

RECORD OF PROCEEDINGS

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

Held

September 9, 1992

19

Present were Trustees Randy Bergdorf, Daniel Schneider, and John Puchalsky, Clerk Frank Kaczmarek and Legal Counsel Ed Pallekins.

Chairman Randy Bergdorf called the meeting to order at 7:03 PM.

92-0909
-01 A motion by Randy Bergdorf to approve the minutes of the July 22, July 27, July 29, August 3, and August 6, 1992 meetings, was seconded by Dan Schneider. Voting "yes" were Puchalsky, Schneider and Bergdorf. Motion passed.

92-0909
-02 A motion by John Puchalsky to approve the minutes of the August 12, 1992 meeting, was seconded by Randy Bergdorf. Voting "yes" were Schneider, Bergdorf and Puchalsky. Motion passed.

92-0909
-03 Trustee Bergdorf made a motion, seconded by John Puchalsky, to accept the minutes of the August 26, 1992 meeting. Voting "yes" were Schneider, Puchalsky and Bergdorf. Motion passed.

Clerk Kaczmarek presented a letter from the Sagamore Hills Township Board of Trustees in which the Trustees were requesting permission to install a Closure Gate on the Boston Township side of Stanford Road. After discussion on the request, Chairman Bergdorf asked Clerk Kaczmarek to draft a letter to the Sagamore Hills Trustees, requesting additional information regarding the legality of using the gate and any liability considerations.

Clerk Kaczmarek then read a letter he had faxed to the Ohio Department of Liquor Control, requesting a 30 day extension to the time limitation for requesting a hearing on the application for a new C-1 permit by Tassin Park Camping Resort.

Legal Consul, Ed Pallekins, reported on a decision in which township zoning regulations which were adopted at public meeting were held invalid due to prior deliberations at meetings which were not meetings opened to the public as provided per O.R.C. 121.22.

Mr. Pallekins also discussed the right of individuals to tape record public meetings as long as it was not disruptive to the meeting.

He then reported that he had a conversation with the State Fire Marshall's office regarding the underground storage tank removal issue. It has been determined that final testing needs to be done at the former UST site and that the approximate cost of the tests would be \$ 1200.00.

92-0909
-04 A motion by Trustee Schneider that Mr. Pallekins contact BJAAM Environmental Inc. to retake samples from the original site and perform the needed testing, was seconded by John Puchalsky. Voting "yes" were Bergdorf, Schneider and Puchalsky. Motion passed.

Trustee Schneider reported that he had been contacted by Mr. Clapp and was told that the estimated cost of repairing the tennis courts was \$ 20,000.00. Mr. Clapp indicated that he would soon be sending a letter addressing this issue to the Trustees.

Trustee Schneider then reported that he had personally investigated some of the complaints of Mr. Forcier concerning alleged zoning violations. He expressed his opinion that the Trustees should consider the possibility of hiring an assistant zoning inspector.

From the audience Mr. Forcier offered that there are many unreported zoning violations in the Route 8 corridor. He said that he feels all others should have the same restrictions as he.

Mr. Forcier then asked Mr. Pallekins if it were true that Zoning Inspector, Jim Jones, had been instructed to "stay off my property"? Mr. Pallekins replied that Mr. Jones had been advised that anything involving the current litigation should not be discussed without going through his counsel. Dan Schneider then mentioned that he felt it was important to get some help for the Zoning Inspector. Mr. Pallekins suggested that the Trustees meet with

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Mr. Jones in order to get his feelings and suggestions concerning this matter. Dan Schneider agreed to set up a meeting with the Zoning Inspector and the Trustees.

From the audience, Mr. DiNardi asked how openings on the Zoning Commission and the Board of Zoning Appeals were going to be filled. Chairman Bergdorf indicated that he would run an article in the Community News so that the entire community would be aware of the openings and possibly get some input for possible appointees. Mr. DiNardi mentioned, that in the past, there was no advertising and that the appointees were normally those persons recommended by the resigning or retiring appointees. A long discussion followed concerning zoning regulation enforcement, help for the Zoning Inspector, making of appointments to the zoning commission, meetings with the Police Department, and Trustees being called at their place of employment.

Trustee Schneider reported that the Township tractor is in need of repair. He felt that the repair should be covered under warranty.

Trustee Puchalsky reported that he has not received a response from the Road Superintendent concerning the Canal Street drainage problem nor the possibility of vacating the street.

Chairman Bergdorf read a letter from Northern Ohio Waste regarding the procedure to be used in disposing of all white goods (refrigerators, washers, dryers, stoves, etc.).

Mr. DiNardi asked whether or not rubbish bags were available in the 10 bag packages. He was told that Northern Ohio had indicated that the packages were available.

Chairman Bergdorf read a letter from Summit County, regarding Issue II emergency funding.

He also indicated that a representative of the Board of Trustees should be attending Peninsula Police Department meetings, held on Friday mornings at 11:15 AM. Trustee Schneider said that he would be able to attend the meetings, beginning in about eight weeks.

Trustee Schneider reported that the Road Superintendent would again call the County Engineer's office regarding Canal Street. He also reported that the drainage/flooding problem in that area was caused by beaver dams.

Trustee Bergdorf mentioned that he had received a note from former Trustee, Broderick and that anyone interested in reading the note could do so.

Trustee Dan Schneider made a motion, seconded by Trustee John Puchalsky, to accept the payroll and pay all bills as presented. Voting "yes" were Bergdorf, Puchalsky and Schneider. Motion passed.

92-0909
-05

From the audience Mr. DiNardi asked whether Boston Township had to "sign off" on Boston Mills request for Sunday liquor sales. Mr. Forcier said "no", it's just a "tack-on". Mr. Pallekins agreed, indicating that the change to an existing permit did not require approval by the Township.

Trustee Schneider made a motion that the Trustees enter "Executive Session" to discuss personnel policies and procedures. The motion was seconded by Trustee John Puchalsky. Voting "yes" were Bergdorf, Puchalsky and Schneider. Motion passed and the Trustees entered into "Executive Session".

92-0901
-06

Upon returning from "Executive Session", Trustee Bergdorf made a motion to adjourn. The motion was seconded by Trustee Puchalsky. Voting "yes" were Schneider, Puchalsky and Bergdorf. The motion passed and the meeting was adjourned at 9:15 PM.

92-0909
-07

Clerk

Chairman