

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

COUNCIL MEETING
OF
June 10, 2009 – 8:00 P.M.

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

- ORDINANCE F – 2009** AN ORDINANCE AMENDING CHAPTER 141 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY
- ORDINANCE G – 2009** AN ORDINANCE REGARDING COMPENSATION FOR EMPLOYEES OF THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY
- ORDINANCE H – 2009** AN ORDINANCE AMENDING CHAPTER 123.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF BOSTON HEIGHTS TO CHANGE THE POSTING PLACES AND DECLARING AN EMERGENCY
- ORDINANCE I – 2009** AN ORDINANCE AMENDING THE PERMANENT ANNUAL APPROPRIATIONS ORDINANCE (ORDINANCE 2 – 2009) FOR THE VILLAGE OF BOSTON HEIGHTS FOR THE YEAR 2009 AND DECLARING AN EMERGENCY
- RESOLUTION X – 2009** A RESOLUTION DECLARING IT NECESSARY TO REPLACE AN EXISTING 1.75 MILL TAX LEVY AT A REDUCED TAX RATE AND REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY A .50 MILL REPLACEMENT LEVY, AND DECLARING AN EMERGENCY
- RESOLUTION Y – 2009** A RESOLUTION DECLARING IT NECESSARY TO HAVE AN ADDITIONAL TAX LEVY AT THE TAX RATE OF .75 AND REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THIS ADDITIONAL LEVY, AND DECLARING AN EMERGENCY

MOTION:

TO APPROVE THE FINANCIAL STATEMENT
OF MARCH AND APRIL 2009

COMMITTEE REPORTS
OLD BUSINESS
NEW BUSINESS
ADJOURN

CAROL ZEMAN, CLERK-TREASURER

AN ORDINANCE AMENDING CHAPTER 141 OF THE
CODIFIED ORDINANCES OF THE VILLAGE OF BOSTON
HEIGHTS AND DECLARING AN EMERGENCY

WHEREAS, the Council has determined to amend the provisions of the Chapter 141 of the Codified Ordinances of the Village of Boston Heights.

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

Section 1: That Chapter 141, Section 141.01 and 141.03 be amended to provide as follows:

141.01 ROAD DEPARTMENT SUPERINTENDENT

(b) The Mayor, with consent of Council shall be responsible for hiring the Road Department Superintendent. The Road Department Superintendent appointment shall be for a term of one (1) year. Vacancies in the office shall be filled by the Mayor for the unexpired term. The Road Department Superintendent shall be in charge of and is hereby authorized, with the advice and consent of the Mayor, to do the hiring and firing of all other road department employees.

141.03 USE OF VILLAGE VEHICLE REQUIRED

The Road Department Superintendent, when performing his official duties including the inspection of roads and other matters, shall use a Village truck or other Village owned vehicle when traveling within the Village. The Road Department Superintendent should not use his own private vehicle when performing official duties.

Section 2: That all other provisions of Chapter 141 not specifically amended herein shall remain in full force and effect.

Section 3: That this Ordinance is hereby declared an emergency measure necessary for the preservation of the public peace, and safety of the residents of the Village of Boston Heights and to insure orderly operation of the road department and shall take effect immediately upon its passage.

Section 4: 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

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 - 2009 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 10th day of June, 2009.

CAROL ZEMAN, Clerk of the Village of
Boston Heights

AN ORDINANCE REGARDING COMPENSATION FOR EMPLOYEES OF THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY

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

Section 1: All non elected employees of the Village of Boston Heights shall be classified as hourly employees for purposes of compensation. The stating of rates of compensation for non-elected employees as yearly salary shall not affect this classification.

Section 2: Pay levels one (1), two (2), and three (3) are hereby established in each department and defined as follows:

- A. The following rate levels shall be based upon the employee's performance and adoption in and on the job.
B. Pay Level 1: Pay rate per hour for employees from date of hire until the first anniversary date of hire.
C. Pay Level 2: Pay rate per hour for employees after first year from date of hire with approval of the Supervisor, Mayor and consent of Council.
D. Pay Level 3: Pay rate per hour for employees after second year from date of hire with approval of the Supervisor, Mayor and consent of Council.

Council may by resolution start an employee at either Pay Level 1 or Pay Level 2, depending upon the experience of the employee and the needs of the Village.

Section 3: No employee, department head or supervisor shall schedule or permit an employee to work overtime without the prior approval of the Mayor, or in his absence, the President Pro Tempore of Council.

- 1. Compensation shall be recorded and paid in fifteen (15) minute increments.
2. All time cards shall reflect the start and end time of the actual hours worked.

Section 4: That the rates of compensation for the following positions in the Village work force are here by revised as follows:

A. Police Department

1. Full Time Police Officers:

Table with 4 columns: Position, LEVEL 1, LEVEL 2, LEVEL 3. Rows include Police Officer, Sergeant, and Chief with corresponding hourly rates.

2. Jailers

The position of Jailer shall be compensated at the rate of Eight and 75/100 Dollars (\$8.75) per hours. The jailer shall be entitled to a minimum of two (2) hours show up time.

3. Members of the Police Department, including auxiliary Officers, shall be credited a minimum of two (2) hours work time for "court time" if they are not working during any part of the time that they are "in court". If the officer is on duty during all or part of the time he is "in court" he shall be credited only with the actual time he is in court.

4. Members of the Police Department, including Auxiliary Officers, shall be credited with up to two (2) hours minimum work time for attendance at the required training sessions within the police department. If the officer is on duty during all or part of the training session he shall be credited only with the actual time of attendance while not on duty.

5. Auxiliary Police Officers:

The position of Auxiliary Police Officer shall be compensated as follows:

<u>1st Year</u>	<u>2nd Year</u>	<u>3rd Year</u>
10.61	11.15	11.64

The officer shall be limited to 78 hours per pay period.

Auxiliary officers who work on a special assignment or task force assignment shall be compensated at the rate of \$25.75 per hour for such time worked.

B. Fire Department:

1. The salary of the members of the Village of Boston Heights Fire Department shall be as follows:

Chief	\$433.33 per month
Assistant Chief	\$309.52 per month
Engineer	\$309.52 per month
Captain	\$247.62 per month
Lieutenant	\$216.67 per month

The officers listed above are considered to be in salaried positions and any individual filling those positions shall not receive any compensation for drills, unless otherwise noted.

2. All members of the Fire department, other than officers, shall receive Twelve and 60/100 Dollars (\$12.60) each for every drill attended and for every truck duty performed.

3. All members of the Fire Department, other than officers, shall receive Twelve and 60/100 (\$12.60) for each Hazardous Material Training Session that they attend.

4. Each member of the Fire Department who performs the function of fire Inspector and/or witness shall be paid for each inspection at the rate of Twelve and 60/100 (\$12.60).

- 5. Each member of the Fire Department shall receive Twelve and 60/100 (\$12.60) an hour for all hours actually worked in connection with a response. **All responders shall be paid a minimum of one (1) hour for each response.**
- 6. Each member of the Fire Department, including officers, shall receive Ten and 60/100 (\$10.60) an hour for all hours actually worked in connection with Council approved Special Detail. Each Special Detail needs to have a separate sheet of detail for purposes of payroll and detailing the approved projects.
- 7. Each member of the Fire Department serving as First Responder and not otherwise classified in any other position in the Fire Department shall receive Twelve and 60/100 (\$12.60) per hour for all hours actually worked in connection with a response.

C. Mayor’s Court

- 1. Office Clerk/Clerk of Mayor’s Court

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
14.00	15.00	17.69

- 2. Part-time Office Clerk: The rate of pay for the position of Part-time Office Clerk shall be Eleven and 60/100 Dollars (\$11.60) per hour. As the Assistant to the Office Clerk/Clerk of Mayor’s Court the hours will be up to 20 hours per week or up to 40 hours per pay period.

D. Assistant to the Clerk-Treasurer:

The rate of pay for the position of the Assistant to the Clerk-Treasurer shall be Eleven and 60/100 Dollars (\$11.60) per hours.

- E. Zoning Inspector: The rate of pay for the position of Zoning Inspector shall be Two Hundred Fifty Dollars (\$250.00) per month and an additional Ten Dollars (\$10.00) per hour for all time spent in Court.

F. Road Department:

The Road Department shall consist of a superintendent/supervisor, no more than one (1) full time CDL Truck Driver/Laborer, no more than one (1) full time Non-CDL Truck Driver/Laborer and as many additional part-time employees as required with the approval of the Mayor and consent of Council.

- 1. Supervisor: The position of General Maintenance Superintendent/Supervisor shall be compensated according to the following rate:

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
18.50	19.50	22.84

- 2. CDL Truck Driver/Laborer: The position of CDL Truck Driver/Laborer shall be compensated according to the following schedule:

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
13.00	14.00	16.47

3. Non CDL Truck Driver/Laborer: The position of Non CDL Truck Driver/Laborer shall be compensated according to the following schedule:

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
11.25	12.00	12.75

4. The position of Casual Laborer shall be compensated at the rate of Nine and 29/100 Dollars (\$9.29) per hour.
5. The position of part-time Truck Driver (CDL)/Laborer shall be compensated at the rate of Eleven and 83/100 Dollars (\$11.83) per hour.
6. The position of part-time mechanic shall be compensated at the rate of Eleven and 94/100 dollars (\$11.94) per hour. The part-time mechanic shall be compensated at the rate of Twelve and 28/100 (\$12.28) per hour after one year of service with the Village. Total hours for part-time mechanic work shall not exceed 40 hours per pay period.

G. Municipal Pool and Properties:

1. Pool Manager: The position of Pool Manager shall be compensated at the rate of Twelve Dollars and 36/100 (\$12.36) per hour.
2. Senior Lifeguard/Assistant Manager: The position of Senior Lifeguard/Assistant Manager shall be compensated at the rate of Nine and 79/100 Dollars (\$9.79) per hour.
3. Lifeguard: The position of Lifeguard shall be compensated at the rate of Eight and 24/100 Dollars (\$8.24) per hours for first year lifeguards, Eight and 76/100 (\$8.76) per hour for 2nd and 3rd year lifeguards and Nine and 27/100 dollars (\$9.27) per hour for 4th year and greater lifeguards.
4. The position of part time maintenance worker for the park and properties for the Village of Boston Heights shall be part time and shall not exceed twenty (20) hours per week without the approval of the Mayor. The part time worker shall be employed for the summer season which shall last from May 1, through September 30 of each year and shall be compensated at a rate of ~~Ten and 60/100~~ Nine and 00/100 (**\$9.00**) per hour.

Section 5: That this Ordinance shall be effective and shall take effect and be in force from and after the pay period beginning March 9, 2009.

Section 6: That all Resolutions and Ordinances which are in conflict with this Ordinance are hereby replaced and/or amended.

Section 7: That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance 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.

Section 8: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and to institute without delay fair and equitable pay plans for the employees who serve the various 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 3-2009 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 10th day of June, 2009.

CAROL ZEMAN, Clerk of the Village of Boston Heights

AN ORDINANCE AMENDING CHAPTER 123.01 OF
THE CODIFIED ORDINANCES OF THE VILLAGE OF
BOSTON HEIGHTS TO CHANGE THE POSTING
PLACES AND DECLARING AN EMERGENCY

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

Section 1: That Chapter 123.01 of the Codified Ordinances of
the Village of Boston Heights is amended to change the “Posting Places”
listed in Section 123.01 (b). The new “Posting Place” to be listed in
Section 123.01 is as follows:

- “(b) Clarion Inn”
- “(c) BP on Rt 303

Section 2: That this Ordinance is hereby declared to be an
emergency measure necessary for the immediate preservation of the public
peace, health and safety and to insure that appropriate “Posting Places”
exist for residents of the Village of Boston Heights to receive timely
information about the activities of the Village government and should go
in force and take effect 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 -
2009 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 10th day
of June, 2009.

CAROL ZEMAN, Clerk of Village
Of Boston Heights

AN ORDINANCE AMENDING THE PERMANENT ANNUAL APPROPRIATIONS ORDINANCE (ORDINANCE 2-2009) FOR THE VILLAGE OF BOSTON HEIGHTS FOR THE YEAR 2009 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 2 – 2009) for the year 2009 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 -2009 was duly passed by the Council of Boston Heights, County of Summit, State of Ohio at a meeting on the 10th day of June, 2009.

Carol Zeman, Clerk of the Village of Boston Heights

ANNUAL APPROPRIATION ORDINANCE 2009											
GENERAL FUND								AMENDED APPROP.	AMENDED APPROP.	AMENDED APPROP.	AMENDED APPROP.
PROGRAM I - SECURITY OF PERSONS AND PROPERTY											
				2009				1ST AMENDMENT	2nd AMENDMENT	3rd AMENDMENT	
POLICE LAW ENFORCEMENT				Appropriation							
	Salaries/Wages			374,000.00							
	Benefits			155,000.00							
	Uniform Allow.										
	Contractual										
	Supplies										
	Capital Outlay										
				655,086.34							
FIRE FIGHTING, PREVENTION & INSPECTION											
	Salaries/Wages			34,000.00							
	Benefits			4,500.00							
	Contractual										
	Supplies										
				77,200.00							
	Street Lighting			8,200.00							
	Traffic Signals			210.00							
	TOTAL PROGRAM I			740,696.34							
PROGRAM II - PUBLIC HEALTH AND HUMAN SERVICES											
	Pymt to Cty Health District			24,675.24							
	TOTAL PROGRAM II			24,675.24							
PROGRAM IV - COMMUNITY ENVIRONMENT											
	Planning/Zoning/Bldg/Elec.		-								
	Salaries/Wages			6,000.00							
	Benefits			1,000.00							
	Contractual										
	Supplies										
				7,500.00							
	Engineering			12,000.00							
	TOTAL PROGRAM IV			19,500.00							-
PROGRAM VI - TRANSPORTATION											
	Salaries/Wages			117,500.00							
	Benefits			37,000.00							
	Contractual										
	Supplies										
				186,500.00							
	TOTAL PROGRAM V I			186,500.00							

PROGRAM VII - GENERAL GOVERNMENT							
				2009			
Mayor							
	Salaries/Wages			15,750.00			
	Benefits			2,700.00			
	Contractual						
	Supplies						
				20,950.00			
Council							
	Salaries/Wages			18,000.00			
	Benefits			2,200.00			
				20,200.00			
Clerk of Courts							
	Salaries/Wages			66,700.00			
	Benefits			21,000.00			
	Contractual						
	Supplies						
				88,700.00			
Clerk-Treasurer							
	Salaries/Wages			37,000.00			
	Benefits			7,000.00			
	Contractual						
	Supplies						
				46,000.00			
Land & Buildings							
	Salaries/Wages	-					
	Benefits	-					
	Contractual						
	Supplies						
	EMS Service						
	Capital Outlay	-		-			
				122,950.00			
Auditor & Treasurer Fees							
Delinquent Collections							
State Examiners Fees							
Election Fees/Solid Waste							
Solicitor							
Worker's Compensation							
Charges & Service Fees							
Loan Payment/Interest							
Transfer to Park				10,000.00		10,000.00	
TOTAL PROGRAM VII				413,650.00		475,555.11	
GRAND TOTAL GENERAL FUND				1,385,021.58			
Certificate of Estimated Resources				1,836,582.04		1,992,119.82	
Less Reserve Amount				451,560.46		551,560.46	
Total Available for Expenditures				1,385,021.58		1,440,559.36	
Difference				-			

Contractual	230								
Supplies	240								
Auditors Fees	230								
Del. Ad. & Coll.	230								
Dretac Fees	230								
Capital Outlay	250								
Loan Payment	250								
Fund Total				364,347.47					
Computer Fund									
Salaries	211			-					
Benefits	212			-					
Contractual	230								
Supplies	240								
Capital Outlay	250								
Fund Total				30,676.06					
Law Enforcement Trust Fund									
Contractual	230								
Supplies	240								
Fund Total				2,419.72					
Cemetery Trust Fund									
Contractual									
Supplies									
Fund Total				1,500.00					
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				52,747.21					
Federal Forfeiture Fund				-					

A RESOLUTION DECLARING IT NECESSARY TO
REPLACE AN EXISTING **1.75** MILL TAX LEVY AT A
REDUCED TAX RATE AND REQUESTING THE
SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE
TOTAL CURRENT TAX VALUATION OF THE VILLAGE
AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD
BE GENERATED BY A **.50 MILL REPLACEMENT** LEVY,
AND DECLARING AN EMERGENCY

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Village and that it is necessary to levy a tax in excess of that limitation for the purposes of providing and maintaining fire apparatus, appliances, buildings or sites therefore (O.R.C. 5705.1(I)) in the Village of Boston Heights; and

WHEREAS, in accordance with Division B of Section 5705.03 of the Ohio Revised Code, as amended by Am. Sub. S.B. No. 201, effective December 21, 1998, in order to submit the question of a **replacement** tax levy pursuant to Section 5705.25 of the Ohio Revised Code, this Council must request that the Summit County Fiscal Officer certify (i) the total current tax valuation of the Village, and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division B of Section 5705.03 of the Ohio Revised Code, upon receipt of a certified copy of a resolution of this Council declaring the necessity of the tax, stating its purpose, stating whether it is an additional levy, a renewal or a replacement of an existing tax, noting the Section of the Ohio Revised Code pursuant to which its submission to the electors is authorized, and requesting the County Fiscal Officer to certify the total current tax valuation of the Village, and the dollar amount of revenue that would be generated by the proposed levy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, County of Summit and State of Ohio, two-thirds of the members elected therefore concurring that:

Section 1: This Council declares that it is necessary to **replace**, for a period of **five** years, the levy of an existing **1.75** mill ad valorem property tax outside of the ten mill limitation for the purpose of providing and maintaining fire apparatus, appliances, buildings and sites therefore (O.R.C. 5705.19)(I), and that it intends to submit the question of the **replacement** of that levy to the electors at an election on November 3, 2009 as authorized by Section 5705.25 of the Ohio Revised Code.

SECTION 2: This Council requests the Summit County Fiscal Officer to certify to it both (i) the total current tax valuation of the Village; and (ii) the dollar amount of revenue that would be generated by the **.50** mill levy specified in Section 1.

SECTION 3: The Clerk of this Council is authorized and directed to deliver promptly to the Summit County Fiscal Officer a certified copy of this Resolution and the form of the County Fiscal Officer's Certificate in connection therewith that is currently on file with the Clerk of Council.

SECTION 4: 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.

SECTION 5: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and

RESOLUTION X – 2009

JUNE 10, 2009

to comply with the requirements of the Ohio Revised Code regarding the levy of taxes outside the 10 mill limitations 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 Resolution , 2009 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on June 10, 2009.

A RESOLUTION DECLARING IT NECESSARY TO HAVE AN **ADDITIONAL** TAX LEVY AT THE TAX RATE OF **.75** AND REQUESTING THE SUMMIT COUNTY FISCAL OFFICER TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE VILLAGE AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THIS **ADDITIONAL LEVY**, AND DECLARING AN EMERGENCY

WHEREAS, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the Village and that it is necessary to levy a tax in excess of that limitation for the purposes of payment of permanent, part-time or volunteer firefighters or firefighting companies to operate the fire department, including the payment of the firefighter employers' contribution required under section 742.34 of the Revised Code, or the provision of ambulance, paramedic, or others emergency medical services operated by a fire department or firefighting company therefore (O.R.C. 5705.19)(I) in the Village of Boston Heights; and

WHEREAS, in accordance with Division B of Section 5705.03 of the Ohio Revised Code, as amended by Am. Sub. S.B. No. 201, effective December 21, 1998, in order to submit the question of an **additional** tax levy pursuant to Section 5705.25 of the Ohio Revised Code, this Council must request that the Summit County Fiscal Officer certify (i) the total current tax valuation of the Village, and (ii) the dollar amount of revenue that would be generated by the levy; and

WHEREAS, in accordance with Division B of Section 5705.03 of the Ohio Revised Code, upon receipt of a certified copy of a resolution of this Council declaring the necessity of the tax, stating its purpose, stating whether it is an additional levy, a renewal or a replacement of an existing tax, noting the Section of the Ohio Revised Code pursuant to which its submission to the electors is authorized, and requesting the County Fiscal Officer to certify the total current tax valuation of the Village, and the dollar amount of revenue that would be generated by the proposed levy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, County of Summit and State of Ohio, two-thirds of the members elected therefore concurring that:

Section 1: This Council declares that it is necessary to **have an additional** tax levied, for a period of **three** years, of **.75** mill ad valorem property tax outside of the ten mill limitation for the purpose of providing for the payment of permanent, part-time or volunteer firefighters or firefighting companies to operate the fire department, including the payment of the firefighter employers' contribution required under section 742.34 of the Revised Code, or the provision of ambulance, paramedic, or others emergency medical services operated by a fire department or firefighting company therefore (O.R.C. 5705.19(I)), and that it intends to submit the question of the **additional** tax of that levy to the electors at an election on November 3, 2009 as authorized by Section 5705.25 of the Ohio Revised Code.

SECTION 2: This Council requests the Summit County Fiscal Officer to certify to it both (i) the total current tax valuation of the Village; and (ii) the dollar amount of revenue that would be generated by the **.75** mill levy specified in Section 1.

SECTION 3: The Clerk of this Council is authorized and directed to deliver promptly to the Summit County Fiscal Officer a certified copy of this Resolution and the form of the County Fiscal Officer's Certificate in connection therewith that is currently on file with the Clerk of Council.

SECTION 4: 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.

SECTION 5: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to comply with the requirements of the Ohio Revised Code regarding the levy of taxes outside the 10 mill limitations 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 Resolution , 2009 was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on June 10, 2009.

Revenues

**REVENUES
VILLAGE OF BOSTON HEIGHTS, OHIO
FOR PERIOD ENDING APRIL 30, 2009**

GENERAL FUND	Collected April 2009	Collected 2008 YTD	Collected 2009 YTD	Estimated Revenue	Uncollected Balance
REAL ESTATE TAXES	58,126.73	767.10	58,840.74	127,519.00	68,678.26
PERSONAL PROPERTY	-		354.59	4,814.56	4,459.97
MUNI INCOME TAX	42,553.37	134,310.95	239,031.40	565,000.00	325,968.60
MOTEL, ADMISSION TAX	6,937.33	27,882.87	26,072.15	105,000.00	78,927.85
LOCAL GOVERNMENT	5,961.71	24,767.75	28,084.01	96,318.23	68,234.22
INHERITANCE TAX				-	-
CIGARETTE TAX				-	-
LIQUOR PERMITS		1,094.80		-	-
HOMESTEAD & ROLLBACK				-	-
SALES OF LOTS (CEMETERY)		720.00		-	-
GRAVE OPENINGS	-	460.00	980.00	-	(980.00)
FOUNDATIONS	100.00	25.00	370.00	-	(370.00)
MAYOR'S COURT COSTS	14,794.00	35,557.00	39,690.00	115,000.00	75,310.00
MAYOR'S COURT FINES	17,760.00	41,928.98	46,489.82	148,000.00	101,510.18
MAYOR'S COURT FORFEITURES	1,167.00	4,338.00	4,766.80	12,000.00	7,233.20
LAW ENFORCEMENT EDUCATION	35.00	50.00	180.00		(180.00)
BUILDING PERMITS		50.00		5,000.00	5,000.00
OTHER PERMITS	-		325.00	10,000.00	9,675.00
INTEREST	25.60	1,603.64	137.34	6,000.00	5,862.66
INTEREST RESERVE ACCOUNT	138.97	6,417.45	790.46	12,000.00	11,209.54
MISC. RECEIPTS	3,812.26	8,340.78	18,541.46	112,000.00	93,458.54
FEDERAL GRANT MONIES					-
STATE GRANT MONIES	971.59		971.59		(971.59)
LOAN FROM FIRST MERIT					-
TOTALS	152,383.56	288,314.32	465,625.36	1,318,651.79	853,026.43
Unencumbered Carryover Balance				66,369.79	66,369.79
Reserve Account Principal		-	430,850.00		
Reserve Account Interest to date			21,500.92		
Recertified Excess Revenues					
TOTAL	152,383.56	288,314.32	452,350.92	1,385,021.58	919,396.22
STREET CONSTR., MAINT. & REPAIR					
Permissive & Undivided Auto	3,263.23	6,059.65	8,273.53	30,000.00	21,726.47
Gas Excise/Cents per Gal.	4,566.00	16,714.73	19,988.79	48,000.00	28,011.21
Permissive Tax (County)					-
Interest	28.56	1,003.68	162.92	-	(162.92)
Bank Note		65,000.00			-
TOTAL	7,857.79	88,778.06	28,425.24	78,000.00	49,574.76
STATE HIGHWAY					
Bank Note				-	-
Permissive & Undivided Auto	264.58	491.39	670.82	2,300.00	1,629.18
Gas Excise/Cents per Gal.	370.22	1,355.23	1,620.71	4,000.00	2,379.29
St. Highway Patrol Tickets	489.00	923.00	1,238.00	5,700.00	4,462.00
Interest	5.71	225.51	41.11		(41.11)
TOTAL	1,129.51	2,995.13	3,570.64	12,000.00	8,429.36

Revenues

**VILLAGE OF BOSTON HEIGHTS, OHIO
FOR PERIOD ENDED APRIL 2009**

REVENUES	Collected April 2009	Collected 2008 YTD	Collected 2009 YTD	Estimated Revenue	Uncollected Balance
PARK					
Motel Tax	5,000.00		5,000.00	5,000.00	-
Memberships	938.00		938.00	13,000.00	12,062.00
Guest Fees				1,200.00	1,200.00
Interest	0.77		1.56	-	(1.56)
Royalties & Misc.	529.37	572.25	1,322.49	2,800.00	1,477.51
Transfer In				10,000.00	10,000.00
TOTAL	6,468.14	572.25	7,262.05	32,000.00	24,737.95
ROAD LEVY					
Real Estate Tax	88,054.88	1,296.50	89,351.38	193,792.00	104,440.62
Personal Property				8,393.93	8,393.93
Homestead & Rollback					-
Grant Funds		9,632.00			-
Bank Note					-
Interest	11.79		11.79		(11.79)
TOTAL	88,066.67	10,928.50	89,363.17	202,185.93	112,822.76
FIRE LEVY					
Real Estate Tax	40,798.32	688.50	41,486.82	88,945.00	47,458.18
Personal Property				4,760.87	4,760.87
Homestead & Rollback					-
Interest	5.22		5.22		(5.22)
Federal Grant Monies					-
State Grant Monies					-
TOTAL	40,803.54	688.50	41,492.04	93,705.87	52,213.83
COMPUTER FUND					
Mayor's Court Fines	1,715.00	4,222.00	4,590.00	15,000.00	10,410.00
FEDERAL FORFEITURE FUND					
FINES DEPARTMENT OF JUSTICE	-	-	-	-	-
TOTAL	-	-	-	-	-

Revenues

**VILLAGE OF BOSTON HEIGHTS, OHIO
FOR PERIOD ENDING APRIL 30, 2009**

REVENUES	Collected April 2009	Collected 2008 YTD	Collected 2009 YTD	Estimated Revenue	Uncollected Balance
CAPITAL PROJECTS					
Real Estate Taxes	9,687.80	111.00	9,798.80	21,253.00	11,454.20
Personal Property				802.09	802.09
Homestead & Rollback				-	-
Interest	1.30		1.30	-	(1.30)
Grant Monies				-	-
TOTALS	9,689.10	111.00	9,800.10	22,055.09	12,254.99
CEMETERY FUND					
Sales of Lots		180.00		-	-
Grave Openings	-	40.00	220.00	-	(220.00)
Interest	18.38	431.37	159.97	-	(159.97)
Miscellaneous				-	-
TOTALS	18.38	651.37	379.97	-	(379.97)
REFUNDABLE PERF BOND	-	-	-	-	-
LAW ENFORCEMENT TRUST FUND					
Drug Arrest Income				1,200.00	1,200.00

EXPENDITURE SUMMARY					
GENERAL FUND					
PERIOD ENDING APRIL 30, 2009					
	SPENT	SPENT	SPENT	2009	
	4/30/09	2008 YTD	2009 YTD	APPROP.	BALANCE
POLICE DEPARTMENT	48,689.37	281,334.23	177,561.12	655,086.34	477,525.22
FIRE DEPARTMENT	2,642.15	40,658.97	39,278.70	77,200.00	37,921.30
STREET LIGHTING	681.74	1,889.24	2,715.29	8,200.00	5,484.71
TRAFFIC SIGN & SIGNALS	15.00	45.00	62.00	210.00	148.00
CEMETERY					-
PUBLIC HEALTH & WELFARE	12,337.62	11,883.69	12,337.62	24,675.24	12,337.62
PARK/SUPPLIES					-
ZONING	577.25	2,308.29	2,309.00	7,500.00	5,191.00
BLDG. & ELECT. INSPECTION					-
PROFESSIONAL SERVICES	3,328.00	2,391.37	3,840.31	12,000.00	8,159.69
STREET DEPARTMENT	13,918.30	64,604.03	58,094.19	186,985.81	128,891.62
SNOW AND ICE REMOVAL					-
MAYOR'S OFFICE	1,526.62	5,938.84	6,052.60	20,950.00	14,897.40
COUNCIL	1,673.25	6,631.88	6,693.00	20,200.00	13,507.00
CLERK OF COURTS	6,702.48	20,875.66	24,670.98	88,700.00	64,029.02
CLERK-TREASURER	3,594.73	17,325.17	13,897.52	46,000.00	32,102.48
LANDS & BUILDINGS	23,490.91	13,803.20	55,410.09	122,950.00	67,539.91
CTY AUDITOR & TREAS. FEES	646.08	657.60	646.08	1,500.00	853.92
DELIQUENT COL./AD	6.37	21.38	6.37	100.00	93.63
STATE EXAMINERS FEE				-	-
WORKMAN'S COMP.	-		18,788.06	19,000.00	211.94
ELEC. FEES/SOLID WASTE	985.47	1,583.54	985.47	2,200.00	1,214.53
SOLICITOR	4,376.12	13,055.00	16,641.24	45,000.00	28,358.76
BANK SERVICE CHARGES	2,059.76	16,860.51	10,700.84	36,564.19	25,863.35
LOAN PAYMENT					-
TRANSFER OUT				10,000.00	10,000.00
TOTAL	127,251.22	501,867.60	450,690.48	1,385,021.58	934,331.10
ENCUMBURANCE FROM 2008				485.81	
TOTAL				1,385,507.39	
SPECIAL REVENUE FUNDS					
STREET CONSTR. MAINT.	-	24,009.07	23,852.98	172,958.68	149,105.70
STATE HIGHWAY	177.41	2,519.93	1,271.18	33,159.33	31,888.15
PARK	193.84	587.42	406.11	43,300.00	42,893.89
ROAD LEVY	1,684.24	207,110.22	1,684.24	296,472.31	294,788.07
L.E.T.F.	-	257.73	-	1,500.00	1,500.00
FIRE LEVY	1,745.50	954.88	2,391.80	364,347.47	361,955.67
COMPUTER FUND	2,436.07	7,429.58	7,632.78	30,676.06	23,043.28
FEDERAL FORFEITURE FUND	-	179.52	-		-
					-
TOTALS	6,237.06	243,048.35	37,239.09	942,413.85	905,174.76
CAPTIAL PROJECTS	674.03	1,620.29	14,539.65	52,747.21	38,207.56
CEMETERY TRUST FUND	10.00	-	10.00	2,419.72	2,409.72
REFUNDABLE PERF. BOND		-		48,727.58	48,727.58

GENERAL FUND					
DETAIL OF EXPENDITURES FOR APRIL 30, 2009					
POLICE DEPARTMENT					
	SPENT	SPENT	SPENT	2009	
	4/30/09	2008	2009	2009	
		YTD	YTD	APPROP.	BALANCE
SALARIES & WAGES	28,793.04	101,075.62	110,961.71	374,000.00	263,038.29
PERSONAL BENEFITS	16,731.43	36,531.79	48,904.03	155,000.00	106,095.97
UNIFORM ALLOWANCE	-	535.00	652.01	3,900.00	3,247.99
CONTRACTUAL SERVICES	588.56	1,371.88	4,072.30	70,186.34	66,114.04
SUPPLIES & MATERIALS	2,576.34	9,890.90	12,971.07	40,000.00	27,028.93
CAPITAL OUTLAY		81,890.00		12,000.00	12,000.00
TOTAL	48,689.37	231,295.19	177,561.12	655,086.34	477,525.22
FIRE DEPARTMENT					
SALARIES & WAGES	1,503.96	9,477.31	9,266.84	34,000.00	24,733.16
PERSONAL BENEFITS	206.02	981.58	1,075.00	4,500.00	3,425.00
CONTRACTUAL SERVICES	522.81	24,845.49	28,121.86	33,700.00	5,578.14
SUPPLIES & MATERIALS	409.36	1,263.91	815.00	5,000.00	4,185.00
TOTAL	2,642.15	36,568.29	39,278.70	77,200.00	37,921.30
STREET DEPARTMENT					
SALARIES & WAGES	7,974.23	33,901.89	34,548.96	117,500.00	82,951.04
PERSONAL BENEFITS	4,484.51	9,064.57	11,592.75	37,000.00	25,407.25
CONTRACTUAL SERVICES	243.32	2,202.97	5,093.40	12,000.00	6,906.60
SUPPLIES & MATERIALS	1,216.24	4,665.58	6,859.08	20,485.81	13,626.73
CAPITAL OUTLAY				-	-
TOTAL	13,918.30	49,835.01	58,094.19	186,985.81	128,891.62
MAYOR'S OFFICE					
SALARIES & WAGES	1,305.00	3,764.06	5,181.99	15,750.00	10,568.01
PERSONAL BENEFITS	201.62	564.87	800.61	2,700.00	1,899.39
CONTRACTUAL SERVICES	20.00	150.17	70.00	2,000.00	1,930.00
SUPPLIES & MATERIALS				500.00	500.00
TOTAL	1,526.62	4,479.10	6,052.60	20,950.00	14,897.40
COUNCIL					
SALARIES & WAGES	1,500.00	4,475.00	6,000.00	18,000.00	12,000.00
PERSONAL BENEFITS	173.25	483.63	693.00	2,200.00	1,507.00
CONTRACTUAL SERVICES					-
SUPPLIES & MATERIALS					-
TOTAL	1,673.25	4,958.63	6,693.00	20,200.00	13,507.00

DETAILS OF GENERAL FUND EXPENDITURES FOR PERIOD ENDING APRIL 30, 2009					
	SPENT 4/30/09	SPENT 2008	SPENT 2009	2009 APPROP.	BALANCE
CLERK OF COURTS					
SALARIES & WAGES	4,070.04	12,800.76	18,339.81	66,700.00	48,360.19
PERSONAL BENEFITS	2,364.68	3,156.44	5,981.80	21,000.00	15,018.20
CONTRACTUAL SERVICES	267.76		349.37	500.00	150.63
SUPPLIES & MATERIALS				500.00	500.00
TOTAL	6,702.48	15,957.20	24,670.98	88,700.00	64,029.02
CLERK-TREASURER					
SALARIES & WAGES	3,022.11	10,922.26	11,262.75	37,000.00	25,737.25
PERSONAL BENEFITS	559.97	1,817.34	2,041.24	7,000.00	4,958.76
CONTACTUAL SERVICES	12.65	120.00	252.65	1,500.00	1,247.35
SUPPLIES & MATERIALS	-		340.88	500.00	159.12
CAPITAL OUTLAY					-
TOTAL	3,594.73	12,859.60	13,897.52	46,000.00	32,102.48
LANDS & BUILDINGS					
SALARIES & WAGES					-
PERSONAL BENEFITS					-
CONTRACTUAL SERVICES	22,642.16	4,991.86	30,460.08	58,950.00	28,489.92
EMERGENCY SERVICE ACCT.	756.16	5,726.33	20,204.80	48,000.00	27,795.20
SUPPLIES & MATERIALS	92.59	2,830.36	4,745.21	16,000.00	11,254.79
CAPITAL OUTLAY					-
TOTAL	23,490.91	13,548.55	55,410.09	122,950.00	67,539.91
ZONING DEPARTMENT					
SALARIES & WAGES	500.00	1,500.00	2,000.00	6,000.00	4,000.00
PERSONAL BENEFITS	77.25	231.04	309.00	1,000.00	691.00
CONTRACTUAL SERVICES				500.00	500.00
SUPPLIES & MATERIALS					-
TOTAL	577.25	1,731.04	2,309.00	7,500.00	5,191.00
BUILDING DEPARTMENT					
SALARIES & WAGES	-		-		-
PERSONAL BENEFITS	-		-		-
CONTRACTUAL SERVICES					-
SUPPLIES & MATERIALS					-
TOTAL	-	-	-	-	-

EXPENDITURES FOR SPECIAL REVENUES APRIL 30, 2009					
ST. CONSTR., MAINT. & REPAIR FUND					
	SPENT 4/30/09	SPENT 2008	SPENT 2009	2009 APPROP.	
CONTRACTUAL SERVICES	-	894.50		63,313.41	63,313.41
SUPPLIES & MATERIALS	-	1,828.72	502.00	44,000.00	43,498.00
SALT SUPPLIES	-	16,596.88	23,350.98	42,000.00	18,649.02
COUNTY PERMISSIVE TAX				-	-
LOAN PRINCIPAL (TRUCK)				20,720.27	20,720.27
LOAN INTEREST (TRUCK)				2,925.00	2,925.00
TOTAL	-	19,320.10	23,852.98	172,958.68	149,105.70
STATE HIGHWAY FUND					
CONTRACTUAL SERVICES		1,378.78		28,500.00	28,500.00
TRAFFIC SIGNALS (STATE)	177.41	1,141.15	1,271.18	4,659.33	3,388.15
CAPITAL OUTLAY					-
LOAN PAYMENT					-
TOTAL	177.41	2,519.93	1,271.18	33,159.33	31,888.15
PARK FUND					
SALARIES & WAGES				22,000.00	22,000.00
PERSONAL BENEFITS				3,500.00	3,500.00
CONTRACTUAL SERVICES	79.84	334.67	292.11	5,000.00	4,707.89
SUPPLIES & MATERIALS	114.00		114.00	2,800.00	2,686.00
CAPITAL OUTLAY					-
TRANSFER IN	-			10,000.00	10,000.00
TOTAL	193.84	334.67	406.11	43,300.00	32,893.89
ROAD LEVY FUND					
CONTRACTUAL SERVICES	987.02	183,925.92	987.02	250,000.00	249,012.98
SUPPLIES & MATERIALS		21,770.08		43,372.31	43,372.31
AUDITORS & TREAS. FEES				2,500.00	2,500.00
DEL. AD & COLLECTIONS	356.16		356.16	100.00	(256.16)
DRETAC FEES	341.06		341.06	500.00	158.94
LOAN PAYMENT	-		-	-	-
TOTAL	1,684.24	205,696.00	1,684.24	296,472.31	294,788.07
FIRE LEVY FUND					
CONTRACTUAL SERVICES	685.85		938.20	10,000.00	9,061.80
SUPPLIES & MATERIALS	87.07		481.02	2,500.00	2,018.98
AUDITORS & TREAS. FEES	627.97		627.97	1,500.00	872.03
DEL. AD & COLLECTIONS	185.76		185.76	75.00	(110.76)
DRETAC FEES	158.85		158.85	275.00	116.15
CAPITAL OUTLAY				349,997.47	349,997.47
LOAN PAYMENT	-				-
TOTAL	1,745.50	-	2,391.80	364,347.47	361,955.67

EXPENDITURES FOR SPECIAL REVENUES APRIL 30, 2009					
	SPENT	SPENT	SPENT	2009	
COMPUTER FUND	4/30/09	2008	2009	APPROP.	BALANCE
SALARIES & WAGES	-	1,950.00	-	-	-
PERSONAL BENEFITS		300.32		-	-
CONTRACTUAL SERVICES	637.07	4,428.83	5,833.78	11,000.00	5,166.22
SUPPLIES & MATERIALS	1,799.00		1,799.00	5,000.00	3,201.00
CAPITAL OUTLAY			-	14,676.06	14,676.06
TOTAL	2,436.07	6,679.15	7,632.78	30,676.06	23,043.28
CAPITAL PROJECTS FUND					
CONTRACTUAL SERVICES	490.00		4,670.62	12,000.00	7,329.38
SUPPLIES & MATERIALS	-		860.00	1,500.00	640.00
AUDITORS & TREAS. FEES	107.67		107.67	250.00	142.33
DEL. AD & COLLECTIONS	38.86		38.86	15.00	(23.86)
DRETAC FEES	37.50		37.50	75.00	37.50
CAPITAL OUTLAY	-		-	38,907.21	38,907.21
TOTAL	674.03	-	5,714.65	52,747.21	47,032.56
CEMETERY TRUST FUND					
SUPPLIES & MATERIALS				1,200.00	1,200.00
CONTRACTUAL SERVICES	10.00		10.00	1,219.72	1,209.72
TOTAL	10.00	-	10.00	2,419.72	2,409.72
REFUND. PERF. BOND FUND					
CONTRACTUAL SERVICES	-		-	48,727.58	48,727.58
LAW ENFORCE. TRUST FUND					
SUPPLIES & MATERIALS		257.73		750.00	750.00
CONTRACTUAL SERVICES				750.00	750.00
TOTAL	-	257.73	-	1,500.00	1,500.00
FEDERAL FORFEITURE FUND					
CONTRACTUAL SERVICES	-			-	-
SUPPLIES & MATERIALS	-	179.52		-	-
TOTAL	-	179.52	-	-	-