

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <input checked="" type="checkbox"/>	Waiver 3-Reading Rule _____
RESOLUTION NO: 2018-9-26	Yes _____	Second Reading _____	Yes <input checked="" type="checkbox"/>
INTRODUCED BY <u>R. FENN</u>	No <input checked="" type="checkbox"/>	Third Reading _____	No _____

**RESOLUTION AUTHORIZING THE PURCHASE OF A NEW CATERPILLAR  
MODEL: 416F2 HRC BACKHOE, AND DECLARING AN EMERGENCY**

**WHEREAS**, the Mayor and Village Council have determined the need to lease with an option to purchase a new Caterpillar Model: 416F2 HRC backhoe for the Service Department of Boston Heights; and,

**WHEREAS**, the Mayor and Village Council have determined that it is in the best financial interests of the Village to acquire the aforesaid equipment from Ohio CAT, in an amount not to exceed \$84,223.00, plus financing costs as set forth in the proposal submitted by Key Bank, a copy of which is attached hereto as Exhibit "A" (the "Proposal"); and,

**WHEREAS**, the aforesaid equipment and the cost proposal from Key Bank were selected from a State Term Schedule maintained by the State of Ohio Department of Administrative Services and will be purchased under the Cooperative Purchasing Program, which satisfies the requirements for competitive bidding under the Ohio Revised Code.

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

**Section 1:** This Council hereby authorizes the purchase of a new Caterpillar Model: 416F2 HRC backhoe, as more specifically described in Exhibit "B," for the Service Department of Boston Height, in an amount not to exceed the acquisition cost of \$84,223.00, plus financing and other costs as set forth in the Proposal submitted by Key Bank.

**Section 2:** This Council hereby authorizes the Mayor, the Fiscal Officer and/or the Service Director to take such actions as shall be necessary to acquire the aforesaid equipment in accordance with the Proposal and this Ordinance.

**Section 3:** That the factual findings and statements set forth in the recitals above are hereby adopted and incorporated herein.

**Section 4:** That, to the extent no already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

**Section 5:** 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 6:** This Resolution is an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the Village of Boston Heights and the inhabitants thereof, and permits the Village to acquire the aforesaid equipment to timely complete necessary repairs and update equipment thereby maintaining and even improving service levels within the Village, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period 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 2018-9-26** 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 **25<sup>th</sup> day of September, 2018.**