

GLENBARD WASTEWATER AUTHORITY

Executive Oversight Committee

MINUTES

Wednesday, December 12, 2012

8:00 A.M.

**Meeting will be held at the Glenbard Wastewater Plant
21 W 551 Bemis Rd, Glen Ellyn, IL**

Members Present:

Mark Pfefferman	President, Village of Glen Ellyn
Peter Breen	President, Village of Lombard
Phil Hartweg	Trustee, Village of Glen Ellyn
Bill Ware	Trustee, Village of Lombard
Mark Franz	Village Manager, Village of Glen Ellyn
David Hulseberg	Village Manager, Village of Lombard
Julius Hansen	Public Works Director, Village of Glen Ellyn
Carl Goldsmith	Public Works Director, Village of Lombard

Others Present:

Erik Lanphier	Wastewater Manager, GWA
David Goodalis	Sr. Plant Operator, GWA
Gary Scott	Sr. Plant Maintenance Mechanic, GWA
Gayle Lendabarker	Administrative Secretary, GWA
Kevin Wachtel	Finance Director, Village of Glen Ellyn
Tim Sexton	Finance Director, Village of Lombard

1. Call to Order at 8:04 a.m.
2. Pledge of Allegiance
3. Roll Call: Mr. Pfefferman, Mr. Breen, Mr. Hartweg, Mr. Ware, Mr. Franz, Mr. Hulseberg, Mr. Hansen and Mr. Goldsmith answered "Present".
4. Public Comment
5. Consent Agenda

Mr. Ware motioned and Mr. Hulseberg seconded the MOTION that the following items on the Consent Agenda be approved. Mr. Pfefferman, Mr. Breen, Mr. Hartweg, Mr. Ware, Mr. Franz, Mr. Hulseberg, Mr. Hansen and Mr. Goldsmith responded "Aye" during a roll vote. The motion carried.

- 5.1 Minutes from the November 8, 2012 EOC Meeting
- 5.2 Vouchers previously reviewed by Trustee Hartweg
- 5.3 Engineering Services Agreement Amendment #2

Due to a multitude of minor issues during the past three months of the project, GWA is recommending to the EOC that the additional construction oversight

work provided by Baxter & Woodman be compensated for with this last amendment.

The Authority is requesting approval for Amendment #2 to the Engineering Services Agreement in the amount of \$3,000 to be invoiced to Capital Account 40-580140. This will bring the total engineering costs on this project to \$56,845 which includes design and construction engineering. The estimated construction total is \$396,507 making the total engineering expenses 14.3% of the project.

5.4 Equipment Surplus

As the FY2013 vehicle replacement units have been placed into service, those units being replaced are now to be decommissioned and are currently in storage waiting to be considered as Surplus Equipment.

Mr. Lanphier briefly explained the reason for second (2nd) change order for Baxter & Woodman as well as stated that the retired vehicles are ready for sale since their replacements have arrived and are being used by GWA staff.

Mr. Goldsmith asked Mr. Lanphier for a status report on the evaluation by Trotter & Associates for the access road to the plant from Butterfield Road. Mr. Lanphier advised he had recently spoken with the engineer working the project who advised that they are waiting on ComEd to agree to a meeting for discussions on the possibility of the road. Mr. Lanphier indicated that the engineer from Trotter, Mark, indicated that ComEd has not been forthcoming in setting up a meeting and may be unclear on the reason for the meeting assuming Trotter & Associates will be coming to the meeting looking to negotiate an actual agreement instead of merely talking about the feasibility of possible construction. Mr. Goldsmith asked if any meetings with DuPage County had taken place regarding any wetlands issues. Mr. Lanphier advised that those meetings have taken place as well and hopes to have a report soon.

Mr. Hulseberg asked when Mr. Lanphier anticipated a final report. Mr. Lanphier indicated that the meeting with ComEd is the road block and until that meeting takes place the report cannot be finalized. Mr. Hulseberg asked if GWA was incurring any additional costs associated with the work. Mr. Lanphier advised that the original agreed contract has been met and no additional billings will be incurred on this project.

6. Discussions Pertaining to the Baxter & Woodman Invoice

A conversation began at the EOC meeting that had not been addressed previously regarding the Baxter & Woodman invoice. This discussion pertained to an amendment to the Baxter & Woodman Asset Analysis project number 110418.30. I want to clarify to the EOC that the approval that has been sought and approved by the Village of Glen Ellyn as the Operating Agency and by me, the GWA Wastewater Manager was for compensation for time spent doing the review. When I spoke to Mr. Wold with Baxter & Woodman it was clear that this was to be a time and material review of which no amendment to the previous contract was sought. The project number associated with the review of the CBBEL report is 110418.31 versus the project number for the Asset Analysis project was 110418.30 as indicated earlier.

Being that there was not an amendment needed for this work I believe that the only authorization that is needed from the EOC is for a voucher approval.

Motion the EOC approve the Voucher for Baxter & Woodman of Crystal Lake, IL in the amount of \$3,770.

Mr. Lanphier indicated that after the November EOC meeting he went back and researched this invoice further and was able to find that he had requested the evaluation of the B&W report to be done on a "time and material" basis and not as part of the original Asset Analysis and Alternative Funding Study; thus the invoice should not be treated as an amendment to the original contract for services with B&W.

Mr. Ware asked if the invoice had already been paid. Mr. Franz confirmed that the invoice has been paid. Mr. Ware asked if the work performed was inside the scope of the work of the original Asset Analysis study or outside the scope of the original contract as he thought it was. Mr. Lanphier explained that he asked B&W to provide a review of the CBBEL report so that he would be able to providing supporting information to the Village Board of Lombard. Mr. Lanphier reiterated that this request was independent of the original Asset Analysis study that B&W had been contracted to perform back in 2011.

Mr. Franz motioned and Mr. Hartweg seconded the motion to approve the Voucher for Baxter & Woodman of Crystal Lake, IL in the amount of \$3,770. Mr. Pfefferman, Mr. Hartweg, Mr. Hansen and Mr. Goldsmith responded "Aye" and Mr. Breen, Mr. Ware and Mr. Hulseberg responded "Nay" during a roll vote. The motion carried.

7. Other Business

7.1 IGA Discussion Update

Mr. Pfefferman provided a brief report on the meeting which took place prior the Thanksgiving Holiday between Mr. Breen, Mr. Lanphier and himself to try and work through the issues that seem to causing the impasse in reaching a new IGA between the villages.

There were discussions as to what besides the philosophical issues are factors contributing to the lack of progress.

The following items were agreed to as needing to be completed within the next week and another meeting between Mr. Pfefferman, Mr. Breen and Mr. Lanphier taking place if necessary and schedules permitting before the end of the year:

- *There is no bad faith on any side" in these negotiations*
- *Lombard will inform the EOC what additional data is sought, if any, from Baxter Woodman or other sources. An additional meeting with BW may be in order.*
- *GWA, Lombard and Glen Ellyn will provide short position papers of what going back to the 1998 agreement means. All agreed to go back to 1998 if one year's negotiations on a new IGA were not fruitful. We all still hope a new IGA can be implemented in the future.*

7.2 Letters to DuPage County Board members regarding damage to the NRI during the Prairie Path Bridge project.

Mr. Lanphier indicated that he has had discussions with DuPage County and it appears that the County will be making the repair internally instead of pursuing the matter with the contractor as the project is closed or brining in a contractor and GWA will be taking a close look at their experience on performing work of this nature since the work involves a 36" encased concrete pipe. Mr. Lanphier added that the plan he was been discussing is for the County to relocate the pipe around the damaged section and the Prairie Path bridge which will require a high amount of dewatering and by-pass pumping as the location of the pipe is not far from the East Branch of the DuPage River as the bridge abutment is twenty (20 ft.) feet off the river banks.

Mr. Hulseberg asked what the amount of infiltration GWA is experiencing. Mr. Lanphier indicated that at the moment there is very little and that the best indicator of infiltration would be to have a video camera ran through the pipe after a very wet rain in the Spring since during a rain storm, the volume is the pipe would make it difficult to determine how much if any infiltration is taking place.

Mr. Goldsmith asked about the issue with the Easement. Mr. Lanphier indicated that the issue is trying to locate a recorded copy of the permanent easement associated with the area that the damaged pipe is located in, and the County cannot find any records of an easement being filed and GWA cannot locate anything in our historical records. Mr. Lanphier indicated that he has communicated with the County asking what "is the next step" if a copy of the easement cannot be located and is awaiting a response.

7.3 Letter to Bemis Road Residents regarding Sludge Hauling

Mr. Pfefferman asked if Mr. Lanphier ever receives any type of feedback from the residents about the letters. Mr. Lanphier indicated very rarely do any of the residents acknowledge or comment on the letters.

7.4 Coal Tar Sealant Information

Mr. Lanphier explained the impact that this will have more on the villages and not so much GWA in the way of additional steps being taken to protect the water shed in the area.

7.5 Press Release Regarding EnerNoc Contract

Mr. Lanphier indicated that the press release was forwarded as per the EOC Committee's request and here again GWA did not receive any feedback from any press outlets.

Mr. Franz asked when GWA might accomplish being completely off the grid in the terms of electrical use. Mr. Lanphier explained that that goal is many years and a large capital investment over years away; however with the current natural gas and electrical pricing, it does not make sense for a municipality to pursue an expensive project of this nature at this time. Mr. Lanphier advised that in order to become self-reliant, GWA would have to build the infrastructure and bring in the high strength waste necessary to generate the by-product in the digesters to support grid free status. Mr. Lanphier added that the priority right now will be the pending nutrient removal requirements that the IEPA are considering implementing which will have a substantial impact on future infrastructure projects that GWA will need to undertake to meet compliance in the future.

Mr. Lanphier indicated that he would like to add item 7.6 as it was something that came to light after the agenda was generated but follows up on an email he sent to the respective Village Managers about the costs outline below.

7.6 DuPage River/Salt Creek Workgroup Dues and transfer of payment for each Village's dues by the individual village instead of GWA.

Mr. Lanphier explained the change in the fee format for membership to the DuPage River/Salt Creek Workgroup and explained that in the past, GWA has paid all of the fees from its budget, however with the restructuring, the fees will be close to \$100,000 and indicated that he feels that the individual Villages should take up the responsibility of their individual membership dues. Mr. Lanphier explained that the group is requesting an increase in fees to assist it defraying the costs of future projects and studies as it works with the IEPA to improve and protect the water shed with holistic solutions and not solutions that may not work in every situation.

Mr. Goldsmith asked how much capital investment could be expected if the IEPA declines to accept the solutions being recommended by the workgroup. Mr. Lanphier indicated that he could not venture a guess but advised that the facilities planning study currently being done by Strand Associates will have that information.

Mr. Goldsmith did advise that he suggested to Mr. Dave Gorman, who is the current President of the workgroup and the Assistant Public Works Director at the Village of Lombard, that he wanted to see some sort of equitable methodology established to determine how much each agency would get within a given year so that the funds are not shifted for a single project to the benefit of a single member.

8. **Next EOC Meeting** – Request January 10, 2013 meeting be cancelled. The next regularly scheduled EOC Meeting will be on **Thursday, February 14, 2012 at 8:00 a.m. at the Glenbard Plant.**

Mr. Lanphier advised that with the pending holidays in the coming weeks and the lack of pending agenda items it would most likely be best to cancel the January meeting.

Mr. Hulseberg moved to adjourn the December 12, 2012 EOC meeting and Mr. Breen seconded the motion. The members responded unanimously to a verbal call of “Aye”. The motion carried. The meeting adjourned at 9:04 a.m.

Submitted by:

Gayle A. Lendabarker
GWA Administrative Secretary