

RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
June 7, 2021
4:00 p.m. t 4:35 p.m.

IN ATTENDANCE: Mr. Kevin Campbell, President
Mr. Michael Sullivan, Vice-President
Mr. Thomas Dietz, Board Member
Mr. Darren Biggs, Supt. of Utilities
(Present via phone) Mr. Christopher Kogelnik, Engineer
ALSO PRESENT: Ms. Cinthia Slusarczyk
Mr. Chris Peterson

RECORD OF PROCEEDINGS taken before me, DEBORAH LVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 7th of June, 2021.

MR. CAMPBELL: I'm gonna go ahead and call the meeting to order. Please stand with me for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

MR. CAMPBELL: All right. Let's see if we can make some progress tonight here. Roll call please. That would be me. Kevin Campbell, present. Tom Dietz.

MR. DIETZ: Present.

MR. CAMPBELL: Mike Sullivan.

MR. SULLIVAN: Present.

MR. CAMPBELL: Darren Biggs.

MR. BIGGS: Here.

MR. CAMPBELL: Cindy Slusarczyk.

(No response).

MS. SLUSARCZYK: I'm just as a citizen.

MR. CAMPBELL: Chris Kogelnik.

MR. KOGELNIK: Present.

MR. CAMPBELL: Paul, no. Very good.

NEW BUSINESS:

1. A Resolution recommending that the Council of the Village of Lordstown accept the bid of Chivers Construction Company, Inc. of Fairview, Pennsylvania, for the State Route 45 corridor improvements, waterline improvements, Phase 2 project.

MR. CAMPBELL: All right. New Business. Resolution number 1 is a Resolution recommending that the Council of the Village of Lordstown accept the bid of Chivers Construction Company, Inc. of Fairview, Pennsylvania for the State Route 45 corridor improvements, waterline improvements, Phase 2 project. So what is Phase 2 for this part of it?

MS. SLUSARCZYK: This is the water line. The water line from that would be from the tower down to the facility.

MR. BIGGS: Right: And connect back out to 45 and end at Phase 1, went across and up towards the towers, this will loop back together.

MR. CAMPBELL: This is connecting to the Ultium battery plant?

MR. BIGGS: Right. It will start at -- yeah. It will start on the road at 45 behind the towers, down to Ultium, and loop to where Phase 1 ended on the other side of the tracks.

MR. DIETZ: That's the 6958.

MR. CAMPBELL: You're saying that that's the amount?

MR. DIETZ: Yeah.

MS. SLUSARCZYK: No, the amount of that is for \$3,675,151.

MR. SULLIVAN: And this is paid for by the project?

MS. SLUSARCZYK: Yes.

MR. SULLIVAN: All right.

MR. CAMPBELL: Anything you want to add to that?

MR. KOGELNIK: No. I think you had described -- this is the second phase of the water line. As you might recall, Joe Bova installed the 24-inch line connecting the southern end of the water line to the existing Lordstown line on the east side of State Route 45. And so what that new Phase 2 line will do is go from the existing terminal end that, you know, Bova's contract ended which is on the south edge of the railroad right-of-way, cross underneath the railroad right-of-way, and it will proceed north beyond the tank and then make a right-hand turn, go east across State Route 45 to connect to the existing 24 as Darren had mentioned. Chivers is a very capable, larger sized contractor from our region. They're actual from the Erie area. I've done work with them, so have several other CT staff. They are a very capable contractor. That's all I can tell you.

MR. CAMPBELL: Okay. All right. I don't have any further questions. Do you gentlemen have anything?

MR. DIETZ: No.

MR. SULLIVAN: Are you gonna be at the meeting tonight?

MR. KOGELNIK: Yes. And I apologize not being at your BPA meeting tonight. I had full intention to be there, you know. Please accept my apologies. Darren, I was trying to text you to just confirm the meeting time, and I'm sorry I didn't connect with you. So I have your jump drive, Darren.

MR. BIGGS: Okay. Thanks, Chris.

MR. CAMPBELL: No problem. We appreciate you calling in.

MR. SULLIVAN: I make a motion to accept.

MR. DIETZ: I'll second it.

MR. CAMPBELL: All in favor?

(Mr. Sullivan and Mr. Dietz respond aye.)

MR. CAMPBELL: Abstain. All against?

(No response.)

MR. CAMPBELL: That passed.

MS. SLUSARCZYK: That's Resolution 2021-15.

MR. CAMPBELL: Do you have one we should be signing?

MS. SLUSARCZYK: You can pass your set.

MR. SULLIVAN: Does Council have this?

MR. CAMPBELL: Well, that's why --

MR. SULLIVAN: It's on their agenda.

MS. SLUSARCZYK: Yes, yes. As long as Bill has received the funds for the project, Council will pass it.

2. A Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 1 granting the Village of Lordstown a credit in the amount of \$35,425.23 from J.S. Bova Excavating for the State Route 45 corridor improvements, waterline improvements, Phase 1 project.

MR. CAMPBELL: All right. Number 2, a Resolution recommending that the Council of the Village of Lordstown approve Change Order No. 1

granting the Village of Lordstown a credit in the amount of \$35,425.23 from J.S. Bova Excavating for the State Route 45 corridor improvements, waterline improvements, Phase 1 project. So I assume this is the --

MS. SLUSARCZYK: That was the work that was done previously that just went across State Route 45. He completed the project under his bid price.

MR. CAMPBELL: I was gonna say because that's what the credit part of it is, correct? This is a credit in that amount?

MS. SLUSARCZYK: Uh-huh.

MR. CAMPBELL: I don't have any questions about this. Do you gentlemen?

MR. DIETZ: No. We're getting money back, that's unusual.

MR. SULLIVAN: I make a motion to accept.

MR. DIETZ: I'll second it.

MR. CAMPBELL: All in favor?

(Mr. Sullivan and Mr. Dietz respond aye.)

MR. CAMPBELL: Abstain. All opposed?

(No response.)

MR. CAMPBELL: And we have one to sign for this one, right?

MR. SULLIVAN: Here, I got one.

MS. SLUSARCZYK: This will be Resolution 2021-16.

MR. CAMPBELL: Sign this and pass it up there.

MR. DIETZ: 2021 --

MS. SLUSARCZYK: Dash 16.

3. A Resolution recommending that the Council of the Village of Lordstown accept the bid of Engineered Fluid, Inc., dba EFI-Solutions, of Centralia, Illinois, for the State Route 45 corridor improvements, water booster pump station project.

MR. CAMPBELL: All right. Number 3, a Resolution recommending that the Council of the Village of Lordstown accept the bid of Engineered Fluid, Inc., dba EFI Solutions, of Centralia, Illinois for the State Route 45 corridor improvements, water booster pump station project. And this one should be for \$1.4 million and some change. But that's the bulk of it --

MS. SLUSARCZYK: It's one million --

MR. CAMPBELL: -- 400,371. Any concerns?

MR. DIETZ: I make a motion to accept it.

MR. SULLIVAN: I'll second it.

MR. CAMPBELL: All in favor?

(Mr. Sullivan and Mr. Dietz respond aye.)

MR. CAMPBELL: Abstain. All opposed?

(No response.)

MR. CAMPBELL: All Right. That one carries. Have you got one to sign there?

MR. DIETZ: Yeah, I got one right here. I believe that's the right one.

MS. SLUSARCZYK: That will be 2021-17.

MR. DIETZ: You need to write that number on that one.

MS. SLUSARCZYK: I'll write the numbers on. They'll get typed on.

4. A Resolution recommending that the Council of the Village of Lordstown accept the base bid and alternate bid of CB&I Storage Tank Solutions, LLC for the State Route 45 corridor improvements, elevated water tank project.

MR. CAMPBELL: All right. Number 4, a Resolution recommending that the Council of the Village of Lordstown accept the base bid and alternate

bid of CB&I Storage Tank Solutions, LLC for the State Route 45 corridor improvements, elevated water tank project. This is in regards to the 3 million gallon elevated tank which is -- I believe that's the direction we're going, correct?

MR. SULLIVAN: That's what the lawyer said we had to do.

MR. DIETZ: Yeah.

MR. SULLIVAN: \$6,958,000?

MR. DIETZ: Yeah, that's it.

MR. CAMPBELL: Any discussions or questions about this?

MR. SULLIVAN: I make a motion we accept.

MR. DIETZ: I'll second it.

MR. CAMPBELL: All in favor?

(Mr. Sullivan and Mr. Dietz respond aye.)

MR. CAMPBELL: Abstain. All opposed?

(No response.)

MR. CAMPBELL: Motion carries.

MS. SLUSARCZYK: 2021-18.

MR. CAMPBELL: Do you guys have one to sign? Those are the ones Council needed tonight for the project to get moving. Now just to recap, we're still looking -- the funds are not there yet, correct? This is putting all the stuff in place when the funds come in.

MR. SULLIVAN: We're ready to go.

MR. CAMPBELL: And hopefully we're gonna get stuff in time to get moving.

5. A Resolution amending and restating Resolution 2019-18 of the Board of Public Affairs establishing the hourly wages, and other terms of remuneration for the employees within the Board of Public Affairs pursuant to Ohio Revised Code Section 731.13 to be effective July 1, 2021 and declaring an emergency.

MR. CAMPBELL: All right. Number 5, a Resolution amending and restating Resolution 2019-18 of the Board of Public Affairs establishing the hourly wages, and other terms of remuneration, for the employees within the Board of Public Affairs pursuant to Ohio Revised Code Section 731.13 to be effective July 1, 2021 and declaring an emergency. And this is pertaining to our wage resolution for our department, Utility Department, to better align with the industry standards and to hopefully attract future personnel that we're in need to hire for our department.

MR. SULLIVAN: That will stay here.

MR. CAMPBELL: Yep, yep. First we gotta get them here. That's been a challenge as it is. I mean, I can't -- every place I've went to they're hiring literally. I mean, from little fast food places to corporations. It's just -- it's good to see, but you need certain types of people.

MR. DIETZ: A lot of them are advertising a \$1,000 sign-on bonus.

MR. CAMPBELL: Yeah, just to get people.

MR. SULLIVAN: I seen in the paper Sunday they were talking about a raise for the Mayor of Warren because he makes less than the Superintendent in the Water Department.

MR. CAMPBELL: I didn't see that.

MR. SULLIVAN: And I think he makes \$89,000.

MS. SLUSARCZYK: That's good money.

MR. CAMPBELL: That is. All right.

MR. DIETZ: Do you want a motion on that?

MR. CAMPBELL: Were there any questions or further discussion on it? I know we made sure we understand what we have before us. Is this

the one we need to sign or do we have one to sign?

MS. SLUSARCZYK: That's what he sent, yeah. It's red-lined. We'll just past it.

MR. SULLIVAN: We'll pass it, and I'll ask them to amend the agenda. But they're gonna go but we don't have any paperwork on it and blah-blah-blah.

MR. DIETZ: Well, at least it will be in the minutes.

MR. CAMPBELL: True. All right. I make a motion to pass this wage resolution.

MR. DIETZ: I'll second it.

MR. CAMPBELL: All in favor?

(All respond aye.)

MR. CAMPBELL: All opposed?

(No response.)

MR. CAMPBELL: Motion carries.

MS. SLUSARCZYK: It will be 2021-19.

MR. CAMPBELL: I'm looking for one we can actually sign though.

MS. SLUSARCZYK: They are all red-lined. There is no clean copy.

MR. CAMPBELL: There's nothing to sign on any of them.

MS. SLUSARCZYK: There's not a signature page?

MR. SULLIVAN: The last page. The last page, or second to the last page.

MR. DIETZ: It's not the last page. Yeah, next to the last page.

MR. CAMPBELL: It says Section 36. Is that what you guys are seeing?

MR. DIETZ: Right, I got Section --

MR. CAMPBELL: Well, I'll sign this one and we'll use that. And if we need a clean copy later, we'll do that.

6. Ultium Sanitary Sewer Connection

MR. CAMPBELL: All right. Last item, the Ultium Sanitary Sewer Connection. So what do we need to discuss on this topic? I assume, Chris, you can start with that.

MR. KOGELNIK: Yeah, I can. Darren and I went out to the site last week. The Ultium staff had invited us out to witness the low pressure air testing. And from the reports I got after I left the site, all of the testing that we had specified had passed. There are a few punch list items that we were able to see when we were out on site. And I listed those out to the staff at Ultium, and they are being pretty expeditious about everything and trying to address each one, which we very much wanted to see. So it's going in the right direction in terms of the testing. Of course, before any waste water from the Ultium site can flow through that line as prescribed, the testing all needs to pass and the Village needs to, you know, have a receipt of all the tests, et cetera. And also as Cindy will point out, the staff from Trumbull County would need to witness the testing and start-up of the meters and such. All I can tell you right now it is going in the right direction, Kevin. And we have some testing actually scheduled I think for tomorrow; right, Darren?

MR. BIGGS: I believe so.

MR. KOGELNIK: Yes. So at 9:30 we have the meter manhole start-up to occur. And of course, we've gone through those start-up procedures with your other meter manholes, and this is the same type of meter manhole that we have at these other locations. So we're hoping it goes smoothly. And you know, one thing that we're going to be really trying to

understand is the signal that Darren gets on his SCADA system from that meter as to whether or not it's recording flow properly. So that's the real litmus test so to speak. So do you have any other questions for me?

MR. CAMPBELL: So at this point there are no -- there's -- they're Trumbull County's customer?

MS. SLUSARCZYK: No, no.

MR. CAMPBELL: So they are gonna be our customer but go to Trumbull County?

MS. SLUSARCZYK: The flow will go through the Trumbull County line. Trumbull County will bill us. We're Trumbull County's customer. Ultium is our customer.

MR. CAMPBELL: Okay.

MR. KOGELNIK: Right.

MS. SLUSARCZYK: So it's a new set-up. And the reason this got put onto the agenda is Clerk Blank was asking me, they wanted to know if they could put into the sewer system. And I'm like well, that has many aspects that have to be covered. So Chris, Darren and I talked last week, and I told him as far as them making application they did that.

MR. CAMPBELL: Okay.

MS. SLUSARCZYK: But what we never discussed, it's kind of assumed or maybe understood, is the fact that there's a tap-in fee that's typically charged to a customer. This customer is constructing our interceptor between Ultium and the Trumbull County system, so they are paying for it. So if the Board supports that, the fact to waive their sanitary sewer tap-in fee, I need you to pass this or make a motion, acknowledging that that is the understanding. Or if it's not the understanding, if they are to pay that tap-in fee, then it has to be charged to the customer.

MR. CAMPBELL: I see. Yeah, this is definitely an unique situation for us.

MS. SLUSARCZYK: This is the situation where Trumbull County wanted to charge them \$1 million to tap in their system. No, no, no, we're tapping into your system. One municipality to another, we're not paying these fees.

MR. SULLIVAN: So they are not paying any tap-in fee?

MS. SLUSARCZYK: It's not been addressed by the Board.

MR. CAMPBELL: The Village has not paid Trumbull County anything.

MS. SLUSARCZYK: None of that is -- that's kind of down the road. I know what the County's going to bill me, and I know what I'm to bill the customer. But until they put that down, who's gonna do the meter readings or -- something like that hasn't been discussed. But I'm Trumbull County's customer, I should not be reading my own meter.

MR. CAMPBELL: Yeah, that makes sense to me.

MS. SLUSARCZYK: Trumbull County should read the meter, bill me, and we do like with the other customers and bill the customer.

MR. SULLIVAN: And we put on the 60 cents?

MS. SLUSARCZYK: I think that's gonna be simplest, just how it's gonna be understood. I think it can be taken care of with a phone call through the billing office if that's acceptable by the County's staffing.

MR. SULLIVAN: But it sounds like if it goes the way it should that there would be no tap-in fee because --

MS. SLUSARCZYK: They constructed it and they are going to turn it over to us.

MR. SULLIVAN: Warren can't charge us a tap-in fee.

MR. DIETZ: Trumbull County.

MS. SLUSARCZYK: That's been addressed. Trumbull County is

not going to charge us a tap-in fee.

MR. SULLIVAN: Well if they are not gonna charge us a tap-in fee, I think we should waive the tap-in fee.

MR. CAMPBELL: I have to abstain definitely from that decision, so whatever you gentlemen come up with.

MR. SULLIVAN: What do you think?

MS. SLUSARCZYK: They're building the system. I mean, they're building our new interceptor. Chris may be able to speak or Darren that traditionally when that may happen, like when Lordstown Energy Center did not get charged.

MR. KOGELNIK: So the developer has done, you know, everything necessary to connect their system to the receiving and discharging interceptor system where all the effluent would eventually flow to. So the tap-in charge says under it -- and I'm reading your, you know, rules and regulations right in front of me, and it sets forth that it would have -- it would be provided to pay for that hard piping to install that connector between the factory and the receiving sanitary sewer system. So in this particular case I don't see the applicability of a tap-in fee for Ultium unless somebody can tell me that that tap-in fee is to pay for something that is not already paid for.

MR. DIETZ: Chris, did they do it to your satisfaction and Darren's?

MR. KOGELNIK: Thus far. Yeah, thus far from my perspective they have, Tom. They -- we're asking for them to provide test data. So far it's looking okay. They've got some punch list items, like I said, that they have to, you know, not correct but complete. I really don't see anything that is detrimental to the system. You know, one thing that is strange that we saw when we went out there is the area over top of the new sanitary sewer between the factory and the Trumbull County interceptor sewer is graded so that there's basically a crease over top of the new sanitary sewer. And that's not good because the surface run-off would run to that crease. And over time that run off will eventually find its way into the sanitary sewer, which there's a meter there to measure that flow, which nobody wants to encourage that surface run-off to get into the sanitary sewer system. So that was the first comment we had, and they say they are addressing it. So I want to understand how they're going to address it. So to answer your question, Tom, that was my biggest concern. Darren, what do you have?

MR. BIGGS: No. Well, we had that -- we had the -- like on that one manhole was gonna be addressed. We still need to vacuum test. And then the meter, there was no meter over there on our end yet. So hopefully we'll find out tomorrow that most those have been addressed. I thought they were putting risers on all those. Am I wrong on that?

MR. KOGELNIK: That's correct. So that was one of the items. There's a way to make your system a little more water-tight, and we had recommended to put risers on it so that the top of the lid on the manholes would be approximately six to eight inches above the ground. And you know, they would put ConSeal, which is basically a type of asphalt sealant, between the underside of the casting and the top of the concrete to make it more water-tight. So we're gonna monitor that, and it sounds like the staff at Ultium are willing to make it right with the Village and that's good.

MR. DIETZ: Can I make a motion that we hold this -- do we have to pass this right now?

MS. SLUSARCZYK: There's nothing to pass. It would simply -- I'm requesting a motion from the Board to waive the tap-in fee.

MR. DIETZ: Well, if they follow everything that they want to

do or that --

MS. SLUSARCZYK: That is part of the connection and the ability to be able to use the system, and I don't think it's related or contingent upon one another.

MR. SULLIVAN: Actually Ultium's paying for it.

MS. SLUSARCZYK: They constructed it. And Darren and Chris are not gonna allow them to use the system until the punch list is satisfied. They created what needs to be done. This is just a charge that's on the books up -- you know, on the sheet that we don't feel is applicable to the customer. They built the line, and truthfully it's like there's really not a tap-in. I mean, when it taps into the County line, that's us connecting to the County line. They actually constructed, I would call it, like the interceptor between the business and Trumbull County.

MR. DIETZ: All right. I'll make a motion that we don't charge them a tap-in fee.

MR. SULLIVAN: I'll second it.

MR. CAMPBELL: All in favor?

(Mr. Sullivan and Mr. Dietz respond aye.)

MR. CAMPBELL: Abstain. All opposed?

(No response.)

MR. CAMPBELL: All right. There you go.

MEMBER COMMENTS:

MR. CAMPBELL: Any Member Comments?

MR. SULLIVAN: Yeah. Chris, have we been able to do anything on the I&I?

MR. KOGELNIK: Not just yet to any meaningful level, Mike. I do have Darren's jump drive here that's I've been kind of keeping through the existing date. What I would like to do in the Pump Station 2 tributary area, if you haven't already, I would like to start speaking with Ron Hickox, the Road Superintendent to understand what he's got planned for that storm sewer along Highland Avenue in that very low spot where the -- you know, the surface water had accumulated in a heavy rain. And that seems like it's a problem that can be addressed more quickly than others. So I'm gonna start -- I'm gonna talk to Ron maybe later tonight at the Council meeting and find out what he's got planned there. We do have some pretty good weather where we can get a good analysis of what is happening in these dryer more arid times, and as you can see we're starting to get a few rain storms here and there. I suspect these will be picking up through the summer. And so those would be good to get a flow meter on, so that's what we need to do is jump on flow monitoring for the Pump Station 2 tributary area.

ADJOURNMENT:

MR. CAMPBELL: All right. Very good. Any other Member Comments? All right. **I'll take motions for adjournment.**

MR. SULLIVAN: So moved.

MR. CAMPBELL: I'll second. All in favor?

(All respond aye.)

MR. CAMPBELL: All opposed?

(No response.)

(Meeting adjourns at 4:35 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 9th day of July, 2021.

DEBORAH I. LAVELLE, Notary Public
My Commission expires 4/16/2022

Submitted:

Approved by:

Cinthia Slusarczyk, clerk

Kevin Campbell, President