

**RECORD OF PROCEEDINGS**  
**MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS**  
**1455 Salt Springs Road, Lordstown, Ohio**  
**April 18, 2023**

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

**ALSO PRESENT:** Mr. Robert Bond, Council/Utilities  
Mr. Tom Cowie, Imperial Communities  
Atty. Leo Puhalla, Antonine Village  
Ms. Annissa Neider, Antonine Village  
Sister Samia A. Shakra, Antonine Village  
Sister Marie Madeleine Iskander,  
Antonine Village

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 18th of April, 2023.

MR. PETERSON: I'd like to welcome everybody to our regular Board meeting for April. Please stand for the Lord's Prayer and Pledge of Allegiance.

**LORD'S PRAYER**

**PLEDGE OF ALLEGIANCE TO THE FLAG**

**ROLL CALL:**

MR. PETERSON: Roll call please.  
MS. SLUSARCZYK: Chris Peterson.  
MR. PETERSON: Here.  
MS. SLUSARCZYK: Kevin Campbell.  
MR. CAMPBELL: Here.  
MS. SLUSARCZYK: Michael Sullivan.  
MR. SULLIVAN: Here.  
MS. SLUSARCZYK: Darren Biggs.  
MR. BIGGS: Present.  
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.  
MR. KOGELNIK: Present.  
MS. SLUSARCZYK: Also we have Attorney Matt Ries.  
ATTY. RIES: Here.

**APPROVAL AND CORRECTION OF MINUTES:**

MR. PETERSON: Approval and correction of the minutes for March 13. Did everybody get a chance to review them?  
**MR. SULLIVAN: Make a motion to accept.**  
**MR. CAMPBELL: I'll second.**  
**MR. PETERSON: All in favor?**  
**(All respond aye.)**  
**MR. PETERSON: Opposed.**  
**(No response.)**  
**MR. PETERSON: Motion passed.**

**CORRESPONDENCE:**

MR. PETERSON: Correspondence.

MS. SLUSARCZYK: I have none. You had an e-mail that was sent from an account holder -- I don't know if that was intended for the public meeting or not -- in regards to late fees on a recent bill payment. I don't know if you -- how you want to proceed with that, if you want to do that later or in my report or --

MR. PETERSON: We can just do it under your report.

**PUBLIC COMMENTS:**

MR. PETERSON: Public Comments.

MR. COWIE: Tom Cowie, Imperial Communities. We went through -- we had discussed I think at the last meeting or the one before about the look-back for the sewer billing and flows and such like that. We went through our record that we have, and it's just the billing -- actual bill that we received from the Village. And we'd like to get together and go over that information. We went from the billing period of -- we hooked onto the wastewater connection in July of '14, 2014 was when we connected. The first bill we received for that was August of '14. And we went to the period of -- we hooked onto the flow meter July 27 of '20, and the first bill we received was 11/9 of '20. So that's the period that we looked at because that's really the only period that, you know, of concern for this. So if maybe your office can get whatever that time period information that you think maybe you want to take under consideration, and then we can come together either at a public meeting or a work session or something that can, you know, just see where so we can get this sorted out.

MR. PETERSON: You mean get the two compared and see which one --

MR. COWIE: Right, compare the two and see -- if it false in your favor, fine. If it falls in our favor, fine. But we would just like to get this buttoned up as one of the final things that, you know, we've been working on for a while.

MR. PETERSON: Okay.

MR. COWIE: If we can do that we would appreciate it. I'm just here to give you a heads-up, if you can gather some information and let us know how you want to proceed. Like I said, either a work session or at a public meeting, but it might be a little extensive to look at it. So, you know, however.

MR. PETERSON: Cindy, do you know how long it would take you to pull records like that?

MR. COWIE: It's about six years, 24 billing periods.

MS. SLUSARCZYK: Chris, I'm not gonna lie. We're still working on the water rate study which you want an answer to. With everything else going on and all the projects, it's going to be weeks for me to pull that information.

MR. SULLIVAN: We just don't have a date.

MR. COWIE: I'm not expecting a date here today. I'm just giving a heads-up that we looked at things from our end.

MR. PETERSON: I don't want to string you along either. So let's -- we'll put it on the agenda for next meeting and we'll try to set a date then. Does that work for you?

MR. COWIE: Set a date at the next meeting?

MR. PETERSON: Set a date at the next regular meeting. That should get everybody through everything that's going on right now.

MR. COWIE: I appreciate it. Thank you.

MR. PETERSON: Any other public comments? Okay.

**NEW BUSINESS:**

**1. Antonine Village Phase 2 Expansion Water Line**

MR. PETERSON: Seeing none, New Business. First item is the Antonine Phase 2 expansion of the water line. Who wants to start or -- go ahead.

ATTY. PUHALLA: First of all, thank you. For the record, Leo Puhalla. I appreciate the opportunity. Nice to see you folks again. I was here in March with the sisters to talk about a water line that is on the public right-of-way on the west side of North Lipkey Road. The Sisters through Antonine Adult Day Care, and more specifically Antonine Village, are expanding their operations on North Lipkey Road. That building has been serviced with water, potable water, from the Village since 1995. The line on the west side of the road in the public right-of-way, from what I understand, has been a problem line. In particular, more recently I've been told the Village was out there to fix it four or five times in the past year, maybe year-and-a-half. As I understand it, that line will have to be replaced. It doesn't have sufficient intrinsic strength, for lack of a better word, tensile strength -- I'll refer to Mr. Kogelnik for the terminology -- for the pressure that is gonna be needed for the additional 21 beds on the Antonine Village and, more importantly, the fire sprinkler situation over there. So that line needs to be replaced. There's also an application as I understand that was submitted by Annissa Neider, who's the architect for the Sisters, to put in an additional line in the public right-of-way, but I think that will be on the east side of North Lipkey Road in front of the Antonine Village. So we have that permit pending before the Board, and that we would ask them to consider granting us that permission to move forward with that. But we have to deal with the, quote, "problem line", end quote, on the west side of the road. The question is exactly what is the legal status of that line that's been in the earth since 1995. The Village has billed and the Sisters have paid the bills on that line and water service since '95. I've come to learn that there's no ordinance, per se, adopting that line into the Village records, at least from what I've been told by our Clerk who's been very helpful, so I appreciate that. The question then becomes from a legal perspective okay, what is the status of that line. There's a de facto issue of it's been repaired by the Village since '95, the Village has collected revenue since '95, but you don't have that ordinance adopting it. It's a very unique fact pattern. Attorney Ries and I chatted about that earlier today. I did send a letter to Attorney Ries yesterday. The question I had when I was here in March I said look, the regulations at least that which were available to me said if it's a line -- a, quote, service line 199 feet or less the meter's in the building and the Village -- Antonines are responsible for service lines. Mr. Campbell asked a very good question of well, what were the regulations in 1995. Good point. So the Clerk was kind enough to provide me with those regulations. I looked at the regulations, and that was basically the substance of my letter to Attorney Ries, is in '95 the regulations state that only the Village has the authority to tap into the main and the Village will put in the pipe between the main to the curb box. The curb box at issue is on the east side of the road right in front of the Antonine Sisters' property. So the regulations, at least from '95, say the Village is the only entity that has the authority to tap into the main. They will install the line, maintain the line up to the curb box. And then from the curb box out in front of the Village to the building, as I understand it, the service line, that's on the Sisters to repair. The problem we have is the line on that the problem line is between the main and the curb box, which is the area that would have been installed by the Village. But we have the issue of there's no ordinance. So it's a very unique fact pattern. So Mr. Campbell, you asked a very good question so we looked at it at least per the '95 regulations that says the Village would put that in. I understand there's no ordinance. To a certain extent there's an institutional memory gap here because I'm gonna guess -- I know I wasn't practicing law in '95, I don't think any of the folks on the panel were part of the BPA in '95 -- so there's some question as to okay, where do we go from here. From the Sisters' perspective we're at the point, from what I understand from the architect, we're gonna need water probably in about two months. So to -- it's framed out, we're ready to go. There's

an application pending as to the new line that would go on the east side of the road that we had asked the BPA to consider in their appropriate forum, consultation with Council to perhaps allow us to move forward with that. And then we're gonna have to figure out exactly what's the resolution of the, quote, "problem line". And Attorney Ries and I have been discussing that, but the Sisters are at the point where we're gonna need an answer not only as to the application on the new line so we know okay, we got that resolved. Hopefully that's the low-hanging fruit, there's nothing done on that. Then how do we resolve the problem line, are we gonna be able to -- we'd ask that the Village adopt it because based upon their regulations that's something they would have put in. And if they're not gonna adopt it, then I don't know whether we're stuck to some kind of a declaratory judgment action or something. But we certainly would be open to some kind of resolution, continuing a consultation, even outside the forum we have here similar to the gentleman with the rate hike. It's probably not gonna be something we resolve in a public forum like this. But have a sit-down meeting, weather Council has that authority, is charged with that, to see if we can get some kind of resolution without having to have some kind of protracted declaratory judgment action. So I guess in summary I would ask that the -- your Board consider the new line that we'd like to put in, at least deal with that low- hanging fruit, easy new stuff, and then set up some kind of a mechanism to resolve the, quote, "problem line". And whether that consultation is between myself and Mr. Ries or -- but we need an answer one way or the other, whether it's gonna be eventually adopted or whether we'll have to pursue some other remedy. That's all. I would be happy to answer any questions you folks have. I do appreciate you giving me the chance to speak here today.

MR. CAMPBELL: My first thought is the extension you're looking to put in, that still falls within Utilities I believe, right? It's outside the Village. So I think what you're asking us is something we still can't provide because that whole chunk is outside the boundary of the Village of Lordstown. This Board covers stuff within Lordstown, anything outside goes through the Utility Committee positioned for approval and acceptance and things like that.

ATTY. PUHALLA: So the new line on the east side of the road, you're saying the Utility board --

MR. PETERSON: I think this is through us, and then Utility --

MR. CAMPBELL: Well, I think we would have a recommendation.

ATTY. PUHALLA: Even if you make that recommendation --

MR. BOND: It's done on the recommendation of the BPA.

ATTY. PUHALLA: So if you make a recommendation as opposed to a formal resolution for the new line --

MR. CAMPBELL: My only concern is making a recommendation to something that's not settled. So you're gonna say I'm all good with that part, something that we don't know what -- you know, it's basically in my mind you're almost accepting the other part if you're saying you're going to add on to it. There's a lot to be concerned about.

MR. SULLIVAN: When we talked last time you were gonna get a hold of Mahoning County.

ATTY. PUHALLA: I spoke with Nancy Laboy, who's the Clerk for the Mahoning County Commissioners. I told her what our issues were. I haven't gotten a response back from Nancy on that which, you know, leads us to the very unique fact pattern that we all have. That's why I kind of got to an point of there's a lack of institutional knowledge on this because maybe everyone who was in the know is no longer here or available.

MR. SULLIVAN: I would think even before the Utility Committee they would have to have that okay from Mahoning County.

MR. CAMPBELL: Yeah, because it's in their property.

ATTY. PUHALLA: Alright, okay. Fair enough. And I'm happy to pursue that with Nancy. I'm hoping that she has something. But in the

absence of that I hear what you're saying, to get the County -- Mahoning County that is more particular in particular to as to the new line saying no problem, whatever their position may be, and then at least have the BPA or your Board of Public Affairs make a recommendation to the Utility folks as to okay, whatever the position may be.

MR. PETERSON: I guess this question would be for Chris or Darren. Is it safe to hook into that line for the extension they want to provide for the 21 beds?

MR. BIGGS: (Shaking head). No. If that fails and they need fire protection it's gonna -- they're gonna want it to fall on us. So hook into a line that's got breaks all the time, I couldn't consciously do that. They got a problem there, fire sprinklers go off, who are they coming to. I mean, I just -- it doesn't seem to be the way to go with that. No.

MR. SULLIVAN: So that line needs replaced too?

MR. BIGGS: Absolutely.

ATTY. RIES: If this had been done properly back in '95, the steps would be first the property owners go to the County, get, you know, a resolution from the County approving the establishment and construction of the water line owned by the Village, and then that would be -- then step two would be the recommendation from BPA and then ultimately approval and acceptance of that water line. To me we have a little built of a cart before the horse situation, that's what Leo and I have discussed. Until we have approval from the County, we really don't have the authority to do anything or consider anything.

MR. BOND: Don't you also to have approval of the E.P.A. to install a water line.

ATTY. RIES: The E.P.A. would inspect the meter pit.

MR. KOGELNIK: This line does not enjoy a permit, so you would have to get a permitting for extension.

MR. BIGGS: Any main line extension needs approval from the E.P.A.

MR. KOGELNIK: This line never was permitted.

MR. PETERSON: That's the other question.

MR. KOGELNIK: We've two file reviews from Ohio E.P.A. and they've both come back negative. So in our understanding there's no permit for that, for the initial project. So --

ATTY. PUHALLA: Both the County and the E.P.A. --

MR. KOGELNIK: Fortunately, for replacing a line size-on-size, 8 inch on 8 inch, you won't need a permit for that if you're not extending it any further, which that would be the case in this particular instance. However, because there was never an initial permit we have to start over from anew in permitting language.

ATTY. RIES: So I guess we don't have an ordinance, we also don't have a resolution from the County or a permit from the E.P.A. And I think we're the third step in the equation.

MR. BOND: Can I ask a question? This line that's in there, was it installed to Village standards?

MR. BIGGS: No.

MR. BOND: Then hard to believe the Village put it in if it wasn't installed to our standards.

MR. BIGGS: Or even accepted.

MR. KOGELNIK: That doesn't matter. The pattern has been that you've received revenue from the line.

MR. BIGGS: We received revenue from the line further up maybe. And if that was a service line, we received revenue for the line coming down Lipkey up to the Shrine. That has been accepted, correct?

ATTY. PUHALLA: But the Village has been using water, so there's still revenue coming in from 1995 to current date. Plus the meter was set, not only in '95 but they reset the meter in 2001. The box is still there.

MR. BIGGS: Right. I know you mentioned that before. We do

not do that, they do that. And if it breaks, we can't read it.

ATTY. PUHALLA: They --

MR. BIGGS: The owner -- if it breaks I can't read it, we require a new meter. The owner buys it and has it put in, Lordstown does not.

ATTY. PUHALLA: Who would have installed the meter in '95?

MR. BIGGS: It should have been.

ATTY. PUHALLA: The regulations say --

MR. BIGGS: No, no.

ATTY. PUHALLA: Well, I have the regulations that say --

MR. BIGGS: I'm telling you the way it is now. Give me a chance to answer. For residences or bigger ones, that's the way it is. What is it, 1-inch and above, correct?

MS. SLUSARCZYK: (Nodding head.)

ATTY. PUHALLA: Currently --

MR. BIGGS: The owner does, right. That's what I'm saying. Now I know you got those details on there; but I don't know, did you get the details on size-wise? Is that -- was that every one, is that the whole thing in 1995.

ATTY. PUHALLA: I just have the regulation that it says -- '95 -- the Village sets the meter.

MR. BIGGS: Okay. For all of them?

ATTY. PUHALLA: Yeah. I don't know.

MS. SLUSARCZYK: But it also said the Village taps, and we have no record of the Village making that tap.

MR. BIGGS: Well, even in '95 when it says -- does it have the regulations that the Village requires for a main line to be put in, saying around sand around it, bury it this deep; do they have all that in there?

ATTY. PUHALLA: It says meter installations. And forgive me, I -- all meters except secondary meters shall be installed by the Lordstown Water Department.

MR. BIGGS: I read that, yeah.

ATTY. PUHALLA: I mean, I wasn't here in '95, I don't know what your tenure is either, so we're all kind of working off that gap of information.

MR. BIGGS: Right. But in -- we'd have to go to the regulations now. But what I was getting at even in ours, then there might be another paragraph anything over this size is done by the owner. That's what I was getting at. Do we have any more on that, or did we just take that part out of the regulations?

ATTY. PUHALLA: Well, at least from the '95 I don't see anything beyond that other than the Village shall install and that's it.

MR. BIGGS: Okay.

ATTY. PUHALLA: I understand what you're saying. The current regulations talks about circumference like what size meter and everything else. I was just going to '95 trying to handily plug the holes because no one has that firsthand knowledge. So --

MS. SLUSARCZYK: I think it might fall under construction standards for contractors for the installation of main lines. To what he's referring to where a line has already been installed and ready for a connection, not the construction of a line. They are two separate documents now, and I believe they were then.

ATTY. PUHALLA: She's right. Because the second one was for, like you said, putting in mains and things like that.

MS. SLUSARCZYK: What he was referring to --

SISTER MARIE MADELEINE: None of you were in '95 here. I was in '95. One time the meter inside our property, the one inside, something happened to it. I don't know what happened. That's more than like six, seven years. And they came from Lordstown to really fix it. And I remember I still have the place where they fix it. If anyone will go there I would show you the place, the land. They fix it themselves, Lordstown fix it,

and they give us water. That's more than six, seven years. Is not yesterday. But I was here 1995, I was here and I still here. Always we work with Lordstown water. We never had problems with Lordstown. That's the first problems with Lordstown. We were really very happy with you, with what you offer us, and we really loved the place. But you want to finish. If anyone will go and I will show you what happened because they fixed even the asphalt, they fix it. Something was wrong. None of you were here in '95. I was. Please, I really beg you, we have to finish.

MR. PETERSON: What would be the next step since the County is not really communicating? Because we can't do anything anyway until the county does.

ATTY. RIES: Well, the property owners would have to seek a petition with the County to accept, probably retroactively, or, you know, ratify the Village's ownership of the water line and approve it. And then after that the E.P.A. would have to -- we'd have to have a permit for the E.P.A. Chris, correct me if I'm wrong, E.P.A. permit would come after the County resolution?

MR. KOGELNIK: You'd have to profess that you own the water line in order to make an application to improve on it.

ATTY. RIES: Okay. So they would have to -- the first thing he would have to file something with the County to get a resolution approving that, giving authorization for the water line to be within its jurisdiction.

MR. PETERSON: I know Councilman Bond and I have tried twice to reach out to Mahoning County also and we haven't --

MR. BOND: Yes, we have and --

MR. PETERSON: We haven't gotten any communication from the Commissioners either.

MR. BOND: They haven't gotten back to us at all.

MS. NEIDER: If I may -- Annissa Neider, architect. I talked to Pat Ginetti, he's the County Engineer for those that don't know. He says he has a master service agreement with Lordstown for some of these lines, but they don't specify the exact placement. But he does have something that says there are Youngstown water lines running in Mahoning County, but it's just an area. Now I don't have that piece of paper because he's a busy guy and I've called him three times. But he does say there is some master agreement between Village of Lordstown and Mahoning County for utility extensions that cross the county line. But it's just -- again, it's a master agreement. I don't think it specifies like this line running, you know, X-number of feet, that line running X-number of feet. Again, it's a master agreement. I don't know what it's dated. He was gonna try and dig it up but again, he's a busy guy so -- and I know -- I think he spoke with Chris as well about the issue. I don't know, Chris, if he mentioned that agreement with you.

MR. KOGELNIK: No, he didn't.

MS. NEIDER: And I'm not a utility person, so I don't know how those agreements read. But I can pester him again to see if we can get a copy of that or if he can --

MR. KOGELNIK: We would benefit from seeing that. That might be the first clue of a document on this entire --

MS. NEIDER: He said like it's very general. It's just we know that there's utilities that are crossing the county line that are serviced from Lordstown. Again, he has not sent me that document, I've asked. But that's -- again, that might be the first clue or something to start with.

MR. KOGELNIK: Do you have anything more?

ATTY. PUHALLA: I didn't want to interrupt you.

MR. KOGELNIK: No, you carry it and I have some things to add to that afterwards.

ATTY. PUHALLA: I appreciate your time. I guess I'll listen to what Chris has to say. Thank you, folks.

MR. KOGELNIK: This is obviously an important thing to address

and in a timely manner. I didn't realize that it was two months that they needed water by, so -- and it isn't reliable, like Darren said, to connect a new building up to a problematic water line. It's an issue. But this is an important facility. I tried to stress that in my call to Pat -- or not my call, his call to me. And I did get the very strong sense that the County Engineer wants, you know, his road and the permitting for any water line that crosses his road to be, you know, to his department's satisfaction. So that was clear. And the first thing that we need to do is memorialize who owns this water line. I'd recommend that the Solicitor put a letter together to the County Commissioners stating whatever our direction is from this meeting and that they provide a letter back before the next BPA meeting -- or the next Council meeting, better yet, which is May 2. The Utilities Committee has to act on this. It's only the Village BPA's recollection to the Utilities Committee that is gonna move anything within the Village in regards to this matter because it's outside the corporate boundary line. But if the Village is gonna be seeking some sort of replacement of this water line, the Village doesn't have the funds to just replace that water line right now even though they did encumber revenue from it; but they have had their share of other water issues that they've tended to. So the sooner we get this squared away, the sooner I can be in a position to go after funding to replace the water line by way of OPWC. This would be a good project actually for OPWC. But until ownership is committed to in the name of the Village, this will remain an unfunded issue. So I would encourage the BPA to do whatever you have to do to recommend to Utilities Committee to get this squared away, and I would get the attention of Mahoning County Commissioners to memorialize the ownership of this water line as soon as possible.

ATTY. RIES: I want to see the MSA if we can get a hold of that first, just to see if that streamlines any issues. That would be important for the lawyers and engineers to see.

MR. KOGELNIK: Board, I've done a lot of stuff on this water line. I'm not authorized. I got about 30 hours into it. You'll have to make a decision on that.

ATTY. RIES: In terms of a letter to the County, that might be better coming from you, Leo, as the property owners. I believe by statute it should be the property owners that apply to the County better than the Township will.

ATTY. PUHALLA: And I'm happy to prepare that letter asking them. It's a retroactive letter for something that factually has been occurring for 27 years. So the County knows it's there. They have sanitary, they've been disposing of the potable water from the Village of Lordstown through the Mahoning County sanitary, so they know full well that the line is in the earth and it's come in. So I can't see why that would be an issue with Mahoning County to say well no, we have a problem with it. I mean they are processing the sewer water anyway as is.

MR. BOND: That line is on the west side of the road. Isn't that a different property owner than the Shrine?

MR. PETERSON: I believe it would be.

ATTY. PUHALLA: It's in the public right-of-way though.

MS. NEIDER: It's in the right-of-way.

ATTY. PUHALLA: I'm happy to put a letter to the Mahoning County Commissioners immediately saying this has been in the earth since 1995, the sanitary -- Mahoning County has been processing it, we need something that says retroactively -- nunc pro tunc as Matthew and I were discussing -- we're fine with it. That at least deals with the County. But if I'm -- you can, Mr. Kogelnik, correct me -- it's the next step that I think is the bigger issue.

MR. KOGELNIK: Yeah, yeah. I mean if you get this water line replaced, you know, we need to get the ownership memorialized, go off Ohio E.P.A. water extension permit, make an application for funding, funding is



due at the end of August. So there's a lot of things that have to be moved quickly here, and this doesn't put the connection of that building within that time line. That just -- that's probably not gonna happen.

MR. PETERSON: Even if you make application in August, it's next year's money.

MR. KOGELNIK: You still got the old problematic water line. The other thing that the Board need to be prepared for is if you're gonna replace the existing water line, you're most likely not gonna want to take the existing water line out of service and put the new water line right in the same spot because that would remove anybody along Lipkey Road without water service. You might have to seek a new easement parallel to the existing road right-of-way. So if I were in the Board's position, I would be looking at a map of the existing water line and the road right-of-way and understanding what you could do in the event you did own this thing and if your intention is to own it, and then understanding exactly what it's gonna take in order to build a new water line from Point A to Point B. Because if you know those things, then you can walk through the tasks that are necessary to, you know, ultimately build the water line and connect up to customers.

MR. PETERSON: Well, I know you're gonna draft a letter to Mahoning County, correct?

ATTY. PUHALLA: Yes.

MR. PETERSON: Do you want him to draft that and set a meeting? Do you think a week is enough turn-around time?

ATTY. PUHALLA: I'll do it right away.

MR. PETERSON: That way you can get an answer back from him.

MR. CAMPBELL: Next week I'm unavailable, but anything after so --

MR. PETERSON: Are you okay with that?

ATTY. PUHALLA: I appreciate the --

MR. PETERSON: I want to keep things moving on you.

MS. SLUSARCZYK: Are you anticipating a response from Mahoning County within a week?

MR. PETERSON: I was hoping.

MS. SLUSARCZYK: I would wait until you got the response from Mahoning County before --

MR. PETERSON: He's not available next week.

MR. PUHALLA: I can do better and push Mahoning County.

MR. PETERSON: A week might be tough to get back that quick. First week of May?

MS. NEIDER: Does the letter go to the Commissioners or the County Engineer?

MR. PETERSON: It should go to the Commissioners I would think, correct?

ATTY. RIES: The Commissioners will make the ultimate decision. They'll run it through the civil department, the prosecutor's office for review. But I would start with the Commissioners.

ATTY. PUHALLA: I could copy the Engineer and the Prosecutor -- direct the letter to the Commissioners with carbon copies to the Engineer and Prosecutor.

ATTY. RIES: That way we're not relying on anyone giving it to each other.

ATTY. PUHALLA: Exactly.

MR. PETERSON: Pretty much they're just writing a letter saying hey, this water line exists; correct, Matt? Am I correct in assuming that?

ATTY. RIES: It's notifying them of the -- officially notifying them of the water line. And then they would be asking for a resolution from the County for -- basically retroactively for the water line to be sustained and exist there. And at this point that's when the Village has to make a decision, once we've been given authorization.

MR. PETERSON: Okay.

MR. SULLIVAN: But I'm saying it's -- are we saying if we get the letter back Mahoning County then would be responsible for paying for the line?

MR. PETERSON: I don't believe that resolution's gonna mean that. Is that --

ATTY. RIES: No.

MR. PETERSON: Yeah. No. Pretty much Mahoning County is saying the water line exists retroactively, and I don't know how else to word it. Correct, Matt?

ATTY. RIES: Right. In fact, Mahoning County may say if we approve this we don't want any liability or responsibility for replacing it, because by default they're responsible for water lines in their jurisdiction and they're not gonna -- that might be the first thing that pops into their head that we're trying to get them to replace it so they are going to want basically no liability for it, for replacement of the line if they --

MR. CAMPBELL: If there was a master agreement it might state their --

MR. KOGELNIK: It would be a public utility run through a public road right-of-way. So whoever's county it would be it couldn't be their responsibility.

ATTY. RIES: Yeah. We need to look at the MSA and then see what the County says. But it would not be for the County to accept the responsibility for paying for it, it would just basically be an authorization acknowledging that the line is there and the Village, if they accept the line, their ownership of the line, that they have permission to be there.

MR. PETERSON: Okay.

ATTY. PUHALLA: And at this juncture, assuming the County is like okay, we know it's there, here's your formal authorizing it there, and the Village would have to decide -- correct me if I'm wrong, Matthew -- what is then your position at that point? You have to put your feet in the sand and say what are we gonna do.

ATTY. RIES: At that point we have to decide if we're gonna accept the line.

MR. PETERSON: What day in the first week.

MR. CAMPBELL: Monday, Tuesday, Wednesday; I'm free those three details.

MS. SLUSARCZYK: How frequently --

(A discussion is had about possible meeting dates off the record.)

MS. SLUSARCZYK: I think we should wait until you get a response from Mahoning County to set a meeting. Once he gets a response --

MR. PETERSON: -- we can call a meeting. Is that okay with you?

ATTY. PUHALLA: I'll get the letter out immediately and I'll find out. I have a phone call in to the Clerk right now asking her what, if anything, did you find from '95, and I'll ascertain from her when is the next Commissioners meeting. That will at least give me some idea whether I get it in before their next meeting or not. She told me they typically meet I think twice a month so --

MR. PETERSON: Okay. Okay. We'll just -- we know everybody is available the third, so --

ATTY. PUHALLA: I appreciate your interaction and your time.

MR. PETERSON: Correct, Bob, you were available on the third?

MR. BOND: What time I asked.

MR. PETERSON: Probably 4:00.

MR. BOND: I should be able to be because I'll be leaving town on the 5th to go to Nebraska. But then I'll be back for a relative's graduation.

MS. NEIDER: So I'll call the County again regarding the master service agreement. Is that something the Village of Lordstown would also have a copy of that you would know?

MR. SULLIVAN: Maybe you ought to go to their meeting.

MR. PETERSON: And that might be what it takes, to go to their meeting.

ATTY. PUHALLA: I might be delivering the letter and saying what time is the meeting so I can be there to, you know --

MR. SULLIVAN: Exactly.

MR. KOGELNIK: To your question, I don't think the Village has that -- the MSA.

MS. NEIDER: The Village of Lordstown doesn't have it?

MR. PETERSON: Not that --

MR. CAMPBELL: Not that I've ever seen.

MS. SLUSARCZYK: If there is a master service agreement from Mahoning County it may be with Trumbull County. I've not found anything, but I've not searched for a master service agreement with Mahoning County. I went back to the Board's creation or, you know, the Village's creation in '79. Like I said, I have tried to find everything I can. You're searching on key words, and based on my search --

MR. KOGELNIK: That's a good question. Don't the two County Commissioners have to agree on a water line extension into another?

MS. SLUSARCZYK: And that's what I'm saying. I'm not trying to be a rock, but there's no sense setting a meeting until you have it because there's some things that Mahoning County has verbally expressed. I don't think you're gonna have something for May 3. If we get that from Mahoning County then bring it before the Board. It only takes 24 hours to call the meeting. But I don't think anything is in order.

MR. BOND: So you're not going to meet May 3 then?

MR. PETERSON: Not yet.

MS. SLUSARCZYK: Depending on the date of the County Commissioners meeting, Bob, it's only two weeks from today or tomorrow. So I don't think it's --

MR. PETERSON: That might be --

MS. SLUSARCZYK: Yeah, good luck.

MR. BOND: That's pushing it.

MR. PETERSON: We've been trying to communicate with them for a month now.

MS. SLUSARCZYK: Exactly. That's what I said. And then, I mean, that's May and they are requesting water in July.

ATTY. PUHALLA: Okay. I appreciate everyone's time. And I just wanted to publicly appreciate Mr. Kogelnik. He's helped, you know, everyone try to organize this, so I just wanted to thank him for his time. And Cindy as well. So thank you.

MR. CAMPBELL: They're good people.

MR. PETERSON: Thank you. Okay.

## 2. GIS Proposal

: Moving on to the next item, Item 2, the GIS Proposal.

MR. KOGELNIK: I guess that's me.

MR. PETERSON: That's you.

MR. KOGELNIK: I've talked with Darren a couple times about this. I'm gonna leave it up to Darren to -- maybe you can describe it in your report for Utilities. The GIS. Or do you want to do it now?

MR. BIGGS: You can probably do it now. The only concern I had with what C's providing for us, what it would benefit for the Village. What I was looking at and Chris is looking into is how is it gonna work with the GIS we already have, how much benefit for our department alone. The Village as a whole it's definitely a good thing. But I just wonder how it's all

gonna fit something. We had talked again. There is other additions that he can bring to us. They're all good. You know, how it's gonna work out, you know, we haven't got that far yet. But I was just wondering if, you know, the other departments are gonna be using it, are they gonna be using it, you know, as much or more, or I'm looking at how much does it benefit us and how much is it gonna cost us as a department, not as a Village. That was my concern with that.

MR. CAMPBELL: So you're thinking more along the line as we do the water rate and sewer rate studies, we do a split?

MR. BIGGS: Well, that's where --

MR. CAMPBELL: I mean, it makes sense if both parties are using it.

MR. BIGGS: What he's proposing, this is what we can do to help out yourself, which is all great, and \$17,000 to put everything together, where do we fit in to see how it's gonna benefit us for the amount that our department will have to --

MR. CAMPBELL: Because we've been spending and investing in what we have.

MR. BIGGS: We've got a good start. What he has particularly available is actually the maps that we run back for, you know, at the shop. That kind of stuff doesn't go on the ones that we have now.

MR. KOGELNIK: Historic maps.

MR. CAMPBELL: I got ya.

MR. BIGGS: To see how it was, with the details and whatnot. He can actually give that to us in the field, which is gonna mean something that we can bring it up on while we're out there. All good ideas. But we'll have to purchase something else, you know, sign up with, you know, CT for that. That's what I wanted to see where it fits in, will it benefit us for the cost. If it was free I would say absolutely because it's a benefit, no doubt. But that's where I was and I had talked with, you know, Chris Peterson about it and maybe even talking with the other department to see if they're gonna use it, how much they're gonna use it, to figure out where we fit in, you know, how much we can benefit and how much it would cost us.

MR. KOGELNIK: Can I give some examples that we talked about?

MR. BIGGS: Sure, absolutely.

MR. KOGELNIK: Or did you talk to them about that? So again, I'm not trying to sell this so that, you know, you guys get it. This is something that we've heard from Darren and from Kellie about, and the first request was for producing old maps and whatnot and printing those maps out to a certain scale. But that can be more easily handled by way of a GIS system by appending those old maps to a GIS system. That way you can pull them down from wherever you're at, print them to your hearts delight, however big you want them, et cetera, how many copies you wanted, et cetera. But the beauty of a GIS system is it's kind of whatever you want it to be. It can be really simple or it can be really intricate. It can be intricate to the point where like, for example, Darren's staff or his department, they can be out in the field with a hand-held device like a pad or a phone and they could go to the website, pull up the GIS map, and if they wanted to hone in on where a valve is that they couldn't see or a hydrant if it's buried in snow they would be able to find out where that hydrant is, even a sanitary manhole. And if they wanted to find out data on the hydrant or the manhole, they can click on that note and up could come information for that valve, hydrant, or manhole. And then if they wanted to see historic drawings for, you know, the system, whether it be the water or the sanitary sewer, they can click on a line and up would come the old contract drawings so that they can reference that. So that's where it gets into, you know, your ability to be remote and use a GIS system like that. But more than anything, when you're talking about, you know, like say maps, historical maps and things like that for what water distribution system -- it's not so much Darren, he knows where everything is at; and me, I kind of know where all of those

things are at too. It's for the new people that you hire. Because these kids these days are technical people, they are able to utilize this software a lot quicker and simpler than we can and they are depending ongoing to a computer and finding hey, how do I find out where the Village's water distribution system is, all the hydrants that we have, all the control valves that we have, et cetera. That's one way to do that. Okay. And then we also heard by way of the Ohio E.P.A. inspection that we had that they wanted to know, okay, how are you tracking all of your assets in your water distribution system. This is a way. So we're trying to suggest this GIS map because it's gonna be good for the Village in the long run, and he's already got the backbones of a GIS system by way of the water distribution map and the sanitary sewer GIS that he has. Our investigative fails that we have in the service would investigate what he's already gotten because we don't want to duplicate that. We want to merge that into the new GIS and use just one GIS system. So that's in a nutshell what the service is. It would not even be me working on it, it would be our GIS experts that do it. So --

MR. CAMPBELL: And this is a system that's -- so the \$17,000 is just to get us there. Is there like a maintenance every year.

MR. KOGELNIK: Actually there would be, yeah. So I think that we stated that was in the proposal. It was like a couple hundred dollars I believe for each year for maintenance. And then the other thing that I already included in my retainer with the Village Council and BPA was to update maps as needed. So for example, the Ultium water distribution system drawing or the piping and the valves and all of that, I'm already of service, you don't have to pay me any more to update those maps, I've already included that. So we're thinking ahead in other words.

MR. CAMPBELL: Is it presented just to the BPA or to --

MR. KOGELNIK: I think that should be a split because Kellie's department --

MR. CAMPBELL: Has it been presented to them yet?

MR. KOGELNIK: Yeah, it has been. Kellie's department actually was another one of the entities requesting that. Kellie, what she wants is -- you see the maps in the back you have there, those schematic maps. Well, she wants that parcel imagery and the zoning to be updated because that's one of her requests. So there would be different layers and you can toggle on different layers on and off.

MR. PETERSON: What you guys have in our program?

MR. KOGELNIK: Yeah.

MR. PETERSON: So pretty much Darren wouldn't -- if there were any changes that were to be made, he would have to send it to your GIS team and they would have to be mailed there, correct? Or is it easier for Darren to put maintenance valves in and stuff like that?

MR. KOGELNIK: I can actually insert valves, hydrants, if he adds new hydrants and valves and that sort of thing. But for line work I think that would be something you would have to add in there.

MR. BIGGS: What kind of line work?

MR. KOGELNIK: Like a new water line. Like if the Lipkey Road water line --

MR. BIGGS: We have the means of doing that now. Everything that's on our GIS we've done personally in-house, everything is on there. The thing that we can't upload is the big maps and, you know, what was there and, you know, that kind of stuff that we run back here for. And you know, like he was saying with that whole water model, all the changes, he can constantly update ours. So it will automatically be there once it's finished and business as usual will continue on, and everything is always being updated for everything from here on out CT can take care of.

MR. SULLIVAN: It wouldn't be just us approving the thing, correct?

MR. KOGELNIK: Right. It would be hypothetically the Board of

Public Affairs and Council because of the planning and zoning element.

MR. PETERSON: Even the street department would benefit.

MR. KOGELNIK: The Street Department, Ron Hickox should be thinking about that. I've mentioned this several times to the Village Roads Department. They should be cataloguing all their significant assets for storm culverts, and there's information attributed to those culverts that they need to be managing. So I definitely think it's at least a 50/50 split in terms of --

MR. PETERSON: Darren, do they currently have anything in your program or it's just your stuff?

MR. BIGGS: Who?

MR. PETERSON: The Road Department.

MR. BIGGS: Nothing in our stuff.

MR. PETERSON: Just your assets?

MR. BIGGS: Correct.

MS. SLUSARCZYK: I will say that the Planning and Zoning administrator Kellie said that she has received approval to proceed with having the maps done, so the maps from her department is a go. How the bill would be submitted is I guess unknown. But she supports the project. I don't know if you received that e-mail or not, but I did get an e-mail.

MR. PETERSON: I didn't.

MR. CAMPBELL: No.

MR. SULLIVAN: Well then, maybe we could do the same thing, approve the maps that would apply to the BPA.

MR. KOGELNIK: Well, I'm not sure you're gonna get that on to an understanding of how many maps the BPA has. This is gonna be just like -- this is just gonna be --

MR. SULLIVAN: I'm just trying to figure out how to cut the apple.

MR. KOGELNIK: I think that you're gonna have to size that apple up and cut it right down the middle. But there's no way you're gonna do that by way of counting drawings. It's just not that --

MR. PETERSON: Yeah, that's not reasonable. I was thinking a third if the Road Department uses it, Zoning uses it and we use it. That's what I was thinking.

MR. KOGELNIK: Well then, maybe you should think about a 33 percent split. So Bob --

MR. PETERSON: Bob, do you know anything on your end from Council?

MR. BOND: I have not hears anything about it yet. I don't even know which committee it would go through. Is it you then?

MR. PETERSON: Probably be streets.

MR. KOGELNIK: Listen. In terms of -- I'm trying to facilitate Planning and Zoning's request, and Darren's request, okay. And so you have to understand that this is a service that we're trying to provide those two entities. In terms of how that happens, that's where you and the BPA have to come to an agreement on which committee has to pay for that.

MR. SULLIVAN: Yeah, because Utilities would have to use it too probably as much as we would.

MR. KOGELNIK: I would think that the Utilities Committee could benefit from that information.

MR. PETERSON: Is it something that needs pushed through at this meeting or --

MR. KOGELNIK: No, I'm not in a hurry. I'm just trying to explain --

MR. PETERSON: Do you want to get together and figure out what committee is Council dealing with, Bob?

MR. BOND: Are you talking Planning and Zoning?

MR. PETERSON: I'm not sure. Are you guys okay with that?

MR. CAMPBELL: Absolutely.

MR. PETERSON: No problem. All right.

### 3. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Next item is Trumbull Energy Center Sanitary Sewer.

MR. KOGELNIK: We talked about this. Darren was at the meeting for pre-planning review yesterday. We met with Clean Energy Future Trumbull representatives, and we've told them that the BPA wants that sanitary connection from their office control building to the east side sanitary sewer system. So we gave them two plausible points. One is on Hallock Young Road, the other one is downstream from the LEC meter on the new LEC connector. So we're gonna let them figure that out. Personally I'd want to connect on Hallock Young Road, but --

MR. PETERSON: But they have the option.

MR. KOGELNIK: You still have the --

MR. PETERSON: Final say.

MR. KOGELNIK: The final say. So anyway, the direction is in their ball court, they have to decide. And you have some input along the way that you're good gonna be providing --

MR. PETERSON: Okay.

MR. KOGELNIK: And you're probably gonna meter that wastewater, not that -- I'm sorry, you're not gonna meter the wastewater, you're gonna meter their water consumption in the control building in order to establish a bill for the wastewater, correct?

MS. SLUSARCZYK: That's standard practice.

MR. PETERSON: Okay.

MR. KOGELNIK: And they would have to own their pump for the wastewater and their pressure line all the way to that. We're not gonna babysit that.

MR. PETERSON: Thank you.

### 4. Project Funding

: Okay. Item 4, Project Funding.

MR. KOGELNIK: Okay. So we're starting to see some things coming together on the 24-inch diameter water line. We got some pretty good news from Congressman Joyce's office that your project has been selected as a priority for them. That doesn't mean you're gonna get funding, but you're definitely going in the right direction there. I would not stop with whatever funding efforts you have for the 24-inch water line; it is your priority, you established that. It's already got a nomination through Ohio E.P.A. WSRLA. You have two potential sources there. If you count MVSD also a third. If they reach that 1.5 million gallon per day threshold which they told us about in the recent meeting then you might have three potential sources of funding including for four yourself.

MS. SLUSARCZYK: I think it's actually 3 million gallons a day. They said they were at 24 and they need 27.

MR. KOGELNIK: All I heard was 1.5 million.

MS. SLUSARCZYK: That was with the understanding of TEC on our system.

MR. BOND: Right.

MS. SLUSARCZYK: They need 27 million.

MR. CAMPBELL: I thought he based it off the amount of money they would take to build it, here's what it costs for a loan, here's how much more money it's gonna take to pay for that. I assume he based it all off the estimate we had, build a line, we're gonna have to get a loan, and here's what it's gonna be to pay it back and we're gonna need this much water to cover it. That's how I understood his quick equation. A lot is going to change depending on who's coming to the table, who's gonna own it, if we can bring money. It's another key aspect similar to this situation is, who's gonna own this line and who's going for funding and grants and who's

gonna end up with it and who's got maintenance. All this gets complicated real quick on it. But I definitely think that meeting was a good direction, and setting up an easement for the end point was a great thing to discuss, maybe get moving on.

MR. KOGELNIK: I would think that we would have more meetings with MVSD.

MR. PETERSON: Yes.

MR. CAMPBELL: We should schedule a quarterly meeting with them.

MR. PETERSON: Might not be a bad idea to keep the ball rolling.

MR. KOGELNIK: You should memorialize the last meeting as well because we had some real good things that we thought were milestones. And I wrote some of those down in my report which you have a copy of.

MR. PETERSON: Uh-huh, yeah.

MR. KOGELNIK: So we should start acting on some of those things. Some of them were easy to accomplish, not easy but practical is what I'll say. The other funding that's out there is the ARC funding. We're starting already to pursue ARC funding for the Hallock Young water line. And OPWC, like I said, is the end of August, and ideally the Lipkey Road water line is something that we can seek funding for it. I've already given you a cost estimate for that water line extension. What you should be doing is reviewing that maybe with Darren to make sure that all the pieces and parts are in there. I'm not authorized on that project yet, that's why I'm suggesting you do that so that you can understand what's ahead of you in terms of dollars and cents. And I don't know if the Antonine Sisters are gonna be party to that cost sharing or if this is just gonna be all on the Village, but you need to be thinking about that.

MR. SULLIVAN: And you said you thought there was funding for that?

MR. KOGELNIK: Yeah. OPWC you're in the gonna get 100 percent. But it's likely for that for the water line given the problems you're having. You can probably count on maybe 60 percent, 50 to 60.

MS. SLUSARCZYK: Grant?

MR. KOGELNIK: Yeah. The rest you can apply for a loan. OPWC offers I believe it's 20-year loans at zero percent, which is real good. There is an administrative fee these days for OPWC. And you can also -- if you wanted to start the water line as soon as you can confirm ownership after, of course, getting the Ohio E.P.A. permit you could pay for it out of OWDA quickly. But you would be paying a loan.

MS. SLUSARCZYK: I was gonna say just for the record that none of those expenses are currently part of the factors for the outstanding water rate study.

MR. PETERSON: Correct.

MR. CAMPBELL: I think ultimately their project would be really delayed for us going through all this and getting it in place.

MR. KOGELNIK: If you went for OPWC money you won't get the money until July 1, 2024. Now you could begin design way before then, but you can't begin construction, you can't authorize construction until after that date if OPWC. So I don't know what other projects the Village wants to seek for funding for, you know, your water and sanitary sewer infrastructure, but you should be thinking about that so that I can, you know, not be cornered into the end of August and whipping up an OPWC pre-app. That's not fun because normally everybody and their brother is trying to call me and ask for the same thing.

MR. PETERSON: Trying to do the same thing.

MS. SLUSARCZYK: In December -- I think it was November, December Chris presented a work authorization for the booster pump station project. You had approved it and we put the brakes on because of the current financial status. Is that something you would like him to now proceed with?

MR. PETERSON: Do the finances seem sound that we believe we



can do that?

MS. SLUSARCZYK: I think the question is I need to know the cost project to build into that water rate study. So I think it is appropriate at this time.

MR. PETERSON: It's a need that we need to --

MS. SLUSARCZYK: Yeah.

MR. KOGELNIK: When you say the cost Cindy, do you need to know like the cost for engineering and construction?

MS. SLUSARCZYK: No. I would say that's yes. Yes. And the cost of your project. If I'm gonna project the water rates for the next three years that's not --

MR. KOGELNIK: Well, the cost of the project was already estimated. For engineering it was in the proposal. That was around 115 I think it was.

MR. PETERSON: I want to say you're correct, yeah.

MR. KOGELNIK: And then the construction was around \$850,000 for the construction of moving the booster station and upgrading the pumps inside of it up to Pritchard-Ohltown -- or I'm sorry, State Route 45.

MS. SLUSARCZYK: But as you design and they prepare, because that's the next project out there, as you said what's next, he has to actually do the design.

MR. PETERSON: He has to do the design, yeah.

MS. SLUSARCZYK: So we have to be ready to apply for the funding so we know what we're going to be paying for. I think, am I wrong, but we gotta start pushing that cart down the road too.

MR. KOGELNIK: And we could have gone after OPWC for that one too. I'm not so sure we would get 60 percent on that project given that, you know, this is really not gonna -- it's -- it is work on an existing infrastructure, piece of infrastructure like OPWC desires, but it's not the same as a broken water line serving X-amount of people.

MR. SULLIVAN: This -- where?

MR. KOGELNIK: It will be moved from Salt Springs Road down to State Route 45 at the corporate boundary on your -- you have a 16-inch water line down there. So what the booster station would do in that spot is it would add pressure. And right now we have what, about 30 or 40 pounds I think it is down there.

MR. BIGGS: Yeah, right.

MR. KOGELNIK: What that booster station's gonna be able to do is provide a lot more pressure along that 16, especially in the southwest corner of the Village. And that booster is also gonna be set up so that in the event Mahoning County decides that they want an emergency line extended down to Jackson Milton, your new booster station will be capable of pumping that water to them. They need that line, and that's an Ohio E.P.A. requirement.

MR. PETERSON: Do you remember how much the work authorization was for?

MS. SLUSARCZYK: I'm sorry, I do not.

MR. PETERSON: \$90,000 comes to mind, but I can't remember.

MR. KOGELNIK: I can pull it up on my computer if you want me to if you need to make a decision right now.

MR. PETERSON: If you could, if you don't mind. Are you guys okay with it?

MS. SLUSARCZYK: I would like to state that the residents that are currently across the street from the pump station on Pritchard-Ohltown we do get calls and complaints for low pressure. So there are pressure issues with those customers on that road.

MR. KOGELNIK: While I'm looking, what was the next I think I addressed funding in, Chris?

MS. SLUSARCZYK: We're under New Business, Project Funding. So we're not under your report yet.

MR. KOGELNIK: Is there anything else I can --

MR. PETERSON: No. Actually nothing I can think of. Do you guys have any questions for Chris?

MR. SULLIVAN: Does that -- is that a substation that we went to Trumbull and said you're not using it, can we have it back?

MR. KOGELNIK: Oh, that's -- that's your sanitary -- that's the sanitary system along State Route 45 that originally was Lordstown's and now it's Trumbull County's.

MR. SULLIVAN: And they never used it.

MR. KOGELNIK: No, they use it, just sparingly. I mean they probably have maybe 80 percent capacity remaining in that system. What's your question, Mike.

MR. SULLIVAN: Well, you were gonna --

MR. KOGELNIK: I did. I did call.

MR. SULLIVAN: Did you talk to --

MR. KOGELNIK: I talked to Gary Newbrough.

MR. SULLIVAN: Newbrough. But you said you thought we should take another swipe at the --

MR. KOGELNIK: I think you should because I think that that -- I think that that system can be upgraded so that you can get more capacity, conveyance capacity, in it so that you can hopefully bring on more development in the State Route 45 corridor. Can Trumbull County also do that? Yeah, they could if they wanted to. But that's up to you.

MR. SULLIVAN: So Newbrough wasn't the answer. Where did he go, to the Engineer?

MS. SLUSARCZYK: I think the ultimate question is did they accept it.

MR. PETERSON: That's what I was gonna say. That's what I thought the question is.

MR. KOGELNIK: Darren brought up a good point, and probably the decision is Council because it's sewer.

MR. BIGGS: I mean, if the BPA wanted to recommend or whatever else, but ultimately --

MR. SULLIVAN: Yeah. I'm just thinking of the Village, that it would be good for future development.

MR. KOGELNIK: Yes. But just understand that that system can be upgraded and you can get more capacity out of that so you can bring on more development on State Route 45.

MR. SULLIVAN: So you went to Newbrough. The next step would be what, Smith?

MR. KOGELNIK: Well, I think that the Utility Committee and BPA need to agree that you're gonna try to acquire that former system and then go to Trumbull County sanitary engineers -- Randy Smith is not the Sanitary Engineer anymore -- and probably Trumbull County Commissioners and make that request. I've tried but they were clear in stating they wanted to keep it.

MS. SLUSARCZYK: Again. We don't believe they accepted it and took it.

MR. PETERSON: So we put it in and they never accepted it is what we believe.

MS. SLUSARCZYK: That is accurate.

MR. SULLIVAN: So then Matt should be able to take care of it.

MS. SLUSARCZYK: I asked Arno to follow-up on what I found after our last meeting, and I have not heard back from him. I have gave him a copy of the ordinance.

MR. PETERSON: Matt, is that something you would be willing to look into.

ATTY. RIES: What was the time frame of the ordinance?

MS. SLUSARCZYK: I'm going to say like maybe 2005.

ATTY. RIES: Okay.

MR. PETERSON: Can you send it to him?

MS. SLUSARCZYK: The Mayor does. I'll ask the Mayor.

ATTY. RIES: Send it to me and we'll start there. I'll get up to speed on it.

MR. PETERSON: Did you find that?

MR. KOGELNIK: No. Keep going.

MR. PETERSON: Anything else under project funding? Seeing none, any other new business? Okay. Old Business, Proposed Hallock Young Water Line Improvement. I guess before we move on, this popped into my head -- and they stepped out, not putting them on the spot, would be a good question to ask at this point -- if they were willing to pay for that complete water line replacement to get the project moving and the whole nine yards, we still need to do all these steps just to make it correct and ownership and E.P.A. permits and all those things, because we all understand that. Yeah.

MR. CAMPBELL: My question then comes in if it's done that way, going after funding after the fact is a moot point because it can't be applied and given back to them.

MR. KOGELNIK: Right. You can't get OPWC funding after the fact. That's a good question. I mean, I have had a couple instances in my career where funding could be overtly applied like that. It's almost never.

MR. SULLIVAN: Say how bad do you want it, baby.

MR. CAMPBELL: That's what it's gonna boil down to.

ATTY. RIES: But cost-sharing is still something to consider too.

MR. KOGELNIK: Cost-sharing is encouraged going into an OPWC application. So if you have private funding that's offered there, you know, a commitment letter, you know, yes it really does.

MS. SLUSARCZYK: But the Board can't -- I don't think you can improve outside --

MR. PETERSON: No, it would have to be the Utility Committee and Council.

MR. BOND: Yes, sir.

MR. SULLIVAN: And I don't know that the funding Chris is talking about would be -- if they're saying they need it within two months and Chris says that's your --

MR. BOND: That's not gonna get --

MS. SLUSARCZYK: You're not gonna get your E.P.A. permit in two months if it was designed.

MR. PETERSON: No, that's right.

MR. CAMPBELL: I didn't want to spend more time on that, but I wanted to follow through.

#### **OLD BUSINESS:**

##### **1. Proposed Hallock Young Road Water Line Improvements**

MR. PETERSON: Proposed Hallock Young Water Line Improvement.

MR. KOGELNIK: So this project is in good shape. The design is done, Chris, and the Ohio E.P.A. water permit has been submitted and the funding effort has begun. So we're in good shape on that. Actually I just attended a webinar today regarding ARC, and that's the Appalachia Regional Commission, and they were highlighting a few projects in our region actually. So ARC is a big area, you know, Appalachia, that goes all the way I think to the top of Mississippi from the top of Ohio. And they have some pretty good projects in there. We've got -- we have had a fair share of them in our area. Water and waste water infrastructure is, you know, one thing that ARC funds; and another thing that ARC funds is local access roads. So we hope to give it a good go for the water line. That's all I have for that one.

MR. PETERSON: Sorry, I thought of something else. Under the project funding, Chris, I know in your e-mail you stated we should give letters to Congressman Joyce's office thanking them for their --

MR. KOGELNIK: Yeah.

MR. PETERSON: If the Board is okay, I would like to craft that letter and I will send it to you guys before we send it.

MR. SULLIVAN: That's good.

MR. CAMPBELL: Good.

MR. PETERSON: Bob, do you want to do one too for the Utility Committee. Congressman Joyce's office for the 24-inch water line.

MR. BOND: Yeah, I'll write him a letter.

MR. PETERSON: I saw your e-mail.

MR. KOGELNIK: Miss Lydia Dennis is her name. She did a really good job working with me I thought on the application. She had great questions, comments. She definitely took her time reviewing the application, so I gotta give them kudos.

## **2. Salt Springs Road Booster Station Relocation**

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

MR. KOGELNIK: That's --

MR. PETERSON: That's what you're working on right now.

MR. KOGELNIK: And here it is. It was \$92,000.

MR. PETERSON: Pretty close.

MR. KOGELNIK: \$92,000.

MR. PETERSON: Do you guys want to move forward with that?

MR. CAMPBELL: It's discussed and our next big projects and things to fall into place, it's a natural part of --

MR. PETERSON: I don't think we have a choice.

MR. CAMPBELL: I don't see how we can't move forward with it. It will never get done if you don't.

MR. PETERSON: Cindy, do you need a motion to continue or did we already approve?

MS. SLUSARCZYK: You did, but we put a pause. So maybe if you make a motion to go ahead, and I think he had the approval but we asked him to not proceed with the work. So if you just authorize him to proceed with the work -- am I correct in that?

ATTY. RIES: Yes.

**MR. PETERSON: I'll make a motion we proceed about the work authorization for the Salt Springs Road booster station relocation.**

**MR. CAMPBELL: I'll second that.**

**MR. PETERSON: Any more discussion? All in favor?**

**(All respond aye.)**

**MR. PETERSON: All opposed?**

**(No response.)**

**MR. PETERSON: Motion passed. Anything else on that, Chris?**

MR. KOGELNIK: No.

## **3. City of Niles/Mahoning Valley Sanitary District Water**

MR. PETERSON: City of Niles Mahoning Valley District Water.

MR. KOGELNIK: That was the meeting we had, so everybody was there. I think we should maybe take some notes and share them with MVSD and have regular meetings with them.

MR. PETERSON: I agree with that. Uh-huh.

MR. CAMPBELL: Yeah, I agree.

MR. PETERSON: I put it in my notes to set quarterly meetings.

## **4. Imperial Sewer Agreement**

MR. PETERSON: Imperial Sewer Agreement. I think we pretty much covered that.

MR. CAMPBELL: Yeah. I'll have to get a date picked.

## **5. Rate Study - Water**

MR. PETERSON: Rate Study Water.

MR. KOGELNIK: I do know that Cindy and Bob were talking about that, a couple adjustments there.

MS. SLUSARCZYK: Yeah. I called him and told him, I just couldn't get the figures to move. When he submitted it to me it literally doubled our water rates and it was like (making noise). So through the review going back to it, the rate study was prepared in 2021 so we knew how to proceed with TEC. The data that we used was for the five-year proceeding, and so we gotta take into effect the consumption, the water General Motors stopped; so you know, those were low figures. I'm happy to report by just going back and putting in new water consumption figures that I have not verified, just went in and started working with what I did, I see some reprieve on that figure. However our expenses, you know, I can't project the future expenses for what he has built in there and knowing how we're doing with the funding. So 1.5 million makes a big difference in our water rate study. \$100,000 is gonna make a difference in our water rate study. So I'm working on it as best I can, but I'm tasked every day with many departments' work. But I am doing -- every spare minute I get that's what I'm working on is running the reports, getting that data, plugging it in there. As soon as I have something, I would love to sit down and walk somebody through it with me so to double-check me.

MR. PETERSON: Yeah. Let me know when you're ready and --

MS. SLUSARCZYK: I'm getting there, but it's not there yet. But it is coming along.

## 6. Ultium

MR. PETERSON: Okay. Item 6, Ultium.

MR. KOGELNIK: What pertaining to Ultium?

MR. PETERSON: I don't know why that was on there.

MR. CAMPBELL: I think we kept it on there to touch base, to make sure if there was anything we've talked about.

MR. KOGELNIK: Well, one thing I wanted to give to the Solicitor was this is the title sheet that needs signed by Paul, so if he can have Paul sign that. So that's for the final site improvements at Ultium. And it's my understanding that the jockey pump -- the new jockey pump -- is going to -- is in coordination to be installed.

MR. BIGGS: Do you want me to update you on that?

MR. PETERSON: Go ahead.

MR. BIGGS: The jockey pump is installed and running. We've done some preliminary pressure readings around, everything seems to be going nice and smooth. CT actually brought down their pressure recorders to put on the hydrants, the same ones we did before when we were having that problem. It will be on there roughly a week and we'll be able to see how everything is acting. I haven't had any phone calls from Ultium, you know, look, hey, any problems, you know. I haven't heard anything. Salt Springs booster is now back in operation because of that, that jockey pump.

MR. PETERSON: Were you able to get everything up and running there?

MR. BIGGS: Yes, yes. It got to work and the generator actually got worked on today and got fixed, so hopefully we'll be okay with our normal, back to normal.

MR. KOGELNIK: So when the jockey pump was started up out on the old Pritchard-Ohltown booster station, did pressure somewhat normalize out there?

MR. BIGGS: From what we see from just a little bit of watching it, yes. It did.

MR. KOGELNIK: That's good. I don't have anything further on Ultium.

MR. PETERSON: Just while I'm thinking about it, the 1.5 million that was discussed before, is that still sitting there, Chris? 1.5.

MR. KOGELNIK: Oh, the \$1.5 million in cash?

MR. PETERSON: Yes.

MR. KOGELNIK: That's from ODOD. I guess we should have mentioned that, but that's really not under my responsibility. Clerk Blank is working on the DOD funding. I'm providing some oversight for him. But the \$1.5 million is gonna be used, Chris, for the final site improvements project that the Solicitor has the cover sheet on. That project has not yet been bid out. So that's the Village's plan is to use that funding for that.

MR. PETERSON: Does that eat up the rest of that?

MR. KOGELNIK: I don't know.

MS. SLUSARCZYK: (Shaking head.)

MR. PETERSON: And could any of that be funneled to another project with the pressure issues?

MR. KOGELNIK: That's for you guys to figure out because you make the big bucks. I doubt that's the case though.

MR. PETERSON: Just asking.

MS. SLUSARCZYK: If I'm correct, I believe it's water tower specific.

MR. PETERSON: That's why I wasn't sure.

MS. SLUSARCZYK: And I said if I'm correct because there's just too many papers before me. I can look and see, but I'm under the understanding it's water tower specific.

MR. CAMPBELL: So that would be toward water tower, 4 million gallon water tower.

MS. SLUSARCZYK: You're starting to sound like somebody else.

#### **7. Utility Department Building**

MR. PETERSON: Utility Department Building.

MR. KOGELNIK: No action. Idle.

MR. PETERSON: Yeah, I think we're just leaving it on there.

MR. KOGELNIK: Yeah.

#### **8. I&I**

MR. PETERSON: Item 8, I&I.

MR. KOGELNIK: I don't have anything. I've been inundated with funding.

MR. PETERSON: Being pulled 20 different directions.

MR. BIGGS: I think I can add to that though. The CT gentleman that actually had the readers out there last week or it's been less than two weeks, they pulled them all and brought them back to us just recently. So I believe what they had told me. I don't remember the time frame what they told me everything was back to us that they borrowed, and I believe that they were putting together something probably for Chris to review I think is where they're at right now.

MR. KOGELNIK: Yep. I'm the stumbling block.

#### **9. Sanitary Sewer Rate Review**

MR. PETERSON: Item 9, Sanitary Sewer Rate Review.

MR. KOGELNIK: Jay is working on that. Has Jay been in contact?

MS. SLUSARCZYK: Yeah, Jay and I had a meeting last week. He came up and we worked on that for like about two hours. I provided some additional information for him and it's coming along nicely. Right now he's working on the new information and making it user-friendly to use, how to plug in figures. And right now the water rate study is not -- don't take this wrong, but it not user-friendly. You have to kind of look here and say all this is and then go back. It's not plug in something here and spit it out, so -- that's what he was working on is a better use of that. But I'm sure it's not gonna be long before he has that complete.

MR. KOGELNIK: Cindy, in that vein, if do you think that --

because you can now see the spreadsheets that Jay has and the spreadsheets that Bob has for two studies, do you think at all that the water rate spreadsheet can be adjusted so that it can be utilized in a simple manner? If the answer is yes, then I'll talk with Bob to get that simplified.

MS. SLUSARCZYK: If we burn special water agreements, yep it could be simplified.

MR. KOGELNIK: All right. No need to say anything further.

MS. SLUSARCZYK: It's the whole -- everything is convoluted, it's not just that spreadsheet.

MR. KOGELNIK: Okay.

#### **10. CEF-L Valve Replacement Along 24" Water Transmission Line**

MR. PETERSON: Item 10, Valve Replacement Along 24" Water Transmission Line.

MR. CAMPBELL: I guess that's something to keep in that loop with these meetings is the opening to -- once we get some solid footing that we can take to LEC and hopefully get them to kick in some money towards it. That's the best we got that Paul recommended from that whole situation, so I'm keeping it on there so we don't forget it. At least it's something to try.

MR. KOGELNIK: I do have something to add for LEC at the end of this report.

MR. CAMPBELL: Okay. That's all.

MR. PETERSON: Have you got something else for LEC?

MR. KOGELNIK: Was there anything else on the Village's agenda?

#### **11. SCADA**

MR. PETERSON: SCADA.

MR. BIGGS: No estimates, but we did have to upgrade what we have to be able to continue working. With the windows and Internet Explorer, they are -- they were fighting each other. We have not got that done. He asked to do that this morning. I couldn't allow it this morning, we needed the SCADA. He's gonna try to update it tomorrow. So hopefully we'll be okay with that. But as far as new ones go, nothing.

MR. PETERSON: Is the new internet working in your building?

MR. BIGGS: I don't think anything is working in our building.

MS. SLUSARCZYK: Correct. Spectrum or Charter Communications can't get our numbers released from the previous phone carrier, and they've tried and tried and tried. And Travis, our fire chief who's handling the project, asked Council for support with legal to maybe write a letter saying release the numbers. But to my understanding he hasn't had a response from Council or anybody. But literally that was supposed to be complete last August, and it's frustrating when Chris comes in or these guys come in and we can't even connect to the internet service. It happened yesterday in the TEC meeting, it happened with the sanitary sewer. They come in, you need internet access, it's a problem and we don't have it. Somebody needs to help Fire Chief Eastman get that final step done. It's a matter of porting over a number. Their work is done. The phones are sitting on our floors upstairs. They're gonna be outdated before we can use them.

MR. PETERSON: Bob, are you guys working with the Chief then and --

MR. BOND: On the internet?

MR. PETERSON: Yeah.

MR. BOND: Not really. He's reported a time or two at Council meeting how it was coming, but that's pretty much been it.

MR. PETERSON: Okay.

MS. SLUSARCZYK: That was Travis' last -- I don't know if you seen this yet or not, Bob; but if you have any influence I would please --

MR. BOND: What's the problem, Cindy?

MS. SLUSARCZYK: Spectrum or Charter Communications is the new

company. And when they try to bring our phone numbers over from the current carrier they will not release them, yes. And they did the same thing to me personally last year; and I finally just said forget it, I'll do without it and take a new phone number.

MR. BOND: Is that something we're gonna have to get the Solicitor involved in to get those numbers released?

MS. SLUSARCZYK: From August until now it's apparent. I think if they got a letter that --

MR. CAMPBELL: It would get done.

MS. SLUSARCZYK: Century Link is gonna release the numbers. They will quit playing this game. Spectrum has provided e-mails of their attempt, and they get know where with them. So we or Charter or Century Link -- we're the customer, we're asking our numbers to be ported over. They did the proper steps and they are not releasing them.

MR. BOND: And what are they doing for a reason for this?

MS. SLUSARCZYK: Spectrum is telling us well, Century Link in the e-mail says it's not their number to release if I can put it simple. I just skimmed through that e-mail. It sad, like it's another one of those things that's going on in the building that can we just put it to rest already.

MR. BOND: Sounds like it would be maddening.

MS. SLUSARCZYK: It's irritating. You come in, you have professional people trying to conduct business, and we can't even get them connected to the internet.

ATTY. RIES: How many numbers aren't ported over?

MS. SLUSARCZYK: All of them, if I'm correct.

ATTY. RIES: And what's their basis for not porting them over?

MS. SLUSARCZYK: Spectrum's request not getting Century Link to release the numbers. When they make application, Century Link says we don't own that number or something. I will forward the e-mail to you, and I believe everything is appropriately attached. I'll share that with you if that's -- is that okay?

MR. PETERSON: On our end apparently it's needed.

MS. SLUSARCZYK: He's Utility.

MR. BOND: I think it's something that Matthew may have to take a look at.

ATTY. RIES: Send it over. I'll put together a letter of representation.

MS. SLUSARCZYK: Thank you.

MR. PETERSON: Okay. Anything else on SCADA?

MR. BOND: Beg your pardon?

MR. PETERSON: Anything else on SCADA?

MR. BIGGS: No.

MR. PETERSON: Chris, you had something?

MR. KOGELNIK: So with Lordstown Energy Center -- I think we talked about this briefly -- Ohio E.P.A. is debating on whether or not to give Lordstown Energy Center an NPDS permit for direct discharge to Mud Creek. Given what we know now about what's going on, I think that you should contact Ohio E.P.A. before they make that decision and tell them to pause on that decision until you have your ducks in a row. There's some other things going on on Henn Parkway that are Village roadway represented that cause that decision to be delayed or suggest that that decision would be delayed. Ohio E.P.A. has not even been timely with making that decision for the NPDS permit. I think they told us last summer that they were gonna have that decision made but they haven't yesterday. What that means is if they are able to pull out of the Village's sanitary sewer district, it's gonna create a financial hardship we think on the revenue for sanitary sewer in the Village. Jay actually had another thought, and I think he expressed that with you right in the model with pulling LEC out. We'll talk to Jay anyways. But what I'm getting at is there might be an advantage here for the Village to delay that decision for Ohio E.P.A. I



don't know how close they are, I just thought you might want to call them and get them to just say hey, hang on before you initiate that decision. And then just this past month I met out on site with Darren at the Pritchard-Ohltown booster station, and he has an emergency generator that is gonna be connecting in a manner to that station; and we're gonna have to have a work authorization for electrical and whatnot for that most likely. That is gonna require a concrete pad to sit on, and so the new generator's likely to be placed between the existing building and the west property or west fence line of that booster station. Now once the new station is installed on State Route 45 that we just got done talking about, that generator is gonna be moved over to that site. Those are two things I wanted to add.

MR. BIGGS: Why is the generator being moved?

MR. KOGELNIK: Located on the new water booster station.

MR. BIGGS: This one has one though.

MR. KOGELNIK: The new one?

MR. BIGGS: The new one has one also.

MR. KOGELNIK: So where are we putting the --

MR. BIGGS: We'll talk.

MR. PETERSON: He's got a plan. For contacting the E.P.A., Bob, do you want to do that, you and me to do that?

MR. BOND: Oh, for -- you're talking about --

MR. PETERSON: For the discharge, yeah, for LEC.

MR. BOND: Yes.

MR. PETERSON: Is that something, Chris, you want to be in on with us? You know everything that's kind of going on.

MR. KOGELNIK: I do. But I don't think I need to be involved in that.

MR. PETERSON: Okay.

MR. KOGELNIK: The person at Ohio E.P.A. that's making that decision is Erm Gomes.

MR. CAMPBELL: We should go to the E.P.A. to ask them to delay a decision they haven't made. But my point being it's kind of humorous.

MR. KOGELNIK: It is.

MS. SLUSARCZYK: It wasn't last summer.

MR. KOGELNIK: Stranger things have happened in the Village where we've asked for Ohio E.P.A. to look out over our shoulder and then they made the decision without us allowing us to make our own thoughts and comments.

MR. CAMPBELL: You're right, it's a good thought. We need to follow through.

MR. PETERSON: Okay. Bob, I'll meet up with you and we'll set a time and we can call if that works with you.

MR. BOND: You're gonna set a time?

MR. PETERSON: We'll set a time where you and I can meet and we'll give them a call. Okay. Any other Old Business?

#### **PUBLIC COMMENTS:**

MR. PETERSON: Public Comments again. None.

#### **REPORTS:**

##### **1. Solicitor's Report**

MR. PETERSON: Okay. Reports. Solicitor's Report.

ATTY. RIES: No report.

##### **2. Engineer's Report**

MR. PETERSON: Engineer's report.

MR. KOGELNIK: I've given it.

MR. SULLIVAN: You've already been there, done that.

### 3. Utility Committee Report

MR. PETERSON: Utility Committee Report.

MR. BOND: I have no report other than the 20th I will be going to an MVSD Advisory Council meeting. We'll see what that's about. If there's anything to report back to you, I will.

MR. PETERSON: Thank you very much.

### 4. Clerk's Report

MR. PETERSON: Clerk's report.

MS. SLUSARCZYK: Mine is short and sweet. As you know, we implemented the new trash contract, it took effect on April 1. And for record, I put it on the Village website for everyone. But the new contract rate for the next year for standard residential trash and recycling is \$18.50 a month. It's a slight increase, but it's better than the increase that would have been applied provided the calculations and the increase in gas over the last year before the bidding of that contract. The at-the-door service of the premium service is \$26.50 a month, and the bags -- 10 bags are now \$25. A package of 10 is \$25. So I did put that on the Village's website, I provided that to Miss Bracken in the Planning and Zoning office and she's putting that up for us. That took effect, like I said, April 1. I just received their bond to ensure the contract and that's been receipted. The next thing I have is food for thought I want to call it. In reviewing the water rate study and seeing my, I want to say, shock when I got the rates that were first presented, I come out and asked Bob does this rate study provide us information to go back to LEC and say we can prove that you're costing us money and we cannot continue to sell water for 13 cents a thousand gallons, and he said yes it does. That's the Board's decision. But that line from MVSD to Lordstown 13 cents a thousand, that contract is not good. If he's given you the information, the operation and maintenance what it's gonna take and how it's impacting us and how the residents are gonna pay for that, I think you the Utility Committee, Council, whoever needs to at least review that. It's a factor in our rate study, and it's just gonna continuously proceed to get worse when we have to start putting dollars into the maintenance of that line. That's all I had. The water rate study, as I said, we're working on it, it's coming along. But there's so many factors, I need things to -- I need your decisions and answers for funding as to see, but we can go over that. I'm assuming in the next couple of weeks I should have enough of that done to sit down if you would like to and --

MR. PETERSON: Yeah, just let me know when. Matt, is that something you can look at, that contract, and see what options we have or --

MS. SLUSARCZYK: I think maybe even talking to Bob because, like Bob says, he's the one that has to defend his work in those rate studies and the financial facts are there. So it's not my call, but it's something that we are discovering throughout that study and there's a lot of work into that study. I'm making sure that everything is accurate within that study first.

MR. PETERSON: Thank you.

ATTY. RIES: Send it my way.

MR. PETERSON: Will you send that to him, Cindy?

MS. SLUSARCZYK: Do you want me to send him --

MR. PETERSON: The contract.

MS. SLUSARCZYK: -- the LEC contract? Are you guys okay with that?

MR. CAMPBELL: Yes.

MR. SULLIVAN: For sure.

MR. PETERSON: Okay. And Mrs. March.

MS. SLUSARCZYK: That is -- without saying too much information, a resident contacted us. And she stated that on April 1 she submitted or placed into the U.S. Mail her checks for her personal account

and for another home which she rents. And when she called me in the morning yesterday she -- we had not received her payment, she was issued a notice of shut-off. She called and questioned the notice of shut-off saying I mailed that bill. Well, she placed the payment in the hands of the caregiver who said she mailed it from Trumbull Memorial Hospital and we had not received it. She is upset that she's gonna have to pay the late charge. It's not going to go for shut-off, there's not gonna be a shut-off charge. I want to be clear. The bill is outstanding as of yesterday morning.

MR. SULLIVAN: You finally got the check.

MS. SLUSARCZYK: The check came in the mail yesterday and we applied the payment. The fees associated to the penalty are small and not going to still carry through with the shut-off process. So now the outstanding balance is the late penalty. She doesn't feel she needs to pay it. And I told her I understand what she's saying. However, we had not received the payment, it was still outstanding at the time of our phone call. It is late. I said I can't waive one person's late fee, I'd have to waive everybody's late fee from the due date until the 13th to waive that fee. She's upset. She said every penny counts. I gave her the Board members' -- each of your phone numbers as she requested them; and I told her you could discuss it with the Board, there's nothing I can do beyond giving her your phone numbers. She doesn't -- she just doesn't feel that she did her part and it's like what do you do.

MR. PETERSON: And the bill was due on the 4th?

MS. SLUSARCZYK: The bill was due on the 4th. It triggered a shut-off letter. There's two bills to be clear. The second bill is for a rental property that's rented. It's a higher value and a higher penalty. But it's her business.

MR. SULLIVAN: Did you look at the --

MS. SLUSARCZYK: The postmark was March -- or April 13. We have -- did Becky not send you the envelope? I have a photocopy of the envelope. She kept the envelope and she time-stamped the envelope and the bill stubs together upon receipt. It was postmarked the 13th.

MR. SULLIVAN: That's when she mailed it?

MS. SLUSARCZYK: That's when it was postmarked.

MR. CAMPBELL: That's all we got to go by.

MR. PETERSON: Yeah. That was nine days after the due date.  
That's --

MR. SULLIVAN: So I listened to her message. I thought well, if it's postmarked on the 2nd --

MR. PETERSON: Why, that would be a little different ball game.

MS. SLUSARCZYK: And we have parameters for that. That was not the situation. And being postmarked on the 13th and receiving it in the morning yesterday is appropriate U.S. Mail postage delivery time. So --

MR. PETERSON: Yeah. Okay. Anything else on that?

## **5. Superintendent's Report**

MR. PETERSON: Moving on. Superintendent's Report.

MR. BIGGS: I believe everything was pretty much covered. I do have -- we'll have to explain some -- a billing issue with Niles. I'll have to work with Cindy on that and get it straightened out. So going along with that, and even with the MVSD meetings that, you know, we're gonna have start occurring, I'll ask again probably for the last time but I need permission to be able to do these things or --

MR. KOGELNIK: He needs to be there.

MR. BIGGS: I can't do that stuff.

MR. PETERSON: I agree.

MR. BIGGS: I can't help Cindy with the billing either.

MR. PETERSON: I know. Councilman Bond talked to Council, correct?

MR. BOND: Yes. I think, Matt, while you're here, listen to

what he has to say please; and there's gotta be some way to get this straightened out so he can do his job and not fear any repercussions. Would you explain to him what the problem is, Darren, and how we go about --

MR. BIGGS: It was basically a cease and desist from talking to anybody outside of the Village is how it was. I'm sure you've seen it, Matt, the letter that we all received.

MR. BOND: I gave you a copy of it.

MS. SLUSARCZYK: That's where --

ATTY. RIES: Is this what we're talking about, Paul's legal opinion from along those lines. And we provided clarification on that as to --

MR. BIGGS: The clarification, as far as I'm concerned, really wasn't all that clear anyway. And even explanation of the cease and desist really wasn't that clear. I don't know. I mean, it came from your firm. That's why I'm wondering, basically that's what I have. I can't -- I can't talk about that. You know, I even have an e-mail here where I asked Dutton, you know, can you be a little clearer -- this is when this first came out -- about what I can do, who I can talk to, what I can and can't do. Part of it's here, I cannot discuss the purchase of water from Niles. Well, I got a billing problem that I gotta talk to Niles about. There's more to it, not much; but I mean, it's telling me right there hey, don't do it. So I'm gonna ask one more time or I'm gonna back out; and that's the other MVSD meetings, that's negotiating and whatever else. When I have a cease and desist I cannot show --

ATTY. RIES: And I think Paul's intent with that -- well, it wasn't to deal with the day-to-day vendors, but it sounds like our explanation really doesn't address your current situation.

MR. BIGGS: That's correct. And whatever the intention was, that's not what it says. You know, it either has to be clear or get it out there so I can do my job is what I'm getting at. One way or the other, let's have it that way or not. I know the BPA would like me to help with some of that stuff, Chris would, Cindy would. And I tell them I gotta be careful here whether you guys would or not, but you have to have the superintendent of the Village that's handling utilities have a cease and desist on matters that are utilities is -- I don't know who else does that. Maybe you guys have ran into this before, I don't know.

ATTY. RIES: I tell you what, just to err on the side of caution let me talk to Paul and clarify some of these concerns with him and get more clarification -- it can come through me -- but just exactly what Paul was thinking. Because I did talk to him about that and provide that follow-up clarification. But if you're saying that's not enough, let me talk to him a little more.

MR. BOND: This all happened about the time of the water deal for TEC, and that's a done issue at this point. But like he says, he can't help her with the billing because the way he reads it he's not allowed.

MR. BIGGS: It just -- I understood it was for that, which I thought was ridiculous anyhow. But that was from the Mayor and the President of Council that, you know, went through your firm to have it wrote up. So I just -- I need direction or, you know, I'd love to be able to help, don't get me wrong; but not gonna deal with a cease and desist order though.

MR. SULLIVAN: Yeah, that's what it was over. It was when we were negotiating Warren or MVSD where we're gonna get the water, what the price is gonna be on the thousand gallons and all that. And Hill just decided he didn't want Darren's information in the meetings basically.

MR. PETERSON: Yeah, he needs to be able to communicate with people we're buying water off of.

MR. KOGELNIK: Yeah. When you're buying water, moving water from one community to another, the Superintendent needs to be aware of what's going on.

MS. SLUSARCZYK: The cease and desist tells us that I can't talk

to people outside the Village of Lordstown because it's Council's responsibility. No problem. But who was he supposed to call with a question (pointing to Atty. Puhalla)? So when he called, the first thing I had to do to protect my job is consult Councilman Bond. I think this is a little bit tedious and -- but you know what, it's in writing and I'll do the best of my abilities to do my job, but I'm not gonna lose my job for that piece of paper.

MR. BOND: They operated for years and years without that. This one issue come along --

MR. SULLIVAN: Right, exactly.

MR. BOND: And it's solved now, the contract is with Warren. Everybody realized that, but these people are still having problems and are in fear of doing some things they need to be able to do. Like Mr. Kogelnik just told you, the water superintendent needs to be able to talk on stuff like that.

ATTY. RIES: Yeah, let me talk to Paul. And I know that was issued in a very specific context at a different time, and the word vendors was maybe used a little bit overbroad at the time even then. So let me get some clarification from him on that.

MR. SULLIVAN: Even now there's gotta be times where he needs to talk to MVSD.

MS. SLUSARCZYK: Well they are a --

MR. SULLIVAN: They supply the water.

MR. BIGGS: To let you know, we handled the distribution system here, okay. Part of it is MVSD. It starts down there at that lake. That's part of my --

MR. PETERSON: That's part of your system.

MR. BIGGS: And I can't talk to them. I mean what -- how does that --

MR. PETERSON: Yeah.

ATTY. RIES: No, I'll talk to Paul about it, get some clarification, figure it out.

MR. BIGGS: Thank you.

MR. PETERSON: Do you have anything else then?

MR. BIGGS: No. Do you guys have anything for me?

MR. PETERSON: I don't have any questions for him. Do you guys?

**MEMBER COMMENTS:**

MR. PETERSON: Okay. Member Comments.

MR. SULLIVAN: Yeah. I'd just like to address you for a second (pointing to Atty. Puhalla). While you were gone we had had some conversation, if they paid for it they won't be able to get it in in two months time. You know, with E.P.A. approval it would take longer than that for E.P.A. So I don't want to -- I don't want them thinking that you can make it happen where they can get it in two months. It's just not realistic.

ATTY. PUHALLA: Yeah. And I don't know the particulars of installing a water line and I would have to rely on someone like Darren or Chris to say realistically you're looking at X even if the money fell from the sky, wherever the source is.

MR. SULLIVAN: Exactly.

ATTY. PUHALLA: I don't understand the time frames involved, I just don't have that experience, so -- but we have to start the process sometime, so --

MR. SULLIVAN: Start the process.

MR. PETERSON: Yeah, yeah, absolutely.

ATTY. PUHALLA: But I understand what you're saying, sir. Yes, sir.

MR. SULLIVAN: They can't believe the end --

ATTY. PUHALLA: Will be 60 days out.

MR. SULLIVAN: Because they're gonna be --

MR. PETERSON: It's just not realistic.

MR. KOGELNIK: We do appreciate the careful steps you're taking, Leo, in representing the Sisters. So it goes both ways.

ATTY. PUHALLA: And I appreciate the Board's been very open, and we tried to have some dialogue to try to get it done because the Sisters have been out there, the Shrine's been there since the fifties, the sixties, somewhere in there. Their ministry, I know I even have in my own files there was an ordinance to do transportation, the Sisters gave the busses to the Village, they rented because I don't know what the stakes were -- but, you know, so they've tried to have some cooperative between the Sisters and between the Village. So I'd like to see that cooperative effort work forward. I mean, I don't, you know, know the size of all your different customers; but I imagine even they are a pretty good size customer compared to a normal household. But the services that they render to people in the area and the ministry they are serving --

MR. SULLIVAN: We appreciate that.

ATTY. PUHALLA: And I appreciate it. Thank you.

MR. CAMPBELL: And just to follow that up, I know the whole mess of who owns this line, who doesn't own the line; and at least this Board's always taken the position when they're out of water Darren's there fixing their water regardless of what we know behind the scenes, we're keeping them with water. You know, it's a home that needs water. And so I mean, regardless of everything that we -- even if it puts us in a bad situation, which part of this member -- because we're doing that, we're trying to do the right thing. So I hope --

ATTY. PUHALLA: Yeah. And I appreciate that and I think the Sisters understand that, and I've tried to reiterate, you know, look it's a legal question now. But in good faith the Village and the Sisters are trying to get to some resolution and there certainly is a safety a factor. You have the day care which is older folks, Antonine Village which is older folks, you know, you gotta do what you have gotta do sometimes. So I appreciate that, folks. Thank you very much.

MR. PETERSON: Thank you. Any other Member Comments?

**QUARTERLY APPROVAL OF BILLING ADJUSTMENTS:**

MR. PETERSON: Seeing none, Quarterly Approval of Billing Adjustments for April. Did everybody get a chance to look at that?

MR. CAMPBELL: Real quick.

**MR. SULLIVAN: Motion to approve.**

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

**(All respond aye.)**

**MR. PETERSON: All opposed?**

**(No response.)**

**MR. PETERSON: Motion passed.**

**ADJOURNMENT:**

**MR. PETERSON: Motion to adjourn.**

**MR. SULLIVAN: So moved.**

**MR. CAMPBELL: I'll second.**

**MR. PETERSON: All in favor?**

**(All respond aye.)**

**(Meeting ends at 6:00 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 1st day of May, 2023.

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

Submitted:

Approved By:

Cynthia Slusarczyk, Clerk

Christopher Peterson, President