

RECORD OF PROCEEDINGS

Minutes of

Joint Boston Township - Peninsula Village

Meeting

DATE	TIME	PAGE
Held	March 10,	19 92
	Boston Township Trustees present: Bergdorf, Broderick, Schneider, Jr. Boston Township Officer present: Solicitor Pullakins. Boston Township Officer absent: Clerk Kaczmarek. Peninsula Council Members present: Collins, Haramis, Padrutt, Schneider, Brunswick, Chop Craig. Peninsula Officers present: E. Lee Wagoner for Solicitor Cole, Mayor Ruoff, Clerk Rutledge. The joint meeting of the Boston Township Trustees and the Peninsula Village Council was convened at 8:02 p.m. on March 10, 1992 with Trustee Chairman Bergdorf presiding. <u>FISCAL STUDY DISCUSSION</u> <u>HISTORICAL BACKGROUND</u> Bergdorf said that the most pressing issue is the fiscal study. Bergdorf asked Peter Henderson, also present, to give a history of the study. Henderson said that Bergdorf had appeared before the Cuyahoga Valley Communities Council (CVCC) meeting September, 1990, expressing concern about the impact the Cuyahoga Valley National Recreation Area (CVNRA) was having upon Boston Township's strained budget. As a result of that appearance a task force consisting of Bergdorf, Ruoff, the Business Manager of the Breckville Schools, Steve Coles, and John Debo. This task force retained the services of Pflum, Klausmeyer, and Gehrus (PKG) to study the effect of the park on Boston Township and Peninsula. Peninsula was included because of the close fiscal relationship between the communities. The cost was shared equally among Boston Township, Peninsula Village, and the Cuyahoga Valley National Recreation Area. Henderson said that copies of this working paper are at the Peninsula Library. Henderson said that some clean-up still needs to be done and that if there is confusion, he hopes to help clarify the report. The report does contain a few addition errors, but the totals are right. On March 18, 1992, the executive director of the CVCC is holding a meeting of the the CVCC at the Boston Township Hall to review the task force study. Henderson said that he was preparing some overhead slides which he felt would simplify the results. Bergdorf said that one of the recommendations of the study was to increase levies and to change the nature of the fire levy. Bergdorf asked Haramis to report upon the fire levy. <u>FIRE LEVY UPDATE</u> Haramis said that the Fire Board has been working to bring the financial operation of the Fire District from being directly subsidized by the communities to support by an operational levy. About five years ago, a 4.5-mil capital expenditure levy was passed. As a result of that the fire equipment has been updated. New purchases included a tanker and an engine. The Fire Board would now like to convert the capital improvements levy to an operational levy. Discussions about doing the levy from a capital improvement levy to an operational levy have been around for a long time, and the study reinforced this by recommending that it be done. To calculate the amount of money needed to run the department, members of the Fire Board looked at the actual expenditures for the past 5 years including 1991. They discovered that some budget items remained constant, some grew, and some varied. The board felt that they could predict expenditures for a five-year period and that it would be better to pass a levy for a five-year rather than a three-year period. In looking at the projected budget, some items were increased by 5% for inflation. Dispatch has historically gone up by \$500.00 every two years and was projected to continue at that rate. The Board made their best shot at at prediction. It was assumed there would be no strange emergencies.	

RECORD OF PROCEEDINGS

123

Minutes of

Joint Boston Township - Peninsula Village

Meeting

SENIOR ADJUTANT GENERAL COL. FREDERICK J. COLE

Held

March 10,

19 92

In totaling budgets projected from 1993 through 1997, the Fire Board discovered that \$700,000 was needed over the course of the five years.

The Fire Board has other sources of income, ambulance runs yield \$400 per non-resident run and the park contract is about \$3,500 per year. After the other income is subtracted, \$636,000 is needed through the levy for operation. Under the current valuation, \$23,000 is collected per mil levied. A 5.5-mil levy would be needed to operate through 5 years. That is an increase of one mil over what is now levied for fire and rescue.

For a home valued at \$50,000 the additional mil would cost \$14 more per year. For a home valued at \$125,000, the additional cost would be \$36.

Ken Bauza, also present, asked when the 5.5-mil levy would start. Haramis said that the 4.5-mil levy collection ends at the end of 1992. The 5.5-mil levy would have collections begin at the beginning of 1993.

Joseph Badger, also present, said that the board had worked with the finance director of Macedonia to calculate the millage.

Haramis said that the projections the Board made would require good stewardship. The budget is tight, but would allow the District to be run.

Robert Kaczmarek, also present, asked when the next capital expenditure would have to be made. Haramis said that there should be no major capital expenditures on the ambulances for ten years and on the fire trucks for twenty years.

Schneider, Jr. said that the new truck will be up to standards. The state does not require that all standards on the equipment be met if the standards have changed after the purchase of equipment. Haramis said that the state cuts you a break if you purchase equipment that is up to standards.

Ruoff asked Haramis to explain the emergency fund. Haramis said that the Fire Board has another chunk of money outside of the operating budget. They hold a \$30,000 catastrophe fund.

The operating budget is a lean item. The \$30,000 was contributed by the Village and Township for use in a catastrophe such as the Parker tire fire which cost the department \$21,000. The \$30,000 is held by the Fire Board, because they must have funds before they can spend them.

Under the current contract, the Fire Board receives money from both entities for operation. The \$30,000 is designated only for a catastrophe.

Schneider, Jr. said that if the levy is voted down, the board will have to go back to the entities to request funds.

Bauza asked who set the park amount. Schneider, Jr. said that the Board makes money on what they pay for. The problem is that there are other areas where the Fire Department performs services for the park that we should negotiate for payment. They currently pay hourly for fighting grass fires.

Bauza said that he could live with a fire levy.

BOSTON TOWNSHIP SERVICE LEAGUE REQUEST

Susan Delahanty, also present, said that the Boston Township Community Service League (the Quarry) has been operating with a shortage of manpower. The volunteer hours have diminished.

The Quarry Board would like to rectify the problem by hiring an additional life guard who would be stationed on the beach. He or she would be an authority figure there who would sign in members, collect fees, and do other jobs previously performed by volunteers.

The Quarry Board presented the proposal to United Way and received an increase in funding, but not enough to hire an additional guard. The Board didn't want to increase dues to the point where they become a burden; so, they asked the Village and Township to each contribute \$1,000 to the program.

Ruoff said that at the last council meeting, the council had approved a donation of \$1,000 to the Quarry.

Pullekins said that there is a question relative to whether Township money can be given to that purpose.

RECORD OF PROCEEDINGS

Minutes of

Joint Boston Township - Peninsula Village

Meeting

BOSTON TOWNSHIP - PENINSULA VILLAGE

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March 10,

19 92

Up until 1988, townships could not contribute to a recreational program, but in 1988 there was a change in the law. A township can get involved if the facility is free to the public. The "free to the public" portion presents a problem for the Township. Pullikins said that the Township needs to get the prosecutor's opinion. Pullikins said that after a letter is drafted, there is a ten working day wait for an opinion. He would need an accurate portrayal of the Quarry finances. Delahanty said that she would be willing to help in any way possible.

Pullekins said that the law in question is O.R.C. Section #707. The key question is whether or not the Quarry is free. It is based upon how the money is spent.

Bergdorf said that the Township should authorize that a letter be sent. Schneider, Jr. said that he agreed that a letter should be sent.

Ruoff said that he didn't want people to get the impression the Village is a bigger spender. The two entities are just governed by different laws.

FISCAL STUDY DISCUSSION

Bergdorf said that he had made copies of the discussion of the study from the last joint meeting. How we got to our current fiscal position is summarized there. Bergdorf said that he would like to use this meeting to focus on remedies. There has been a preliminary discussion of forming a citizen's group.

APPROVAL OF ADDITIONAL PROPERTY TAX MILLAGE

Bergdorf said that when the Township received the Roush money, the county reduced the property tax millage levied to 1.40 mills to go to the Township for general government. People who live in the Hudson School District pay higher taxes than the rest of the Township, but the money goes for schools, not for running the Township. Bergdorf said that raising taxes alone would not stave off problems.

Ruoff said that, currently, there are 7.2-mills levied for the operation of local government in the Village, while only 1.40 is levied for the Township.

George Fisher, Jr., also present, said that when he had been a trustee, the Summit County Budget Commission had told them that the Township can't pass a levy until the \$2 million is gone. The Commission made the Township take the levies which had been voted in off the tax duplicate.

Bergdorf said that he would like to renegotiate with the Budget Commission on this matter.

SHIFT OF ROAD MAINTENANCE/ROAD CLOSURE

Bergdorf said that the County is willing to take over Wheatley and it may be possible to turn over some other roads. On some Township roads, there are few residents and there will be none in the future when life estates come due. The Township does not want to be in the regional road business.

Ruoff asked what happens to Township Permissive License Tax money. The Village is negotiating a trade-off with the county to bring Akron-Peninsula Road up to standards in return for Permissive License Tax funds. Schneider and Ruoff are working on this.

Bergdorf said that the Township does not get enough Permissive License Tax money to take care of the roads. This is not currently a consideration, because the county is already taking care of some roads.

REDISTRIBUTION OF INTERGOVERNMENTAL ASSISTANCE FUNDS

Bergdorf said that local government and revenue assistance funds are currently distributed base upon population. Neither the Township nor the Village can count on increased population. He need to see if this method can be changed.

RECORD OF PROCEEDINGS

125

Minutes of

Joint Boston Township - Peninsula Village

Meeting

Held March 10,

1992

REDISTRIBUTION OF PAYMENT-IN-LIEU-OF-TAXES (PILOT)

The federal government currently pays the county 75 cents for each acre that it has taken off of the tax duplicate. That is currently \$7,500 per year which is negligible compared with the size of our problem.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

Bergdorf said that there is an exit planned off of Route 8 at Seasons Road which the study suggested could be developed with the use of CDBG funds. Sewer and water need to be put in to attract business.

Ruoff said that the Village has received CDBG money, but that the Village and Township are in competition for CDBG, Issue II funds, and engineering assistance. We are each against all the other communities in Summit County and against each other as well when applying for these funds. Ruoff suggested that we get together and agree not to apply at the same time. If the Township wants to apply for CDBG funds, the Village will lay off and vice versa.

Bergdorf said that when the Summit County Committee reviews Infrastructure Applications, they are more favorable to joint ventures. We might consider a joint project that we can use Issue II funds to do. Ruoff agreed.

Bergdorf said that as far as engineering goes, the Summit County engineer is the Township's engineer. The priority that is put on projects is often higher for the Township than for the engineer's office. Schneider, Jr. said that on Oak Hill there had been a difference of opinion with the engineer. The Township then went ahead and hired an engineer to do the work.

Ruoff said that although Swanson is not the Village's engineer, he has his hand on a lot of money that we can't spend without his permission. Unfortunately, we have to spend money to be able to get that money. Bergdorf said that that was a problem for a small community when competing for dollars.

Ruoff said that when the Village spends money for engineering, we need some assurance that the money that's invested is not greater than what we end up with.

Ruoff said that there is a \$5 million small communities Issue II fund. Bergdorf said that the problem is that the fund operates statewide.

PERMISSIVE TAXES, ETC. LOCAL GOVT. FUND REALLOCATION

Bergdorf said that these items had been discussed earlier.

NPS COMPENSATION FOR FIRE AND EMERGENCY SERVICES

Bergdorf said that for the 1991-1992 biennium, the park will be paying the Fire District \$3,454 per year. There is a chance that we could pick up a little more, but the amount would not be significant.

MERGER/ANNEXATION

Bergdorf said that this is a touchy subject for many people. There was a merger study and the issue was on the ballot five years ago. Bergdorf said that copies of the merger study are available to anyone who is interested. That way people will not have to reinvent the wheel.

Bergdorf said that one thing that people should be aware of is that, contrary to what was reported in the Akron Beacon Journal, a merger by itself would not answer all of our problems. We must deal with all of the other items, as well.

Harabis said that he would not make a specific recommendation that we merge at this point, but that the strongest thing that the two communities can do is work together. That is 75%-80% of the solution. If we merge our efforts, we can look elsewhere for assistance.

Bergdorf said that one flip side of a merger is that township roads would be turned over to the merged entity. They are maintained by Summit County now.

RECORD OF PROCEEDINGS

Minutes of

Joint Boston Township - Peninsula Village

Meeting

	Held March 10, 1992	
	Bauza said that he would be against a merger because he has no local income tax now and the county maintains his road. Bergdorf said that these are two points that could defeat a merger. Fisher, Jr., said that he didn't know why the Village and Township didn't get together sooner. Bergdorf said that after the park is done, there will be 816 taxable acres left in Boston Township. If Route #8 is lost through a merger to another community, the township would not have a contribution to bring to a merger. Patricia Tesmer, also present, said that she felt that the two communities must merge. Haramis said that the township could be picked off by other communities. There is efficiency in joining together. Ruoff suggested that a group be formed to deal with a merger study. As a start, they could look at how we could jointly get together and reduce costs. There is already a merger of cemetery, police, and fire and rescue operations. Bauza asked if Route #8 is threatened by annexation, could Peninsula merge with them. Bergdorf said that the businesses there would want to merge with the community that could provide them with the most services. Bergdorf said that a committee could look at the risks and advantages and disadvantages of a merger. Kaczmarek said that a merger might have been more attractive when joining the communities would have united families from Jatte, Boston, and Everett. Bauza asked where the Roush money has gone. Bergdorf said that that question was answered by the study. \$500,000 was used to settle a law suit and the rest was used for operation, police and fire. Fisher, Jr., said that the national park created a hole. Bergdorf said that Summit County helped. Bauza said that the township overspent. Bergdorf said that the road budget has been going down. In ten years, the Township will have to close Whetmore, Wheatley, and Hines Hill Roads. Bergdorf said that the Trustees and Council Members can't merge the communities, only the citizens can. Haramis said that we can pool our services, but that action only goes part way. Schneider, Jr., asked what the park thinks of the study. Delahanty said that in a discussion she had with John Debo, she thought that the park was in strong denial that the CVNRA had had a negative impact. Ruoff said that Bergdorf, Henderson, and he had met with Debo and Martin and agreed that there is responsibility that the park bears. The park is not going to help us. We'll have to help us. They have made available \$250,000 for roads that we're competing for with other communities inside the park. Ruoff said that the council had worked hard the previous night on a historic heritage committee. This work could give us leverage with the park to sit in on their planning sessions. Haramis said that we need to get together to deal with our problems. The National Park Service is not going to change national policy to deal with our problems. Schneider, Jr., said that we need their support for Issue II. If the National Park Service says yes to a project, we get county support. If they say no, it's a tough mountain to climb. Bergdorf said that the park is a regional asset and that it requires regional responsibility. Bergdorf said that when the Township first applied for funds to fix Oak Hill Road, they were told that theirs was the best application, but there was no money granted. With the Park's support the following year, Boston Township received a #1 rating. We can use the park to our advantage. Ruoff said another example is the Village's work on Mill Street. There was no permissive license tax money permitted without the park's endorsement, but with the park support, the application goes through.	

RECORD OF PROCEEDINGS

127

Minutes of

Joint Boston Township - Peninsula Village

Meeting

Held

March 10,

19⁹²

Haramis said that we need to be able to say, "Here's what we've done for ourselves. We need help with the rest."

Bergdorf said that we're all aware of how we got here. Everett is gone. We can't go back. We must go forward. If the park is of regional value, we need help from the county and state.

Diane Hack, also present, said that 20% of the population of the township is left. At completion, it will be down to 8 1/2%. Why can't houses be sold back to the people. Haramis said that people can't buy them, but they can bid on them.

Bertha Jones, also present, said that she had travelled around the states and seen where small communities had been. The same thing could happen to the Township.

Henderson said that it is not part of the park plans to expand further. They have only expanded north and south for the railroad. Ruoff said that they would have to go back to Congress to get the boundaries changed.

Delahanty asked what would happen if the township would just go broke. Schneider, Jr., said that the property could just be taken by eminent domain.

Larry Sulzer, also present, said that the park is steward of historic property. There is property listed on the National Register in Everett that is on which is deteriorating and a fire hazard. The National Park Service cannot let this property deteriorate without a 106 Review. The park doesn't think that people are aware of this. They were embarrassed by the Everett Reunion at the Peninsula Library.

Ruoff suggested that a group of citizens, not a merger study group, be put together to see how we can do things together without a merger. They can see how we can work without competing. Ruoff suggested that the group not be immersed in the day-to-day running of the governments. Ruoff suggested that May be a target date for a report.

Robert Bishop, also present, said that information to the public is essential. The more chance people have to see what is happening, the better. Information should be put in the local news.

Ruoff said that Henderson is putting together a simpler document to explain the results of the study. Henderson said that the Cuyahoga Valley Communities Council would be meeting on March 18 at the Boston Township Hall to discuss the results of the study. He is putting together his presentation for then. Henderson said that he had been encouraged by this meeting in that the communities are looking ahead.

Bergdorf invited everyone to come on the 18th. The communities are trying to look forward. We are not in a crisis yet and we are not out of options.

Ruoff said that he would like to see a joint committee to set operational mutual assistance between the Township and Village.

A motion was made by Ruoff to set a joint committee of 6 members with one representative from each government to address our joint problems and to come up with a recommendation at a joint meeting on May 11, 1992 at the Peninsula Village Hall.

Ruoff said that the committee members could get the study information. Another person with a lot of information is Sandy McKew of PKB who in a large part did the study.

Bergdorf seconded the motion. All vote aye: Bergdorf, Broderick, Schneider, Jr., Collins, Haramis, Radnutt, Schneider, Brunswick, Chop Craig. The motion passed.

A motion was made by Schneider, Jr., seconded by Haramis, to adjourn the joint meeting at 9:52 p.m. All vote aye.

Polly Rutledge
Clerk-Treasurer, Village of Peninsula