

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

SPECIAL COUNCIL MEETING  
OF  
October 28, 2008 – 7:00 P.M.

**AGENDA**  
ROLL CALL  
PLEDGE OF ALLEGIANCE  
APPROVAL OF AGENDA

- 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

**MOTIONS:**

ADJOURN

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CAROL ZEMAN, Clerk-Treasurer

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last sentence of said Subsection of the existing Chapter County of Summit, and State of Ohio:147.03(b)(3) is hereby repealed in its entirety and replaced with the following sentence: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

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BILL GONCY, Mayor

ATTEST:

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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 8<sup>th</sup> day of October, 2008.

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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 8<sup>th</sup> 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	
POLICE LAW ENFORCEMENT			Appropriation				
	Salaries/Wages		380,000.00	370,000.00			
	Benefits		149,000.00				
	Uniform Allow.						
	Contractual						
	Supplies						
	Capital Outlay						
			<b>730,000.00</b>				
FIRE FIGHTING, PREVENTION & INSPECTION							
	Salaries/Wages		39,000.00	38,000.00			
	Benefits		4,500.00				
	Contractual						
	Supplies						
			<b>82,000.00</b>				
	Street Lighting		<b>6,700.00</b>				
	Traffic Signals		<b>200.00</b>				
	<b>TOTAL PROGRAM I</b>		<b>818,900.00</b>				
PROGRAM II - PUBLIC HEALTH AND HUMAN SERVICES							
	Pymt to Cty Health District		23,767.38				
	<b>TOTAL PROGRAM II</b>		<b>23,767.38</b>				
PROGRAM IV - COMMUNITY ENVIRONMENT							
	Planning/Zoning/Bldg/Elec.	-					
	Salaries/Wages		6,000.00				
	Benefits		1,400.00				
	Contractual						
	Supplies						
			<b>7,600.00</b>				
	Engineering		<b>18,000.00</b>				
	<b>TOTAL PROGRAM IV</b>		<b>25,600.00</b>				-
PROGRAM VI - TRANSPORTATION							
	Salaries/Wages		117,500.00	114,500.00			
	Benefits		35,200.00				
	Contractual						
	Supplies						
			<b>182,700.00</b>				
	<b>TOTAL PROGRAM VI</b>		<b>182,700.00</b>				
PROGRAM VII - GENERAL GOVERNMENT							
	Mayor						
	Salaries/Wages		15,203.88				
	Benefits		2,700.00				
	Contractual						
	Supplies						
			<b>20,403.88</b>				
	Council						
	Salaries/Wages		18,000.00				
	Benefits		2,200.00				
			<b>20,200.00</b>				
	Clerk of Courts						
	Salaries/Wages		50,000.00				
	Benefits		14,000.00				
	Contractual						
	Supplies						
			<b>65,000.00</b>				
	Clerk-Treasurer						
	Salaries/Wages		47,500.00				
	Benefits		8,500.00				
	Contractual						
	Supplies						
			<b>58,500.00</b>				
	Land & Buildings						
	Salaries/Wages	-					
	Benefits	-					
	Contractual						
	Supplies						
	EMS Service						
	Capital Outlay	-					
			<b>137,000.00</b>				
	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						
	<b>TOTAL PROGRAM VII</b>		<b>438,523.92</b>				
<b>GRAND TOTAL GENERAL FUND</b>			<b>1,489,491.30</b>				
Certificate of Estimated Resources			1,925,979.19				
Less Reserve Amount			436,487.89				
Total Available for Expenditures			1,489,491.30				
Difference			-				



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 8<sup>th</sup> 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:

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BILL GONCY, MAYOR

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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 8<sup>th</sup> day of October, 2008.

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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 8<sup>th</sup> 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 8<sup>th</sup> day of October, 2008.

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



**SUMMIT COUNTY BUDGET COMMISSION CERTIFICATION OF TAX LEVY**  
(ORC Sections 5705.34 & 5705.35)

- 1. RES/AG REAL VALUE 55,919,050
- 2. OTHER REAL VALUE 13,254,050
- 3. PUBLIC UTILITY PERSONAL VALUE 1,310,080
- 4. TOTAL REAL AND PU VALUE 70,483,180
- 5. REMAINING TPP TELEPHONE VALUE 361,144
- 6. TOTAL VALUE 70,844,324

POLITICAL ENTITY: Boston Heights Village  
Estimate

Tax Year 2008/Collection Year 2009

LEVIES INSIDE and OUTSIDE 10 MILL LIMITATION, INCLUSIVE OF DEBT LEVIES

Date: 08/04/08

FUND TYPE	PURPOSE	AUTH BY VOTERS ON MO/DA/YR	NO YRS LEVY TO RUN	Tax Year Begins/Ends	Collection Year	Maximum Rate Authorized to be Levied	REDUCTION FACTOR	EFFECTIVE RATE TO BE LEVIED	(A) TANGIBLE	(B) P.U.	(C) RES/AG	(D) OTHER	(E) TOTAL
Road and Bridge	Current Expense	Repl/Dec 11/07/06	5	07/11	08/12	2.75	0.000983 0.024112	2.747297 2.683692	\$993		\$153,626	\$35,570	\$193,792
Fire	Current Expense	Renewal 08/03/04	5	04/08	05/09	1.75	0.304127 0.227295	1.217778 1.352234	\$632		\$68,097	\$17,923	\$88,945
General	Inside					1.80		1.800000 1.800000	\$650		\$100,654	\$23,857	\$127,519
Capital Projects	Inside					0.30		0.300000 0.300000	\$108		\$16,776	\$3,976	\$21,253
Totals						6.60		6.065075 6.135926	\$2,383	\$91,647	\$339,153	\$81,326	\$431,509