

Regular Council Meeting

Thursday, March 2, 2023

Mayor Mike Petrella called the meeting to Order.

Roll Call: Gael Damron absent, Randy Spence present, Carmen DeStefano present, Pennie Scarpone present, Jason Mattern present, Bob Merriman present.

Officials: Mayor Mike Petrella present, Fiscal Officer vacant, Administrator Jesse Kosegi present, Solicitor Jake Linn present

Moment of Silence

Pledge of Allegiance

Reading of Minutes

Motion by Pennie Scarpone, seconded by Carmen DeStefano to approve the minutes from the February 2, 2023 meeting.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Pennie Scarpone, seconded by Jason Mattern to approve the minutes from the February 16, 2023 meeting after amendments are made.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Guests

None

Ordinance and/or Resolution

Resolution 2023-02: A Resolution for a new Contract appointing Jake Linn as Village Solicitor for the Village of Wintersville, Ohio, and establishing compensation, and declaring an emergency was read for the first.

Motion by Randy Spence, second by Pennie Scarpone to suspend the rules for the second and third reads.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Carmen DeStefano, second by Jason Mattern to approve Resolution 2023-02.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Ordinance 2023-03: An Ordinance providing for retroactive pay raise for a Village employee was read for the first time.

Ordinance 2023-04: An Ordinance creating and adopting Section 151.02 (G) of the Codified Ordinance of the Village of Wintersville, Ohio which will create a referral bonus for current employees was read for the first time.

Ordinance 2023-05: An Ordinance creating and adopting Section 151.02 (H) of the Codified Ordinances of the Village of Wintersville, Ohio which will create an accrued time bonus for Village Employees was read for the first time.

Ordinance 2023-06: An Ordinance providing for amending and revising the Appropriations of Expenditures for the Village of Wintersville for the Calendar Year 2023 and Declaring and Emergency was read for the first time.

Motion by Jason Mattern, second by Randy Spence to suspend the rules for the second and third reads.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Jason Mattern, second by Bob Merriman to approve Ordinance 2023-06.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Mayor Petrella: I wanted to touch base on Resolution 2023-02 which has to do with the Village Solicitor and adopting a new compensation for Jake Linn, we have had multiple discussions with him, and discussions at finance meetings. We have figured out a new pay scale compared to other places and the amount of work, we have to move the Village forward. That is why we had to pass it as an emergency.

Pennie Scarpone asked about Ordinance 2023-06.

Mayor Petrella explained 2023-06, our traveling clerk Melanie Smith, she has seen a lot of appropriation that were incorrect, these ones for the temporary appropriation that she got rid of, the contingencies were not needed. The Village has been doing that for a very long time, it was actually incorrect to move this into line items. That is why we had to do that in an emergency very quickly to help pay a bill that we have here for property tax. That is why we had to pass it as an emergency.

Pennie Scarpone: So you are taking them from accounts they were in and appropriating them into another account.

Mayor Petrella stated yes. So you will see General, Water, Sewer and Sanitation Contingency that fund will not exist and being moved under Tax Collection Fees.

Reports & Announcements and Communications

The Magistrate, Police Reports and Code Enforcement Officers report were read.

Thunder in the Ville is June 23rd and 24th 2023 with the Fireworks on Saturday the 24th.

F.O.P. Lodge 97 annual golf outing will be Sunday June 11, 2023.

Pennie Scarpone asked if Indian Creek was having something going on this month.

Randy Spence stated a Sportsman Bash this weekend.

Charlene Prentice: Good Evening Mayor, Administrator, and Council. I did talk to the President of STRVA about council members and the benches, our next meeting is not until March 16th right before the meeting here. I won't be able to give you any information until after the meeting. They are still trying to purchase more buses, they are getting quotes.

Mayor Report

Mayor Petrella stated he was contacted by A Caring Place to pass a resolution declaring April as Child Abuse Prevention month. A Caring Place is located here in Wintersville. They did send me a copy of a Resolution. They also asked that after it is passed if we could be at the Court House on April 4th to present them with a copy of the Resolution.

Mayor Petrella also said that the Steubenville Rotary Club is having their 102nd Anniversary this year and they have chosen to have their dinner in the Village of Wintersville and they asked if the Village would be represented and they would like a resolution just acknowledging their 102nd Anniversary.

Jason Mattern asked what date.

Mayor Petrella said April 26th at St Florian Hall.

Mayor Petrella thanked Teddy Chuich, Randy Baksa, George Kovach, Seth Demos, Skylar Pfouts, and Jefferson County Water Department, Our Administrator and Council woman Pennie Scarpone, Council President Randy Spence, Cedar One, and Patti from Dunkin Doughnut. We had a lot of people involve in the Water Break on Canton Road. We had an 8 inch Main line break. It was a main distribution line for the Village. I want to thank everyone also Wintersville Police Department. Everyone stepped in and played a major roll. It was a long evening and day to find that water break.

Mayor Petrella stated that he received several emails from residents on how we notify everyone regarding boil orders. I am going to read a list on who was notified the entire time. Jefferson County 911, Indian Creek School District, Wintersville Fire Department, Wintersville Police Department, Herald Star, both local news station and we did notify the person that operates our web site. You can also call the Village Building or call my cell phone 740-424-1975 if you have any questions.

Council you also see in the packets, Dr. Scarpone you asked about water breaks for 2022. I did get the list up to date, out of 25 breaks we did 17 ourselves, 5 with assets and 3 subbed out. We are trying to find the list for 2021, 2020, 2019 then we will give you an updated list.

I spoke with the Mayor of Toronto, they want to affirm us that their lab is running everyday. They take 2 samples to independent labs twice a week to make sure they stay compliant. With their water system being new, they have PH probes at the intakes that will catch anything.

Mayor Petrella: Jesse Kosegi and myself met with W.E.Quicksall we brought up about the whole Village loosing water, what is our options for our emergency plans.

Mayor Petrella want to congratulate the boys and girls Indian Creek Basketball for a great season.

The new Administrator is doing an excellent job.

Our sewer department we had an employee that wanted to go the part time. He has now asked to come back to full time. The Administrator and the Mayor approved that.

We received an update today, our camera project will be complete by the end of next week.

Mayor Petrella stated that on the Wintersville Ohio community bulletin Board Facebook page which again not a page that has anything to do with the Village, we don't own it, we don't operate it a person asked "Where is all the Money Mayor voters would like some answers." Well we found some money and we found some debt as well. I guess her question would have been from what was posted Friday February 3, 2022 on Facebook from a former employee and I quote "The Village is so set up for failure. They have no idea what's going to happen. They have been exceeding their expenditures over their revenues: They are surviving off of their "carryover" balances which they will soon exhaust. Wait and Watch. Don't let this Administration fool you that they know what's going on! I'm stepping away because I won't be a part of this dismal failure." End of quote. Both of those on a page not owned by us. So let's get some answers to a few things here. Where's the money, we found some money unexpectedly \$250,000.00 in a CD, we did find that. Also our traveling clerk, in going through past practices of everything, that is completely been done incorrectly for a very long time. And the new Administrator has discovered also that we are delinquent on property taxes. You will have a copy in your packets. The grand total we are delinquent on is \$138,368.49.

Pennie Scarpone asked how this could have happened.

Jesse Kosegi explained that after doing research we discovered we are delinquent on 26 parcels out of 72 parcels. When you purchase or had the property you have 1 year to file for tax exempt status, DTE23 through the state, they didn't do so that makes it a regular property. We have to pay \$138,368.49 after we pay that then we file for tax exempt status on these properties. But we will only possibly get back 3 year.

Pennie Scarpone asked is the village gets tax papers every year on all of these.

Jesse Kosegi stated that he found envelopes in a locked drawer in the administrator's office.

Pennie Scarpone said it seems like it was being avoided and will continue to accrue.

Randy Spence stated that this was never brought up when any of the budget was discusses the last couple years.

Jesse Kosegi: The mail was going to the Fiscal Officer. She put the 5 property taxes on my desk.

Randy Spence: so we got correspondence on property tax and put them away.

Pennie Scarpone: So we have delinquent parcel dated back to 1968 to 2020.

Jason Mattern: Do these parcels come one per envelope or a bunch in on envelope.

Jesse Kosegi: I have a stack of envelopes that I haven't gone through all of them but I think it may one envelope with a bunch in it.

Pennie Scarpone: It use to come one parcel at a time but now the county since E.J. Conn came in its all in the same envelope.

Jesse Kosegi: The parcel of this building and adjoining parcels are delinquent.

Jason Mattern: Is there any negotiation on this.

Jesse Kosegi: As of now no.

Pennie Scarpone: So you keep accruing interest.

Mayor Petrella: Yes interest and penalties.

Randy Spence: Melanie Smith who is doing a great job with our numbers. I assume that she thinks we are healthy.

Jesse Kosegi: Yes, she is still working on the budget. She will be here on April 6th Council meeting. We have to pass our final budget April 1st.

Mayor Petrella: We need to schedule a Finance meeting as well. Melanie is going to explain what she found already. Even though she is not done. The way the budget was done was incorrect and some of the line items were incorrect. Police Department not being in their own fund was not correct. The Street Department not being in their own fund was incorrect. She will explain all that to Council.

Administrator's Report:

Jesse Kosegi: The new water meters that are coming into the Village, I talked to the gentleman that is over seeing it. Everything is ready to go, the Grant is paid for, the loan is paid for. He is just waiting for the computer chips out of Texas. He doesn't know when the chips will be done, it could be 2 weeks, a month. When they do come in it will be a week or week and a half job. We are on the propriety list to get it done.

Pennie Scarpone: Are you personally going to see that the job is done before we cut the check.

Jesse Kosegi: Yes. The Village cyber insurance was renewed again this year through McBane insurance. The Fiscal Officer gave the Department head a copy of their budget, and talked to them about their budget.

Randy Spence: That was never done before.

Jesse Kosegi: Correct. The Village clerks in Ohio belong to UAN, she was to put me on in case something happens I could make a change, she can remote access and I can get in there and pay a bill.

The Car wash that is opening up on Cadiz Road, the last thing they have to do is hook up electric. Once they get that hooked up they should be opening up very soon. State purchasing was automatically renewed. I received access to OPWC.

Met with W. E. Quicksall regarding Moon Valley Project and reducing the I & I in the rest of the Village that has not been completed. Elevator was repaired. Assisted the Police Department in completing their yearly EMS grant.

Regarding the Water situation at East Palestine, George Kovach had a meeting at Jefferson County Water Department on 2-22-23. They have been doing more extensive testing on top of what the EPA requires. Our testing is good and so is Steubenville. A representative from Aflec will be at the Village March 7th to discuss different types of insurance such as accident and cancer policies that they offer to Village Employees.

Mayor Petrella: Melanie Smith has been in touch with the Auditors and keeping them in the loop with what she has found.

Jason Mattern: Question is Melanie going to be here on April 6th for the Council Meeting.

Jesse Kosegi: She will be working here all day and will for the Council Meeting.

Jason Mattern: And it was briefly discussed about having a Finance meeting.

Mayor Petrella: Yes. She wants a Finance meeting with the main topic of going over the budget and showing everyone here how it should work and what different numbers mean. She wanted to do that in a Finance meeting. It could be pretty long, we may have to do a couple of them. And we also need to pass the final budget before April 1st which means we have to do it at our next meeting. We haven't past a final budget since 2017.

Jason Mattern: Has any dates been put out there for a guide.

Jesse Kosegi: She will be working here the 7th and 8th.

Jason Mattern: I prefer the 7th I have a Seven Ranges meeting on the 8th. Also I am free on the 13 and 14.

Pennie Scarpone: So Gael Damron isn't here and she will have to call that.

Randy Spence: Gael Damron said she could make the 13th.

Pennie Scarpone: If Carmen and I are there can we call it.

Randy Spence: Yes.

Pennie Scarpone: We can call another one because the budget is week to week. So we are calling a Finance meeting on March 7th at 6:00. With a tentative date of March 13th.

Mayor Petrella: If Council is okay with it does anyone mind if we start having committee meeting in Council Chambers so that there is more space.

Pennie Scarpone: I was just wondering if we have the stop and slow signs for the street department, the hand held ones.

Mayor Petrella: We do have those. Maybe they just didn't grab them. We discuss about getting a trailer to have all these things in it that way we can just grab and go.

Pennie Scarpone: Is it approved by the Village for an employee to clock in and leave for about an hour to do personal errands for about 3-5 years every day.

Mayor Petrella: Absolutely not, that is considered stealing.

Pennie Scarpone: So we don't do that here.

Mayor Petrella: We had an employee who did but not anymore.

Pennie Scarpone; What about washing your own personnel truck at the street garage.

Mayor Petrella: No. The administrator and I just handled that the other day when and employee asked.

Pennie Scarpone: Are we going to terminate the contract and send a letter to Trebel Energy for the next year 2024.

Randy Spence: Yes. There is a window that we can say we are terminating the contract. We have to be with in that window or it rolls over to the next year.

Motion by Pennie Scarpone, second by Carmen DeStefano to have the Solicitor Jake Linn send a letter to terminate our contract with Trebel.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Randy Spence: You talked about the camera for this building are they going to be completed at the street garage also.

Mayor Petrella: That is his entire project, it should be complete by the end of next week. Updating the ones at two parks, street garage and here. And they are functioning as we speak.

New Business

Pennie Scarpone: We had an Ordinance meeting tonight. We okayed an Ordinance just updating certain policies, cutting down the grass cutting to 5 days also cutting down the motor vehicles being parked in the yard to 15 days, it was 30 days. Also unlicensed, inoperable motor vehicles and water crafts stored anywhere for an enclosed building or garage for a period of more that ten days causes a blighting effect. We also went from Building inspector to Code enforcement officer.

Jason Mattern: Eric Hashburger is the officer taking care of the nuisances. He did a very good job communicating with us in the Ordinance meeting. It was great to talk to him with some of his concerns.

Pennie Scarpone: We do have a nuisance committee right.

Mayor: We have a nuisance appeal board by my appointment last year.

Jason Mattern: I have a couple of ordinance thing, Happy Birthday to Betty Mattern she turned 80 today. Handicap signs, did we get anywhere on that to park throughout the Village or is it still a work in progress.

Jess Kosegi: Still a work in progress.

Jason Mattern. I talked to Keith Wilson last week regarding the posting of the minutes. Keith says he post whatever Tammy gives him. I just want to make sure that Tammy is giving him the final approved minute.

Jake Linn: Tammy and I talked about this and she is going to wait until she gets the final approved minutes.

Jason Mattern: 121 Ellsworth is still having drainage issues so maybe we can take a look at that. I did see over at the Garden Drive and Meadow Road parks that a lot of the tree stumps and trees that had fallen were cut up. There are still a lot of sticks left behind when will they be addressed.

Jesse Kosegi: We are getting prices for tree removal right now. We have a lot of trees that needs cut up, Tom Straka is getting prices for that now.

Jason Mattern: Charlene Prentice, great job with STRVA, as I was going to work today at was about 7:15 AM. I pulled out of Garden Drive and I see the STRVA bus. It stopped out in front of the cemetery out there and dropped a young man off out there, he must be going to work. We appreciate that. Jake great job. You detailed to us the efforts you have done over the last year. Greatly appreciated, great job we would like to see you here another year or two. We also mention the gun bash. Jefferson County Humane Society is have an event on March 17th. If we could make a mention of that at St. Florian Hall and put it up on the board down stars in the entrance way. If we would, could we have a quick executive session to discuss personnel issues.

Motion by Jason Mattern, second by Bob Merriman to go into executive session to consider dismissal and disciplinary action.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Jason Mattern: I would also like the Administrator, Mayor, Solicitor and the Police Chief to attend.

Motion by Randy Spence, second by Pennie Scarpone to return to regular session.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Randy Spence: I would like to make a couple motions due to the vacancies that we have now.

I need to make several motions that will be used to obtain a common goal. Some are due to new information that has come to light recently.

Motion by Randy Spence, second by Pennie Scarpone to name who can be recognized to have the authority to sign financial documents such as payroll checks as well as daily and monthly functions associated with the Village of Wintersville. This would be the Primary, Secondary and 2 Alternate people agreed upon by council to take on this responsibility. The reason for this motion is to have checks and balances in place to monitor the village monies more closely, and to have adequate backup for this process, not to mention that it was also done incorrectly in the past.

- Primary - Will be the new Fiscal Officer. (Default)
- Secondary – Will be the Chair of the Finance Committee.
- Alternate – Will be the President of Council and the Village Administrator. The Alternates will be used when two signatures are needed and the Primary or Secondary is unavailable. If a document requires three signatures, then the Alternate will be an active signature.

When we pick a new Fiscal Officer, this person will be by default the primary signature. I would like to make a motion to name Village of Wintersville Chair of the Finance Committee 'Gael Damron' as the Secondary person to have the authority to sign financial documents such as payroll checks as well as daily and monthly functions associated with the Village of Wintersville.

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Randy Spence Second by Pennie Scarpone name Village of Wintersville President of Council 'Randy Spence' as an Alternate person to have the authority to sign financial documents such as payroll checks as well as daily and monthly functions associated with the Village of Wintersville.

Motion Randy Spence

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Randy Spence. Second by Carmen DeSefano to name Village of Wintersville Village Administrator 'Jesse Kosegi' as the Alternate person to have the authority to sign financial documents such as payroll checks as well as daily and monthly functions associated with the Village of Wintersville.

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Randy Spence, second by Pennie Scarpone to remove any names from the past that were listed or otherwise recognized as authorized signatures that had the authority to sign financial documents such as payroll checks as well as daily and monthly functions associated with the Village of Wintersville.

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

The second part of these motions pertain to information that was acquired at our last public finance meeting on Feb 15, 2023. The reason for the presented changes is that the majority of council and the mayor himself did not know that supposedly 2 CDs with a considerable amount of money existed on behalf of the Village of Wintersville. It was never mentioned in previous finance meetings, and it was never discussed during budget talks and could not be found in budget documents from past years. This money was also recently moved (within the last year) to another bank and council still was not informed of this move. We are still trying to get information on the purpose of this money. Where did the money for this CD originated from? (i.e., what account was it removed from). We are also trying find out who currently has access to this CD? With keeping total transparency in mind for the public, I will read emails that I was included in on from our current administrator and the bank where the CD was opened.

Feb 16, 2023, 9:48 am an email was generated by our Administrator Jesse Kosegi to the bank in question.

Names of Bank and bank personnel are withheld.

Good morning,

My name is Jesse Kosegi, and I am the new village administrator for the Village of Wintersville. I was told by one of your employees that you were out of the office today. I did leave you a quick voicemail and wanted to follow up with an email as well.

The reason for the email is that we were just told that we have (2) CD's currently with your Bank? Can you confirm if this is true? If so, can you give me all the information on it? For a lot of us, this is news to us. Which leads me to my next question. Other than our village account we have already establish with you, what other accounts if any do we have with you?

Our fiscal officer left her position this week. We have a temporary fiscal officer that will be working here from the state auditor's office. She will be coming on Wednesday, February 22, 2023.

Feel free to call me or email regarding this issue.

Thank you for your time in this matter.

Jesse J. Kosegi
Village Administrator
Village of Wintersville

Reply from original email to the bank

Tuesday Feb 21,2023 1:16 pm

Jesse,

Here is the information I have found on the CD that was here. It was opened on 10-27-2017 the signature card I have on file was signed of by Denise Geanangel, Robert Merriman Jr, and Walter Ziemba for the CD opening. The CD was then closed by Denise Geanangel on 07-28-22 the worth of the CD is \$250,001.85 and from what my tellers remember was taken to another Bank (Bank name is withheld) for a better rate. If there is anything else, I might be able to help you with please let me know.

Thank You

Tuesday Feb 21, 2023, 2:45 pm

The mayor, myself and the bank person received the following email from the village administrator.

There is a CD at Bank (name withheld). I just talked with bank person from Bank (name withheld). She cannot tell me anything about the CD since I'm not on it. I advised her of the situation thus far. She can't do anything other than keep an eye on it since we don't know whose name is on the CD.

I Cc'd bank person on this email so I can get a paper trail started and she knows what we are doing on our end.

I am going to type a letter to Bank (name withheld).

Second, let me know who is going to be on the CD as a signature. We don't know who's going to be taken off because they cannot give us that information. When we get the new signatures on, everyone else comes off. Also, we can get all the information we need that I cannot get at this time.

I will draft a letter up with the names of who is going to sign. Bank person advised we can send the meeting minutes when we have our next meeting.

Thank you for your time in this matter.

Jesse J. Kosegi
Village Administrator
Village of Wintersville

The bank where this CD was moved to is headquartered in West Virginia.

Motion by Randy Spence, second by Carmen DeStefano until we appoint a new Fiscal Officer, who's name will be added at that time, I would like to make a motion to add the Village of Wintersville Chair of the Finance Committee 'Gael Damron' on the authorization list for the bank CD in question.

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Randy Spence, second by Pennie Scarpon to add the Village of Wintersville Council President 'Randy Spence' on the authorization list for the bank CD in question for backup.

Any Questions? None

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Motion by Pennie Scarpone, second by Randy Spence from this date forward that we do background checks on Village employees.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Jake Linn: We need a motion to perform clerk duties such as taking minutes and sign Ordinances until one is appointed.

Motion by Pennie Scarpone, second by Carmen DeStefano to appoint Randy Spence as clerk to take council meeting notes and sign Ordinances.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Transfers/Advance:

None

Motion by Carmen DeStefano, second by Randy Spence to adjourn.

Vote: Randy Spence yea, Carmen DeStefano yea, Pennie Scarpone yea, Jason Mattern yea, Bob Merriman yea.

Motion passed 5-0.

Next scheduled Meeting is March 16, 2023 at 7:00 P.M.

Disclaimer: These are a draft of the minutes and not deemed official until approved by Council.

Randy Spence
President of Council

Michael W. Petrella
Mayor