

Village of Lordstown Board of Trustees of Public Affairs

June 15,

22

RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
June 15, 2022
4:00 p.m. to 4:25 p.m.

IN ATTENDANCE: Mr. Christopher Peterson, Vice-President
Mr. Michael Sullivan, Board Member
Mr. Darren Biggs, Supt. of Utilities
Ms. Cinthia Slusarczyk, Clerk
Mr. Christopher Kogelnik, Engineer
ALSO PRESENT: Mr. Don Reider, Utilities Committee
Mr. Ronald Radtka, Village Council
Mr. Travis Eastham, Village Fire Chief

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 15th of June, 2022.

MR. PETERSON: I'd like to call this special meeting of the Board of Public Affairs to order June 15, 2022. Please stand for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

MR. PETERSON: I'd like to welcome everybody. Cindy, roll call please.

ROLL CALL:

MS. SLUSARCZYK: Kevin Campbell.
(No response.)
MS. SLUSARCZYK: Michael Sullivan.
MR. SULLIVAN: Here.
MS. SLUSARCZYK: Christopher Peterson.
MR. PETERSON: Here.
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
MR. KOGELNIK: Present.
MS. SLUSARCZYK: Has everybody else signed in on the sheet?
MR. SULLIVAN: I'll make a motion to excuse Kevin Campbell.
MR. PETERSON: I'll second that. All in favor?
(All respond aye.)
MR. PETERSON: All opposed?
(No response.)
MR. PETERSON: Motion passes.

NEW BUSINESS:

1. A Resolution recommending that the Council of the Village of

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Lordstown accept the bid of Platform Cement, Inc. of Mentor, Ohio for the final site work on State Route 45 corridor improvements water booster pump station project.

MR. PETERSON: Okay. Only two items on the agenda. First item is a Resolution. Cindy, do you mind reading that for us.

MS. SLUSARCZYK: Sure. A Resolution recommending that the Council of the Village of Lordstown accept the bid of Platform Cement, Inc. of Mentor, Ohio for the final site work on State Route 45 corridor improvements water booster pump station project.

MR. SULLIVAN: I'll make a motion we accept it.

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

(All respond aye.)

MR. PETERSON: All opposed?

(No response.)

MR. PETERSON: Motion passes.

MS. SLUSARCZYK: This will become Resolution 2022-3 -- or 2022-4, I'm sorry.

2. Trumbull Energy Center Water Supply

MR. PETERSON: Second item on the agenda is the Trumbull Energy Center water Supply. Mike, do you have anything in that or -

MR. SULLIVAN: Well, yeah. I think the information you got and I got don't gel. I was under the understanding that Niles was out of it, so all we could do is work with Warren.

MR. PETERSON: That's the understanding I'm under too. I would like Kevin to be here when we're discussing everything, you know what I mean.

MR. SULLIVAN: Yeah, I do too. And of course, you know, we're not gonna pass anything today, it will be done Tuesday. And I don't know, I've talked to so many people. But anyways, somebody told me that if we wanted him, Siderewicz would be here.

MR. PETERSON: I do not know if he will be here Tuesday or not.

MR. SULLIVAN: Well, if we invite him he will.

MR. PETERSON: Yeah, I'm sure. I don't know. Mr. Radtka, do you know if he'll be here Tuesday?

MR. RADTKA: He'll be here for Tuesday for the BPA meeting and the Council meeting.

MR. SULLIVAN: So he'll be here Monday and Tuesday?

MR. RADTKA: I don't know if he'll be here Tuesday -- Monday Mike, but Council --

MR. SULLIVAN: Council is Tuesday?

MR. RADTKA: Because of the holiday.

MR. SULLIVAN: What do you have to add to that, anything? As far as Niles and Warren and --

MR. RADTKA: Well from my understanding, Niles is out of the -- you know, out of the equation, it won't work for the project. So it comes down to, you know, do we want to go into a contract with the City of Warren or do we, you know, don't. Because you know, it just comes down to the, you know -- this project will not work with, you know, going through the MVSD for the timeline of his investors and engineering and the way it's set up, it just -- it's just not an option.

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MR. SULLIVAN: And maybe we can do more in between now and Tuesday, but I kind of think that we're at the dead point with -

MR. PETERSON: Yeah.

MR. SULLIVAN: -- Warren -- or with Siderewicz. You know, we did get them to add 12 cents to the 37 cents which would bring it to 49.

MR. RADTKA: Yeah. His rate would be \$3.16 per thousand, Mike.

MR. SULLIVAN: Okay. Now his rate's three. But what happens when he -- or when Warren raises their rate?

MR. RADTKA: It will all pass through to TEC.

MR. SULLIVAN: So we would still be at the 49 cents?

MR. RADTKA: It does not eat into the adder. If Warren would say raise it 50 percent, 2 percent, whatever, whatever the percentage Warren rate would raise to the Village, it just is a pass through to TEC. So the adder stays the same for the BPA.

MR. SULLIVAN: Okay. The only reason I was unclear on that, Chris talked to Warren and they agreed to drop 4 cents.

MR. PETERSON: It wasn't me. It wasn't me that talked to them.

MR. SULLIVAN: It wasn't?

MR. PETERSON: No, no, it wasn't me. No. I believe that was whoever we set up to negotiate. Yeah, that wasn't me.

MR. SULLIVAN: And then they agreed another 8 cents. When I talked to Kevin last night he said the 4 cents actually had to come from Siderewicz.

MR. RADTKA: Well, ultimately in the end it's gonna be made up in -- you know, in that \$3.16.

MR. SULLIVAN: Well, I think we're gonna do some more investigation this week. And hopefully, you know, we can go into executive session next week and come out with something, some kind of deal is my hope.

MR. RADTKA: I know the water agreement with Warren will be on Council agenda for Tuesday night.

MR. SULLIVAN: Yeah. The bulk water rate will be on Tuesday when we meet at 4:00.

MR. RADTKA: Right.

MR. PETERSON: Do you have any other questions or anybody else to ask questions to or --

MR. BIGGS: Do we have that agreement yet?

MR. RADTKA: It was circulated last Friday to BPA members and Council.

MR. SULLIVAN: Did you get it?

MR. BIGGS: He just said no.

MR. RADTKA: I'll see if you were added. I don't know.

MR. BIGGS: I would like to review it, that's for sure.

MR. SULLIVAN: I'll send it over to you.

MR. BIGGS: Thank you.

MR. RADTKA: I'll tell you in just a minute, Darren, if

--

MR. SULLIVAN: The only other thing that I'd like is because there's been some question about the safety with Warren. Could you give us a little update, Chief, on how you see it?

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CHIEF EASTHAM: Well you know, Councilman Bond asked me in Monday night's Council meeting kind of the same question. You know, as a fire chief there's a lot of games that -- there's a lot of things that play into your water supply. So it's not just having water, it also affects your ISO ratings, it affects your insurance rates for businesses and for homeowners. So what that means is when I get ISO rated, when I get audited and they come in and they set ratings, we went from a 5 to a 4, which was the first time in our history to get under a 5. So we accomplished something. But the way they figure that out is they go through, they look at your square footage of all your facilities, your hazards, and whether you have the water and the equipment and the manpower to basically put the fire out and everything you have in your jurisdiction. Me personally, if you're asking me as a fire chief, I would rather see a water supply that was fed into our system and gave us excess water. Because at the rate of growth we're growing, that 3-million-gallon water tank is still, in my mind, not large enough for an extra volume for what we have and what is projected down the road. I think if we're gonna bring something like that into the Village there should be a benefit for all of the Village, which is a larger water supply. Running a line directly to a complex without going through our water system just takes that completely out of the picture. It's -- it does nothing for our infrastructure in any way because all it does is feed that plant. Now if that plant's on fire, I'll have access to their hydrants that are on that line; but it does absolutely nothing for anything else in this Village for excess water usage or fire or any type of protection. So for me it does -- the Warren city line does absolutely nothing for us for fire protection.

MR. SULLIVAN: What about if it was looped into the 16?

CHIEF EASTHAM: Well, looking at this, if you hook it in -- and I'm not a person like -- I don't do water like systems.

MR. SULLIVAN: Engineering.

CHIEF EASTHAM: But anytime you're taking a 24-inch line and looping it down to a 16 and feeding it or back-feeding it, you're gonna have a line coming from the north to the south from one that's already there and, you're gonna put one from the south to the north into that same water tower -- the water tower can only hold half a million gallons, you know. So it's not going to -- if it's already full, the best you could do is you might be able to fill it faster. But then there's only seven hydrants on that line that go from the Village -- from that tower to the Village line north. So it's one of those seven hydrants is one you have to be on or Foxconn facility. That's the only thing it would looping that would help, and I don't even know if it would be possible with the age of those lines to be able to do that. If you think they were put in in the sixties and you would be back-feeding it back to it, I don't even know if it would handle it. And that's from my own perspective. I mean, like the water -- like Darren, he would know more about that. I'm just telling you in my mind what I'm processing in my mind.

MR. SULLIVAN: Chris, is that not --

MR. KOGELNIK: I think the Chief's content is accurate there. I have stated all along ever since last -- I think it was last fall when there was a discussion or a meeting I had recommended

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that if the Village were to somehow proceed with a Warren option it should not be with a incomplete thought, it should be with a complete thought such that they would connect somehow and model their system so that the 16 and the 24 could be brought together as a contingent measure in the event the 24 or the 16 went down. To this day I don't know if it's written anywhere where somebody's gonna commit to do that. If the Village wanted some reliability amongst the Warren line, they would ask Warren to model that from a standpoint of serviceability. If you were providing the water into Lordstown with all these connected customers, wouldn't you want to provide a reliable redundant system to those customers. It makes sense in that regard. From the standpoint of the Village's water system, the chiefs concept, like I said, is accurate. And we have stated that both systems independently are feasible to bring water into their intended targets for consumption and water use. It's just whether or not, you know, one of them suggests focusing on a long-range plan for the entire Village and the other one is just for a project. So the content that the Chief brings is accurate. It's just it's right now on the side of Warren it's incomplete.

MR. SULLIVAN: Thank you.

MR. PETERSON: Darren, do you have anything to add to that?

MR. BIGGS: No, except that, you know, he brought up a good point. By accepting it's Warren, we're just accepting what's going on. We have no idea how it's getting here, how it's gonna be run, we have no case at all. We're just saying yeah, go ahead, run a line all the way through Lordstown. We don't have a clue what they're gonna do. I think we should know that before agreeing to do that. Just kind of makes sense. Just by giving them permission, is that allowing them to do whatever they need to or supply whoever after or -- we have no details on that. And as far as I'm concerned, that line is worthless to us anyway except for entities that it's going to, knowing that we have responsibilities for extra storage, getting water here, any fire control, anything like that; where MVSD is willing to put a line in here at their cost to help out everything in our distribution, everything we've been working on. How we got sidetracked in the Warren thing I don't know. I mean, it's -- I don't know how we got here and how, even after months of discussion, how Bill Siderewicz can't go back and say hey, instead of us paying for this they're gonna do this for free. His investors, wouldn't they say good Bill? What are we missing here?

MR. SULLIVAN: Good boy.

MR. PETERSON: Councilman Radtka, do you know if the details have been released or anything?

MR. RADTKA: On?

MR. PETERSON: On?

MR. SULLIVAN: The Warren line where they are gonna run it.

MR. RADTKA: Well you guys each have a copy of the Warren agreement, and it states in there that right now the agreement would be just running the Warren to the TEC project.

MR. PETERSON: Yeah.

MR. RADTKA: And then TEC would grant a permanent use easement to the Village of Lordstown for a connection line at some

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point in time to the existing 16- inch that Warren is interested in doing in a joint effort with possibly Lordstown in the future. And as for any additional customers in the future, they would be our customer because in that agreement, if you read it, we're gonna be a bulk customer, meter the Village line. So any other customer would go onto that 24-inch line for redundancy of the water.

MS. SLUSARCZYK: Can I ask a question. He just said that they were gonna meter the Warren line, meter at the Warren line. So that means we would accept responsibility for all water or a water loss from the City of Warren into the Village of Lordstown to TEC. Is that what you just said?

MR. RADTKA: No, I didn't say anything about --

MS. SLUSARCZYK: You said meter the Warren line.

MR. RADTKA: I just said it's a bulk water agreement with the City of Warren.

MS. SLUSARCZYK: And the meter's gonna be at the Warren line.

MR. RADTKA: And there would also be meters for individual customers.

MR. KOGELNIK: Cindy, if I may.

MR. SULLIVAN: Would it be metered at the plant?

MR. RADTKA: At the plant.

MR. SULLIVAN: And TEC.

MR. RADTKA: Oh yes, yes.

MR. SULLIVAN: That's what Cindy's saying. If it was just metered at the line, any breaks or anything would be on us.

MR. RADTKA: Yeah. Any individual end-user would have a meter just like any other water line, unless I missed something in that agreement that states otherwise but --

MR. SULLIVAN: That's the way I understood it, that it was gonna be metered at the plant. Okay. Anybody else got any questions?

MS. SLUSARCZYK: I got something for Ron. You mentioned that Warren's gonna have the extra water, basically doing us a favor to be able to help out other Lordstown whatever, looping it in for any future -- correct.

MR. RADTKA: There is -- they're saying there's gonna be some redundancy in that line, extra water available.

MR. BIGGS: I don't know if you realize this, mixing the two waters is gonna be an absolute nightmare. That's not as easy as just drawing it up and saying we got you extra water. You got two different treatments. If you got a problem, I got to figure out where that comes from. Any one of the two changes treatments, the E.P.A. is gonna say no.

MR. RADTKA: Sure, you can't mix the Warren water with MVSD water, correct.

MR. BIGGS: That surplus is -- as far as I'm concerned, it's not even a consideration.

MR. RADTKA: Unless it was tied to that new proposed 24-inch line.

MR. BIGGS: What's that?

MR. RADTKA: Unless it was attached to the new line, the proposed line.

MR. BIGGS: From Warren.

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MR. RADTKA: Yes.

MR. BIGGS: That's what I'm talking about, mixing Warren's water with MVSD water.

MR. RADTKA: That's what I'm saying, it can't be mixed with Warren's. Warren cannot be mixed with MVSD.

MR. BIGGS: So you're saying with the extra surplus in there -- I don't know how we would use it, it's not as simple as that. They are going to say Lordstown, we got extra water for you. We can't just tie it in to somewhere where we already have --

MR. RADTKA: The line would have to be extended from TEC project to another customer.

MR. BIGGS: So Warren would pick up more customers by extending it out.

MR. RADTKA: Correct. And you would also pick up a new customer because they're just bulk selling the Village the water.

MR. BIGGS: Agreed. But not Niles or anything we got going or happening anyway, it's gonna keep extending for Warren.

MR. PETERSON: They would continue to be our customer.

MR. BIGGS: Which I hope you guys realize is not a good thing.

MR. PETERSON: Okay. Are you good?

MR. SULLIVAN: I'm good. Motion to adjourn.

MR. PETERSON: Like I said, I'd like Kevin to be part of the --

MR. SULLIVAN: Is there any further comments?

MEMBER COMMENTS:

MR. PETERSON: Do you have any Member Comments?

MR. SULLIVAN: No.

MR. PETERSON: Okay. Councilman Radtka has asked for -- okay.

MR. SULLIVAN: Have we got it covered?

MOTION FOR EXECUTIVE SESSION:

MR. PETERSON: Yeah. Well, I would like to request an executive session for possible litigation inviting you, me and the two Council members that are present. Okay.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

MS. SLUSARCZYK: I need a reason and then a motion, and then I'll do roll call.

MR. PETERSON: Okay, sorry. Possible litigation.

MS. SLUSARCZYK: With --

MR. PETERSON: Just possible litigation.

MS. SLUSARCZYK: Motion.

MR. PETERSON: I'll make the motion.

MR. SULLIVAN: Second.

MS. SLUSARCZYK: I have to do roll call. Kevin is not in attendance. Sullivan? Mike, yes?

MR. SULLIVAN: Yes.

MS. SLUSARCZYK: Mr. Peterson.

MR. PETERSON: Yes.

MR. SULLIVAN: And there will be no further action.

MR. PETERSON: Yeah, there will be no action after.

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MR. SULLIVAN: Other than to adjourn.

(Mr. Peterson, Mr. Sullivan, Mr. Radtka, and Mr. Reider
go into executive session at 4:25 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 17th day of June, 2022.

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

Submitted:

Approved by:

Cinthia Slusarczyk, Clerk

Kevin Campbell, President