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**SPECIAL MEETING
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
FEBRAURY 24, 2020 3:30 P.M.**

IN ATTENDANCE: Mr. Kevin Campbell, President
Mr. Michael Sullivan, Vice-President
Mr. Thomas Dietz
Mr. Darren Biggs, Supt. of Utilities
Ms. Cinthia Slusarczyk, Clerk

ALSO PRESENT: Franco Lucarelli, City of Warren
Valerie Meyers, City of Warren

MR. CAMPBELL: All right. I'll call this meeting to order. Please stand with me for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER & PLEDGE OF ALLEGIANCE

ROLL CALL:

MR. CAMPBELL: Cindy, roll call please
MS. SLUSARCZYK: Kevin Campbell?
MR. CAMPBELL: Here.
MS. SLUSARCZYK: Michael Sullivan?
MR. SULLIVAN: Here
MS. SLUSARCZYK: Tom Dietz?
MR. DIETZ: Here
MS. SLUSARCZYK: Darren Biggs?
MR. BIGGS: Here
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik was not ask to attend.

AGENDA:

Warren Water

In summary, Franco Lucarelli requested to meet with the Board of Public Affairs to discuss options for a new water service agreement between Lordstown Water and the City of Warren for Lordstown Motors. He is concerned with allotting 900,000gpd for Lordstown Motors and then not being able to serve potential future customers. No draft of any agreement was received from Warren and Lucarelli ask that Lordstown Motors review the requested water volume requested. Mayor Hill entered the meeting and recommended that Solicitor Dutton attend these meetings so he could advise on what can be in the development of a new contract. Lucarelli did not agree. He is going to call Jason Hodges and keep working on an agreement and get back to the Board. He is to send a digital copy of the proposed draft. *(Recording of topic ends at 2:12)*

Mayor Hill, Franco Lucarelli, and Valerie Meyers left the meeting.

A RESOLUTION AUTHORIZING THE BOARD OF PUBLIC AFFAIRS OF THE VILLAGE OF LORDSTOWN TO SETTLE A DISPUTED CLAIM INVOLVING TRAFFTECH, INC. AND TRAVELERS INDEMNITY COMPANY OF CONNECTICUT ARISING OUT OF DAMAGE TO A WATER MAIN SITUATED NEAR THE CONSTUCTION SITE OF THE HOMEGOODS, INC. DISTRIBUTION CENTER

Campbell: Alright, I think Cindy has the resolution there. At our last meeting which was not that long ago we made the motion for our Solicitor to negotiate on behalf of us. I called and talked to them, presented the things we talked about, they have all the doco that we have. Anything at this point would be generated after the fact. It doesn't look well to say here is a report that i have. With that I said what are you looking at what are you seeing? He said I understand they have their report that said it was marked improperly. There was other work right on that road doing the same function. He goes I honestly think our best course of action at this point is to throw something back that's a happy medium. I going to present that Ohio Code is for guidelines for when you mark something, try for more leverage on that

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aspect on it. I don't see from what we have here that we can go your paying all the dam bill no matter what. I said that is what I want your opinion on. They went back to work and I think that afternoon they had it all hammered out. Just to move on so, what was the total? We will get like 75% of the bill.

Slusarczyk: Seventy-five percent we bill \$6,390.11.

Sullivan: The \$6,000 is what?

Slusarczyk: It is 75% of the total overall invoice.

Sullivan: Oh, they will pay the \$6,000.

Slusarczyk: Yes

Sullivan: So we are paying the \$2,000.

Slusarczyk: No, that is our bill to them. We invoiced them for our time and labor. It's just money lost, we are not paying anything.

Campbell: We are covering the water that was lost. We are trying to get compensation for the time and effort-

Biggs: And the time and wages-

Sullivan: Right, I understand that but I though at the last meeting they said it was half so our cost would have been about \$4,000.

Campbell: But we didn't-

Slusarczyk: They offered 50% payment on our bill

Campbell: But we didn't really pay all that. Actually the only thing we really paid is some salary and water usage.

Dietz: We billed them \$8,520 and after they negotiated they agreed to pay us \$6,390.11. I'm I saying that right?

Campbell: Yep

Dietz: Ok, it is on your second page Mike. There you are, right here because they also said if took them to court we would have more court fees and everything else.

Sullivan: What do we pay, \$175.00 for Dutton? That is why I didn't understand him saying Dutton is free.

Dietz: Dutton is on a –

Sullivan: He used to charge when I was on Council I'd call and talk for 30 seconds and I'd look at the bills next month and he'd charge for like a 10 minute call or something.

Campbell: He is on a retainer

Dietz: He is on a retainer now.

Slusarczyk: As long as the work is covered in the scope of the retainer, you pay for it no matter what. Paul has been out so much that I do not know at this very minute that he is in town.

Campbell: I'll make a motion to approve this resolution.

Dietz: I'll second

Campbell: All in favor?

All: Aye

Campbell: All opposed?

Slusarczyk: Kevin you will sign the settlement offer also. Truthfully, I'll have to check to see if you can sign this release.

Campbell: I don't know who would sign it.

Slusarczyk: I'll get back to you.

Campbell: Yeah, if I need to sign it, let me know.

Slusarczyk: I think this will be Resolution 2020-2. I need to confirm.

Resolution signed

A RESOLUTION ACCEPTING THE PROPOSAL OF J.S. BOVA TO PROCEED WITH REPLACEMENT OF THE ELLSWORTH-BAILEY ROAD WATERLINE, SUCH PROPOSAL BEING THE MOST RESPONSIVE, LOWEST AND BEST PROPOSAL

Campbell: The third one, It's a resolution that we had in here in case TJX had responded with our last, I guess discussion with them from the end of last week. I think you said Mike was here when we were doing all that stuff last week. Was it Mike or Tom?

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Slusarczyk: Tom came in last Friday and I told him what was going on as it was happening.

Campbell: At this point we took about \$17,000 and said we would split that with them and is that where we are at? Like \$8,000.

Slusarczyk: I think \$17,000 is the high with the contingency.

Sullivan: Were talking about replacing the pipe?

Campbell: Yeah, this is at the point where they only wanted to pay \$2,000 towards this project. So we threw back at them that its \$17,000 something, you come up with half which is \$8,000 something and they we will look at moving with this project and you sent that Friday as an email. I didn't get a call and we didn't get any response to the email at this point. I guess from the Board side we need discuss if we are all comfortable with that and on the same page. We, I think, originally estimated about \$6,000 in parts from the start wasn't it?

Slusarczyk: In the minutes it said \$7,500. When I read the minutes that he ask for it was \$7,500?

Campbell: In parts?

Slusarczyk: Not that anyone was clear but I don't think so but that is what it would cost.

Campbell: They were under a misunderstanding of what the total project would be

Slusarczyk: He thought it would cost \$1,000 so he offered \$2,000. The bid that actually came in and is to be accepted is for \$12,135.00 in parts and labor and then \$5,000 contingency in the event that something went wrong. So you are talking from \$6,070.00 to \$8,000 something. He just nipped back and I'll go over your head and I think the email ask me if it was done?

Campbell: Yeah, I'm not happy with their-

Dietz: I'm not happy with their attitude.

Campbell: They are playing games kind of thing. He was very confused when he was calling me back and throwing things out there that this was not accurate to what we discussed.

Sullivan: Who was this Mark?

Campbell: Yes, so I don't know, I'm sure he has a lot on his plate. Anybody in that position does, so I not sure if he is confusing that with some other aspects of their business but we have in an email that is very detailed of what things were. At this point-

Sullivan: Just wait-

Campbell: That is what we presented back to him.

Sullivan: the ball is in his court.

Campbell: First off are you gentlemen okay if they pay the half of that \$17,000 something we are good to move forward, ok. The second question we have is where are we comfortable with that? Do we want a check in hand before we move forward? Or do we want a letter of intent? I think that is a minimum because you know, because I don't want to do this with nothing written.

Sullivan: Check in hand

Slusarczyk: We required a check in hand for the master meter pit. We were talking and considering this is the way they are proceeding-

Campbell: Their acting

Sullivan: We should go with a check in hand.

Campbell: Ok, with that being settled, do you think is better to send a letter? I don't know.

Slusarczyk: The email chain I kind of like because he can't –

Campbell: Yeah, let's keep with the email chain

Slusarczyk: It shows where he felt, "I will be reviewing this next week" on January 16th.

Campbell: It has a timeline on how much they drug this on and how much we keep trying to get it done for them. I don't want them to come back and go you guys are holding up the project, this is a bunch of crap, blah, blah, blah and that is not the case. Reply back, the board meet last night, the board is in agreement on the amount because when I talked to him he goes "what amount will make you guys happy, if I give you \$5,000 you are still going to want more." I said alright that is a fair question I said let me get a number back to that we are comfortable with. So we are comfortable with that number and them we are going to tell him we want a check in hand before we move forward with the project. And then, I think he said in the email, confirm that we have the contractor ready to move on this and time is of the essence or they are going to move onto other work.

Slusarczyk: I called him Friday and said, I'm not saying we are moving forward but the developer

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has contacted us again and would you be willing to perform this work? He said yeah. I said would you be able to honor your proposal and he said yes, my pipe price has not changed yet. Granted you have to give him lead time because he is not going tomorrow if I call him. He is expecting a phone call from me tomorrow to know if the developer came or even showed up to the table and after Friday's emails I have heard nothing since.

Campbell: I want to get something back to Mark thou. Put that in there and say we have contacted the contactor and they are willing to move with that but time is of the essence because they are going to move on and prices are going to change and we are going to have to go through this whole process again. Or at that point we just go you guys, here's the parts you go do it. Leave us the hell out of it. I don't know what this is going to get to.

Dietz: Is this the way we wanted to do it?

Campbell: Yes, yes

Dietz: It's not the concrete block and the plug?

Campbell: No, it's the way we want to do it.

Sullivan: Replacing the whole -

Campbell: It's not covering the finishing up aspect of grout the rest of the line and the stuff that is on their side that is still on them. That is not included in this, we don't really care about that part as long as it gets done.

Sullivan: And if they want to keep holding themselves up I guess that fine.

Campbell: That is why I like her point, I think that is what - They are going to go to the Mayor or somebody else and start crying that we are holding them up.

Slusarczyk: I think somethings may have circulated -

Campbell: I've sent him a personal message and two emails. Oh I didn't get it. His excuse, I didn't check my messages, I don't read long emails but give me your 20 pages of minutes, I'll read those.

Slusarczyk: That is exactly what he has done.

Laughter

Dietz: I don't know if Darren was in on the meeting but Dale, were you in on the meeting with the trucks coming up our road ?

Biggs: No

MEMBER COMMENTS:

Sullivan: I will be gone from the 8th till the 21st

Diets: I'm gone this weekend

Slusarczyk: So to confirm the resolution for J.S. Bova is just tabled at this time?

Campbell: Yeah

Slusarczyk: Until we have a check in hand

Campbell: Yeah, and make sure he knows that.

ADJOURNMENT:

Sullivan: Motion to adjourn.

Dietz: I'll second.

Campbell: All in favor?

All: Aye

Prepared & Submitted By:

Approved By:

Cindy Slusarczyk, clerk

Kevin Campbell, President