

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

**January 11, 2006**

Present at this regular meeting of the Boston Township Trustees were Randy Bergdorf, Amy Anderson, Jerry Ritch, 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.** The monthly incident reports were reviewed with the Township Trustees by Chief McCue of the Peninsula Police Department. Chief McCue reported that all is going well and there are no known problems in the township. Trustee Anderson informed the Chief that a presentation in regard to the Reverse 911 system available in Summit County will be made at the February 8, 2006 meeting of the township and the village.

**Approval of Minutes:** The trustees reviewed the minutes of the December 28, 2005 meeting submitted by the clerk. **Motion** by Bergdorf seconded by Ritch, to approve the minutes as submitted. All Voting, Yes

The trustees reviewed the minutes of the January 4, 2006 Organizational meeting of the trustees submitted by the clerk. **Motion** by Ritch, seconded by Bergdorf to approve the minutes as submitted. All Voting, Yes.

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

**Township Buildings and Grounds.** Tim Tesmer is concerned about the broken lock on the outside of the "sheriff's" door. The trustees authorized the replacement of the lock. Tim Tesmer also needs a key to the furnace room where township property is stored. The BTHC 's construction committee has met. The current renovations should be completed within the next few months and the space hopefully will be available for rental. Trustee Jerry Ritch reported that the next major project that the BTHC will be taking on is the roof replacement.

**Valley Fire District Update.** Trustee Amy Anderson reported on the meeting of the fire board held on January 10, 2006. She reported that Grover Miller was elected chairman of the fire board for 2006. Joe Badger's term has expired and the Village and Township representatives have recommended that he be appointed for a new 3 year term subject to the approval of Peninsula and Boston Township. **MOTION** by Anderson, seconded by Ritch that Joe Badger be appointed for a 3 year term on the fire board, said term expiring on December 31, 2008. All voting, YES. Trustee Anderson indicated that Kim Haramis was appointed clerk of the fire district for a term of one month until the next fire board meeting. Mr. Haramis was not in attendance at the meeting and there are questions of his future plans, and/or intentions to remain as clerk. The matter will be reviewed with Mr. Haramis at the next fire board meeting. Ms. Anderson reported that there was no further news about the lease being prepared by the NPS for the Dogwood Lane site. The fire board did review various proposed plans for the new station. Ms Anderson reported that the board approved the same compensation for the members of the fire department as last year, except for a small increase for mechanic work hours. Also, compensation for a training officer was set. Two firefighters have left the department. Ms. Anderson reported that the fire district is requesting that the village install address markers on village properties similar to those previously installed in the township.

**Road Department.** The road department has reported that all the equipment is in good working order and that all is going well. We have been fortunate that the weather has been somewhat mild lately.

**Future Planning.** The trustees reviewed the JEDD matters to date. Nick Kostandarus is sponsoring the JEDD through County Council. Al Schrader has sent time stamped copies of the documents filed plus his anticipated schedule of events. Copies were given to each trustee.

**Zoning.** Zoning Inspector Paul Kaczmarski was present. He updated the Trustees in regard to what is happening relative to zoning in the township. Among the topics discussed were the Church in the Valley; current matters before the Board of Zoning Appeals; the inspection of the cell towers in the township; and the follow through in regard to the regulation of junk cars in the township. The trustees also reviewed the need of possible assistance for the zoning inspector due to increased activity associated with zoning. The trustees asked that Paul Kaczmarski submit a proposed job description for an assistant to be reviewed and acted upon by the Trustees.

Wes Bergdorf also gave a report. He indicated that Lida Flowers will assist in the preparation of the minutes for the zoning boards.

**Other Business:** Legal counsel, Ed Pullekens, gave Clerk Noragon the bonds of Amy Anderson and Jerry Ritch that were approved by Judge Kim Hoover, of the Cuyahoga Falls Municipal Court. The bonds will be retained by the clerk in the township's records.

Trustee Amy Anderson indicated that she has given Nick Kostandarus, Summit County Council representative, information in regard to the Sagamore Hills-Stanford Road matter. She will follow up on the matter.

The Joint Meeting with Peninsula at Boston Township will be held on February 8, 2006. The Trustees approved a presentation on the reverse 911 system be added to the agenda of the joint meeting.

Clerk Noragon reported that Scottsdale Insurance has given the township a one year extension on the handbook requirement.

Clerk Noragon reported that Scottsdale has informed her that the terrorism coverage can be declined if the township so wished.

The Trustees discussed the wisdom of adding an umbrella liability coverage policy for an additional one million dollars. After discussion, a **MOTION** by Anderson, seconded by Ritch, to approve the quote submitted by Seibert-Keck in the amount of \$1,675 for an umbrella coverage. All Voting, YES.

The Clerk again reviewed the audit quote from Harris.

In regard to the GASB conversion, Clerk Noragon indicated that she called the Auditor of State's office in regard to the matter. The Auditor's office informed her that it predicted that less than 50% of the entities will convert and that less than 30% of the townships will convert. Clerk Noragon indicated that she does not anticipate the conversion by Boston Township.

Road employee, Doug Mayer, has requested assistance in regard to taking CDL practical test training from Cheryl Cox, an

instructor also under contract with Cuyahoga Falls and Woodridge. The cost is \$18 per hour. He requests the township authorize up to 5 hours of training not to exceed \$90.00. **Motion** by Ritch, seconded by Bergdorf to approve the payment for training not the exceed \$90.00 for Doug Mayer as set forth. All voting, YES.

Clerk Noragon reported that she has received 5 employee handbooks from various communities. Peninsula Library, Peninsula Village and Richfield Township have all used the same standard template. Bath and Springfield Townships have large, independently prepared handbooks. The Trustees will review the documents received.

**POLICE LEVY.** The current police levy will be expiring at the end of this year. Clerk Noragon reviewed with the Trustees the financial information she has researched in regard to the needs of the township. She gave each of the Trustees a copy of her projections. Clerk Noragon reported that the auditor’s office has informed her that the township can request certifications as required by law for different levy amounts. The trustees discussed the pros and cons of placing a replacement levy and/or a renewal levy on the ballot in May, 2006. The Clerk advised the Board as to the notice requirements of Section 121.22 of the Revised Code. After discussion, the trustees made the following motions to ask for certification from the auditor’s office for a replacement levy with millage rates of 7 mils, 7 1/2 mils, and 8 mils:

**Resolution for certification of a 7.0 mil replacement levy:**

Amy Anderson moved the adoption of the following Resolution:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF BOARD OF TRUSTEES  
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  
AND  
REQUESTING THE SUMMIT COUNTY AUDITOR 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.**

**WHEREAS**, the Board of Trustees of Boston Township finds that the amount of taxes which may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of Boston Township, Summit County, Ohio and that it is necessary to levy a 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

**WHEREAS**, in accordance with Division (B) Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.19 of the Revised Code, this Township must request that the Summit County Auditor certify (i) the total current tax valuation of the unincorporated portion of Boston

Township and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of the Board of Trustees of Boston Township declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is 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 the proposed levy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Boston Township, Summit County, Ohio, that:

Section 1. This Board declares that it is necessary to levy, for a period of 5 years, a replacement 7 mill ad valorem property tax outside 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 that it intends to submit the question of that replacement levy to the electors at an Election on May 2, 2006, as authorized by Section 5705.19 of the Revised Code; said levy is a replacement levy.

Section 2. This Board requests the Summit County Auditor to certify to it both (i) the total current tax valuation of the unincorporated portion of Boston Township and (ii) the dollar amount of revenue that would be generated by the 7 mill replacement levy specified in Section 1.

Section 3. The Clerk of this Board is authorized and directed to deliver promptly to the Summit County Auditor a certified copy of this Resolution.

Section 4. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held in meetings open to the public and in compliance with the law.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

Randy Bergdorf seconded the motion.

Upon roll call on the adoption of the Resolution the vote was as follows:

|                    |      |
|--------------------|------|
| Randolph Bergdorf: | yes  |
| Amy Anderson       | yes  |
| Gerald Ritch:      | yes. |

**Resolution for certification of a 7.5 mil replacement levy:**

Amy Anderson moved the adoption of the following Resolution:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF BOARD OF TRUSTEES  
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**

**AND**

**REQUESTING THE SUMMIT COUNTY AUDITOR 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.**

**WHEREAS**, the Board of Trustees of Boston Township finds that the amount of taxes which may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of Boston Township, Summit County, Ohio and that it is necessary to levy a 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

**WHEREAS**, in accordance with Division (B) Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.19 of the Revised Code, this Township must request that the Summit County Auditor certify (i) the total current tax valuation of the unincorporated portion of Boston Township and (ii) the dollar amount of revenue that would be generated by the levy; and

**WHEREAS**, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of the Board of Trustees of Boston Township declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is 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 the proposed levy;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Trustees of Boston Township, Summit County, Ohio, that:

Section 1. This Board declares that it is necessary to levy, for a period of 5 years, a replacement 7.5 mill ad valorem property tax outside 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 that it intends to submit the question of that replacement levy to the electors at an Election on May 2, 2006, as authorized by Section 5705.19 of the Revised Code; said levy is a replacement levy.

Section 2. This Board requests the Summit County Auditor to certify to it both (i) the total current tax valuation of the unincorporated portion of Boston

Township and (ii) the dollar amount of revenue that would be generated by the 7.5 mill replacement levy specified in Section 1.

Section 3. The Clerk of this Board is authorized and directed to deliver promptly to the Summit County Auditor a certified copy of this Resolution.

Section 4. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held in meetings open to the public and in compliance with the law.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

Randy Bergdorf seconded the motion.

Upon roll call on the adoption of the Resolution the vote was as follows:

|                    |      |
|--------------------|------|
| Randolph Bergdorf: | yes  |
| Amy Anderson       | yes  |
| Gerald Ritch:      | yes. |

**Resolution for certification of an 8.0 mil replacement levy:**

Amy Anderson moved the adoption of the following Resolution:

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF BOARD OF TRUSTEES  
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  
AND  
REQUESTING THE SUMMIT COUNTY AUDITOR 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.**

**WHEREAS**, the Board of Trustees of Boston Township finds that the amount of taxes which may be raised within the ten mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of Boston Township, Summit County, Ohio and that it is necessary to levy a 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

WHEREAS, in accordance with Division (B) Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Section 5705.19 of the Revised Code, this Township must request that the Summit County Auditor certify (i) the total current tax valuation of the unincorporated portion of Boston Township and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, upon receipt of a certified copy of a resolution of the Board of Trustees of Boston Township declaring the necessity of the tax, stating its purpose, whether it is an additional levy or a renewal or a replacement of an existing tax, and the Section of the Revised Code authorizing its submission to the electors, and requesting such certification, the County Auditor is 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 the proposed levy;

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of Boston Township, Summit County, Ohio, that:

Section 1. This Board declares that it is necessary to levy, for a period of 5 years, a replacement 8.0 mill ad valorem property tax outside 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 that it intends to submit the question of that replacement levy to the electors at an Election on May 2, 2006, as authorized by Section 5705.19 of the Revised Code; said levy is a replacement levy.

Section 2. This Board requests the Summit County Auditor to certify to it both (i) the total current tax valuation of the unincorporated portion of Boston Township and (ii) the dollar amount of revenue that would be generated by the 8.0 mill replacement levy specified in Section 1.

Section 3. The Clerk of this Board is authorized and directed to deliver promptly to the Summit County Auditor a certified copy of this Resolution.

Section 4. This Board finds and determines that all formal actions of this Board and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Board and of any of its committees that resulted in such formal actions were held in meetings open to the public and in compliance with the law.

Section 5. This Resolution shall be in full force and effect from and immediately upon its adoption.

Randy Bergdorf seconded the motion.

Upon roll call on the adoption of the Resolution the vote was as follows:

Randolph Bergdorf: yes  
Amy Anderson yes  
Gerald Ritch: yes.

**CONTRACTS AND APPOINTMENTS:** None.

**APPROPRIATIONS:** None.

**TRANSFERS/ADVANCES:** **Motion** by Anderson, Seconded by Bergdorf to approve the transfer of \$42,371.73 from investment to checking (\$7,146.00 for insurance premiums; \$35,225.73 for police contract). All voting YES. Star Ohio check 5004 signed by Joanne Noragon and Amy Anderson.

**Motion** by Anderson, Seconded by Bergdorf to approve the transfer of \$9,025.00 from investment to checking (\$1,825 for police; \$5,400 for salt, \$1,800 Workers' Comp.) All Voting, YES. Joanne Noragon and Amy Anderson signed star Ohio check 5005.

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

| Super Blanket Number | Expenditure # | Description             | Amount   |
|----------------------|---------------|-------------------------|----------|
| 1-2006               | 1000-110-221  | Medical/Hospitalization | \$16,100 |
| 2-2006               | 1000-110-311  | Accounting/Legal Fees   | 30,000   |
| 3-2006               | 1000-110-321  | Auditing Services       | 6,000    |
| 4-2006               | 1000-110-313  | UAN Fees                | 3,000    |
| 5-2006               | 1000-110-342  | Postage                 | 500      |
| 6-2006               | 1000-110-381  | Property Insurance      | 6,000    |
| 7-2006               | 1000-110-382  | Liability Insurance     | 3,000    |
| 8-2006               | 1000-110-383  | Fidelity Bond Premiums  | 2,500    |
| 9-2006               | 1000-110-410  | Office Supplies         | 1,500    |
| 10-2006              | 1000-110-599  | Other Expense           | 5,000    |
| 11-2006              | 1000-120-321  | Rents/Leases            | 9,000    |
| 12-2006              | 1000-120-323  | Repairs/Maintenance     | 10,000   |
| 13-2006              | 1000-120-341  | Telephone               | 1,500    |
| 14-2006              | 1000-120-351  | Electricity             | 2,000    |
| 15-2006              | 1000-120-353  | Natural Gas             | 2,500    |
| 16-2006              | 1000-120-420  | Operating Supplies      | 1,200    |
| 17-2006              | 1000-120-599  | Other Expense           | 2,000    |
| 18-2006              | 1000-130-410  | Office Supplies         | 1,000    |
| 19-2006              | 1000-310-360  | Contracted Services     | 3,500    |
| 20-2006              | 1000-290-360  | Contracted Services     | 4,000    |
| 21-2006              | 1000-330-323  | Repairs/Maintenance     | 50,000   |
| 22-2006              | 1000-330-351  | Electricity             | 1,000    |
| 23-2006              | 1000-330-353  | Natural Gas             | 1,500    |
| 24-206               | 1000-330-360  | Contracted Services     | 10,000   |
| 25-2006              | 1000-330-420  | Operating Supplies      | 10,000   |
| 26-2006              | 1000-330-740  | Machinery/Equipment     | 10,000   |
| 27-2006              | 2011-330-323  | Repairs/Maintenance     | 4,400    |
| 28-2006              | 2011-330-360  | Contracted Services     | 4,400    |
| 29-2006              | 2011-330-420  | Operating Supplies      | 2,000    |
| 30-2006              | 2011-330-430  | Small Tools             | 1,000    |
| 31-2006              | 2021-330-323  | Repairs/Maintenance     | 5,000    |

|         |              |                        |         |
|---------|--------------|------------------------|---------|
| 32-2006 | 2021-330-360 | Contracted Services    | 15,000  |
| 33-2006 | 2031-330-323 | Repairs/Maintenance    | 4,000   |
| 34-2006 | 2031-330-351 | Electricity            | 3,500   |
| 35-2006 | 2031-330-353 | Natural Gas            | 1,500   |
| 36-2006 | 2031-330-420 | Operating Supplies     | 6,000   |
| 37-2006 | 2031-330-430 | Small Tools            | 1,000   |
| 38-2006 | 2181-130-383 | Fidelity Bond Premiums | 1,000   |
| 39-2006 | 2181-130-599 | Other Expense          | 1,000   |
| 40-2006 | 2191-210-360 | Contracted Services    | 146,000 |
| 41-2006 | 2231-330-323 | Repairs/Maintenance    | 2,000   |
| 42-2006 | 2231-330-420 | Operating Supplies     | 7,000   |
| 43-2006 | 2901-120-730 | Improvement of Sites   | 59.29   |
| 44-2006 | 1000-290-599 | Public Safety          | 500     |

All voting, YES

**BANK RECONCILIATION;**      **Motion** by Ritch, seconded by Bergdorf to approve the December 2005 bank reconciliation reported submitted by Clerk Noragon. All voting, YES.

**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.

**EXECUTIVE SESSION:**      **MOTION** by Anderson, Seconded by Bergdorf to go into executive session for the purpose of discussion of a legal contract issue. Upon roll call vote the Trustees voted as follows: Anderson, YES; Bergdorf, YES, Ritch, YES. The trustees; entered executive session at 9:30 PM. The trustees reconvened the meeting at 9:45 PM, announcing that they reviewed a legal contract issue and that no official actions were taken while in executive session.

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

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CHAIRMAN

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CLERK