

**Utility Committee Meeting
May 4, 2022 9:00 a.m. Newburgh Town Hall**

Steve Shoemaker, Leanna Hughes, Chris Wischer, Russell Powell, Susan Helms, David Hynes, Drew Flamion, Rebeka Kaufman and Christy Powell

Also in attendance were Brenton Hasenour and Josh Ford from Burgess and Niple AI Technology, Chad Lambert, Chris Combs and Glen Meritt

Utility Committee member Steve Shoemaker called the meeting to order at 9:02 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 April 6, 2022 minutes.

Motion: Susan Helms moved to approve the consent agenda.

Motion seconded: Leanna K. Hughes

Discussion: No additional discussion.

Motion passed unanimously.

Petitions and Comments from Citizens Present

9:04 am – Presentation by Brenton Hasenour and Josh Ford from Burgess and Niple AI (Artificial Intelligence) Technology

The Newburgh Sewer system has 200 miles (1,000,000 feet) of sanitary sewer pipe. AI Technology looked at 40,000 feet in this presentation. Scoring is 1-5. 5 being the most severe score. This is good subjective data to use to prevent problems within the system. AI Technology can view 7-8' per minute while our sewer personnel can view 2-3' per minute. There are very few options for this type of product. This technology analysis would add layers to the Sewer GIS that are already in place.

10:00 am – Glen Meritt and Chad Lambert – Peachwood PUD – Purchase Taps

The Peachwood PUD project is located at Peachwood Drive and Casey Road. Mr. Lambert wants to start on 2 commercial buildings before substantial completion on the sanitary sewer lines but not connect to the sewer line. He is asking to purchase 2 sewer taps for buildings #3 and #4, one for each building. These are commercial duplexes and there will be a total of 9 buildings. A letter of credit along with a check for \$9,348.90 to cover 100% of the construction cost will be needed since it is before substantial completion. Plans will need to be submitted to the Utility Office with square footage per building.

Motion: Leanna Hughes moved to recommend to Council to approve selling taps for buildings 3 & 4 in Peachwood PUD before substantial completion. A letter of credit along with a check to cover 100% of the construction cost will be given to the Newburgh Utility Office.

Motion seconded: Russell Powell

Discussion: No additional discussion.

Motion passed unanimously.

10:15 am – Glen Meritt – Yellowstone– Purchase Taps

Yellowstone is a multi-family development located on the northeast side of SR 66 and Wildwood Drive. The buildings are on the south end of the development. There is an existing sewer main along the north property line. There is one commercial building already existing and has already been connected to the existing sanitary sewer that flows to Pecka Ditch. John Mattingly bought this property and wants to add four additional commercial buildings along with the condos. The buildings are basically warehouse buildings that he is wanting to lease or rent out. Depending on the tenants, restrooms may or may not be installed in the buildings. Mr. Mattingly is wanting to connect Building #4 to the existing line to the north, which flows through Pecka. Pecka is at capacity and the Sewer Department is waiting for a study to be completed. The study is probably 2 months out. Any future construction will have to have a plat recorded. In order to record the plat, Utility would need a 100% letter of credit. The Utility Office would sell a tap with a signed agreement for purchasing taps before substantial complete along with the 100% Letter of Credit. If no sewer is put in building #4, then the tap could be transferred to another building.

10:15 am – Glen Meritt and Chris Combs – Villas of Oak Grove – Purchase Taps

Mr. Combs is one day away from having his sewer lines installed at the Villas of Oak Grove. With his 100% letter of credit, he has already purchased 10 taps and is asking to connect to sewer so concrete can be finished and he will be ready for the Parade of Homes. He is also wanting to purchase 6 more taps for the building to the southwest of the first building he has completed.

Chris Combs also discussed his new development located on the north side of Oak Grove Road. He has talked and met with Karen Klippel Hardison several times about the property on the north side of Oak Grove Road west of Libbert Road. Karen is the land owner to the north across the street from Villas of Oak Grove. She is talking with her attorney concerning easements with Chandler Water so she is not wanting to address the issue of an easement with him for sewer lines to cross her property at this time. Mr. Combs has offered her \$5,000.00 to go through her property.

Motion: Russell Powell moved to recommend to Council to approve the waiver of sanitary sewer standards for Lots 67-74 at Villas of Oak Grove to connect to sewer before substantial completion. The sanitary sewer line must pass all testing before the line can be connected to the main sewer line.

Motion seconded: Susan Helms

Discussion: This is so the developer can meet his deadline of Parade of Homes.

Motion passed unanimously.

Motion: Russell Powell moved to recommend to Council to approve the purchase of 6 taps for lots 61-66 at Villas of Oak Grove. A 100% Letter of Credit has already been submitted to Newburgh Utility Office.

Motion seconded: Susan Helms

Discussion: These will not be attached to sewer until after substantial completion.

Motion passed unanimously.

Committee Discussion Items

Wastewater Treatment Facility (WWTF) Superintendent, Russell Powell

1. Request for recommendation to Council for approval of FOG Permit for Lil Tate's Cupcakes. This includes a waiver for an existing 35 GPM internal grease trap. All plumbing and kitchen fixtures are remaining the same

Motion: Susan Helms moved to recommend to Council to approve the Fats, Oils, and Grease (FOG) Discharge Permit #042122 for Lil' Tate's Cupcakes including a waiver for the existing 35 GPM internal grease trap.

Motion seconded: Leanna Hughes

Discussion: This is the former Paradise Cupcakes at 333 State Street.

Motion passed unanimously.

2. Request for recommendation to Council for approval of FOG permit for Little Caesars Pizza. This is a new business owner and all plumbing and kitchen fixtures are remaining the same. This includes a waiver for the existing 60 GPM trap with a grease capacity of 288 pounds.

Motion: Russell Powell moved to recommend to Council to approve the Fats, Oils, and Grease (FOG) Discharge Permit #042722 for Little Caesars Pizza including a waiver for the existing 60 GPM with a grease capacity of 288 pounds.

Motion seconded: Leanna Hughes

Discussion: This is an update due to new owners.

Motion passed unanimously.

3. Request from Warrick County Highway Department to install a lateral in a private easement within Essex subdivision located at Prospect and Vann.

Motion: Russell Powell moved to recommend to Council to approve the waiver of standards for Warrick County Highway Department Garage to install a lateral connection in private easement at Essex Subdivision pending legal review.

Motion seconded: Susan Helms

Discussion: This is at Prospect Drive and Vann Road.

Motion passed unanimously.

4. Discussion of Blue Lake LS and gravity projects and approval of additional costs for CEI due to CenterPoint easement issues.

Motion: Russell Powell moved to recommend to Council to approve CEI preparing a contract amendment for the Blue Lake Lift Station and Gravity Project.

Motion seconded: Leanna Hughes

Discussion: This is for additional costs due to CenterPoint easement issues.

Motion passed unanimously.

5. Request for approval of additional cost for CEI with Newburgh Heights project for land acquisition and additional surveys needed.

Russell Powell met with Danny Ubelhor and Jim Morley. Mr. Ubelhor is asking for the manhole with the Newburgh Heights Project to be located at a different location than the original plans for the project. Mr. Ubelhor is asking to pay the extra cost to move the manhole to a different location that will be further inside his property lines. This move would mean the sewer lines will go from 12' deep to around 40' deep. Mr. Powell does not believe he knows what the cost will be. The sewer department is going to bid the project two different ways so they know what the difference is between the cost. There will be an agreement if Mr. Ubelhor decides he wants to add the extra cost. The sewer line is at the bottom of the hill in the ditch. The Sewer

Department is relocating the line, repairing it and moving it to the other side of the ditch. The Sewer Department will need an easement to relocate the line. The easement would have to be 72 feet.

Motion: Leanna Hughes moved to recommend to Council to approve CEI preparing a contract amendment for the Newburgh Heights Project.

Motion seconded: Russell Powell

Discussion: This is due to additional surveys and land acquisition.

Motion passed unanimously.

6. Discussion of Victoria LS capacity

The pumping capacity at the Victoria Lift Station before the start of the project was 800 gallons a minute and we are now at 850 gallons a minute. This increase in capacity would add an additional 50 sanitary sewer taps that can be issued for the Victoria Lift Station. The Sewer Department cannot reserve taps for developers. Mr. Ubelhor and Mr. Jim Morley said they had a little over 50 sanitary sewer taps left in Berkshire Subdivision.

7. Discussion of Lynch Road project and associated fees to be paid directly by the town. Coordination needed with Susan on Railroad encroachment application.

The study by CEI to get the sanitary sewer main across SR 62 for the potential development on the north side of Lynch Road will need a railroad crossing and INDOT permitting. At this point in time, CEI will submit the Railroad Permit Application. The cost of the application is \$2,500.00. Utility would have to submit an e-check or have a credit card available and you have to go through that website. CEI could open the website portal and submit the information. CEI already has an account set up with them, but the money has to come from the Town of Newburgh. The Railroad Permit might require an IDEM permit to be submitted with as it in the past. If this is the case, an IDEM packet will need to be completed.

8. Discussion of EPA Agreed order

The Newburgh WWTP has had 6 month with no overflow. EPA has been pushing to dissolve this agreement. The Committee would like to wait on the deciding about EPA order as it gives the Utility some protection. Legal, CEI and Russell will continue to look into this matter and will be in contact with Brady at CEI.

9. Station #2 FM repair time extension (45 days) for Koberstein

Koberstein is asking for a 45-day time extension for the Lift Station #2 FM repair. The only thing they have not accomplished is the final seeding. With the wet spring in this area, they do not want to go into the yards and tear them up.

Motion: Russell Powell moved to approve a Change Order for a 45-day extension for Lift Station #2 Force Main for Koberstein Contracting, Inc.

Motion seconded: Leanna Hughes

Discussion: This is due to waiting on irrigation issues

Motion passed unanimously.

10. 2016 Bond – Green Springs Valley Bond

Chris Wischer will look into moving the 2016 Sewage Revenue Bond for the Green Springs Valley Project to the 2020 Sewage Revenue bond. Mr. Wischer will review open bonds on their description of projects to see if they are allowed for similar projects. They are both open market bonds. Mr. Wischer believes there is a healthy catch-all there but they need to be reviewed. Susan Helms indicated that if they say projects then we should not have a problem. She did not believe the bond listed all projects on the bond.

11. 4655 Lenn Road Sanitary Sewer Relocation Project

SAMM Trucking and Excavating is just getting started on this project. There are some control points out in this project that were originally surveyed back in 2016. Those survey points have not been hampered or no longer exist. They are in the roadways and have been paved over, or knocked out with 4" of asphalt, so this Change Order is for the contractor to come in and re-establish control points in the amount of \$1,444.50.

Motion: Leanna Hughes moved to recommend to Council to approve 4655 Lenn Road Sanitary Sewer Relocation Project Change Order #01 for SAMM Trucking and Excavating, Inc. in the amount of \$1,444.50.

Motion seconded: Russell Powell

Discussion: None

Motion passed unanimously.

Engineering Report, David Hynes

1. Victoria LS and Force Main Project – Change Order #2

Bids for Victoria Lift Station and Force Main Project are due by 9:00 a.m. on June 1st. We will be opening the bids at the June UC Meeting.

2. Victoria LS Improvements, Phase 1 – Discussion on Proposed Bypass Pumping Change order

At the last UC meeting, there was discussion on receiving additional information from Blankenburger on the reason why the Bypass Pumping Change Order in the amount of \$38,000.00 and a time extension should be approved. There have been shipment issues and port issues. The original ship date was in December, within the contract time, and it kept getting pushed back. The associated costs that BBI is claiming is associated with the sewer bypass pumping, which is those extra expenses to have the diesel pumps running on-site for the extra time period. During monthly construction meeting, there was discussion on the issue but were told that the pumps would arrive soon. Concerns were brought up in the November meeting but no cost concerns were mentioned. The cost of the pumps is the only cost on the proposal. It did not include diesel fuel costs or labor costs.

Motion: Steve Shoemaker moved to recommend to approve the Bypass Pumping Extension from Change Order #2 for BBI for Victoria Lift Station Improvements in the amount of \$38,260.08.

Motion seconded: Leanna K. Hughes

Discussion: The pumps needed for this project were delayed getting to the site because they were stuck in port.

Motion passed unanimously.

AI Technology has a great product. It appears to do what Mr. Powell is very satisfied with the data. This is a very new technology. There is certainly benefit for heading down this road; however, this is a very long-term commitment because need to review old data. David Hynes would encourage this board and the sewer staff to look into other alternatives. There are only two that Mr. Hynes knows about and that is Sewer AI and a company from Poland. As an advisor to this board, Mr. Hynes thinks your next steps should be taken with caution.

Steve Shoemaker feels that is fair. It is a technology that could have some real benefits to the Town of Newburgh and save a lot of money. Mr. Shoemaker felt Mr. Powell was wise to start

out with 40,000 feet instead of the whole 100,000 and to get a presentation. Mr. Shoemaker and Mr. Powell wanted the presentation to show the benefits and potential concerns of using this kind of system. The WWTP Plant has made no commitments with this company. It could be beneficial and save the Sewer Department money. The department wants to make sure that CEI is comfortable with the product.

Utility Chair, Steve Shoemaker

No report.

Town Attorney, Chris Wischer

Legislative – the eminent domain bill that the Utility was worried about has died in conference. It passed through one side with an exception to utilities but has died all together.

Town Manager, Christy Powell

1. Utility Rate Tax Repeal – There is no tax on our sewer bill. Mr. Wischer will be reviewing. There is tax that has to come off and be reduced by 1.4%. Mr. Wischer will forward what Mrs. Powell sent him on to Doug Baldessari at Baker Tilly.

2. INDOT Announces RFI to Inform State Electric Vehicle Charging Infrastructure Deployment Plan

The Council approved the request for information that the state had requested for the State Electric Vehicle Charging Infrastructure and that application was sent in by the deadline.

Utility Manager, Susan Helms

1. Financial Report

Mrs. Helms stated the Sewer Operating Account balance is \$5,193,244.26. The Improvement fund balance is \$11,198,709.18. \$2 million was moved from operating account to improvement fund.

2. Hayley Dunn – 5088 Providence Drive, Apt A – Adjustment for 4 months due to owner not fixing the leak

The Utility Office has been in contact with Ms. Dunn. The Owner had called the office and told us he had a leak in the apartments. He waited for two more months so the renter, Ms. Dunn, was charged for four months of high usage before the owner ever fixed the leak. This not fair to the renter, Hayley Dunn, to pay that so we are asking for four months of adjustments.

Motion: Susan Helms moved to recommend to approve four months of adjustments for Hayley Dunn at 5088 Providence Drive Unit A.

Motion seconded: Leanna Hughes

Discussion: This is due to owner taking extended time frame to repair leak.

Motion passed unanimously.

Mr. Shoemaker adjourned the meeting at 11:33 a.m.

Motion: Leanna Hughes moved to adjourn the meeting.

Motion seconded: Russell Powell

Discussion: No additional discussion.

Motion passed unanimously.