

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

REGULAR COUNCIL MEETING
OF
May 11, 2011 - 8:00 PM

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

- ORDINANCE H-2011** **AN ORDINANCE AMENDING THE PAY SCALE FOR THE ELECTED OFFICIALS OF THE VILLAGE OF BOSTON HEIGHTS, OHIO**
- ORDINANCE I-2011** **AN ORDINANCE CREATING A POSITION OF VILLAGE FISCAL OFFICER IN ACCORDANCE WITH THE PROVISIONS OF SECTION 733.262 OF THE OHIO REVISED CODE AND ABOLISHING THE POSITION OF VILLAGE CLERK-TREASURER**
- ORDINANCE J-2011** **AN ORDINANCE AMENDING THE COMPENSATION ORDINANCE (ORD 3-2011) FOR EMPLOYEES OF THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY**
- ORDINANCE K-2011** **AN ORDINANCE AMENDING THE PERMANENT ANNUAL APPROPRIATIONS ORDINANCE (ORDINANCE 7 - 2011) FOR THE VILLAGE OF BOSTON HEIGHTS FOR THE YEAR 2011 AND DECLARING AN EMERGENCY**
- RESOLUTION O-2011** **A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE VILLAGE OF BOSTON HEIGHTS TO ADVERTISE FOR LIFEGUARD FOR THE VILLAGE POOL FOR THE YEAR 2011 AND DECLARING AN EMERGENCY**

MOTIONS:

- APPROVAL OF THE FEBRUARY AND MARCH 2011 FINANCIAL STATEMENT
- APPROVAL TO ALLOW THE FIRE CHIEF TO STAFF THE BOSTON HEIGHTS FIRE DEPT. FROM MAY 20, 2011 THRU MAY 22, 2011 TO COVER THE EVENTS AT U.S. WINGS

COMMITTEE REPORTS
OLD BUSINESS
NEW BUSINESS
ADJOURN

CAROL ZEMAN, CLERK-TREASURER

AN ORDINANCE AMENDING THE PAY SCALE FOR THE ELECTED OFFICIALS OF THE VILLAGE OF BOSTON HEIGHTS, OHIO

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

Section 1: That the pay scale for the Clerk-Treasurer of the Village of Boston Heights is hereby increased and amended as follows:

A. Term beginning April 1, 2012 and all terms through March 31, 2016 shall follow the increase of the regular wage Ordinance for all other Village employees. The increase shall be annually as given to any other employee. In the event of no increase to the Village employees, there shall not be an increase in the salary of the Clerk-Treasurer for that specific term

B. The rate for the Clerk-Treasurer for the beginning term of April 1, 2012 shall be **\$39,898.57**.

Section 2: That the pay scale for the Mayor of the Village of Boston Heights is hereby increased and amended as follows:

A. Term beginning January 1, 2012 and all terms through December 31, 2015 shall follow the increase of the regular wage Ordinance for all other Village employees. The increase shall be annually as given to any other employee. In the event of no increase to the Village employees, there shall not be an increase in the salary of the Mayor for that specific term.

B. The rate for the Mayor for the beginning term of January 1, 2012 shall be **\$16,613.70**.

Section 3: That the pay scale for members of Council of the Village of Boston Heights is hereby increased and amended as follows:

A. For Council terms beginning January 1, 2012 members shall receive \$250.00 per month.

B. For Council terms beginning January 1, 2014 members shall receive \$250.00 per month.

Section 4: All other terms and conditions providing for compensation and/or benefits provided in other duly enacted ordinances or resolutions that are not specifically modified by this Ordinance shall continue in full force and effect.

Section 5: 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 Council and that all deliberations of this Council and of any of its committees or subcommittees that resulted in those formal actions were in meetings open to the public in compliance with the law.

ORDINANCE H-2011

MAY 11, 2011

Section 6: This Ordinance was duly adopted and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law.

PASSED:

BILLGONCY, 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 - 2011 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 11th day of MAY, 2011

AN ORDINANCE CREATING A POSITION OF VILLAGE FISCAL OFFICER IN ACCORDANCE WITH THE PROVISIONS OF SECTION 733.262 OF THE OHIO REVISED CODE AND ABOLISHING THE POSITION OF VILLAGE CLERK-TREASURER

WHEREAS, Section 733.262 of the Ohio Revised Code empowers this Council to create the position of Village Fiscal Officer, and

WHEREAS, it is the judgment of this Council that the interest of the citizens of the Village will be better served through the creation of the position of Village Fiscal Officer.

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

1. In accordance with Section 733.262 of the Ohio Revised Code, there is hereby created the position of Village Fiscal Officer effective April 1, 2012.

2. The Village Fiscal Officer shall have those powers, duties, and functions as provided by the general laws of the State of Ohio; and in addition other duties consistent with the nature of the office that are provided for by Village ordinance.

3. The elected position of Village Clerk-Treasurer is eliminated pursuant to Ohio Revised Code Section 733.262 so that no election for the office of Village Clerk-Treasurer for the Village of Boston Heights is held after the passage of this Ordinance.

Section 1: 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 2: This Ordinance was duly adopted and shall take effect thirty (30) days after its adoption by Council and approval by the Mayor, otherwise at the earliest period allowed by law,

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 -2011 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 11th day of May, 2011.

CAROL ZEMAN, Clerk of the Village of Boston Heights

AN ORDINANCE AMENDING THE
 COMPENSATION ORDINANCE (ORD. 3-2011) 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 any level 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: (rates are noted as dollars per hour)

	<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
Police Officer	19.31	20.32	21.09
Sergeant	21.83	22.63	23.37
Chief	26.53	27.59	29.77

2. Jailers

The position of Jailer shall be compensated at the rate of Nine and 29/100 Dollars (\$9.29) per hour. 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 at a rate of Thirteen and 37/100 Dollars (\$13.37) per hour:

The officers 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 Twenty-seven and 33/100 Dollars (\$27.33) 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	\$459.72 per month
Assistant Chief	\$328.38 per month
Engineer	\$328.38 per month
Captain	\$262.71 per month
Lieutenant	\$229.87 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 Thirteen and 37/100 Dollars (\$13.37) each for every drill attended and for every truck duty performed.

3. All members of the Fire Department, other than officers, shall receive Thirteen and 37/100 (\$13.37) 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 Thirteen and 37/100 (\$13.37).

- 5. Each member of the Fire Department shall receive Thirteen and 37/100 Dollars (\$ 13.37) 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 Eleven and 25/100 Dollars (\$11.25) 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 puiposes 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 Thirteen and 37/100 (\$13.37) per hour for all hours actually worked in connection with a response.
- 8. Each member of the Fire Department as an on staff scheduled employee working within the hours designated and approved by Council shall receive Thirteen dollars and 37/100 (\$13.37) per hour for every hours worked within the approved schedule of hours.**

C. Mayor's Court

- 1. Office Clerk/Clerk of Mayor's Court (rates noted as dollars per hour)

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
14.86	15.92	18.77

- 2. Part-time Office Clerk: The rate of pay for the position of Part-time Office Clerk shall be Twelve and 31/100 Dollars (\$12.31) 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 Twelve and 31/100 Dollars (\$12.31) per hour.

- E. Zoning Inspector: The rate of pay for the position of Zoning Inspector shall be Two Hundred Sixty-Five and 23/100 Dollars (\$265.23) per month and an additional Ten Dollars and 61/100 (\$10.61) 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 Road Department Superintendent shall be compensated according to the following rate: (rates as noted are in dollars per hour)

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
19.64	20.70	24.24

2. CDL Truck Driver/Laborer: The position of CDL Truck Driver/Laborer shall be compensated according to the following schedule: (rates as noted are in dollars per hour)

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
13.80	14.86	17.48

3. Non CDL Truck Driver/Laborer; The position of Non CDL Truck Driver/Laborer shall be compensated according to the following schedule: (rates as noted are in dollars per hour)

<u>LEVEL 1</u>	<u>LEVEL 2</u>	<u>LEVEL 3</u>
11.94	12.73	13.54

4. The position of Casual Laborer shall be compensated at the rate of Nine and 86/100 Dollars (\$9.86) per hour.

5. The position of part-time Truck Driver (CDL/Laborer shall be compensated at the rate of Twelve and 56/100 Dollars (\$12.56) per hour.

6. The position of part-time mechanic shall be compensated at the rate of Twelve and 67/100 dollars (\$12.67) per hour. The part-time mechanic shall be compensated at the rate of Thirteen and 03/100 (\$13.03) 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 Thirteen Dollars and 12/100 (\$13.12) per hour.
2. Senior Lifeguard/Assistant Manager: The position of Senior Lifeguard/Assistant Manager shall be compensated at the rate of Ten and 40/100 Dollars (\$10.40) per hour.
3. Lifeguard: The position of Lifeguard shall be compensated at the rate of Eight and 75/100 Dollars (\$8.75) per hour for first year lifeguards. Nine and 30/100 (\$9.30) per hour for 2nd and 3rd year lifeguards and Nine and 84/100 dollars (\$9.84) 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 Nine and 55/100 (\$9.55) per hour.

Section 5: That this Ordinance shall be retroactive and shall take effect and be in force from and after the pay period beginning February 21, 2011.

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 - 2011 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 11th day of May, 2011.

CAROL ZEMAN, Clerk of the Village of Boston Heights

MAY 11, 2011

AN ORDINANCE AMENDING THE PERMANENT
ANNUAL APPROPRIATIONS ORDINANCE
(ORDINANCE 7 - 2011) FOR THE VILLAGE OF
BOSTON HEIGHTS FOR THE YEAR 2011 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 7 - 2011) for the year 2011 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 -2011 was duly passed by the Council of Boston Heights, County of Summit, State of Ohio at a meeting on the 11th day of May, 2011.

Carol Zeman, Clerk of the Village of Boston
Heights

ANNUAL APPROPRIATION ORDINANCE 2011

GENERAL FUND

PROGRAM I - SECURITY OF PERSONS AND PROPERTY

	2011 Appropriation	1ST AMENDMENT	AMENDED APPROP.	AMENDED APPROP.	AMENDED APPROP.
				2nd AMENDMENT	3rd AMENDMENT
POLICE LAW ENFORCEMENT					
Salaries/Wages	395,000.00				
Benefits	143,000.00				
Uniform Allow.					
Contractual					
Supplies					
Capital Outlay					
	701,250.00				
FIRE FIGHTING, PREVENTION & INSPECTION					
Salaries/Wages	33,000.00				
Benefits	3,500.00				
Contractual					
Supplies					
	72,500.00				
Street Lighting					
Traffic Signals					
TOTAL PROGRAM I	783,000.00				
PROGRAM II - PUBLIC HEALTH AND HUMAN SERVICES					
Pymt to Cty Health District	24,202.74				
TOTAL PROGRAM II	24,202.74				
PROGRAM IV - COMMUNITY ENVIRONMENT					
Planning/Zoning/Bldg/Elec.					
Salaries/Wages	25,000.00				
Benefits	3,750.00				
Contractual					
Supplies					
	28,750.00				
Engineering					
TOTAL PROGRAM IV	28,750.00				

PROGRAM VI - TRANSPORTATION

Salaries/Wages	117,000.00
Benefits	47,500.00
Contractual	
Supplies	
Capital Outlay	
TOTAL PROGRAM VI	267,500.00

PROGRAM VII - GENERAL GOVERNMENT

2011 Appropriations

Salaries/Wages	16,600.00
Benefits	2,550.00
Contractual	
Supplies	
	20,150.00

Council

Salaries/Wages	18,000.00
Benefits	2,800.00
	20,800.00

Clerk of Courts

Salaries/Wages	65,000.00
Benefits	18,500.00
Contractual	
Supplies	
Capital Outlay	
	85,500.00

Clerk-Treasurer

Salaries/Wages	50,500.00
Benefits	9,200.00
Contractual	
Supplies	
	61,500.00

Land & Buildings

Salaries/Wages	
Benefits	
Contractual	
Supplies	
EMS Service	
Capital Outlay	

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			
TOTAL PROGRAM VII		616,841.54	
GRAND TOTAL GENERAL FUND		1,720,294.28	
Certificate of Estimated Resources		2,525,247.43	
Less Reserve Amount		804,953.15	
Total Available for Expenditures		1,720,294.28	
Difference			
			2011
Street Construction, Maintenance & Repair Fund			Appropriations
Street Maint. & Repair			
	230 Contractual		
	240 Supplies		
	Equipment Purchase		
	Capital Outlay		
Total			
Street Cleaning, Snow & Ice Removal			
	240 Supplies		
Total			
County Permissive Tax			
Fund Total			105,000.00
State Highway Fund			
Traffic Signals Sign, Etc.			
	230 Contractual		
	230 Traffic Signals		
	250 Capital Outlay		
Fund Total			31,000.00

Parks and Recreation Fund:

Salaries & Wages	211	19,000.00
Benefits	212	3,500.00
Contractual	230	
Supplies	240	
Capital Outlay	250	
Transfer		
Fund Total		32,000.00

Road Levy

Contractual Services	230	
Supplies	240	
Auditors Fees	230	
Del. Ad. & Coll.	230	
Dretac Fees	230	
Loan Payment	250	
Total Fund		453,950.00

Fire Levy (99N)

Contractual	230	
Supplies	240	
Auditors Fees	230	
Del. Ad. & Coll.	230	
Dretac Fees	230	
Capital Outlay	250	
Loan Payment	250	
Fund Total		306,900.00

Fire Levy (09RE) Capital

Contractual	230	
Supplies	240	
Auditors Fees	230	
Del. Ad. & Coll.	230	
Dretac Fees	230	
Capital Outlay	250	
Total		69,250.00

2011
Appropriations

Fire Levy (09N) Operating

Salaries	211	73,000.00
Benefits	212	15,000.00
Contractual Services	230	
Auditors Fees	230	
Del. Ad. & Coll.	230	
Dretac Fees	230	
Total		89,200.00

Computer Fund

Salaries	211	
Benefits	212	
Contractual	230	
Supplies	240	
Capital Outlay	250	
Fund Total		22,000.00

Law Enforcement Trust Fund

Contractual	230	
Supplies	240	
Fund Total		300.00

Cemetery Trust Fund

Contractual		
Supplies		
Fund Total		3,000.00

		2011	Appropriations
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			43,440.00
Federal Forfeiture Fund			

A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF THE VILLAGE OF BOSTON HEIGHTS TO ADVERTISE FOR LIFEGUARD FOR THE VILLAGE POOL FOR THE YEAR 2011 AND DECLARING AN EMERGENCY

WHEREAS, the Village of Boston Heights is in need of additional lifeguards for the 2011 recreational pool season:

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

Section 1: That the Clerk-Treasurer is authorized to advertise for the qualified lifeguards for the 2011 recreational pool season in the Village of Boston Heights.

Section 2: 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 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety by providing adequate water safety personnel within the Village parks and recreation areas.

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 -2011. was duly passed by the Council on the 11th day of May 2011.

CAROL ZEMAN, Clerk of the Village
of Boston Heights