

VILLAGE OF BOSTON HEIGHTS
45 E. Boston Mills Road
Hudson, OH 44236
REGULAR COUNCIL MEETING
OF
March 14, 2012 - 8:00 PM

AGENDA

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

**ORDINANCE F-2012 AN ORDINANCE REPEALING CODIFIED ORDINANCE 141.03
AND DECLARING AN EMERGENCY.**

**RESOLUTION F-2012 A RESOLUTION PROVIDING FOR THE EMPLOYMENT OF THE
FISCAL OFFICER FOR THE VILLAGE OF BOSTON HEIGHTS,
OHIO FOR THE YEAR 2012 AND DECLARING AN EMERGENCY.**
(Third Reading) (Amended)

**RESOLUTION H-2012 A RESOLUTION OPPOSING CENTRALIZED TAX COLLECTION
IN THE STATE OF OHIO AND DECLARING AN EMERGENCY.**

**RESOLUTION I-2012 A RESOLUTION AUTHORIZING THE CLERK-TREASURER OF
THE VILLAGE OF BOSTON HEIGHTS TO ADVERTISE FOR
LIFEGUARDS FOR THE VILLAGE POOL FOR THE YEAR 2012
AND DECLARING AN EMERGENCY.**

**RESOLUTION J-2012 A RESOLUTION FOR A STATEMENT OF QUALIFICATIONS
(SOQ) FOR PROFESSIONAL DESIGN SERVICES FOR THE
HINES HILL ROAD RECONSTRUCTION PROJECT, DRAINAGE
MAINTENANCE PROGRAM AND ROAD MAINTENANCE
PROGRAM WITHIN THE VILLAGE OF BOSTON HEIGHTS AND
DECLARING AN EMERGENCY.**

- MOTION TO APPROVE THE JANUARY 2012 FINANCIAL STATEMENT

COMMITTEE REPORTS
OLD BUSINESS
NEW BUSINESS
ADJOURN

CAROL ZEMAN, CLERK-TREASURER

ORDINANCE REPEALING CODIFIED
ORDINANCE 141.03 AND DECLARING AN
EMERGENCY.

WHEREAS; the Council of the Village of Boston Heights has duly adopted Codified Ordinance 141.03; and,

WHEREAS; the Council of the Village of Boston Heights has determined that said ordinance is no longer a proper directive in light of the Village's current operations;

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

Section 1 : That Codified Ordinance 141.03 of the Codified Ordinances of the Village of Boston Heights is hereby repealed and shall be removed from the Codified Ordinances.

Section 2: 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 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 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:

CAROL ZEMAN, Clerk-Treasurer

I, CAROL ZEMAN, Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing Ordinance __-2012 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 14th day of March, 2012.

A RESOLUTION PROVIDING FOR THE
EMPLOYMENT OF THE FISCAL OFFICER FOR THE
VILLAGE OF BOSTON HEIGHTS, OHIO, FOR THE
YEAR 2012 AND DECLARING AN EMERGENCY.

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

*Note: Amended per Mayor Goncy's
withdrawal of his original appointment of
Melinda A. Valahovic.*

Section 1: That the Mayor's appointment of **Richard W. Huber** is hereby approved and he is thus appointed to the position of Fiscal Officer for the remaining of 2012, as provided in Boston Heights Codified Ordinance Chapter 133.

Section 2: That effective 4/01/2012, **Richard W. Huber** shall assume and fulfill the duties imposed upon him by virtue of his respective position according to the Ordinances of the Village of Boston Heights, Ohio and the Statutes of the State of Ohio.

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.

Section 4: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the continued operations of the Village departments.

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 __-2012 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 14th day of March, 2012.

A RESOLUTION OPPOSING CENTRALIZED TAX
COLLECTION IN THE STATE OF OHIO AND
DECLARING AN EMERGENCY.

WHEREAS, during the recent discussion regarding the State Biennial Budget Bill (HB 153) it was suggested that the Ohio Department of Taxation take over the collection of municipal income taxes; and

WHEREAS, local income tax is the largest source of revenue for the Village of Boston Heights and likely for the other 578 municipalities in the State of Ohio; and

WHEREAS, with the reductions in the Local Government Fund, municipalities cannot afford another potential loss in revenue, and administrative fees collected by the State: and

WHEREAS, the Village of Boston Heights advocates fair application and enforcement of tax laws for its citizens, and as laws would be standardized across municipalities, the Village would lose the ability to enforce its Code, along with the loss of personalized service in the preparation and of individual tax returns, answering questions, and resolution of delinquencies; and

WHEREAS, the timing and distribution of State collected revenues to municipalities could impact the Village's cash flow; and

WHEREAS, a centralized tax collection system is contradictory to the idea of smaller government and would circumvent local control; and

WHEREAS, businesses currently have the ability to file their taxes electronically from anywhere through the Regional income Tax Agency;

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

Section 1: This Council does hereby declare its strong opposition to any effort by the State of Ohio to take over the collection of municipal income taxes in Ohio, and urges the Governor, the Treasurer and the General Assembly to recognize the negative impact a centralized income tax collection would have on our community.

Section 2: The Clerk of Council is hereby authorized and directed to send a copy of this Resolution to Governor John Kasich, Treasurer Josh Mandel, Tax Commissioner Joseph Testa and Local Representatives of the Ohio Legislature.

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.

Section 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and for the further reason this measure is necessary in order to ensure the uninterrupted revenue stream within the Village of Boston Heights 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 __-2012 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 14th day of March, 2012.

A RESOLUTION AUTHORIZING THE
CLERK-TREASURER OF THE VILLAGE OF
BOSTON HEIGHTS TO ADVERTISE FOR
LIFEGUARDS FOR THE VILLAGE POOL FOR
THE YEAR 2012 AND DECLARING AN
EMERGENCY.

WHEREAS, the Village of Boston Heights is in need of additional lifeguards for the 2012 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 2012 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 ___-2012 was duly passed by the Council on the 14th day of March, 2012.

A RESOLUTION FOR A STATEMENT OF QUALIFICATIONS (SOQ) FOR PROFESSIONAL DESIGN SERVICES FOR THE HINES HILL ROAD RECONSTRUCTION PROJECT, DRAINAGE MAINTENANCE PROGRAM AND ROAD MAINTENANCE PROGRAM WITHIN THE VILLAGE OF BOSTON HEIGHTS AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Boston Heights has identified a need for the reconstruction of Hines Hill Road; and,

WHEREAS, the Village of Boston Heights has identified a need for a Road Maintenance Program; and,

WHEREAS, the Village of Boston Heights has identified a need for a Drainage Maintenance Program; and,

WHEREAS, the Village of Boston Heights is in need of a Professional design firm to design the upgrades and drainage needed;

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

Section 1: That pursuant to Ohio Revised Code Section 153.57 the Clerk-Treasurer is authorized to post for a Statement for Qualifications for Scope of Services for the Hines Hill Road Reconstruction Project, Road Maintenance and Drainage Maintenance Projects.

Section 2: Applicants should submit their statement of qualifications to the Mayor of the Village of Boston Heights no later than 12:00 pm on March 26, 2012.

Section 3: 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 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 4: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and for the continuance of providing for the safety on the Village roadways.

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 __-2012 was duly passed by the Council of Boston Heights, County of Summit, State of Ohio, at a meeting on the 14th day of March, 2012.