

**BOSTON TOWNSHIP TRUSTEES
MINUTES OF THE REGULAR MEETING
April 14, 2004**

Present at this regular meeting of the Boston Township Trustees were Randy Bergdorf, Amy Anderson, John Puchalsky, and 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.

JEDD Update: Attorney Al Schrader who is representing Boston Township in regard to the JEDD and Annexation Agreements with the City of Cuyahoga Falls appeared at the meeting at the request of the Trustees. The Trustees expressed their opinions in regard to their understanding of how the JEDD Agreement was going to be finalized. The Trustees were all of the understanding that everything was ready to be finalized once the Agreements were signed by both communities. Mr. Schrader indicated that he apologized for any misunderstanding. Mr. Schrader set forth the following steps which by law must still be completed:

1. The JEDD agreement must be presented to Summit County Council as required by ORC 715.78.
2. A petition signed by a majority of owners of the property located within the area to be included in the District.
3. A petition signed by a majority of owners of the businesses located within the area or areas to be included within the District.
4. In lieu of the petitions set forth in 2 and 3 above, the JEDD Agreement can be put on the November ballot for the majority vote of the residents of Boston Township.

Each of the Trustees expressed their displeasure of the fact that Mr. Schrader did not set forth the requirements of obtaining the petitions of the business owners and property owners in lieu of putting the matter on the petition. Again, Mr. Schrader apologized for the misunderstanding.

The Trustees then reviewed with Mr. Schrader how his being an appointed member of County Council affects his representation of the Township. Mr. Schrader indicated that he has obtained legal opinions that he can continue representation of the Township, but that he would have to abstain from discussions and actions before County Council involving the JEDD. He also asked that Ed Pullekens do the actual presentation to County Council on behalf of the Township.

The Trustees indicated that they wanted the matter expedited. The next step according to Mr. Schrader is to set up a meeting with the law director of Cuyahoga Falls, Virgil Arrington, and officials from the planning and economic development departments of Cuyahoga Falls, to develop a plan of how to present the petitions to the business and property owners. Mr. Schrader indicated that he would set the meeting up as soon as possible. Mr. Schrader indicated that he would coordinate the matter Ed Pullekens' office.

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

Police Protection Report. The Sheriff provided an updated report of activities in the township. Copies were give to each Trustee. Amy Anderson reviewed the various citations for the month of March, 2004. The Sheriff's office indicated that it

has received a STEP grant which will allow for an expanded program of traffic enforcement. John Puchalsky asked that the Sheriff's office contact the Valley Fire Department in regard to coordinating efforts when a call is received. Amy Anderson reported that Jay Pedone, a member of Peninsula Village Council, contacted her and told her that his study group is still looking into the concept of a Police District, but a change in Ohio law would have to be effectuated. Mr. Pedone further indicated to Amy Anderson that the Village of Peninsula would be submitting a proposal to the Township to provide police protection for the Township.

Township Buildings and Grounds. Minutes of the regular meeting of the Boston Township Hall Committee held on January 15, 2004 were distributed to the Trustees. An election of trustees of the BTHC whose terms are expiring will be held in May, 2004. Amy Anderson reviewed what transpired at the March 18, 2004 meeting of the BTHC, including the status of the roof replacement/renovations; water holding tank problems and other various matters discussed. John Puchalsky reported on the status of repairs to the garage.

Valley Fire District Update. John Puchalsky gave a complete update on what was happening in regard to the problems associated with the EPA concerning the proposed new fire station. He indicated that 2 meetings have been set for next week to attempt to get a final resolution to the issues with the EPA. Things look promising, but the issues should be answered within the next 2 weeks. Mr. Puchalsky stated that Assistant Chief, Dave Morehouse, would be attending the Emergency Management training meeting. Further, 12 firefighters will be taking swift water training this month. Finally, 3 representatives of the Valley Fire District would be attending the FDIC conference and training in Columbus.

Road Department. Trustee Anderson reported that Tim Tesmer is working with the NPS in regard to using the balance of the grant money awarded by the NPS for further improvement of the Hines Hill area. The damaged guardrail on Hines Hill will be replaced by the County with the insurance company of the person(s) who damaged the guardrail paying for the costs. Drafts of the proposed Township logo being considered for placement on the Township vehicles were circulated. The Trustees will follow thru with the ideas and proposed changes. Trustee Puchalsky indicated that he was informed that Davey Tree Company appears to be the most qualified and cost effective company in regard to removing the large damaged trees located in various locations in the road right-of-way. The Trustees indicated that due to the possible exposure of the Township, the damaged trees should be removed as soon as possible. Mr. Puchalsky indicated he would review the entire matter with Tim Tesmer in order to get the matter resolved.

Mr. Puchalsky reviewed the status of the garage door and roof projects involving the Township garage. He indicated that he has done a complete review of both projects and had reviewed the renovations with the BTHC. After discussion, Mr. Puchalsky made the following motions:

MOTION by Puchalsky, seconded by Bergdorf, to approve the proposal of Action Door in the amount of \$2,250.00 to replace the garage doors at the road department garage. All voting, YES.

MOTION by Puchalsky, seconded by Bergdorf, to approve the proposal of Synthetic Mastics Roofing to replace/repair the roof over the township garage in an amount of \$4,830.00. All voting, YES. The contract for the roof project was executed and Clerk Noragon was asked to send the contract to Synthetic Mastics.

Trustee Bergdorf announced that the NPS has notified the Township that the Township's request for funding for Scobie Road has been denied. However, the NPS

has awarded the Township the sum of \$3,879.00 for repairs on Stine Road. An Application for assistance needs to be filled out. The Trustees asked Randy Bergdorf to follow thru with the paper work since he had completed the prior applications on behalf of the Township. The Trustees also asked that Randy Bergdorf check with Summit County about when the Block Grant Applications will be available.

The Trustees reviewed the complaint made by Leonard Prusak in regard to the condition of Boston Mills Road. Most of the damage is in Richfield Township. The Trustees have been informed that the road will be repaired by the County. In regard to Kendall Road, the County has indicated that the repairs on that road should commence forthwith.

Clerk Noragon reported that the computer Tim Tesmer has been using for road department purposes is no longer usable. The Trustees indicated that Tim Tesmer should put a proposal together in regard to a new computer and software that he needs. The matter will be discussed at a future meeting of the Trustees.

Future Planning. Amy Anderson indicated that it is imperative that the JEDD Agreement be followed thru on .

Zoning. Wes Bergdorf distributed copies of the minutes of the March 23, 2004 meeting of the Boston Township Board of Zoning appeals. The conditional zoning permit for the property owned by Mary Faktor will be reviewed on April 27, 2004 by the BZA. Earlier at the meeting Dale and Julie Brooks appeared at the meeting in regard to zoning problems concerning a property adjacent to their property. Legal counsel, Ed Pullekens, indicated to Mr. and Mrs. Brooks that the issue is being reviewed and pursued by the Township Zoning inspector, Paul Kaczmariski, and that they should contact him in regard to the status of his review. Zoning matters of this type are administered by the zoning inspector and the various township zoning boards.

Other Business: Clerk Joanne Noragon reported that the Summit County Board of Elections has informed her that she does not have to run for the unexpired term of township clerk until the November, 2005 general election. Clerk Noragon indicated that she will be transferring \$30,000.00 from the Township checking account to the Township STAR Ohio account. **MOTION** by Puchalsky, seconded by Bergdorf to approve the transfer. All voting, YES.

CONTRACTS AND APPOINTMENTS: NONE

APPROPRIATIONS: NONE

PURCHASE ORDERS: NONE

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 for March, 2004 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 March 24, 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