

RECORD OF PROCEEDINGS

Minutes of the regular meeting of the Boston Township Board of Trustees

Meeting

DAYTON LEGAL BLANK CO. FORM NO. 10048

Held

May 8, 2002

19

Chairman Bergdorf called the meeting to order at 7:01 p.m.. Present were trustees Amy Anderson, Randolph Bergdorf and John Puchalsky, legal counsel Edward Pullekens and clerk Frank Kaczmariski.

Road Bids: The trustees opened the sealed bids for the Improvement of Various Township Roads by items 405 and 409, as advertised. The bid, by Lytle Construction, in the amount of \$ 50,942.40, was the only bid submitted. **MOTION** by Anderson, seconded by Puchalsky, that the bid be forwarded to Tim Tesmer for his review and analysis. All "aye".

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Cuyahoga Valley Communities Council - Michael Kaplan and Peter Henderson: Mr. Kaplan gave a brief summary of the make up of the CVCC, it's officers and trustees and membership of the Council. He asked the township trustees for any input regarding the present and future activities of the CVCC. Marty Griffith read a letter, he had prepared, regarding what he considered to be a "breakdown" of the stated policy of the NPS and the CVCC to promote "open discussion and communication between the Cuyahoga Valley National Park and the members of the Cuyahoga Valley Communities Council". The specific issue he addressed was the planned acquisition of four parcels of property, by the Cuyahoga Valley National Park, three from within Boston Township. He indicated that this acquisition had been discussed with neither the township trustees nor the Cuyahoga Valley Communities Council even though the CVNP has had it under consideration for at least three years.

Chairman Randy Bergdorf gave copies to Mr. Kaplan and Mr. Henderson of a recent opinion issued by the Summit County Prosecutor, regarding regulations of activities on land leased to private citizens by the Cuyahoga Valley National Park. Opinion number 02-038 states, "Boston Township has concurrent jurisdiction with the National Park Service with respect to land use issues for unincorporated areas of the township owned by the federal government located within the Cuyahoga Valley National Recreational Area. In the event of a conflict in the exercise of concurrent jurisdiction between the National Park Service and the township, the supremacy clause of the U.S. Constitution prevents the township from imposing its zoning powers in adverse fashion to the land use promulgated by the National Park Service. The township should work with the National Park Service in crafting zoning laws, which would enhance and protect the scenic and historic beauty of the Cuyahoga Valley National Recreation Area while maintaining the integrity of the township zoning plan."

MOTION by Anderson, seconded by Puchalsky, to table discussion on the request of the Cuyahoga Valley Communities Council for a contribution of \$ 960.00 from Boston Township in support of the CVCC's activities during 2002, until the next regularly scheduled meeting. All "aye".

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Correspondence Since the Last Meeting: Kaczmariski reviewed or read all correspondence received since the last meeting.

Police Protection Report: Anderson reported that she has been working with Sergeant Berry regarding visibility of Sheriff's patrols on Oak Hill and Major Roads.

Road Department Activity: Road Superintendent, Tim Tesmer, recommended that the road improvement bid submitted by Lytle Construction Company be accepted and acted upon. **MOTION** by Anderson, seconded by Puchalsky, to accept the bid by Lytle Construction Company, of \$ 50,942.40, for the improvement of various township roads by items 405 and 409. All "aye".

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Zoning Update: Wes Bergdorf mentioned that Jim Jones (condominium storage) was on the agenda for the next Board of Zoning Appeals meeting.

RECORD OF PROCEEDINGS

Minutes of the regular meeting of the Boston Township Board of Trustees

Meeting

DARTON LEGAL BLANK CO. FORM NO. 104B

Held

May 8, 2002 (page 2)

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Appropriations: MOTION by Anderson, seconded by Puchalsky, to approve the following supplemental appropriation:

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\$ 200.00 to 2011 330 430 0000 Small Tools and Minor Equipment
from 2011 330 323 0000 Repairs and Maintenance

All "aye".

Purchase Orders: MOTION by Anderson, seconded by Puchalsky, to approve the following Purchase Orders:

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BC 34-02	2031 330 351 0000	Electricity	600.00
BC 35-0	2031 330 430 0000	Small tools and minor equipment	500.00
BC 36-02	1000 110 312 0000	Auditing services	4500.00

All "aye".

Approval of Payroll: MOTION by Anderson, seconded by Puchalsky, to approve the payroll as presented. All "aye".

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Approval for Payment of Bills: MOTION by Anderson, seconded by Puchalsky, to pay all bills as presented. All "aye".

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MOTION by Anderson, seconded by Puchalsky, to adjourn the meeting. All "aye".
The meeting was duly adjourned at 9:28 PM..

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Chairman

Clerk