

Utility Committee Meeting
September 1, 2021 9:00 a.m. Newburgh Wastewater Treatment Facility

Present: Steve Shoemaker, Leanna Hughes, Christy Powell via phone, Susan Helms, Russell Powell, David Hynes, Chris Wischer, and Rebeka Kaufman. Also in attendance: Jim Morley Jr.

Utility Committee member Steve Shoemaker called the meeting to order at 9:01 a.m. with a quorum present.

Consent Agenda

Monthly Tracking Report, Inspection Status Report, Sewer Repairs Report, Tap Report, Financial Report, Monthly Sewer Adjustment and approval of the August 4, 2021 minutes.

Motion: Leanna Hughes moved to approve the consent agenda.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

Committee Discussion Items

Wastewater Treatment Facility (WWTF) Superintendent, Russell Powell

1. Request for Recommendation to Council for Approval of Fats, Oils and Grease (FOG) Permit for Wingseast 10, LLC.

Mr. Powell stated a second restaurant, Teriyaki Madness, will be located in the strip mall currently occupied by Wings Etc. and the FOG permit must be revised. One grease lateral with a 3000-gallon interceptor and one sewer lateral services the entire building which provides adequate capacity for all four (4) suites. The FOG permit will be in the name of Wingseast 10, LLC, building owner, who will be responsible for the FOG permit and the interceptor maintenance.

Motion: Russell Powell moved to recommend to Council to approve the FOG permit #082521 for Wingseast 10, LLC, 8833 High Point Drive. The permit will cover Wings Etc. and Teriyaki Madness.

Motion seconded: Leanna Hughes

Discussion: None

Motion passed unanimously.

2. Request for Recommendation to Council for Approval of McAlister's Deli FOG Permit

Mr. Powell stated McAlister's Deli recommended a waiver of the standards from a 2500-gallon to a 1000-gallon external grease interceptor due to the nature of the business. All entrees are heat and serve and sandwiches are premade.

Motion: Russell Powell moved to recommend to Council to approve the FOG discharge permit #083121 for McAlister's Deli, 3788 Libbert Road, with a minimum of 1000-gallon external grease interceptor.

Motion seconded: Leanna Hughes

Discussion: Leanna Hughes asked if we can go back later and require a bigger interceptor. The permit includes updating the requirements if a violation occurs or if the nature of the discharge changes.

Motion passed unanimously.

3. Ohio Township Fire Department FOG Permit

Mr. Powell stated the Ohio Township Fire Department FOG Permit #082621 has been prepared and recommended approval. The permit includes a waiver for an external FOG interceptor in favor of an internal grease trap.

Motion: Russell Powell moved to recommend to Council to approve the FOG discharge permit #082621 for Ohio Township Fire Department Community Room in the proposed new building.

Motion seconded: Leanna Hughes

Discussion: None

Motion passed unanimously.

Engineer Report, David Hynes

1. Forest Park Roadway, Drainage and Sanitary Sewer Improvements Update

Mr. Hynes stated Commonwealth Engineering Inc. (CEI) received a detailed report from Koberstein Contracting outlining the work included in Change Order #2 for the Forest Park Roadway, Drainage and Sanitary Sewer Upgrades Project and requested payment in the amount of \$92,251.44. The project's total cost is approximately \$1.2 million. Change Order #2 is included with the minutes. CEI reviewed the request and presented a payment breakdown between the sewer department and civil town. Mrs. Powell suggested the sewer department cover the road reconstruction cost of \$74,566.00 by using the American Rescue Plan's (ARP) \$100,000.00. The sewer department applied for a State Water Infrastructure Fund (SWIF) Grant in the amount of \$5,000,000.00 and will be notified by mid-September if successful. Mr. Wischer stated the ARP funds should benefit the Town but he is fine with using ARP funds to pay for the road reconstruction cost and have the sewer reimburse the Town later. To clarify payment arrangements on Change Order #2, the Sewer department will cover all costs except raising the storm inlets which will be paid by civil town at a cost of \$2,305.00 and splitting the exposed aggregate driveway at a cost of \$6,044.44 at the predetermined percentage.

Motion: Christy Powell moved to recommend to Council to approve Change Order #2 for 2020 CCMG Division A: Forest Park Subdivision Roadway, Drainage, and Gravity Sewer Improvements Project not to exceed \$92,251.44. Sewer to pay all except the raising of the storm water inlets and to pay the predetermined split of the exposed aggregate concrete to match existing driveway concrete.

Motion seconded: Susan Helms

Discussion: The Utility committee discussed Change Order #2's payment breakdown between civil town and the sewer department.

Motion passed unanimously.

Mr. Hynes discussed the traffic patterns in Forest Park during curb construction. All subdivision residences were notified and construction completion is expected within two (2) weeks.

Petitions and Comments from Citizens Present

9:15 am: Chad VanZilen, Future Development

Mr. VanZilen was not present. Mrs. Helms stated he is interested in a development off Highway 66, past the intersection with Highway 261, in the Pine Drive area which would be served by the Pecka Ditch line. The development is expected to consist of single-family homes. Mr. Hynes suggested a capacity request be submitted so it can be run through the model.

9:30 am: Jim Morley, Jr., FOG permit

Mr. Morley was informed the recommendation for a waiver of the standards from a 2500-gallon to a 1000-gallon external grease interceptor was approved.

Mr. Morley asked about the Kensington capacity request. Mr. Hynes stated CEI has the request and capacity is being determined.

Mr. Morley inquired about Newburgh Heights. There are several issues involved; therefore, Mr. Hynes will meet with Mr. Morley and Danny Ubelhor this afternoon. Victoria Lift Station is on schedule.

Utility Chair, Steve Shoemaker

No report.

Town Attorney, Chris Wischer

Mr. Wischer stated a lawsuit was filed in 2020 against two (2) AT&T subcontractors, Fiber One Communications, Inc. and Spriggs Construction, LLC., who damaged the Town's sewer lines. Fiber One Communications has agreed to settle the case and pay claim damages in the full amount of \$22,431.70.

Motion: Russell Powell moved to recommend to Council to approve the full release and settlement agreement between the Town of Newburgh and Fiber One Communications for \$22,431.70.

Motion seconded: Susan Helms

Discussion: None

Motion passed unanimously.

Town Manager, Christy Powell

Mr. Wischer stated the Prow property is the ideal location if the sewer is going to expand. The property consisting of two (2) tax parcels including 23 acres, a house and lot with most of the acreage in a flood plain. The appraised value is \$550,000.00. Mr. Wischer feels the value to the Town is worth the asking price and will prepare a purchase agreement.

Utility Manager, Susan Helms

1. Financial Report

Mrs. Helms stated the Sewer Operating Account balance is \$5,160,179.22. The Improvement fund balance is \$9,198,709.18.

2. Tap Request from an Existing Lateral to a Pole Barn at 5722 Schneider Road

Mrs. Helms stated Brenton Hasenour requested a tap for his pole barn into the existing lateral that services his home at 5722 Schneider Road. If approved, a tap cost of \$2,000.00 and an "Agreement for Waiver of Sewer Standards and Covenant to Not Subdivide Property" is necessary.

Motion: Leanna Hughes moved to recommend to Council to approve the additional lateral sewer connection of a pole barn at 5722 Schneider Road, Newburgh, Indiana.

Motion seconded: Russell Powell

Discussion: None

Motion passed unanimously.

Motion: Susan Helms moved to adjourn the meeting.

Motion seconded: Russell Powell
Discussion: None
Motion passed unanimously.

Mr. Shoemaker adjourned the meeting at 9:58 a.m.