

RECORD OF RESOLUTION

Resolution No.

2025-R-26

Passed

May 20

2025

YEAR

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO. 2025-R-26

OPERATOR OF RECORD
WATER/SEWERAGE
OAC 3745-7-02

HALLMARK ENVIRONMENTAL SERVICES

A RESOLUTION DESIGNATING HALLMARK ENVIRONMENTAL SERVICES AS OPERATOR OF RECORD, CONTRACT OPERATIONS COMPANY TO OVERSEE THE TECHNICAL OPERATION OF THE PUBLIC WATER AND PUBLIC SEWERAGE SYSTEMS AND AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, the Village owns and operates a public water system provided by ORC 715.08. See also Chapter 1042 of the Greenwich Codified Municipal Code of Ordinances; and

WHEREAS, the Village also owns and operates a sewerage system provided by ORC 715.40. See also Chapter 1044 of the Greenwich Codified Municipal Code of Ordinances; and

WHEREAS, Ohio Administrative Code (OAC) Chapter 3745-7 requires Operator Certification for Public Water Systems and Wastewater Works; and

WHEREAS, OAC Section 3745-7-02(A)(1) defines the responsibilities for operating a public WATER SYSTEM and reads:

Rule 3745-7-02 | Certified professional operators of record.

(A) Responsibilities.

(1) Each person owning or operating a public water system, classified in accordance with rule 3745-7-03 of the Administrative Code, shall designate one or more professional operators of record to oversee the technical operation of the public water system or each water treatment plant and distribution system within the public water system. Each professional operator of record shall have a valid certification of a class equal to or greater than the classification of the public water system, distribution system or water treatment plant except as provided for in paragraphs (D) to (F) of this rule.

(a) The owner, professional operator of record, or contract operating company of a public water system shall notify the director of the identity of a professional operator of record upon initiation or termination of service or upon request by the director.

(b) Notification shall be made on a form acceptable to the director within three days of initiation or termination of service or a request by the director.

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WHEREAS, OAC Section 3745-7-02(A)(1) defines the responsibilities for operating a public SEWERAGE SYSTEM and reads:

Rule 3745-7-02 | Certified professional operators of record.

(A) Responsibilities.

(2) Each person owning or operating a treatment works or public sewerage system shall designate one or more professional operator of record to oversee the technical operation of the treatment works, sewerage system, or each wastewater treatment facility. Except as provided for in paragraphs (D) to (F) of this rule, each professional operator of record shall have a valid certification of a class equal to or greater than the classification of the treatment works, sewerage system, or wastewater treatment facility.

(a) The owner and professional operator of record of a treatment works or sewerage system shall notify the director of the identity of a professional operator of record upon initiation or termination of service or upon request by the director.

(b) Notification shall be made on a form acceptable to the director within three days of initiation or termination of service or a request by the director.

WHEREAS, OAC Section 3745-7-02(C) permits the Village to enter into a contract with an approved contracted professional operator or contract operations company for the services of one or more appropriately certified professional operators to serve as the professional operator of record and reads in part:

Rule 3745-7-02 | Certified professional operators of record.

(C) Owners of public water systems, sewerage systems, or treatment works may enter into a contract with an approved contracted professional operator or contract operations company for the services of one or more appropriately certified professional operators to serve as the professional operator of record provided the following:

(1) The contract requires that the certified professional operator of record be available to respond to emergencies and provide the services necessary to maintain the reliable operation of the system.

(2) The contract clearly defines the responsibilities of the owner and the professional operator of record.

(3) The contract complies with the staffing requirements of paragraphs (C) to (E) of rule 3745-7-03 of the Administrative Code and paragraphs (C) to (D) of rule 3745-7-04 of the Administrative Code.

(4) The contracted professional operator of record shall perform duties as identified in rule 3745-7-09 of the Administrative Code.

~~WHEREAS, Council has been informed that the contract/agreement for the previously designated licensed water/sewerage Operator of Record will expire on _____, 2025; and~~

WHEREAS, Council has been informed of the Operator of Record resignation; and

WHEREAS, the Village has received a proposal/quote for Operator of Record services from the following:

HALLMARK ENVIRONMENTAL SERVICES, LLC

An Ohio Domestic For-Profit Limited Liability Company

Statutory Agent: Mark Kalinowski, PO Box 38051, Olmsted Falls, Ohio 44138

440-212-0618 dcrew68@yahoo.com

Approved by the Ohio EPA as a Contract Operations Company: CO-038

Mark J Kalinowski Columbia Station OH 44028 Lorain WR3-1103993-08

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (ORC 731.18)

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SECTION 1. That Village Council hereby determines it is necessary to retain the services of a licensed Operator of Record to oversee the technical operation of the public water system and the public sewerage system and comply with Ohio Environmental Protection Agency rules and regulations.

SECTION 2. DESIGNATION OF OPERATOR OF RECORD. That as required by Sections 3745-7-02(A)(1) and (2), the following is hereby designated as Operator of Record **CONTRACT OPERATIONS COMPANY pursuant to OAC 3745-7-02(C)** for the village public water and sewerage systems:

HALLMARK ENVIRONMENTAL SERVICES, LLC

SECTION 3. AUTHORIZE AGREEMENT. That the VILLAGE ADMINISTRATOR is hereby authorized and directed to enter into a contract/agreement **ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE**, by and between the Village and the licensed Operator of Record **CONTRACT OPERATIONS COMPANY** designated herein.

SECTION 4. EXECUTION. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator. [ORC 731.141 and Section(s) 232.01 and 232.09 of the Greenwich Code]

SECTION 5. DURATION. That the term of the contract/agreement authorized herein shall begin **06/01/2025** and be for the period of **One (1) Year** expiring on **05/31/2026 unless renewed or terminated.**

The contract may be automatically renewed each for additional one (1) year term unless terminated by either party. The current monthly invoice charge is valid for one (1) year beginning 06/01/2025.

SECTION 6. SCHEDULE OF PAYMENT. That Council hereby authorizes payment to the Operator of Record as follows:

*Water/Wastewater Operations
\$1600.00/Month*

*Lab Analysis
\$100/Month*

Totals: \$1700.00 per month

SECTION 7. COMPENSATION. See **SECTION 6 herein above.** ~~The Operator of Record compensation may be fixed by Council pursuant to ORC 731.13.~~

SECTION 8. NOTIFICATION. That pursuant to OAC Section 3745-7-02(A)(1)(a) and (2)(b) the Village Administrator and Fiscal Officer are hereby directed to coordinate their efforts to notify the director of the Ohio Environmental Protection Agency of the identity of an operator of record upon initiation or termination of service or upon request by the director.

SECTION 9. That this Resolution shall supersede any and all other previous legislation relating to the designation of the licensed Operator of Record.

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SECTION 10. SCOPE OF AGREEMENT.

This Resolution shall be attached to the Contract and incorporated therein.

OAC 3745-7-02(C)

Contract Operations Company shall be available to respond to emergencies and provide the services necessary to maintain the reliable operation of the system; and

Contract Operations Company shall comply with the staffing requirements of paragraphs (C) to (E) of rule 3745-7-03 of the Administrative Code and paragraphs (C) to (D) of rule 3745-7-04 of the Administrative Code; and

Contract Operations Company shall perform duties as identified in rule 3745-7-09 of the Administrative Code.

Parties Agree that 1 month Notice by email is sufficient for termination to:

HallMark Environmental

Mark Kalinoski at dcrew68@yahoo.com

Village of Greenwich

Mayor at mayor@villageofgreenwich.com

With a copy to Fiscal Officer at fiscalofficer@villageofgreenwich.com

SECTION 11. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [ORC 705.15 and 731.17(A)(2)]

SECTION 12. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by ~~two-thirds~~ vote of all the members elected to the legislative authority, this legislation is hereby declared to be an emergency measure pursuant to ORC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

HALLMARK ENVIRONMENTAL SERVICES, LLC Contract Operations Company proposal/contract submitted to Mayor on 5/7/25 is valid for 30 days

SECTION 12. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 20th day of May, 2025.

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ATTESTATION

(RC 731.20)

We hereby attest and affirm that the foregoing legislation received the necessary affirmative roll call votes required for passage by ORC 731.17.

[Signature]
MAYOR

[Signature]
FISCAL OFFICER

LEGISLATION READINGS

ORC 731.17(A)

- (1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading: 5/20/25 Second Reading: dispensed Third Reading: dispensed

ROLL CALL VOTE

ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

yea
Mike King

yea
Randy Wilson

yea
Lynne Phillips

yea
Jason Hunter

yea
Regina Lueck

yea
Dorene Beverly

PREPARED BY AND APPROVED AS TO FORM [See also ORC 731.21(B)]:

[Signature]
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF PUBLICATION

ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**

The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

[Signature]
FISCAL OFFICER

ATTACHMENT(S) TO FOLLOW