

RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
June 28, 2023
4:00 p.m. to 5:30 p.m.

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, Utilities Committee
Mr. Howard Sheely, Utilities Committee
Mr. Jamie Moseley, Utilities Committee
Mr. Jeff Smith, Mahoning County Engineer
Mr. Tom Cowie, Imperial Communities
Atty. Leo Puhalla, Antonine Sisters
Ms. Annissa Neider, Antonine Sisters

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 28th of June, 2023.

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

LORD'S PRAYER

PLEDGE OF ALLEGIANCE

ROLL CALL:

MR. PETERSON: Roll call please.
MS. SLUSARCZYK: Christopher Peterson.
MR. PETERSON: Here.
MS. SLUSARCZYK: Kevin Campbell.
MR. CAMPBELL: Here.
MS. SLUSARCZYK: Michael Sullivan.
MR. SULLIVAN: Here.
MS. SLUSARCZYK: Darren Biggs.
MR. BIGGS: Here.
MS. SLUSARCZYK: Cinthia Slusarczyk, present. Chris Kogelnik.
MR. KOGELNIK: Present.
MS. SLUSARCZYK: Matt Ries.
ATTY. RIES: Present.
MR. PETERSON: Approval and correction of the minutes from May 16, 2023. Did you guys get a chance to review?
MR. SULLIVAN: I make a motion to accept.
MR. CAMPBELL: I'll second.
MR. PETERSON: All in favor?
(All respond aye.)
MR. PETERSON: All opposed?
(No response.)
MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Correspondence, Cindy.
MS. SLUSARCZYK: We did have a correspondence dated June 21, 2023 from Manchester, Newman and Bennett from Atty. Puhalla, Antonine Maronite Sisters of Youngstown, Inc., Antonine Village, and

Antonine Sisters Adult Day Care, Inc. It's a three-page letter. I don't know if you want to read into the record or just acknowledged. This is all shared.

MR. PETERSON: I think just acknowledged.

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Anyone have any public comments? Okay. Seeing none --

NEW BUSINESS:

MR. PETERSON: New business. Do you guys have any new business?

MR. CAMPBELL: No, huh-uh.

OLD BUSINESS:

1. Antonine Village Phase 2 Expansion Water Line

MR. PETERSON: So moving on to Old Business, the Antonine Village Phase 2 Expansion Water Line. Go for it.

ATTY. PUHALLA: Thank you. For the record, Leo Puhalla on behalf of the Antonine Maronite Sisters of Youngstown, Inc., Antonine Village, and Antonine Sisters Adult Day Care, Inc. Once again, thank you for your time in allowing me to speak on this project. As the clerk indicated, I had sent a letter to Attorney Ries and to the Board of Public Affairs on June 21, 2023 relative to the issues that we have discussed over the past couple meetings for the North Lipkey Road line that -- the problem line so to say -- as defined in my June 21 letter, as well as the extensions that we'd like to install for the Sisters for their 21 additional beds they are trying to put in. I think the letter of June 21 lays out a path forward. I did speak with Attorney Ries earlier today about perhaps if we can secure some kind of recommendation at least from the BPA. I understand it has to go to the Village Council who has the ultimate say, and Attorney Ries can correct me if I'm wrong. What I'd like is I think the June 21 letter lays out a framework in which the Sisters would have a third-party contractor install the line to specifications that meet with the Village of Lordstown water regulations at the Sisters' cost. We would want some assistance with securing the appropriate permits, whether it's the E.P.A. or Mahoning County because it's in the public right-of-way and crosses under Lipkey Road, some assistance from the Village or at least not standing in our way to get those from Mahoning County. And that once the work is done what we're looking for is some assurance that once we've gone through that time and expense that we do what we need to do as far as having a resolution and an ordinance put on -- unlike it sounds like 25, 30 years ago -- so that we know that portion of the line which is the main, as I spoke with Attorney Ries, is accepted into the Village of Lordstown water system so that there's clarity going forward as to that is part of the system, if you folks have people who build later then, you know, it's part of the main, if it goes wrong it's part of the main, it's on you. If the service line breaks on the curb box to the east of Lipkey Road that's on the Sisters for the service line. Really what we're looking for and hoping for is at least if the BPA would consider it and at least make a recommendation so we can at least then go to the Village Council to say okay, are you okay with some kind of a memorandum of understanding so that we, that myself as a lawyer and attorney, Ries perhaps as a lawyer for the Village could put something pen to paper so we have that framework, so before we get too far down the road in spending money and turning shovels of dirt, we know we have an outline of where we want to be long-term. I'm happy to answer any questions that

anyone may have. Mr. Kogelnik, if you have any questions as the Engineer I'm happy to answer those. But that's what we're really hoping for, to get some kind of resolution because it's not binding anyway from -- I understand it from the BPA. So if we get this today it's gotta go to the Village so it's not pointing anyone into a corner. I just don't want to delay it until the next meeting of the BPA and lose another thirty days.

MR. PETERSON: Do you have anything to add to that?

ATTY. RIES: Just two quick questions. This is -- your proposed water main would run -- would cross over Lipkey Road and then run south along the eastern part of Lipkey Road there?

ATTY. PUHALLA: Yes, sir, that's correct.

ATTY. RIES: And who owns this property here all along the --

ATTY. PUHALLA: The land there, as I understand it -- and I'll verify with the Mahoning County Recorder's record, but the land that is to the south of -- I guess there's a magenta line, a magenta building I guess, that is land owned by the Sisters; and the land to the north of that very well may be owned by the Sisters. But if it's not I think it owned by the, part of it --

ANTONINE SISTER: Small part for the Shrine and the rest for us.

ATTY. PUHALLA: The Sisters own the vast majority of the Shrine. There may be a little part of the land that's owned by the Shrine, the Eparchy. That is their reliance. So I have every confidence we'll be able to get an easement from the bishop in that respect.

ATTY. RIES: I know there may be some concern with retroactively accepting a 1995 water line since that was never approved for us. I don't know if that was a deal-breaker. I know that was a proposal in your letter.

ATTY. PUHALLA: As to a certain extent as the line is drawn out now -- and Mr. Kogelnik can correct me if I'm wrong -- the problem line I think is to the south. We're basically abandoning what I think is the problem line if I understand it. So what's really going in would be all new construction. So it's almost -- the reference to accepting something that which was before is maybe null and void or moot at this point.

ATTY. RIES: All right. And under Section 2(d) of your letter, this proposal, if we get grant money reimbursing your client for the cost and expenses, I don't know that we would be able to lawfully do that. But I think as you and I spoke that would only be should the opportunity arise, it's not a condition --

ATTY. PUHALLA: It's not a condition precedent -- D and E are not conditions precedent. What we really need are more of the A, B and C so we can get permission to put it into the ground, get permission from the County, know that once we do the work it's accepted into the system operated by the Village of Lordstown so there's clarity going forward with the Council adopting an ordinance; and really D and E were just placeholders. Those are not make-or-break propositions as far as getting a framework with the Village.

ATTY. RIES: And the replacement water line is only going to the current structure that's there, right? It's only supplying water to the current building that's there.

ATTY. PUHALLA: Correct, that's my understanding. Well, the current building and the new -- the new footprint, the expansion just to the south.

ATTY. RIES: The replacement water line is gonna supply --

ATTY. PUHALLA: The line to the east side of the road would take care of the line that's being abandoned on the west side which is the problem line. So that main would supply the current structure and it would also supply water service to the footprint on the very south. It's kind of got -- that service line has a bit of a zig-zag to it if you look at it.

ATTY. RIES: Along the southern part of the building there.

ATTY. PUHALLA: Right. It says now water service connect. There's a arrow pointed to that. That would be a service line going into the area that the Sisters are expanding their current property.

ATTY. RIES: Okay.

ATTY. PUHALLA: So --

ATTY. RIES: Do you guys have any questions?

MR. PETERSON: I really don't, but I've been involved. Do you guys have any questions?

MR. CAMPBELL: I just want to take a minute to thank -- I know between Cindy, Darren and Chris and Chris and Bob there's been a lot of involvement. And it's nice to see everyone come together and try to get this resolved for you. Hopefully I think they made some progress with Mahoning County also because I think their part of the mix that has been a little bit problematic to get approvals and --

ATTY. PUHALLA: I think we would still need some permission from them. And I know -- I'm gonna guess, you know, if you folks would object that would be a problem; so that's why we're looking for, you know, some collaborative efforts.

MR. CAMPBELL: I assume if we get it at least approved from us and still work on the Village side, then we can present it to Mahoning County and go here's a solution for the problem, are you guys okay, and they can give approval to it. Do we -- what do we need from that side to work with Mahoning County and signatures and approvals and --

ATTY. RIES: We need an agreement with Mahoning County basically, and it should include our agreement with the Sisters and the plans and specs and everything for the new line, the replacement line, the easements, everything, basically the whole package to show that we have full visibility with the County. But again, the County's not pitching in a dime and we're taking care of a problem line in their jurisdiction so -- but we do need authorization though for that.

MR. CAMPBELL: We can't control that, but at least we can present our side and do everything we can to help out with the situation.

ATTY. PUHALLA: Right. But we just want to make sure if we go down that road it's gonna be able to be accepted into the Village of Lordstown system, so we're not standing here after putting this in saying no, it's a private service line, the kit -- whole kit and kaboodle.

MR. CAMPBELL: I think it's a smart move. I don't have any questions.

MR. KOEGLNIK: Well, Jeff Smith is here for Mahoning County namely for the roadway permit that may be needed.

MR. SMITH: Yes. Jeff Smith with Mahoning County Engineer's office. Just for clarification, the County Engineer's office has no issue with this water line extension. The only problem or the only issue that came up when this was first applied for is the, you know, only a public line can be within public right-of-way, public utility line. And if that public utility line is being worked

on or if there's work in the right-of-way, that permit holder would have to be the Village. And I think that's kind of where we were with that. If it's a line that's being put into an easement on your property, then there's really no involvement from our office except any crossings that you might have across the road. And we would require that the crossings be bored beneath the road as opposed to open cut. And I think that that's it as far as our office is concerned. Now as far as the County Commissioners, which is the agreement that I was just made aware of earlier this week, I did share that with our assistant prosecutor that's assigned to our office; and hopefully he'll take it up the flag pole and hopefully try to work on his end to get that resolved with the Commissioners and the other Prosecutors in the office to hopefully, you know, get the gears in motion so that by the time this goes through the process with the Village it will be ready to proceed, you know, with regard to the County agreement amendment.

MR. KOGELNIK: Jeff, for Annissa and the Antonine Sisters, when their consultant is designing the water line is Mahoning County gonna need to see an accurate plan, a finished plan of the water line, or would a concept work for right now.

MR. SMITH: For right now, if they're just boring across the road and going down the east side, which sounds like that might be the plan currently, we would just need to, you know, have a sketch plan that shows what's being proposed where -- you know, where the line is relative to the end of the pavement to the right-of-way, and so it doesn't need to be a full detailed plan. Certainly once it leaves our right-of-way there's really no interest of ours from the County Engineer's side.

MR. KOGELNIK: Okay.

MR. SMITH: The Commissioners side they may or may not take issue with that if it exceeds that 1,508 feet if it's gonna be a public line.

MR. KOGELNIK: All right. So Annissa, who has engaged the design consultant for the water line?

MS. NEIDER: I have. And I have like 90 percent plans at this point. So --

MR. KOGELNIK: So they've gone through the OUPS process to identify utilities and they've created a map?

MS. NEIDER: Yes.

MR. KOGELNIK: Okay.

MS. NEIDER: And the biggest question we have right now is if we're allowed to use the C-900 PVC or if we have to go ductile iron.

MR. KOGELNIK: So the reason for this meeting is the Board of Public Affairs -- and so you know, the specifications for rules and regulations was what goes into the water line all are, you know, on the Village's website. And so C-900 is not a normal water line that is specified by the Village. We normally use ductile Class 52, I believe. Correct, Darren?

MR. BIGGS: That sounds right.

MR. KOGELNIK: And that has to be wrapped with 8 mill PE.

MS. NEIDER: Okay.

MR. KOGELNIK: So that's, generally speaking, you know, what we have in the specs. And I think, you know, from the standpoint off the agreement that is gonna be memorialized between Village Council and Mahoning County and the Antonine Sisters, we would need to have a sketch to accompany the agreement. And furthermore, if we have an easement that is granted to the Village for the water line, you know, an exhibit would have to be accompanied with that, that

easement.

MS. NEIDER: Right. And that's shown on this drawing. I just got this about a half hour ago so, to bring. So this could be that exhibit that shows enough for Mahoning County to show the Board the directional bore, it shows -- obviously we'll change the ductile iron and then the size distance valves, everything on it.

MR. KOGELNIK: So before you go too far, I would like to have Darren review the alignment.

MS. NEIDER: Okay.

MR. KOGELNIK: Just to make sure he's comfortable with it because -- correct me if I'm wrong -- this is going to be defined as a main line, not a service.

MS. NEIDER: Yes.

MR. CAMPBELL: That's the way I understood it.

MS. SLUSARCZYK: For the Board to accept it, it would have to be a main line.

MR. KOGELNIK: That's consistent with what Mr. Puhalla had stated as well.

MR. SULLIVAN: It's understood being a main line. What about repairs?

MR. KOGELNIK: Well, that's -- that is why it's so important to define what it is, a main line or a service line. And so if this is truly gonna be an extension the Village's public water infrastructure, then the Village would own the responsibility for OM&R of the line. The easement would be in the name of the Village of Lordstown.

MR. CAMPBELL: I believe that's been -- you're on the same page with that?

MR. BIGGS: Yes.

MR. CAMPBELL: I don't have a problem with it, I think it's a good solution for both sides. It gets a problematic area that needs resolved. Didn't you bring up there was a home in question? I want to make sure we're on the same -- there's a house --

MR. KOGELNIK: I'm aware of that.

MR. CAMPBELL: It's been talked about. I don't know if they are aware of it.

MR. KOGELNIK: There is a home, and it's interesting how that home is connected to the public water system. There's a home kind of directly across from the day care facility. It's a white-colored home, right?

MR. SULLIVAN: The last one.

MR. KOGELNIK: On the west side of the road.

MR. BIGGS: Right.

MR. KOGELNIK: And it is connected by way of a very long service lateral coming back to the spot where the now known main line ends. And so what we would like to do, and included in that project, is provide a connection to this new main line right in front of that home or thereabouts, not 100 or how many hundred -- is it like a couple hundred feet back?

MR. BIGGS: Yeah, it would have to be.

MR. KOGELNIK: So we would like to incorporate that. And correct me if I'm wrong, but the Village would own the cost of that service connection.

MR. CAMPBELL: I believe that's a fair way to handle it.

MR. KOGELNIK: It -- that is not any part of Antonine Sisters' facility.

MR. CAMPBELL: So we're on the same page. I don't want any surprises.

MR. KOGELNIK: And actually that scope of work would be included in the agreements that Matt establishes. We can draw that

on a map for you, Matt, so you can see.

MR. CAMPBELL: That would need Board underneath.

MR. SMITH: We could handle both under the same permit if we have the drawings that shows both, and we can just include both on the --

MR. SULLIVAN: Is that the last house before you go down the hill?

MR. BIGGS: There's one before you get to the bridge that crosses Meander, right before that. Basically right across from the --

MR. SULLIVAN: The one right on top of the hill?

MR. BIGGS: Yeah.

MR. KOGELNIK: So in the end, you know, this main line will also have its own permit. So the consultant would have to put the Ohio E.P.A. water main permit in the name of the Village of Lordstown. Darren can supply you with the PWS ID number.

MS. NEIDER: Buckeye Civil, Joe Gonda, is designing the line. I think he's done work in the Village of Lordstown previously. I know he's done a lot of work for -- (inaudible comment as audience members were talking loudly next to court reporter.) So Darren, how do I get this drawing to you, e-mail or --

MR. BIGGS: However you want. Do you need me to make a copy?

(At this time there is discussion off the record between Atty. Puhalla and the Antonine Sisters. Also comments between Darren and Utilities Committee members present. The Board is having discussion off the record as well. This is all happening at the same time.)

MR. PETERSON: Do you want to bring it up?

MR. KOGELNIK: One of the other rules and regulations in this and Sisters is that the new water line extend to your south property line, which I don't think is that much farther than what we're talking about from the point of connection. But you would need to do that.

(At this time, there is discussion between Darren and Annisa Nader which is inaudible.)

MR. BIGGS: Would it be a problem to move it on the other side of the drive?

MS. NEIDER: That's a lift station drive.

MR. BIGGS: Would it be a problem to go across that?

MS. NEIDER: No.

MR. BIGGS: That's what we were getting it, run it all the way to the south side, all the way through as far as we can get that there. And I think that's what we talked about on the south side of the last drive. And they're right there. A quick glance, 30 feet, somewhere give or take.

MR. KOGELNIK: Do you need Darren to mark that up, or do you have that in your mind?

MS. NEIDER: No. I'll give it to Joe. Not an issue.

MR. SMITH: And then it's being terminated with a hydrant to flush the system?

MR. KOGELNIK: Yeah. Darren has this kind of thought through. We discussed that the other day.

MS. NEIDER: And then the new matter would also be set in a curb box because the line exceeds the required --

MR. BIGGS: Correct. There would be a hot box out there

closer to the road.

MS. NEIDER: Right, correct.

MR. KOGELNIK: We're on the same page then.

MS. NEIDER: And I know Joe's gotta go through and put all the details in, but that kind of gives you --

MR. BIGGS: I'll take a look at it and we can give our thoughts to before we get too far. We'll do that right away.

MS. NEIDER: Because we're looking to get to the E.P.A. probably next week timeline, after the holiday. I forgot next week's 4th of July.

MR. KOGELNIK: I don't have anything further.

MR. PETERSON: So what would be our next step to --

ATTY. RIES: Well we need the plans, what everything is going to look like, what we're going to incorporate into the agreement. We get a draft agreement to Mahoning County along with Leo's client that delineates the terms basically we'll agree to, and that would be put forth before the BPA for Resolution. If you guys approve it, it will go to Council.

MR. PETERSON: Bob, does Utility Committee have anything to add?

MR. BOND: What do you guys say? Looks all right.

MR. MOSELEY: Yeah.

MR. PETERSON: Okay. There's really no motion to make until the agreement --

ATTY. RIES: Yeah, yeah.

MR. PETERSON: Everybody is under the understanding they are gonna work everything out and it would be good. And to get this agreement together we'll have to have a special meeting to get -- how long do you think that will take to work out?

ATTY. RIES: We can get these terms ironed out pretty quickly. It's a matter of getting all the attachments.

MR. PETERSON: I know you guys are up against the --

ATTY. RIES: Do you want to prepare the --

ATTY. PUHALLA: I'll give you the opportunity to review it.

ATTY. RIES: Why don't you prepare the easement, I'll prepare the master agreement, and then we'll go from there.

MR. PETERSON: Do you just want to let us know when it's ready?

MR. SULLIVAN: Then we can have a special meeting.

MR. PETERSON: Are you guys okay, he'll just let us know when everything is ready to keep everything moving forward?

MR. CAMPBELL: I have no problem with that.

ATTY. PUHALLA: Thank you.

2. GIS Proposal

MR. PETERSON: Okay. Item number 2, GIS proposal. Darren, Chris.

MR. KOGELNIK: Shall we approve it.

MS. SLUSARCZYK: On -- to my understanding there's a meeting on the 10th, July 10 at two-something, to explain exactly what it all entails.

MR. PETERSON: Okay.

(Atty. Puhalla and Sisters leave.)

MR. PETERSON: They're having a meeting on it so Darren understands. I think between Kellie's office, the zoning office, and the Water Department -- is it Streets too, Chris?

MR. KOGELNIK: Yeah, it is likely gonna involve

Streets.

MR. PETERSON: To explain everything and make sure everything is good. The zoning office wants to get this moving because they need it. So if it worked out perfectly and everything was okay, we can incorporate that in some special meeting to approve that.

(At this time, Jeff Smith and Annissa Neider leave the meeting.)

MR. PETERSON: Darren, is that okay with you, the GIS?

MR. BIGGS: Approving the GIS, yeah. I'm satisfied, I'm good with it, right. On my end we can approve it.

MR. PETERSON: You're going to approve it now without the meeting that's coming up?

MR. BIGGS: I don't know what meeting is coming up. Does it involve me?

MR. KOGELNIK: It's like a technical discussion just to hear out what other department, mainly streets --

MR. BIGGS: Yeah, we had talked. So I don't think I have anything else. And as far as they go it's not up to me. CT being able to help us out and add to what we already have now, I'm satisfied that we're -- we can be part of that.

MR. KOGELNIK: Can I say something about that that's related? Darren right now is responding to an Ohio E.P.A. survey review from February. We have responded but I'm not sure, I don't know if Ohio E.P.A. is gonna like that response. So the response included mapping of the assets that he has for the water system, okay. And that's why the GIS is kind of integral with that. We told the Ohio E.P.A. official that the Village is considering, you know, mapping out all of its assets like that. And they actually wrote that in the survey review. So we told them that we probably would not be able to get all of that done until about a year-and-a-half from now. Long ways out there. And then there were some other administrative type responses that we felt we could get resolved within 30 days. So I want you to know that that's how the GIS map is at least linked to his water system.

MR. CAMPBELL: Okay.

MR. PETERSON: Okay. So for the agreement does this need to be a resolution from us?

MS. SLUSARCZYK: There needs to be a resolution, yes, because there's money; and the split of the money, how that will be determined will have to be done in resolution.

MR. PETERSON: Okay. Do you guys think a half-and-half between zoning and us? I know you said Street was gonna be more money, correct?

MR. KOGELNIK: Yes, Street -- if we have to add Street into it for storm and that sort of thing then it's gonna be an additional cost above what we've estimated. Right now the total is \$17,000.

MR. PETERSON: \$17,000, yeah.

MR. KOGELNIK: So conceivably, if it were just the Water/Sewer and Planning it would be \$8,500 apiece.

MR. PETERSON: Okay. I'm fine about \$8,500.

MR. CAMPBELL: I don't know how else to really do it, sounds fair enough to me.

MR. PETERSON: Whatever Streets is, they can figure it out later.

MR. SULLIVAN: So you want a motion for \$8,500?

MR. PETERSON: We are still gonna have to do a resolution. So if we can ask Matt to get the resolution ready for

Cindy we can have it for a special meeting, or if that works --

MR. CAMPBELL: See how it all plays out.

MR. SULLIVAN: Is there -- is that needed quickly, or we could just do it at your next meeting?

MR. KOGELNIK: We have time for the next meeting.

MR. PETERSON: They're all getting together on the 10th, so --

MR. SULLIVAN: So then we'll have that information and

--

MR. PETERSON: Yeah. I just figured if we had a special meeting anyways we could just put it on there and pass it if you guys are all okay with it. All right.

3. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Moving forward, Trumbull Energy Center Sanitary Sewer. Any updates?

MR. KOGELNIK: No response on that sanitary sewer. Information we supplied TEC, we told them what the E.P.A. is gonna require. There is obviously a stop work order on TEC and that's -- it's gonna complicate a lot of things. But nothing further on the sanitary sewer itself and the connection to the TEC admin building.

MR. CAMPBELL: We just keep it on here until we know it works itself out.

4. Project Funding

MR. PETERSON: Item 4, Project Funding.

MR. KOGELNIK: Well, right now we've been told -- Bob and I have been told from Congressman Joyce's office that they've limited the potential funding to the Village for the future 24-inch water line and the new booster station to only \$4 million. So initially they mentioned to us a figure of around \$14 million before.

MR. SULLIVAN: Then down to five.

MR. KOGELNIK: So we have talked internally and stated that we're still very interested. But as Bob had indicated, he'd like to know the conditions under which we accept, you know, \$4 million. Right now this is something I want you to know that just doesn't fall out of the sky. This \$4 million, if you were to be awarded it, it would come through legislation, a bill that is passed and eventually would be dropped into most likely Ohio E.P.A. funding because there has to be an administrator and, you know, somebody that handles the rules and regulations of the funding. So the congressman's office is just facilitating your expressed need and amongst probably hundreds of other communities. So they've got your attention. I recommend you still communicate with these people to tell them hey, this is -- this is a need, we have a need for this. Because what we want to do is use that \$4 million as leverage to go after more.

MR. PETERSON: Yeah.

MR. KOGELNIK: That is the goal right now.

MR. PETERSON: If you get started, it helps when you have --

MR. KOGELNIK: I want to talk to you about that in my report -- well, I might as well do that right now. Like for the Hallock Young Road project, we've got ARC funding that we've applied for you on; and there's WSRLA loan money that we have nominated for this project, right? So conceivably it's taken care of for its funds. However, we want to also go out and seek an OPWC application for a small amount of that to help offset even more the local share. So that you don't have to pay the loan money, you get a small OPWC grant as well. So OPWC is due at the end of August. I have all the

ingredients; I can do this with your blessing.

MR. SULLIVAN: You're blessed.

MR. CAMPBELL: Thank you.

MR. PETERSON: Thank you.

MR. KOGELNIK: So it's not gonna be a windfall of cash, but every little bit helps. And you know, it only takes us, you know, a few hours to produce the OPWC application for such a project knowing that we've got all these pieces of information already in our hip pocket. Now other projects that need funding, your booster station also needs more funding. I would submit an OPWC application for it. So that would be like a priority two.

MR. CAMPBELL: Do you do both of those in August?

MR. KOGELNIK: Yeah, yeah.

MR. PETERSON: I say go for it.

MR. KOGELNIK: So like I told -- I put in my report to Council, I didn't get any feedback on local roads so guess where my attention is going, these guys. So if there is no other expressed need, those are your one and two.

MR. CAMPBELL: Yeah, for sure.

MR. KOGELNIK: Now we --

MR. SULLIVAN: You do both those or in conjunction with Kellie or --

MR. KOGELNIK: We just do them. Kellie has nothing to do with those.

MR. PETERSON: Yeah, Kellie has nothing to do with them.

MR. KOGELNIK: No. That would be -- I'm preparing an OPWC pre-application that really requires almost no signatures on the pre-app. On the final app it does. The final apps are due around December.

MR. PETERSON: Just so we're clear on this, everybody agrees with one and two?

MR. CAMPBELL: Oh, absolutely.

MR. KOGELNIK: Now who wants to make a motion?

MR. PETERSON: I'll make a motion we apply for OPWC funding for the Hallock Young and the booster station.

MR. KOGELNIK: Okay, there it is.

MR. CAMPBELL: I'll second that.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed.

MR. KOGELNIK: So we'll start working on those. But what we really need to talk about is this 24-inch water line. We, years ago, had talked about trying to combine the water line project with that dilapidated Salt Springs Road where it's gonna come up through it. You know, that would be wonderful to get different pots of money to pay for both the road and the water line. That's not gonna happen. That road is not gonna make it, people. You're gonna have to pave the road and dig up a perfectly good road. So you really need to start thinking about the time line of these because under the perfect situation that road, Salt Springs Road, is a federal aid route that should not have to be paid for by the Village unless there's some gigantic full depth repairs or large storm culverts that need to be replaced, those are on the Village's nickel. But resurfacing should be 80 percent State -- I'm sorry, ODOT and 20 percent OPWC all day long.

MR. CAMPBELL: You said it is a federal aid route?

MR. KOGELNIK: Otherwise known as a functional class road. They're learning, you know, on some of their roads right now.

You've got State Route 45, you've got Salt Springs Road, you got Ellsworth Bailey, you got Hallock Young Road, all of them are functional class roads, all of them are capable of getting that same funding. So you should only have to worry about funding your local roads.

MR. CAMPBELL: Didn't know that.

MR. KOGELNIK: And even your local roads, if they have a high enough ADT -- sorry, I'm talking about roads, but your local roads could get, you know, upwards of 40 to 45 percent OPWC grant. It's how you play it. So anyways, I think that we need to keep the pressure on with this water line and forget about the road. Let Council worry about the road. But the road is most likely gonna have to be paved sacrificially.

MS. SLUSARCZYK: In 2023, 2024, do we know?

MR. KOGELNIK: Yeah. I mean, the road could be paved probably as early as year 2025. I fear that you're gonna have to go through '24 with bumps and bruises.

MS. SLUSARCZYK: But you don't think we'll have the funding to carry out the water line project in 2024 or 2025.

MR. KOGELNIK: That depends on you. You could -- the Village could move forward with its own Ohio E.P.A. WSRLA design and construction. Right now we have nominated the project for design and construction with the idea that we're not gonna need all that because we're gonna try and get grants to replace part of that loan. So you could move ahead and say we're not gonna need the grant money, we're just gonna use loans. But you can't, you don't have the money.

MS. SLUSARCZYK: Correct.

MR. PETERSON: That's not realistic.

MR. KOGELNIK: You need revenue in order to do that. Furthermore, you don't have an end-user that's just gonna gobble up all kinds of water on day one, right?

MR. PETERSON: Yeah.

MR. KOGELNIK: So there is some definite strategy on the part of the Village that you have to think about. It's just that that road is gonna suffer.

MR. PETERSON: Yeah. Okay.

MR. SULLIVAN: We're gonna suffer too financially.

MR. KOGELNIK: Well --

MR. PETERSON: Be just keep trying to find money as we can.

MR. KOGELNIK: Listen, the need for the water line is what, it is to provide resiliency and redundancy. Because if you lose the existing 24-inch water line you're down for more than that, right? And furthermore, the second 24 is gonna be able to help you to provide more water to your customers. And furthermore, your future 24 is a pathway to get MVSD to eventually and hopefully take over the ownership and maintenance. So this is a long-term evolution of what you eventually want to do. And you have to start taking steps, otherwise it's just not gonna get done.

5. Proposed Hallock Young Road Water Line Improvements

MR. PETERSON: Okay. Proposed Hallock Young Water Line Improvements. He kind of covered this.

MR. KOGELNIK: Covered it, permit is in hand, application is submitted to Eastgate for ARC. We should be hearing something regarding the application we've submitted, and we'll move forward on the OPWC application.

MR. PETERSON: Okay.

MR. SULLIVAN: What about the booster station?

MR. KOGELNIK: Is that next on the agenda?

6. Salt Springs Road Booster Station Relocation

MR. KOGELNIK: Our design team is working on that. Here's one thing that I need for the BPA to give us direction on. That booster station is going to be in an area where there's an existing water line and an easement around that existing water line. We're gonna need a little bit more than a postage stamp to put the new booster station on. I am aware of who owns the property at that location on State Route 45 on -- that would be the west side of the road. We're also aware that that parcel is being targeted for a potential development. I need the Village to tell me it's okay to communicate with that property owner so that we can ask him the technical questions, hey, do you know about the development, how much flow, how much pressure are they gonna need; and B, are you willing to relinquish an easement. We're looking at an easement of 150 by 150 feet, would you be willing to grant the Village an easement for that. I need your blessing to talk with the property owner about that.

MR. PETERSON: I have no problem about it, you talking to the property owner.

MR. SULLIVAN: I don't either.

MR. CAMPBELL: Yeah. Is it something we have full power to give him, or is it something for Council?

MS. SLUSARCZYK: He's retained by the Board and --

MR. KOGELNIK: And it is within the Village.

MR. CAMPBELL: You're right, we're good. Thanks.

7. City of Niles/Mahoning Valley Sanitary District Water

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

MS. SLUSARCZYK: I don't know specifically if we're just talking about MVSD water supply, the 24-inch water line, if we're talking about the City of Niles with our water supply. We met June 14 with the City of Niles, and I guess have you heard anything back from --

ATTY. RIES: So Phil Zuzolo, their law director, was supposed to get back to us on that dispute. Basically under the water service agreement there is a disagreement about how rate is being defined. Under our agreement we pay 2.1059 per every thousand gallons, and that's the Meander rate which is a statutory rate. And if you want to change it you have to go -- they have to go to court, Niles and Youngstown or MVSD has to go to Mahoning County and Trumbull County court to get approval for that rate change. The -- our agreement was set up so we get charged \$2.53 per every thousand gallons. There was a provision in there if the Meander rate changes they get to increase our rate by that much to keep their -- basically their profit margin in line. But what they've been doing is they've been billing us -- basically they are changing their rates monthly depending on whatever rate they are getting from MVSD, Niles is increasing the rate based on that rather than using the statutory Meander rate. Phil Zuzolo -- that wasn't the intention, is wasn't supposed to be. It says right in there it uses -- the statutory rate that was in existence at the time, it actually uses that as an example and it says that is the current Meander rate. He said that must have just been the rate that month we drafted the agreement. We went back three years, it was never the monthly rate. And we were thinking about it too, their intention doesn't make a lot of sense because they are basically saying any time it increases on a monthly basis they get to increase the rate to us. So it's just a moving target. But I was thinking about it. You know, let's say one month it

increases to, you know, \$2.40 and then the next month it drops down to \$2.30 per every thousand gallons. Well technically since it went down that next month it wouldn't be paying. So that's why their logic doesn't make sense. The agreement requires 90 days notice. It's not meant to be calculated on a monthly basis. I kind of got the feeling with Phil -- we explained that to him at the meeting, and he started backing down a little bit and kind of just said let's talk about it, we'll get something figured out, I'll get back to you Matt. I think it was going through his mind that it doesn't make a lot of sense either because it just doesn't play out and there's no way to predict revenues and expenses under that type of --

MR. CAMPBELL: There isn't.

ATTY. RIES: So hopefully they will agree with -- I know they are gonna petition for another rate change, so maybe this addresses it if it gets approved this time. But we haven't heard anything. And he said I'll get back to you this woke and it was two weeks ago, so I think just let sleeping dogs lie. Because if they are going to make a move, it should come from Phil to me on it.

MR. SULLIVAN: So what are we doing, we're paying the rate?

ATTY. RIES: We're just paying the contractual \$2.53 rate right now. That's all we're paying, right?

MS. SLUSARCZYK: Okay.

ATTY. RIES: Yeah.

MR. PETERSON: Okay. We'll just keep working on it.

8. Imperial Sewer Agreement

MR. PETERSON: Okay. Imperial Sewer Agreement. Any updates on that or -- I know we had talked and I know I've talked to you a couple times, but we need to get something finalized here for them. I know last meeting we said we had some stuff going on and we would set a meeting next meeting and --

MR. CAMPBELL: There was some stuff we had to do from our side before the meeting so --

MR. PETERSON: This had been on the agenda for a really long time, and I would like to see it resolved.

MR. CAMPBELL: I agree with you.

MR. PETERSON: What is you guys' pleasure?

MR. CAMPBELL: Are we ready for a meeting then?

MR. PETERSON: Do you know when you could be ready for a meeting with them.

MS. SLUSARCZYK: I think we established next month I leave on the twenty 21st, you have Fair, and Mike and Kevin are gone. The likelihood of a meeting in July is very -- and so for clarification the sewer agreement you just stated with his question is the billing.

MR. PETERSON: Yeah, yeah. It's the billing question, yeah.

MR. COWIE: Is it okay to --

MR. PETERSON: Absolutely.

MR. COWIE: I mean the agreement, we did talk about that before. I mean, the plus/minus the water, you know, how that was actually being billed. But I think what we're looking for at this point is the look-back from what we were being charged when we first connected to now what we're being charged connected to bring those two together and say well, we're paying this now, we were paying this before, is there a correction needed.

MR. CAMPBELL: How do we do that, that's the --

MR. COWIE: Kevin's been here.

MR. PETERSON: Kevin is more involved in this.

MR. COWIE: Is that correctly stated?

MR. CAMPBELL: That's what your interest is at this point?

MR. COWIE: That's our interest. We're okay with the agreement, how you've been billing us now with a sewer agreement. You just subtract the water or -- I can't remember off the top of my head, but you subtract one from the other as stated in the agreement. I don't think that's in dispute anymore.

MR. CAMPBELL: Yeah. To his point is I believe what they're requesting from the Board is when we instituted the agreement until the point that we got a meter installed we were using calculations of flow and --

MR. PETERSON: You were using calculations based on flow, and now we're using a meter.

MR. CAMPBELL: So at this point, since they're requesting a look-back we need to do something to look back and investigate. And if they choose that we're fine up to this point, we move on. We move on. But that's not their request at this point. So at this point we would need to come up with some kind of game plan to take a year-end average, what it is, what we had in -- would we run it on a meter, get a monthly or quarterly figure and say here's what it was then. I mean, how do you compare apples -- you're trying to compare --

MR. PETERSON: You said you had some ideas on that.

MR. CAMPBELL: And then if it's more than then they gotta pay, or if it's different we owe them. That's what we don't know where any of that's at. And I mean, I think both sides would be comfortable with what we come up with and it end up being more than --

(At this time, Atty. Puhalla returns.)

MR. CAMPBELL: I think if we're gonna go through all that work and effort to it, you know, at this point I think they're assuming that, you know, it was more than.

MR. PETERSON: It was more than.

MR. CAMPBELL: Then they would be owed some money back. If it comes out the other way around are you guys --

MR. COWIE: I guess we have to if we want to move forward with it.

MR. CAMPBELL: I think that's where we're sitting.

MR. KOGLNIK: And this was stated in the last meeting that Tom was at. There would have to be some commitment.

MR. CAMPBELL: Yeah. So, but we still have to decide on how to achieve that goal, right? You take an average over so long and apply to that. Do you take it -- it's not a straightforward, you know --

MR. SULLIVAN: So if it ended up that they -- we owed them would we just do a credit?

MR. CAMPBELL: Well, once we figure out that number that would be something --

MR. PETERSON: We would have to discuss that with them and see what we need to do.

MR. CAMPBELL: Same if they owe so much, you want to -- how do you work all that out? That's where all this stuff leads down this road.

MR. COWIE: Even if we could come together at some point and say we at Imperial think this, the BPA we think this, and look at, you know, how we can -- how you can view both sides of it and come to an understanding after this. If it's -- you know, if it's

possibly close to a wash then let's finalize that. If it's not, then let's figure out how we can come to an agreement, whether it's in our favor or in your favor.

MR. CAMPBELL: Okay.

MR. COWIE: It's just been nine years since we connected to the sewer, it's been almost three years --

MR. PETERSON: Is that how long this has been on the agenda.

MR. SULLIVAN: No, it's not.

MR. COWIE: There's been different processes. It's been three years almost with that flow meter now.

MR. CAMPBELL: It's been three years with the flow meter installed.

MR. COWIE: So we have things to look at over those three to compare to the six years.

MR. CAMPBELL: We'll get to six years and see how it balances out. I'm sorry, I couldn't resist that one. Six years, then six years here. Never mind. So if we still need -- I guess we have to look at -- I know next month is --

MR. COWIE: I understand July is probably out of the question.

MR. CAMPBELL: I guess the only option is if we have a special meeting for something else and there's enough time maybe we'll incorporate and have at least a half hour or hour discussion.

MR. COWIE: We have -- we're pretty flexible over there.

MR. CAMPBELL: If you guys have some stuff you've looked at and we have stuff we've looked at we can throw that out there.

MR. PETERSON: Okay. We'll work on that then.

9. Rate Study - Water

MR. PETERSON: Rate study for the water.

MR. SULLIVAN: Now this is nine years old.

MS. SLUSARCZYK: No, the rate study for the water was based on a different method of bill. And I discussed this with you before. If you are going to go -- my understanding is you didn't want to transition to that type of billing currently, we're gonna hold off on that.

MR. PETERSON: Correct.

MS. SLUSARCZYK: So for me to put in the projects and funding and the amounts we need to build into our water rate study we need to have a meeting to say what amount, what projects are you moving forward with. You know, putting the two or four million dollars in a budget for a building if you're not gonna move forward with comes out. But we also gotta take into consideration when the water rate study was submitted back to you, the rate that was in there was significantly higher. You have potential customers out there. You need to guide me. I can plug in whatever numbers you want, but there needs to be guidance from the Board as to what numbers to plug in there. The water rate study has been sent to all of you, you can look at it, you can see what projects are contained in it. But you need to determine -- and some of this might be as Chris moves along with the funding. But that takes time, that's not gonna happen --

MR. KOGELNIK: It's always --

MR. PETERSON: Your water rate study is almost a yearly thing.

MR. KOGELNIK: Yes. You should be looking at this, and that is one of the check boxes on what Darren does on an annual basis. So I'm glad Cindy is stating that the way she's stating it because she's stating it in a manner that she's using the water rate study as a tool.

MR. PETERSON: Yes.

MR. KOGELNIK: And she wants your blessing so that she can then say hey Chris, go after more projects.

MR. PETERSON: Yeah.

MR. KOGELNIK: Or no, hold back, we can't.

MR. PETERSON: I will say we need to sit down and look at all the projects and give her guidance. That would be my assumption.

MR. CAMPBELL: And -- yes. And I also believe we need to look at it as --

MR. PETERSON: Realistic.

MR. CAMPBELL: -- realistic and a long-term goal. We need to get on that train and --

MS. SLUSARCZYK: Where and when?

MR. CAMPBELL: It's an increase this year, next year we increase and not be like it has been. We have enough information.

MR. PETERSON: We've kept our rates the same now when we should have been adjusting.

MR. CAMPBELL: To my point exactly.

MR. KOGELNIK: You are very much behind. I remember in February sitting here in this room saying in June were gonna have new rates.

MR. PETERSON: Correct, yeah.

MR. SULLIVAN: When did it first start up, March?

MR. PETERSON: As I know, everybody said next month is a bad one; but I will make time if you guys want to try and get together. But I know Cindy's off some.

MR. CAMPBELL: She's off, and I think you're off.

MR. SULLIVAN: The 16th.

MR. CAMPBELL: I'll be hit and miss but --

MR. PETERSON: How does the first week in August look?

MS. SLUSARCZYK: I don't come back until the 8th, so the first week is no. I mean, you're more than welcome to review it and get back to me.

MR. PETERSON: Well, and we can do that.

MR. CAMPBELL: Give her the project list.

MR. PETERSON: I'm fine if that's fine with you guys. So when were you around.

MR. SULLIVAN: I'm only gone the one week, the week of the 16th.

MR. PETERSON: You're only gone the one week then? Then look at your calendar and shoot something out when you get time. I'll shoot something out to you guys. And Cindy, if you're available then let us know. Chris, I'll just clue you in that I think it's important you be there if you can be.

MR. SULLIVAN: I think the latest on that, wasn't it, that we had November, December --

MR. KOGELNIK: Pardon me, Mike.

MR. SULLIVAN: The new rate.

MS. SLUSARCZYK: No. I think you're thinking for the sanitary sewer. The sewer rate changes in January 1. That's further down.

10. Ultium

MR. PETERSON: Okay. Ultium.

MR. KOGELNIK: What about Ultium?

MR. PETERSON: Any updates on Ultium?

MR. KOGELNIK: In terms of the water system that we're building, the final site work should be entering into construction right now. And that's it. Now with Ultium I will say as another

piece moving forward, the one thing I told Council was the Board of Public Affairs should somehow authorize us to do a survey to establish an easement for the new 4 million gallon water tank. And that would be, you know, in the name of MVSD. There's a lot of things that have to happen before that, you know what I mean.

MR. PETERSON: Yeah.

MR. KOGELNIK: You're just trying to figure out how much space right now is gonna have to be devoted to that. And then once you start building a lot of these pieces then you can start -- you can commit to relinquishing an easement to MVSD. Right now you can't. But that's what you can do right now, you can authorize us to prepare a base map that lays out the metes and bounds of your potential easement for MVSD.

MR. PETERSON: I make a motion we --

MR. BIGGS: Chris, hang on. I'm not sure an easement is good enough. They have to own property, not an easement.

MR. KOGELNIK: That's not what we talked about at the meeting. You weren't there, I'm sorry.

MR. BIGGS: Right. Well, I don't want to talk about MVSD. If you guys know, that's fine. And you realize we already have a plan where we can -- where we would be connecting the 24, correct? Are you aware of that?

MR. KOGELNIK: Yes. Yeah. So one thing, Darren, that MVSD had expressed to us is if they build a water line to the Village, they first need to have basically a landing pad as to where the water line would end so that they can tell -- what is it, the court of jurisdiction or something like that --

MR. PETERSON: Yeah, I believe so --

MR. KOGELNIK: That they have the right to extend their water system to a point in the Village, where then the Village can distribute more water to customers that would justifiably meet their objective to do the expansion.

MR. BIGGS: I mean, if they updated that they needed something from their attorney. Before the cease and desist and I can't talk to anybody, they needed to own property, they had to go from their property to their property to be able to legally do that. Their property and easement is what I was questioning. But if you know more, I'm fine.

MR. PETERSON: The way it was conveyed to us is they needed an easement.

MR. BOND: The term they used was easement.

MR. PETERSON: That's what I thought.

MR. KOGELNIK: I can definitely understand the term property though in that context, Darren. So it is an easement, and that's what I'm suggesting that the Village figure out how much land is gonna be needed for that.

MR. BIGGS: You guys seem like you got a handle on there. But again, before in talking with them I asked how much you need and that had to come from their attorney. They were not sure at that time, so I didn't even get an answer on that one, just to see if they needed an --

MR. KOGELNIK: So if you did want to do that, what we would do is present to you hey, this is what we've come up with as far as a footprint for --

MR. PETERSON: We're not approving the easement, we're just approving you to move forward.

MR. KOGELNIK: And then you and Bob -- because this is an effort that is -- I don't know the Village Council would sit down with MVSD and say here's what we've come up with, when the time comes we'll make an easement for you.

MR. CAMPBELL: Or if it needs to be something else, you know. At least you know it before you build a 4 million gallon on water line.

MR. KOGELNIK: This is a good first step towards the overall project with MVSD. They need it.

MR. PETERSON: Okay. I'll go back to I make a motion that we allow CT to work on an easement base map for MVSD for a landing pad for them for the 24-inch water line.

MR. KOGELNIK: Extending the --

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: All opposed?

(No response.)

MR. PETERSON: Motion passed.

11. Utility Department Building

MR. PETERSON: Okay. All right. Utility Department Building. Any updates?

MR. BIGGS: No.

MR. SULLIVAN: You know, at some point we gotta figure that into the budget.

MR. CAMPBELL: That's what she's saying.

MR. PETERSON: I think that's gonna be a hot topic of the rate study that we need to make a decision and incorporate it or we're gonna stay as is. And I know Darren's opinion is incorporate because he needs more room, he's gotta function.

MR. SULLIVAN: It's ridiculous. We got the biggest water service in the county and we're working out of a shanty.

MS. SLUSARCZYK: I would like to encourage the Board to talk to the Village comprehensively because just being here I hear our fire chief say that they were able to minimally build some bedrooms for the new department, they don't have enough room. The police department doesn't have enough room. Our storage room is now being -- our records room is now being used as a storage, file cabinets, all kind of stuff is being -- the roofs are going bad. I think the Village officers need to talk about what's the best overall solution for everything because that would be the most economical solution for everything.

MR. PETERSON: Absolutely.

MS. SLUSARCZYK: If it's adding onto a building or building a new building that's large enough for everybody, there has to be some value to them sitting down and having that talk.

MR. PETERSON: Yes. Bob, do you want to --

MR. BOND: That's something that would have to go through Buildings and Grounds, not Utility.

MR. PETERSON: Who's Building and Grounds, I guess. Jamie, Buildings and Grounds.

MR. MOSELEY: I don't have any problem spending anybody's money.

MR. SHEELY: Except his own.

MR. MOSELEY: You gotta know what you want. What you can afford and what you need are two different things.

MR. SULLIVAN: Well, Darren could give you a blueprint.

MR. PETERSON: You have a blueprint, right?

MR. BIGGS: It's done. It's done.

MR. PETERSON: So maybe we'll just set up a time, Darren and I'll try to sit down with you and see where you guys are on your side and see if you guys have any ideas.

MR. MOSELEY: Yeah. Figure something out, I guess.

MR. PETERSON: Okay.

MR. MOSELEY: Where is the money coming from?

MR. SULLIVAN: I don't know if it's a thing -- when O'Brien -- Sean -- was in, he said that if we submitted legislation it could go into the budget under whatever, but it had to be attached to another building. And Cindy was saying that we got a place on the back of this building, why not incorporate that whole thing and just go out back.

MR. PETERSON: So there's a way to apply for funding, it just has to be attached to an existing building.

MR. SULLIVAN: That's who he talked with, do you know

--

MR. KOGELNIK: That was probably in regards to the capital budget.

MR. SULLIVAN: He said it would be a two- year -- he would get it in the budget and it would be two years before you got it.

MR. KOGELNIK: Well, the capital budget is a bi-annual opportunity for funding. It's very strange in the eligibility requirement. Buildings were very much disputed as to how they could be eligible. I don't think that they're gonna have too much eligibility quite truthfully. When you get down to building improvement there's not a whole lot of options. U.S.D.A. actually has one, the interest rate is -- it's probably cost-prohibitive. So when you do buildings you're normally on your own traditionally.

MR. PETERSON: Yeah, usually.

MR. KOGELNIK: You know, ARPO funding is out there. I don't know how much more Trumbull County has. Most of the counties have been pretty interesting in how they authorize and distribute those kinds of funds. You might want to ask the County Commissioners if they would be willing to participate in that, it's worth a question. All they can tell you is no. One thing I'm gonna talk about in my report is the capital improvements money, and it touches on a lot of that.

MR. SULLIVAN: Okay.

12. I&I

MR. PETERSON: I&I.

MR. KOGELNIK: The I&I. I did low at that, Mike. And right now I'm correlating the data that we collected with our meters, the water consumption records that we, I think, obtained from Cindy and also the rainfall data. Right now I'm not seeing a huge I&I issue in only the Pump Station 2 tributary area. That doesn't mean that there isn't an I&I issue, it's just not showing up glaringly on a graph for me to see. So I will have more to report on that next month. But that's the -- that's a snapshot is what I'm seeing based on the data we collected.

MR. SULLIVAN: On what substation?

MR. KOGELNIK: One substation, yeah. The thought process when we were authorized this was that whatever we learned from doing that I&I study, it's a pilot study that can be applied to Pump Station 4, 1, or 3 of what you do on 2.

MR. SULLIVAN: But the one that you currently are doing is what area?

MR. KOGELNIK: Two, on Salt Springs Road. So 2 receives flow from 4 and 1.

MR. SULLIVAN: Okay.

MR. KOGELNIK: All right.

13. Sanitary Sewer Rate Review

MR. PETERSON: Sanitary Sewer Rate Review.

MR. KOGELNIK: As far as I know Jay is --

MS. SLUSARCZYK: Yeah. We met on it a couple weeks ago, and he revised it again for me so I can get in there and update the figures. With that being said, currently we know that the City of Warren has increased the sanitary sewer rates effective January 1. It's a 6.45 percent increase. When you just simply pass that increase on you'll have a rate of \$7.09 a thousand gallons. So that's the very minimum that you're going to look at a sanitary sewer rate increase. The factors in budgeting for the next couple years is number of employees and the projects that you have for sanitary sewer. One of those things is the building. So again, it correlates with the water rate because they both are going to share/contribute to those expenses. But again I will say that it's the end of June. In August meeting I would want you to have the legislation to pass effective September 1 to implement to pass it so we can start charging those.

MR. PETERSON: I was just gonna say that we need to make a commitment by September 1, the new rates are in effect, to catch up with your billing.

MS. SLUSARCZYK: Bare minimum just to break even for the rate increase that we're going to see is \$7.09.

MR. SULLIVAN: Where are we right now?

MS. SLUSARCZYK: Currently the rate is \$6.66 per thousand.

MR. CAMPBELL: Is this something that we suggest to Council and they pass? How does it work, the legality of --

MS. SLUSARCZYK: The last time they made you recommend to them what the rate would be, and that is who the water rate study is shared with -- or it was shared with the Utility Committee. Did I say water rate? The sanitary sewer rate study was shared with the Utility Committee. So I mean, we can make that recommendation or have a joint meeting on the topic, whatever you'd like to do.

MR. PETERSON: Is that what you guys would want to see is a recommendation from us to move forward to Council?

MR. BOND: Yeah, I guess. What do you guys think, any recommendation or --

MR. MOSELEY: We should get a recommendation.

MR. BOND: I think so. Give us a recommendation, we'll go from there.

MR. SULLIVAN: We'll give you a recommendation. I mean, the ball's in your court eventually.

MS. SLUSARCZYK: We can do that now.

MR. BOND: How is your sewer funding going now? We're gonna want to know that too.

MS. SLUSARCZYK: The sewer funding is -- I'll be more than happy to share that with you. It's the future projects, the plan that will deplete our carry-overs year after year after year.

MR. PETERSON: I think we're kind of maintaining, we're not gaining, we're not losing.

MS. SLUSARCZYK: Our carry-over has been at a slow increase since the inception of sanitary sewer. But now staffing, buildings, all those factors determine -- the way that it projects right now, if we only -- to the carry-over I think it's five years out, seven years out our carry-over is down to like maybe \$100,000. But that's with the current customer base. So there's a huge factor out there that we're waiting that's been born but hasn't grown yet, so --

MR. BOND: Okay.

MR. CAMPBELL: That could be detrimental to our system.

14. CEF-L Valve Replacement Along 24" Water Transmission Line

MR. PETERSON: Okay, moving forward. The valve replacement along the 24" water line.

MR. CAMPBELL: Again, that's just something to keep an eye on, how that develops. I mean, I think the further time goes the less and less chance of anything, but whatever, you know.

15. SCADA

MR. PETERSON: Item 15, SCADA. Darren, any updates?

MR. BIGGS: Not with the actual SCADA we have now. The only update, the only thing I'm waiting on, they upgraded everything we have. Everything should be good now. I shouldn't be losing as much as I have been. I have contacted CT to find out what is the hold-up with the SCADA at Ultium. Found out that it goes back to on our SCADA side. I don't know where it goes. I've got two phone calls in to them right now to find out what the hold-up is. So still nothing is happening with that. I'm working on it to find out where the hold-up is now.

MR. PETERSON: Is that something you want us to keep on the agenda or just report under the Ultium?

MR. BIGGS: You can take it off.

MR. PETERSON: We get to take something off.

PUBLIC COMMENTS:

MR. PETERSON: Okay. Public Comments. Okay.

REPORTS:

1. Solicitor's Report

MR. PETERSON: Seeing none, Reports. Solicitor's Report.

ATTY. RIES: No report.

2. Engineer's Report

MR. PETERSON: Engineer's report. I know you have one.

MR. KOGELNIK: I'll go through this as quickly as possible. TEC water line review. We've got some comments on the water line crossings that Warren has shown us, but I'm not gonna respond until Council and BPA tell me a response. We've already talked about the MVSD easement. The CIP, Capital Improvements Plan. We are -- that one sheet that I presented to you that illustrated basically projects in one column, funding across the row and that sort of thing. So what I'll do is, based on today's discussions, drop those projects into there with estimated costs so that we can at least edit it and see it so that you guys can use it going forward. Hopefully we can get that to be a routine thing where we're looking at this each month and saying what are we gonna do with this project, are we gonna take it off the list or advance it, that sort of thing. So I will do that. There was some discussion about State Route 45 sewer. Should we talk about that or not?

MS. SLUSARCZYK: I think it has to be talked about.

MR. PETERSON: I think it has to be talked about.

MS. SLUSARCZYK: It is our understanding that South Tod sewers, an ordinance was passed to turn them over to Trumbull County. We have no records from Trumbull County or the Commissioners accepting those sewers. So what do we do? They are -- they made residents connect to them, but yet they never accepted them. And that area is of interest. But can our system absorb --

MR. PETERSON: Can our system handle it?

MR. KOGELNIK: Okay. So that's why I wrote what I wrote

in that e-mail to you all. I mean, just accepting a sanitary sewer because is not a good thing. There's obligations, responsibilities and that sort of thing. Right, Darren? So what is the Village's, Council's, and the BPA's objective in doing this? I think that you should write that down and commit to it. Because just to say that hey, we want that sanitary sewer because of potential development I think is a short-sighted look at taking that over. I see the benefits in it, I really do. But I'm not Council, I'm not a mayor --

MR. SULLIVAN: Where we're at to do that, wouldn't we have to have Matt -- I mean, you've already been to --

MR. KOGELNIK: I'm telling us just from the engineering perspective. Of course, there would be a local arm that would have --

MR. SULLIVAN: Well, but didn't you already go and talk to --

MR. KOGELNIK: Gary Newbrough.

MR. SULLIVAN: Right. And he said he wasn't interested.

MR. KOGELNIK: He said the County was not interested or wouldn't be interested. So you know, the legal or the administrative and legal items that Cindy is bringing forth are something that I think the Village and the BPA should decide on or put this thing to bed.

MS. SLUSARCZYK: Exactly.

MR. SULLIVAN: I think we should definitely go after it.

MR. KOGELNIK: Well, do some homework and show why and what you're gonna do with it.

MR. PETERSON: Number one, do we have the capacity?

MR. KOGELNIK: All right. So right now in your east side system, you know, we went through a herculean effort for the Ohio E.P.A. permit with the energy center. We reconstructed three pump stations. And this was 250,000 gallons per day of reserve capacity wrote into that permit. So that's theoretically your reserve capacity in that entire pump station and force main conveyance line going up Hallock Young and then up Highland and into Warren. So you only got 250. Ultium by itself, by its agreement has an allocated flow of around 420,000 gallons per day. The thought if LEC was to somehow get a NPDS permit to dump into the stream like TEC was that we would route Ultium into your east side system to offset, you know, a lost customer in LEC. But right now that ain't happening because we just learned that LEC is gonna stay attached. So I think you need to do some homework, do some thinking about this. You have some available property along State Route 45. You might have to go -- undergo an upgrade on your pump station and force main to bring more people in. So just -- it's definitely something to think about but --

MR. SULLIVAN: So we'd run from Hallock Young going south up 45 to the border?

MR. KOGELNIK: Yeah. There's already a sanitary sewer there, Mike. I think it's on the east side of the road, right, sanitary; or is it the west?

MS. SLUSARCZYK: West.

MR. BIGGS: I'm thinking west.

MR. KOGELNIK: And it's only -inch. And it goes to that little lift station down there by the -- where the creek is right across from Ross'. And that pump station only runs like about an hour or so a day. I mean --

MR. SULLIVAN: Whatever Ross' uses or their --

MR. KOGELNIK: It's a joke. But you know, that land is

ripe for development. Just please, I'm imploring that you do some homework, think about it.

MR. CAMPBELL: We also have to work with Warren for capacity also, right, if we're gonna --

MR. PETERSON: It's already going there.

MR. BIGGS: Yeah, it's already going there now.

MR. KOGELNIK: What Kevin is saying is it's new sewer flow if you should develop that property.

MR. BIGGS: If we develop. But if we just take over what's there --

MR. CAMPBELL: The whole point is if we're going to pursue it is to get more. Unfortunately, our end line has to be able to say we're gonna take so much more and go with it. I don't know. You're right, it's a hard decision.

MR. KOGELNIK: It really is. And I brought Bob Bond and Chris to a meeting at Eastgate, and that kind of discussion is in line with what we were talking about at that meeting. Eastgate brought a bunch of the community leaders that have water systems and sewer systems in to strategize on how to better bring in new development, specifically industrial/commercial; but they also talked about residential. So what we're talking about is part of that. And they want -- they very much want you to attend those meetings. So that's what I have for that. Then the other related thing is regarding the water booster station, which is again going on State Route 45. All of this is lining up. You guys just have to -- you have to put definition behind it, all right. So the booster station is going there. But we talked about this JEDD it seems like years ago, but it was only five months ago.

MR. SULLIVAN: Right.

MR. KOGELNIK: Council what is going on with that JEDD?

MR. BOND: The committee has not given us a report.

MR. KOGELNIK: Give the Mayor some homework.

MR. BOND: He's been asked about it before.

MR. PETERSON: I've asked at Council meetings before.

MR. SHEELY: I think they are waiting to hear back from them down there.

MR. KOGELNIK: I thought that township trustees were very interested.

MR. PETERSON: That was the impression I had too.

MR. SULLIVAN: Yes.

MR. SHEELY: I'm sure they are.

MR. KOGELNIK: So you know, the booster station is important because of just the Village. That's all we care about, right? But in the process of designing this station we could determine what Mahoning County along that southern section of State Route 45 and Ellsworth Bailey needs so that we can sell water to them. So it's -- that's why this is kind of also an iterative process where we're gathering data from the Village, applying it to our design and getting it done. Worst case scenario is we design only for what the Village needs in that booster station, that's it. Then we gotta come back later and do it again.

MR. SHEELY: I understand what you're saying. Plus we have the potential to pick up more later on.

MR. KOGELNIK: Yep. Like I said, I'm working with Darren on the Ohio E.P.A. response and the app review. I may need a work authorization for that depending on how much more that require, but I'm gonna try and do as much as I can under the retainer. Lipkey Road water line review, I should get under authorization. Now that if the Sisters are gonna move forward with administering the project, from a reviewing standpoint I'm treating the Lipkey Road

water line from this day forward as like a plan review, you know what I mean.

MR. PETERSON: I'm perfectly fine with that.

MR. KOGELNIK: So I would have to submit a work authorization request for it, albeit small. So --

MR. CAMPBELL: We'll do what we can to help them out.

MR. KOGELNIK: That's all I have.

MR. CAMPBELL: Keep the ball rolling.

MR. PETERSON: Any questions for Chris?

3. Utility Committee Report

MR. PETERSON: Seeing none, Utility Committee Report.

MR. BOND: Pretty much everything we've been involved with has already --

MR. PETERSON: Has already come up, yeah.

4. Clerk's Report

MR. PETERSON: Okay. Clerk's report.

MS. SLUSARCZYK: Ditto. I've already discussed everything I had on my report.

MR. SULLIVAN: Cool.

5. Superintendent's Report

MR. PETERSON: Superintendent's Report.

MR. BIGGS: Me too.

MR. CAMPBELL: All right. Eventually you get a long enough meeting, you get everything.

MEMBER COMMENTS:

MR. PETERSON: Member Comments.

MR. CAMPBELL: I have none.

MR. SULLIVAN: You did a fine job.

QUARTERLY APPROVAL OF BILLING ADJUSTMENTS:

MR. PETERSON: No quarterly billing adjustments.

MR. CAMPBELL: I guess we'll do those in August.

ADJOURNMENT:

MR. PETERSON: So motion to adjourn.

MR. CAMPBELL: So moved.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

(Meeting adjourns at 5:28 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 July, 2023.

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

Submitted:

Approved By:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President