

SANITARY/WATERWORKS DISTRICT MEETING
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM
10955 WEST 93RD AVENUE, ST. JOHN, INDIANA
May 18, 2009 - 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; Kenneth Gembala, Member; Michael Hanlon, Member; Patricia Sims-Smierciak, Member; Pete Faberbock, Robinson Engineering; Bob Pharazyn, Director of Operations; Randy Wyllie, Attorney; Michael Forbes, Town Council Liaison and Sherry Sury, Clerk-Treasurer.

Approval of the minutes – St. John Town Council & SD/WD District Joint Executive Session on April 16, 2009; St. John Town Council & SD/WD District Joint Special Meeting of April 6, 2009 and Regular Meeting of April 20, 2009 - Mr. Gembala motioned to approve the April 6th Joint Meeting from the standpoint of the Sanitary and Waterworks District. Seconded by Ms. Sims-Smierciak. Motion unanimously passed.

Mr. Gembala motioned to approve the minutes of the Regular Meeting of the Sanitary and Waterworks District. Seconded by Mr. Monanteras. Motion unanimously passed.

SANITARY DISTRICT

Old Business

Interceptor to Schererville – update – Mr. Pharazyn stated that he spoke to R&R Sewer today, the contractor who will be doing the work, on behalf of Mr. Lotton. Rain obviously has been a challenge the past three to four weeks. Tomorrow they will be going in there to attempt to cut a road as access to the area in back of the water treatment plant to get some stone in. Manholes are built; pipe is ready to be delivered but they need Mother Nature to come around a little bit and dry things up for them back there. They do expect to begin, if weather continues to cooperate, by June 1st.

Biennial Rate Study Progress – Mr. Myers referenced his e-mails previously sent out and asked for a motion to hire Steve Carter as their Financial Consultant regarding the Schererville Biennial Rate Study progress and anything to do with the Schererville Treatment Plant. **Mr. Monanteras motioned to hire Steve Carter as their Financial Consultant regarding the Schererville Biennial Rate Study progress and anything to do with the Schererville Treatment Plant.** Mr. Wyllie asked that the motion reflect that Mr. Carter is with Umbaugh and Associates. **Seconded by Mr. Hanlon. Motion unanimously passed.**

Mr. Wyllie stated that he would notify council for Schererville, Mr. Austgen, that they hired Steve Carter for the Biennial Rate Study as well as address St. John's 20% pro-rata share of the capital replacement cost.

Schererville Capital Cost – payment request WWTP – 4/29/09 – Discussion ensued and this item will be deferred to next month to give Mr. Carter a chance to review it. Mr. Pharazyn stated that he spoke with Mr. Volkmann, Schererville's Town Manager, today regarding this letter and the attached invoice for \$130,000. The invoice is a separate issue; they drained a couple of tanks, had some small problems, were going to repair them and before they knew it turned into a \$130,000 repair. Discussion ensued. Mr. Pharazyn stated that what they are asking for is 20%

payment of this bill. That is, 20% of \$130,000.00, so it is two separate issues. There are going to be several phases not just the two mentioned in this memo. **Mr. Gembala motioned to defer to next meeting. Seconded by Mr. Monanteras. Motion unanimously passed.**

New Business

Mr. Wyllie stated that there was a Grant of Right to install Sanitary and Water lines to Jim and Louise Janda. Discussion ensued regarding this area that was not annexed into town. **Ms. Sims-Smierciak motioned to approve the Grant of Right to Install Sanitary Lines to Jim Janda and Louise Janda with the waiving of the fee. Seconded by Mr. Hanlon. Motion unanimously passed.**

PAYMENT OF BILLS - #2043 - #2049 for \$25,258.62 for Sanitary District & WW Utility #6135 - #6165 for \$104,085.99 – Mr. Monanteras questioned APV #6144 which is the \$800 recapture fees paid. Ms. Sury referenced the two different recapture fees being collected and forwarded monthly to BLB St. John (Lotton) per the agreement. Ms. Sims-Smierciak inquired about APV #6136, the liability insurance payment for the Sanitary property. Ms. Sury explained that it pertained to the equipment, land, liability, and the normal charges for the district's insurance. Mr. Myers asked about 8506 Heather Court sewer work that was charged to the district; Mr. Pharazyn stated that this was the letter that was read at last month's meeting. He said there would be one more bill for landscaping. Mr. Myers also asked about the street repair at Calumet and White Oak. Mr. Pharazyn stated that this was for cutting the trenches for running the sewer lines for the new homes. **Mr. Hanlon motioned to pay bill payment memo's #2043 – #2049 for \$25,258.62 for the Sanitary District and for the Wastewater Utilities #6135 – #6165 for \$104,085.99. Seconded by Mr. Monanteras. Motion unanimously passed.**

Any and all business that may come before the Board – None

Public Comment – None

WATERWORKS DISTRICT

Old Business

Lotton – Water Improvements Update – Gates of St. John

Caldwell Tank Discussion– Mr. Wyllie stated that he just received Jennifer's comments on the letter on Thursday and he was out on Friday. Discussion ensued regarding the Districts' response to the letter and that Mr. Wyllie will respond that they are in receipt of their letter and the board's position on this matter.

Mr. Wyllie stated that he has a Quit Claim Deed for execution for Lot #1427. Mr. Monanteras asked what the status of the checklist is. Mr. Pharazyn stated that as far as he is concerned they are done. Discussion ensued (inaudible).

Authorization to re-advertise for bids – water treatment plant and well – Gates of St. John

- Mr. Myers stated that they are going to re-publish the water treatment plant and well construction, notice to bidders. He stated that they did absolutely nothing wrong, had the right to do what they did but rather than stall our process of the building because someone decides they want to sue us, they are going to change the way they are doing things, and republish the

notice. Mr. Wyllie added that because some contractors were concerned about the prequalified bidders, (inaudible) they decided to republish rather than risk a lawsuit. With those issues it is better to republish. Mr. Myers added that other communities including INDOT have restrictions on who can bid on their projects. Mr. Wyllie stated that there is a specific Statute in Indiana that states that INDOT has their own prequalification process that they can only pick from certain contractors that build highways, and other construction; they don't let just anybody build. There is a specific Statute that INDOT has, it does not apply to the Town of St. John, Schererville, or anybody, the utility board is restricted by the Public Bidding Statute (inaudible).

Mr. Monanteras motioned to authorize to the republication on the bid. Seconded by Ms. Sims-Smierciak. Motion unanimously passed.

Discussion ensued regarding a mandatory meeting for the bidders and that the motion to approve the re-publication of the notice to bidders should satisfy any objections that were raised. Mr. Wyllie referenced the two letters he sent out. Mr. Pharazyn suggested that they have a pre-bid meeting; if people choose to come and are serious about the job they will be there. If they're not...they're not. Discussion ensued. It was decided not to have a mandatory meeting.

Discussion ensued regarding the revised notice and specification booklet, they are going to eliminate the word "Town Engineer" from the notice so that the language can be Mr. Pharazyn's and anyone else's. Mr. Pharazyn also referenced the other changes in the specification booklet.

Status of easement issue and Public Hearing for well on Route 41 – Mr. Wyllie stated that he has not received a response. Discussion ensued. Mr. Myers stated that something needs to be done this individual has received what they wanted. Mr. Faberbock stated that would make a follow up call.

Status of meter change over program – Discussion ensued regarding the status of Mr. Shapiro's request. **Mr. Monanteras motioned to send a response to Attorney Shapiro advising him that. Seconded by Mr. Hanlon. Motion unanimously passed.** Mr. Pharazyn referenced a few residents who did not respond to repeated attempts to set up an appointment to have their meters replaced. Discussion ensued and Mr. Wyllie will send letters out to the residents that refused entry to their homes for their meters to be replaced.

Grant of Right to install water & sewer lines – Jim and Louise Janda – 14174 W. 101st Avenue – waiver of fees - Mr. Monanteras motioned to approve the Grant of Right to Install Water Lines to Jim and Louise Janda and to waive the fee. **Seconded by Mr. Hanlon. Motion unanimously passed.**

New Business

PAYMENT OF BILLS - #3033 - #3041 for \$24,920.52 for Waterworks District and #4208 - #4253 for \$299,760.90 for Water Utility - Mr. Monanteras inquired about bill number #4213, and three payments for Highway 41, APV #4240 for approximately \$25,000.00. Ms. Sury stated that APV #4213 pertains to the Lotton original recapture agreement and confirmed that the \$121,870.81 collected for the recapture, was placed in the Water System Development Fund due to the new agreement. Mr. Pharazyn stated that these bills (APV #4240) were for the mandate by INDOT to relocate the water main near LS#1. **Mr. Hanlon motioned to pay bill payment memos #3033 – #3041 for \$24,920.52 for Waterworks District and #4208 – #4253**

for \$299,760.90 for Water Utility. Seconded by Ms. Sims-Smierciak. Motion unanimously passed.

Any and all business that may come before the Board – None

Public Comment

Joe Hero, 11723 S. Oakridge Drive – referenced the re-publication of the revised notice to bidders that was approved and asked what the estimated time and project cost of the Water Treatment Plant will be. Mr. Pharazyn stated that it is \$3.7M and change and prefers that this number stay as close to the vest as possible as to not contaminate the people that are going to bid it because when you hear that number they tend to believe that that is what the job ultimately will cost.

Mr. Hero asked if there will be any federal funding? Response was no.

Mr. Hero referenced the criteria for qualifications for redoing this bid and asked who developed the old criteria for qualifications and asked if the board did that. Mr. Myers stated that it was a combination of the board, Town employees and Robinson Engineering. Mr. Hero asked what meeting this was done at and Mr. Myers stated that it was discussed among himself, Mr. Pharazyn and the Town Engineer and that is was not a board decision.

Mr. Hero asked who established the new criteria and Mr. Myers said that there is no criteria. Mr. Wyllie and Mr. Myers stated that anyone can make a bid.

Adjournment – Mr. Monanteras motioned to adjourn the meeting. Seconded by Ms. Sims-Smierciak. Motion unanimously passed. Meeting adjourned at 6:32 P.M.

ATTEST:

/s/ SHERRY P. SURY, Clerk-Treasurer