

Village of Hiram

Finance/Safety Committee Meeting Minutes

August 24, 2021

Call to Order: Chairman Rob Dempsey called the meeting to order at 6:03 pm

Committee Members Present: Lou Bertrand, Mayor
Rob Dempsey, Chairman
David Smith, Councilman
Paul Spencer, Councilman
Chris Szell, Councilman
Susan Skrovan, Fiscal Officer

Committee Members Absent: Frank Hemphill, Councilman

Hiram Officials Present: Brian Gregory, Police Chief
Bill Byers, Fire Chief
James McGee, Village Administrator
Steven Schuller, Asst. Village Administrator

Others: J.J. Bertrand Forro (6 yrs. old)

Agenda: Mayor Bertrand requested an item be added to the agenda under new business; "Concerns by Council on the Village Administrator's job performance". A motion to approve the agenda for Finance/Safety as amended was made by Mayor Bertrand with a second from Mr. Smith. Motion passed unanimously.

Minutes: A motion to approve the meeting minutes of July 27, 2021 as presented was made by Mayor Bertrand with a second from Mr. Spencer. Motion passed unanimously.

Guests/Public: None

Old Business: None

New Business: Mayor Bertrand acknowledged that Council held an executive session recently where he had asked for any written requests or concerns about the Village Administrator. He passed out copies of the concerns from David Smith over the Village Administrator's actions and the response from James McGee. Dave's concerns had been sent to all of Council as well as the Mayor and Village Solicitor. The Mayor received a response from James and spoke with the Village Solicitor before doing anything else. He shared James response just this evening with everyone. The Mayor had wanted any concerns from Council to be addressed to him; not the entire Council.

Dave asked regarding the VA violating the law; James was aware that burning inside Village limits was against the law and he burned again. Dave asked whether there was any recourse for it? James asked what recourse he was looking for; he has been working on the situation that Dave created for him. Dave said it was not the situation he created; it is a state law! Dave spoke to the EPA and with James on several occasions to explain what the law states.

Dave is a fire safety inspector for the State of Ohio and is required to report violations of the law. James and Steve said the first time it was burned; it was someone at 3:00 am in the morning in a hooded sweatshirt; Dave can check with Brian, our Police Chief on that. The Mayor asked Dave why he did not come to him with it; doesn't he have any respect for him? James said Dave rarely speaks to him outside of a Council meeting. James said after July of 2020 after it had been burned; James brought it before Council and provided numbers and options. Council gave him nothing; no direction. He cannot keep collecting it and piling it up down by the water plant without doing something with it! Dave asked James whether he knew it was illegal for him to burn it? James said yes. Dave said he knew he was breaking the law and is an employee of the Village of Hiram! James asked members of Finance how they thought the branches were being taken care of in the past? James had been instructed by the past VA on how to dispose of the branches. Dave said breaking the law does not make it better just because you break it over and over again. Paul said people burn brush all the time. Is it because of the quantity that it becomes a violation; explain where the line is drawn. Dave said for one, it cannot be within 1,000 feet of a structure; two, you cannot burn within an incorporated area without a permit and you have to have someone there attending it. James said it was a pile of hot ashes; it was not a burning fire. The Mayor asked why Dave did not come to him? Dave said he went to James, several times. The Mayor also brought up from Dave's concerns about the use of the vehicle lift for personal vehicles. Dave said that came up the night of a P&Z meeting in the street garage; the Mayor was in attendance. The Mayor said Dave has become "ultra vires" or "beyond your scope" by going out to the EPA rather than to him! The Mayor said if a Councilperson has a problem; he comes to the Mayor! Paul would like to try and resolve one topic at a time. Paul felt we all need better communications. Steve said the violation was for burning within 1,000 feet from a structure and it being more than 15 feet high and 25 feet across. Steve then spoke directly with the person from the Akron Regional Air Quality; where we received the violation. She said since we are a municipality; we can burn our own stuff and it does have to be 1,000 feet away as long as it is no larger than 20' x 10'. Steve said we do not have to pull a permit; we do have to notify the Fire Department and we are only allowed to burn materials from our own property. Chief Bill Byers said in her findings, it is very different and he read the violation letter. Steve said he could get an email from her with what she told him. Paul asked where the permit comes from and who issues it? Bill said from Akron Air Quality, contracted by the Ohio EPA. Finance asked James if he could obtain a burn permit. James said there is a form to fill out. We cannot obtain a burn permit if we take other people's stuff to be burned. Dave said the other issue was the EPA did not want us burning anything over our water field so that is not an option to burn there.

Chris Szell said we still can store leaf matter, correct? Steve said we have not received approval to do that yet; he is waiting for a return phone call. Finance discussed chippers and chipping the branches, however, we would still not have a place to store it. Someone would have to come and pick it up. Paul asked whether we could use part of our park property to store it. James said when we collect it; we become a compost collection facility and fall under those regulations and guidelines. The Mayor asked if we have an option now for the Fall. James said the option for leaves; there is a farm on Schustrich Road that may take them.

Members looked at the options for branches. We may have to look at a roll-off. Paul felt we should take care of our own Village properties, residents are stuck to take care of their own! Dave said he sees a lot of debris while walking; we should at least take care of the Village's branches and stuff that is already at the curb prior to the Village halting pickup. Chris felt if we can grind and find out if we can store, then we can figure out how to chip and can keep picking up leaves and branches for the residents. We need to find out if we can finance a chipper. Finance members felt we could start with a roll-off container to see how it works. More discussion followed on options and how to regulate what to pickup and where to put it.

A motion to only take care of Village's debris was made by Mr. Spencer with a second from Mr. Dempsey. Motion passed with a 3-2 vote with nay votes from Mr. Szell and Mr. Smith.

James said they will pick up the pine tree on S.R. 700 that has been sitting there and Dave's *mother's* neighbor; Steve, if everyone agrees to do this. Yes.

Dave Smith brought up where we are with replacement of equipment. James and Steve spoke about equipment and maintenance; with COVID, they did not want to spend anything they did not absolutely need to replace. Steve said they also do not know yet where they are going to finish up with Alba Contractors for the sidewalks. We do have funds available in the Street Infrastructure Fund 2012 for upgrading some equipment.

Paul asked what the plan is for the reverse 911 system. Steve said the company already covered any of the home phones in our Village for the system. Cell phones will need to be added; 85-90% of the residents. Paul said can we put a link on our website? James said yes. His department needs to get moving on getting all of this set up.

On our own new phone system, James received to options. One was from PC Surgeons to install a new phone system for \$4,724.85; that is just for the equipment and installation, our phone service would still be through Spectrum. The second was from Time Warner Cable, now Spectrum to install a new phone system; we would pay a \$25.00 service fee for each phone and then a monthly fee to rent them of \$2.25 per phone. They own the phone equipment; we lease them and Spectrum would replace a phone if it goes bad.

A motion to go with Time Warner Cable Spectrum as a contract and bring it before Council to ratify their past actions was made by Mr. Spencer with a second from Mayor Bertrand. Motion passed unanimously.

James did say Spectrum will need to charge a wiring installation fee inside our facility for \$1,400.00. We did have storm damage so we may be able to file an insurance claim. To purchase each phone, it would cost \$110.00 per phone and we would still need the service.

Finance members felt we would have to pay for this using the General Fund since there are no more capital funds for administration. James said the woman from Spectrum felt we could use the American Rescue Plan Act funds.

A motion to authorize the Village Administrator to move forward with the phone system, in an emergency situation, was made by Mayor Bertrand with a second from Mr. Spencer. Motion passed unanimously.

Finance members discussed the use of equipment for personal use! Steve said there is something in the handbook about it; his question would be where do we draw the line? If someone needs air in their tire in the parking lot, do they need to call AAA? Paul felt this is okay in an emergency situation. The general maintenance/servicing of Village employee's vehicles would not be permitted. The Mayor asked if this is being abused? Department heads all felt this was not the case. Brian asked about washing vehicles; is that in violation? Bill felt that in extreme conditions it should be permissible. Department heads should come up with some criteria for options during exceptionable situations.

Curb painting and striping will be done. They still have a sinkhole on Hinsdale to fix.

Paul Spencer brought up the water leak in front of his parent's house on S.R. 82 and felt it has to be Village water! Paul said back in like 1956, water lines were pushed under the road. Steve said the first thing they need to do is to test the water for chlorine and potassium permanganate. Paul's concern was a potential sink hole on State Route 82 as the water undermines the roadway.

Paul complained about the sidewalks around the cemetery on Ryder Road which are horrific! The grass growing up through it needs to be sprayed. The new sidewalks on S.R. 82; there is grass growing up through them as well. Steve felt those are on private property and the homeowner should be responsible for the maintenance of them. Should we force them to take care of it and then fine them if they do not. Much of that section is the farm. Paul felt the Village should send letters to the landowners to address it; start at that level. Paul asked when we are going to address the sidewalk and curb along north hill on S.R. 700? Steve said that will be an expensive fix and OPWC will not help us with that; it is all storm sewers.

Department Updates:

Village Adm/Utilities: Steve explained the dry erase board, which is their boards transferred to this one, to show Finance what all needs to be done or projects coming up that need to be planned. It includes the items for the water and wastewater department. There are only two of them and two in the water/wastewater department doing all of it. There was no summer help this year. Paul said this is where communication is so important. Chris would like to see more detailed reports from their department.

Steve said the Alba Contractors situation, a certified letter was sent on August 11, 2021. They have not received any response from Alba. They received the certified card back marked COVID-19? They do not know if they received it or not; nobody signed for it. This will be turned over to our Village Solicitor Tom Reitz.

The water tower project; the EPA approved the plans. Bid opening will take place on Friday, August 27th at noon.

The water meter project; we are supposed to have a phone meeting on Tuesday. They are going to be mailing everything out. They wanted a list of phone numbers but we do not have a list with our utilities; at least not most of them.

CT did apply, through OPWC for grants and COVID. They applied for \$530,000 on the back half of the water tower project. Free money, free grant, if we are awarded that, the water tower will be free! Another \$80,000 was applied for on the design of the rest of the water treatment plant upgrade, all free money! The most recent webinar for the ARPA funds; Susan was asked to email to Council and to Mary Ann with Hiram College. Chris Szell asked if Susan has already registered for the ARPA funds? Susan said yes, on August 11th we were registered with the help from Ed Samec who actually was in the office working with Brian. Susan said the one thing they stressed during the webinar was for entities to sit on these funds for a while until they are sure what they want to use the funds for. You have three years to encumber those funds, to the end of 2024 and two more years to actually spend it. This round of funds, entities get to keep any interest earned from the funds. Brian said during the webinar, how did they address the purchasing of vehicles. Susan said that was one of the first questions that were asked during the webinar. They were not 100% sure of the answer; they said you have to be able to prove it was a purchase for a COVID related purchase! Dave felt that a better ventilation system may be sufficient. There are a lot of gray areas right now in their regulations. Dave added they said the first round of COVID money, the spending was very flexible; this round was going to be much more tightly controlled.

Steve said the waterline for the Township building; he is still working on a complete answer regarding the continental divide. If they want a watermain extension with a line big enough for a hydrant, which would be a 6", it has to be an approved engineered plan through the EPA. Steve had a conversation with Jack Groselle on the phone and let him know they are going to have to figure out what they want. We can do a 2" line tapped off of our line to supply water; not a hydrant. Jack will also need approval from the County Engineers to run water there.

James presented a sheet for raises for Finance to review. Finance members discussed the budget versus personal services. The College did do scaled increases. Susan said we have brought this up before about raises for only the full-time personnel. Both the Police and Fire chiefs already provide wage adjustments for their personnel as they see fit and as needed. The water and wastewater personnel already received their increases due to licensing. Her concern is retaining the rest of the full-time personnel; who wait for approval by Council and the Mayor. We are talking about a total of nine full-time employees if we include the water and sewer personnel. Chief Byers felt if Council see fit to approve healthcare for one part-time employee; he would certainly hope they would see fit to provide an increase for all personnel. More discussion followed. Susan pulled up the municipal income tax revenue reports to see how much more we are receiving in income tax. Paul would like to take a look at an amount versus a percentage. As of today, our income tax revenue is at 80% collected. We should be at about 66%. We are at \$381,000 with a budget of \$475,000. The Mayor wanted Susan to contact RITA to see why our municipal income tax is up! Susan said she receives emails from the State of Ohio; all their revenues are up including gasoline tax and sales tax! Susan contributes much of this for the unemployment increase that was given out which will have income taxes paid on and companies have raised employee wages to keep them. More people during COVID, were getting more services done like contractors building decks, additions and garages. Members would like departments to bring this and any merit raises to Council.

Police Department: Police Chief Brian Gregory reported he is reviewing the dog leash laws; it will be put out in the Communicator. Brian provided some details and felt we may wish to adopt the state's laws.

Fishing with a Cop was held this past weekend; the date was incorrectly advertised. It was a good turnout; not a big turnout.

Fleet update; we have had some issues with our vehicles, Steve and James have been trying to accommodate his department by actually dropping them off on their way home and switching them out at Klaben in Warren.

Hiram College tried something last year and again this year with move-in dates and it has worked very well. They scheduled different groups over a period of three weeks; athletes, then past students and then the new students.

Brian applied for the JAG LE grant for new body cameras, he has not heard anything back yet.

Brian brought up last year and again this year; their DEA drug box was illegal for years; it is now legal. It is listed with the DEA; drug take back day will be Saturday, October 23. Our site will be advertised on a national level.

The road speed bumps he is looking into now; they are rubber and would be removable. The Mayor would encourage the Chief to get them!

Dennis Pongracz, with our department since 2009, was hired full-time with Peninsula; he has resigned. Patrolman Justin Harvey was a topic of discussion on the cost of training; he failed to qualify for firearms and will not return Brian's phone calls since June and will be terminated.

Fire Department: Fire Chief Bill Byers reported the training for the RA's from Hiram College was last Wednesday.

The ladders for the department have been tested; one 35' extension ladder failed and will be replaced. It is aluminum and at least 20 years old.

Bill did have some questions about sending out the mutual aid billing legislation to neighboring departments; he answered them as best he could. If we get called out to a neighboring jurisdiction for a car accident or multiple car accident and we just go, are they going to get charged? Bill told them it was not his impression nor he believed the way the legislation was drafted, to charge for this or for a house fire. This should be for mutual aid squad calls only; not for car accidents, not for fires. He wanted to clarify this to them and wanted to bring this up to the Finance Committee for that determination. The Mayor said for a true emergency, no. Others agreed and said the Chief was correct. For quarterly billing, Dave asked would this come from his department or from Susan's office. Bill felt his department would provide Susan's office with the details to bill out. Susan was fine with sending out the bills for mutual aid calls.

Chief Byers spoke on COVID-19 positive tests and information he provided to the College.

Fiscal Officer/Admin: Susan Skrovan reported not much more to discuss; she is trying to catch up on things and help other department as much as possible. Her and Wendelin are using some of their vacation time.

James added the sump pump at the Historical Society has failed and needs to be addressed. He is not sure how much we need to do there; the Historical Society owns the house; it is on our property. How do we bill them if we do the work or do we have them call a contractor? They wanted a quote from the Village. Members said tell them to call a contractor; it is their issue.

Mayor: The Mayor reported Hiram College has sold the annexed property they owned for \$400,000! He spoke with President Haney who said he was not aware of the history of that property.

Also, the police/fire contract with Hiram College has been discussed and Tom will prepare it.

Bills List: The list was reviewed. A motion to pay the bills was made by Mr. Spencer with a second from Mr. Szell. Motion passed unanimously.

EMS Collections: None

Any Other Business: None

The next Finance/Safety Committee meeting is scheduled for Tuesday, September 28, 2021.

Adjournment: A Motion to adjourn the meeting was made by Mr. Spencer with a second from Mr. Szell. Motion passed unanimously. Meeting adjourned at 8:19 pm.

Respectfully Submitted by:

Attest:


Susan J. Skrovan, Fiscal Officer


Rob Dempsey, Chairman