

Village of Lordstown Board of Trustees of Public Affairs

May 6

25

RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
May 6, 2025
4:00 p.m. to 6:53 p.m.

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

ALSO PRESENT: Ms. Jackie Woodward, Mayor
Mr. Robert Bond, Village Council
Ms. Jessica Blank, Village Council
Ms. Kellie Bordner, Planning & Zoning
Mr. Michael Fuchilla
Mr. Tom Cowie, Imperial Communities
Ms. Nancy Goddard

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 6th of May, 2025.

MR. PETERSON: I'd like to call this May 6, 2025 Board meeting to order. Please stand for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER

PLEDGE OF ALLEGIANCE TO THE FLAG

ROLL CALL:

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

APPROVAL AND CORRECTION OF MINUTES:

April 15, 2025

MR. PETERSON: Okay. Approval of the April 15 minutes. Did everybody get a chance to review them?

MR. SULLIVAN: Yeah. Make a motion to accept.
MR. PETERSON: Motion to accept by Mike.
MR. CZECK: Second.
MR. PETERSON: Second by Stanley. All in favor?
(All respond aye.)
MR. PETERSON: All opposed?
(No response.)
MR. PETERSON: Motion passed.

CORRESPONDENCE:

MR. PETERSON: Any Correspondence?
MS. SLUSARCZYK: No.

PUBLIC COMMENTS:

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

NEW BUSINESS:

1. Booster Pump Station Relocation - Request for Qualifications

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MR. PETERSON: New Business. Item number 1, Booster Station Relocation Request for Qualifications. We did receive them. I believe the committee is meeting on Thursday at 5:00 p.m. from what I've seen. I haven't had a chance to check my emails this afternoon to see if anybody else responded, but a couple of people did. So, we'll grid them and have our recommendations to the Board and Council. Does that have to go through both the Board and Council?

ATTY. RIES: Just needs to go -- it would have -- the request for it would have to go through Council.

MR. PETERSON: Council. Just Council then. So, it will be a little faster. So -- okay.

MR. SULLIVAN: When, at the next Council meeting?

MR. PETERSON: Yeah, at the next Council meeting.

2. Call for Executive Session

MR. PETERSON: And then I'd like to add item number 2. I'd like to call an executive at the end of the meeting to discuss discipline concerning the employees of the Board of Public Affairs. Can I get a second on that?

MR. SULLIVAN: Second.

MR. PETERSON: Second. Do we have to do a roll call on that?

ATTY. RIES: Yes.

MS. SLUSARCZYK: You're going to do it now?

MR. PETERSON: No. I'm sorry, inviting the Mayor, the Board and the Superintendent. Sorry, I should have said that.

ATTY. RIES: Do you want me there?

MR. PETERSON: You, I'm sorry. Yes.

MS. SLUSARCZYK: Chris Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Stanley Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: Michael Sullivan.

MR. SULLIVAN: Yes.

MR. PETERSON: Okay. We'll just do that at the end. Any other New Business? Seeing none --

OLD BUSINESS:

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

MR. PETERSON: Item number 1 on Old Business, the Resolution recommending the Village Council authorize the Village of Lordstown to enter into a first addendum to the water supply agreement with the City of Warren for Trumbull County Energy Center project. That's what you're redoing, right?

ATTY. RIES: Right. So based on the recent progress meetings, my understanding is we're doing open cut on Brunstetter and then trenchless on the other two. So, I have released those. I circulated a red line draft. But we need to get that approved for legislation at the next Council meeting because it is time sensitive. So, I mean, we could -- I mean, it could come from -- it can come from Lamar's committee if we wanted to as well. I'm also revising the RUMA agreement to remove some streets. And in fact, that open cut method versus trenchless was also in RUMA, so I have revised the RUMA to conform to what the City of Warren is proposing. But are we waiting on final confirmation from anything, Chris, before we --

MR. KOGELNIK: Yes. On Salt Springs Road, what we'll do is we'll tell Lamar and Martin what our Geotech has found in regard to the information provided by Stantec; then they'll carry that decision to the Council meeting. Is that okay?

ATTY. RIES: That's fine. So, the agreements -- so my understanding is the agreements I revised are okay, pending final confirmation from you guys pretty much. But they're not ready.

MR. KOGELNIK: Yes.

ATTY. RIES: So, the soonest they will be able to get before Council will be the next Council meeting.

MR. KOGELNIK: Yes.

MR. SULLIVAN: And you're all right with the pole cut under Salt Springs?

MR. KOGELNIK: Under Salt Springs, Mike, we have to review the Geotech findings.

MR. SULLIVAN: So, you don't know yet?

MR. KOGELNIK: I don't know yet, but it looks positive thus far.

ATTY. RIES: So, we may have this come from Lamar's committee since we don't have another BPA meeting before the next Council meeting, could that make sense?

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Rather than a recommendation from the BPA, it will come from the committee.

MR. PETERSON: From the committee. I'm okay with that. Yep. Okay.

2. Rules and Regulations Governing Water Use and Service

MR. PETERSON: Item number 2, Rules and Regulations Governing Water Use and Service. I know we're working on that. Trying to get a couple of these projects out and sit down and kind of do a work session on them, right guys?

MR. SULLIVAN: Yes.

3. Niles Bulk Water Agreement

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

ATTY. RIES: I've never heard back from Niles. I -- you know, they don't follow up with me on anything. But that is something when we talk about this 24-inch redundant line that's something we need to address with Niles, so that may become time-sensitive on our end where we just need to force Niles' hand to do something.

MR. KOGELNIK: This is -- I think the BPA and the Village need to move on this quickly. Because if you are going to make a decision on moving forward with the future 24-inch water line, those due diligence items that I listed out last year, that's one of them that needs to be addressed.

MR. PETERSON: Should we reach out to them and try to set another meeting?

ATTY. RIES: Are we going through -- we have that exclusivity provision in our current contract with Niles. Are we okay going through Niles for this second 24-inch line. I mean, there's -- otherwise we've got to deal with the contract and have it, you know, completely revised.

MR. KOGELNIK: As far as I know, that would be a legal answer. But we were looking at two different points locations where that water line can connect to, Matt. One was in Niles right near where the existing connection is at. The other one would be taking a different route directly to the MVSD plant, the latter of which would have saved the Village potentially a significant amount of money. So, we have not done the concept plan for that because we haven't been authorized to do that to evaluate how much exactly we could save on that. So, there's two potential locations. The first one you have to get the City of Niles' approval on. And then on the second one you'd have to get at least MVSD approval, on which they told me directly to me that the Village of Lordstown could have a connection at the treatment plant.

ATTY. RIES: So we would buy directly from MVSD?

MR. KOGELNIK: Yeah. And that began the discussion of how that impacts the rate of water service with Niles.

ATTY. RIES: And the problem is, I mean the -- under our Niles agreement it's an exclusivity agreement. We have -- if we're getting water from the source of MVSD, we have to go through Niles to protect Niles so we don't get cut out.

MR. KOGELNIK: Yeah, we would all do the same if we were Niles. But I'm just telling you that we identified two potential locations there, and we haven't yet -- I don't think the Village has had the ability to authorize us because it costs money to evaluate all this stuff. And so that's where we're at. We just know that there's two potential locations and --

MR. SULLIVAN: So that next step we can have a meeting with Niles, correct?

MR. KOGELNIK: Yeah, I would definitely do that. And I would get some sort of written confirmation from MVSD that if the second connection location is feasible, right, you know, state it in writing.

ATTY. RIES: Do you want me to reach out to Niles and ask -- say look, you know, we're working with MVSD on a connection and see if they are willing to waive the exclusivity connection? I don't even know to what extent I know that meeting with them is going to be productive. Our last couple meetings they talk in circles and they don't address the points we raise in our agreement and they are kind of non-committal, we'll just look at this and follow up with you. That's how the last two meetings ended. And the law director doesn't respond to any of the e-mails.

MR. KOGELNIK: Your question makes sense to me, yes, Matt.

MR. SULLIVAN: So, we ought to go to MVSD first and have that to show to Niles that --

ATTY. RIES: I would say go to Niles first because if they say no, there's no reason to even go to MVSD, we still have to go through our contract with Niles. And I don't -- you know. And maybe we look at revising the agreement as a whole with Niles, which we've talked about. But again, they've never -- we were on board with revising the agreement for purposes of clarity, to combine the agreements. But Niles has just been kind of -- everything has sort of been half step; we would like to do this, but we have people we need to talk to and it's non-committal.

MR. SULLIVAN: But it seems we would be better off if we knew how much we would save if we went right from the plant, and we went to Niles and we can have that

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to negotiate with.

ATTY. RIES: Yeah --

MR. PETERSON: I still think you have got to start with Niles.

MS. SLUSARCZYK: I don't think we can purchase from MVSD. We have to purchase through Niles or Youngstown.

ATTY. RIES: Our Niles agreement says we'll go through them for any additional water lines at MVSD.

MR. KOGELNIK: Yeah, I definitely think the Board needs to get those two things ironed out quickly.

MR. PETERSON: Reach out to them and see if they are willing to -- maybe that will spur something.

ATTY. RIES: Say are you willing to waive, if not can we talk about revising these agreements like we've been talking about for the past couple years and just open the door to conversation.

MR. PETERSON: Yeah.

ATTY. RIES: Okay, I'll do that.

MR. PETERSON: Thank you. Okay. Any more questions on that?

4. Trumbull Energy Center - Warren Water Line

MR. PETERSON: We have number 4, Trumbull Energy Center Warren Water Line.

MR. KOGELNIK: We've been attending the construction meetings. I think we're on number eight, and number nine is coming up. So, the road crossings will start with Brunstetter, but that won't happen until after school lets out. I gave to Council last night some of the information that we received last Wednesday while I was on vacation. The information for -- I'm sorry, for Salt Springs Road looks positive. But there's some remaining information they need to submit to us before we can give approval to the Street Committee. And then once the Street Committee approves that, then they should carry that message to the Council for Matt to enact the legislation for that. They said that the Salt Springs and the Highland Avenue crossings would occur soon after the Brunstetter crossing.

5. Trumbull Energy Center - Sanitary Sewer

MR. KOGELNIK: So aside from that, the TEC site still has not submitted their Ohio E.P.A. permit documents. And that's for the discharge from their facility to the stream and also the sanitary sewer connection to the Village's east side. And that's part of item number 5. So I again left a detailed voicemail for TEC's official to, you know, provide us with the Ohio E.P.A. permit to install documents because we don't want to -- I don't think anybody here wants to see this project go on without having the permit documents in hand. That's kind of a problem for any development project in the Village because it becomes a question mark. And it does kind of set a precedent potentially for future development, even though this project is governed under the OPSP. But still the project must comply with state law, and that's to produce those permits. So, they already have a discharge going into the stream from their pond, but it's being controlled and impounded right now from what they tell me. But once the facility becomes operational then what. Should we just wait?

MR. PETERSON: How do we --

ATTY. RIES: I proposed earlier today when we were talking about this that I reach out to their attorney, ask the status of these permits and also address issues surrounding paying for the zoning permits important for the buildings. I'm not -- based on my recent communications with the attorney -- there obviously has been a changing of the guard, not just with Steve to Ted but also with the lawyers. I'm not sure all the lawyers are communicating currently with Ted. It's not like it was with Steve. I usually would get a response from the attorney within a day or two. I went weeks and follow-up, and this is my third follow-up e-mail just on the replacement valves with this lawyer. And it's not like he's not a responsive attorney, I don't think he has great communication with them, so -- and originally, we talked about having a meeting with Ted and people who are interested in the Village to meet and kind of get a game plan going forward, and these are all items that would be addressed. But I can e-mail him if you want me to about the permits and about -- what, a discharge permit to install and about the permits for the buildings if you guys want me to.

MR. PETERSON: Yeah.

MR. SULLIVAN: Yeah.

MR. PETERSON: Permit to install. Permit for the building I think we have to --

MS. BORDNER: I can also reach back out to Walter Ariss. I mean, I haven't done that for a couple of months just because they said that they were going to get that PTI in. But I haven't seen anything, obviously none of you have either. So, I would be happy to reach back out to Walter Ariss if you guys want me to.

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ATTY. RIES: I think the more squeaky wheels the better.

MR. KOGELNIK: And maybe it does take a meeting, a group meeting with the TEC officials, because maybe Ted doesn't understand all of the details of this. But I got to believe that Gemma has their name all over that facility, and Gemma does have sophisticated people that do understand the permitting process for Ohio.

MS. BORDNER: Very much so.

MR. PETERSON: Okay. Let us know.

MR. KOGELNIK: I don't have anything else regarding number 4.

MR. PETERSON: Anything else regarding number 5? You kind of touched on it.

MR. KOGELNIK: Yeah, nothing for 5.

6. Project Funding - Eastgate FY2026 ARC Pre-Applications

MR. PETERSON: All right. Number 6, Project Funding.

MR. KOGELNIK: I invited Mike Miller to come to the Council meeting last night, but more specifically for the future 24-inch water line. But meanwhile, on number 6 he is working on the ARC pre-application, and I think he's got just about everything except I think he's waiting for that UEI number from Clerk Bill Blank and he and Bill are in contact. So, I don't have any concerns about that application right now.

7. Proposed Hallock Young Road Water Line Improvements

MR. KOGELNIK: We did just get -- this is part of number 7, but we just learned that the Ohio E.P.A. permit for our project is still current. I misspoke the last couple times thinking that the permit was expired, but it's still active and evidently for five years. And that's until next April.

MR. PETERSON: Awesome.

MR. KOGELNIK: So that permit in this case -- I'm sorry, that permit will be tucked into the ARC application as a supporting document. And I sent that permit to Congressman Joyce and to Senator Moreno.

MR. SULLIVAN: That's for the 24?

MR. KOGELNIK: No, that's for the Hallock Young connector water line. So that project is -- that's going in a good direction right now in terms of funding it. You can possibly pick up funding from multiple sources hopefully. We'll see.

MR. PETERSON: We -- on the 24-inch we had a conversation, and Chris got us some numbers. I e-mailed them to you guys, what the payment would be, where we sit right now without any additional funding. And I did discuss it with the Clerk, and he felt that it's a close enough number it probably -- we would have to have some discussions with the Village to see until we start realizing revenue from TEC, but he was -- his comfort level was a little bit better now that he has seen actual numbers. So, I would say, Councilman Bond, I guess I'll attend your next finance meeting and --

MR. BOND: Beg your pardon?

MR. PETERSON: I'll attend your next finance meeting.

MR. BOND: It will be next Monday at 6:00 p.m.

MR. PETERSON: We'll start with going that way and -- 6:00 p.m.

MR. KOGELNIK: Also in regards to that, my associate Mike Miller had some ideas to offer Council last night that he mentioned in regards to OPWC. Now OPWC is actually on the ballot today. Hopefully everybody voted for that in favor of continuing OPWC.

MR. SULLIVAN: I was wondering about that. You know, I know it's been in effect for like 10 years.

MR. KOGELNIK: 1987.

MR. SULLIVAN: How much has the Village got out of that?

MR. KOGELNIK: I don't know how much the Village has got out of it prior to me. Maybe Cindy can answer that. But I don't think that you guys are as aggressive as you need to be with that program. You have used the program in the past, but not much. Some people submit two or three applications a year. I mean, you really -- you really could get aggressive at that. But my one associate offered an idea to go after zero percent loan money from OPWC, which would offset the amount of 3.22 percent loan money you would get from Ohio E.P.A. WSRLA. So sounds good. And then that would be good. And also, in the event that you guys had other OPWC applications you were submitting -- because typically you would want grant money, but in this particular case we're going after loan money. So, it's two separate angles there. So, I just wanted to mention that there's that idea out there, and my associate Mike and Clerk Bill Blank are going to continue that discussion.

MR. PETERSON: Okay. Anything else on that?

MR. KOGELNIK: No.

8. Salt Springs Road Booster Station Relocation

MR. PETERSON: Salt Springs Road Booster Station Relocation.

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MR. KOGELNIK: We're -- our design is idle right now. We're waiting on, you know, the obvious, which is an easement with that.

ATTY. RIES: So, Council approved last night moving forward with eminent domain. And if you want to today, we can go into an executive session to talk about it under eminent court action because we still need a couple things, we need to figure out what parcel we are going to go to, there's a couple of options. And two, are we doing what is called a complete taking of a parcel or are we doing just an easement. You can do either by eminent domain, but I need direction in terms of from the mechanics of this what people prefer, what they think would be best for this water booster station, because we can do it again through easement or through a complete taking of the parcel. And again, there's also been, you know -- we've talked about there's also some other options of property owners who are willing to work with us on this water booster station without litigation as well, but there are conflicting viewpoints about the viability of that. And there's no guarantee with eminent domain; this is not an ironclad resolution. We still need to continue to talk to property owners and try to find out if we can get this voluntarily. Because an eminent domain action -- we must have this money spent by November, and an eminent domain --

MR. PETERSON: Yeah, may not be -- okay. Do you guys want to do an executive session at the end? Okay.

MR. SULLIVAN: Then we need Chris in that one too. So, I make a motion we'll do that one first. I'll make a motion we go into executive session for --

ATTY. RIES: Imminent court action involving eminent domain.

MR. PETERSON: Involving eminent domain and inviting the Solicitor, the engineer, the Mayor, and inviting the two Council members present. Anybody else we need?

ATTY. RIES: I don't think so.

MR. SULLIVAN: Second.

MR. PETERSON: Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: And Sullivan.

MR. SULLIVAN: Yes.

9. Imperial Sewer Agreement

MR. PETERSON: Okay. Item number 9, Imperial Sewer Agreement.

ATTY. RIES: I sent the agreement that we discussed with the changes back like -- I think it was January 3, and I never heard back from Imperial's attorney on it.

MR. PETERSON: Okay. Any questions for Matt? Seeing none --

10. Utility Department Building

MR. PETERSON: Utility Department Building. Any updates?

MAYOR WOODWARD: There's going to be a work session on May 20, and I'm sure that the discussion will be for all of this during that work session. It will be May 20 at 6:00 p.m.

MR. PETERSON: 6:00 p.m.?

MAYOR WOODWARD: Uh-huh. It's to discuss the vacancy of the library building and where to put everybody.

MR. PETERSON: Awesome.

11. I&I

MR. PETERSON: Item number 11, I&I.

MR. KOGELNIK: I don't have anything. Darren, do you?

MR. BIGGS: I do not.

MR. PETERSON: Okay.

MR. KOGELNIK: Still waiting on the extensions for the --

PUBLIC COMMENTS:

MR. PETERSON: Any more public comments?

MS. BLANK: Do I need to state my whole life or no? Do I need to state my name and address, or are you okay? She's good. So, my neighbor Bob Schaffner, he's just wanting to know about the fire hydrant getting fixed next to his house. And then I just -- I know we've been short-staffed or lack thereof, so I was hoping to try to find an answer for him and hoping staffing will be addressed tonight.

MR. PETERSON: Yes.

MS. BLANK: And the fire hydrant. Because when I asked about the fire

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hydrant, I believe it was damaged from an accident and it's damaged underneath, so it's something that might have to be -- I don't know if work must be -- it's that blue house across from Yerke Young that people always have accidents there.

MR. PETERSON: Coming across.

MS. BLANK: But I know there's been a truck over at --

MR. PETERSON: Yeah --

MS. BLANK: -- and he's worried about if there's a potential fire what will we do. So, I told him I would ask.

MR. PETERSON: Yeah, I know the Fire Department would catch another hydrant. But I mean, there's -- every 500 feet there's a hydrant. But Darren, do you have it on the list to repair.

MR. BIGGS: We do. It was supposed to be repaired on Tuesday. I have not had anybody show up for work for three weeks, so I'm currently getting bids. I've gotten -- I was supposed to get one back today, I'm still waiting on two more. I don't even remember seeing that one, so I have to bid it out.

MR. PETERSON: So you're working on it?

MR. BIGGS: That's correct.

MS. BLANK: Thank you, Darren.

MAYOR WOODWARD: Back under number 2, Rules and Regulations governing water use, and you guys were going to have a work session. Do you have one scheduled?

MR. PETERSON: We're --

MAYOR WOODWARD: Nobody has actually scheduled it? But you talk about it, but you don't do it.

MR. PETERSON: Do you want to do it, to schedule the work session to go over the Rules and Regulations?

MR. SULLIVAN: I don't care.

MR. CZECK: Go ahead, pick a date.

MR. PETERSON: How is next week looking for everybody? I can't do Tuesday.

MR. KOGELNIK: Would you need me there? There are things in those Rules and Regulations that we should look over and update if necessary.

MR. PETERSON: I would like an idea.

MR. KOGELNIK: I would be interested to help you out.

MR. SULLIVAN: When's a good time for you?

MR. KOGELNIK: Right now -- would it be during the day or would it be at night? 4:00? Preferably Thursday or Friday.

MR. PETERSON: I can't do Thursday, but I can do Friday.

MR. SULLIVAN: Friday would be best for me.

MR. KOGELNIK: At 4:00?

MR. PETERSON: Friday at 4:00 on the 16th. I can do that.

MR. KOGELNIK: What I can do in anticipation for Friday is just send you what I'm seeing. That way we're not, you know, there for more than an hour.

MR. PETERSON: Yeah.

MR. KOGELNIK: You know what I mean?

MR. PETERSON: Yep. Friday May 16 at 4:00.

MS. SLUSARCZYK: I --

MR. PETERSON: Cindy can't do the --

MS. SLUSARCZYK: Monday and Friday I'm booked after work.

MAYOR WOODWARD: Does a work session have to be recorded?

MS. SLUSARCZYK: Yes, work sessions are still recorded.

(At this time there is discussion off the record about dates for the work session. It is decided that it would just happen at the next scheduled Board meeting).

MR. PETERSON: Will that work for everybody?

MR. SULLIVAN: Yes.

MR. PETERSON: Okay. Any other public comments? Seeing none -- oh, I'm sorry.

MS. BLANK: When we go into executive with us, are we able to pull in Darren and Kellie to discuss this or no? Planning and --

ATTY. RIES: If you want to invite them, there's no legal reason they can't.

MS. BLANK: Okay, thank you.

MS. SLUSARCZYK: For which executive session are you referring to?

MR. PETERSON: The executive for the pending court.

ATTY. RIES: Imminent court action regarding eminent domain.

MR. PETERSON: I guess I make a motion we amend that to invite --

MS. BLANK: Superintendent.

MR. PETERSON: -- Superintendent and Zoning Inspector.

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MS. BLANK: Sorry, Darren.

MR. SULLIVAN: Second.

MR. PETERSON: Roll call.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: Sullivan.

MR. SULLIVAN: Yes.

REPORTS:

1. Solicitor's Report

MR. PETERSON: Okay. Solicitor's Report.

ATTY. RIES: No report.

2. Engineer's Report

MR. PETERSON: Engineer's Report.

MR. KOGELNIK: The only other thing I wanted to mention was the existing 24-inch water line and the air release valve project. The project is substantially complete. It went good. Kirila did what we believe is really good work. They're ready to submit their payment. We have a pencil copy of that. And I'm going to work with Bill Blank to make sure it's delivered when he wants it delivered. At this point in time I'd actually prefer to keep Kirila's contract open so that if we find something in the next step of this little project, which the next step is going to be pressure gauge reading and an evaluation of head loss through the transmission line in hopes of finding the pressure drop, if we find a location and it's practical and feasible for a contractor to get in there and quickly do something with that, then it would be convenient for the Village to be able to hire or authorize through a change order Kirila to do whatever repair we come up with. Up to a point. You know, if it's something where it's hugely impractical, then it might be something that the Village might opt to think about, you know, do another improvement project later on. But I'd prefer to keep that contract open. And so right now we're at the point where we're going to do this pressure gauge reading hopefully this month now that LEC is drawing their normal load of water; is that correct, Darren?

MR. BIGGS: Correct.

MR. KOGELNIK: And then we can get a good gauge on the pressure gauges that we have installed throughout there and, you know, get in under. Right now we're still seeing no change almost in the draw of water through that 24-inch water line. And that's significant. We're also looking at other parameters outside of the Village, namely in Niles' system and the MVSD system, to understand what might be impacting this. So that -- we've got people on that, and we're going to have to do some field work with the Village staff on this by reading these pressure gauges. We're going to have to do that in a manner that we can collect all that data almost at once, so we're going to have to have multiple people at these locations -- there's nine locations -- and we're going to need to get these readings so that we can chart this out and find out where the head loss drop is located at. So, we're probably going to have -- for just us we're probably going to have about ten hours invested in this, so I was going to submit a task order for those ten hours to the BPA. But my staff didn't get back to me to confirm that amount of time, but I'm pretty sure it's going to be ten hours. So that's the --

MR. SULLIVAN: So, we know the work has been done, but hasn't solved the problem?

MR. KOGELNIK: That's correct, it wasn't. The work that was done was definitely needed, you know. The air release valves were frozen shut and now they're brand-new, they're in bigger vaults. The two valves inside the meter vault have been rebuilt. They were generally in okay shape, but they needed their seals replaced so that was -- that happened. The one big thing that we did is we took off a couple of the counterweights on the check valve in hopes of seeing some sort of an improvement. We saw nothing. And so, the only thing we can do is evaluate where the pressure drop is doing along the water line. And some people might ask well, is that the best thing that can be done. Well, it's the only thing that practically can be done right now without starting to replace valves and things like that. So that's why we're doing this. And if we find that there's a location where the pressure drop is located, then we might opt to do something internal with the pipe such as videography inside the existing 24-inch water line, or maybe it's a valve, we don't know. You have to -- that's why you have to do this homework, and we're going to do that.

MR. PETERSON: Now I know the question was raised that the existing line, we don't know if it was ever tested at capacity. Is the new line going to be tested at capacity?

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MR. KOGELNIK: So that question -- Bob had a question last night at the Council meeting, which was good; and his question was, was the line ever drawing that much water. The answer is no, because the Village never had a demand like they had to do with LEC and Ultium. So, but right now based on math and based on all the parameters and the new pump station and everything it should draw at a peak of up to 8.2 MGD. Do we need that amount or that rate right now, not necessarily. But you're one development away from needing that. And so, I would venture to say, Chris, that the only thing that they did test, that they could test back when this water line was put in, was they probably did the customary hydrostatic test, flushing to a certain amount, because they surely could not flush an 8.2 MGD. Where would it come from and go, you know. And they probably did the standard bacteria testing. That's it. So, you know, we're relegated to this water line from a theoretical perspective right now because we can't see through the ground and through the pipe.

MR. PETERSON: Yeah.

MR. KOGELNIK: And you know, on these long water lines this is the importance of having gauges all along it. And you know, we -- a lot of water lines don't have gauges like that, but we have practical locations where we can install \$200 gauges and that's what we've done. So, there's nothing I'm asking for approval on. I'm letting you know what we're going to do, when we're going to do it, and how we're probably going to go about it thereafter. That's my message.

MR. PETERSON: Okay. Any questions for Chris?

MR. KOGELNIK: One thing I will say though is regardless of this water line having problems today or not, the Village needs the future 24-inch water line. I want to make that clear.

MR. PETERSON: Yes. Okay.

3. Utility Committee Report

MR. PETERSON: Utility Committee Report.

MS. BLANK: I know Ernie's planning on having a meeting just to bring in the legislation for the sewer rate increase. So, whether we do that right before a Council meeting, or he said possibly sometime in June because of busy schedules in May.

4. Clerk's Report

MR. PETERSON: Okay. Clerk's Report.

MS. SLUSARCZYK: The only thing I have is just a reminder that on the 17th of April I sent an e-mail from the Ohio E.P.A. It's the NPDES rule, and they asked for input. And I think that the Board is the proper entity for input on those rules and changes and recommendations, you know, from the Village. I don't know if you opened it or read it, but the comments were due May 19 by 5:00 p.m. So, in consideration with the businesses that we have going into our community and how it affects us, I think this is where you have a voice before those rules are set in stone.

MR. KOGELNIK: Yeah, exactly. So NPDES has always carried like a 30-day comment period. And that's what we didn't have that we should have acted on when TEC was announced in 2017. So NPDES really, more specifically than the BPA, would be for myself and also Martin. Martin by code, by Village code, is in charge of storm water; and that's where the NPDES really takes effect. So, I just wanted to mention that.

MR. PETERSON: Do you guys want to look that over and see if you have any comments, Chris?

MR. KOGELNIK: I will review it with Martin. I think that's kind of my job to do that.

MR. PETERSON: Okay.

MR. KOGELNIK: And then if there's any, you know, further questions or comments from Martin, he should express them through his committee, which then would go to, you know, Council and Planning and Zoning.

MR. PETERSON: Okay.

MS. SLUSARCZYK: That's all I have for my report. Do you have any questions for me?

MR. PETERSON: Any questions for Cindy? Seeing none --

5. Superintendent's Report

MR. PETERSON: Superintendent's Report.

MR. BIGGS: I'd like to have interviews done before the next meeting. Did you need to put that on the agenda or how did you want to handle that?

MR. PETERSON: For the summer help?

MR. BIGGS: For summer help, yeah.

MR. PETERSON: We'll just put it on the agenda.

MR. SULLIVAN: For the next meeting.

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MR. BIGGS: I hope to have everything ready, yeah, by then.

MR. SULLIVAN: When do you want them, first of June?

MR. BIGGS: It's normally after school. I've have to get a date when they're done. I know they'll want to take a week off and hopefully have that, Mike. Chris kind of covered everything I think I believe I have with the 24-inch except, Chris, do we have money left over for that or did we get any money for that?

MR. KOGELNIK: I'll check. Wait a second, the second question I can't answer. Did we ever get any money for that? Matt --

MR. BIGGS: Right.

MR. KOGELNIK: -- can you answer that?

ATTY. RIES: For the valve replacement?

MR. KOGELNIK: Yes.

ATTY. RIES: So, no, we have not gotten money for that yet. What we're going to do is e-mail their attorney for that. This is again like any third e-mail to their attorney about this on how we're going to do this. Now that the project is substantially complete, submit the invoices over to them for payment. I mean, we have a contract in writing. I mean, this isn't like them just being nice and not -- we have a written agreement that they are going to reimburse us that money up to \$275,000.

MR. BIGGS: The reason I brought that up, Matt, is we're making decisions on open cut or bore and everything was wrapped together in that; is that correct?

ATTY. RIES: Yes. Well, yeah. But those are -- the agreement that we're revising is the one with Warren in terms of open cut versus bore and jack. We also have an agreement with TEC. We're not going to reopen that up yet because it's been signed by everybody for that 75,000. And they're not the ones -- it's the contractor and the City of Warren who's responsible for that. It is mentioned in that agreement, but I would advise against going back. It's not TEC's obligation, I wouldn't want to reopen that up since we already had them sign.

MR. BIGGS: I want to bring it to everybody's attention, they came to us with that. We didn't open anything up. We didn't initiate. I just wanted to make everybody aware, we're making decisions on these roads that were negotiated, let's put it that way.

MR. KOGELNIK: It's a good point. Because if we conclude the 24-inch project with the air release valves, then payment is due to Kirila. And where is the payment going to come from. Is that going to come directly from the Village, you know, or is it going to be some sort of pass-through. And so that needs to be understood PDQ.

ATTY. RIES: I know the funds were already encumbered. My recommendation would be we just forward the invoices over to TEC and pay. We don't want to pay and have to keep going back to TEC. They have contractually agreed to pay that. Their attorney said he thinks that's how it will work and he will get back to me. And I've sent him three emails since then and am waiting to hear back. In fact, we had a meeting -- we had a telephone conference when Steve Remillard was involved back in January that went late into a Friday, we sent them a follow-up to our conversation, and they were going to disburse the funds back then. And Steve confirmed that in an e-mail. He isn't there, but he can bind the company. My recommendation would be to send them the invoices and have them pay directly.

MR. KOGELNIK: Matt, would that be a convenient segue to a meeting with them?

ATTY. RIES: Yes, yes. But that's always been one of the reasons I said I wanted to meet, mainly because of the valve replacement funds. That's also been sort of the lead to having a meeting, but you know. They are just not as motivated right now since Steve left. And I know if people don't care on their end or they are kind of treading water to keep their head, if they are trying to play catch up --

MR. KOGELNIK: To give them a little, you know, respect, they're probably -- they probably don't have all the knowledge that Steve had of the nuances between that facility and the Village.

ATTY. RIES: There were issues that we've been talking about with Steve that I addressed with their attorney, and he had no idea what I was talking about. So, keeping in mind that he's kind of new too, so -- so nobody's -- I mean, I sent three emails on this valve replacement, and as of this afternoon was my third e-mail to them. So, I will let everybody know once I hear back. And it -- now it's coming to fruition anyway now that the project is substantially complete. Two months ago, it's like all right, let us know how the project is going. But now payment has become due, that's going to bring everybody to a head. We have a contract. We're not opening up that contract at this time because it's been signed by everybody for the 275 with TEC. The contracts that we're amending with the open cut versus bore and jack are with the City of Warren; and the RUMA agreement, we're revising that to make sure that it's consistent.

MR. PETERSON: Okay.

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MR. BIGGS: We tested for disinfectant by-products. We passed great, no problems there. I take it we're -- are we going to talk about attendance in there or do you want to talk about it here?

MR. PETERSON: Yeah, we're going to talk about it in there.

MR. BIGGS: Earlier this year with the new 24 and talking with Niles/MVSD were going to hinge on whatever you guys mentioned you need to talk to Niles or who. Is the BPA going to talk to them or is Council going to talk to them?

MR. KOGELNIK: That should be Council.

MR. BIGGS: Agreed. But you guys were talking you guys were going to. So, I wanted to bring it to your attention that it should be Council.

ATTY. RIES: Well, I was going to reach out.

MR. PETERSON: Yeah, he was reaching out.

MR. BIGGS: Nobody else from the BPA? Maybe I misunderstood that, but I thought that's what you guys were talking about.

ATTY. RIES: Yeah. In our meetings Chris has been involved, but people from Council have been involved too in the meetings. It's been a collective effort. I was going to reach out to them on behalf of Council.

MR. BIGGS: Did everyone get my report?

MR. PETERSON: Yes.

MR. BIGGS: That's all I have unless you have any questions for me.

MR. PETERSON: Any questions for Darren?

(Councilman Ernie Bowen just entered the meeting.)

MEMBER COMMENTS:

MR. PETERSON: Seeing none -- Member Comments. Do you guys have any comments?

MR. CZECK: No.

MR. PETERSON: The only thing I have is in reading through the agreement, comp time for BPA employees has to be approved by the full Board. So we did have an employee take comp time on April 28 and 29, Mike Fuchilla. So I would like to get a motion to approve that.

MR. SULLIVAN: I make a motion to approve.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. And then Kyle Durig is taking comp time on May 12, so I'd like a motion to approve that too.

MR. CZECK: So moved.

MR. SULLIVAN: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed?

(No response.)

MR. PETERSON: Motion passed. Okay. And then we'll go into executive session.

(Some discussion is had off the record.)

ATTY. RIES: Imminent court action for eminent domain.

MR. PETERSON: Will there be any action after? No action after, so --

(Executive session begins at 4:55 p.m.)

(The first executive session ended at 5:53 p.m.)

(The second executive session went from 5:53 p.m. to 6:52 p.m.)

(Motion to end executive session by Mr. Sullivan, seconded by Mr. Czeck. All responded aye.)

ADJOURNMENT:

(Motion to adjourn was made at 6:53 p.m. by Mr. Czeck, seconded by Mr. Sullivan. All responded aye.)

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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 11th day of May, 2025.

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

Submitted By:

Approved By:

Cynthia Slusarczyk, Clerk

Chris Peterson, President