

Village of Lordstown Board of Trustees of Public Affairs

September 16

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RECORD OF PROCEEDINGS
MEETING OF THE LORDSTOWN VILLAGE BOARD OF PUBLIC AFFAIRS
1455 Salt Springs Road, Lordstown, Ohio
September 16, 2025
4:00 p.m. to 5:20 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. Jaclyn Woodward, Mayor
Mr. Ernie Bowen, Village Council
Ms. Jessica Blank, Village Council
Mr. Liam Mathews, Verdantas
Mr. Ted Harvey, TEC
Mr. Jewoo Cho, TEC
Mr. Jou Mong (Logan) Choi, TEC
Mr. Mark McGrail

RECORD OF PROCEEDINGS taken before me, DEBORAH LAVELLE, RPR, a court reporter and Notary Public within and for the State of Ohio on this 16th of September, 2025.

MR. PETERSON: I'd like to call this regular Board of Public Affairs meeting September 16 to order. Please stand for the Lord's Prayer and Pledge of Allegiance.

LORD'S PRAYER
PLEDGE OF ALLEGIANCE

ROLL CALL:

MR. PETERSON: Welcome everyone. Roll call please.
MS. SLUSARCZYK: Chris Peterson.
MR. PETERSON: Here.
MS. SLUSARCZYK: Michael Sullivan.
(No response.)
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: And Matt Ries.
ATTY. RIES: Here.
MR. PETERSON: I guess I'll make a motion to excuse Mike unless he shows up.
MR. CZECK: Second.
MR. PETERSON: All in favor?
(All respond aye.)
MR. PETERSON: Opposed.
(No response.)
MR. PETERSON: Motion passed.

APPROVAL AND CORRECTION OF MINUTES:

August 4, 2025
August 5, 2025
August 19, 2025

MR. PETERSON: Approval and Correction of the Minutes, the August 4, 5 and 19. Did everybody get a chance to review them?
MR. CZECK: I'll make a motion to accept the minutes.

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

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: You have to do those individually. I'm sorry.

MR. PETERSON: That will be for August 4. For the August 5 minutes I'll make a motion we approve them.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed. August 19 minutes, I'll make a motion.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: Thank you.

CORRESPONDENCE:

MR. PETERSON: Correspondence.

MS. SLUSARCZYK: No.

PUBLIC COMMENTS:

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

NEW BUSINESS:

1. Interviews

MR. PETERSON: New Business. The interviews, Darren, I believe that was going to be -- you told them 5:00?

MR. BIGGS: Correct, 5:00.

MR. PETERSON: So, we'll just do that at the end if you're okay with that. Seeing no other new business --

OLD BUSINESS:

1. Clean Energy Future - Trumbull, LLC - Sanitary Sewers in Lordstown & Ohio E.P.A. PTI

MR. PETERSON: Old Business. Clean Energy Future Trumbull, LLC Sanitary Sewer and Lordstown, Ohio E.P.A. PTI.

MR. KOGELNIK: I'll leave it up to you gentleman.

MR. HARVEY: Ted Harvey, Trumbull Energy Center. Our legal counsel has sent you a copy of the wording that was approved by our lenders. I believe you have that now. And if you have any comments or anything, we're waiting back from you for that to be sent to Matt. I talked to Matt before this meeting, said just let him know.

ATTY. RIES: I'll reach out to him. I have some very minor changes I've made, and I have circulated them internally with my thoughts on it.

MR. HARVEY: Keep in mind, any changes that would be significant we would have to go back to the lenders again so hopefully they are minor in discussion. And Matt understands if they aren't, we'll let you know if we have to go back to the lender for further review Matt.

ATTY. RIES: All right. Sounds good.

MR. PETERSON: Any questions?

MR. CZECK: No.

MR. PETERSON: Seeing none --

2. Rules and Regulations Governing Water Use and Service

MR. PETERSON: Item number 2, Rules and Regulations Governing Water Use and Service. Any updates? Okay.

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3. Niles Bulk Water Agreement

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

ATTY. RIES: I'm just working on a draft right now that combines the LEC and then our agreement. I'll get that to you guys by the next meeting to review. And then if we're good with that I'll send it back over to Attorney Zuzolo, because if I start with Attorney Zuzolo it just really doesn't go anywhere. So, I would like to work it with the terms, I can put it in front of him, he can review it with the auditor and council.

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

4. Trumbull Energy Center - Warren Waterline

MR. PETERSON: Item number 4, Trumbull Energy Center Warren Waterline.

MR. KOGELNIK: We're finishing up the coordination with the Warren team. Right now, they're doing the roadway restoration. Ted, would you believe that that roadway restoration is going to be done this week?

MR. HARVEY: I believe it's scheduled to be completed by this week, yes.

MR. KOGELNIK: Okay. And after that they're going to be testing and charging the water line.

MR. HARVEY: We have already started a little bit of the flushing and a little bit of the testing. They have one minor segment that's been completed. They did the chlorination on it; they're taking a sample. We're expecting to get the sample back tomorrow, and then they'll continue to move forward with the flushing and all the sampling. So that's progressing as well.

MR. KOGELNIK: Okay. So right now, we're just kind of ironing out the last little RUMA items. Those are the Road Use Maintenance Agreement items. And there's really not a whole lot of damage that was caused by their project; it's just been localized on the three crossings. So that's all I have for this project.

MR. HARVEY: Yeah. And in the road restoration, you know, there was a contractual amount of footage and then any additional pieces that required to be fixed. Mr. Kogelnik reached out to us and explained to us that there was a further stretch of the road that the Village, you know, had some issue with and was looking to have some -- maybe some restoration in that area. We had a conversation with Mr. Kogelnik and our team internally discussed it and we brought it to our senior management, and we chose to extend that restoration to approximately 300 foot, a little over 300 foot, that Trumbull Energy Center is going to --

MR. KOGELNIK: On Brunstetter, right Ted?

MR. HARVEY: Yeah, on Brunstetter, that's correct. We're going to absorb the cost for that additional footage on Brunstetter.

MR. PETERSON: Any questions? Seeing none --

5. Trumbull Energy Center - Sanitary Sewer

MR. PETERSON: Trumbull Energy Center Sanitary Sewer, that's kind of the same thing as item -- oh.

ATTY. RIES: I'm sorry. I was just going to add to that. We should make a decision on what route we want to go. Are we going to require them to hook into our system, are we going to allow for this deed restriction which would be accompanied by a purchase agreement where basically they would pay us whatever they're paying the County based on annual meter readings so it would be actually as if they were our customer. But in terms of which direction we move forward with we -- you know, we would need -- the lawyers would need to know that in terms of what agreements to prepare and where we go. But I don't know if you guys want to discuss that now or not, but that would be the next step.

MR. HARVEY: And it was with that covenant that has been provided.

ATTY. RIES: Right.

MR. HARVEY: The language of that covenant.

ATTY. RIES: Again, I would ask your attorney to prepare the actual purchase agreement itself. We talked -- Attorney Warnock and I went back and forth on some different proposals. You know, it would basically be an -- I'd call it

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a water purchase agreement, but I guess they're not actually purchasing water -- or I'm sorry, a sewer discharge agreement where basically it would be we would be getting paid whatever -- we would be getting paid as if you guys were our customer since it's going into Trumbull County's sanitary sewer. If that's the -- but that ultimately the BPA has to make that decision if that's the approach they want to take before we get to preparing the agreements. But then that would be the next step, it would be some type of sanitary agreement even though we're not actually taking care of it, we're still, you know, being paid.

MR. HARVEY: And Matt, do you think it would be best if we had that agreement that you talked to -- you know, the discharge agreement, prior to making the decision or do you think move forward with making the decision? What's the best path forward?

ATTY. RIES: If I have the agreement and the attorneys are okay with like the legal language and we've incorporated the deed language then, you know, that can be ripe then for the BPA to vote to approve of it. They can ultimately make a decision if that's what we want to do.

MR. PETERSON: I would like to see the agreement first. Do you agree?

MR. CZECK: Yes.

MR. HARVEY: We'll talk with Matt Ries -- or I'm sorry, Matt Warnock and we'll get him to prepare that and give it to you.

ATTY. RIES: All right, sounds good. And then we would just include that deed. I'll send him over my suggested revisions, and we would just include that deed as an Exhibit to the contract then as well since they are kind of hand-in-hand.

MR. HARVEY: All right. Thanks, sir. There's one other thing with the water. You know, with the water pipeline, right now the main line is scheduled right now it's looking like September 29 is about the date that they're going to be complete and that we're going to be flowing water through that line. We also are butting up at that time with -- Gemma has the bulk water agreement until the end of September. And what we'd like to do is we'd like to request that we could put the water account into Trumbull Energy Center as we're moving forward into the final operational testing of the plant as well, if we could get that transferred over to us at the end of September. And that way we would begin paying, then invoicing us and paying the bill directly rather than Gemma's getting the account, Gemma's getting the invoice, and then Gemma sending us a bill for it and we got this three-tier situation going.

MS. SLUSARCZYK: To be clear, there is the account, or what he's referring to as an account is not an account, it's a bulk water agreement in Gemma's name. There is no permission to use the 24-inch Warren water line at this time or no permit. And if he's asking for that permission, then we would need to know what they're doing with the sanitary sewer.

MR. HARVEY: Well, right now we're doing nothing.

MS. SLUSARCZYK: I know. But when you have permission to buy the water, we need to know what is happening to the effluent.

ATTY. RIES: So, we need to have the financial and sewage treatment agreement issue resolved before the water goes into Clean Energy Future Trumbull's name; is that what you're saying?

MR. HARVEY: I'm not seeing the correlation there though quite frankly. We're receiving bulk water now and that water would just -- from a different source, and we're in the middle of negotiating with this sewer agreement. We've got -- there again, we're back into a situation where we have the safety concern with the fire protection and the chemicals. And we also are still within, you know, the final phases of operational testing and we're in a catch-22. How do we reach -- how do we finish our plant and testing it and getting ready for operation if we can't get the water?

MR. PETERSON: So, what you're asking -- and correct me if I'm wrong -- is the current Gemma agreement, nothing would change, it would just move from Gemma to your name?

MR. HARVEY: Correct. And so --

MR. PETERSON: You wouldn't be utilizing the new line.

MR. HARVEY: We need to commission that new line. I mean, that's the -- that's a phase and a step in the process of our operation. And it's just a

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normal progression of commissioning and going into operation.

ATTY. RIES: It's your guys' call. If you -- you know what I mean.

MR. HARVEY: I mean the sewer --

MR. PETERSON: Where do you stand?

MR. HARVEY: -- if it's water versus sewer.

MR. PETERSON: Where do you stand with your NPDES permit?

MR. HARVEY: The application for permit is in, and the Ohio E.P.A. said with the application being in said we can operate with the current NPDES permit that's on file.

MR. CZECK: Well, how much of the water after generation is actually discharged into the sewer?

MR. HARVEY: Only the admin building sewer, that's all. I mean, so it's a matter of 20 people total and only so many couple of people a day. We've done the figures and, I mean, it's very low volume of sewage that's going in. I mean -- and if you want, we can say we won't operate the sewer until we come up with an agreement or figure out what we're doing. I mean, we can -- we could do several different things, but just to tie the sewer to the water doesn't seem -- and I don't see the correlation.

MR. PETERSON: Well, if you're getting -- I understand what you're saying. If you're getting water out of the 24-inch, we have to answer if the E.P.A. comes to us and says what are they doing with all the that water they are generating. Are they discharging into Mud Creek or what are you doing, because it has to be --

MR. HARVEY: We'll be operating within our permit. And even for a period of time, back to our conversation that we had at the last BPA meeting, we currently have no discharge going to the Mud Creek, we don't plan on discharging to Mud Creek until about November. And by the time we hit November, the NPDES is -- even though we're legally allowed to discharge under our previous permit because we have submitted an application, we're still not going to be in a position of even discharging it until we probably get our permit that's going to be issued. We feel that's forthcoming.

MR. PETERSON: So, all the water that's on site right now you're using up?

MR. HARVEY: We go back to that recycling that we're doing. We have a lake tank, so everything is either evaporated and any blow down goes back to the lake tank for re-use. And what we've done, we went to a great expense of having filtration systems and polishers that are put in for that blow down water so we can recapture it. And the reason we did that was we're kind of limited on our water until the pipeline gets done for sure and then we -- obviously we want to use that water, you know, from a financial standpoint. We wouldn't want to discharge that water when we don't have to discharge it. And in our current testing and final testing we don't have to put chemicals into the cooling tower or anything. There're no chemicals going into the cooling tower other than the chlorine which is just to keep the bugs down. And if we put it in with that system of filtration we would just do nothing but have to trap it right back out. And we're not discharging currently and won't be until I'd say sometime in November.

MR. PETERSON: So, I would say they've kind of answered the question. Correct me if I'm wrong, Matt. But it's all evaporation and they are recycling.

ATTY. RIES: But you're saying that while your application for the renewal for your discharge permit, while that's pending you guys can still discharge into Mud Creek?

MR. HARVEY: That is what the Ohio E.P.A. has approved; yes, sir.

MR. KOGELNIK: I have a question about that.

MR. HARVEY: I would ask that you ask the Ohio E.P.A.

MR. KOGELNIK: I will. I think that you did a good job explaining everything. But here's, you know -- and I understand why Cindy asked the question too because when you have water going into a facility, you need to know -- I mean the municipality needs to know, you know, how it's being handled on the discharge. I think you explained --

MR. HARVEY: The sewer?

MR. KOGELNIK: Yes.

MR. HARVEY: It is going to be city water going to a mill that's then

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pumped to the sewer line.

MR. KOGELNIK: And I appreciate you explaining that. But when it gets to discharging to a stream --

MR. HARVEY: Well, sewage would never go to a stream. So those are two separate issues, Mr. Kogelnik.

MR. KOGELNIK: Let me finish, Ted, please. So, when it gets to discharging any water to a stream there's a PTI --

MR. HARVEY: We have our PTI in place.

MR. KOGELNIK: Did you get it approved?

MR. HARVEY: Yes.

MR. KOGELNIK: Okay. We didn't hear that.

MR. HARVEY: PTI has been approved.

MR. KOGELNIK: So, the PTI has been approved.

Matt, the PTI was a condition of the first permit, and that's why they would be able --

MR. HARVEY: Correct, sir.

MR. KOGELNIK: -- to operate under the first NPDES permit and into the renewed --

MR. HARVEY: I left that portion out, and I understand why. But yes, we have received our PTI.

MR. KOGELNIK: Can we get a copy of it?

MR. HARVEY: Sure, I'll get you a copy. It's public information, but if you need a copy, I'll get you one.

MR. KOGELNIK: We asked for that at the beginning of your project in

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MR. HARVEY: We just got it.

ATTY. RIES: Was it just approved like a couple weeks ago?

MR. HARVEY: Probably three weeks ago.

MR. KOGELNIK: It had to have been.

MR. HARVEY: Probably three or so weeks.

MR. KOGELNIK: That was the piece of information we've actually been waiting to see.

MR. HARVEY: So, should I send that to you for distribution?

MR. KOGELNIK: You can send it to me for distribution. I'll send it to everybody here. But we asked for that at the beginning. It's just that's what -- like I said before, that is a typical process when a new facility is built, the first thing that's done is apply for the NPDES and then the PTI.

MR. PETERSON: So, if they have the PTI in place they should be good as long as they are running under the PTI, correct?

MR. KOGELNIK: According to the rules, yes.

MR. PETERSON: Okay.

MR. HARVEY: And we still don't plan on doing it for a while even with the PTI because we want to recapture that water.

ATTY. RIES: So, they could discharge into Mud Creek. Now Council passed a resolution to oppose that discharge into Mud Creek, and I know that they wanted to take advantage of the 30 day comment period to oppose that. So that's just --

MR. KOGELNIK: Isn't that though in the future because the renewal NPDES, like I was explaining to you, Matt, in this particular instance comes after the PTI was approved.

ATTY. RIES: Right.

MR. KOGELNIK: And so right now they're only operating under the initial NPDES permit. They still have to get the next NPDES in for them to continue operation.

ATTY. RIES: Okay.

MR. HARVEY: But in the interim, we're allowed to operate as an approval is being processed.

MR. KOGELNIK: That's what I understood.

MR. HARVEY: That's what we've been told.

MR. KOGELNIK: There should be a document that explains that because this is a -- this is a really unusual circumstance for the Ohio E.P.A.

MR. HARVEY: We had a meeting on site with them.

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MR. KOGELNIK: Your PTI probably explains that.

MR. HARVEY: I'll have to double-check that. But I know that we met with four agents of the Ohio E.P.A. for the final phase of the PTI, and they explained everything to us with our NPDES application and moving forward with that application.

MR. KOGELNIK: Okay.

MR. HARVEY: And that we were that we could operate with our current while they reviewed the NPDES application. And it's basically, you know, nothing has changed on the application, it's just a repeat of what has happened. We still have the same flows, we still have everything the same.

MR. KOGELNIK: Is the flow still 626,000 gallons per day?

MR. HARVEY: That's correct, that's correct. There's no change.

ATTY. RIES: And the approved PTI addresses the hook-up to Trumbull County sanitary sewers?

MR. HARVEY: It does.

ATTY. RIES: Okay.

MR. HARVEY: I'll get that to Mr. Kogelnik. I'll cc you on it if you'd like.

ATTY. RIES: That would be good.

MR. PETERSON: I'd rather do our homework and do a special meeting and approve that. What do you think, Stan?

MR. CZECK: Yes, that would be a good idea.

MR. KOGELNIK: Yes. We weren't prepared to hear the PTI was approved.

MR. PETERSON: Yeah, let's do that. We'll just have a meeting next week.

MR. CZECK: All right.

MR. HARVEY: In the interim, now we're quickly approaching the end of September --

MR. PETERSON: Yeah, that's why I said next week to make sure the ball keeps rolling.

MR. HARVEY: If there's anything you guys' need from us in this emergency meeting just let us know please and we can -- we'll be glad to attend and answer any other questions.

MR. PETERSON: Okay. Seeing nothing else on that --

6. Project Funding - Eastgate FY2026 ARC Pre-Applications

MR. PETERSON: Item number 6, Project Funding Eastgate. Any updates on this?

MR. KOGELNIK: I sent that information to everybody for the ARC funding. I'm hoping that the Board can determine today if they're going to accept that funding. This is for the Hallock Young water line connector for the construction, and so it's a limited amount of money. It would federalize your project if you accept it. It's a good amount of money, but it's a small percentage of the overall construction cost.

MR. PETERSON: Does the cost of federalizing the project outweigh the amount of money we would get with the requirements?

MR. KOGELNIK: That is a zillion dollar question there. I can't answer that right now, but it's -- it would be about that amount. This is a two point what, \$2.2 million project, and all that this is offering is around \$200,000. So that's a very likely situation that you just mentioned.

MR. PETERSON: What are the drawbacks to denying same, we don't want the money? Would that disqualify us from anything in the future or --

MR. KOGELNIK: It wouldn't disqualify you, but it would definitely -- I'm not sure they would take your application seriously in the future.

MR. PETERSON: That's what I would be afraid of.

MR. KOGELNIK: Yeah. I mean, this is a bi-annual program, and the usual request for grant is around \$200,000. It's a federal program. It does also stipulate when you can do the construction, so we would have to wait for a period of time until all the agreements are in place. So, the Board has a decision to make here.

MR. PETERSON: Do you need a decision today, or can it wait until next week?

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MR. KOGELNIK: No, I don't. I think that --

MR. PETERSON: I know you need the decision soon.

MR. KOGELNIK: Well, what is going to happen is, you know, one person from the Village definitely needs to make contact with Miss Kathy Zook. She's the liaison for ARC in our region. And it's only been myself and Mike Miller who have been communicating with Kathy. At one point in time the Village is going to have to reach out to them to say hey, you know, we understand that we've been identified, and we either are or are not interested in the funding. And the reason is because, you know, they've got three or four people or entities below that cut-off line that could get your money.

MR. PETERSON: Yeah. Okay. We'll look into that and get you an answer. Any questions?

7. Proposed Hallock Young Road Waterline Improvements

MR. PETERSON: Item number 7, proposed Hallock Young Road Waterline Improvement.

MR. KOGELNIK: As you know, the project is done for design and the permit is in hand, and if there is a way to deliver on the project then that would be great.

MR. PETERSON: Any questions?

8. Salt Springs Road Booster Station Relocation

MR. PETERSON: Item number 8, Salt Springs Road Booster Station Relocation.

MR. KOGELNIK: This design is coming close to being done. Darren, I think we sent you some plans to review. If you have got your mark-ups and want to send them over to Alan and myself and Bob please do, and we'll wrap up the design for that project. I just showed Ernie the plans there. So, one last thing that we're wanting to still do is a Phase 1 ESA on the project. And that's, as the Mayor knows, it's the determination as to whether or not there's anything there to be concerned about. And so, our staff, we're going to do that. Matt, we presumed that doing that Phase 1 ESA wouldn't be a problem to occupy the property to get that done.

ATTY. RIES: We just have to give that statutory notice like we have in the past. So, you just let me know like the date and times and I'll send that letter out. In terms of the property owners, I met with them. You know, we sent them -- under the eminent domain statute you have to send a 30-day letter, try to purchase the property at arms length voluntarily. They did reach out to me. I had a meeting with them about two weeks ago. They gave me a counteroffer, and I took that counteroffer back to Council. Council voted for me to go ahead and move forward with preparing a real estate purchase agreement for that amount. I sent it to them about 10 days ago. It was the week following a couple days after the Council meeting. I have not heard back from them yet. I did call Shelly a couple days ago and left her a voicemail, I haven't heard back. But as of the last time I spoke with them they were on board with selling the property to us. Now you know, I'm waiting to see, you know, once they sign the agreements and the deed transfers; but things are moving forward in a productive fashion.

MR. KOGELNIK: And we've also updated the construction cost estimate. I think we're at 560 now, we were at 424 before. So, we're at 560 on construction. We still have enough money technically to construct the project. All right. Now the ARPA funds are the weak link in the schedule. And when do we have to have the ARPA funds used by? Was it the end of November? Did Cindy know or did --

MS. SLUSARCZYK: They have to be -- November 1 the County wanted the submissions to them so they could file their paperwork by the end of the year.

MR. KOGELNIK: Okay. So, with the updated construction cost estimate -- I vividly recall when we were discussing this in the back room that we need to have a plan put together as to how we were going to utilize that money. And so, with that construction cost estimate we would produce that plan and submit that at least by November 1. Do you recall that?

MS. SLUSARCZYK: I do. My question is like it being part of the \$4.2 million grant money as well, we don't have direction with that if Council is going to proceed with the building of that, the 80/20 share.

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MR. KOGELNIK: Yeah. Yeah.

MS. SLUSARCZYK: I don't want to lose that.

MR. KOGELNIK: That's true too, that component of that. But I just wanted to satisfy the ARPA funds, and in order to do that that's the only thing I know to do right now on November 1. The U.S. E.P.A. funds, that you guys have to RFQ the services and that's what I'm going to talk about after this. But you know, this project should be able to be paid for out of the ARPA and the U.S. E.P.A. funds. There shouldn't be -- if there's anything it will be a 20 percent match for the Village, which I would argue that's your design. You paid for the design.

MR. PETERSON: Okay.

MR. KOGELNIK: Does anybody have any questions on the booster station?

MR. PETERSON: I don't.

MR. CZECK: No.

9. Imperial Sewer Agreement

MR. PETERSON: Okay. Item number 9, Imperial Sewer Agreement. I'm assuming --

ATTY. RIES: No word. The one agreement terminates next November so that's just something that we keep an eye on, but they've never pushed the issue. So again, we made an offer to pay them something, and they walked away from it.

MR. PETERSON: Okay. Item number 10, I&I.

MR. KOGELNIK: I don't have anything.

MR. PETERSON: Darren, you got anything on I&I?

MR. BIGGS: Nothing.

MR. PETERSON: All right.

MR. KOGELNIK: One thing on I&I. I mean, now is a great time to get a good reading on a base flow, a true base flow for sewer, if we could look back at least at the pump station records. If you guys can get that to me that would be good to see that because it's not going to get any dryer than it is now.

MR. CZECK: Should be pretty low.

MR. KOGELNIK: And we can compare that with wet weather flows. We do have some records of that. Thank you.

MR. PETERSON: Darren, can you get that to him?

MR. BIGGS: Yeah.

MR. PETERSON: Thank you. Okay.

PUBLIC COMMENTS:

MR. PETERSON: Public Comments. Any additional public comments? Go for it.

MAYOR WOODWARD: Are we any closer to getting credit card online payments?

MR. PETERSON: Cindy, have you heard anything?

MS. SLUSARCZYK: I've heard nothing.

MR. PETERSON: Has anybody talked to Bill? I haven't talked to Bill.

MS. SLUSARCZYK: I've asked Bill about it, and he said you said you sent an e-mail, and he said he didn't receive it.

MR. PETERSON: I sent it because the Mayor was on it.

MS. SLUSARCZYK: I don't want to be in the middle. But it's -- I've heard nothing.

MR. PETERSON: Why don't we schedule a time to sit down with Bill. Let me know and I'll be there.

MAYOR WOODWARD: Okay.

MR. PETERSON: Thank you.

REPORTS:

1. Solicitor's Report

MR. PETERSON: Reports. Solicitor's Report. I'm sorry, was there any more public comments? Okay. Go ahead, sorry.

ATTY. RIES: Just a couple items. We talked about flushing of the hydrant at 7178 Palmyra Road. You guys wanted me to look in our rules to see what could be done since there were never any criminal charges filed. We do have a provision that basically says no fire hydrant shall be used without the water or

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sewer department's permission for any purpose. And then there is another provision that says based on this potential for damage, BPA can determine a fine for the violations of any of the rules and regulations. These are administrative violations. We could -- you know, we could request payment of I think you guys voted for \$250 when we thought maybe there would be criminal charges. So, I don't know if you've done anything in that regard, but you guys can say we think this is a fine for \$250 for flushing the hydrant if you want to. The rules already give us that leverage if you wanted to.

MR. CZECK: Well, there's nothing in there now so --

ATTY. RIES: What do you mean?

MR. CZECK: I mean there's nothing in there about a fee, a cost for, what do you call it, tampering or --

MR. PETERSON: Yeah, tampering or --

MR. CZECK: So, we could probably put something in the --

MR. PETERSON: We can enact a \$250 fine now or administrative cost now.

ATTY. RIES: You can do it now. The rules are generally the BPA can determine a fine for any of the rules and regulations, so it gives you guys a lot of latitude to determine what you want those fines to be and if there's any violation of the rules whatsoever.

MR. PETERSON: I'm fine with that.

MR. CZECK: Yeah.

MR. PETERSON: I'll make a motion we fine that resident \$250.

MR. CZECK: I'll second that.

MR. PETERSON: Second. All in favor?

(All respond aye.)

MR. PETERSON: All opposed.

(No response.)

MR. PETERSON: Motion passed.

ATTY. RIES: All right. And then just do you guys have any questions -- I sent you guys kind of a breakdown on this sanitary sewer situation for TEC. Obviously, we've learned a little bit more since they were here just a couple minutes ago because the Ohio E.P.A. is not communicating with us as effectively as I would hope. But do you guys have any questions for me on where we go in terms of the ability to require them to connect to our sanitary sewer lines and how that's affected by the PTI and everything else?

MR. CZECK: Well, the only question I have is once -- if we let this go, let them hook into Warren, do we create something that we don't want to have? That's the only problem I have. If this is locked up where I know anything can be broken over time, but if it doesn't cause a problem -- you know, it's a unique situation.

ATTY. RIES: Right.

MR. CZECK: I don't have any problem with it but --

ATTY. RIES: It would be non-precedent.

MR. CZECK: That's the only thing I don't want to create.

ATTY. RIES: Yeah. Okay. Yeah, I sent you guys that information. I just wanted to see if you guys had any questions for me about it because I know it was kind of throwing a lot at you guys there.

MR. PETERSON: I guess my biggest worry is if their NPDES permit would not be approved and they could not discharge, we still have a right that discharge could go through us.

ATTY. RIES: It would just be based on meter readings. I would recommend not putting a monetary number in there based on an assumption. It would just be whatever Trumbull County is getting paid basically you guys are getting paid as well regardless of the volume.

MR. KOGELNIK: That's an interesting statement you made, Chris. When I reviewed Matt's draft, I did not foresee what you just said. So, does that mean that in the event that their NPDES permit shall cease and they're still the facility, then are you intending for them to be required to hook up to the Village's east side system?

MR. PETERSON: Well, if I'm understanding correctly, they would have to pay double the sewer bill, right?

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ATTY. RIES: It would be -- right. So, we would -- that's why we wouldn't want to agree to -- like I think they threw language like \$25,000 a year or however much it was. We would want the meter readings to be based on what Trumbull's actually getting if the permit is denied, so those costs may jump up exponentially. But you weren't saying if the permit was denied we would require them to hook in our system. It's basically a matter of we get paid regardless of the volume.

MR. PETERSON: As long as we're collecting the money if they're going to put it in Trumbull's sanitary sewer and we're just collecting a check, you know what I mean.

MR. KOGELNIK: Yes. But I -- the question you just asked Chris, Matt, is the one that I just asked.

ATTY. RIES: Okay.

MR. KOGELNIK: And I just -- in the event that that facility's NPDES permit expires or is revoked, are they required at that point to connect to the Village's east side system? That's my question.

ATTY. RIES: So, the way I'm seeing the agreement -- of course, this is up to you guys. The way I understand it the agreement would work out they would stay connected to Trumbull, but we would not lose any of that additional revenue. We would be compensated for that increase from all the blow down water. You guys would just be getting a lot more money, you guys wouldn't be treating it though or, you know, moving it to Warren. It would still stay connected to Trumbull.

MR. PETERSON: Okay. Could that be challenged by them and they win?

ATTY. RIES: Well, we would have in the agreement we would contemplate that scenario, if the permit for whatever reason is revoked, they would continue to pay us that. We would address that specific situation.

MR. PETERSON: Okay. I'm good.

MR. CZECK: Yeah.

MR. PETERSON: Any more questions for Matt?

MR. CZECK: That's it.

2. Engineer's Report

MR. PETERSON: Engineer's Report.

MR. KOGELNIK: The only thing I would like to do is I heard that you said that we might have a meeting next week. And if we do, I'd like to also put on that meeting agenda a presentation by our staff for the future 24-inch water line and the hydraulic report that we've done. I've reviewed it with my staff today. The report admittedly was not ready for consumption at this meeting, and so I think that this would be a good opportunity to do that in person at the next meeting. This is important because you need to know and be confident of what the water model says versus where you're going to spend your money for the U.S. E.P.A. grant.

MR. PETERSON: Chris, do you need us to set that meeting now? That would probably be easier for you.

MR. KOGELNIK: It would be.

(Off record discussion about meeting date. The Board decided to schedule the meeting at 4:00 next Thursday September 25, 2025.)

MR. PETERSON: It would also be to address TEC too. Is that a bad time?

MAYOR WOODWARD: Every day is a bad day because my kids are in sports and my husband is gone midnight shift. So, if I can be here I will; if I can't, I can't.

MR. PETERSON: There will be a recording of the presentation, I assume.

MR. KOGELNIK: Yeah. But I think it's important that at least Ernie -- because it's going to be -- this is going to occur outside the Village and we just -- you guys need to hear this. Yeah, do you have to make any kind of motion?

MR. PETERSON: I'll make a motion we have a special meeting September 25 at 4:00 p.m.

MR. CZECK: Two items, right?

MR. PETERSON: With two items, TEC's water and sewer and the presentation by Verdantas.

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MR. CZECK: I'll second that.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed. I'll let Mike know.

MR. KOGELNIK: Okay. Thank you. The other thing, Chris, was I think at a prior meeting we talked about doing an update on the master water plan. And I've talked to Bob McNutt about that, and we already have a proposal ready for you guys for that. So, there's been a lot of things that actually have happened. If you go back to 2020 and add it all up, there's a lot of things that the Village has done with the water distribution system that was in the old 2020 master water plan that needs to be updated now. One beneficial thing has been BPA now has a new building.

MR. PETERSON: You'll have that for the next meeting, Chris?

MR. KOGELNIK: Yeah. That's all I have.

MR. PETERSON: Any questions for Chris?

ATTY. RIES: Chris, I have a question. If since we know now that their PTI was approved, wouldn't -- when's the public comment period start, that thirty days?

MR. KOGELNIK: All that they told me, Matt, when I talked with them was that they had to get the PTI approved. They didn't say when after. I presume it's going to be soon after because Ohio E.P.A. wants them to be operating under the new permit. The old one is expired; nobody wants them to be operating under the expired permit. And so that's why I'm interested to read this guy's PTI because I'm hoping it says in there, you know, the facility is permitted to operate under the prior permit for this amount of time.

ATTY. RIES: Okay. Yeah, it's not something indefinite.

MR. KOGELNIK: I would assume that the public comment period for the new permit is going to be soon.

ATTY. RIES: Okay. Yeah, because I checked the E.P.A.'s website just last week and there was no comment period for Clean Energy Future Trumbull scheduled. So -- okay.

MS. SLUSARCZYK: I believe the Village expressed to the E.P.A. that they wanted to be made aware of the comment period too.

MR. KOGELNIK: Oh yeah, we did.

MS. SLUSARCZYK: Yeah, recently.

ATTY. RIES: Well we sent the E.P.A. a number of letters, a number of letters just stating our general position objecting to the discharge in Mud Creek. I mean, over the past, I don't know, eight or nine months.

MR. KOGELNIK: Do you want me to try and call John Schmidt from the Ohio E.P.A. tomorrow?

ATTY. RIES: I can give him a call. We've actually been trading voicemails, so I was going to call him tomorrow anyway.

MR. PETERSON: In your phone call -- my biggest question is I understand they can operate under the old one, but the old one was never activated. They had a permit, but they never discharged. So how can they operate -- you understand what I'm saying?

MR. KOGELNIK: They could never discharge, Chris, until they produced an approved PTI because the NPDES doesn't allow them to discharge, it just -- the NPDES is only a permit that states that the facility is understood to be able to discharge this, the stream can accept this amount of pollutant on a loading, and that NPDES states in there that the applicant has, I think, 12 months to produce a PTI. So now the PTI is approved. With the PTI, that permit gives them the approval to build that discharge system that complies with what the NPDES said.

MR. PETERSON: I still think that's --

ATTY. RIES: When he said that they could discharge under their expired permit just because they got it, that didn't make a lot of sense. But again, let's see what it says.

MR. PETERSON: Yeah, let's see. Okay. Any more questions for Chris? Seeing none --

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3. Utility Committee Report

MR. PETERSON: Utility Committee Report.

MR. BOWEN: So, I talked to the Ohio E.P.A. today about getting the 500,000 gallon water tower included into the Hallock Young redundant, the 24-inch water line. So, we should be able to do that. The initial going in position is that we can do that. But we need to provide some information about that such as tying it to the larger project and making it make sense within that project. And then a big part of it is also what do we do with the property once that water tower has been decommissioned. So, what do they call it, the Ohio Clean Water Act or something like that? So, she was talking about planting trees and, you know, essentially dressing it up and making it look pretty. If we say we're going to go in and pave it that could cause problems. So doing something with the property, you know, after it's -- the tank has been decommissioned.

MR. PETERSON: It has to be green space.

MR. BOWEN: Yeah, has to be important in this project and make sense from what -- the E.P.A. standpoint. So that's -- that was good information, I didn't know anything about that before. The other thing is they are very interested in us getting this project started and kicking money out. So, she -- although she can't say get started, she suggested that we, you know --

MR. PETERSON: Get started.

MR. BOWEN: Get off your cans, yeah. And then she had a question, and I wasn't sure how to answer it, if we applied for another E.P.A. grant and she was wondering if we have another grant out there.

MR. KOGELNIK: We did apply for an earmark grant. And that would have been through the U.S. E.P.A. STAG just like this grant. I'm interested to know why she asked the question.

MR. BOWEN: Yeah. I didn't know how to give her an answer because I wasn't prepared.

MR. KOGELNIK: Yeah. Just so you know, Ernie, this grant that you're talking about now came from an earmark grant through Congressman Joyce. And I think earlier this year -- was that correct, Cindy?

MS. SLUSARCZYK: Uh-huh.

MR. KOGELNIK: We applied to Congressman Joyce for another one to help pay for the rest of the project. And we didn't hear back about that.

MR. BOWEN: Okay.

MR. KOGELNIK: So, if she knows anything that would be wonderful, but

MR. BOWEN: So, I mean, I'm going to e-mail her later on. I didn't want to e-mail her too soon. I told her I would e-mail her after this with additional information because they want to know the -- they want the scope of the project. They want it in their hands to look at. So that's the sticking point with everything right now. And now we need RFQs, correct, in --

MS. SLUSARCZYK: Uh-huh.

MR. BOWEN: Whatever we have to do to start generating forward momentum.

MR. KOGELNIK: And at the meeting the 25th we'll discuss what the scope of that work looks like in conjunction with that demo of the existing 5000,000-gallon tank.

MR. PETERSON: Okay.

MR. BOWEN: Don't forget the trees.

MR. KOGELNIK: And the trees.

MR. BOWEN: That's it.

MR. PETERSON: Any questions for Ernie?

MR. CZECK: No.

MR. PETERSON: Seeing none --

4. Clerk's Report

MR. PETERSON: Clerk's Report.

MS. SLUSARCZYK: Mr. Czeck was in earlier today, and he requested a copy of the -- of our water and sewer fund, and I gave him year-to-date expense. But this is our fund report, so this is actual fund money that you have as of today. We had talked previously about reviewing the water and sewer rates, so I believe that was in relationship to that topic. I guess we'll maybe put that off until

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October sometime since we already have another meeting this month. My next thing was just to make you aware the Gemma bulk water agreement expires September 30 which has already been discussed. Matt covered the hydro use on Palmyra. Will you be sending a letter to them or will I be creating an invoice to the customer?

ATTY. RIES: Send an invoice. Call it a fine, you know, for the violation based on whatever date that they flushed the hydrant.

MS. SLUSARCZYK: Okay. The other question I had is if anyone ever addressed Finance Committee in regards to Darren's request about the vacation carry over or buy out for this year.

MR. PETERSON: I did not. The one meeting I was going to come to they canceled. So, when is the next Finance meeting?

MS. SLUSARCZYK: I don't think it's been set yet. It's typically the Monday before Council.

MS. BLANK: We have a special meeting on Monday though.

MS. SLUSARCZYK: You do?

MR. PETERSON: Special Council meeting or special Finance meeting?

MS. BLANK: Special Council meeting. And Finance would be --

MAYOR WOODWARD: 29th I think, because there's five Monday in September. So, it's probably going to be the 29th if I had to guess.

MR. PETERSON: Okay. I will go to that one. If something changes, will you let me know? Very good. Anything else, Cindy?

MS. SLUSARCZYK: I do not have anything else. That appears to be everything. Do you have any questions?

MR. PETERSON: Do you have any questions for Cindy? Seeing none --

5. Superintendent's Report

MR. PETERSON: Superintendent's Report.

MR. BIGGS: I was -- Stan had asked how everything was at the Salt Springs Road crossing, if everything was okay and were our lines where they were supposed to be. I didn't have exact for him at the time. I thought everything was good. I did check with the inspector, everything that we had looked like it was right there. They did not uncover the Niles line to see exact depth because it was all, you know, covered with that. But I wanted to get back to you from what I found out with that. Chris had also asked about hydrants. Apparently, you're hearing that there's a bunch of hydrants that are bad, okay. Wrong. We got -- we have tested about 246 hydrants; we got roughly 500 there. I got a list of 32 that are marked down as bad. Now they're marked down as bad because they're rusty, there's bolts -- what's the other one -- don't drain properly. It doesn't mean that they're bad, it means they're not new, okay. So whatever reports are floating around here are just not adequate. We have two hydrants right now that are out. One is up there in front of TEC which we believe got hit and we just noticed it. It's not operating, we put a bag on it. The other one is down on the end of Tod, and we got a bag on that also because we're cutting bolts off of it. We can't get the bonnet off to get it fixed. Everything else, I don't know of any that are not operable. Does that clear things up, make things better?

MR. CZECK: The invoice, you bought two new hydrants recently.

MR. BIGGS: Three would have been the last ones, correct, a while ago.

MR. CZECK: Do you have any that are out of commission right now that you'll get to when you get a chance? Is there anything out other than the one you have bagged over here up --

MR. BIGGS: The two have -- the other one that we have out is because we have bolts we're trying to grind off and take out. There's two that are out in town right now, correct. We have talked to a gentleman that repairs them to get some ideas on the bolts and to see if he can repair that one without being replaced. Still waiting on him to come out. He has family issues, so -- so he'll still be coming, but that's all I know of. But we've had -- even with these hydrants, they won't open. I went out there and opened every one of them with no assistance or anything. So, there's a whole list of them that just aren't really -- they're not brand new. We're not finding all those bad ones that I keep hearing about, so I wanted to clear that up.

MR. PETERSON: So, in the Village currently there are only two hydrants that are completely out of service?

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MR. BIGGS: Two. And the one you could probably use. I just got a bag on it because if I can't get a bolt out it won't blow apart. I can't get the bolts to get it apart. But yes, correct, that's all I know of that we have checked, two of them are inoperable right now.

MR. PETERSON: Okay.

MR. BIGGS: Western Reserve Mechanical, they were doing that work for Imperial, changing the meters over there. One in three are completed, two they could not do. There's a pressure relief valve down in there just kept leaking, just dumped all the water out. We would have to shut everybody down. And since that needed fixed anyhow, I asked them to get a price on one and what it would cost for them to do that also. So, \$5,730 for the pressure relief valve to get purchased and installed, so I'd like permission to let them move forward with that.

MR. PETERSON: I make a motion we approve Western Reserve Mechanical at \$5,730 to replace the pressure relief valve at Imperial.

MR. CZECK: Second.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: Other thing we have over at the Imperial also we have a sewer pump that we're getting a seal fail on it, which means it's on its last legs. We've been working on that, found a company that would do that. The cost of the pump was -- it was over \$7,500, but the total was \$8,056.84. That is for the new pump and for them to wire it, get rid of -- take the other one out, put the other one back in, everything. So, I'd like permission for \$8,056.84 for Portage Pump to get us a new sewage pump over there and replace it.

MR. CZECK: Now the question, the pump that comes out, can that be refurbished then for a spare?

MR. BIGGS: No. The cost of it now when you go and do that, you're looking at a new one, and you're rolling the dice. We looked at some old ones, Stan, good call. We looked at some on old ones we kept up there at Kunkel. Every place, by the time we get through here you're going to be close to a brand-new price and you're still taking a chance because it's been sitting up there. That's actually worse for them. So, I did look around for something that --

MR. PETERSON: Okay.

MR. CZECK: I'll make a motion to approve the purchase.

MR. PETERSON: \$8,056.84.

MR. CZECK: Exactly.

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

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

MR. BIGGS: That was all I had. The interviews -- interviewer is here.

MR. PETERSON: Okay. Any questions for Darren?

MR. CZECK: No.

MEMBER COMMENTS:

MR. PETERSON: Member Comments.

MR. CZECK: This is a question to the former G.M. plant. Are you -- they're going to construct that water line, the loop I should call it.

MR. KOGELNIK: Correct, connector water line.

MR. CZECK: Are you guys hired by them to go ahead and do that? I was just curious where that's at.

MR. KOGELNIK: Well, I don't think anything is official yet because Planning Commission is tonight.

MR. CZECK: Okay. I was just curious. I haven't heard anything lately, so I was just wondering.

MR. KOGELNIK: We reviewed their land development plan, and we're prepared to go to Planning Commission tonight. But we'll keep you informed.

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MR. CZECK: Okay. That's all I had.

MR. PETERSON: Seeing none, I'll make a motion we go into executive session for interviews, inviting the Board, Superintendent and the Applicants.

ATTY. RIES: Yeah, for the hiring --

MR. PETERSON: The hiring of the open position.

ATTY. RIES: -- of Village personnel.

MR. CZECK: I'll second.

MR. PETERSON: Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MS. SLUSARCZYK: Sullivan's absent.

MR. PETERSON: Okay.

MR. CZECK: There will be no action?

MR. PETERSON: There may be action.

MR. CZECK: I just wanted to make sure.

(The Board enters into executive session at 5:00 p.m.)

(The Board returns from executive session at 5:20 p.m.)

MR. PETERSON: I'd like to come out of executive session. Make a motion we come out of executive session.

MR. CZECK: Second.

MR. PETERSON: Roll call please.

MS. SLUSARCZYK: Peterson.

MR. PETERSON: Yes.

MS. SLUSARCZYK: Czeck.

MR. CZECK: Yes.

MR. PETERSON: I'd like to make a motion we hire Edward Fife to one of our open laborers' positions.

MR. CZECK: I'll second that.

MR. PETERSON: All in favor?

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

MS. SLUSARCZYK: That's the full-time?

MR. PETERSON: Full-time position, yes. All right.

ADJOURNMENT:

MR. PETERSON: And if there's nothing else to come before the Board I make a motion we adjourn.

MR. CZECK: Second.

MR. PETERSON: All in favor.

(All respond aye.)

MR. PETERSON: Opposed.

(No response.)

MR. PETERSON: Motion passed.

(Meeting adjourned at 5:20 p.m.)

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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 22nd day of September, 2025.

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

Submitted by:

Approved By:

Cinthia Slusarczyk, Clerk

Christopher Peterson, President

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