

BOSTON TOWNSHIP
MINUTES OF MEETING
OCTOBER 9, 1990

THIS MEETING was called to order by Chairman, Daniel Schneider, Jr., Trustee Randolph Bergdorf and Trustee Joseph Broderick. Absent: Clerk John Krusinski.

MOTION by Schneider seconded by Bergdorf that Edward C. Pullekens be appointed to take the minutes of the meeting. Voting yes: Schneider, Bergdorf, Broderick.

Resident Diane Hach was present at the meeting to review various matters concerning the right to park on the street. Legal counsel, Edward C. Pullekens, indicated that he would forward a copy of the appropriate Ohio Revised Code sections to Ms. Hach. She can call his office with any questions.

Edward C. Pullekens reported that the United Foundations vs. George Bauer pretrial would be held before Judge Williams on October 12, 1990, at 8:00 A.M. It is Mr. Pullekens' understanding that the parties are attempting to resolve the matter.

Attorney Pullekens advised that John Krusinski, who is on vacation at the time of this meeting, contacted him and asked that the matter of the status of his son, David, as an employee of the Township be discussed with the Trustees. David has worked for Boston Township for many years. In 1987, he was officially declared a full time worker by the Trustees. However, prior to that time, David was working in excess of 30 hours per week. When he was placed on status as a full time worker, he was awarded full time benefits. John Krusinski asks for a definition of a full time employee as regards his son. Dan Schneider, Trustee at the time of the appointment, indicated that it was his recollection that since David Krusinski had worked as a full time employee of the township prior to his being delineated as one by the Trustees, and that it was the position of the Trustees that his benefits and vacation pay be retroactive to the first of the year of his official appointment on the record. Basically, pursuant to the personnel policy manual of the Township which was previously approved by the Township, a full time employee is defined as an employee who works a regular 40 hour week, is employed year round, and has successively completed the required probationary period. A full time employee is eligible for vacation pay, retirement pay, sick leave, health, life insurance, holiday pay and other benefits as specified by the Trustees. A part time employee as defined by the personnel manual is an employee who works less than than 30 hours per week. Mr. Schneider indicated that it was the trustee's position that at the time of the appointment, Mr. Krusinski had been a full time employee throughout the year 1987. This should be clarified in the 1987 Minutes. Mr. Pullekens indicated that he would convey this information to Clerk Krusinski.

Legal counsel Pullekens indicated that he and Trustee Randolph Bergdorf had met with the Summit County officials, Mark Hansel and representatives from the Engineer's Office, regarding the Oak Hill grant application. As Mr. Bergdorf indicated at the meeting, the reason for the denial was that the grant committee was of the opinion that the area for which the grant was requested did not serve enough people.

The application itself was judged to be one of the better, if not the best, grant application submitted.

Trustee Bergdorf indicated that he has written a letter to the Voice of the People at the Akron Beacon Journal concerning the Oak Hill situation and the National Park Service intention to place a nature center in the area. A copy of the letter was circulated among the Trustees. Trustees Schneider and Broderick indicated that they would like their names added to the letter. Mr. Bergdorf further indicated that he will be speaking on behalf of the Trustees at the next Community Council meeting. Mr. Bergdorf indicated that it is his position, and he has discussed the same with the Summit County officials that there are great potential health hazards in regard to placing the new proposed center at the Oak Hill location. He also questions the fact that the Park has not offered to contribute any assistance concerning the increased traffic and other resource problems that will develop in the area. General plans for meetings, etc. with the park, the county, etc. were discussed and will be reviewed at a later date by the Trustees.

Mr. Bergdorf further indicated that he and Ed Pulekkins are reviewing the plans for a septic system in the Township property at the Town Hall site with the County and the EPA. An application is being completed and must be forwarded to Columbus. Inasmuch as John Krusinski is not present to sign a check, it will be done at the next meeting.

Daniel Schneider indicated that Doug Anderson asked about the overhead door repair. Randolph Bergdorf indicated that this had been approved at the last meeting.

MOTION by Schneider seconded by Bergdorf to authorize the purchase of tires for the dump truck at a cost of \$808.56 from Akron Tire through CLE. The four tires plus tire tubes plus mount are required and needed due to the present condition of the tires. Voting yes: Bergdorf, Schneider, Broderick.

Daniel Schneider, Jr. indicated that the weeds and shrubs on the J.D. Morgan property have not been mowed. The Trustees asked that a certified letter be forwarded to Mr. Morgan from the Township indicating that the matter must be rectified or the Township will take the appropriate action as allowed by law.

The Trustees were contacted by Mrs. McCartney on Morris Drive concerning a tree that fell in her yard. She was advised that this was not a Township issue inasmuch as the tree fell from a private adjacent property.

The Trustees acknowledged receipt of letters from the following groups: (1) Summit County Clean Community Litter Control Collection letter concerning the status of the program and the success of the program; (2) Letter from Summit County Engineer concerning the Seasons Road interchange. (3) Letter from Summit County indicating that there will be a State Issue 2 meeting on October 26, 1990 at 2:30 P.M. at the City Club concerning Issue 2 money. Randy Bergdorf will try to attend the meeting.

MOTION by Bergdorf seconded by Broderick that the Minutes of

the September 11, 1990 meeting be approved as sent. Voting yes: Bergdorf, Schneider, Broderick.

MOTION by Schneider seconded by Broderick that the payroll be approved as submitted. Voting yes: Broderick, Schneider, Bergdorf.

There was discussion concerning the new rubbish collection system in the Township. Residents of the trailer park on Route 8, through their representative Dale Fouse, indicate that they still oppose the plan inasmuch as they feel that pick-up could be contracted by the park itself for a cheaper rate. It was explained to the residents that in submitting the matter to bid, the residents of the trailer park were considered residents of the township for all purposes, and the property was not considered commercial property. If, in fact, the park wants to have the property considered commercial property, it was suggested that they meet with the owner of the park and this matter be further discussed by the Trustees. Nick DiNardi, representative of the park, indicated that he did not feel that the owners would want the park considered commercial property. The Trustees did indicate to Mr. Fouse that they would work with him and attempt to rectify the bag situation and see if the local merchants on Route 8 would sell the bags at a per bag basis instead of quantities of 100. Dan Schneider will follow through on this matter tomorrow afternoon. The Trustees acknowledge the complaints of the residents and will consider the same in future bid proposals.

Nick DiNardi asked that all copies of the Minutes be sent to him by the Township Clerk at 100 Keenan Road, 2 Ash, Peninsula, OH.

Joseph Broderick advised that he attended a Peninsula Police meeting last Friday. He indicated that within the next several weeks, Route 303 will post a 35 m.p.h. speed limit at the Boston Township line. He further indicated that the new budget for 1991 is projected to be \$237,000.00. He reviewed the various personnel changes made with the police department and some of the information obtained at the recent meeting concerning the scope of the budget including dispatch and the need for a new cruiser.

Regarding Oak Mill Road and the National Park, it was noted by the Trustees that some of the residents contacted the Boy Scout Camp. The Camp indicated that they would be willing to work with the National Park with the proposed nature center. This idea has been disapproved and rejected by the National Park Service.

Randolph Bergdorf indicated that the citizens committee concerning the Town Hall buildings' project had contacted him relative to what involvement is to be expected from the Trustees. Basically, Mr. Bergdorf explained to them the limited authority of the Trustees, pursuant to law. However, he indicated that it was his opinion that the Trustees would cooperate with the repair of the town hall based upon the mandate of the people that was put on the ballot some years ago and based upon the need for the townships to repair their town hall inasmuch as they have been working outside of the town hall for some time due to safety violations. MOTION by Bergdorf that the Trustees work in principal with the community movement to renovate the town hall and town hall buildings and will support any

efforts to do so, as long as the renovations meet the appropriate legal requirements as outlined by Ohio Revised Code. Motion seconded by Bergdorf. ALL voting yes. It was further discussed by the Trustees that at the present time they would approve the expenditures, up to the \$350,000. as previously approved by the voters less whatever monies have been spent to date on the town hall project. It was noted that up to this year, said monies have always been appropriated in the annual appropriations for the project. All the Trustees agreed that they wanted the matter to proceed if appropriate steps can be taken. As previously indicated, the money has been committed and remains available as long as the appropriate steps are taken to insure that the money is spent according to Ohio law. Also, it was the understanding of the Trustees that the availability of additional monies through grants, etc., was being explored.

MOTION to adjourn, seconded by Broderick. ALL voting yes. Meeting duly adjourned.

CLERK

CHAIRMAN

Trustees of
BOSTON TOWNSHIP

1775 West Streetsboro Rd.

P. O. Box 123

Peninsula, Ohio 44264-0123

October 11, 1990

Voice of the People
Akron Beacon Journal
P. O. Box 640
Akron, Ohio 44309-0640

Dear Editors:

On Sunday, September 30, 1990, an article appeared in the Beacon Journal entitled "Boston Twp. Nature Center Opposed," which dealt with the location of the Cuyahoga Valley National Recreation Area's Environmental Education Campus on Oak Hill Road in Boston Township. As Trustees of Boston Township, we feel compelled to comment on this subject.

It does not matter if the Trustees of Boston Township are "for" or "against" the location of this campus within the boundaries of the CVNRA and Boston Township. As with so many other aspects of the CVNRA, we have never been afforded the luxury of being for or against anything. For us, the CVNRA is a fact of life, regardless of our wishes or desires.

Many other municipalities such as Brecksville or Bath Township can consider the CVNRA as a compliment to their communities. Housing on the fringe of the CVNRA brings high prices and governments can lure businesses, citing the amenities the CVNRA could provide employees. However, those communities have a fraction of their geographic areas within the boundaries of the CVNRA. Boston Township, on the other hand, is projected to have 80% of its land area purchased by the CVNRA.

As the CVNRA continues to purchase our community, the properties are removed from local tax rolls. While our revenues are going down, we must still provide services--fire and rescue, police protection, road maintenance, snow removal--to the entire township, regardless of the number of tax paying residents. Additionally, the costs of these services continue to increase each year, causing our operating budgets to escalate.

The controversy surrounding the location of the Environmental Education Campus on Oak Hill Road has only highlighted the precarious position that we are forced to deal with on a daily basis in Boston Township. Oak Hill Road has been closed for four years, due to the fact that a portion of the roadway slid down into the Furnace Run valley. We have had numerous studies done to address the situation, but they all required that the CVNRA grant us an extended road right-of-way, since the government owns the land on both sides of the slide area. Previously, the CVNRA was not willing to grant this right-of-way, as they wanted us to relocate the road entirely.

In 1989, John Debo, Superintendent of the CVNRA, agreed to help us receive the special permission to obtain this temporary intrusion onto federal land. One year later, we received word that our request had been granted. Cost estimates to repair the slide amounted to nearly \$170,000, or over one-third of our total annual budget. Not surprisingly, we submitted an application to obtain State Issue II monies to cover 70% of the costs to repair the road. Unfortunately, the local review committee for Issue II funds decided not to grant our request, due to the low number of residents who would benefit. Apparently, the committee failed to take into account the additional use by CVNRA visitors. As of yet, we still do not know how we will find the money to re-open Oak Hill Road.

Needless to say, we were quite surprised to learn that the CVNRA had plans to install a 150-bed Environmental Education Campus at the very end of Oak Hill, a two-mile long, dead-end road. During the course of a year's time, this campus is supposed to accommodate 50,000 students, who will be staying overnight for periods of 3-4 days. It seems to us to be irresponsible to locate children at the end of a closed road, when a catastrophe could cause the inability of emergency services to reach this area. As Trustees of Boston Township, we do not wish to take on this added responsibility and liability.

Additionally, Oak Hill Road was, until recent years, a dirt, farming road. Boston Township has improved it enough to make it suitable to serve the residential neighborhood on Oak Hill and Scobie Roads. While the CVNRA minimizes the impact that hundreds of school busses transporting children to the campus will have on the road, they fail to take into account the additional support services vehicles--construction equipment, milk trucks, bread trucks, garbage trucks--and their impact on the road. Undoubtedly, within a year's time, the road will be broken up and peppered with potholes.

Simply put, Boston Township no longer has, if it ever did, the financial wherewithal to continue to subsidize the increased activities and visitor use areas of the CVNRA. The CVNRA is developing areas throughout Boston Township that make extensive use of Township roads--the Wetmore Horse Center, Brandywine Falls, Krejci's dump, the Oak Hill areas--which are taxing our infrastructure systems to the maximum. The CVNRA does pay the fire department \$3500 per year for fire protection and Boston Township \$191 in lieu of taxes lost to land acquisition. These revenues hardly cover the costs to maintain the services that all visitors to the CVNRA enjoy.

The CVNRA is not obligated to consider the effects their programs and activities will have on Boston Township. Nor are they required to obey our Township zoning regulations or our planning commission recommendations. But if the CVNRA is truly "for all people, for all time," then the CVNRA is going to have to share in the costs to maintain the infrastructure within its boundaries. We have been informed that this would require a special act of Congress. As Boston Township Trustees, we are asking that such legislation be introduced before we are forced to close more of our roads and cut back even more of our services. For the last 15 years, we have been biting the bullet and subsidizing these costs ourselves, but the handwriting is on the wall, and none of us, Boston Township Trustees or park visitors, like the message.

Daniel R. Schneider, Jr., Chairman
 Randolph S. Bergdorf, Vice-chairman
 Joseph J. Broderick, Trustee

cc: Senator John Glenn
 Senator Howard M. Metzenbaum
 Congressman Thomas C. Sawyer
 Congressman Ralph Regula
 Congressman Dennis E. Eckart
 Superintendent John Debo

Enclosure

Letter approved per minutes of 10-9-90.

Randolph S. Bergdorf, Jr., Vice-chairman

Akron Beacon Journal

P.O. Box 540, Akron, Ohio 44309-0540

David Boerner, Voice of the People Editor (216) 896-3515

October 16, 1990

Randolph Bergdorf
P.O. Box 123
Peninsula, Ohio 44264-0123

Dear Mr. Bergdorf:

Thank you for submitting a letter for publication in our "Voice of the People" column on the editorial page.

We think letters to the editor are important. We receive many -- almost 600 a month -- and we wish we could publish all of them. But space does not permit that. We publish almost 300 a month, more than all but a few newspapers.

We were unable to use your letter because we felt it raised issues that should be examined by our News Department. We have therefore redirected it to our Metro Desk as a possible source or tip for a potential news story. We thank you for the information; it may help us in our news coverage. It will be reviewed, but the volume of our work will prohibit a further report to you, unless, of course, a news story does appear as a result of your letter.

I hope that you will understand that we are interested in publishing a wide variety of views, comment and dissent from our readers. We welcome letters.

To restate our requirements: We ask that each letter be original and not a copy of a letter sent to other newspapers, bear a signature and the writer's address and daytime phone number. Letters that are brief and to the point stand a better chance of being published than those that are long. We withhold names only for good reason.

Please try us again.

Sincerely,


David Boerner
Voice of the People Editor

DB/wc

A Knight-Ridder Newspaper

JUL 14 1987

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DENNIS R. RYERSON *Director of the Editorial Page*

EDITORIALS

Living with, if not loving, the park

In the years since it was formed from some of the most scenic real estate in Cuyahoga and Summit counties, the Cuyahoga Valley National Recreation Area has had anything but the wholehearted support of some of the townships and villages in whose jurisdictions it lies. Small wonder. When the 32,000-acre reservation came into being, it stripped those small governments of a great deal of the property tax revenues upon which they were dependent for providing rudimentary safety services.

Yet, because the recreation area has only skeletal fire and police forces of its own, it must contract with those local governments to meet those basic needs. Thus, when an emergency rescue is needed, as was the case when two hikers slipped into the gorge at Brandywine Falls six weeks ago now, the task falls to agencies already financially pressed to do their jobs. The Brandywine rescue,

for instance, cost that fire department some \$1,000, but the contract with the National Park Service covered only \$800.

That's one reason Northfield Center has not renewed its contract with the park service. Another is the fact that Northfield Center provides fire and rescue service for Sagamore Hills Township, which is dominated by the park and which has no fire service of its own. Northfield Center wants the Summit County Prosecutor's Office to examine that arrangement.

This is a situation that clearly calls for reasoned negotiations led by someone, at the county or congressional level, who can fairly view all interests involved. The small communities certainly don't have to love the park, but they do have to live with it. By the same token, no one should expect the townships and villages to lose money (or profit, for that matter) by the necessary relationship.