

Board of Municipal Utilities  
**Meeting Minutes**  
**November 19, 2024**  
201 Miller Road  
Avon Lake, Ohio

***Call to Order – Roll Call***

The meeting was called to order at 6:45 PM following the work session. The meeting was held in-person using web-based video conferencing technology.

Present: Mr. Abram, Mr. Dzwonczyk, Mr. Rickey, Mr. Rush and Mrs. Schnabel.

Also present: CUE Munro, CUO Yuronich, Business & Financial Coordinator Logan, Attorney Anthony Coyne of Mansour-Gavin, resident Nick Mondello and resident William Zimmerman.

***Approve Minutes***

Mr. Dzwonczyk presented the Minutes of the November 5, 2024 regular meeting. With no additional changes, additions or corrections noted, he ordered that the minutes stand and be distributed as presented.

***Public Speakers***

None.

***Correspondence***

None.

***Expenditures***

Following review of expenses for funds and amounts as follows, Mr. Abram moved, Mr. Rickey seconded, to approve the expenditures of November 1 through November 14, 2024:

Water Fund 701	\$	353,457.41
Wastewater Fund 721	\$	242,243.77
ETL1 Fund 703	\$	164,778.13
ETL2 Fund 762	\$	518,524.99
LORCO Fund 749	\$	426,837.37
Water Construction Fund 704	\$	847,185.74

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

### ***Infrastructure Technician***

Mr. Yuronich informed the Board that Michael Lazusky is transferring from the position of WFP Operator – Step 1 to Infrastructure Technician – Step 4 at \$27.28 effective November 13, 2024. Mr. Yuronich added that Mr. Lazusky has had previous jobs in the construction industry and will be well suited for this role.

### ***Lead Service Line Identification Letters***

Mr. Yuronich informed the Board that ALRW is completing requirements of the Lead and Copper Rule Revisions (LCRR) that recently went into effect. Mr. Yuronich stated that the LCRR had a requirement to fully inventory all water service line materials for all connections to ALRW's distribution system by October 16, 2024. Mr. Yuronich informed the Board that the next step in the rule is to identify all service line materials throughout the system by 2027. Mr. Yuronich stated that there are approximately 9,800 connections within Avon Lake and that 2,100 of those are considered unknowns. Mr. Yuronich informed the Board that this means ALRW does not have records that identify the type of material is installed between the water main and the customer's house. Mr. Yuronich added that each of these customers received a letter notifying them of their unknown status by the November 16, 2024 deadline. Mr. Yuronich stated that there are currently no known lead service lines or galvanized-requiring-replacement (GRR) services. Mr. Yuronich stated that so far forty-nine customers have completed a survey documenting their water line as it comes into their home and numerous more have called or emailed. Mr. Yuronich informed the Board that the intention is identify as many as possible so that fewer notifications will be required to be sent to residents next fall. Mr. Dzwonczyk inquired whether these inquiries would result in an improved ability to make a work plan for the next phase of removing lead service lines. Mr. Munro stated that he and Mr. Yuronich have discussed multiple times how this project will improve upon some of the shortcomings of the sewer separation project that allowed it to fall behind schedule and that this project will have definable milestones to meet to assure it is completed in time. Mr. Munro stated that all unknowns will be identified in 2025 so that ALRW staff can then develop a plan to remove and replace any LSLs or GRR lines discovered. Resident Mr. Mondello inquired if the letter means it is unknown on just the customer's portion of the line or ALRW's as well. Mr. Yuronich responded that while it could be either it is usually both sides that are unknown. Mr. Yuronich added that the OEPA is requiring verification and that if there's any doubt, ALRW will gather the necessary information.

### ***Project Updates***

***Power Plant Update:*** Mr. Yuronich informed the Board that the next implosion is scheduled for mid-December. Mr. Yuronich added that the City of Avon Lake is planning on sending notices to residents ten days ahead of the implosion and that the actual date will be finalized as the day approaches due to the weather conditions.

***ETL Design Services:*** Mr. Yuronich informed the Board that staff had met with Bramhall Engineering and reviewed some of the additional sheets that they are finalizing for the alignment of the ETL suction line. Mr. Munro added that this was necessary to avoid the easement acquisition difficulty with Norfolk Southern Railroad. Mr. Munro stated that there were areas where it is advisable to route the line to avoid potentially difficult property easements. Mr. Munro added that they will have the sheets completed by the end of November so that ALRW can proceed with easement acquisitions. Mr. Dzwonczyk inquired if there were lessons learned in this project that could be applied to future projects to improve the process. Mr. Munro replied that there were several lessons learned and one example was the way temporary easements

were routed in certain areas. Mr. Munro stated that in some instances it made sense to have thirty-feet of temporary easement on one side rather than fifteen-feet on both in order to avoid the easement acquisition issues. Mr. Dzwonczyk stated that lessons like this should be implemented into standard-operating-procedures as part of ALRW's quality initiative.

*WFP Improvements:* Mr. Yuronich referenced a picture showing the raw water line at the water filtration plant that was exposed as part of the chemical feed building construction. Mr. Yuronich stated that a new metering and chemical feed vault is being constructed in this location and referenced the work over several pictures. Mr. Yuronich the referred to pictures showing the clearwell resurfacing progress along with a picture documenting the concrete repairs that will be completed prior to applying the coating. Mr. Dzwonczyk inquired about the limestone fill that was discovered when excavating near the filter building expansion. Mr. Yuronich replied that on previous plans had shown the filters constructed on a shale base and that shoring will have to be designed to proceed with the excavation. Mr. Yuronich stated that if too much of the stone became misplaced it could weaken the floor in the basement of the existing building. Mr. Dzwonczyk stated that any permanent solution should be a well-thought-out solution that will not present any future maintenance issues. Mr. Abram inquired about the mud-mat that was mentioned previously. Mr. Yuronich responded that it was a relatively thin layer of concrete that allows the workers a cleaner area to prepare the site without continuously having to deal with the mud. Mr. Dzwonczyk added that when the clearwells at the WFP were poured on the south side of Lake Rd., they had placed a mud mat so that everything was level to ensure uniform thickness across the floor of the clearwells.

*SCADA Communication Upgrades:* Mr. Yuronich informed the Board that staff and ALRW's OT (Operation Technology) integrator, Data Command, will be meeting with the Cybersecurity and Infrastructure Security Agency (CISA) in December to complete their analysis. Mr. Yuronich stated that once this analysis is performed the CISA representative will prepare the report detailing the positives and any areas that could be improved when it comes to ALRW's cybersecurity practices across all networks.

### ***CUE Report***

Mr. Munro stated that he did not have anything to report.

### ***Miscellaneous & Member Reports***

Mr. Rickey stated that he had attended the Avon Lake City Buildings & Utilities Committee meeting on Wednesday November 13, 2024 and that the NOPEC (Northern Ohio Public Energy Council) director was there to report on resiliency and sustainability efforts. Mr. Rickey added that when they were supposed to discuss the demolition moratorium legislation but that it was tabled until the next meeting. Mr. Dzwonczyk inquired if they had distributed a draft yet and Mr. Rickey replied that they haven't yet.

Mr. Abram distributed an article in Water World discussing the 50<sup>th</sup> anniversary of the Clean Water Act that includes its creation in 1974 all the way to the lead service replacement program just released. Mr. Abram also discussed how there has been a six-fold increase in the demand for fresh water over the last century due to population increases and water-intensive processes.

### ***Public Speakers***

Resident William Zimmerman of Avon Lake stated that he has done some checking on what he feels are issues surrounding the sale of the power plant properties. Mr. Zimmerman stated that he had taken photos of buildings that are abandoned and hydrants that were placed in anticipation of future development and had shared these with Mr. Munro. Mr. Zimmerman stated he didn't know what type of remediation would be needed on these sites. Mr.

Zimmerman inquired if the unknown lead service addresses were all older homes. Mr. Yuronich responded that it was homes built prior to 1988 which was when Ohio officially adopted the federal rule and outlawed lead service lines. Mr. Yuronich added that there are developments and homes of various ages that are marked as unknowns. Mr. Zimmerman inquired how many parcels ALRW owns in the areas near the power plant he was previously discussing. Mr. Munro responded that ALRW does not own property in that area and that there are two that are occupied, four owned by the City of Avon Lake and many owned by CEI. Mr. Zimmerman stated that if the power plant property on the north side of Lake Rd. is sold, turned into a park and is developed, would a section of the 108" storm sewer would need to be removed. Mr. Munro stated that the retention pond is no longer connected to the outfall on the north side of Lake Rd. and that it travels west to the 108". Mr. Zimmerman stated that he feels all of the TIF (tax-incremental-financing) proposed by the City of Avon Lake is going to lose money for the taxpayers if they have to do a lot of infrastructure modifications and cleanup that will be needed to make the property useable.

### ***Executive Session***

The CUE requests an Executive Session to discuss the purchase and/or sale of property. Based on discussion in the Executive Session the Board may take formal action upon reconvening the public meeting.

Mr. Rush moved, Mr. Abram seconded, to meet in executive session as allowed by ORC §121.22 (G)(1) and (G)(2) to discuss the employment of a public employee and the purchase and/or sale of public property, and to include the CUE, the CUO, Business & Financial Coordinator, Attorney Anthony Coyne and Board Candidate Nick Mondello (for the portion pertaining to filling the vacant Board position.)

Ayes (per roll-call vote): Abram, Dzwonczyk, Rickey. Rush and Schnabel  
Nays: None  
Motion carried.

The Board entered Executive Session at 7:31 PM

The Board reconvened the public meeting at 8:34 PM

Following the Executive Session

### **Board Appointment**

Mr. Munro stated that per Chapter IX, Section 48 of the Avon Lake Charter, whenever the office of a member of the Board of Municipal Utilities becomes vacant, the vacancy shall be filled for the unexpired term by a majority vote of the remaining members of the Board. Due to the resignation of Mr. Anthony Abram effective December 31, 2024, the Board is required to fill the vacant seat no later than January 31, 2025. The person selected by the Board will fulfill the remaining one (1) year of Mr. Abram's term expiring December 31, 2025. This vacancy was publicly advertised from November 4 thru 15, 2024.

Mrs. Schnabel moved, Mr. Dzwonczyk seconded, to appoint Mr. Nicholas Mondello to fulfill the unexpired term of Anthony Abram effective January 1, 2025.

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush, and Schnabel  
Nays: None  
Motion carried.

### **Real Estate Purchase Agreement**

Based on discussion in the executive session, Mr. Munro asked the Board to approve a real estate purchase agreement.

Mrs. Schnabel moved, Mr. Rickey seconded, to authorize the CUE to execute a real estate purchase agreement with Elam and Ruth Bruegger, for the not-to-exceed amount of \$515,000 plus closing costs, as described in the agreement as presented.

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

### **Employment Agreement**

Based on discussion in the executive session, Mr. Munro asked the Board to approve an employment agreement with Mr. Jack R. Gaydar.

Mrs. Schnabel moved, Mr. Rickey seconded, to authorize the CUE to execute the Employment Agreement with Jack Gaydar for the position of Engineering Services Manager and to be effective on January 13, 2025.

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush, and Schnabel

Nays: None

Motion carried.

### ***Adjourn***

As there was no further business, Mr. Abram moved, and Mr. Rush seconded, to adjourn. The meeting adjourned at 8:36 PM.

Ayes (per voice vote): Abram, Dzwonczyk, Rickey, Rush and Schnabel

Nays: None

Motion carried.

Approved December 3, 2024.

John Dzwonczyk, Chairman

Robert Munro, Clerk