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RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
April 15, 2025
4:00 p.m. to 5:49 p.m.

IN ATTENDANCE: Mr. Christopher Peterson, President
Mr. Michael Sullivan, Vice-President
Mr. Stanley Czeck, Board Member
Mr. Darren Biggs, Supt. of Utilities
Ms. Cinthia Slusarczyk, Clerk
Mr. Christopher Kogelnik, Engineer
Atty. Matthew Ries, Solicitor

ALSO PRESENT: Ms. Jackie Woodward, Mayor
Ms. Jessica Blank, Council
Mr. Ernie Bowen, Council
Mr. Tom Cowie, Imperial Communities
Ms. Nancy Goddard

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 15th of April, 2025.

MR. PETERSON: I'd like to call this meeting to order. Please stand for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

MR. PETERSON: Welcome everyone. Roll call please.
MS. SLUSARCZYK: Chris Peterson.
MR. PETERSON: Present.
MS. SLUSARCZYK: Michael Sullivan.
MR. SULLIVAN: Here.
MS. SLUSARCZYK: Stanley Czeck.
MR. CZECK: Here.
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
MR. KOGELNIK: Present.
MS. SLUSARCZYK: Matt Ries.
ATTY. RIES: Present.

APPROVAL AND CORRECTION OF MINUTES:

April 1, 2025

MR. PETERSON: Okay. Did everybody get a chance to read over the minutes for April 1, 2025?
MR. SULLIVAN: I make a motion to accept.
MR. CZECK: Second.
MR. PETERSON: Motion seconded. All in favor?
(All respond aye.)
MR. PETERSON: All opposed?
(No response.)
MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Any correspondence, Cindy?
MS. SLUSARCZYK: No.
MR. PETERSON: Seeing none --

PUBLIC COMMENTS:

MR. PETERSON: Public Comments.
MAYOR WOODWARD: Me. Well this kind of falls as a public or a

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correspondence too. I received an e-mail from Michelle Wells. She is with the athletic boosters, Lordstown Athletic Boosters, and she wrote a letter. It is addressed to the Board of Public Affairs through me, I guess. I didn't speak up soon enough. She says "My name is Michelle Wells. I am a member of the Lordstown Athletic Boosters at the Lordstown High School. We represent boosters for all sports at the high school. We're in the process of working towards placing a concession stand at the school track and soccer field. This would enable us to serve the athletes and spectators who attend our track meets and soccer games. In completing our due diligence and researching options to obtain utilities at the proposed concession stand, we're coming to the Village of Lordstown in regard to obtaining water for our structure. At the time the track was installed a water line was not installed to the track area to provide concession services or any water for the athletes. We're proposing to bring in a new water line from Salt Springs Road, running it north to the southwest corner of the track. We would like to respectfully ask if the Village would consider waiving or donating back to our boosters the cost and service of the tap for a one-inch water line. This would allow us to use the funds that we do have to improve the concessions and give back to our school and athletic programs. I believe the fee is \$1,500 as noted on the fee schedule from the Lordstown Water Department. We thank you in advance for your consideration. I apologize for not presenting this request in person, but I had a scheduling conflict today. I would be happy to answer any questions or have further conversations. My phone number is (330) 518-3179. Please feel free to reach out to me any time. Respectfully submitted, Michelle Wells." So, it seems like she has located a water line there, and it is used for the festival. But from my understanding it doesn't get used very often. The Water Department has to flush it before it can be used. So, I'm not sure like once -- if they were to tap into that and start using that for a concession stand if it would continuously have to be flushed by the Water Department. I don't know how often that would need to be done.

MR. BIGGS: We spoke with her already about this. Even if she runs a line from Salt Springs, it will have to be flushed. She's only going to use that a handful of times, so for drinking water it is not ideal. So -- and if she's going to do, I don't know, restrooms, cooking, kids' drinks, I don't know. But wastewater, what's she going to do with that? We discussed that too. I don't know if she came up with a plan. But what we had mentioned was we weren't really sure about the Apple Cider line -- that's the line that runs by the concession -- is it the school's or is it ours? I know we help them out quite a bit, so we do a lot of it. But is that actually the school's? So it was suggested maybe approach the school, see if she can use that line and then just come off of that one. I don't know what happened with that.

MS. BLANK: It was at the school meeting and it was brought up this month. But Mr. Bonamase basically said that kind of the way they were doing it was to -- was not correct; and he said if they don't do it correctly he will tear it down himself. He didn't seem very happy. He said they originally wanted the shed that was donated for concessions, and it turned them into wanting to use electricity and water which changes the game. Plus, a concrete pad must be poured and it's accumulating a lot of money. He said if they wanted to do that they had to reach out to the Village and do things correctly or it wasn't going to happen.

MR. SULLIVAN: I believe we did donate the line for the Apple Cider Festival, didn't we?

MR. BIGGS: That was put in before me, Mike.

MR. SULLIVAN: I'm pretty sure we did.

MR. BIGGS: We haven't had to do much maintenance on it.

MR. SULLIVAN: We use it two weeks a year.

MR. BIGGS: That's all it's used for now, right?

MR. SULLIVAN: I remember helping Tom dig the line to go back. We dug the line and dropped the pipes in it.

MS. SLUSARCZYK: If I understood her correctly the other day, she's

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not asking to use the line that's used for the Apple Cider Festival because of its size. I believe what she said to Jackie is to tap Salt Springs Road, the smaller size line, to the concessions trailer. But when I did talk to her she did not have any answers about what they would do with the waste water.

MR. PETERSON: Yeah, that would be an issue.

MR. SULLIVAN: Matt, could we legally do that, donate it?

ATTY. RIES: You can donate it if you want. Have you guys ever donated anything before?

MR. SULLIVAN: Well we did donate, I'm sure, to the Apple Cider Festival.

ATTY. RIES: I mean, you're not donating something to like a for-profit business. There's no reason you couldn't donate it. You would want to make sure they had their ducks in a row.

MS. SLUSARCZYK: Would that be the school's line then, or would that be the boosters?

MR. SULLIVAN: I would be thinking it would be the school's.

MR. CZECK: That's on the school's property.

MS. SLUSARCZYK: There are rules required to be the school's, so that's why I'm asking.

MR. KOGELNIK: Can I ask a couple questions? Why wouldn't you tap onto the school's line instead of bringing a new line from Salt Springs?

MR. PETERSON: I think the issue was -- and that's a tap out at the school, correct? The Apple Cider Festival line.

MR. BIGGS: Correct.

MR. PETERSON: Is there an issue with it being at the end of the line, or is it just tapped off a main?

MR. BIGGS: Chris, it comes in off of Tod Avenue, and it's tapped off of right there at the corner kind of where the fire set up. That's all it is.

MR. PETERSON: So it's tapped right off of there anyways.

MR. BIGGS: That's on their property so it's still their service line, and the other one would be the school's service line too. So I'm not sure what the benefit is on running one all the way from Salt Springs.

MR. KOGELNIK: Yeah, more taps onto an existing line that is seldom used is not a good thing. It's not a good idea. And the other thing is when you have these small shelters or buildings and you start bringing water, electric and start thinking about sewer, it becomes an official structure that must get its permit through the county building department. So there's -- you know, there needs to be a pretty good plan put in place before --

MAYOR WOODWARD: My understanding is that it's just going to be like a small shed-like structure, no bathrooms on that.

MR. KOGELNIK: I had the same situation happen in another community.

MAYOR WOODWARD: Okay.

MR. KOGELNIK: And it was a lot of work for just a small building for all of those utilities. But if you don't have all those utilities then it's -- it's more practical and feasible to do.

MR. SULLIVAN: I know for the Apple Cider Festival also the last pole in the parking lot was a good size transformer, and that's where we ran the electric off of.

MR. KOGELNIK: Okay. I just encourage you to make sure you got everything thought through before you install another service line is all I'm saying.

MR. PETERSON: Yeah. I guess the question right now is will we donate the tap fee, correct?

MAYOR WOODWARD: The question she --

MR. SULLIVAN: I wouldn't have a problem doing that.

MR. PETERSON: I wouldn't have a problem with it either.

MAYOR WOODWARD: That was her question was would you consider donating the tap fee. I assume if that's what they wanted to do.

MR. PETERSON: Yeah, if that's what they wanted to do.

MR. SULLIVAN: Yeah, once they got all their ducks in a row.

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MAYOR WOODWARD: She's not saying that's what they will do. She's just making sure she knows if you will or not so that they can --

MR. PETERSON: We can't turn it on until they give us an answer what they are doing with the wastewater. Are you guys okay with that?

MR. CZECK: Sounds like they are a long way from where they are --

MR. PETERSON: They're still figuring stuff out.

MR. CZECK: -- for a community project.

MR. SULLIVAN: Once they got their, there won't be a problem.

MR. CZECK: I wouldn't have a problem with it, but they've got a long way to go.

MAYOR WOODWARD: I can tell her.

MR. PETERSON: I make a motion we donate a three-quarter inch --

MAYOR WOODWARD: She said one-inch.

MR. PETERSON: One-inch tap to the -- I guess --

MAYOR WOODWARD: Lordstown Athletic Boosters.

MS. SLUSARCZYK: It would be Lordstown Schools. If it would be on their property, the Lordstown Schools would have to make application.

MR. PETERSON: To Lordstown Schools.

MR. SULLIVAN: I'll second it.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Motion passed.

MAYOR WOODWARD: Thank you.

MR. PETERSON: All right. Any other public comments? Seeing none

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NEW BUSINESS:

MR. PETERSON: No New Business. Okay.

OLD BUSINESS:

1. A Resolution recommending that Village Council authorize the Village of Lordstown to enter into a first addendum to the water supply agreement with the City of Warren for the Trumbull Energy Center project

MR. PETERSON: Old Business, item number 1. We're still holding on this resolution, correct?

ATTY. RIES: Yes.

MR. PETERSON: Any questions for Matt on this?

2. Rules and Regulations Governing Water Use and Service

MR. PETERSON: Item number 2, Rules and Regulations Governing the Water Use and Service. Any updates on that? We still need to have a work session and go through stuff. Okay.

3. Niles Bulk Water Agreement

MR. PETERSON: Item number 3, Niles Bulk Water Agreement.

ATTY. RIES: No update since my last report on that. I haven't heard back from the City of Niles.

4. Trumbull Energy Center - Warren Waterline

MR. PETERSON: Okay. Number 4, Trumbull Energy Center Warren Water Line.

MR. KOGELNIK: We had a meeting today at 1:00 for roadway impacts on Brunstetter. They are planning to do the open cut crossing on Brunstetter. They got to give us the schedule yet. And we've reminded them many times about the three-inch sanitary, and it's my understanding now that it's a 12-inch AC water line where they are going to cross. So details are forthcoming.

MR. SULLIVAN: So they have determined they are going to do open cut both places?

MR. KOGELNIK: At Brunstetter, yes. At Salt Springs they still have not given the Village the information. And we keep reminding them every time we talk to them that they're going to -- they're running out of time.

MS. SLUSARCZYK: Doesn't this addendum have to be passed before they

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can do that?

MR. KOGELNIK: That's Matt's decision.

ATTY. RIES: Well yeah, they need to decide which way they want to go, it needs to come back to us for our review and approval; and then yes, the addendum addresses how those crossings are going to be. So yes, they would need to have that in place before they actually -- yeah. I reached out to the law department as well in Warren just to ask what was going on. They said they were still waiting to hear back from the contractor on Salt Springs. So yeah, they wouldn't be able to start doing any type of construction, you know, cutting or whatever they want to do until we have that resolution passed because it addresses how they are going to be crossing.

MR. KOGELNIK: Everything is in the contractor's hands for that. It's nobody else. So they know even for Brunstetter, even though we've seen some of the maintenance and traffic plans and their plans, that they have to present everything to Council for approval. So that's it for that particular element of the project.

5. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Okay. Item number 5, Trumbull Energy Center Sanitary Sewer. I have not heard anything.

MR. KOGELNIK: So you know, when would they want to build that sanitary sewer? When do they have to build that sanitary sewer? They already have a building in place. They told everybody that they're utilizing their portable restrooms. So is there -- you know, is there a requirement by the Village that they have to build the sanitary sewer to their already built building by anytime?

MR. PETERSON: Do they have water to that building?

MS. SLUSARCZYK: No, no. And I'd assume for me to give them a water permit they would have to have sanitary sewer answers, just like a trailer for the school.

MR. KOGELNIK: There is no urgency on their part to show that they've even applied for a PTI for that sanitary sewer. And so here again, I'm wondering if they are going to come to us at the 11th hour and say this is what we plan to do.

MS. SLUSARCZYK: How could they not apply for a PTI but approach Trumbull County Sanitary Engineers with an application?

MR. KOGELNIK: Why would you say the latter?

MS. SLUSARCZYK: Because Trumbull County Sanitary Engineer's attorney Matt Blair came in and said they had an application from TEC for sanitary sewer service and he couldn't withhold it. That's why he came to the office, because we didn't respond to his call the day prior.

MR. PETERSON: Did you speak with him at all?

ATTY. RIES: Just when he was in the office there when Cindy called me. But I thought that was why we sent the letter that you guys sent, the letter to Ted Harvey in response to that. We never heard back.

MR. KOGELNIK: Right. So nobody is considering anything for Trumbull County as far as I know.

MR. PETERSON: I guess the question is whether they will connect in Trumbull County and somebody not say anything to us.

MS. SLUSARCZYK: That's what I'm --

MR. PETERSON: Should we reach out to Trumbull County and make sure they are aware?

MR. KOGELNIK: They still have to submit a PTI application for that building.

MR. PETERSON: You've been saying PTI for six months.

MR. KOGELNIK: I'm getting tired of it.

MR. CZECK: Wasn't there mention of putting a --

MR. SULLIVAN: That would come here.

MR. KOGELNIK: That building resides in Lordstown. As such, the Village and Trumbull County, if Trumbull County is going to be the one approving a connection, they would have to receive a copy of that application. You know, it's got to go to Ohio E.P.A., but that has to

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be known. That's a fact. It's an Ohio E.P.A. fact sheet.

MR. CZECK: Weren't they talking about putting a septic system in?

MR. KOGELNIK: Yes.

MR. CZECK: Whatever happened to that?

MR. KOGELNIK: The Village told the developer that they would not permit that, they wanted them to connect to the Village's east side system.

MR. SULLIVAN: Are you talking we wanted them to connect to Lordstown sewer system?

MR. KOGELNIK: So --

MR. SULLIVAN: But is there a way they could connect to Trumbull without us knowing it?

MR. KOGELNIK: That's, I think, Cindy's statement and question there. I don't think that you can allow that.

MR. PETERSON: Well, if we don't know --

MR. SULLIVAN: So they can do it without us knowing it?

MR. PETERSON: Should we reach out to Trumbull County?

MR. KOGELNIK: I think you should reach out to Trumbull County and say if you receive a permit for this connection, this is in the Village of Lordstown, we're requiring them to connect to our sewer system as a part of our rules and regulations, did you receive some sort of a PTI by chance.

ATTY. RIES: Yeah, I'll send that out to Attorney Blair.

MR. PETERSON: Okay. Anything else on this?

6. Project Funding - Eastgate FY2026 ARC Pre-Applications

MR. PETERSON: Item number 6, Project Funding Eastgate 2026 Pre-Application.

MR. KOGELNIK: Cindy, do you have the signed task order for this one that I -- I submitted that with our request at the last meeting. I can't open the project without that PO.

MS. SLUSARCZYK: The purchase order number?

MR. KOGELNIK: Yeah.

MS. SLUSARCZYK: She has not given it back to me. I'll make sure you have it tomorrow morning.

MR. KOGELNIK: Okay. So next week, next Friday is the mandatory meeting at Eastgate. And that's the meeting where all the applicants are going to understand the rules and regulations for the application for ARC. And so Mike Miller, my associate, will go to that meeting; but before that he has to set up the project from that PO. He can't go to the meeting without that, it's a mandatory meeting. So if by chance we don't get that PO by then, can you have somebody go to the Eastgate meeting? Aside from that we're ready to go with putting together the application. It should be just like the last time we did it for that project on Hallock Young Road. We'll just have to get updated information, so -- and again, this is the project where last time I mentioned we had I think applied for something like \$500,000 on the project. That's the maximum you can ask in Trumbull County. However, I told you that the people that received funding or were awarded funding asked for an average of around \$180,000. So you're really going to have to bring it down to probably no more than \$200,000 is what we're guessing at. Mike will know more after he goes to the meeting on Friday.

MR. PETERSON: Okay.

MR. KOGELNIK: Thank you.

MR. PETERSON: Any more questions for Chris?

7. Proposed Hallock Young Road Water Line Improvements

MR. PETERSON: Proposed Hallock Young Road Water Line Improvements.

MR. KOGELNIK: That's the one where we just talked about. So we're in the process of getting the E.P.A. permit renewed. We definitely are going to do that as per the last meeting.

8. Salt Springs Road Booster Station Relocation

MR. PETERSON: Okay. Salt Springs Road Booster Station Relocation.

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MR. KOGELNIK: It needs a home. What are we doing with this one?

ATTY. RIES: So in the Spirongo property, that's where we were looking at possibly putting the water booster station there, they also -- you know, they requested a zone change last week before Planning Commission. Council approved -- Council already approved the easement agreement that I drafted for the water booster station. The property owner did not. At the Planning Commission the zone change for that property died for lack of motion. So it's under our rules that that's a decision, if we decide not to -- the Planning Commission decided not to vote on it, so that's going to go before Council for a determination. In the meantime, I talked to the property owner's attorney about not having the easement tied in with the zone change, keep them completely separate. They said well what if -- you know, what if your client made an offer for what he believes the value -- you know, an arms-length transaction for this easement would be. And I followed up with him again this week, and he said that the owner has no interest in entering into that easement agreement for the money, everything is tied to the zone change. And they stated that at the Planning Commission meeting as well.

MR. KOGELNIK: Well, you have two pots of funding, one of them is going to end in November. You really don't have a chance with that one anymore. But you still have an opportunity with the funding you have through the U.S. E.P.A., and that's the one that you are viewing services for here very soon. So I would determine what you're going to do with that. Now this location -- I said before this booster station was intended to be situated close to the road where the existing water line is at in the setback distance off of the road right-of-way line. That's normally a zone where it's not permitted to be built, Village Code. And so we weren't trying to be egregious with requesting a bunch of land for that and we were trying to, you know, place the booster station footprint not in the center of their frontage but to one side or the other so that we could be out of the way. So, you know, is the Village considering going eminent domain on the property? Because I can tell you that this is a significant need for the Village. This isn't just because it's, you know, haphazard ideas. They need to replace that Pritchard Ohltown booster station. You know, it's having problems.

MR. PETERSON: I think we're running out of options.

ATTY. RIES: If you guys want me to go eminent domain, just let me know. I'm just telling you unless the property owner is going to work with us and agree upon a price, these things dragged out in litigation are not going to be quick. You're talking eight months -- six to eight months on a very shortened -- and that's very abbreviated -- and I wouldn't even commit to that as being short. If they fight it out you're looking closer to a year. I mean, courts are just not super quick on this. Now what -- you could file a lawsuit. From a statutory standpoint, you have to get it appraised and you have to make an offer before you even begin an eminent domain action for what the fair market is, you have to give them 30 days to refuse it the property owner, and only then can you file the lawsuit. Between -- litigation process not always but a lot of times tends to resolve the problem before you actually go in front of a judge for a trial. So maybe the property owner says I really don't want to go through this if you think they are going to win in the eminent domain and I am going to get the same amount of money anyway. We have to make a decision about what property we want. I have appraisers lined up that can come out and look at the property and start that process. But one of the problems we have had is we've looked at different parcels, but we've not really committed to anything; and we've wanted to try other options before going, you know, scorched earth so to speak.

MR. PETERSON: I'd say your two options are their property or the Holton property I would think.

MR. CZECK: We talked about the power --

MR. PETERSON: And I did get an answer from the power plant. No.

MR. SULLIVAN: Really?

MR. PETERSON: Yes.

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ATTY. RIES: And I don't know, is --

MR. SULLIVAN: I thought last meeting I understood that the property owner, the one down by the other, didn't have a problem.

MR. PETERSON: That would be --

MS. BLANK: That is true until somebody else stepped in.

MR. PETERSON: Correct. Thank you.

MS. BLANK: You're welcome.

MR. PETERSON: It was kicking.

MS. BLANK: Can I ask a question? I'm sorry. So for this did we have to stay on this side of 45 then? We can't go across?

MR. KOSELNIK: I'm glad you asked the question. That actually has been asked a couple times. The water -- the existing water main is on the east edge of Tod Avenue. Then it crosses over right at the boundary -- corporate boundary line and it runs that southern boundary line going towards the Pritchard Ohltown booster station. So what the pump station does, all it does is add pressure, right. So the people that are on the discharge side of that booster station would benefit from the added pressure. The people on the suction side would tend to not as much as the discharge side. So that's why it's, you know --

MR. PETERSON: I guess I'll be the one to ask the question. Obviously, nobody wants to give us property for the booster station so it's their loss. If they don't want to benefit from extra pressure --

MS. BLANK: Have we looked at all the property there and asked everyone?

MR. KOSELNIK: We've only looked at five. I mean, how many more parcels do you have along Tod Avenue?

MS. BLANK: Listen, I'll keep looking, okay.

MS. SLUSARCZYK: And we talked to two others, so there's seven.

MR. KOSELNIK: You've done a heck of an exhaustive look on this. And these locations that we've looked at all seemed like they made sense. It's just that you're running out of time for funding, and I don't know what more you're going to get. This one there's very little environmental that probably would need to be done.

MS. BLANK: Right.

MR. KOSELNIK: We suspect the Geotech is going to be fine; but, you know, we don't know that yet. And you're still close to where the three-phase electric service is at. You would have to extend gas down to it; but you know, in our experience private development wants these benefits. In this particular case it's like not on my property.

MS. BLANK: Right.

MR. KOSELNIK: And it's a head scratcher. But at this point in time it's all about what the Village needs, and they need a new booster station to replace Pritchard Ohltown.

MR. SULLIVAN: And we need to do it before the funding runs out.

MR. KOSELNIK: Yeah. You should have done this last year.

MS. BLANK: That property next to the Holton property, is that Mahoning County?

MR. KOSELNIK: Yeah.

MS. BLANK: The business.

MR. KOSELNIK: The one to the south.

MS. BLANK: It is best. We couldn't do that?

MR. KOSELNIK: It would be even more time and tense, so you know you might have -- maybe you want to -- I know that this has been asked before. You might want to tell Trumbull County that you are going to commit to something to secure the property so that they can have some assurance that the money is going to get used. Or do you just want to turn it back?

MR. SULLIVAN: What, the money?

MR. KOSELNIK: Yeah.

MR. SULLIVAN: No, no.

MR. PETERSON: No, we don't want to turn the money back. Not after everything we went to get it.

MR. KOSELNIK: Well --

MR. PETERSON: So, I guess Matt is looking for direction. Do you want

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to proceed with an eminent domain? I assume you want --

ATTY. RIES: And that would have to be approved by Council as well. That would be a lawsuit in the name of the Village.

MR. CZECK: All the properties along that route, were they talked to? There are several properties.

MS. BLANK: Yeah, that's what I was asking.

MR. CZECK: There's a lot of properties here. You know, they can be multiple owners or one owner of a bunch of them. There's 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 different properties through there.

MAYOR WOODWARD: Was any conversation had with Earl Ross in --

MS. SLUSARCZYK: Yes.

MAYOR WOODWARD: And that was a no?

MR. PETERSON: Yes.

MAYOR WOODWARD: I don't remember that name being brought up.

MS. BLANK: That was behind the scenes.

MR. SULLIVAN: So we need to do whatever was most expedient.

ATTY. RIES: You know, there's always the property to the north of Hallock Young too. We just -- with the transition with the company in leadership that conversation kind of fell off, but that was represented to us.

MS. SLUSARCZYK: Chris?

MR. PETERSON: They told us no.

MS. SLUSARCZYK: He just said that.

ATTY. RIES: Wait, when did they tell us no?

MR. PETERSON: Last week.

ATTY. RIES: Harvey?

MR. PETERSON: (Nodding head.)

MS. SLUSARCZYK: Yeah. And Ross owns the corner property and his parcel for the eatery, so that's no -- was no for both parcels. And --

MR. PETERSON: I think we've talked to every parcel.

MS. SLUSARCZYK: The other gentleman that I talked to, he owns two of those parcels as well. One was 100 foot, and then his home was on the next parcel. So he has two of the parcels, and then Holton Bingham.

MR. PETERSON: So I assume we would need to make a recommendation to Council.

MR. KOSELNIK: One more thing. I think in the U.S. E.P.A. grant -- we'd have to verify this -- but I think that land acquisition was part of the funding too in the event you needed it. You might want to check that out.

MS. SLUSARCZYK: For the one you just sent?

MR. KOSELNIK: This was the one that you have the grant for.

MR. PETERSON: The capital --

MS. SLUSARCZYK: The four point --

MR. KOSELNIK: The \$4.2 million. You might want to check that because I vaguely recall that land acquisition was part of that if you needed it. Sorry.

MR. CZECK: That's all right.

MR. SULLIVAN: So do we need to pick one of those along 45 that we say that we recommend to Council?

MR. PETERSON: Do we need to pick one, or do we just make a recommendation to Council?

MR. McNinch: You can just make a recommendation to Council.

MR. PETERSON: Let Council decide.

ATTY. RIES: Yeah, you can move -- make a recommendation to move forward with eminent domain. Is it going to be by easement or land acquisition, because if land acquisition is a requirement --

MR. KOSELNIK: When you go eminent domain, is it inherent that you're seeking to own the land rather than use it through an easement?

ATTY. RIES: No, you could do it through an easement. It would be a partial taking of the land. We wouldn't take necessarily the whole property.

MR. KOSELNIK: Who would pay the taxes in that case on the easement? Would the property owner have to pay the taxes on the area to be leased?

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ATTY. RIES: I'll have to look into that. I would think that whoever has the easement would pay the taxes. Normally it's set up in the easement agreement who pays what. But that would be different because it would be a taking, it wouldn't be a formal contract. Normally that's decided in the easement agreement itself, who's responsible.

MR. KOGELNIK: I mean, it really doesn't matter to us whether it's the property we were seeking last by way of Mr. Bakeris or the property directly against the southern corporate boundary line. It's just the property on Bakeris is -- it's higher, no wetlands, it's a little bit more simple to work with. You need simplicity right now. But if the decision is to stop the project, then we'll have to just submit our final invoice on the project. And I don't think that you want to do that.

MR. PETERSON: No. Do you want me to make a motion?

MR. CZECK: Well, we have to choose something.

MR. PETERSON: We can just make a recommendation to Council.

MR. CZECK: Yeah.

MR. PETERSON: And they can decide which property they want to -- I'm sure they're going to ask us, but I mean -- or ask Chris what is the best property. But I don't know what else to do.

MR. SULLIVAN: Do you think the recommendation should be that one the furthest south?

MR. KOGELNIK: No, I think this should be the Bakeris property.

MR. SULLIVAN: The what?

MR. KOGELNIK: The Bakeris property.

MR. SULLIVAN: Why don't we do that?

MR. PETERSON: That's fine if that's what you want to do. Are you making a motion?

MR. SULLIVAN: Yeah. Make a motion to recommend that Council move forward on the easement on the Bakeris property.

ATTY. RIES: I would just say -- I would keep it open. I would say I'm going to proceed with eminent domain for the water booster station along State Route 45.

MR. SULLIVAN: That's what I said.

MR. PETERSON: I'll second it. All in favor?

(All respond aye.)

MR. PETERSON: All opposed?

(No response.)

MS. SLUSARCZYK: Before you go, you also said it's necessary for an appraisal. Should that be something that you try to do in conjunction or at the same time, or is that too -- are we getting ahead of ourselves? You said we'd have to offer them before we could do the eminent domain.

MR. PETERSON: I would say Council would need to approve it first.

MR. SULLIVAN: You first got to pick out --

ATTY. RIES: That's going to be part of approving the eminent domain action in and of itself. So I mean, that would be part of something he would -- I would have to spell out in detail, approving the appraisal as a preliminary measure for the eminent domain. By statute it's a prerequisite, it part of the eminent domain process.

9. Imperial Sewer Agreement

MR. PETERSON: Okay. Imperial Sewer Agreement.

ATTY. RIES: I have not heard anything. I submitted our revisions back in January to the attorney, so --

10. Utility Department Building

MR. PETERSON: Okay. Item number 10, Utility Department Building. Anybody have any updates? I don't yet.

MR. BIGGS: I heard the library is opening up.

MR. PETERSON: I heard that too.

MR. SULLIVAN: What's that?

MR. BIGGS: They're closing the library June 25. I think we should pursue it.

MR. CZECK: Well, I think there will be some maybe shuffling going

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around.

MS. BLANK: Everybody wants in the library.

MR. CZECK: Everybody and their brother wants --

MAYOR WOODWARD: Stand in line.

MR. PETERSON: I'm just saying we've been asking for a year.

MR. BIGGS: It seems like a no-brainer to me. Apparently, this wheel wasn't squeaky enough.

MR. PETERSON: Okay.

MR. CZECK: But there will be a building open somehow, so --

MR. PETERSON: Yeah.

11. I&I

MR. PETERSON: Okay. I&I.

MR. KOSELNIK: I don't have anything more on the collars -- the extensions I mean.

MR. PETERSON: Okay. Any questions for Chris?

MR. BIGGS: Chris, I can help you out with that. We did get -- might have been yesterday -- a salesperson called, and we're trying to figure out how, you know, it's got the lip that bolts down on there on those. He's got some suggestions for us. So we're still pursuing what would be proper -- we went out and got how many holes are left in them and with which ones would service best, so we're still working with the salesperson on that.

MR. KOSELNIK: Are those existing fiberglass tanks, those flanges where the holes are at, are they in good shape?

MR. BIGGS: No. No. No. They -- just as close as you came with a mower they just break out. So we're trying to figure out what is best to buy for each one of them, and we're working with the salesman. Some of them don't have anything, some of them might have five holes, some may still have eight. We got to see what is best, what is going to work for all these different ones. So that's where we're at now.

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Any additional public comments?
Seeing none --

REPORTS:

1. Solicitor's Report

MR. PETERSON: Solicitor's Report.

ATTY. RIES: Only thing I have to report is on the valve replacement issue I reached out to TEC's attorney. We have a contract for reimbursement up to \$275,000. So, they asked for, you know, well show us like the invoice and show us your proof of payment. So, I talked to Bill. Bill said this is just basic. The project's going to be done by mid-May. The funds are already encumbered for the Village. He thinks it's going to be billed once at the end. I told the attorneys once the project's done, we'll send you everything and they can reimburse the Village. Chris, does that sound accurate, how it's going to be built?

MR. KOSELNIK: Pretty much. Kirila -- I'll get to it in my report -- but they are moving fast.

ATTY. RIES: Once this is done, we'll submit the final pay amounts and everything over to TEC for reimbursement. Right now, I think it's still 250, so I don't know if that's with the change order; but we're still within the \$275,000 threshold.

MR. KOSELNIK: I think we're doing good right now in terms of change orders and additional claims, so --

MR. PETERSON: Okay. Any questions for Matt?

2. Engineer's Report

MR. PETERSON: Engineer's Report.

MR. KOSELNIK: Just that the air release valve project is moving quick. I think they have either six or seven of the valve structures installed, and some of the valves -- the new valves have actually been

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installed already. The airlines going from the valve to above the vaults are not installed yet, they need to do that. But they're really making quick work on this project. And I like the vertical positions relative to the edge of the road, they look good. But as Matt said, they'll probably be done mid-May. And next week on -- starting on Tuesday morning around 8:00, 8:30, right Darren, is when --

MR. BIGGS: Hopefully sooner, yes.

MR. KOGELNIK: Sooner than that is when the work inside the meter vault would happen, and that's the replacement of the parts inside the check valve and the replacement of the parts inside the solenoid valve. We haven't found any air yet in the air release valves, they burp each one.

MR. PETERSON: I was going to ask you that.

MR. KOGELNIK: So that's really concerning, and we're hoping that the culprit is in that meter vault. And if not, then we're going to be, you know, tapping each one of those air release valve spots to try and find where that pressure is dropping. That's the plan.

MR. PETERSON: Okay. Anything else?

MR. KOGELNIK: Oh -- for the Engineer's Report we submitted on behalf of the Village the CDS request to Senator Moreno's office. And so, Senator Moreno's office and Congressman Joyce's office, they both have the same nomination basically, and next might come the application for that. When that happens, if that happens, if they're interested in it, we'll submit, you know, a task order for the Village to approve for doing those applications. And we'll see if they're interested first though.

MR. PETERSON: Okay.

MR. SULLIVAN: Will they send something back either interested or not?

MR. KOGELNIK: I don't know if they won't. I don't know. But if they're anything like Congressman Joyce's office, they were very forthright the last time -- Cindy might remember -- very helpful people. So, we'll see.

MR. PETERSON: Anything else?

MR. KOGELNIK: No.

MR. PETERSON: Any questions for Chris?

3. Utility Committee Report

MR. PETERSON: Utility Committee Report.

MR. BOWEN: (Shaking head.)

MR. PETERSON: Nothing, okay.

4. Clerk's Report

MR. PETERSON: Clerk's Report.

MS. SLUSARCZYK: I have nothing other than confirm the May 6 BPA meeting.

MR. PETERSON: Are you guys good with that? Yes?

ATTY. RIES: I may not be available. Is that all right? I can submit a report beforehand.

MR. PETERSON: Yeah, that's fine.

MR. KOGELNIK: Yeah, I'm checking mine too. No, I'm available.

MR. CZECK: That's on the regular schedule, isn't it?

MR. PETERSON: Yeah. Yeah, it's on the regular schedule now. Good.

ATTY. RIES: I can probably come until 5:00 on that day, yeah. That's not a problem.

MR. SULLIVAN: You're changing the date or --

MR. PETERSON: No, no. Regular meeting.

MS. SLUSARCZYK: We added the first Tuesday of the month.

MR. SULLIVAN: Yeah, I'm good.

MR. PETERSON: Any questions for Cindy?

5. Superintendent's Report

MR. PETERSON: Superintendent's Report.

MR. BIGGS: I was asked to find out how much it would cost for pest control on that building over there. Grace was at \$800 a year. They come out quarterly. And if it's not working, they'll come out more if there's -- at no cost. That's what we found out.

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MR. PETERSON: Okay. Did you move forward with it or do you need -- do you want our blessing?

MR. BIGGS: I didn't move forward with it. Is the BPA paying that?

MR. PETERSON: I don't know. I assume we are.

MR. CZECK: Does Grace do --

MR. BIGGS: Grace is the one that does here too, Stan, correct.

MR. SULLIVAN: I'm good with it.

MR. PETERSON: I'm good with it.

MR. BIGGS: Move forward with it.

MR. CZECK: Yes.

MR. BIGGS: The 3 million gallon tank was inspected yesterday. I didn't hear any problems. Give them a little while to get me the full report on it. But I didn't hear anything major obviously at the time so it's hopeful that it's good. I need permission to order replacement couplings, curb box repair clamps. The total's \$1,350.69.

MR. PETERSON: I'll make a motion. Where is --

MR. BIGGS: Ferguson.

MR. PETERSON: I make a motion we spend thirteen hundred --

MR. BIGGS: \$1,350.69.

MR. PETERSON: -- from Ferguson for replacement parts.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. BIGGS: That was all I had.

MR. PETERSON: Okay.

MR. KOGELNIK: I have a question. Darren, on the new water booster station on State Route 45 and the new water storage tank, does the Village have insurance on those? Is that -- do you know?

MR. BIGGS: I don't know if it's actually on insurance paper, but we should have insurance on everything we own.

MR. KOGELNIK: Right, exactly. He was just asking about that because the warranty just triggered a thought in my head. Bill's usually on top of that. He's talked to me about insurance stuff on the waste water.

MS. SLUSARCZYK: We're working on that right now. It's on my desk.

MR. BIGGS: We had all the paperwork from the previous stuff, and we're adding things on there now. I believe we added it.

MS. SLUSARCZYK: The tower or the booster pump station is currently not on the inventory list. I added it today. So, when they submit it for this year's renewal it will be included.

MR. KOGELNIK: Okay.

MR. PETERSON: Cool. Any questions for Darren?

MR. CZECK: No.

MR. PETERSON: Seeing none --

MEMBER COMMENTS:

MR. PETERSON: Member Comments. Do you guys have anything?

MR. CZECK: No, I don't have anything.

MR. PETERSON: The only thing I have is I'd like to call an executive session. I guess we can just do it now. Executive session.

ATTY. RIES: To discuss investigation --

MR. PETERSON: Investigation and potential discipline of a public employee.

MAYOR WOODWARD: Inviting?

MR. PETERSON: I'm sorry, inviting the Board, the Mayor, and Darren will be called in.

MR. CZECK: Second.

MR. PETERSON: Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czek.

MR. CZECK: Yes.

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MS. SLUSARCZYK: Sullivan.

MR. SULLIVAN: Yes. No action afterwards?

MR. PETERSON: No action afterward, just to adjourn.

MS. SLUSARCZYK: And no business after.

MR. PETERSON: Yeah, no business after. And the Solicitor, sorry. I forgot to mention him.

(At this time, the Board, Mayor Woodward, Atty. Ries and Mr. Biggs enter into executive session at 4:50 p.m.)

(Back on the record after the executive session, Mr. Czeck made a motion to end the executive session; Mr. Sullivan seconded. All in favor.)

ADJOURNMENT:

(Mr. Sullivan made a motion to adjourn the meeting; Mr. Czeck seconded. All in favor.)

(Meeting adjourned at 5:49 p.m.)

C E R T I F I C A T E

STATE OF OHIO)
TRUMBULL COUNTY) SS.

I, Deborah I. Lavelle, a Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the foregoing meeting before the Board of Public Affairs was written by me in the presence of the Members and transcribed by me using computer-aided transcription according to the stenotype notes taken at the time the said meeting took place.

I do further certify that I am not a relative, counsel or attorney of any Member, or otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Niles, Ohio on this 24th day of April, 2025.

DEBORAH I. LAVELLE, Notary Public
My Commission expires 4/15/2027

Submitted by:

Approved by:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President