no. 2006-0111-06 declaring it necessary to levy a replacement tax in excess of the ten mill limitation for the purpose of providing and maintaining the payment of contract costs incurred and other costs incurred to obtain police protection for Boston Township, and requesting the Summit County Auditor/Summit County Fiscal Officer to certify the total current tax valuation of the unincorporated portion of Boston Township and the dollar amount of revenue that would be generated by that replacement levy. A copy of Resolution No. 2006-0111-06 is attached hereto as Exhibit "A".

RESOLVED that on the 24th. day of January, 2006, the Summit County Fiscal Officer's /Auditor's office issued its Certificate of Estimated Property Tax Revenue to be Produced from a Specified Amount of Millage, a copy of which is attached as Exhibit "B".

RESOLVED, that said levy be placed upon the tax lists of the current tax year 2006 to be first collected in 2007 in compliance with the provisions of Section 5705.34, if

a majority affirmative vote of the electors voting thereon vote in favor thereof; and, be it further

RESOLVED, that the Clerk of the Board of Trustees of Boston Township be and she is hereby directed to certify a copy of this Resolution to the Board of Elections, Summit County, Ohio, not less than seventy-five days before an election, and notify said Board of Elections to cause notice of election on the question of levying said tax to be given as required by law. The next election being, May 2, 2006.

FURTHER, pursuant to O.R.C. Sec. 5705.129, the form of a ballot for the Police Protection replacement levy shall read:

**PROPOSED TAX LEVY-(REPLACEMENT)
BOSTON TOWNSHIP**

A majority affirmative vote is necessary for passage.

A replacement of an existing tax for the benefit of Boston Township, Summit County, Ohio, for the purpose of providing and maintaining the payment of contract costs incurred and other costs incurred to obtain police protection for Boston Township, at a rate not exceeding 7 mills for each one dollar of valuation, which amounts to \$.70 cents for each one hundred dollars of valuation for 5 years, commencing with the 2006 tax year, first collection 2007.

_____ FOR THE TAX LEVY

_____ AGAINST THE TAX LEVY

Trustee Jerry Ritch seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Randolph Bergdorf:	YES
Amy Anderson:	YES
Jerry Ritch:	YES

Adopted the 25th day of January 2006.

CONTRACTS AND APPOINTMENTS: The previously approved contract with J & J Refuse for rubbish pickup was executed.

APPROPRIATIONS: **Motion** Bergdorf, seconded by Ritch, to approve: Supplemental, \$552.00 from 1000-110-317 (consultants) to 1000-110-382 (liability) insurance to cover balance of new umbrella insurance policy. All voting, Yes.

TRANSFERS/ADVANCES **None**

PURCHASE ORDERS: **Motion** by Bergdorf, Seconded by Ritch to approve the following purchase orders:

SBC 45-2006, \$552.00, 1000-110-382, to cover balance of new umbrella insurance policy .

All voting, YES

BANK RECONCILIATION; **None**

APPROVAL OF PAYROLL: **MOTION** by Ritch, seconded by Bergdorf to accept the payroll as prepared by Clerk Noragon. All voting yes.

APPROVAL FOR PAYMENT OF BILLS: **MOTION** by Ritch seconded by Bergdorf to pay the bills prepared by Clerk Noragon. All voting yes.

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

CHAIRMAN

CLERK