

**BOSTON TOWNSHIP TRUSTEES
MINUTES OF THE REGULAR MEETING
April 28, 2004**

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

The trustees asked that Edward C. Pullekens take the minutes of the meeting.

GUESTS: The Trustees acknowledged the attendance at the meeting of Nick Kostandaras, candidate for Summit County Council. Mr. Kostandaras gave a brief update of his position in regard to issues facing Boston Township in which the County may be of help.

The Trustees also acknowledged the attendance of Robin C. Patton, Area Manager, from Ohio Edison. She is the new liaison to Boston Township from Ohio Edison. Her office address is 470 E. Highland Road, Macedonia, OH 44056. She can be reached at 330-650-2103 should there be a problem in service.

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

Police Protection Report. Amy Anderson indicated that she had numerous conversations with Jim Jones in regard to a break-in at his storage unit business on Route 8. He indicated that there should be more police patrols in the evening. Ms. Anderson has been in contact with the Summit County Sheriff's office in regard to the matter. Mr. Jones further indicated that he will be installing additional security cameras and other devices on his property. Ms. Anderson further indicated that Lida Flowers has contacted her in regard to mud being left on her road by trucks. Ms. Anderson indicated that she has reviewed the matter with the Sheriff. Finally, Ms. Anderson reported that a new Captain will be appointed by the Sheriff's office for the Boston Township area within the next 2 weeks. Trustee Bergdorf commented on the trucks parking on Barlow Road. There appears to be no access for safety vehicles. Trustee Puchalsky asked legal counsel, Ed Pullekens, to review the status of the bill pending in the Ohio Legislature which changes the procedure in vacating a township road. It may be time to readdress the vacation of the area of Barlow Road that is in question. Trustee Bergdorf also reported that he received a phone call from Jerri Bolt, a resident at Mobile Manor. She indicated that the Sheriff stopped one of her guests over a turn signal violation and she was upset over the amount of time the guest was questioned. Finally, Ken Bauza, a resident from Boston Mills Road, who was in attendance, complained that he was not seeing Sheriff patrols on his road.

Township Buildings and Grounds. The next meeting of the Boston Township Hall Committee will be held on May 20, 2004 at 7:30 PM. Trustee John Puchalsky indicated that he would attempt to appear on behalf of the Township. The trustees reviewed the various projects being looked at by the BTHC for the improvement of the Townhall property. Trustee Randy Bergdorf indicated that he has concern about work being done by the adjacent homeowner, Mr. Morris, near or on the Townhall property. Mr. Puchalsky will look at the matter and refer the issue to the BTHC for their review.

The Trustees reviewed the new legislation that was enacted by the State legislature and signed into law by the Governor that would permit properly

licensed persons to carry a concealed handgun. The new legislation provides, in part, that, "no person shall knowingly possess, have under the person's control, convey, or attempt to convey a deadly weapon or dangerous ordinance onto the premises of a government building, office, and other areas'. Ohio Revised Code Section 2923.1212 requires that person(s) responsible for government buildings, offices, and other areas post a sign in a conspicuous place which indicates that no person shall knowingly possess a firearm on the premises. Such a sign must be posted at the township hall, fire station, police station, or other such property leased or owned by the township.

MOTION by Bergdorf, seconded by Puchalsky that all township buildings and offices post signs in accordance with ORC 2923.1212 of the Ohio Revised Code warning that no person shall knowingly possess a firearm on the premises controlled by the Township. All voting, YES.

The Trustees have purchased commercially produced warning signs and they will be posted at all the entrances to the township property. The township employees will also be instructed about the new law and how it also affects carrying a weapon in township vehicles.

Valley Fire District Update. John Puchalsky gave an update in regard to the ongoing septic issue for the proposed new site for the fire station. He indicated that he has participated in numerous meeting with various officials in regard to issue. There are numerous issues that still must be addressed. He felt that answers to the questions posed would be forthcoming within the next few weeks. Mr. Puchalsky indicated that he would keep the Trustees updated on all developments.

Road Department. Mr. Puchalsky reviewed the status of the garage door and roof projects involving the Township garage. The doors were installed today, and the roof should be completed within the next few days. Mr. Puchalsky indicated that he has inspected Oak Hill Road and it appears that road slippage has occurred. The matter has been referred to the Summit County Engineer for review. Mr. Puchalsky reported the problem with the cistern is that there appears to be no concrete bed in one half of the unit. The matter is being rectified by the BTHC. Ms. Anderson reported that Tim Tesmer has provided her with a proposal for a computer for the road department. After researching the issue, Mr. Tesmer has recommended that the township approve the purchase of a Dell system not to exceed \$1,200.00.

MOTION by Bergdorf, seconded by Puchalsky, that Mr. Tesmer is authorized to purchase a computer system from Dell Computer for road department use at a cost not to exceed \$1,200.00. All voting, YES.

The Trustees reviewed the various designs for a logo for township equipment. The Trustees authorized Randy Bergdorf to follow through with the matter.

Trustee John Puchalsky indicated that the mowing tractor needs repairs. Although the tractor was purchased in 1983, it is in relatively good condition inasmuch as its use is limited. Mr. Puchalsky indicated that the repairs would be a good investment inasmuch as the unit has value to the Township.

Trustee Bergdorf indicated that he has received the cooperative agreement in regard to Stine Road from the National Park Service. Upon review of the matter, the Trustees authorized Mr. Bergdorf to execute the document on behalf of the Township.

MOTION by Bergdorf, seconded by Puchalsky, to authorize the execution of Cooperative Agreement #H6160040004 with the NPS for the repairs to Stine Road with the NPS agreeing to pay for the chip and seal at a cost of 90% of the construction cost not to exceed \$3,879.00. All voting, YES.

Ms. Anderson gave the Trustees an update of a meeting she attended where the NPS reviewed the projects it would be undertaking this year.

In regard to the damaged guardrail on Hines Hill Road, Mr. Pullekens indicated that the wrongdoer's insurance company responded to his office and that Mr. Pullekens directed the insurance company to Tim Tesmer. Mr. Puchalsky said it was his understanding from talking to Tim Tesmer that the matter has been resolved.

The trustees reviewed the estimates prepared by Davey Tree for the removal of various trees in the road right-of-way. **MOTION** by Puchalsky, seconded by Bergdorf, to approve the hiring of Davey Tree to remove the dead trees as specified. All voting, YES.

Future Planning. Mr. Pullekens reported that after various attempts he was able to reach attorney Al Schrader late this afternoon. Mr. Schrader reported that he reviewed the next steps in the JEDD process with Sue Truby and Virgil Arrington of Cuyahoga Falls. The Cuyahoga Falls officials felt that due to the recent transfer of the community block grant administration to Cuyahoga Falls, that its economic development department did not have the time to circulate petitions, etc. Mr. Schrader indicated that it was his recommendation that the JEDD Agreement be placed on the November ballot. He also suggested that the JEDD be filed with County Council as soon as a decision was reached on how to proceed. He said he could not attend tonight's meeting inasmuch as he was going to be at another meeting outside the county. He did provide a telephone number if the Trustees had questions.

Upon review of the matter, the Trustees again expressed their displeasure on how the matter is progressing. The trustees felt that the petition process should be commenced. Mr. Pullekens indicated that he has draft petitions supplied by Mr. Schrader, and that he would forward copies to the Trustees for their review and comment. Mr. Pullekens further indicated that he would address the various concerns expressed by the Trustees in a letter to Al Schrader. All were in agreement that Mr. Schrader should review the petitions, processes, etc. before actual circulation.

Zoning. Wes Bergdorf updated the trustees in regard to the matters being reviewed by the Township zoning boards. A conditional zoning permit for the property owned by Mary Faktor was issued, with the caveat that the matter would be reviewed in 6 months. Other issues involving Geophert Road were reviewed.

Zoning Inspector, Paul Kaczmarski reported to the Trustees the status of the unlicensed vehicle letters that he has sent out. He stated that the letters are producing results and that many of the problems are being resolved. He is in the process of reviewing each property. Citation letters will be sent, if needed.

Other Business: Clerk Joanne Noragon reported that the township has been notified by the Summit County Budget Commission that the township will be charged the sum of \$7,449.54 as the township's share for apportionment of costs for the Summit County Health District for the year 2005 per ORC 3079.28.

Amy Anderson reported that she attended the Cuyahoga Valley Communities Council meeting today. The matter in regard to the amendment to the Code of Regulations was reviewed. After much heated discussion, Ms. Anderson said that the matter would be readdressed by the Cuyahoga Valley Communities Council at its September 2004 meeting. The trustees expressed their concerns on the direction being taken by the Cuyahoga Valley Communities Council.

CONTRACTS AND APPOINTMENTS: NONE

APPROPRIATIONS: NONE

PURCHASE ORDERS: **MOTION** by Puchalsky, seconded by Bergdorf, to approve the following Purchase Orders submitted by Clerk Noragon:

PO 6-2004	\$2,250.00	1000-120-323-0000
PO 7-2004	\$4,830.00	1000-120-323-0000
PO 8-2004	\$ 976.42	1000-420-370-0000

All voting **YES**.

ADVANCES: NONE

APPROVAL OF PAYROLL: **MOTION** by Puchalsky, seconded by Bergdorf to approve the payroll as submitted by Clerk Noragon. All voting, **YES**.

MOTION FOR PAYMENT OF BILLS: **MOTION** by Puchalsky, seconded by Bergdorf, to pay the bills prepared by Clerk Noragon. All voting, **YES**.

BANK RECONCILIATION: **MOTION** by Puchalsky, seconded by Bergdorf, to approve the bank reconciliation statement as presented by the clerk. All voting, **YES**

APPROVAL OF MINUTES: **MOTION** by Puchalsky, seconded by Bergdorf, to approve the minutes for the meeting of April 14, 2004 as presented by Clerk Noragon. All voting, **YES**

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

CHAIRMAN

CLERK