

SANITARY/WATERWORKS DISTRICT MEETING
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM
10955 WEST 93RD AVENUE, ST. JOHN, INDIANA
February 18, 2008 - 6:00 P.M.

Mr. Myers called the meeting to order at 6:01 P.M and led the Pledge of Allegiance. Roll call was taken with the following members present: Robert Myers, President; Alex Monanteras, Vice-President (arrived 6:22 P.M.); Kenneth Gembala, Member; Patricia Sims-Smierciak, Member; Peter Faberbock, Robinson Engineering; Randy Wyllie, Attorney; and Sherry Sury, Clerk-Treasurer. Absent were Michael Hanlon, Member; Bob Pharazyn, Public Works Director and Jerri Teibel, Town Council Liaison.

Approval of the minutes – Regular Meeting of January 21, 2008 – Mr. Wyllie stated that on page two pertaining to the system development charges, a public hearing is not necessary for the Sanitary Board; however, a public hearing is necessary for the Town Council. He asked that the words “no public hearing” be removed. **Mr. Gembala motioned to approve the minutes as corrected. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 3 - 0.**

SANITARY DISTRICT

Old Business

LS#1 – Update – Mr. Faberbock stated that they are finishing up the design and it should be done by the end of this month. Mr. Wyllie stated that he was checking with Mr. Faberbock as to the status of the easements and asked if they are in a position to sit down with Mr. Muenich. Mr. Faberbock stated that he would follow up with Mr. Muenich on this matter. Discussion ensued regarding the ingress/egress and condemnation.

Contract Approval - Railroad easement for interceptor to Schererville – It was noted that this agreement is for \$350,000 plus \$1,000 for insurance and funds will be paid out of the Wastewater Treatment Plant account. **Ms. Sims-Smierciak motioned to pass the Railroad easement agreement for the interceptor to Schererville. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.**

Resolution SD #08-02-18 amending Ordinance #1381 – System Development Charges – Mr. Myers stated that the 1” was changed to \$1500.00 and the ratio as follows all the way down, and some language was changed so it will be pick up either the largest of the line size, connection or the meter. **Ms. Sims-Smierciak motioned to pass Resolution #08-02-18. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.** Mr. Wyllie stated that this must go through the Town Council with a public hearing so the effective date should be April 1st.

Approval of refund to builders – Lotton Recapture Agreement – Gates of St. John – Mr. Myers stated that this is the money they collected that they shouldn't have from builders in The Gates Subdivision. Ms. Sury stated that the first batch of returns was prepared based on occupancy permits and the second batch are for the homes not completed at this time. **Ms. Sims-Smierciak motioned to pay the first and second batch of the refunds. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.**

Cheries Garden Daycare – Sewage Capacity/System Development Charges – Mr. Faberbock explained the sewage capacity charges for \$2,221.75 and the system development charges to be for \$1,000.00 each. **Mr. Gembala motioned to approve the sewage capacity and system development charges as reported by Mr. Faberbock. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 3 - 0.**

Rescinding Resolution SD # 07-11-19 – and consideration of Resolution SD #08-02-18A – Establishing administrative fees for sewer reimbursement agreements – Mr. Myers referenced this resolution to the recapture agreement previously mentioned that pertained to the builders receiving refunds in the Lotton Subdivision. He stated that he would like to rescind the first resolution and approve the second one and then sit down with the attorney's and tell them what was done. Discussion ensued regarding the time frame for passing these resolutions. **Ms. Sims-Smierciak motioned to rescind Resolution SD #07-11-19 and adopt Resolution SD #08-02-18 establishing administrative fees for sewer reimbursement agreements. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.**

Rescinding Resolution SD# 07-11-19A – and consideration of Resolution SD# 08-02-18B – Increase of fees for Grant of Right to install utilities – administrative fees - **Ms. Sims-Smierciak motioned to rescind Resolution SD #07-11-19A and adopt Resolution SD #08-02-18B increasing the fees for Grant of Right to install utilities and administration fees. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.**

Approval of 50/50 split payment for 2008 Dodge Durango – between water and sewer utilities – Mr. Myers explained that back awhile ago they approved a new truck for Mr. Pharazyn with a 1/3 – 1/3 – 1/3 payment split; the vehicle is here and the town does not have the money for their 1/3 portion of the split. He stated that Mr. Pharazyn spoke to him regarding this purchase; Mr. Myers spoke with Mr. Kil and told Mr. Kil he is against fronting the town for his truck. Ms. Sury suggested the district pay for this truck and for the next vehicle to be purchased the town would pick up their third plus the third for this truck. **Mr. Gembala motioned to approve to pay the 50/50 split with a memo to Mr. Kil that for a future vehicle purchase, the town will pay their third for that vehicle and a third for this vehicle. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 3 - 0.**

New Business – None

PAYMENT OF BILLS - #2013 - #2024 for \$39,680.80 for Sanitary District and WW Utility #6019 - #6070 for \$278,039.28 – **Ms. Sims-Smierciak motioned to pay bill payment memo's #2013 - #2024 for \$39,680.80 for the Sanitary District and for Wastewater Utility memo's #6019 - #6070 in the amount of \$278,039.28. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.**

Any and all business that may come before the Board – Ms. Sury asked if the Board would allow her to use the utility billing program to add refuse collection fees to be charged to residential customers. She stated that the Town would pay for the upgrade to the system in the amount of about \$900 and plans to have the Town pay once a year for the mailing and postage so that the Board would not incur all the expenses of billing. Discussion ensued regarding the costs shared by the districts and the Town for the "Keystone" software programs. **Ms. Sims-Smierciak motioned to allow the Town to**

add the garbage service collection fee to the water bill. Seconded by Mr. Gembala. Motion passed with a vote of 3 - 0.

Mr. Wyllie referenced an e-mail he sent to the Board members regarding an amendment that Olthof homes wanted pertaining to their Grant of Rights for both sewer and water. He stated that he spoke with Mr. Pharazyn on the phone; however, he has not had a chance to look at it. Mr. Myers stated that they would just table this item until Mr. Pharazyn can look at it. Ms. Sury questioned the acceptance of the \$1,000.00 payment for the recapture agreement. Discussion ensued and it was agreed to let Olthof go ahead and pay it.

Public Comment – None

WATERWORKS DISTRICT

Old Business

Lotton – Water Improvements Update – Gates of St. John - Status of payment from developer – Ms. Sury stated that she has not received payment. Mr. Wyllie stated that he does not know if there is a problem, he will call Lotton's attorney. Mr. Myers advised Ms. Sury to release the payment for the Boards share to Caldwell Tanks.

Resolution WD #08-02-18 amending Ordinance #1382 – System Development Charges - Mr. Monanteras motioned to pass Resolution WD #08-02-18 amending the Ordinance #1382 for the System Development Charges. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0. Mr. Wyllie added this has the April 1st effective date also.

Rescinding Resolution WD #07-11-19 – and consideration of Resolution WD #08-02-18A – Establishing administrative fees for water reimbursement agreements – Discussion ensued regarding the concern that Attorney Austgen has regarding the basis for the fee increases and that a rate fee study should be done. Mr. Myers stated that he plans to sit down with Mr. Austgen and Mr. Monanteras and either Mr. Wyllie or Mr. Kil. **Mr. Monanteras motioned to rescind Resolution WD #07-11-19 and adopt Resolution WD #08-02-18A establishing administrative fees for water reimbursement agreements. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0.**

Rescinding Resolution WD #07-11-19A – and consideration of Resolution WD #08-02-18B – Increase of fees for Grant of Right to install utilities – administrative fees - Ms. Sims-Smierciak motioned to rescind Resolution #WD 07-11-19A and adopt Resolution WD #08-02-18B increase of fees for Grant of Right to install utilities – administrative fees. Seconded by Mr. Monanteras. Motion passed with a vote of 4-0.

Update – Verizon Wireless – Kilkenny Park – No update was provided, Mr. Pharazyn not in attendance.

Agreement Approval – Camp, Dresser & McKee – Wellhead Protection Plan – Phase II – Mr. Myers stated that he spoke with Mr. Pharazyn who has looked at this agreement; he advised that it is the same agreement they did last time and

recommended that the Board approve the agreement. **Mr. Monanteras motioned to approve the agreement with Camp, Dresser & McKee for the Wellhead Protection Plan in an amount not to exceed \$24,980.00. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0.**

New Business – None

PAYMENT OF BILLS - #3010 - #3023 for \$18,943.27 for Waterworks District and #4043 - #4115 for \$499,573.39 for Water Utility - Ms. Sims-Smierciak motioned to pass bill payment memo's #3010 - #3023 for \$18,943.27 for the Waterworks District and memo's #4043 - #4115 for \$499,573.39 for Water Utilities. Seconded by Mr. Monanteras. Motion passed with a vote of 4 - 0.

Any and all business that may come before the Board – Ms. Sury mentioned that her utility billing clerk, Judie Gorney, would be retiring on April 1st. She explained that Ms. Gorney is training Connie to be her replacement and she will receive an increase in salary; Doug, the part time employee will assume a full time position and that she is currently seeking a candidate for the part time position. Discussion ensued regarding Judie's length of tenure and dedicated service to the town.

Public Comment – None

Adjournment – Ms. Sims-Smierciak motioned to adjourn the meeting. Seconded by Mr. Monanteras. Motion passed with a vote of 4 - 0. Meeting adjourned at 6:31 P.M.

Attest:

/s/ Sherry P. Sury, Clerk-Treasurer