

BOARD OF PUBLIC AFFAIRS MINUTES

Village of Burton

May 9, 2017

Mr. Barber called the BPA Meeting to order at 7:00 pm

Roll Call: Jeremy Neill – present, Tim Barber – present, Curt Johnson- present

Council Representative: Nick Tromba, present

Visitors: Christopher Paquette, Mark Rhoades, Chip Hess, Lisa Hernandez, David Ondrey, Ann Wishart

Pledge of Allegiance

Recognition of Visitors

Cashier's Report

Ms. Hernandez informed the Board that one account was shut off since the last meeting, and that was a homeowner requesting a shut off. The homeowner was no longer living in the home, but had a friend living there. Because the water bills are the ultimate responsibility of the homeowner, Mr. Ondrey concluded that the BPA acted appropriately.

Grease Trap letters were sent out on April 12.

As discussed in the last meeting, a certified letter was sent to Acct #4440, on April 12.

Ms. Hernandez informed the Board that she corrected the mistake in multi-meter sewer rate listed in the Utility Billing Database. Now the rate reflects what was originally decided upon by the Board – a 25% surcharge for multimeters. Mr. Barber suggested that a letter in their bill, explaining that the charge had always been 25% and had been incorrectly billed at 10% for the past year. While BPA will not be requiring payment of these past amounts, from this point on, they will be required to pay the 25%. Mr. Barber also suggested inviting these customers to opt for a single meter at this time. Ms. Hernandez will draft a letter to be included in the next quarterly billing, for these accounts.

Legal:

Mandatory water tie ins: From the last meeting, the discussion of Account #4440 on Carlton St., led Mr. Johnson to raise the question of requiring mandatory tie-ins to Village water. At the time, Mr. Eaton reminded everyone that while it was mandatory for residents to have Village sewer, the Village is not requiring them to have water, at this time. Mr. Hess thought that there was some reason that they were not being required to have Village water. It was decided to seek Legal Counsel from Mr. Ondrey on this matter.

Mr. Ondrey confirmed that the Village has the authority to require mandatory water tie-ins of residents within a certain distance from main water lines. Mr. Ondrey noted that it is not uncommon, and in the interest of public safety and welfare. There are a handful of residences in the Village who still have wells on their property, but they are tied into the Village sewer. Mr. Tromba suggested that the prevailing thought might have been that these residences were grandfathered into the old rules, which is why they've never had to utilize Village water. Mr. Neill advised that the Rules and Regulations state that a residence within 400 feet of the main

water lines must tap into the Village water. Mr. Ondrey advised that the Rules and Regulations need to be amended to state that homes outside the 400-foot rule would need to tie into the Village water. The Village has the authority, if they choose to look into it. Mr. Johnson felt that it would be a good idea, considering recent interest in lot splits in the area. Mr. Ondrey will look at the BPA Rules and Regulations to discern how they should be changed to reflect this current rule. Mr. Johnson suggested sending these individuals a letter, and giving them one year to have the work completed. Mr. Ondrey advised that if customers would not do this voluntarily, the Rules and Regulations would need to be changed to make it mandatory. Mr. Johnson thought it was already mandatory. Mr. Barber asked Mr. Ondrey to go back and look at the language of the Rules and Regulations, and put together a letter, all to be revisited at the next meeting.

Mr. Ondrey verified that the Ordinance for Section 124 regarding Swimming Pools had been passed, and the language was correct. Mr. Paquette will email Mr. Ondrey a copy of Ordinance 124. Mr. Ondrey has been working with Ms. Hernandez to get the BPA Rules and Regulations updated. It was decided that in the future, Ms. Hernandez will complete updates to the Rules and Regulations with Mr. Ondrey providing the correct language to be used.

The discussion then moved to Section 121 of the Rules and Regulations which deals with late charges of Quarterly and Monthly billing. Mr. Johnson asked if monthly billing customers who are late for several successive months in a row have a late charge added to their accounts every month. Mrs. Hernandez verified that if a monthly customer were late for more than one month, they would have a 10% late charge added to their bill, for each payment they are late. After discussing a variety of possible payment and late charge scenarios, it was determined that the rules set forth in the BPA Rules and would be followed.

Ms. Hernandez will print out copies of the updated Rules and Regulations for the next meeting.

Regarding the City of Akron lease, the Village is abiding by the current lease that the Village has had for several years now. Mr. Barber verified that the Village is able to make repairs, with proper notification to the City of Akron. Mr. Barber asked if the Village is paying for parcels of land that the Village does not need. Mr. Paquette said that this is a matter for the BPA to examine when the new lease is received; Mr. Paquette further advised that a new lease would be forthcoming.

Discussion then turned to a pipe that resides on the City of Akron's property, which is utilized by the Village. Because the pipe will need to be replaced at some point, Mr. Barber asked if it would be prudent to have the engineer inspect the head wall and develop a planning cost estimate to the Village. Mr. Barber noted that a permit modification would probably also be required, since presently the treatment plant is discharging to an unknown swale, and if that discharge were to go back to the river, EPA approval would be necessary.

Mr. Hess would like a survey crew to go out to the parcel and look at the land, since they are currently using a map from 1927. There is not much detail. After the survey, Mr. Hess could devise a budget. Mr. Barber agreed it was a good plan to follow.

Mr. Ondrey asked what purpose this pipe currently serves; Mr. Hess said that it has no purpose; that since the pipe is broken, discharge is flowing into a ditch. Mr. Barber added that the Ohio EPA understands that the Village has a connection to a swale that runs to the river, and EPA realizes that the discharge is not going directly to the river, as the plan suggests. If the discharge were going to the river, then there would be a dilution factor applied to the Village's

copper limit. Mr. Barber added that from a public steward perspective, the discharge was designed to go to the River, so it should go to the River.

Engineers Report:

Mr. Hess is working on a plan review for a house on Goodwin Ave. Mr. Hess is also waiting for Phil Miller Construction to give provide a schedule on the Dvorak tie-in.

Mr. Hess asked Mr. Barber to clarify a comment made on the Ohio EPA report draft regarding the copper discharge limit. The text in the report reads that the new plant will meet the proposed discharge limit. It was Mr. Barber's understanding, after reading the OAC, that a waiver will not be given to a plant that cannot meet the limit, eventually. Bearing that in mind, Mr. Barber explained that if it is stated in the report that the plant will never meet the limit, the plant will not get the waiver. Mr. Barber felt it was necessary to make that statement due to other factors taking place regarding phosphate levels. Mr. Barber added that samples will be taken at 3, 6 and 9 months to test this. After further discussion, Mr. Ondrey suggested the language be changed to "it is predicted," instead of "will achieve". Everyone thought that was a good idea. Mr. Barber asked everyone to take a look at the report before he sends it out. Mr. Johnson made a motion to approve the waiver as amended by Tim Barber, seconded by Mr. Barber. By voice vote, the motion passed.

Discussion then turned to when construction of the new plant might begin. Mr. Paquette will contact Mr. Abou Abdallah regarding a construction schedule. This may be contingent upon when funds become available, which may not be until the fall.

Mr. Barber asked if there were any new developments regarding the proposed joint Burton/Middlefield treatment plant. Mr. Hess advised that a letter should be forthcoming from Middlefield. Mr. Hess will contact the appropriate individuals in Middlefield.

Fiscal Officers Report:

Mr. Barber made a motion to approve the April 11, 2017 minutes, seconded by Mr. Neill. By voice vote, the motion passed.

Mr. Neill made a motion to pay approved bills; seconded by Mr. Barber. By voice vote, the motion passed.

Mr. Paquette presented the Board with a contract quote for Utility equipment and software from NECO, for approval. There was some concern that some of the charges listed for insurance covering the hardware were unnecessary. It was unclear whether or not the contract had to be accepted as a whole, or if items could be removed from the contract. Mr. Barber would like to see the fine print on the contract. Mr. Paquette will contact Ray Schwartz at NECO for clarification on the contract and report back at the next meeting.

Mr. Paquette reported that as a result of the audit that was recently conducted, changes would be forthcoming that would affect the personnel manual in terms of outside employment being reported. Mr. Paquette will construct a form that all Village employees will be asked to fill out.

Mr. Barber then raised a concern regarding emails vs. face-to-face meetings. Mr. Barber asked at what point email between members is not sufficient, and a public meeting needs to be held. Mr. Ondrey said that issue for a three-member board such as the BPA is that if two persons are communicating via email, email discussions that include making decisions need to be made at a public meeting, and not in an email. Business should not be discussed between board

members outside of a public meeting. However, Board members can discuss issues with office and plant staff, making sure that a copy of all email communications are kept, so that the electronic communications become a public record. An email can be sent out letting everyone know of a situation, however, that situation cannot be discussed, according to Mr. Ondrey. Mr. Johnson felt that you cannot make a decision or decide to spend money with an email, although you can communicate information. Mr. Barber felt that the emails needed to be kept in a place where they could be accessed and viewed by the public, if requested. The question arose regarding what to do when a water main break occurs. Mr. Ondrey advised to call a special meeting via email.

Operators Report:

Mr. Rhoades, the new wastewater treatment plant assistant, discussed the pump fail at the lift station behind Preston's. In the process of repairing the pump, it was discovered that the framework that holds the pump broke and dropped the pump into the lift station. An attempt will be made to try to repair and rebuild the pump, but if not, a new one will need to be ordered. Cost estimates are around \$2500. Mr. Rhoades also had several suggestions to make the Waste Water Treatment Plant run more efficiently and save costs, including doing testing and calibrations in-house when applicable, instead of outsourcing these tasks.

Mr. Rhoades asked the Board for approval to purchase pieces of equipment which would allow the Utilities Department to do some in-house testing and calibration, thereby reducing these costs incurred by the Village. Mr. Rhoades specifically mentioned getting an HOC meter that would aid in process control testing. The staff would then be able to make changes at either plant, before the plant incurs a violation when they take samples to the lab. There are 90 different parameters that can be tested, and this equipment can be used for water and wastewater. Mr. Barber asked what types of equipment are currently available in the plant. Mr. Rhoades advised that there is currently a pH and dissolved oxygen meter. There is also a separate meter for chlorine. Mr. Rhoades would also like a Fluke multi meter. There is currently not one in the plant. It would be used for trouble shooting. A fluke clamp on meter allows for amp-on readings, lets the operator know how a pump is running, and is used for electrical troubleshooting. Mr. Rhoades would like to purchase a Fluke 707, which is a loop calibrator. This calibrator allows you to check all of the electronics throughout the system, and do your own calibration, and will save on chemicals. Mr. Barber asked Mr. Paquette if these items should be put in the budget to be purchased later. Mr. Paquette said that these items were not planned to be purchased, but monies have been set aside for a purpose like this. Mr. Neill would like to see these costs get rolled into the loan for the new plant. Mr. Paquette will check on that. Mr. Barber is in favor of enhancing the testing and monitoring capabilities in the plant. Mr. Neill feels that these tools should be required, and thought the Utilities Department already had these tools and measuring instruments. Mr. Rhoades verified that the Department does not have these items currently. Mr. Neill asked if a less expensive meter could be used, instead. Mr. Rhoades agreed that there was a less expensive combination meter available. Mr. Neill asked Mr. Rhoades to obtain a quote; Mr. Rhodes will follow up on securing a quote. Mr. Barber made a motion to approve the purchase of the HOC test kit, seconded by my Johnson. By voice vote, the motion passed.

Mr. Rhoades advised there was a quarterly mercury violation in March – the limit is 14, and the plant was at 18. Mr. Rhoades and Mr. Eaton will resample in the near future. Mr. Barber asked Mr. Rhoades to visit the area dentists in Burton to ensure that they are following proper

mercury disposal practices. Mr. Johnson felt that something should be added to the Rules and Regulations concerning mercury traps. Mr. Barber will look into whether or not other area communities have regulations in place dealing with this issue.

Old Business:

Mr. Barber sent the 2016 Consumer Confidence Report report to Ms. Hernandez, so it could be included in the June Newsletter. Mr. Barber removed the “source of fluoride added”, since Burton Village does not add fluoride to the water. Mr. Barber edited the report to add items not currently included, but which should be included as a result of the lab reports. Mr. Barber asked Mr. Eaton and Mr. Rhoades to collect a few samples from common areas for lead and copper. These levels are due to be tested again in 2017. Getting these samples will tell if the phosphate is making a difference in these levels.

New Business:

Ms. Hernandez gave the Board a copy of the Mercury letters that were sent out last year. Mr. Hess advised Ms. Hernandez to look at the EPA website under “mercury variance” for additional information to enclose. The group will investigate and revisit this issue at the next meeting.

Adjournment:

Mr. Johnson made a motion to adjourn, seconded by Mr. Barber. By voice vote, the motion passed. The meeting was adjourned at 8:38 pm.

BPA President

Clerk