

RECORD OF PROCEEDINGS

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

Record
Book

National Graphics Corp., Calh., O. Form No. 1897-0000

Held

August 26, 1992

19

Present were Trustees Randy Bergdorf and John Puchalsky, Clerk Frank Kaczmarek and Legal Counsel Ed Pullekine. Absent was Trustee Daniel Schneider Jr.

Chairman Randy Bergdorf called the meeting to order at 7:02 p.m.

Chairman Bergdorf reported that former Boston Township Clerk, Mary Averill, passed away on August 15, 1992.

He then read a letter of thanks from Karen Doty, who had attended the Trustee meeting of July 22, 1992.

Chairman Bergdorf then read a letter from the Summit County's Emergency Management Agency, regarding Hurricane Andrew Relief Efforts. (See attachment).

He also announced that the entire Zoning Commission would be in attendance to address the Trustees at 8:15 p.m..

Clerk Kaczmarek then reported that he had attended the annual Budget hearing earlier in the day, that Paul Swanson wishes to address the Trustees at our regularly scheduled meeting on October 14, 1992, and that the State Audit of Boston Township would begin within the next two or three days.

The Clerk then reminded the Trustees that some type of decision still had to be made concerning the Tennis Courts, the request of Mr. and Mrs. Ausperk, regarding Canal Street, and the Notice to Legislative Authority, regarding the request for a C-1 liquor permit for Tamsin Park.

Trustee Chairman, Bergdorf, indicated that the Trustees were waiting for the results of the School Board investigation of the tennis courts.

It was reported that Road Superintendent Anderson has not been in contact with the County Engineer's Office concerning the Canal Street issue.

Chairman Bergdorf indicated that an article concerning the liquor permit application had been placed in the "Community News" in hopes that it would generate some "feedback" from the Community.

After Legal Counsel Pullekine reviewed some considerations to be studied in the matter, Chairman Bergdorf asked if there were any questions, comments or concerns from the audience. Frieda Johnson of Keenan Road wanted to publicly state that she and her neighbors were very concerned that granting the permit would bring many problems similar to those being encountered on Steeles Corners Road in Cuyahoga Falls. She said that she felt a hearing was necessary and preferred that it be held in Akron rather than in Columbus.

Tom Jones of Kendall Park Road and owner of property adjacent to Tamsin Park began to voice his concerns regarding the possible issuing of a liquor permit but was interrupted by Mr. Forcier of Tamsin Park. Mr. Forcier objected to any "discussion of zoning because it is inappropriate to consider any matter in litigation". Mr. Jones finished his statement and then submitted his list of concerns to the Board.

Bertha Jones then offered a number of reasons why the liquor permit should not be granted. One of the reasons she gave was the close proximity to other permit holders. She strongly submitted that "We don't need more liquor permits in this area".

Mr. Forcier offered his reasons for applying for the permit and stated that "There are two C-1 and two C-2 permits available in this area, and if they didn't want any more, then the permits wouldn't be available". He also indicated that his request had already been approved.

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10-100-100

National Graphics Corp., Cole, O. Form No. 100

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	Trustee Bergdorf indicated that this matter should be reviewed by the entire Board of Trustees and that in fairness to all concerned, he would like to have more input from other community members.	
	Trustee Bergdorf made a motion, seconded by Puchalsky, that the Clerk formally request a thirty day extension of the September 2, 1992, deadline for filing objections to the issuing of the permit by the Ohio Department of Liquor Control. Voting "yes" were Puchalsky and Bergdorf. Motion passed.	92-0826-01
	Legal Counsel Pallekins reported on the status of the Oak Hill Road Project. John Puchalsky made a motion, seconded by Bergdorf, that the Trustees enter into a "Co-operative Agreement" with the National Park Service regarding the Oak Hill Road Project. Voting "yes" were Bergdorf and Puchalsky. Motion passed.	92-0826-02
	Legal Counsel Pallekins then asked the Board for authority to be the "spokesperson" for the Trustees regarding the Underground Storage Tank Removal issue. Trustee Bergdorf made a motion, seconded by Puchalsky, that the Trustees delegate the authority of "spokesperson" in the matter of Underground Storage Tank Removal, to Legal Counsel Pallekins. Voting "yes" were Puchalsky and Bergdorf. Motion passed.	92-0826-03
	Trustee Puchalsky reported that he had several telephone calls regarding trash pick-up.	
	From the audience, Nancy Tanner raised a number of questions, concerning trash pick up. Some of the questions and comments had to do with the cost of the bags to members of the community, availability of the bags, and the practice of the hauler of mixing garbage, trash and recyclables in the same truck. Chairman Bergdorf answered the questions and then thanked Nancy for voicing her concerns.	
	Chairman Bergdorf reported that the entire Board of Trustees had attended a meeting with the Summit County Engineer, the National Park Service and a representative of JDA&A, INC. on August 24, 1992. He indicated that it was the consensus of the entire group that the Trustees should proceed with the Oak Hill Project as presently planned. He mentioned that some of the other proposed projects discussed were; a possible connector road between Wheatley and Everett Roads, relocation of Boston Mills Road at Riverview, relocation of Riverview Road in the area of Boston Mills Ski Resort, and re-designing and re-constructing the "S" curve railroad crossing on Riverview Road South of Peninsula.	
	The Chairman then indicated that Bertha Jones had asked to be replaced on the Joint Fiscal Study Group. Chairman Bergdorf made a motion, seconded by Puchalsky, that Tom Steurer of Keenan Road be appointed to fill the vacancy on the Joint Fiscal Study Group. Voting "yes" were Puchalsky and Bergdorf. Motion passed.	92-0826-04
	Chairman Bergdorf then asked for comments from those in attendance.	
	Tom Jones commented that he felt certain individuals have been attending the meetings of the Board and by various methods have intimidated others at the meetings and have stifled open discussion on many issues. He also indicated that the Board has done nothing to stop this intimidation.	
	Richard Forcier indicated that if the Zoning Inspector is not capable of handling his responsibilities, he should be replaced. Mr. Forcier also indicated that he has a great deal of trouble getting in touch with any of the officials, especially the Zoning Inspector. He said that he has complained to each of the Trustees and the Zoning Inspector, that he has submitted a five question letter to the Board of Trustees and that in all cases, no one seems willing to do anything.	
	Chairman Randy Bergdorf then introduced the members of the Zoning Commission; W. Bergdorf, M. Griffith, L. Flowers, and R. Mims.	

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~~NOTED~~

National Graphics Corp., Colo., U.S. Form No. 1007-10

Held

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He then introduced the Board of Zoning Appeals: B. Jones, M. Feterle and S. Urbank, and Zoning Inspector Jim Jones. He also introduced E. Minns, Secretary of both the Zoning Commission and the Zoning Board of Appeals.

Wes Bergdorf then presented the first draft of the Zoning Resolution to the Trustees. He indicated that the Trustees and the Commission should meet to thoroughly review the draft before any public hearings. Mr. Bergdorf mentioned that the resolution is considered a positive zoning approach (can do) rather than the conventional negative approach (can't do). He also mentioned that the resolution contains many ideas from the Zoning Resolutions of Green and Copley Townships.

Marty Griffith offered that the positive approach to the zoning resolution makes it more easily understood and that the Township will be able to use it for many years.

Wes Bergdorf indicated that the entire resolution was stored on one of the computer systems at the Peninsula Library and therefore was easily accessible for updating and editing.

Zoning Commission Secretary Edith Minns mentioned that there were vacancies on the Commission as well as the Board of Zoning Appeals. Trustee Chairman Bergdorf asked for recommendations on possible appointees to fill the vacancies. The Zoning Commission then scheduled a meeting for 7:00 p.m., Wednesday, September 30, 1992, at the Township Hall. The first draft of the Zoning Resolution will be reviewed in detail and the filling of vacancies on the Zoning Commission and the Board of Appeals will be considered.

Chairman Randy Bergdorf then thanked the Zoning Commission, Zoning Board of Appeals and the Zoning Inspector for their input.

92-0826-05

Clerk Kaczmariski presented the payroll and the bills for the previous two weeks and Trustee Bergdorf made a motion to approve payment of the bills and payroll as presented. Trustee Fuchalsky seconded the motion. Voting "yes" were Fuchalsky and Bergdorf. Motion passed.

92-0826-06

Trustee Bergdorf made a motion, seconded by Trustee Fuchalsky, to adjourn the meeting. Voting "yes" were Fuchalsky and Bergdorf. Motion passed. The meeting was adjourned at 9:30 p.m..

Clerk

Chairman