

**The Lorain District Municipal Board of Health held a SPECIAL CALL meeting
Thursday – August 27, 2009 at 4:30p.m.**

The Lorain District Municipal Board of Health called a special meeting of the Board of Health.

PLEDGE OF ALLEGIANCE:

ROLL CALL: P=denotes presence at meeting; A=denotes absence from meeting:

Mayor Anthony Krasienko-P; Mr. Killinger-P; Mr. Love-P; Ms. Santiago-P; Mr. Fligner-P; Robert G. Cool, Jr.-P.

Also present: Terrence Tomaszewski, Health Commissioner; Patrick D. Riley, Law Director.

Ms. Santiago made a motion which was seconded by Mr. Fligner to adjourn into Executive Session in accordance with O.R.C. 121.22 (G) 1 to discuss pending and/or imminent personnel issues. Roll Call: 5 Ayes, 0 Nays; motion carried.

Meeting reconvened at 5:55 PM.

Ms. Santiago made a motion which was seconded by Mr. Fligner to accept Mr. Tomaszewski's resignation from the position of Health Commissioner effective August 31, 2009. Roll Call 5 Ayes, 0 Nays; motion carried.

Mr. Fligner made a motion which was seconded by Mr. Killinger to establish the position of Health Commissioner as an unclassified position. Roll Call 5 Ayes, 0 Nays; motion carried.

Ms. Santiago made a motion which was seconded by Mr. Fligner to amend Resolution No. 965. Roll Call 5 Ayes, 0 Nays; motion carried, Resolution No. 965 amended as presented.

Mr. Fligner made a motion which was seconded by Ms. Santiago to pass Resolution No. 965 as amended. Roll Call 5 Ayes, 0 Nays; motion carried, Resolution No. 965 adopted with amendments.

RESOLUTION NO. 965

A Resolution to permit Terrence J. Tomaszewski to retire effective August 31, 2009; ~~waive separation payment benefits until final separation~~ and to rehire Terrence J. Tomaszewski to the unclassified position of Health Commissioner effective September 1, 2009 ~~with current salary and benefits~~ **at a salary of \$62,253.00 per year not to exceed two (2) years**

WHEREAS, Section 145.381 of the Ohio Revised Code defines acceptable rules for allowing qualified Ohio Public Employee Retirement System (OPERS) Employees to be rehired ; and

WHEREAS, Terrence J. Tomaszewski, Health Commissioner, qualifies as an age and service employee with the Ohio Public Employee Retirement System and has expressed written permission from the Lorain District Municipal Board of Health; and

WHEREAS, The Lorain District Municipal Board of Health; as appointing authority for all its employees, desires to permit such action by the Health Commissioner; and

WHEREAS, public notice that Terrence Tomaszewski will retire effective August 31, 2009 and is seeking re-employment was provided at the June 17, 2009 Board of Health meeting; and

WHEREAS, the Lorain District Municipal Board of Health held a public meeting on August 12, 2009 on the issue of Terrence Tomaszewski being rehired effective September 1, 2009.

NOW, THEREFORE, BE IT RESOLVED BY the District Municipal Board of Health, City of Lorain, State of Ohio:

Section 1 The Lorain District Municipal Board of Health hereby permits Terrence J. Tomaszewski, Health Commissioner, to apply for retirement benefits from the Ohio Public Employee Retirement System (OPERS) effective August 31, 2009.

Section 2 That effective September 1, 2009, the Lorain District Municipal Board of Health hereby rehires Terrence J. Tomaszewski to the unclassified position of Health Commissioner at ~~current salary and benefits~~ *a salary of \$62,253.00 for a period not to exceed two (2) years with no longevity payments.*

Section 3 That upon being rehired; Terrence Tomaszewski will be subject to a Medicare, payroll assessment, of 1.45% which was not previously required.

Section 4 *That Terrence Tomaszewski will receive separation payment of permissible sick leave hours (600) and accumulated vacation hours (200) at the current rate of pay (as of August 31, 2009) dispersed in three (3) annual separation payments commencing in 2009* ~~there will be no actual separation in employment service; therefore Terrence Tomaszewski will waive his right of separation payment of sick leave and accumulated vacation until final separation.~~

Section 5 That this resolution shall take effect and be in force on and after September 1, 2009.

Date: June 17, 2009, Reading # 1

Date: July 15, 2009, Reading # 2

Date: August 27, 2009, Reading # 3

APPROVED: Tony Krasienko (signed)
Tony Krasienko, President

ATTEST: Terrence J. Tomaszewski (signed)
Terrence Tomaszewski, Secretary

Ms. Santiago made a motion which was seconded by Mr. Love to adjourn the meeting. 5 Ayes, 0 Nays; motion carried. Meeting adjourned at 6:02 pm.

APPROVED: _____
Mr. Bob Cool – President Pro Tem

ATTEST: _____
Terrence J. Tomaszewski