



**NORTON CITY COUNCIL
REGULAR COUNCIL MEETING
SEPTEMBER 14, 2015**

Roll Call: Scott Pelot
Dennis McGlone
Dennis Pierson
Paul Tousley
Charlotte Whipkey
Rick Rodgers

Also Present:
Mayor Mike Zita
Valerie Wax Carr
Ron Messner
Justin Markey
Karla Richards
Dave White

The Regular Council Meeting convened on Monday, September 14, 2015 at 7:00 PM, in the Council Chambers of the Safety Administration Building. The meeting was called to order by Rick Rodgers President of Council, followed by the Pledge of Allegiance and a moment of silent prayer.

COMMITTEE OF THE WHOLE

Acknowledgement of the August 2015 Budget Report

Mr. Rodgers officially acknowledged Councils receipt of the August 2015 Budget reports from Finance Director; Mr. Messner.

Ward 2 Council Vacancy

Mr. Tousley discussed the recent vacancy in Ward 2 that needs to be filled and we need to set the date for the election. Mr. Tousley asked Mr. Markey to explain his email sent earlier today. Mr. Markey stated last week the questions arose regarding the time for setting election, petitions to be filed. Mr. Markey stated he spoke with John Wysmierski at the Board of Elections and their position is an election date will commence 90 days after the circulating petitions have expired. Mr. Markey noted the Presidential Primary election is next March 15, 2016, which is the least costly route because this is a county wide ballot. The issue is if you wanted to do this petitions would need to be turned in by December 16, 2015. The Board also pointed out of there was another vacancy after this November; they take the position, until there is a vacancy which would not occur until January 1, 2016 you cannot pass legislation until after this date. Mr. Tousley raised one concern that the Charter states it must be a Special Election and asked if this is an issue. Mr. Markey explained that a primary presidential election cannot have a special at the same time. Mr. Tousley stated ninety (90) days from Oct. 16 the earliest date could be January 14, 2016 and is close to the March date. Mr. McGlone agreed with that, you are almost at the March date already. Ms. Whipkey asked do you really think it will take the residents that long to get twenty-five (25) signatures? Mr. Pelot stated that maybe we could set a closer date, and Ward 2 would have more representation. Ms. Whipkey stated she believed our Charter would trump the ninety (90) day rule and it's also not considered a Primary. Mr. Markey stated the Charter states the earliest available time, and you could make that argument but as the language is vague they would make the argument that it would defer to the ORC.

Mr. Markey added that if the Charter language stated within say sixty (60) day he believed they would be locked in. Ms. Whipkey asked if this could be a constitutional issue as Ward 2 does not have a direct representative for them even with three at larges. Mr. Markey stated he would not comment on that however the intent is to fill the seat as soon as possible. Mr. Rodgers asked Mr. Markey if what he stated about challenging the Board Court does that mean going to court? Mr. Markey stated that Mr. Markey stated it could mean that as there are some election cases out there where petitions had to be reprinted. There could be a mandamus action asking the Court to allow an election and added he was never for pursuing litigation for its own sake and it would be up to Council to take that direction. Mr. Tousley stated since we have no legislation drawn up the soonest he sees that happening is by a Special Council next week which pushes the thirty (30) days up to another week after October 16, and would give them a fair chance to get signatures in thirty (30) days. Ms. Whipkey stated we could pass this at a special Council meeting to get this moving and Mr. Tousley stated he would be fine with that. Mr. Rodgers stated he also spoke with the BOE today and because of the change in the State procedures they cannot quote a price as Mrs. Richards stated last week, and he felt this would be higher than the \$1,300.00 per precinct figures we discussed last week plus we needed to pay 60% up front. Mr. Rodgers discussed watching our monies going forward; maybe we should save the money and wait until later in March. Ms. Whipkey stated she felt this was unfair to Ward 2, and although we have three (3) At Large we should be bound to follow the Charter. The Ward seats were elected to represent those residents directly and she did not believe Ward 4 or any of the other wards would want to be without that representation. Mr. Rodgers reminded Ms. Whipkey that she also was elected to represent the City as a whole. Ms. Whipkey stated she will respond to any resident from any Ward. Mr. Rodgers stated he has been sitting here eighteen (18) months and he has responded to concerns from all Wards not just Ward 1. Mr. Pelot stated that is achieved by having a full Council seated and even if we elect in January they don't take the seat until certification from the Board of Election, which takes about thirty (30) days. If we wait till March for the election they may not be seated until almost May and he felt it was too long to leave Ward 2 without representation. Mayor Zita discussed the current At Large seats and that two (2) of them are from Ward 2. Mayor Zita stated that the issue of the election turnout and that all three could be eliminated and replaced. If that were to happen beginning January 1, 2016 there would not be any representation in Ward 2. Ms. Whipkey added it's possible there could be two seats down depending on how the November elections go. Mr. Tousley agreed the Charter says as soon as possible, and would support the January 19, 2016 for the election. Ms. Whipkey questioned the petition deadline and Mr. Tousley stated he believed it would be thirty (30) days from now. Mr. Rodgers questioned who is to say you can get the signatures in thirty (30) days; and questioned what is the recommended allowance to get the signatures? Mr. Markey stated that he was not sure there is one, only that the Charter specifies when it has to be filed so you could start as soon as you want. Mr. Rodgers asked then how did we come up the thirty (30) days we are discussing now and Mr. Tousley stated this was his suggestion. Ms. Whipkey stated there were situations that needed double that amount that has taken a week or less time, if you cannot get (25) signatures in two (2) weeks, the likelihood to get elected would be slim to none. Ms. Whipkey stated she would just like to see Ward 2 have a voice as soon as possible as she believed the Wards expected their elected representative to work on their behalf first. Mr. Tousley moved to set January 19th election date, and Mr. Markey stated he would set the petition deadline 90 days working backwards from the date of the legislation.

Roll Call: Yeas: Tousley, Pelot, McGlone, Pierson, Whipkey, Rodgers
Nays: None

Motion passed 6-0.

Mr. Tousley asked if Council needed to set a Special Council Meeting for later this week or wait until Monday of next week? After brief discussion and concurring with everyone's calendar it was decided to have a Special Council Meeting next Monday immediately following the Committee Work Session.

RES #50-2015

Mr. Tousley offered Res. #50-2015 for its first reading and asked the Clerk to read it.

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF OFFICER BILL BRAMAN FOR HIS SERVICE AS COUNCIL BAILIFF, AND DECLARING AN EMERGENCY.

Mr. Tousley asked Officer Braman if he would like to address Council. Officer Braman read a short statement (see attached). Mr. Tousley thanked Mr. Braman for his service over these past years and was always very personal when he addressed him as needed. Ms. Whipkey concurred and added that we will miss you. Mr. Pelot commented there are many stories throughout the City where he had calmed situations and Mr. McGlone concurred. Mr. Rodgers thanked officer Braman for his service and always regarded him as a friend, although you may not see it that way. In no way was this a personal attack against him, it was an unfortunate incident. Mr. Pierson thanked Mr. Braman for his service.

Mr. Tousley moved to waive the second and third readings, seconded by Whipkey.

Roll Call: Yeas: Tousley, Whipkey, Pelot, McGlone, Pierson, Rodgers
Nays: None

Motion passed 6-0.

Mr. Tousley moved to adopt Res. #50-2015, seconded by Ms. Whipkey.

Roll Call: Yeas: Tousley, Whipkey, Pelot, McGlone, Pierson, Rodgers
Nays: None

Motion passed 6-0.

Nash Heights Sanitary Sewers

Mr. Pierson discussed the handouts received tonight and that there is not much for discussion tonight. Mr. Pierson stated that he would like to have Council read through the material and be prepared to address it in detail next week. Mr. Pierson discussed the letter the City received from Summit County last week (see attached) specifically Paragraph #2. Mr. Pierson stated he was baffled by the statement as he doesn't recall Council being asked about it and the Administration going forward. Mr. Pierson asked if Barberton has created a Sewer District, will we lose in any shape or form our sovereignty for what goes on for development within this City? Mr. Pierson also asked how is NEFO going to be set up and who will control this?

Mr. Markey replied that Barberton does not have a Sewer District what they have is a municipal sewer utility; and they have a sewer contract with the City of Norton for which they provide service. The idea of can they build sewer lines within the City of Norton which ultimately is Mr. Pierson's question; is an open question, there are not a lot of legal authority here and he felt the City of Barberton would not enter into the City of Norton without consent of some kind. Mr. Pierson directed Mr. Markey to look into the legal aspect of the City of Norton by eminent domain taking all of the utility lines within Norton be it the City of Barberton or Summit County owned lines. Mr. Pierson stated that he believed it needed a lot more looking at other than how it is set up as he does not want the City of Norton to end up on the short end of the line here, be cornered by, or be beholden to Barberton. Mr. Pierson stated that even if we had our own, and under the JEDD agreement; we could charge the wholesale rate with Barberton taking the sewage. Mr. Markey reminded Mr. Pierson that was a proposal discussed at the end of 2013. Mr. Pierson agreed but stated that this letter made it different and more ominous to him with its overall spirit and comment. Mr. Markey stated that most of the questions you have now were going to be addressed in the final sewer agreement with Barberton. Mr. Pierson reiterated that he would like eminent domain to be examined. If nothing else, by going to Court, the \$1.7 million dollars would be fixed by a jury for them to decide the true value of lines as he didn't believe it was worth that much. If it behooves our City to go that direction, it's worth exploring to get the lines at a lower cost or nothing; you can always ask questions. Mr. Markey clarified the question is if one government entity can use eminent domain on another municipality's assets in the first's jurisdiction. Mr. Pierson stated he wanted Norton to tack eminent domain on their lines within our City. Mr. Markey stated this would need further research and wanted a memo on it from Council. Mr. Rodgers asked what the Planning Agency really means? Mrs. Carr stated the NEFCO planning organization has always been out there and has always had jurisdiction over these types of matters. Barberton was already named as the agent for Norton because the majority of the lines are Barberton lines. In some cases, a city that has no lines or very few lines is named as the secondary agent, but for whatever reason, we were never listed as the secondary agent and that goes way back for many years. Mr. White stated all sewers in Norton would go to the Barberton Plant as specified in the designated planning areas under the NEFCO 208 Plan, and that Secondary management agencies can be designated. In the past, under the NEFCO plan, Barberton has always been the Primary Planning Agency as they have the only plant geographically located and in the past DOES has been named the secondary management agency. Mrs. Carr added that under potential secondary agreement, referred to by Mr. Markey that would come out of the MOU, we had suggested we would be the secondary agent as we had never been on it and NEFCO was open to it. Mr. White stated that Norton can be designated as a secondary agency. Mr. White stated with the EPA certain areas are determined to be on site areas or septic or connecting to sanitary sewers. We can be very specific on how those prescriptions are laid out and we have a lot of flexibility on it as NEFCO is very open to and want the communities to weigh in how those prescriptions are laid out as a secondary agency. Mr. Rodgers asked how this affects Summit County on this and Mr. White stated they were considered secondary management agencies from long before his time and was likely logical then. Mrs. Carr added that at one point the County was, maybe not taking over, but trying to centralize a lot of lines as they were doing in many communities they had lines in. Mr. White stated it relates to planning and how you designate certain areas, and input on how the areas are defined.

Mr. Rodgers asked hypothetical if an area in Norton ends up like the Nash Heights, who would ultimately plan how to address that, would Norton lose its ability to do that? Mr. White explained that Norton, as a secondary agency, can define how this is to be addressed and the EPA can always deny or overrule the plan, however we can go to them and say this is how we want to address this sanitary sewers or on site methods. Barberton geographically is the designating agency because everything would be going to their plant and they have to show they have the capacity to handle expansion of sanitary sewers. Beyond that Norton, as the secondary agency, can spell out all those requirements of areas using sewers or septic. Mrs. Carr reminded everyone that there is joint planning and Mr. Rodgers stated that MOU is already expired and Mrs. Carr stated that is simply not correct. Mr. Markey stated the MOU proposed a closing date of June 30, 2015 for the transaction taking place now between the County and Barberton that can be changed by mutual agreement from either of the parties, it had no expiration date. Mr. Markey stated the thinks the questions you are trying to get at is would Barberton have the ability to take the system for Nash Heights. Mr. Pierson stated beyond that if he is the buyer and needs cash flow and has a potential customer base, and he could force a sewer project, he certainly would be working to increase his customers and his cash flow. Mr. Pierson stated that is his major problem with it as he does not want to be the pocket book for Barberton since they are losing revenue. Mr. Pierson stated that he does not want to see Barberton coming and telling us this is how you are going to develop your city because we are holding a gun to your head and demanding this is how you would build your sewers. Mr. Markey stated that is not the case which is why we are doing the MOU with the concept that demands a sewer agreement between the two parties. Mr. Pierson stated he did not believe we ever agreed to anything west of SR 21 being totally in Norton's control. Mr. Markey clarified there is language in the MOU that was never finalized and Mrs. Carr stated that is the negotiation point, and Mr. Markey stated we were clear at least from some of the Council members that this was a negotiation point. Mr. Rodgers disagreed with the June 30th expiration and read that section in the MOU. Mr. Markey explained the intention was to set a date for us all to work towards that was reasonable and was not a hard line for the MOU to expire. Mrs. Carr stated the whole part of this letter from Summit County is that Norton has not moved with any legislation relating to the agreement, and that she thought all of Council understood this process, and now she is hearing otherwise. Mrs. Carr stated there has been no resolution or change brought forward in trying to work with the MOU; she understood Council wanted it slowed down, but never understood that it was to be given up. Mr. Rodgers talked about the initial problem with the 1,400 additional hook ups which started the slow down process. Additionally, Barberton is not really putting anything into this; we are giving up our infrastructure, we are giving up customer base, and what did they bring in? Ms. Whipkey asked if we are getting confused between the proposal from Norton to Barberton and the MOU? Mr. Rodgers replied no, those financial figures are part of the MOU. Mrs. Carr disagreed stating that there are no numbers in the MOU agreement like that. Ms. Whipkey agreed with Mrs. Carr, adding that the 1,400 figure was our projection as to how Nash Heights was going to be funded. Ms. Whipkey stated that going back to the fact that she was also under the impression of an expiration date and there was a specific paragraph addressing this. Mr. Markey stated no, there was a closing date of June 30, which could be extended by agreement of the parties and, without direction otherwise that we were not proceeding with an agreement, you would extend the closing date without needing an amendment to the MOU.

The MOU was simply a document to work in good faith with each other to get to a full agreement, did not have an expiration date, and was not binding. If you do not ever get to the finishing line, you don't get to the finishing line, but it never expired. Mr. Rodgers discussed the four package plants and that they were to be abandoned. The cost to do this was to be paid by the County when they owned the plants. When we entered into discussing numbers with Barberton and them purchasing the package plants, the cost was going to be transferred to Barberton and the residents of Norton through our surcharges. Now without the MOU and no agreement with Barberton, and Barberton buying those plants he was sure the citizens of Barberton are not going to be paying for abandoning the plants. We have 640 residents being served by the package plants and how it will impact them is a question that needs answered. Mr. Markey stated that there are a lot of questions that cannot be answered until we have an agreement in place; he would assume Barberton would follow the water and sewer agreement, charge the rate authorized by that agreement, and perhaps use their portion of surcharges. Mr. Pierson asked how could Barberton City Council pass legislation to spend \$1.7 million to purchase these plants, only to abandon them later at a cost of running lines to them of \$5 million? He doesn't really care what Barberton City Council does, but it doesn't seem like a good deal to him. Mr. Pierson stated he does not want to see any residents in Norton Acres, Frashure, and some in Mount Vernon being assessed \$8,000 for this, as it has to be paid for. The battle cry in the past in this town has been "I paid for mine when I bought my house and I am not paying for yours." Well guess what folks, there's a possibility that you are going to pay more and he does not want to see the residents get hammered. Personally, he feels it is a push on the County to act with Barberton on us; he believes it needs a lot closer look as it keeps changing. Mr. Markey stated the County is not asking you to agree to this letter, they are just doing it. Mrs. Carr stated she felt we were giving Barberton and the County different opinions every time we get together; over a year ago we told the County and Barberton that we did not want to own the system, and now from what she is hearing this may not be the case. If you wanted to own the system, why didn't you just work towards that? Mr. Pierson stated as this has developed and evolved things have changed; reading the letter, gives the tone that we have been shoved to the side and they are going to do what they are going to do regardless of what we think. Mr. Pelot stated it was always his contentions that if we want to be in control of our own destiny then we need to own our own system. If we do this now with the sewer, we will just be following the same path, and they will dictate what happens. Just look at the JEDD agreement and the water, if we do this with the sewer, we are just going down that same path. We truly need to own our own system. We can get the bulk rates, subcontract the service out, and have meters, and mainly we can control it. Mr. Rodgers stated we cannot get to the bulk rates until we have reached a certain usage, according to the JEDD agreement and Mr. Markey concurred. Mr. Rodgers stated that means that we need development, and last week we were told we are faced with a \$16 million dollar road program, and we are scrambling to figure how we are going to do that in the lifespan on the residents in this community. Mr. Rodgers asked if we have the wherewithal to go into the sewer business? No, he opposed this in 2013 and he still opposes this. That is not to say that we cannot get a better deal from Barberton on an agreement. Mr. Tousley asked if the MOU is not a binding agreement as it was stated in the past several times, how can they move forward on this? Mrs. Carr stated that is in the part that was just between the two (2) of them (Barberton and Summit County) and since this date passed is one of the reasons why we are getting this letter. Mr. Tousley stated he was under the understanding it was for all three (3) communities.

Mr. Markey stated the MOU has a separate purchase and sale agreement between Barberton and Summit County; and then a separate sewer agreement between Norton and Barberton. Mr. Markey stated that it's not binding by any of the parties, if the County chose to walk away the County can do so, and the same for Barberton. However they have made the choice to move ahead with their portion of this plan and agreement, it was not binding on them, but they made the choice to do that. Ms. Whipkey read more sections in the MOU and the fact that the City of Norton and Barberton have not executed a sewer agreement, and on page #2 it states: "*Closing Date*" means June 30, 2015 or such earlier or later date as shall be mutually agreed upon by the Parties in accordance with Section 2 of this Memorandum; however on page 8 it states the memorandum terminates on the earlier of the closing date which would have been June 30th, or the date the County and Barberton execute the purchase agreement, and Norton and Barberton execute a sewer agreement. She questioned if this thing is still alive as we have not executed a sewer agreement, which is the Proposal from Norton to Barberton. Mr. Markey stated he agrees the MOU agreement is not the clearest; however you need to focus on where does the City go from here. You need to decide if you want to re-enter negotiations with Barberton or not and whether it will be under the same terms as in the MOU; he felt you could amend the MOU or just work towards the final agreement. Mr. Markey added that he felt worrying about whether the MOU was terminated or not is not the right issue to be focusing on; the issue is where you go from here. Ms. Whipkey stated she feels we still need to discuss this MOU/Agreement because there is a clause in here that relates to vacuum sewers and if this is still standing or if not she has concern that Barberton may decline to take them over. Mr. Markey responded that the MOU is clear that we get to pick for Nash Heights and that would be clear in the sewer agreement. The sewer agreement supersedes the MOU and is why you would work towards a final agreement or not. Mr. Rodgers stated he feels like someone stuck a gun in his back here; he does not like the tone in this letter and would like to see a resolution to oppose the sale and take any necessary steps to block it. Ms. Whipkey asked how can we stop someone from selling their own property? Mr. Rodgers stated he felt we needed to make an attempt to do it; whenever it comes to Barberton; Norton always seems to come out with the short end of the stick. Mr. Rodgers questioned if the people of Barberton even know of this and are they willing to take on this kind of debt? Ms. Whipkey stated over a year ago she was all in favor of the County keeping the sewer lines and having the maintenance costs spread across the entire county as opposed to us taking over and being stuck with everything. However, when she heard about Barberton coming into the picture she had reservations then, did a 180, and stated we really needed to reconsider getting this ourselves as Norton citizens were going to pay for those lines, we were going to pay for the maintenance and there was no way Barberton was going to accept the burden of paying for it. That is never the way it works. Ms. Whipkey stated that there really may not be anything Norton can do, we sat here and did nothing and the other two entities have decided to move forward leaving us to pick up the pieces. Either way the Norton citizens will be paying for this whether Barberton owns it or we own it; she hated saying so, but we would have had more leverage with the same debt. Ms. Whipkey stated that this was not all hindsight; you all thought that she was crazy when she approached them on it and would not even listen to her when she tried to bring it up. Ms. Whipkey asked if the City of Barberton has received this letter yet and Mrs. Carr stated it was received this morning. Ms. Whipkey asked if we know if Barberton is going forward with this and Mrs. Carr replied she has no idea. Ms. Whipkey asked if they even have to tell us and Mr. Markey stated he believed they would have to pass legislation authorizing the sale.

Mr. Rodgers asked if there is a way to impede or stop this and Mr. Markey declined to discuss on the floor and would be happy to discuss this in executive Session. Mr. Rodgers stated as far as picking up the pieces, he felt we were still in a negotiating position and we just have to make the right deal, adding the right deal was not the financial picture presented to us. Ms. Whipkey asked about putting the matter on the agenda for Executive Session at the Special Council Meeting. Mr. Pierson moved to place this on that agenda for executive session, seconded by Ms. Whipkey.

Roll Call: Yeas: Pierson, Whipkey, Pelot, McGlone, Tousley
Nays: None

Motion passed 6-0.

Mr. Pelot asked the Administration about gathering up the preliminary or estimated maintenance costs in preparation for that meeting. Mrs. Carr replied she has EDG's preliminary information and she understood that AirVac and Barberton have not responded. Mrs. Carr stated she thought the procedure was going to be to have all the parties here to discuss and present. Mr. Rodgers responded that was correct and was what we had agreed upon. Mrs. Carr reiterated that nothing had been submitted by AirVac and could not answer for them, but she felt we have not heard from Barberton as they were concerned with where we were heading. Mr. Rodgers moved to have a resolution from Council with the Administration opposing this sale, seconded by Pierson. Ms. Whipkey stated she would like to have the Executive Session first before having legislation prepared opposing this sale. Mr. Rodgers asked Ms. Whipkey if she was in favor of this sale and Ms. Whipkey pointed out she wasn't in favor of it way back when she first heard Barberton mentioned. Nobody cared then because it was a "win win situation." Mr. McGlone wanted to wait as did Mr. Pelot before opposing this. Mr. Pelot added he was always for owning the lines as if someone want around a contract, they will find a way. Mrs. Carr stated she understood everyone's opinions tonight, but you have to look at this at the point in time and why moved forward the way we did. Norton rejected the idea of owning our own lines. We had to go to Barberton or Summit County and Mr. Rodgers was part of all those discussions between the parties. Mr. Rodgers concurred by stating he understood that. Mrs. Carr stated as the City Administrator she would not agree to this resolution until we review all of the issues and discuss it as she felt we were renegeing on some of the issues talked on and agreed to with those parties. Mr. Rodgers asked Mrs. Carr if she was aware of this sale prior to the letter coming out that the County and Barberton was going to do this? Did anyone from Barberton or the County discuss this with her? Mrs. Carr stated all along they said they were going to do that and it was part of the MOU. Mr. Rodgers stated he was talking recent history and prior to the City receiving the letter if she or the Mayor knew that the County and Barberton were going to get together and do this? Mrs. Rodgers stated she did not know officially but had heard through the grapevine; in fact, Mr. Went from Summit County stated to her that he was disturbed that Mr. Rodgers had contacted him with the intent of Norton renegotiating and taking over, but that ship had sailed. Mr. Rodgers denied such conversations and stated that he would get that confirmed tomorrow. Mrs. Carr stated that within that conversation Mr. Went stated that we are going to work towards our sale. Ms. Whipkey stated the whole point and she never had a doubt that Barberton wasn't going to buy those lines from Summit County and is why we need to rethink this. If they own them it's their ability to pass that cost on to us. Ms. Whipkey stated if those package plants go down and Barberton owns them, why couldn't they just assess the people for it?

Mrs. Carr stated that is why it is so important now if this deal goes through that we have to get into the agreement process so that we can set our own parameters now. Mr. Rodgers disagreed that is not the case, this is a gun in our backs to force Norton to go into this deal with Barberton, and it's not a good deal at this point. Barberton is not putting anything into the deal; they are capturing all of the customer base. Mrs. Carr reminded Council that Barberton is reinvesting the surcharge back into Norton. Mr. Pierson stated that's to their own gain and an incredible deal for Summit County to sell for the price. Mrs. Carr stated she did not know how that concept could have been missed by anyone as why would anyone go into this agreement if they were not going to have potential new customers. Mr. Rodgers & Mr. Pierson both withdrew their motions. Ms. Whipkey asked if we should move forward with anything in Nash Height; will this have impact on what we need to do with Nash Heights. Mrs. Carr stated the EPA needs to know who is going to own the sewers and we have it down that Barberton would do this. Mrs. Carr reminded that Mr. Rodgers and Mr. Pierson both were in attendance with this last EPA meeting where this was discussed as Barberton owning the sewers. Mr. Rodgers stated in that last meeting he had stated the sewers would be built, even if it was Norton that built them. Mrs. Carr added the slowing down was due to the pump station issue. Mr. Rodgers discussed the handouts about the two systems, the freezing issues discussed in the past and information that the systems do work in climates like ours, and that it was just informational flow for the next meeting. Ms. Whipkey asked where are we with the assessments? Mr. Markey stated the plans are pretty close to being done, perhaps for the next Regular Council meeting and those Resolutions of Necessity will need to be reintroduced with some level of estimated assessments.

COMMUNICATIONS FROM THE PUBLIC-Agenda and Non-Agenda Items

Neva Gibson, 3301 Higgins Drive, Norton, Ohio, clarified some statements of the last week, and handed out more researched information (see attached) including the summary report from Plum Island Vacuum System where it is stated even if the vents were cleared, it would not have helped the problems experienced. A low pressure system came to light during her research and it was a third option for a sewer system. Mrs. Gibson stated that she is not content with the vacuum system for the City of Norton. Mrs. Gibson stated she spoke with Councilman John Wagner of Barberton and he had spoken with the Plumbing and Pipefitters Union in Washington DC. That person stated they are fine if they are installed below the Mason-Dixon Line, again warmer climates. Mrs. Gibson stated her biggest concern is with the temperatures. Mrs. Gibson stated that even the residents in Clinton did not want AirVac and Mr. Rodgers asked if she knew why Clinton did not want them? Mr. Rodgers stated it was a cost issue; they are looking at it again because the County initially bid this too high. Mr. Rodgers stated when those bids come back they will be lower and that Clinton most likely would go with it. Mr. Pierson stated you need to read up on the Portage County Engineers. He had read the information Mrs. Gibson presented and it seemed to be very negative towards the vacuum systems and that one contact listed was a sales representative for pumps so it's no wonder that he is not in favor of vacuum systems. Mr. Tousley stated that he has not made his decision either way. Mr. Tousley discussed the previous packet of information Mrs. Gibson had distributed and he had some issues with the information. Mr. Tousley discussed person she talked to is a regional sales manager for the pump company so naturally would be in favor of pumps. This person stated that vacuum systems are anomalies however Mr. Tousley believed they have been around since 1947. Mr. Tousley the costs of repairs and that he knew in Randolph they have no extra charge to the homeowners.

Mr. Tousley discussed the warranties and the only one he could find in her information was one for a grinder pump that is for three years and that it cost \$800.00 to rebuild for every fifteen (15) to twenty (20) years. In this same packet of information it says that AirVac has a ten (10) year warranty that costs \$200.00 to rebuild ever ten (10) years. Mr. Tousley stated that if you take a maximum of twenty (20) years on the grinder pump that is still half the price of the air pump. Mr. Tousley stated that AirVac does not use pumps, they use valves. Mr. Tousley stated that if there are so many of these pump companies, they apparently don't last that long to have seven (7) or right (8) multi-million dollar companies in business to supply these pumps. Mr. Tousley stated that Mrs. Gibson asked for us to check and verify all of this information and members of Council have went to various entities viewing systems; however we have never been given this gentleman's name to do so. Mr. Tousley questioned the statement of tried and true technology of pumps when that is coming directly from a pump salesman just like a former Mayor being involved with designing gravity systems. Mrs. Gibson stated the low pressure grinder system researched was Consolidated Technologies. Mrs. Gibson stated Mr. Tousley's concern, but this contact may not have always been a sales representative. Mrs. Gibson discussed Mr. Rodgers' prior statements on the grinder pump at the Fire Station breaking down; it was not the pump that failed, it was caused by unauthorized items being flushed into the system. Mr. Rodgers inferred the point is that it broke down and such things could occur in homes. Mr. Rodgers stated there is no homeowner cost to the vacuum system. The pit belongs to the City. The only cost is from their home to the pit. Ms. Carrie Beagle, 920 Reimer Road, Norton, Ohio, spoke about the MOU and Ms. Whipkey's comments that the residents will be the ones paying for this. Mrs. Beagle stated she does not mind paying for repairs or improvements; however she does not like paying for surprises. Ms. Beagle asked how many were aware of the MOU when it got started, how many were involved in it stalling out, why did we sit on it? She voted for everyone and expects Council to look out for her. Ms. Beagle stated she sees a disconnect here between the Council and Administration, she sees the looks and the frowns on all of your faces. You are public entities and you really need to work on your facial expressions. Ms. Beagle stated her boss told her one good thing to always remember "It's better to be productive than right." You really need to take that to heart as you don't always have to be right but you do need to be productive. You need to find a common goal to work together as she is tired of watching you make faces at each other.

Mrs. Welch, 3108 Monterey Drive, Norton, Ohio, read her prepared statement regarding the roads (see attached). Mrs. Welch stated she felt we have a good Administrative team and she encouraged Council to continue to work with them.

CONSIDERATION OF MINUTES

Consideration of the August 17, 2015 Committee Work Session, approved as submitted.

Consideration of the August 24, 2015 Regular Council Meeting. Mrs. Richards noted two (2) typos on page # 8 lines 11 and 15 it states Mr. *Market* not Mr. Markey. The minutes are approved as corrected.

Consideration of the August 31, 2015 Special Council Meeting, approved as submitted.

Consideration of the September 8, 2015 Committee Work Session-*Deferred to 9-28-15*

REPORTS FROM OFFICERS, BOARDS AND COMMISSIONS

There were no reports.

PUBLIC HEARINGS-None

INTRODUCTION OF NEW LEGISLATION

RES #51-2015

Mr. Toulsey offered Res. #51-2015 for its first reading and asked the Clerk to read it.

A RESOLUTION OF APPRECIATION FOR THE SERVICE OF DANNY GREETHER FOR HIS SERVICE AS WARD 2 MEMBER OF THE CITY OF NORTON COUNCIL, AND DECLARING AN EMERGENCY.

Mr. Toulsey moved to waive the second and third readings, seconded by Ms. Whipkey

Roll Call: Yeas: Toulsey, Whipkey, Pelot, McGlone, Pierson, Rodgers
Nays: None

Motion passed 6-0.

Mr. Toulsey moved to adopt Res. #51-2015, seconded by Ms. Whipkey. Mr. Toulsey stated that he was surprised with Mr. Grether's resignation and read part of an email he initially sent to the Barberton Herald: *"I know this had to be a very difficult decision for Danny, after witnessing his passion and desire to serve Norton residents, which he did with great integrity. That being said, I respect his decision to put family first, further detailing his character. I wish him and his family all the best going forward"* Mr. Rodgers stated he was also surprised with the resignation and he does expect to see Mr. Grether come back some day.

Roll Call: Yeas: Toulsey, Whipkey, Pelot, McGlone, Pierson, Rodgers
Nays: None

Motion passed 6-0.

INTRODUCTION OF PRIOR LEGISLATION

ORD #45-2015

Mr. Rodgers offered Ord. #45-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE THE SUMMIT COUNTY INTERGOVERNMENTAL MEMORANDUM OF UNDERSTANDING FOR JOB CREATION AND RETENTION AND TAX SHARING REVENUE 2015-2016 VERSION, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #48-2015

Mr. Rodgers offered Ord. #48-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AGREEMENTS WITH FIRST MERIT EQUIPMENT FINANCE, INC. FOR THE LEASE-PURCHASE OF A LIFE LINE "CUSTOM SUPERLINER" TYPE III AMBULANCE FROM PFUND SUPERIOR SALES, AND DECLARING AN EMERGENCY.

Second reading only.

ORD #49-2015

Mr. Rodgers offered Ord. #49-2015 for its second reading and asked the Clerk to read it:

AN ORDINANCE AUTHORIZING REAL PROPERTY TAX EXEMPTIONS WITH RESPECT TO CERTAIN REAL PROPERTY WITHIN THE CITY OF NORTON COMMUNITY REINVESTMENT AREA FOR THE PURPOSE OF ENCOURAGING ECONOMIC DEVELOPMENT WITHIN THAT AREA; AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENT WITH KDA MANUFACTURING LLC, AND DECLARING AN EMERGENCY.

Mr. Rodgers moved to waive the third reading, seconded by Ms. Whipkey. Mrs. Carr explained that late Friday we did received confirmation from the State of Ohio that our CRA was granted and we can officially allow them to get started.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, McGlone, Pierson, Tousley
Nays: None

Motion passed 6-0.

Mr. Rodgers moved to adopt Ord. #49-2015, seconded by Ms. Whipkey.

Roll Call: Yeas: Rodgers, Whipkey, Pelot, McGlone, Pierson, Tousley
Nays: None

Motion passed 6-0

UNFINISHED BUSINESS

There was none

NEW BUSINESS

Ms. Whipkey stated that looking at the road program she questioned if we permit heavy duty construction on the residential roads and if there is a load limit of what can come in? Mrs. Carr stated she would be happy to research that but she believes it's broken down by areas. Ms. Whipkey stated she would like to see some legislation written relating to mitigating for the damages caused to our roads. Possibly something that could protect the secondary roads and perhaps presenting something to Kimble now in relation to their upcoming contract. Mr. Pelot stated that the enforcement issue is something to be considered with the legislation. Mr. Rodgers suggested having bonds posted to protect the roads. Mr. Pierson asked if we currently post in the neighborhoods. Mayor Zita stated that the weight scales were having issues with calibrating them and they were returned. Mr. Pierson suggested contracting with State Patrol on this.

PUBLIC SERVICE ANNOUNCEMENTS

Mayor Zita read several announcements (see attached).

PUBLIC UPDATES

There were none

ADJOURN

There being no other business to come before the Regular Council Meeting, the meeting was adjourned at 9:00 PM.

Rick Rodgers, President of Council

I, Karla Richards, CMC-Clerk of Council for the City of Norton, do hereby certify that the foregoing minutes were approved at a Regular Council Meeting held on September 28, 2015.

Karla Richards, CMC-Clerk of Council

NOTE: THESE MINUTES ARE NOT VERBATIM*

****ORIGINAL SIGNED AND APPROVED MINUTES ARE ON FILE WITH THE CLERK OF COUNCIL****

All Council & Committee Meetings will be held at the Norton Safety Administration Building, unless otherwise noted.

Susan Wech

3108 Monterey Drive

Council Members and Norton Residents

Developing a road maintenance program will be invaluable to the citizens of Norton and the future growth of our city.

Without a strong infrastructure: ROADS ETC ETC

The city will lose potential tax revenue through slow growth both commercial and residentially

Loss of jobs for residence

Community member's property value will decline due to deteriorating neighborhoods.

You as council members have been discussing funds for road repair at around 1 to 1 ½ million.

I would ask you to consider the following:

If you budgeted 1 to 1 ½ million a year

How long would it take to repair all of the roads at a repair cost of 63 million

At the rate of 1 to 1 ½ million a year would the City of Norton ever be caught up on the repairs taking into account the life expectancy of asphalt.

Your leadership and that of the City of Norton's Administrative team is needed.

Please consider directing The City of Norton's administration to develop a LONG TERM, COST EFFECTIVE, COMPREHENSIVE road program that would repair the roads in a more timely manner. You have a good team, direct them, allow them to develop the programs and then support them.

I think the Benza report did an excellent job of pointing out the cost savings to the Norton Citizens by keeping the roads well repaired.

With this in mind –

The sooner the roads are up to a reasonable level of repair the quicker the cost savings.

This work cannot be done with a magic wand, but will need millions of dollars.

The Benza report also did a nice job of pointing out many ways to fund the City of Norton Road projects.

I think it will take multiple funding sources and I would support a General Road Levy as part of the funding project. As citizens we cannot expect the city to progress without providing you the financial resources to work with.

I personally would like to thank each of you and the City of Norton's Administrative team for your work – it is not an easy job.

I ask each of you to PLEASE THINK BIGGER FOR OUR CITY -

beyond the 1 to 1 ½ million year to pay for Norton to repair 63 million dollars of road repair. It is not enough.

Be a council that will go down in Norton's history

as one that learned to work together

and with the administrative team lead our city into a brighter future.

Develop a multi-faceted program that the citizens of Norton would be proud of and would be able to support.

 COPY

Karla Richards
Clerk of Council
City of Norton, OH 44203

Sept. 14, 2015

Dear Members of City Council,

Please accept my sincere appreciation for the recognition of my service as the police officer on duty for the City of Norton Council meetings over the past 8 years. I also want to extend a thank you to the many members of the community that have supported me after my departure from my duties at City Council. Please know that I feel the incident on July 13th was truly unfortunate. I had accepted what happened, made a decision to take myself out of the situation, and decided to move on.

Until last week I thought we all had moved on. However, I must address the comments made by Council President Rick Rodgers, which indicate otherwise. Mr. Rodgers alluded to me personally when he stated that any officer interfering with the legislative business would be gaveled because he would be acting in an unprofessional manner. Since there was an incident in which I intervened, not in order to disrupt the legislative process but instead to keep calm I can only assume that Mr. Rodgers was making a reference to my actions. Once again as an officer of the law for 18 years, I have a duty to intervene to keep the peace no matter the circumstance. Again, I have never acted in an unprofessional manner. I hold an unblemished record and have been recognized over the years for my achievements.

Again, I hope we all can move on. The time is now to stop talking about my job as a police officer; I have been trained and know I am here to serve the people of the City of Norton.

Sincerely,

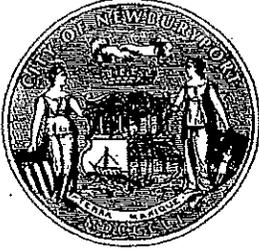


William Braman
Patrolman, City of Norton

COPY



9-14-15
Submitted by NEWAGibbs



City of Newburyport
Department of Public Services
16A Perry Way
Newburyport, MA 01950

ANTHONY FURNARI, DIRECTOR
WAYNE S. AMARAL, DEPUTY DIRECTOR/DIRECTOR OF OPERATIONS

PHONE: 978-465-4463
FAX: 978-465-1623

TO: Donna D. Holaday, Mayor
FROM: Jamie Tuccolo, Sewer Superintendent
CC: Anthony Furnari, DPS Director
DATE: March 23, 2015
RE: Summary of Plum Island Vacuum Sewer System Issues Winter 2015

On January 23, 2015 significant operational problems of the Plum Island vacuum sewer system developed with noted increases in low vacuum alarms and ultimately failure of portions of the system. The prolonged freezing temperatures and record breaking snow amounts were critical factors in this failure. The sewer department has worked diligently to operate the system with a high quality during the past six year's. Sewer personnel have the training needed to maintain the vacuum system, as well as the operational skills to diagnose, find, and repair any issues associated with the vacuum sewer system. However, during this winter of 2014/15 operators could not withstand the sure power of Mother Nature's fury, which unleashed four major snow storms in as many weeks; operators could not get to the needed components of the vacuum system to repair during the storms as well as in the immediate aftermath.

It should be noted that Plum Island is composed of two communities Newbury and Newburyport. The City of Newburyport operates the sewer system in Newbury from the Olga Way Station for both communities. Other operational tasks, including snow removal, are the responsibility of the Town of Newbury for their respective section of Plum Island.

Overview

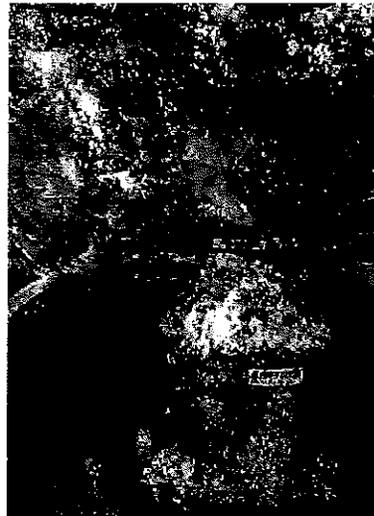
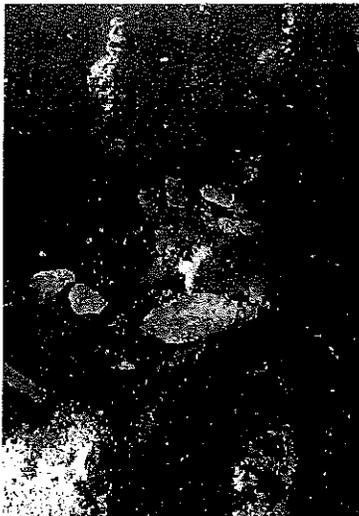
The Plum Island vacuum system contains approximately 637 valve pits. In each pit is one valve which may service up to 4 homes. At each home an air vent or candy cane is located on the property; there are an estimated 1,240 air vents or candy canes. The air vents are used in two ways: first, allowing air to be introduced to the pit when the vacuum is on; second, operators utilize to listen for a *howling* sound once the system enters into a low vacuum alarm to help locate the issue or leak. With record snow fall 100+ inches in a four week period, the air vents were buried and difficult for the home owners to uncover, making finding leaks nearly impossible. **Please note: if the entire Island had cleared air vents the results would not have changed.** However, clearing snow and other debris away for the air vents would dramatically reduce valuable time looking for low vacuum leaks, and likely reduce the time restoring the system.

There are four vacuum mains two 10" and two 8" which service the Island, the four mains or legs are connected to the collection tank on Olga way. The mains are:

- Outer: Located Northern Blvd. 10"
- Inner: Located on Northern Blvd. 10"
- Sunset Dr.: 8"
- Old Point Rd. 8"

The most frequent and re-occurring issue with the vacuum system is caused by the freezing and icing of the system components, as well as limited access to the valve pits. These issues include, but are not limited to the following:

- Valve pits frozen with solid ice
- Valves in pits frozen open and closed causing backups and low vacuum
- Controllers freezing
- Check valves freezing
- Gauge and diversion valves frozen
- Frozen service lines from the valve pit to the main
- No access to valve pits when great amount of snow cover



Between record cold temperatures during the early winter months followed by four snow storms in as many weeks, operators followed all protocols and exhausted all viable options with regards to operating the system during the snow storms leading up to the failure.

The vacuum system started to experience phantom alarms in early January. Phantom alarms are when the system enters into low alarm, the system pages the on call crew to respond. Once the crew is in route, and if the alarm resets itself, the on call crew does not have the knowledge of where the alarm originated from and cannot address the issue. The on call crew has a 40 minute response time, these phantom calls sometimes last upward of 40-60 minutes before resetting. Operators typically are looking for the phantom leak for an hour and when the system resets itself, the operator can only wait until the system goes back into alarm mode before any issue can be located and repaired. However, once a controller or valve fails, the system typically stays in low vacuum until the operator finds and address the problem. This was not the case during the 2015 winter. Between the first and second snow storms in late January, snow removal on the Island was limited due to the record amount of snow, , and limited personnel and equipment.. Operators did not have access to some of the streets or could not locate essential components of the system such as diversion valves, valve pits, and air vents, all of which play a

key role in restoring the vacuum. The vacuum system was in low vacuum for extended periods of time throughout the Island due to the weather and freezing conditions contributing to water log of the system and ultimately failure of the Northern Blvd. portion of the Island. This impacted 603 homes on the basin and ocean side of Northern Blvd (outer and inner), the failure effected occupied and unoccupied homes.

AIRVAC, the vacuum system manufacturer, was contacted by the City between the third and fourth storm requesting additional personnel aid in the effort to restore the sewer. AIRVAC sent a man the following day, February 14th and a second man three days later, February 17th. After planning on how to get the system operating, the sewer department and AIRVAC worked side by side trying to restore vacuum. Toward the end of the first week of AIRVAC onsite support, portions of the system, Old Point Rd. and Sunset Dr. was operating with periodic operating glitches and setbacks.

Although a portion of the system was operating, it became clear that the vacuum system failure would require extensive resources and efforts, as well as time to systematically be restored. Mayor Donna Holaday reached out to MEMA and Lt. Gov. Polito and received additional snow removal support from Pennsylvania, New York and Maryland. The Pennsylvania crew was deployed immediately upon arrival to Plum Island February 16th, 2015 the Pennsylvania crew was meet by DPS Director and Sewer Superintendent to direct what areas needed the most attention regarding snow removal.. A meeting was held on February 18th on Plum Island at the Plum Island Tax Payer's Association Hall (PITA) to provide a status report on the sewer system failure; over 200 residents attended. It was now over a week residents residing on Northern Blvd. and adjacent streets on both the basin and ocean side were restricted from any water use and had no sewer and therefore, no bathrooms. Temperatures held around 0°F with severe wind chill. At one point during the second storm access on and off Plum Island was shut down for a period of 30 hours due to whiteout conditions on the turnpike.

By Monday, February 22nd, conditions had not improved and plans were developed to begin offering relocation options to residents impacted by the sewer failure. MEMA coordinated a team of resources stationed at PITA Hall including Red Cross, MIIA, the carrier of the City's Property & Casualty Insurance, State Division of Insurance, and Service Master. Service Master began working directly with homeowners who experienced sewage backups to assess and clean residences. Additionally, the Business Manager and office staff of the Water and Sewer Division was stationed throughout the week at PITA Hall to assist residents. In total, 70 hotel rooms were secured with MIIA covering residents who experienced direct backups and the City covering the remainder. In addition, daily Code Red calls were placed each evening to inform the residents of the status of the repairs with corresponding reports posted on announcements on the City website.

Sewer crews with AIRVAC support continued working 14-16 hours in the field restoring vacuum to Northern Blvd and adjacent streets. Northern Blvd. was the toughest portion to get back on line; it is the longest stretch with multiple side streets attached, making chasing leaks a long and tedious process. The operators encountered many obstacles such as: valve pits engulfed with solid ice, air vents buried, no access to some streets with amount of snow cover, and gauge/diversion valves covered by snow all contributing to finding and addressing any issues a very slow process. In order to get the system operating, the work performed had to be done in small portions one leg/section at a time. However, by the third storm it was impossible to work in the conditions, blinding snow, wind, and snow cover made finding the needed components of the system impossible and during the height of the storms dangerous for sewer department personnel.

The Mayor maintained daily contact with Lt. Gov. Polito and MEMA and additional support was sent to Plum Island to assist with snow removal after the latest storm dumped nearly another two feet of snow.

This was critical in order for sewer operators to gain access to valve pits and other components of the vacuum system. Once the snow was removed, the City contracted Wind River truck to start the process of dewatering the mains on Northern Blvd; also at that time the City contracted Paul Wilkinson to pump out valve pits connected to Northern Blvd. which were inoperable due to the conditions. This method was in place to reduce Sanitary Sewer Overflow (SSO) from occurring.

By March 7th 2015 the entire system was placed back online; nearly a four week process in extreme conditions. The City maintained extended shifts until March 22nd with crews working and monitoring the system until the vacuum system operated continually without leaks or interruptions.

The winter of 2014/15 was extremely cold with record breaking snow amounts, if Plum Island should experience a repeat winter, failure regarding the sewer system will most likely reoccur.

Overview of the work completed by DPS Sewer Division staff on Plum Island to help improve, maintain, and operate the function of the sewer vacuum system from 2009 to present:

Manhole Cover Replacement:

The City sewer department has replaced all existing manhole covers which had 1"by1" pick holes on the side allowing inflow into the top of the valve pit installed during the project.

During the winter months the water eventually froze causing failure of the controllers, valves, and check valves. In addition, the valve pit manhole cover replacement will help prevent sand, and other debris from entering the valve pits. Total covers replaced 25.

Insulating Manhole Covers:

The sewer department is currently in the process of insulating the underside of the MH covers to help reduce freezing of the controller during the winter months. Installing the insulation is a slow time consuming process and can only be accomplished 10 manholes at a time. Currently an estimated 400 manholes are insulated, with the reaming manholes projected to be completed by fall of 2015.

No-Hubs:

Blown off "No-Hubs" is the cause of frequent failures/low vacuum alarms. No-Hub is a coupling used to connect the suction pipe from the sump pit to the wye body, which when activated moves the wastewater from the pit to the vacuum main. Two No-Hubs clamps were used on every suction/discharge line. The No-Hubs used on this project were 2 band clamp Fernco's. It has been determined by field crews that 4 band clamp No-Hubs is better suited and durable for this application, mainly due to misaligned pipes during construction. The No Hubs are currently replaced when failure occurs. There are 1274 No-Hubs; to date an estimated 800 No Hubs have been replaced.

Valves:

Misalignment of the vacuum valves incorrectly installed during construction. During winter months, freezing in the controller is a major problem. The realignment of the valves allows water in the controller to drain back down into the sump pit as designed, thus reducing condensation accumulating in the controller and freezing during winter months. The Sewer Department is realigning the valves as needed (**meaning:** when a valve pit is opened and operators notice misalignment the valve it is corrected at that time. To date all valves noticed to be misaligned have been corrected.

Gauge Tap:

The vacuum system also experienced frozen gauge taps. The system has 97 gauge taps located throughout the Island. The gauge taps are used to help locate vacuum leaks. Rubber tubing was installed during construction and are located within the gauge tap boxes (they look like a water valve)

are freezing due to lack of drainage, preventing crews from using the gauge valves to determine leak locations. These rubber tubes were replaced with brass piping allowing workers to use heat to melt the ice that has formed inside and outside of the valve boxes. Once the ice is melted or removed the gauge tap can operate. To date all of the 97 gauge taps have been replaced.

Isolation Valves:

Isolation valves used for shutting down portions of the vacuum system while operators are looking for leaks are located next to the gauge taps. The diversion valves work in conjunction with the gauge tap valve; the gauge taps reads the vacuum pressure, the isolation valve shuts down the vacuum. During construction risers were required; however, no risers were installed by the contractor. The problem is ice, sand, and grit getting into the chamber covering the valve making the isolation valve/gauge tap difficult to almost impossible to use in the winter months. The Sewer Department installed risers made in house to bring isolation valves to the surface, helping reduce sand, ice, and grit from interfering with the operation of the valve. There are 97 isolation valves on the Island. To date 97 have been assembled and installed.

One possible remedy is to bring pavement up around the valves to help reduce amount of water build up which turns to ice during the winter, however, this method will also help during other seasons as well, when it rains operators cannot easily access the valves due to lack of drainage on the Island. The sewer department is currently looking into paving around the valves.

Isolation Valve Location:

The Sewer Department painted arrows in the roadway to aid in the location of the Isolation Valves and Gauge Taps during the winter months. This process not only helps find the valves during winter months when buried under snow, ice and sand, it also helps during the warmer months during the rainy season as well.

Raising the street (asphalt) around the gauge and diversion valves locations, this would be a tremendous help allowing water to flow away for the valve would greatly reduce the time chipping through ice while looking for leaks during winter, and trying to locate under puddles of water after a summer rain. Problem with water forming into ice making nearly impossible to operate during winter months is due to lack of drainage on the Island and incorrect installation locations of these valves.

Timing:

Winter timing for the vacuum system is performed yearly by AIRVAC and is typically completed late fall.

Please refer to the attached document dated February 14, 2009 for additional information on the design, installation, and oversight issues that began to surface one year after substantial completion of the AIRVAC system.



BILFINGER

March 18, 2015

City of Newburyport Sewer
Attn: Jamie Tuccolo
157 Water Street
Newburyport, MA 01950

RE: February 2015 Service Report

On February 13, 2015, the Bilfinger Water Technologies Service Manager and Plant Manager both received a call from the Newburyport Sewer Superintendent requesting technical assistance. According to conversations, a portion of the sewer system had already been inoperable for one week and a blizzard was projected to hit the island the following day. Therefore, it was imperative for the Service Technician to arrive that night and be on the island prior to and during the blizzard. Bilfinger Water Technologies immediately sent a Service Technician (Matt Nard) from Indiana to Plum Island and the Service Technician was onsite during the blizzard and for the next four weeks.

Upon arrival, the Service Technician discovered that close to 50% of the sewer system was inoperable, while the remaining half of the sewer system was extremely unstable.

As a group, an action plan with priorities was developed (see below).

1. Maintain sewer service to the portion of the sewer system, which was reported as functional (Sunset, Northern Outer Blvd. and Old Point lines).
2. Recover Northern Inner Blvd. and provide service and relief to these customers.

While in the recovery process for the Northern Inner Blvd., the unstable Sunset and Old Point lines became problematic and required additional efforts to keep them operational. The primary problems were unstable vacuum levels within the piping, due to the recovery process on Northern Inner Blvd., limited access (snow) to some of the

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Global Business Unit -- Vacuum
Technology

Trademarks of reliable
technology: AIRVAC®



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isolation valves and manholes, frozen ground water within and surrounding the manholes and inclement weather.

After approximately one week, the Newburyport Public Sewer Superintendent contacted the Bilfinger Water Technologies Plant Manager and requested another Service Technician. On Saturday February 21, 2015, the 2nd Service Technician (David Simon) arrived to the island. During this time, the team split into two crews and both were working to recover the entire system. At this point, one crew identified that the Northern Outer Blvd. (from 20th Street to the end of the island) isolation valve was closed and while thought to be operational was not. Because it was unknown how long this portion of the system had been closed off, it was decided to continue focus on Northern Inner Blvd. and keep the Northern Outer Blvd. lines closed.

During this timeframe, the Bilfinger Water Technologies Plant Manager was contacted by the Newburyport Sewer Superintendent and a 3rd Service Technician (Bart Sanders) was requested. At this point, it was decided the best method for expediting the process was to have vacuum pumper trucks assist with clearing the waterlogged pipes. The primary focus was Northern Inner Blvd. around 56th Street. The vacuum pumper truck was connected to the sewer line to help clear the flooded pipes. After the 56th Street area pipes were clear, the truck moved to the 64th Street area. Once the area from 64th Street back to the vacuum station was no longer waterlogged, this portion of the system was brought online and functioned in the automatic mode. This process continued along Northern Inner Blvd. until these lines were completely functional. Around this time, Service Technician #2 was no longer required and he left the island.

Once Northern Inner Blvd. was completely functional in the automatic mode, the focus was Northern Outer Blvd. At Northern Outer Blvd. the same process continued and the vacuum pumper trucks cleared the waterlogged lines. Additionally, the vacuum pumper trucks emptied the sewage which had collected in the manholes, due to usage from the homes while the sewer system was off. This process continued until all Northern Outer Blvd. was completely functional and in the automatic mode.



BILFINGER

Page 3 / 3

At this point, the sewer system was completely functional and on March 09, 2015 Service Technician #3 left the island. However, Service Technician #1, which had been on the island for almost one month, remained there for an additional day to evaluate the system and he eventually left the island on March 10, 2015.

In conclusion, the sewer system initially lost vacuum and vacuum was not recovered in timely manner. As mentioned above, the inclement weather (blizzard), road conditions, depth of snow 5'-10'+, etc. all played a major role in this delay. Without access to the isolation valves and manholes, the system could not be isolated and repaired in a timely manner and the sewer system flooded and eventually caused the valves, pipes and controllers to freeze.

Manhole
under ~10'+
of snow



The root cause of the problem was not the vacuum valves freezing, it was that vacuum was initially lost and the system was never recovered. As homeowners continued to use their sewer systems, more water collected and flooded the manholes, which eventually caused the valves, pipes and controllers to freeze.

In closing, the team which was established and led by the Newburyport Sewer Superintendent worked in extreme conditions and their efforts should be commended. The conditions were historic and unprecedented, and this team did not stop until all residents regained service.

ALTERNATIVE SEWER COLLECTION SYSTEMS

Ron Key, P.E.
Consolidated Technologies, Inc.
Chattanooga, Tennessee

Presented at:
Moccasin Bend Regional Wastewater Treatment Plant
Chattanooga, Tennessee

August 10, 2005

CONVENTIONAL GRAVITY

- Minimum 8 inch Pipe laid at Grade (Provide 2 FPS Minimum Velocity)
- Slopes of Maximum of 400 Feet and at all Angles in Alignment or Changes in Grade
- Advantages – They Work!
- Disadvantages
 - Subject to Inflow/Infiltration
 - Cost Due to Minimum Pipe Size
 - Cannot Follow Terrain which Adds to Cost Due to Extra Depth
 - Overflows and Bypasses as the System Ages
 - Increased Maintenance as the System Ages

ALTERNATIVE SYSTEMS IN USE

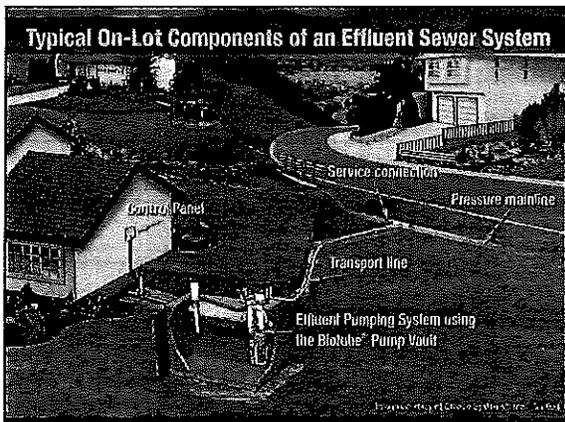
- Solid Tank Effluent Gravity (STEG) Sewer
- Solid Tank Effluent Pump (STEP) System
- Low Pressure Grinder Pump (LPGP) System
- Vacuum Sewers

SEPTIC TANK EFFLUENT GRAVITY (STEG) SYSTEM

- Utilizes Septic Tank to Remove Solids
- Utilizes Small-Diameter Pipeline to Transport Clear Liquids
- Cleanouts at Junctions and Changes in Grade or Alignment
- Septic Tank is Owned by the Utility
- Advantages
 - Lower Initial Cost Due to Small-Diameter Pipelines
 - Transports Clean Water so Less Solids at Treatment Unit
- Disadvantages
 - Periodic Septic Tank Pump-out (10 Years)
 - Subject to Lines Fouling if Solids Wash Out of Septic Tank
 - Subject to Inflow/Infiltration
 - Only 2 or 3 Systems in Tennessee
 - Possible Odors at Vents

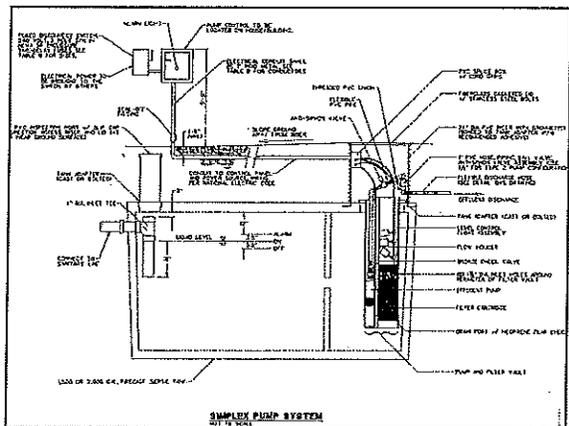
SEPTIC TANK EFFLUENT PUMP (STEP) SYSTEM

- Utilizes Septic Tank to Remove Solids
- Utilizes Effluent Pumps to Transport Liquids
- Utilizes Small-Diameter Pipelines, Buried 3 Feet Deep that Follow the Lay-of-the-Land, Similar to Water Lines
- Septic Tank and Pumps Owned by the Utility



SEPTIC TANK EFFLUENT PUMP SYSTEM Continued

- Lower Initial Cost Due to Small Diameter Pipelines
- Lower Cost Because Pipelines Change Grade
- Generally Follow Road Rights-of-Way
- Works Well in Rural Areas
- Eliminates Solids Handling at Treatment Plant for Those Systems Which Are All STEP
- Low Velocity in Force Mains
- Little or No Inflow/Infiltration
- Operates Under Low Pressure



SEPTIC TANK EFFLUENT PUMP SYSTEM Continued

- Many Codes
- Must Change Out Septic Tanks with Watertight Pipes for Existing Customers
- Must Periodically Pump Out Septic Tanks (10 Years)
- Subject to Fouling of Pump if Septic Tank Fails
- Odors at Air Release Valves and Manholes if Not Correctly Designed

SEPTIC TANK EFFLUENT PUMP (STEP) SYSTEM Continued

Readily Accepted In and Near Tennessee

- Grundy County
- Foothills Pointe on Tellico Lake
- Pickett State Park
- Standing Stone State Park
- Town of Benton/Ocoee Area
- Roane Mtn State Park
- Town of Pegram
- City of White House
- Atoka
- Cloudland Station Subdivision (Walker County)
- South Trenton, GA
- Town of Henry (250 Units)
- Consolidated Utility District
- City of Helenwood
- Caryville - Jacksboro Utility District
- Roane County - Several New Systems

LOW PRESSURE GRINDER PUMP (LPGP) SYSTEM

- Utilizes a Submersible Pump Housed in an Underground Vault to Transfer Waste
- Pumps have a Cutter-Head Similar to Garbage Disposal to Shred the Waste
- Utilizes Small-Diameter Pipelines Which Follow the Terrain Like Water Lines
- Pumps Owned and Maintained by Utility

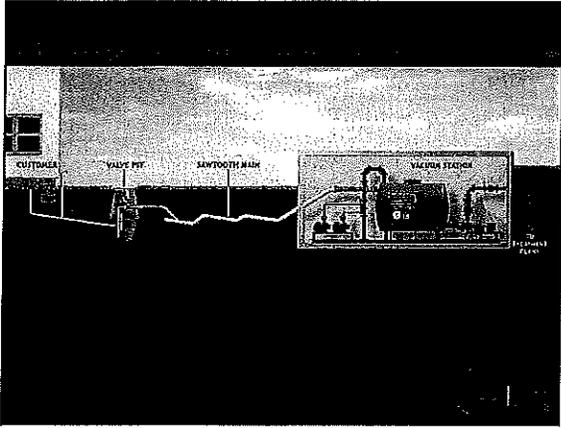
Advantages

- Operates Under Low Pressure
- Grinds Solids to 1/8-inch
- Lower Cost Due to Size and Variable Grade of Force Mains
- Works Well in Retrofits and in New Developments or Hard-to-Serve Areas
- No Inflow/Infiltration

LOW PRESSURE GRINDER PUMP (LPGP) SYSTEM Continued

Disadvantages

- Pump Replacement (12 - 15 Years)
- Corrosion of Components if Not Properly Designed
- Odors at Air Release Valves and Manholes if Not Correctly Designed
- Possible Solids Deposition in Low Areas
- Adequate Velocity for Scouring at Low Flows Critical



VACUUM SEWERS **Continued**

- **Advantages**
 - Long Life (First U.S. Installation in 1972 Still Operating in Good Condition)
 - Easy Maintenance
 - No Inflow/Infiltration (Air Locks Cause an Alarm Condition)
 - Small Diameter Pipe at Shallow Depth
 - Little Contact with Raw Sewage by Operators
 - No Confined Space Issues
 - No Odors
 - Low Manpower Requirements to Operate
- **Disadvantages**
 - Lift Capability is Low (About 15 Feet), Generally Flow Downhill
 - Perceived as Complicated
 - Lack of Equipment Competition (Only 2 or 3 Suppliers Worldwide)
 - All System Malfunctions Result in On-site Wastewater Accumulation

VACUUM SEWERS **Continued**

- **Acceptance**
 - Only 2 or 3 Installations in Tennessee
 - Wijite House
 - Charlotte
 - Popular on the Coasts
 - Ocean Shores, Washington - 10,000 Lots
 - Englewood, Florida - 10,000 lots
 - Over 700 Systems Worldwide

COPY



COUNTY OF SUMMIT
RUSS PRY, EXECUTIVE



CITY OF BARBERTON
WILLIAM B. JUDGE, MAYOR

September 8, 2015

Mike Zita, Mayor
City of Norton
4060 Columbia Woods Drive
Norton, Ohio 44203

Re: Norton-Barberton-County MOU on Norton Sewer Service

Dear Mayor Zita:

As you are aware, the County, City of Barberton and City of Norton executed a Memorandum of Understanding ("MOU") on April 22, 2015 whereby: (i) the County expressed its intention to sell its sanitary sewer assets within Norton's corporate boundaries to Barberton, (ii) Norton expressed its intention to transfer ownership of its sanitary sewer assets within its corporate boundaries to Barberton, (iii) Norton and Barberton expressed their intention to enter into an agreement whereby Barberton would provide ongoing sanitary sewer service to Norton and assume responsibility for providing sanitary sewer infrastructure to Norton in the future, and (iv) the parties expressed their intention to take the necessary steps to remove Norton from the County's sewer district to Barberton's sewer district. Prior to execution of the MOU, all three parties obtaining authorization to execute the same from their respective Councils. The parties to the MOU agreed that all agreements necessary to complete items (i) to (iv), above, would be completed by June 30, 2015, unless otherwise agreed by the parties.

Unfortunately, to date, none of the agreements necessary to complete items (i) to (iv), above, have been completed. The County and Barberton have remained ready to finalize these transactions and we both have received assurances from Norton's administration that it would like to proceed with finalizing these transactions. Unfortunately, we have not received clear direction from Norton's City Council that it intends to meet its obligations under the MOU.

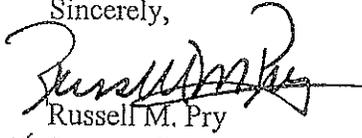
Accordingly, we would like to advise you that the County and Barberton intend to proceed with finalizing and closing upon our agreement for the sale of the County's sanitary sewer assets within the boundaries of Norton from the County to Barberton. Additionally, the County and Barberton intend to take the appropriate steps to remove Norton from the County's sewer district and add Norton to Barberton's sewer district, including, but not limited to, appropriate legislative action by both the County and Barberton Councils and proposing an amendment to the local 208 plan with NEFCO.

September 8, 2015
Page Two

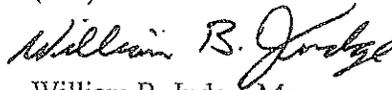
Our desire in taking the aforementioned action is to continue the positive progress made when the parties reached terms on the MOU and to provide Norton with a single partner, rather than two, to discuss and plan sewers in Norton in the future. We certainly welcome Norton's participation in fulfilling all terms of the MOU at this time, but even without Norton's participation we believe it is timely, appropriate and in the best interest of our respective entities to proceed as set forth above.

Thank you for your time and attention to this matter. We are both available if you wish to discuss this matter further.

Sincerely,



Russell M. Pry
Summit County Executive
(330) 643-2605



William B. Judge, Mayor
City of Barberton
(330) 848-6719

9-14-15
Submitted by Rick Rogers

Regarding the problems of vacuum sewers that have been brought to Council's attention by some members of our community and Councilwoman Charlotte Whipkey I am providing these opinions and remarks from those people who have been operating vacuum systems in cities and or communities and actually have experience with them.

I will begin with the Plum Island story. I spoke with Jamie Tuccolo who is the Collection System manager. He stated that yes they had freezing problems but the reason they were unable to correct the issue was that their system was installed in the roadway in many cases and the pits were covered with up to fifteen feet of frozen snow making it very difficult to address the problems early on in the storm. Then after being hit with 3 more storms they couldn't catch up. A direct quote from a memo he wrote Mr. Tuccolo states "These problems are due to either improper equipment, poor design or incorrect installation, or a combination."

Again proper equipment, installation and maintenance will prevent these problems. Mr. Tuccolo has offered to come to Norton to address these issues providing his expenses are covered.

The reports from Putnam and Unadilla Townships in Michigan also have installation problems according to Authority Director Lloyd Lewis with whom I spoke. Again pits were installed in driveways and other areas that were block by large amounts of snow piled on them or automobiles parked over them making it difficult to mitigate the problems. During my conversation with Mr. Lewis I asked about a Do and Don Not list that Councilwoman Whipkey had passed out. Mr. Lewis stated that he had brought the set of guidelines pertaining to what not to put in the system from another community he had worked in (with their permission) and although it pertained to grinder pumps, yes grinder pumps, he applied it to vacuum systems. This explains why Air Vac was unaware of a list like this.

I have included another report from another city in Michigan called Hell with similar weather patterns to the two townships listed above which is in this packet for you to read.

I also have included a letter from an engineering firm in New Jersey who designed and managed a vacuum system for the city of Alloway, New Jersey.

I have included an article highlighting a new development being built here in Ohio by Nationwide Realty Investors near Marysville. I have also spoken with Chris Dale who manages the complex. Again I was told how dependable and manageable the system is. This company is an affiliate of Nationwide Mutual Insurance. I am sure the decision to go with vacuum was well thought out and financially sound.

I have included the response from Jeff Lonzrick, Director/Sanitary Engineer from Portage County to an email sent by a Nash Heights resident. I know many of you have read this before but please read it again. And Charlotte Whipkey's remark and I quote "Would anyone expect the Randolph workers to complain about the system as their likely boss designed it and with the AIRVAC representative present?". To question the integrity of those workers to further validate her misinformed view on the vacuum systems functionality is ludicrous and shameful. Had Councilwoman Whipkey attended the tour to Mahoning County she would have heard much the same information.

In closing, I would add that no sewer provider that I have spoken with has mention a surcharge for the vacuum systems. I would ask that we all take a breath and wait and see how the numbers come in and then make a sound decision based on facts.

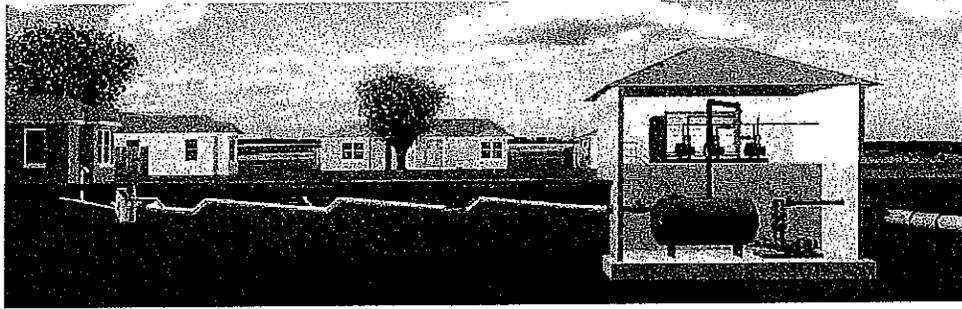
MLWSA

MULTI LAKE WATER & SEWER AUTHORITY



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Vacuum Systems Operating Guidelines



- ✓ DO control excessive water discharge from your home to the vacuum system. Your vacuum manhole/valve may be shared by as many as four connections. Water output from multiple fixtures can exceed the capacity and cause a sewage back-up. Controlling excessive discharge from your home will reduce the potential for sewage back-ups..
- ✓ DO call MLWSA at 877-806-3741 if your fixture traps are dried out, if you are experiencing odors from your drains, or if you hear constant air movement at/near a house drain, system air vent or vacuum pit.
- ✓ DO ensure the grade around your vacuum pit slopes away from the pit.
- ✓ DO be aware that maintenance of the plumbing from the home/business to the vacuum pit is the responsibility of the property owner.

- ✗ DO NOT introduce the following materials into your vacuum pit:
 - Kitchen related** – grease and seafood shells.
 - Bathroom** – dental floss, large amounts of hair, sanitary napkins, tampons/applicators, condoms, baby or adult wipes, disposable or cloth diapers, orthodontic or other rubber bands.
 - Misc. Household** - elastic, "Swiffer" type cloths, glass, rope/string, cat litter, aquarium gravel, or other abrasives.
 - Construction related** – sand, steel wool, metal or wood shavings, lapping compound, sawdust, screws/staples/nails, drywall compound, dust from drywall installation, grout, rags or paint (latex and/or acrylic).
 - Chemicals** – liquid drain cleaners, dark room chemicals, explosives, gasoline or other flammable/combustible materials.
- ✗ DO NOT attempt to make vacuum system repairs yourself.
- ✗ DO NOT attempt connecting to a vacuum sewer without the proper approvals and permits.
- ✗ DO NOT excavate (by hand or machine) near the vacuum pit before underground utilities are located and marked. Phone MISS DIG at 811 or 1-800-482-7171, at least 72 hours in advance of any digging.
- ✗ DO NOT connect water softeners, downspouts, sump pumps or storm drains to the vacuum pit, or allow any other surface water to get into the vacuum pit.
- ✗ DO NOT drive on the vacuum pit cover. You will damage your vacuum pit accessway.

taken from warnings on grinder pumps

Posted Mar. 28, 2009 at 12:01 AM
Updated Mar 28, 2009 at 12:06 PM

Newburyport

The problem with the Plum Island sewer system might have a simple and inexpensive fix, according to a man who is seven miles west of Hell.

That's Hell, Michigan.

James Peterson has five years of experience with an AIRVAC sewer system in Gregory, Michigan, and has seen the same problems with freezing valve pits that have been causing trouble on Plum Island. Peterson's main piece of advice for any community in the same boat is simple - do the recommended maintenance. It fixed the problem in Michigan, but so far, Peterson's advice has done nothing other than to make Newburyport officials bristle.

Department of Public Services Director Brendan O'Regan said his crews are doing all the required maintenance, which includes pumping the sewer pits twice a year, and all the other things recommended by the manufacturer.

Mayor John Moak also downplayed the value of the suggestion from the Midwest.

"We are going to come up with a solution," said Moak, who added he wasn't going to take advice from someone who doesn't know the situation here.

Still, those who know AIRVAC sewer systems seem to agree that routine maintenance will save a city or town time, money and headaches. Bill Burke, wastewater treatment and collection systems manager in Provincetown, said maintenance is the key.

"All properly maintained AIRVAC systems will run in a block of ice," he said.

The latest in the list of possible solutions being considered by DPS is drilling holes between the two chambers in the pits: the upper chamber, which houses the mechanical works, and the lower, which holds the wastewater before it is evacuated.

Collections Systems Manager Jamie Tuccolo presented this proposal at a joint meeting of the Budget and Finance and Public Utilities committees on March 12. The city has asked AIRVAC to do the drilling in a few test pits.

But Peterson said they tried drilling in Michigan, then had to plug the holes when their wastewater treatment plant couldn't handle the flow of water. The Michigan state environmental agency also stepped in and said the town couldn't mix storm water with waste water.

O?Regan said only a small amount of rainwater would be in the waste system for the test.

?It would be peanuts compared to the total amount of accumulation the city sees per day,? O? Regan assured the two Newburyport boards, adding later, there may not even be a need for state DEP approval.

?We had a tremendous amount of problems four years ago, when I came on board," said Peterson, a mechanical engineer with a specialty in sewer systems and former Township Supervisor in Gregory, Michigan. "?We went through a lot of trouble with it. We've been doing one, one-and-a-half years of preventive maintenance, and we've had no problems since.?"

Page 2 of 3 -

Peterson said AIRVAC came to Gregory and diagnosed the problem as a maintenance issue. The town invested the money in sending its sewer crews to AIRVAC training sessions.

O?Regan told city councilors that AIRVAC had recommended crews take additional training.

"We strongly disagree. I?m 100 percent confident that [our] people know how to operate this system,?" said ORegan.

Both Gregory and Provincetown have been using a vacuum sewer system for about five years.

Plum Island resident and President of the Plum Island Taxpayers Association, Ron Barrett, said he noticed water in the pit at PITA Hall when the manhole was opened.

"They opened the tank, and it was full of water,?" he said. "I said to myself, ?Boy, that?s going to be a problem.?The city has to fix it, but not just the Plum Island people will pay for it. Pumping them out is expensive.?"

Back in Michigan, Peterson said, ?Once they get water in them, you?v?e got trouble. Even in summer, water gets in the controllers.?"

He said it?s the controllers that freeze. The valves will work in solid ice, as AIRVAC claimed, because they are encased. But the controllers are vulnerable to freezing unless they and the hoses that connected them to the system are maintained.

Provincetown has not experienced a problem with freezing, and Burke said it was not because of a difference in temperatures between here and the tip of the Cape.

"There?s a marginal temperature difference between here and Newburyport,?" he said,; ?not to mention that water freezes at the same temperature, no matter where it is.?"

"The system now is getting better," Tuccolo reported on March 12. T"he problem now is that ice is melting and falling onto the plastic controllers."

City sewer crews were using jackhammers and sledgehammers to break up the blocks of ice in the pit, a notion that horrified Peterson since the controllers are plastic.

But it?s all about maintenance, he stressed. ?"For the first year-and-a-half, we were fine, and

then we had three or four failing each day. Now we have one fail every two months or so. That's not too bad, considering.?"

Peterson inherited the system in Gregory when the problems were at their height. He called a town in New York that used the AIRVAC sewer system and was told about the need for routine maintenance.

Like Plum Island, the idea for a municipal sewer system was not welcomed with open arms in Michigan. The Michigan Department of Environmental Quality insisted on installing a sewer system after E-coli was found in the groundwater.



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J. Michael Fralinger, Sr. (1957-2009)
Charles M. Fralinger, PLS
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Septic System Design
Wetlands Delineation
Global Positioning Surveying (GPS)
Geographic Information Systems (GIS)
Planning/Zoning Board Representation

March 6, 2015

To whom it may concern:

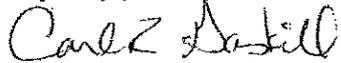
Fralinger Engineering designed, provided construction inspection and contract administration, commissioned, and maintained an AIRVAC vacuum sewage collection system in Alloway, New Jersey. We also operated and maintained the vacuum sewer system for the first two (2) years, starting in 2009. We also had a similar Operations & Maintenance contract for a new gravity sewer system in the nearby town of Quinton, New Jersey.

We averaged one call-out every two or three months for the vacuum system. We had more call-outs on the Quinton (gravity) sewer system pump station in the same time period. Interestingly, we found that several users in Quinton connected basement sump pumps to the gravity system, because when it rained, they have much higher peak flows. They averaged more than 20% higher flow per capita than Alloway. When we suspected extra inflows to the vacuum sewers we used cycle counters provided by AIRVAC. As with any mechanical system, the key to success is initial and ongoing training of your maintenance staff.

During our maintenance contract period we experienced several major rainfall/storm events without incident to the operation of the vacuum collection system. The gravity collection system which we also maintained during the same time period, however, did experience flooding and overflow incidents.

Based on our experience a properly designed, installed, and maintained vacuum collection system is less expensive to maintain and environmentally superior to a conventional gravity collection system.

Very truly yours,


Carl R. Gaskill, PE, PLS, CME
Senior Vice President
FRALINGER ENGINEERING PA

CRG/le

Cc: Jim Docherty, AIRVAC (Bilfinger Water Technologies)

INDUSTRY NEWS RESIDENTIAL REAL ESTATE

Utility deal gives green light for Jerome Village

Jun 21, 2010, 12:00am EDT Updated Jun 22, 2010, 8:55am EDT

INDUSTRIES & TAGS Residential Real Estate, Commercial Real Estate

SHARE

[Order Reprints](#) [Save Article](#) [Print](#)**Brian R. Ball**

Nationwide Realty Investors Ltd. has the first housing planned for its massive Jerome Village project northwest of Dublin after the approval of a water and sewer agreement between a new community development authority and Marysville.

The real estate development affiliate of Nationwide Mutual Insurance Co. has agreed to finance and build the first phase of water and sewer lines and other infrastructure to serve nearly 1,500 acres planned for Jerome Village as well as 3,000 adjacent acres.

“This is a significant milestone,” said Nationwide Realty President Brian Ellis. “It allows us to begin the utility infrastructure back toward Marysville.”

Ellis said the developer also will

bonds that the authority will sell to finance the initial projects.

“It’s a significant investment,” Ellis said, “but we think (Jerome Village) has tremendous potential.”

The improvements include a mile of water line along Industrial Parkway and a two-mile stretch from the intersection of Routes 42 and 33 to the Brock Road residential development site west of Hyland-Croy Road. Those lines will be transferred to Marysville to operate when they are completed.

The agreement also calls for the community authority to build a vacuum sewage collection system, initially just within Jerome Village, and a sewage pump station in addition to 4.2 miles of sewer lines back to the city’s sewage treatment plant that opened a year ago. The city will own the pump station but the community authority will own and manage the collection system as a bulk customer.

The authority also will serve as the billing agent for residents and businesses served by the system.

Nationwide Realty will manage construction of the improvements for the community authority.

Ellis said contractor Nickolas Savko & Sons Inc. is scheduled to begin construction on the water and sewer lines within 30 days.

Marysville City Administrator Jillian Froment said the agreement ensures the city gets a large customer for its expanded sewage treatment plant. Marysville also opened a new water reservoir north

begin building out 130 lots for the first phase of Glacier Park, the first neighborhood planned for Jerome Village. It takes its name from the adjacent Glacier Ridge Metro Park.

Plans call for Jerome Village to have 2,500 housing units and 1 million square feet of commercial space.

Ellis said "numerous builders" have shown interest in buying lots despite the slump in the housing industry.

"We've had a surprisingly high level of interest," Ellis said. "Many of them are ready to get back to work."

Bonding the community

Marysville City Council last month approved the utility agreement with the Jerome Village Community Authority, allowing it to begin the \$10.3 million first phase of water and sewer system improvements.

Union County commissioners June 3 approved tap fees that the authority can charge to commercial and residential developers in its service area to recoup the cost of the improvements. Ellis said Nationwide Realty will buy

PEOPLE ON THE MOVE



**Alton
Thomps**
Park
National
Bank

**Tyler
Knapp**
Libertas
Wealth
Manager
Group
Inc.

**Juliann
M. Fish**
Columbu
Symphor

9/14/2015

Utility deal gives green light for Jerome Village - Columbus - Columbus Business First
of the city last year and plans to expand its water
plant.

“We built that (water and sewer) capacity so we
could grow as the regional service provider,”
Froment said.

**A written feedback comparison between the
AirVac and Gravity sewer systems
in Randolph Ohio from Jeff Lonzrick,
Director and Engineer of the
Portage County Water Resources Department
via Norton Resident request.
Also, a review of previous winters maintenance.**

***“The (Vac) system if anything has not been any more (maintenance)
time on our part than what it would have been if the gravity sewers
and pump station had been constructed as originally planned.”***

— Jeff S. Lonzrick, PE, Director/Sanitary Engineer
Portage County Water Resources Department

1/15/15

***“The surcharge (in Randolph) is not a result of vacuum sewers being
installed instead of gravity sewers.”***

— Jeff S. Lonzrick, PE, Director/Sanitary Engineer
Portage County Water Resources Department

1/15/15

***“Lastly, we have had a good experience with the vacuum system and
would consider installing again if the conditions warrant it.”***

— Jeff S. Lonzrick, PE, Director/Sanitary Engineer
Portage County Water Resources Department

1/15/15

-----Original Message-----

From: tpetrich
Sent: Thursday, January 15, 2015 1:05 PM
To: Jeff Lonzrick
Subject: AirVac system

Mr. Jeff Lonzrick,

I was given your name by AirVac as an experienced person to possibly provide a synopsis of the Airvac system vs gravity sewer system as installed in Randolph, Ohio. If I am in error with this referral, would you please provide or forward this request to the proper contact.

I was one of a few citizens that attended a presentation of the AirVac last January considering their proposal for a neighborhood in Norton. I live in Norton and the effected neighborhood. I also am aware that a couple of council members and residents toured your facility and were quite impressed with the AirVac system. AirVac does seem to continually refine and improve their system.

However, there has been some push back by some members of the administration and an associated firm. Including a seemingly coordinated pr effort at one council meeting to discredit the AirVac system. One implication made at the time was that gravity has little if any maintenance while vacuum is nothing but maintenance. From what I have seen that implication was and is not true on either system. Or that somehow it is new, experimental and not widely used. It is my understanding none of that is true. The misrepresentation has even evolved to the extent that a proposal has been brought forward that anyone serviced by a vac system will have to pay an additional (though small) surcharge for maintenance. I do not believe that occurs in Randolph and with all of the other surcharges we are facing should not be true in Norton.

All of this despite the fact that council approved a rather large expenditure for a complete set of bid plans to sewer the neighborhood with strictly AirVac vs traditional gravity.

What I am asking for, with your real world experience, is a simple compare and contrast between the two as far as efficiency, construction costs, reliability, ini* cost impact on the gravity vs no ini* on vacuum, repair costs, and in particular maintenance costs between the two. Also, does Randolph have a surcharge for its AirVac customers? Does AirVac efficiencies offset that need? Finally, as a professional, are you satisfied with the AirVac system?

I would also ask, if you choose, to call Norton 3rd Ward councilman and utility chair Dennis Pierson (330-819-0005) for verification on anything I have written.

Regards,
Tom Petrich

NOTE:
This is a letter of inquiry to the Portage County Director. The Directors response begins on next page.

* "ini" in regards to gravity sewers: inflow and infiltration of unwanted storm water into sanitary sewers.

On Jan 15, 2015, at 3:02 PM, Jeff Lonzrick wrote:

Mr. Petrich,

Gravity sewers and vacuum sewers certainly serve the same purpose, but they accomplish that purpose in differing ways. Neither system is maintenance free, and each requires their own form of maintenance and repairs.

Gravity sewers require periodic flushing to remove debris that can accumulate within mains or manholes; we do this to prevent disruption of service or sanitary backups. Vacuum systems do not require such flushing maintenance as the velocities within the vacuum mains are much higher and this keeps debris in suspension; there are also no manholes to collect debris. Vacuum systems though require periodic maintenance of the various components within a pump station.

Gravity sewers over time tend to allow undesirable water infiltration and inflow into the system, which must be then transported to and treated at a wastewater treatment plant (WWTP). Conversely, vacuum systems do not experience the same infiltration/inflow issues by nature of the sealed system - this means less water to be treated by the WWTP and that should result in lower operational costs.

In our experience in Randolph, we were attempting to install sanitary sewers along a state route (SR-44) in an older established community. We had originally bid the project as gravity sewers, and the bids came in higher than we could afford. The right-of-way in which we had to work was extremely tight, and given the permit and construction conditions that were required by the Ohio Department of Transportation it was a cheaper alternative for us to install a vacuum system. For example, a gravity system would have been excessively deep (greater than 25 feet) in a number of locations along the planned route. Alternatively, vacuum mains were able to be installed with an average depth of cover of 5'-0" throughout the entire length of the project.

NOTE:
This is the same cost and build problems with a gravity system for Nash Heights.

Unfortunately, I do not readily have the data to develop operational/maintenance cost comparisons between gravity and vacuum systems. Vacuum systems require electricity to operate the necessary vacuum system. Gravity sewers obviously operate on the principles of physics and require no electricity. So far, repairs have been limited to only minor work at the vacuum pump station, and no repairs have been required on the mains.

NOTE:
See exception on next page where at times a gravity system does require electricity as it would in Nash Heights.

From a reliability standpoint, we have been extremely pleased. Blockages within the vacuum mains do not happen as they can within gravity systems. Power outages generally do not affect the operation of the system due to a reserve of vacuum that is always maintained within the system, as well as a backup power generator that keeps the system operational during bad weather. We figure in our situation that from an efficiency standpoint it is likely a breakeven point - even though we originally wanted to install gravity sewers for our project, a portion of the project would have required a pump station and force main nonetheless.

From: tpetrich
Sent: Thursday, February 26, 2015 5:39 PM
To: Jeff Lonzrick
Subject: AirVac

Mr. Jeff Lonzrick,

I was afforded the invitation to tour your Randolph Vacuum sewer pump station (I believe it was Thursday, February 12) with several representatives from Barberton and Norton. I was impressed with the facility and its clean design. I say this as a comparison to an older pump station we toured in Mahoning County that was not as well thought out as your station. Of course the evolution of design over time was a benefit. btw, Your staff that hosted the tour were very positive on their experience maintaining the system.

And that leads me to a point of contention by certain parties about vacuum which is:

With all of the cold weather, are you currently fielding freezing complaints on the system. If so, could you please share how many, to what extent or cause i.e. candy cane obstruction, valve body, any interruption of service to homeowners, etc. And finally, if there were issues, were all resolved simply and in a timely fashion to your satisfaction.

If this is not part of your day to day reports perhaps you could forward this to the responsible party for a reply.

Thank you for your time Jeff,
Tom Petrich

From: Jeff Lonzrick <JLonzrick@portageco.com>
Subject: RE: AirVac
Date: March 2, 2015 12:53:31 PM EST
To: Petrich Tom

Mr. Petrich,

I checked with my operations folks and they report that we have only had occasional operational issues related to the cold/freezing temperatures.

Of note we had two collection 'pods' during the winter of 2013-2014 that actually required service due to freezing. Due to the nature of the environment, humidity/condensation can be present. Condensation had frozen in the actuator line behind the valve and prevented it from opening. It was a relatively simple process to free the valve assembly and place it back in service. The hard part I'm told was locating the pods as they were covered by snow.

Even during this 2014-2015 winter where it has been extremely cold we have only received a few calls, but before we arrived the valves were able to work themselves free; the systems were fully operational when we arrived.

Prior to 2013-2014, I'm told that we hadn't had any freezing issues.

We have not experienced any issues with the candy canes being obstructed.

- Jeff

Jeff S. Lonzrick, PE
Director/Sanitary Engineer
Portage County Water Resources Department
8116 Infirmary Road
Ravenna, Ohio 44266
Phone: (330) 298-2072
Fax: (330) 297-3689

The Randolph area has a combination of gravity sewers and vacuum sewers. The entire area does have a surcharge. The surcharge, however, is due to requirements for the funding that was received to construct the systems and WWTP. The surcharge is not a result of vacuum sewers being installed instead of gravity sewers. I cannot, however, hope to know the funding intricacies which Norton is faced with - so a surcharge may be warranted in their instance.

Lastly, we have had a good experience with the vacuum system and would consider installing again if the conditions warrant it. As a department there was a fair bit of reluctance during the early stages to take on a system that we were unfamiliar with, but we quickly learned how to operate and troubleshoot a vacuum system. For the most part, our operation of the vacuum system is a quick visit to the station only a few times each week to visually check on it. We also remotely monitor the system for alarms. The system if anything has not been any more time on our part than what it would have been if the gravity sewers and pump station had been constructed as originally planned.

NOTE:
This is very similar for Nash Heights, due to the local topography, *either* a vac system or a gravity system will require a pump station and force (powered) main uphill and East towards Barberton.

Yes, I am satisfied with the system. I hope that this sufficiently answers you inquiry.

Regards,

Jeff S. Lonrick, PE
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Portage County Water Resources Department Mission Statement:
"To provide public water and wastewater services in order to preserve and promote the health and safety of the Portage County Community."

On Jan 15, 2015, at 3:49 PM, tpetrich:

Thank you very much for taking the time to write a expedient, detailed and thoughtful reply. Yes, again thank you, your reply was quite sufficient.

Regards,
Tom Petrich

