

VILLAGE OF BOSTON HEIGHTS
45 E. Boston Mills Road
Hudson, OH 44236

COUNCIL MEETING
OF
October 8, 2008 – 8:00 P.M.

AGENDA
ROLL CALL
PLEDGE OF ALLEGIANCE
APPROVAL OF AGENDA
MINUTES PRESENTED FOR CHANGE, CORRECTION OR ADOPTION
CORRESPONDENCE
AUDIENCE PARTICIPATION

ORDINANCE M– 2008 AN ORDINANCE AMENDING SECTION 147.03
ENTITLED “WORK WEEK” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF BOSTON
HEIGHTS AND DECLARING AN EMERGENCY

ORDINANCE N – 2008 AN ORDINANCE AMENDING THE
PERMANENT ANNUAL APPROPRIATIONS
ORDINANCE (ORDINANCE 5-2008) FOR THE
VILLAGE OF BOSTON HEIGHTS FOR THE
YEAR 2008 AND DECLARING AN
EMERGENCY

ORDINANCE O – 2008 AN ORDINANCE DETERMINING THE
NUMBER OF PERSON NECESSARY FOR A
QUORUM FOR A VOTE FOR THE
COMPREHENSIVE ZONING PLAN
COMMITTEE AND DECLARING AN
EMERGENCY

RESOLUTION Z – 2008 A RESOLUTION AUTHORIZING THE MAYOR
AND COUNCIL OF THE VILLAGE OF BOSTON
HEIGHTS TO SUPPORT THE “*CLEAN OHIO
FUND*”

RESOLUTION AA – 2008 A RESOLUTION ACCEPTING THE AMOUNTS
AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING
THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY FISCAL
OFFICER

RESOLUTION BB – 2008 A RESOLUTION ACCEPTING THE AMOUNTS
AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING
THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY FISCAL
OFFICER

MOTIONS: FINANCIAL STATEMENT FOR AUGUST 2008

INCREASE TO THE POLICE UNIFORM
ALLOWANCE FROM \$500.00 TO \$650.00

COMMITTEE REPORTS
OLD BUSINESS
NEW BUSINESS

ADJOURN

AN ORDINANCE AMENDING SECTION 147.03
ENTITLED “WORK WEEK” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF BOSTON
HEIGHTS AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the Village of Boston Heights,

SECTION 1: Section 147.03 (b)(3) of the Codified Ordinances of the Village of Boston is hereby amended to read:

A. The last sentence of said Subsection of the existing Chapter County of Summit, and State of Ohio:147.03(b)(3) is hereby repealed in its entirety and replaced with the following sentence:

“(3) Paid holidays, sick days, **vacation days** and days taken for compensatory leave are to be counted as a regular hour(s)/day(s) working when computing overtime hours.”

SECTION 2: That this Council hereby finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all such deliberations of this Council that resulted in such formal action were in meetings open to the public in compliance with the law, including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to update and insure prompt compliance with payroll procedures for the efficient operation of the Village and shall take effect and be in force upon its passage.

PASSED:

BILL GONCY, Mayor

ATTEST:

CAROL ZEMAN, Clerk-Treasurer

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Ordinance ____-2008 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council of the 8th day of October, 2008.

CAROL ZEMAN, Clerk of the Village
Of Boston Heights

AN ORDINANCE AMENDING THE PERMANENT ANNUAL APPROPRIATIONS ORDINANCE (ORDINANCE 5-2008) FOR THE VILLAGE OF BOSTON HEIGHTS FOR THE YEAR 2008 AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the Village of Boston Heights, Summit County, State of Ohio:

SECTION 1: The Permanent Annual Appropriations for the Village of Boston Heights (Ordinance 5 – 2008) for the year 2008 are hereby amended to reflect the changes as set forth on Exhibit “A” attached hereto and incorporated herein by reference.

SECTION 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and the daily operations of the municipal departments and shall take effect and be in force from and after its passage.

PASSED:

BILL GONCY, Mayor

ATTEST:

CAROL ZEMAN, Clerk-Treasurer

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Ordinance -2008 was duly passed by the Council of Boston Heights, County of Summit, State of Ohio at a meeting on the 8th day of October, 2008.

Carol Zeman, Clerk of the Village of Boston Heights

| ANNUAL APPROPRIATION ORDINANCE 2008 | | | | AMENDED APPROP. | AMENDED APPROP. | AMENDED APPROP. | AMENDED APPROP. |
|---|--|--|-----------------------------|-------------------|-----------------|-----------------|-----------------|
| GENERAL FUND | | | | | | | |
| PROGRAM I - SECURITY OF PERSONS AND PROPERTY | | | | | | | |
| | | | 2008 | 1ST AMENDMENT | 2nd AMENDMENT | 3rd AMENDMENT | |
| | | | Appropriation | | | | |
| POLICE LAW ENFORCEMENT | | | | | | | |
| | | | Salaries/Wages | 380,000.00 | 370,000.00 | | |
| | | | Benefits | 149,000.00 | | | |
| | | | Uniform Allow. | | | | |
| | | | Contractual | | | | |
| | | | Supplies | | | | |
| | | | Capital Outlay | | | | |
| | | | 730,000.00 | | | | |
| FIRE FIGHTING, PREVENTION & INSPECTION | | | | | | | |
| | | | Salaries/Wages | 39,000.00 | 38,000.00 | | |
| | | | Benefits | 4,500.00 | | | |
| | | | Contractual | | | | |
| | | | Supplies | | | | |
| | | | 82,000.00 | | | | |
| | | | Street Lighting | 6,700.00 | | | |
| | | | Traffic Signals | 200.00 | | | |
| | | | TOTAL PROGRAM I | 818,900.00 | | | |
| PROGRAM II - PUBLIC HEALTH AND HUMAN SERVICES | | | | | | | |
| | | | Pymt to Cty Health District | 23,767.38 | | | |
| | | | TOTAL PROGRAM II | 23,767.38 | | | |
| PROGRAM IV - COMMUNITY ENVIRONMENT | | | | | | | |
| | | | Planning/Zoning/Bldg/Elec. | - | | | |
| | | | Salaries/Wages | 6,000.00 | | | |
| | | | Benefits | 1,400.00 | | | |
| | | | Contractual | | | | |
| | | | Supplies | | | | |
| | | | 7,600.00 | | | | |
| | | | Engineering | 18,000.00 | | | |
| | | | TOTAL PROGRAM IV | 25,600.00 | | | - |
| PROGRAM VI - TRANSPORTATION | | | | | | | |
| | | | Salaries/Wages | 117,500.00 | 114,500.00 | | |
| | | | Benefits | 35,200.00 | | | |
| | | | Contractual | | | | |
| | | | Supplies | | | | |
| | | | 182,700.00 | | | | |
| | | | TOTAL PROGRAM V I | 182,700.00 | | | |

| | | | | | | | |
|---|----------------|---|--|-------------------|---------------------|--|--|
| PROGRAM VII - GENERAL GOVERNMENT | | | | | | | |
| Mayor | | | | | | | |
| | Salaries/Wages | | | 15,203.88 | | | |
| | Benefits | | | 2,700.00 | | | |
| | Contractual | | | | | | |
| | Supplies | | | | | | |
| | | | | 20,403.88 | | | |
| Council | | | | | | | |
| | Salaries/Wages | | | 18,000.00 | | | |
| | Benefits | | | 2,200.00 | | | |
| | | | | 20,200.00 | | | |
| Clerk of Courts | | | | | | | |
| | Salaries/Wages | | | 50,000.00 | | | |
| | Benefits | | | 14,000.00 | | | |
| | Contractual | | | | | | |
| | Supplies | | | | | | |
| | | | | 65,000.00 | | | |
| Clerk-Treasurer | | | | | | | |
| | Salaries/Wages | | | 47,500.00 | | | |
| | Benefits | | | 8,500.00 | | | |
| | Contractual | | | | | | |
| | Supplies | | | | | | |
| | | | | 58,500.00 | | | |
| Land & Buildings | | | | | | | |
| | Salaries/Wages | - | | | | | |
| | Benefits | - | | | | | |
| | Contractual | | | | | | |
| | Supplies | | | | | | |
| | EMS Service | | | | | | |
| | Capital Outlay | - | | - | | | |
| | | | | 137,000.00 | | | |
| Auditor & Treasurer Fees | | | | | | | |
| Dellinquent Collections | | | | | | | |
| State Examiners Fees | | | | | | | |
| Election Fees/Solid Waste | | | | | | | |
| Solicitor | | | | | | | |
| Worker's Compensation | | | | | | | |
| Charges & Service Fees | | | | | | | |
| Loan Payment/Interest | | | | | | | |
| Transfer to Park | | | | | | | |
| TOTAL PROGRAM VII | | | | | 438,523.92 | | |
| GRAND TOTAL GENERAL FUND | | | | | 1,489,491.30 | | |
| Certificate of Estimated Resources | | | | | 1,925,979.19 | | |
| Less Reserve Amount | | | | | 436,487.89 | | |
| Total Available for Expenditures | | | | | 1,489,491.30 | | |
| Difference | | | | | - | | |

| | | | | 2008 | | | |
|---|-----|-----------|--|-------------------|--|--|--|
| Fire Levy | | | | Appropriations | | | |
| Contractual | 230 | | | | | | |
| Supplies | 240 | | | | | | |
| Auditors Fees | 230 | | | | | | |
| Del. Ad. & Coll. | 230 | | | | | | |
| Dretac Fees | 230 | | | | | | |
| Capital Outlay | 250 | | | | | | |
| Loan Payment | 250 | | | | | | |
| Fund Total | | | | 287,118.35 | | | |
| Computer Fund | | | | | | | |
| Salaries | 211 | | | 7,800.00 | | | |
| Benefits | 212 | | | 1,500.00 | | | |
| Contractual | 230 | | | | | | |
| Supplies | 240 | | | | | | |
| Capital Outlay | 250 | | | | | | |
| Fund Total | | | | 43,887.37 | | | |
| Law Enforcement Trust Fund | | | | | | | |
| Contractual | 230 | | | | | | |
| Supplies | 240 | | | | | | |
| Fund Total | | | | 3,437.45 | | | |
| Cemetery Trust Fund | | | | | | | |
| Contractual | | | | | | | |
| Supplies | | | | | | | |
| Fund Total | | | | 6,000.00 | | | |
| Refundable Performance Bond Fund | | | | | | | |
| Contractual | 230 | 48,727.58 | | | | | |
| Fund Total | | | | 48,727.58 | | | |
| Capital Projects Fund | | | | | | | |
| Contractual | 230 | | | | | | |
| Supplies | 240 | | | | | | |
| Auditors Fees | 230 | | | | | | |
| Del. Ad & Coll. | 230 | | | | | | |
| Dretac Fees | 230 | | | | | | |
| Capital Outlay | 250 | | | | | | |
| Fund Total | | | | 46,974.89 | | | |
| Federal Forfeiture Fund | | | | 179.52 | | | |

AN ORDINANCE DETERMINING THE
NUMBER OF PERSONS NECESSARY FOR
A QUORUM FOR A VOTE FOR THE
COMPREHENSIVE ZONING PLAN
COMMITTEE AND DECLARING AN
EMERGENCY

WHEREAS, be it hereby resolved that Ordinance 23 – 2007 is hereby amended to define a quorum of the Comprehensive Zoning Plan Committee be to five (5) members present and/or in attendance at said meeting of the Comprehensive Zoning Plan Committee.

WHEREAS, all other portions of Ordinance 23 – 2007 shall remain unchanged and in full force and effect.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Boston Heights, County of Summit and State of Ohio:

SECTION 1: That five (5) members present and/or in attendance at said meeting shall constitute a quorum of the Comprehensive Zoning Plan Committee of the Village of Boston Heights.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure necessary for the public peace, health, welfare of the residents of the Village of Boston Heights and the necessity of the Comprehensive Zoning Plan Committee to define an acting body and make recommendations as the Village is currently dealing with several zoning issues.

SECTION 3: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance was adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance and all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED:

BILL GONCY, Mayor

ATTEST:

CAROL ZEMAN, Clerk-Treasurer

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Ordinance ____-2008 was duly passed by the Council of Boston Heights, County of Summit, state of Ohio, at a Regular Council meeting on the 8th day of October, 2008.

CAROL ZEMAN, Clerk of the Village of
Boston Heights, Ohio

A RESOLUTION AUTHORIZING THE MAYOR
AND COUNCIL OF THE VILLAGE OF BOSTON
HEIGHTS TO SUPPORT THE “CLEAN OHIO
FUND”

WHEREAS, the renewal of the “Clean Ohio Fund bond package will be on the November 4, 2008 ballot.

WHEREAS, a \$400 million renewal of the Clean Ohio Fund will meet the growing demand for green space conservation projects, brownfield revitalization, recreational trail development, and farmland preservation.

WHEREAS, conservation purposes means conservation and preservation of natural areas, open spaces, and farmlands and revitalization purposes means providing for and enabling environmentally safe and productive development and use of reuse of publically and privately owned lands through remediation or clean up.

WHEREAS, to date the Clean Ohio Fund has funded over 700 projects preserving over 26,000 acres of natural areas and 16,000 acres of farms, creating more than 216 miles of recreational trails, and cleaning up 141 polluted sites.

WHEREAS, the annual allocation of each program year will continue as follows: \$50 million for brownfield revitalization, \$37.5 million for greenspace preservation, \$6.25 million for recreational trails.

SECTION 1: It is determined and confirmed that the Village of Boston Heights supports a fully funded renewal of the “Clean Ohio Fund” bond package.

SECTION 3: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED:

BILL GONCY, MAYOR

CAROL ZEMAN, Clerk-Treasurer

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing Resolution -2008, was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio, at a meeting of Council on the 8th day of October, 2008.

CAROL ZEMAN, Clerk of the
Village of Boston Heights

A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

The Council of the Village of Boston Heights, Summit County, Ohio, met in regular session on the 8th day of October, 2008 at the office of Council with the following members present: Janet Miller, Teri Slane, Kevin Lightner, Scott Foss, Michael Cheung, Jim Hudson, Carol Zeman and Mayor Bill Goncy.

The adoption of the following Resolution was moved by _____, seconded by _____.

WHEREAS, this Council in accordance with the provisions of law have previously adopted a Tax Budget for the next succeeding fiscal year commencing with January 1, 2009; and

WHEREAS, the budget Commission of Summit County, Ohio has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without and what part within the ten mill tax limitation;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, County of Summit and State of Ohio:

That the amounts and rates as determined by the Budget Commission in its certifications be and the same hereby are accepted.

BE IT FURTHER RESOLVED that there be and is hereby levied on the tax duplicate of said Village that rate each tax necessary to be levied within and without the ten mill limitation as attached hereto as an Exhibit.

That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

BILL GONCY, MAYOR

ATTEST:

CAROL ZEMAN, CLERK-TREASURER

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing Resolution ____-2008 was duly passed by the Council of the Village of Boston Heights, County of summit and State of Ohio at a meeting of Council on the 8th day of October, 2008.

CAROL ZEMAN, Clerk of the Village
of Boston Heights, Ohio