

**GLENBARD WASTEWATER AUTHORITY**  
**Executive Oversight Committee**  
**Minutes**  
**Thursday, September 10, 2009**

Members Present:

Michelle Thorsell	Trustee, Village of Glen Ellyn
William Mueller	President, Village of Lombard
Philip Hartweg	Trustee, Village of Glen Ellyn
Greg Gron	Trustee, Village of Lombard
Steven Jones	Manager, Village of Glen Ellyn
David Hulseberg	Manager, Village of Lombard
Joe Caracci	Public Works Director, Village of Glen Ellyn
Carl Goldsmith	Public Works Director, Village of Lombard

Others Present:

Erik Lanphier	Wastewater Manager, GWA
Tim Sexton	Finance Director, Village of Lombard
Jon Batek	Finance Director, Village of Glen Ellyn
Gary Scott	Sr. Maintenance Mechanic, GWA
Gayle Lendabarker	Administrative Secretary, GWA

1. Call to Order at 7:59 a.m.
2. Roll Call: Ms. Thorsell, Mr. Mueller, Mr. Hartweg, Mr. Gron, Mr. Jones, Mr. Hulseberg, Mr. Caracci and Mr. Goldsmith, answered "Present".
3. Public Comment – None
4. Consent Agenda

***Mr. Hartweg motioned and Mr. Mueller seconded the MOTION that the following items on the Consent Agenda be approved: Ms. Thorsell, Mr. Mueller, Mr. Hartweg, Mr. Gron, Mr. Jones, Mr. Hulseberg, Mr. Caracci and Mr. Goldsmith individually responded "Aye" during a roll vote. The motion carried.***

- 4.1 Minutes from the August 13, 2009 EOC Meeting
- 4.2 Vouchers previously reviewed by Trustee Hartweg
- 4.3 Dewatering Building Plumbing Work

It was determined that the best course of action for the Authority was to seek proposals from an outside contractor to complete replacement of building drain and vent piping, and to connect the South truck bay trough drain to the North drain system. Due to the expedient nature of these projects, GWA spoke directly to the BIP mechanical contractor Tobin Brothers, who preferred not to quote due to contract time restrictions and staff availability. GWA then contacted Dahme Mechanical, Arlington Heights, IL whom has done extensive work for the Authority in the past with excellent results.

**GWA requests the EOC motion to award the contracted plumbing work at the Sludge Dewatering Building for a not to exceed amount of \$21,439.00 invoiced to Anaerobic Digester Improvements 40-580239 payable to Dahme Mechanical Industries Inc. of Arlington Heights IL.**

**4.4 Unox Inlet Valve Grating Project**

During the past several months staff has continued excavating fill soils surrounding the Unox Influent valves in preparation for anticipated valve rehabilitation/replacement as proposed in the FY2010 Budget. These valves are located in a space between the concrete influent channel and the concrete Unox reactors. This space is intended to be converted to a concrete valve vault during the valve rehabilitation/replacement project. The requested grating will be a permanent cover for the exposed trench area on the North One-Third (Phase 2) and the Center One-Third (Phase 3) of the project which is currently being excavated. This phase of excavation is anticipated to be complete prior to proposed grating delivery times. Leon's Fabrication, Inc was the lowest price proposal for the grating based on the EOC approved purchase for the Phase one (1) work in January 2009.

**GWA requests the EOC motion to approve the purchase of Phase #2 & #3 Aluminum Grating inclusive of a 10% or \$2,045.00 discount for a not to exceed amount of \$18,445.00 invoiced to Plant Equipment Rehabilitation 40-580150 payable to Leon's Fabrication, Inc. of Schererville, IN.**

**5. Other Business**

**5.1 St. Charles Rd. ARRA Funding Follow-Up**

*Mr. Lanphier advised the Committee that his cover memo and copies of emails included in the package were a result of a conversation between Mr. Lanphier, Mr. Troy Stinson of Strand Engineering and Mr. Chris Nifong at the IEPA, during which it was revealed that the St. Charles Road project would not be receiving ARRA funding. Mr. Lanphier indicated that the emails sent had been seeking confirmation from IEPA that there was no opportunities for GWA to receiving the ARRA funding so that Strand could contact the contractors looking to bid on the St. Charles Road lift station project and advise them of the information in an effort to save the costs of completing certain steps associated with the ARRA funding requirements. Mr. Lanphier stated that IEPA was asked if there was going to be another program similar to the ARRA next year and they advised that there will be their traditional revolving fund opportunities but to their knowledge, there is no Federal programs like the ARRA in the works for next year.*

*Trustee Thorsell asked Mr. Lanphier if he had spoken directly with Mr. Nifong at the IEPA. Mr. Lanphier indicated that he and Troy Stinson, Strand Associates, had exchanged emails and telephone calls with Chris who had initially been the one to advise that the GWA would not be receiving the ARRA funding as well as a conference telephone call with Mr. Nifong supervisor, Mr. Gary Bingenheimer and then email correspondences with Mr. Geof Andres who is the head of the IEPA Funding Department who provided the final confirmation that GWA would not be receiving any funds.*

*Trustee Thorsell asked if there were any lessons learned that could be carried forward on future funding indicating that she had spoken with someone at the IEPA in a different department who expressed their disappointment in GWA's project not receiving the funding.*

*Mr. Caracci indicated that he had asked Mr. Lanphier to inquire as to what percentage of projects for this particular reviewer had received funding compared to the projects of other reviewers and the question was left unanswered.*

*Mr. Lanphier expressed his opinion that the IEPA was not prepared for the onslaught of projects they received when the ARRA funding program was announced therefore their project reviewers were overwhelmed and some are not equipped to provide a quick and effective review that would have possibly led to GWA receiving funding. Mr. Lanphier added that it was revealed that projects that were already on the IEPA books and looking for funding through their Revolving Fund had all of the paperwork done and ready to go, thus moving them to the top of the list for consideration for the ARRA funding. Mr. Lanphier indicated that he did gain a better understanding of the process and he would request a particular project manager at the IEPA to handle the review process.*

*Mr. Caracci added that the question was posed to the IEPA as to how a project engineer determined which projects they are working on and what order and it was determined that it is simply left in the hands of the project engineers.*

*Mr. Lanphier stated that additional frustration developed when it was discovered that our particular project engineer was focusing on projects not in line for the ARRA funding instead of those that were. Mr. Lanphier added that he feels the true problem is a flaw in the overall process and lack of direction given to IEPA's project engineers on this matter.*

*Mr. Gron asked if any other municipalities in the area had experienced the same situation of not receiving ARRA funding. Mr. Lanphier indicated that the Wheaton Sanitary District had recently announced they would be receiving funding for a project, but have not received any official written notification and*

*hope they are not in the same boat as GWA with suddenly finding out there is no funding. Mr. Lanphier added, that there is frustration in the fact that the Lombard CSO project and several projects for the Village of Glen Ellyn had received written notification that they did not meet the necessary criteria for the ARRA funding all the while GWA had not received anything regarding the St. Charles Road Lift station project.*

*Mr. Lanphier advised that in the event there was another ARRA stimulus program that one of the stipulations for consideration is that a struggling community be placed on the priority list for funding.*

*Mr. Caracci added that one of Glen Ellyn's projects had reached the phase of the IEPA having already approved the facilities plan and yet a rejection letter was received.*

*Mr. Jones asked if any estimated date for approval of GWA's facility plan was known with the logic being in the event projects were disqualified from the first round of ARRA funding if the pressure was kept on the project reviewer to approve the plan, that maybe GWA would be in the running if the IEPA started referring to a waiting list of projects. Mr. Lanphier indicated that it would not be approved until after the first of the year and would therefore not be eligible for placement on the waiting list.*

*Mr. Caracci indicated that Mr. Lanphier had asked IEPA about being placed on a waiting list of sorts and Mr. Lanphier had been advised that GWA's plan would not be approved in time even if a back-up list was created.*

*Mr. Hulseberg asked if a letter had been forwarded to local legislatures explaining the situation and asking for assistance in moving GWA's facility plan to the top of the pile. Mr. Lanphier advised that he had asked Geoff Andres if getting our representatives involved would change the outcome. Mr. Lanphier indicated that Mr. Andres' response was that we could join the long list of people who were pursuing that avenue. Mr. Lanphier went on to say that he feels that it is more a matter of the project manager focusing too much on making sure the "i's are dotted and the t's crossed" in a situation where a general consensus on the improvement, the impact and can the project get approved. Mr. Lanphier indicated that he is willing to write a letter to the local legislatures, but is under the impression that the IEPA was not going to be swayed by their involvement.*

*Trustee Thorsell suggested having a document on file is not a bad thing.*

*Trustee Thorsell asked if there were any additional suggestions or comments. Mr. Hulseberg indicated he wanted to comment on the entire issue of treatment and collection. Mr. Hulseberg stated that he has spoken with Mr. Jones and*

*Mr. Lanphier suggesting that the Village Managers, Finance Directors and GWA management sit down and start taking a look at the building that is coming.*

*Mr. Hulseberg explained, when looking at the operations, there are two (2) operations, a treatment operation and a collection operation; the goal would be to make sure everything is equitable and that no one has any pre-conceived ideas on whether there is a balance there or not; that as we look at some of the capital expenses we are making whether it be at the CSO plant or lift stations we should make sure there is parity for everyone in the Authority, whether it be the Glen Ellyn side or Lombard side. Mr. Hulseberg added that management will be spending some time working on that issue then begin working on the Overhead Charges that Glen Ellyn charges the Authority, and evaluating those numbers.*

**5.2 Williams Brothers Construction Inc. Substantial and Final Construction Counter-Proposal Acceptance**

*Mr. Lanphier advised that Williams Brothers had responded to his alternate proposal of granting two (2) months of liquidated damages now and granting the third (3<sup>rd</sup>) month if they make the substantial completion date of November 20, 2009.*

*Mr. Hulseberg asked Mr. Lanphier how Williams Brothers is performing now. Mr. Lanphier indicated that they are making significant progress which he attributes directly to the new project manager that was brought in. Mr. Lanphier advised that he is very active in communication with everyone and works to resolve issues quickly.*

*Mr. Gron asked if the list to be completed within the next month provided in the monthly construction report is realistic. Mr. Lanphier indicated that the list is what is currently planned for completion and he did not foresee any delays that would prevent those items from being completed.*

*Mr. Jones advised that a motion needs to be made removing the item from the table before any further discussions can be made as this item had been tabled at the August EOC Committee meeting.*

***Mr. Jones moved to remove the item from the table to resume discussions. Mr. Caracci seconded. The members responded unanimously to a verbal call of "Aye". The motion carried.***

***The motion was made by Mr. Caracci for the EOC motion to approve the agreement dated August 18, 2009 waiving the assessment of liquidated damages against Williams Brothers Construction, Inc. for the time period July 31, 2009 through September 30, 2009 and will wave damages through October 31, 2009***

*if Williams Brothers Construction Inc., reaches Substantial Completion by November 20, 2009.*

**Mr. Caracci moved and Mr. Jones seconded the motion: The members individually responded “Aye” during a roll vote. The motion carried.**

*Trustee Thorsell extended a compliment to the Electrical Group for the work they have completed that was outlined in the Manager’s Performance Report. Mr. Lanphier added that there is a lot of work getting done, namely the installation of the two new liquid oxygen storage tanks near the existing tanks which were purchased for less than ten thousand dollars (\$10,000) including trucking and crane fees and he is very proud of the quality and amount of work being accomplished by GWA staff which could not happen without the support of the EOC Committee.*

6. **Next EOC Meeting – The next regularly scheduled EOC Meeting will be on Thursday, November 12, 2009 at 8:00 am at the Glenbard Plant.**

*Mr. Lanphier indicated that he will be out of the office on October 8, 2009 and when considering that the only item that appears to be looming for the agenda would possibly be the awarding of the bid to a contractor for the St. Charles Road Lift Station which could probably be held off until the November 12, 2009 meeting and was recommending the cancellation of the October EOC Committee meeting.*

*Mr. Caracci asked if the bid award becomes critical would he attempt to schedule an EOC Committee meeting the third (3<sup>rd</sup>) Tuesday of October. Mr. Lanphier agreed that if the bid award became a critical item, then he would try and schedule the meeting for Thursday, October 15, 2009 and would advise the Committee as quickly as possible.*

### **Motion to Adjourn**

**Mr. Jones moved to adjourn the September 10, 2009 EOC Meeting and Mr. Hartweg seconded the motion. The members responded unanimously to a verbal call of “Aye”. The motion carried. The meeting adjourned at 8:25 a.m.**

Submitted by:

  
Gayle A. Lendabarker  
GWA Administrative Secretary