

ORDINANCE RECORD
VILLAGE OF NEWBURGH HEIGHTS, OHIO

ORDINANCE: 2022-02

Introduced by: Mayor Trevor Elkins

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ATTORNEY VINCENT RUFFA TO PERFORM SERVICES AS PROSECUTOR FOR THE VILLAGE OF NEWBURGH HEIGHTS, OHIO AS AN AT-WILL EMPLOYEE, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Newburgh Heights wishes to enter into an agreement with attorney Vincent Ruffa to perform legal services as Prosecutor for the Village and to authorize the Mayor and Clerk-Treasurer to enter into said agreement;

NOW, THEREFORE, be it ordained by the Council of the Village of Newburgh Heights, in the County of Cuyahoga, and the State of Ohio, that;

Section 1. A Prosecutor shall be employed by the Village of Newburgh Heights, Ohio as an at-will employee and the Mayor and Fiscal Officer shall be authorized to enter into an agreement with Vincent Ruffa, Attorney-at-Law to perform services as prosecutor. The terms for provision of legal services as prosecutor shall be in the form attached hereto as Exhibit A, the terms and provisions of which are incorporated herein by reference.

Section 2. For legal services rendered as prosecutor for the Village by Vincent Ruffa, he shall be paid in accordance with the terms set forth in the terms attached hereto as Exhibit A.

Section 3. 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 open meetings for the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance be, and hereby is declared to be an emergency measure, the emergency being the continued necessity to provide for the public health, peace and welfare of the citizens of the Village of Newburgh Heights, by providing for the continued provision of legal advice and services of a prosecutor for the Village to protect its rights and enforce its laws.

WHEREFORE, this ordinance shall be in full force and effect from and immediately after its passage and approval.

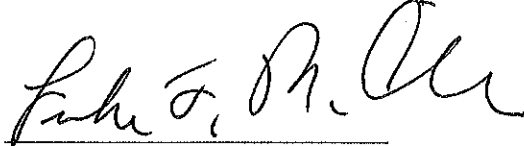
Passed January 18, 2022

1ST Reading: 1/18/22
2ND Reading: 1/18/22
3RD Reading: 1/18/22


Ord. 2022-02



Trevor Elkins, Mayor



Solicitor



Cathleen Nagorski, Fiscal Officer

EXHIBIT A

WHEREAS, Newburgh Heights wishes to hire Vince Ruffa as village prosecutor to handle the prosecution of criminal cases arising in the Village of Newburgh Heights and handled in the Newburgh Heights Mayor's Court and/or the Garfield Heights Municipal Court and

WHEREAS, Vince Ruffa is a licensed attorney in the State of Ohio with over twelve years experience in handling municipal prosecutions in various municipalities in the State of Ohio.

NOW THEREFORE, the employment terms are as follows:

1. Vince Ruffa shall serve as Prosecutor for Newburgh Heights. Vince Ruffa shall be considered an at-will employee of the Village.
2. In his capacity as prosecutor, Vince Ruffa shall be responsible for handling all criminal prosecutions in the Newburgh Heights Mayor's Court and in Garfield Municipal Court. He shall also be responsible for providing the Village Police Department with any legal opinions requested with respect to prosecution of criminal matters in the Village and shall be responsible for providing all necessary prosecutorial rulings to the Village.
3. Remuneration for such services shall be at a flat rate of three thousand dollars (\$3,000.00) per month payable in monthly installments beginning in February of 2022, plus the Village's share of contributions to the Ohio Public Employee Retirement System ("PERS").
4. The part-time Prosecutor shall be an employee-at-will, and nothing herein shall be construed to be a promise of future employment or a promise of future compensation. The terms and pay provisions of this ordinance shall be subject to change at the sole discretion of Council and subject to any appropriate administrative and/or legislative actions taken by Council.
5. The part-time Prosecutor's conduct and discipline shall be governed by the Village Personnel Policy Manual, any Village policy, the Ohio Bar Association policy or standard operating procedure, and applicable law.
6. Any discipline and/or termination of employment for cause shall be handled in a manner consistent with Ohio law.