

**VILLAGE OF BOSTON HEIGHTS**

**COUNCIL MEETING AGENDA  
TUESDAY, NOVEMBER 10, 2020  
7:00 PM**

**via ZOOM teleconference: WEBINAR ID – 810-8842-8042**

**Due to the COVID-19 Emergency, this meeting will not be held in person at Village Hall.**  
*If you are using a smartphone to join the meeting (Zoom calls this a "webinar"), please download the free Zoom app prior to the meeting date and time. If you are joining from a computer, you may go to <https://zoom.us> on your Internet/web browser.*  
*In either case, when you click on Join a Meeting you will enter the above-referenced Webinar ID.*

**CALL TO ORDER - BILL GONCY, MAYOR**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**With Mayor Bill Goncy, Fiscal Officer Betty Klingenberg, Solicitor Marshal Pitchford**

R.Antal   X   - B.Bartko   X   - J.Miller   X   - H. Davis   absent   - R.Fenn   X   - D.Polyak   X  

**APPROVAL OF AGENDA**                      Motion to adopt agenda as presented to Council

**ADOPTED**

**OPEN FORUM**

**(NONE)**

**APPROVAL OF MINUTES:**

Approve minutes of 10/13/2020

Approve minutes of 10/27/2020

Approve minutes of Public Hearing 10/27/2020

**ALL ADOPTED w/o REVISION**

## ORDINANCES

ORDINANCE 2020-11-26 AN ORDINANCE ACCEPTING AND PLACING FUNDS FOR  
(First Reading) TWO COVID-19 FUNDS WITHIN THE PERMANENT  
APPROPRIATIONS AND DECLARING AN EMERGENCY

**ADOPTED: ORD 2020-11-26**

**ED.NOTE:** Fiscal Officer Betty Klingeberg explained that this are to account for additional monies received from COVID-19 Pandemic emergency funds, in addition to previous funds received.

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## RESOLUTIONS

RESOLUTION 2020-11-46 A RESOLUTION FOR THE VILLAGE OF BOSTON HEIGHTS,  
(First Reading) OHIO, TO ADOPT THE SUMMIT COUNTY SOLID WASTE  
MANAGEMENT PLAN BY THE SUMMIT/AKRON SOLID  
WASTE MANAGEMENT AUTHORITY, DBA REWORKS, AND  
DECLARING AN EMERGENCY

**ADOPTED: RES 2020-11-46**

**ED.NOTE:** Fiscal Officer Betty Klingeberg noted that she had a hardcopy of the Plan for inspection, and that it could also be obtained from the SCSWMA website ([www.summitreworks.com](http://www.summitreworks.com)). She was unable to characterize, in response to a question by Ms. Miller, what changes (if any) there are from the previous plan. Mayor Goncy noted that the Village needed to sign onto this newly revised plan, as it is part of the SCSWMA.

RESOLUTION 2020-11-47 RESOLUTION APPROVING TEMPORARY APPROPRIATIONS  
(First Reading) FOR 2021 AND DECLARING AN EMERGENCY

**ADOPTED: RES 2020-11-47**

**ED.NOTE:** Fiscal Officer Betty Klingeberg explained that this is the routine annual measure needed to 'open the books' for 2021.

## REPORTS

### MAYOR

B. GONCY

Mayor Goncy reported that, in light of the continuing (and worsening) COVID-19 pandemic, the Village was cancelling both its annual Senior Thanksgiving Dinner and Santa Delivery. He was planning to send cards out to the usual dinner guests to explain. He had received notice that sharpshooters would be culling deer in the Cuyahoga Valley National Park from Nov 16 - March 31 2021. He reported that the Engineer was working on applications for further OPWC funding for the proposed Heights to Hudson Trail. The Mayor (later) stated that he would be making some annual appointments to various boards and bodies by next week's Council meeting.

### FISCAL OFFICER

B. KLINGENBERG

STATUS OF THE FIRE LEVY - .75 MILL ON NOVEMBER 3 RD BALLOT: **PASSED**

STATUS OF THE AKRON ZOO LEVY: **PASSED**

Fiscal Officer Klingeberg reminded Council that the 2nd meeting of the month was a week early (next week) due to Thanksgiving, and that the Council organizational meeting was scheduled for Jan 5, 2021. She requested any Council committee changes be submitted posthaste.

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**COMMITTEE REPORTS:**

**SAFETY COMMITTEE / VALLEY FIRE DISTRICT** R. ANTAL  
**(NONE)**

**ROADS COMMITTEE** R. FENN  
**(NONE)**

**CEMETERY TRUSTEES** R. FENN  
**[CEMETERY COMMITTEE]**  
**(NONE)**

**LANDS AND BUILDINGS COMMITTEE / PARK** J.MILLER  
**The Mayor expects to meet with the Committee in the near future to discuss some improvements to Village Hall.**

**COMMUNITY DEVELOPMENT COMMITTEE** J.MILLER  
**(NONE)**

**PLANNING COMMISSION / BZA** D. POLYAK

**Mr. Polyak reported on the recent BZA and PC meetings, which included a dismissal of a deferred application, approval of a landscaper's site plan, and the variances and approvals for the development of a "delivery station" on the land bounded by Hines Hill, Dean Memorial, Olde 8, and the Turnpike. He noted the strong, and in fact unanimous, support for the latter (large-scale) project from all of Council, the Board of Zoning Appeals, and the Planning Commission.**

**Mr. Bartko seemed to disagree that Council had unanimously supported the project, stated that he had never voted for a "truck terminal". It was pointed out that he, along with the rest of Council, had voted in favor of a resolution supporting the development of the project: Resolution 2020-10-45 at last month's second Council meeting.**

**ENGINEER** OHM ADVISORS/BRIAN GOROG  
**(NONE)**

**OLD BUSINESS**

**NEW BUSINESS**

**The Mayor asked Council to take note of the calendar of meetings for 2021.**

**Mr. Bartko noted that he had received a complaint from a resident who had sent the Mayor four emails but had not received a (satisfactory?) response, nor had the Mayor read these out at this meeting. He asked the Solicitor whether the Mayor was obliged to read out such correspondence at Council meetings. Solicitor Pitchford replied that this was entirely at the Mayor's discretion.**

**Solicitor Pitchford noted that the Ohio Legislature's authorization for remote/virtual public meetings was due to expire on December 1, with HB197. He reported that there was support in the state government for extending this authorization, but without such extension Zoom public meetings would be illegal after that date. The Mayor stated that he would send letters of support for such an extension; Council adopted a motion to endorse such letters.**

**EXECUTIVE SESSION**

**ADJOURN**

**NOTICE**

The complete text of each such Ordinance or Resolution may be obtained or viewed at the Boston Heights Village Hall, 45 East Boston Mills Road in the Office of the Fiscal Officer during office hours.

VILLAGE OF BOSTON HEIGHTS  
ORDINANCE NO: 2020-11-26  
FIRST READING

**AN ORDINANCE ACCEPTING AND PLACING FUNDS FOR TWO COVID-19  
FUNDS WITHIN THE PERMANENT APPROPRIATIONS  
AND DECLARING AN EMERGENCY**

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

**Section 1:** That, effective September 1, 2020, the Village established the following budgetary funds for the purpose of police payroll and necessary Fiscal Officer payroll. The funds may also accumulate resources for the payment of supplies and expenditures from 03/10/2020 through 12/30/2020.

Fund 2151	CORONAVIRUS RELIEF FUND	\$ 47,350.97
Fund 2152	SUMMIT COUNTY COVID-19 PSGP FUND	\$ 37,443.54

**Section 2:** The Fiscal Officer is hereby authorized and directed to take all necessary actions to establish the Coronavirus Relief Fund (state) and the Summit County COVID-19 PSGP Fund (county), including the transfer or placement of the above additional amounts received into each respective fund.

**Section 3:** That, to extent not already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

**Section 4:** This Ordinance is in the best interests of the Village and the prudent management of the Village's funds and the overall operations of the Village's Fiscal Office.

**Section 5:** That it is found and determined that all formal actions of the Council relating to the adoption of this resolution were taken in a duly noticed virtual, open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code and HB 197 during the state-declared COVID-19 emergency.

**Section 6:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of the Village residents and to allow for the continued operations of the Village Mayor's office and other departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

\_\_\_\_\_  
BILL GONCY, Mayor

ATTEST:

\_\_\_\_\_  
BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing **Ordinance 2020-11-26** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **10th day of November, 2020**.

VILLAGE OF BOSTON HEIGHTS  
RESOLUTION NO: 2020-11-46  
FIRST READING

**A RESOLUTION FOR THE VILLAGE OF BOSTON HEIGHTS, OHIO, TO ADOPT  
THE SUMMIT COUNTY SOLID WASTE MANAGEMENT PLAN BY THE  
SUMMIT/AKRON SOLID WASTE MANAGEMENT AUTHORITY, DBA REWORKS,  
AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Boston Heights is located within the Summit/Akron Solid Waste Management Authority; and

**WHEREAS**, the Summit/Akron Solid Waste Management Authority Board of Trustees prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54, and 3734.55; and

**WHEREAS**, the Summit/Akron Solid Waste Management Authority has provided access to a copy of the draft of the Solid Waste Plan to the Council of the Village of Boston Heights via website ([www.summitreworks.com](http://www.summitreworks.com)) posted on October 27, 2020; and

**WHEREAS**, pursuant to R.C. 3734.55 (B), Council shall approve or disapprove the draft plan within ninety (90) days after receiving a copy of it.

**NOW, THEREFORE, BE IT RESOLVED BY THE VILLAGE [OF] BOSTON HEIGHTS COUNCIL;**

SECTION 1: The Village of Boston Heights Council, hereby, adopts the Summit/Akron Solid Waste Management Authority Solid Waste Management Plan, a copy of which is attached and made part of this Resolution

SECTION 2: That the Fiscal Officer be, and is, hereby, directed to send a copy of this Resolution to Marcie Kress, Executive Director of the Summit/Akron Solid Waste Management Authority at 2711 West Market Street, Unit 13602, Fairlawn, OH 44333 or emailed to [planner@summitreworks.com](mailto:planner@summitreworks.com)

SECTION 3: The Village of Boston Heights Council, hereby, finds and determines that all formal actions of this Council relating to the passage of this Resolution were taken in an open meeting of this Village of Boston Heights Council and that all deliberations of the Village of Boston Heights Council and any of it [committees] that resulted in formal action were taken in meetings open to the public in compliance with the law.

SECTION 4: That this Resolution is, hereby, declared to be an emergency measure necessary for the immediate preservation of public peace, health, safety, and welfare for the reason that this action must be taken within 90 days after receipt of a draft copy of the Plan, and provided this Resolution receives the affirmative vote of two-thirds of the members elected or appointed to the Village of Boston Heights Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

PASSED:

\_\_\_\_\_  
BILL GONCY, Mayor

ATTEST:

\_\_\_\_\_  
BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing **Resolution 2020-11-46** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **10th day of November, 2020**.

VILLAGE OF BOSTON HEIGHTS  
RESOLUTION NO: 2020-11-47  
FIRST READING

**RESOLUTION APPROVING TEMPORARY APPROPRIATIONS  
FOR 2021 AND DECLARING AN EMERGENCY**

NOW, BE IT RESOLVED BY the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

SECTION 1: The Temporary Annual Appropriations for the Village of Boston Heights for the year 2021 as attached hereto, as Exhibit "A" and hereby approved and adopted by the Council of the Village of Boston Heights, Ohio

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

SECTION 3: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation peace, health, safety of the Village residents and to allow for the continued operations of the Village departments and shall therefore take effect and be in force from and immediately after its passage.

PASSED:

\_\_\_\_\_  
BILL GONCY, Mayor

ATTEST:

\_\_\_\_\_  
BETTY KLINGENBERG, FISCAL OFFICER

I, BETTY KLINGENBERG, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing **Resolution 2020-11-47** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **10th day of November, 2020**.





2151	CORONAVIRUS FUND (FED.)	-	UNKNOWN FACTOR			
2152	COVID-19 PSGP	-	UNKNOWN FACTOR			
	<b>SUBTOTAL</b>	<b>\$321,229.00</b>	<b>\$672,064.00</b>	<b>\$969,518.00</b>	<b>\$712,000.00</b>	<b>\$712,000.00</b>
	<b>DEBT SERVICE</b>					
3105	PAY DOWN DEBT	\$44,000.00	\$240,000.00	\$284,000.00	\$275,000.00	
	<b>SUBTOTAL</b>	<b>\$44,000.00</b>	<b>\$240,000.00</b>	<b>\$284,000.00</b>	<b>\$275,000.00</b>	<b>\$275,000.00</b>
	<b>FIDUCIARY TRUST &amp; AGENCY</b>					
2091	LAW ENFORCEMENT TRUST & EDUCATION	\$9,880.00	\$300.00	\$10,180.00	\$8,000.00	
2093	T.I.F. SETTLEMENT	\$252,749.00	\$754,525.00	\$1,007,274.00	\$1,007,274.00	
2902	RESERVE ACCOUNT (2018-2023)	\$41,617.00	\$15,000.00	\$56,617.00	\$5,000.00	
	<b>SUBTOTAL BUDGET</b>	<b>\$304,246.00</b>	<b>\$769,825.00</b>	<b>\$1,074,071.00</b>	<b>\$1,070,274.00</b>	<b>\$1,070,274.00</b>
	<b>TOTAL TEMPORARY BUDGET</b>					<b>\$5,657,274.00</b>
	<b>NON-BUDGETARY</b>					
9103	UNCLAIMED MONIES (2019)	\$849.00			NON-BUDGETARY	

9104	REFUNDABLE DEPOSITS	\$70,000.00	\$25,000.00	\$95,000.00	<b>NON-BUDGETARY</b>		
9901	MAYOR'S COURT (END OF YEAR RECONCILIATION)				<b>NON-BUDGETARY</b>		
9976	CEMETERY TRUST				<b>NON-BUDGETARY</b>		
	<b>FINAL TOTALS</b>						
	(signed) BETTY KLINGENBERG, FISCAL OFFICER						
		10/31/2020					
	<b>TEMPORARY APPROPRIATIONS</b>						
	<b>RES. 2020-11-47</b>						