

SANITARY/WATERWORKS DISTRICT MEETING
AND TOWN COUNCIL STUDY SESSION
ST. JOHN MUNICIPAL BUILDING MAIN MEETING ROOM
10955 WEST 93RD AVENUE, ST. JOHN, INDIANA
September 20, 2010 - 6:00 P.M

Mr. Myers called the meeting to order at 6:00 P.M. and led the Pledge of Allegiance. Roll call was taken with the following members present: Robert Myers, President; Michael Hanlon, Member; Patricia Sims-Smierciak, Member; Frank Bradtke, Member; Pete Faberbock, Robinson Engineering; Steve Kil, Town Manager; Randy Wyllie, Attorney; Kenneth Gembala, Town Council Liaison and Sherry Sury, Clerk-Treasurer.

Approval of the minutes – Regular Meeting of August 16, 2010 - Ms. Sims-Smierciak motioned to approve the minutes of the Regular Meeting of August 16, 2010. Seconded by Mr. Hanlon. Mr. Gembala referenced page three of the minutes pertaining to the discussion regarding the fire hydrants; the acronym identified as EPA should be NFPA. **Motion passed with a vote of 4 -0.**

SANITARY DISTRICT

Old Business

Professional Building Services on behalf of Dyer Methodist Church – Grant of Right request – water/sewer – Mr. Faberbock stated that he reviewed the plans for the utilities as requested. He verified that everything shown on the plan with the exception of the 15” water main, which is actually a 12” water main and terminates at the southwest corner of Silver Leaf is in order. At this point, they are not contiguous with the town and are not able to annex. Mr. Wyllie stated that he could have the Grants of Right to Install, and Waiver and Consent to Future Annexation forms ready for the next meeting. **Ms. Sims-Smierciak motioned to approve the Grant of Right to Install subject to signing the documents from the Board attorney. Seconded by Mr. Bradtke. Motion passed with a vote of 4 - 0.**

Interceptor to Schererville – status of payments

Update of existing issues – Mr. Faberbock gave a status report on the 36” line. He stated that since the last meeting the flume was changed from the 24” to the 36”, they had trouble metering the flow coming through the new flume so that flow was diverted back into the existing 24”. They are investigating several possibilities to see what was wrong; one is the flume itself, there is bubble popping out of the concrete, the size of the flume, the proposed design flows from 2005, plus other possibilities. There is also a punch list compiled by Mr. Faberbock that Mr. Myers wants to go over. He would like Mr. Lotton to start on the restoration and have Schererville sign off on it as it gets done.

Invoice #3015 dated 8/9/10 in the amount of \$494.90 – See next item

Invoice #3031 dated 9/7/10 in the amount of \$472.50 - Mr. Hanlon motioned to pay Invoice #3015 in the amount of \$494.90 and Invoice #3031 in the amount of \$472.50. **Seconded by Mr. Bradtke. Motion passed with a vote of 4 - 0.**

Status update – Patterson sewer – Proposal for video cost for sewer line – Mr. Faberbock stated that he is getting proposals and will have something in the future.

Request of Lake County Library – Sewage billing adjustment – Mr. Myers stated that they have gone over past bills and it looks like they have a problem. He suggested that reimbursement be done on comparison with past usage and that they leave that up to Ms. Sury to come with up the exact figure. **Ms. Sims-Smierciak motioned to adjust the sewage billing for the Lake County Library using the comparison of past usage under Ms. Sury's discretion. Seconded by Mr. Hanlon. Motion passed with a vote of 4 - 0.**

New Business

PUBLIC HEARING – 2011 BUDGET

Mr. Wyllie confirmed that the Publication Notices were in order with publication dates of August 25th and September 1st in **The Times** and publication dates of September 2nd and September 9th in the **Post Tribune** and that the public hearing could proceed. Mr. Myers read the budget estimates for the Sanitary District Operating and Sanitary District Bond & Interest Funds.

The hearing was opened for Public Comment – None

Ordinance #SD105 – 2011 Sanitary District Budget – First Reading - Mr. Hanlon motioned to consider Ordinance #SD 105 on first reading. **Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0.**

Mr. Sims-Smierciak motioned to approve the 2011 Budget on first reading. Seconded by Mr. Bradtke. Motion passed with a vote of 4 - 0.

Extension of Summer Sprinkling Rates – Town Resident – Due to Storm Sewer project – Mr. Myers referenced a letter from a resident who requested an extension on the summer sprinkling rate. His lawn was messed up during the storm sewer project and the extension would allow the resident to water his lawn to get it back into shape. **Ms. Sims-Smierciak motioned to approve this extension to October 15, 2010. Seconded by Mr. Hanlon. Motion passed with a vote of 4 - 0.**

PAYMENT OF BILLS - #2072 - #2079 for \$36,324.29 for Sanitary District & WW Utility #6210 - #6240 for \$107,810.20 - Mr. Hanlon motioned to pay bill payment memos #2072 - #2079 for \$36,324.29 for the Sanitary District and for Wastewater Utility #6210 - #6240 for \$107,810.20. **Seconded by Mr. Bradtke. Motion passed with a vote of 4 - 0.**

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

Public Comment – None

WATERWORKS DISTRICT

Old Business

Water Tower – Gates of St. John

Approval of payment to Mediator – Mr. Wyllie stated that the court appointed mediator must be paid by both parties 50/50, the Town's 50% portion is \$748.00. **Mr. Hanlon motioned to authorize payment to the mediator on the Caldwell Tank issue for \$748.00. Seconded by Mr. Bradtke. Motion passed with a vote of 4 -0.**

Payment outstanding invoices – electrical – Mr. Boender was in attendance and was asked to explain what the invoices were for. Mr. Boender said before anything was done on the Caldwell contract Mr. Pharazyn asked Mr. Boender to put in 6 PVC pipes & raceway before the floor was poured for the tower. It was not part of the contract so he billed Caldwell Tank right at the beginning. That was not part of his contract with Caldwell. The invoice for this was \$2,316.66, Invoice #20850. The invoice for \$12,345.00 was added to the job specs that Caldwell Tank did not pay him; he was told by Caldwell it was work outside the contract and they would not pay the invoice. This was for a change from a 2-pole light system to a 4-pole light system. Caldwell told him since they didn't hear it from the town they were not going to pay it. Mr. Pharazyn never signed for it but authorized him to do it. The last invoice for \$1,512.24 – Caldwell put a block wall around the stairwell going up the hill – Boender had already ran the conduit for the SCADA system on that wall and on up to the antenna. The wall so poorly done it had to be taken down and redone so the conduit had to be removed from the wall and reinstalled on the replacement wall.

Mr. Wyllie stated that he remembers the wall having to be redone, which was Caldwell's responsibility so the third invoice should be Caldwell's responsibility. He added that the Board's contract is with the general contractor not with the subcontractor. Although Mr. Boender received his direction from Mr. Pharazyn he has nothing in writing. That was their position going into litigation with Caldwell which has been settled and they have been paid in full. Mr. Boender's contract is with Caldwell, so any issues he has should be addressed with Caldwell which is what he did. He followed the proper procedure and Caldwell has refused to pay him. Mr. Wyllie does not see how that puts the Board in a position where the Board has to pay it. Unfortunately Mr. Boender may be in the same position the Board was in where Mr. Boender may have to sue Caldwell to get a remedy.

Mr. Myers asked Mr. Boender to give the Board some time to think this over and discuss it and they will give him an answer before their next meeting. Mr. Boender added that Derwin was aware of the work.

Mr. Kil mentioned he was not aware of two of the items but he is aware that the lighting was very poor and Mr. Pharazyn wanted it fixed right away and authorized Boender to do the work. He added that Mr. Pharazyn never gave Caldwell a change order to approve it and that Caldwell was going to tack on 10%.

Status update – Joliet St. Water Main Extension – Mr. Faberbock stated that the bonding agent for Snow-N-Sons is asking for a letter from the Town so he typed one up and sent it out.

Status report – Commingling of private well water with St. John Waterworks Water Distribution System – Mr. Wyllie stated that he did not receive a response from the owner and the water was shut off. Discussion ensued and Wayne, Customer Service Representative, will occasionally check to ensure the water is still shut off.

Update – resident reimbursement from fire hydrant damage – Mr. Myers stated that another payment has been received.

New Business

Reading of the Budget Estimate for the following fund

Mr. Wyllie confirmed that the Publication Notices were in order with publication dates of August 25th and September 1st in **The Times** and publication dates of September 2nd and September 9th in the **Post Tribune** and that the public hearing could proceed. Mr. Myers read the budget estimates for the Waterworks District and opened the floor for Public Comment.

Public Comment – None

Ordinance #WD72 – 2011 Waterworks District Budget – First Reading - Ms. Sims-Smierciak motioned to consider Ordinance #WD72 on first reading. **Seconded by Mr. Bradtke. Motion passed with a vote of 4 -0.**

Mr. Bradtke motioned to approve Ordinance #WD72 on first reading. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0.

Annual Service Agreement – Water Storage Tank – Cathodic Protection System – 14126 W. 89th Place – This is for the Kilkenny water tower. Mr. Myers asked Mr. Faberbock if they should do the 15-point inspection. Discussion ensued. Mr. Faberbock stated that he would have to look at the tank and see. Mr. Myers recommended that the 15-point inspection be done every year and if they add up all the options; wait to see if they need them, the amount will not exceed \$1,230.00. **Mr. Bradtke motioned to authorize the yearly contract for Corpro for a cost not to exceed \$1,230.00. Seconded by Ms. Sims-Smierciak. Motion passed with a vote of 4 - 0.**

PAYMENT OF BILLS - #3060 - #3064 for \$30,756.29 for Waterworks District and #4480 - #4551 for \$273,224.77 for Water Utility - Mr. Hanlon motioned to pay bill payment memos #3060 - #3064 for \$30,756.29 for Waterworks District and #4480 - #4551 for \$273,224.77 for the Water Utility. **Seconded by Mr. Bradtke. Motion passed with a vote of 4 -0.**

Any and all business that may come before the Board

Mr. Myers referenced a letter from a resident that had rusty water and wants her bill paid in full. He mentioned that if there was a problem it would be on the entire block not just one home. Also her prior bills have been for approximately the same amount of consumption. **Mr. Hanlon motioned to deny the residents request for a rebate on their water bill. Seconded by Mr. Bradtke. Motion passed with a vote of 4 - 0.**

Ms. Sury mentioned the bond review that was underway by Fitch Ratings as it related to the 1996 Sanitary District Bonds, discussion ensued.

Mr. Faberbock stated that Wayne left him message about a dentist's office where they were changing some meters and he noticed the dentist does not have a backflow preventer and he really needs one. Wayne would like a letter sent to the dentist advising him that he needs to install the backflow preventer. Mr. Kil stated that he spoke with Wayne about this matter and asked him to tell the dentist to install it and provide him with a copy of the code.

Mr. Faberbock stated that he has not had luck with the railroad; he has been dealing with the consultant and is trying to get in there to lower the signal. Mr. Wyllie will send the railroad a friendly letter to try to help move the process along.

Mr. Gembala stated that he took some of the fire department and some of the police department personnel through the water treatment plant and the new tower; it is very impressive. He added the treatment plant has a chlorine room which is extremely hazardous, it is closed however every once in a while they have to change bottles. He said there is a ladder on the second level they use to make an inspection and someone could get injured. He is requesting that lockboxes be placed on all the buildings. Discussion ensued and the Board agreed to have the Knox lockboxes installed.

Public Comment – None

Adjournment – Mr. Bradtke motioned to adjourn the meeting. Seconded by Mr. Hanlon. Motion passed with a vote of 4 - 0. Meeting adjourned at 6:48 P.M.

ATTEST:

/s/ Sherry P. Sury, Clerk-Treasurer