

**UTILITY COMMITTEE**  
**February 5, 2020 9:00 a.m. Newburgh Town Hall**

Present: Steve Shoemaker, Carol Schaefer, Christy Powell, Susan Helms, Leon Key, David Hynes and Chris Wischer. Others in attendance: Glen Meritt.

Utility Chair Steve Shoemaker called the meeting to order at 9:02 AM 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 January 8, 2020 minutes.

Motion: Christy Powell moved to approve the consent agenda.

Motion seconded: Leon Key

Discussion: None

Motion passed unanimously.

**Petitions and Comments from Citizens Present**

**9:15 am – Glen Meritt, Cash Wagner, Jenner/Anderson Development**

Mr. Hynes stated a capacity study was conducted for the Jenner/Anderson development where a 36-unit, 18-duplex, subdivision is planned in the southwest quadrant. There is an existing lift station servicing Lakeridge H which was downsized years ago due to the low flow that serviced the approximate ten (10) lots in the area. The lift station does have the capacity and the ability to pump but the sump is undersized which would cause the pump to run more than the manufacturer's recommendation and shorten the life of the equipment. To provide capacity for the new development, the existing lift station would be abandoned and a new lift station built downhill and pump into the Victoria system to eliminate the loop around the Blue Lake lift station. Mr. Key stated the existing lift station serves the need of the utility at the present time. The construction of a new lift station to accommodate a new development would be at the developer's expense estimated at \$300,000.00 to \$500,000.00 which would not be cost effective for a 36-unit development. 200 taps are needed to support a \$400,000.00 project. Mr. Meritt will contact Mr. Hass to determine if there is an interest in a second development in the area. Part of this subdivision is served by Chandler sewer. Mr. Meritt contacted Chandler sewer who agreed to waive their participation.

**Committee Discussion Items**

**Wastewater Treatment Facility Superintendent, Leon Key**

**1. Request a recommendation to Council to surplus Truck #1, a 2007 Ford F350, Vin No: 1FTWF3157EB03485, and sell it at Wolfe's Auto Auction.**

Mr. Key requested permission to sell Truck #1, a 2007 Ford F350, at Wolfe's Auto Auction.

Motion: Christy Powell moved to recommend to council to approve the request to surplus Truck #1, a 2007 Ford F350, Vin No: 1FTWF3157EB03485, and sell it at Wolfe's Auto Auction.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

**2. Request a recommendation to Council to repair Pump #2 at Old Plant Lift Station by Straeffer Pump & Supply at a cost of \$12,181.50 plus shipping.**

Mr. Key requested permission to repair Pump #2 at Old Plant Lift Station by Straeffer Pump & Supply at a cost of \$12,181.50 plus shipping.

Motion: Christy Powell moved to recommend to Council to approve the repair to Pump #2 at the Old Plant Lift Station by Straeffer Pump & Supply at a cost of \$12,181.50 plus shipping.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

**3. Request a recommendation to Council to repair a lateral protrusion into the sanitary sewer main at 835 Jefferson Street by Blankenberger Brothers, Inc. at a cost of \$17,864.00. Request a recommendation to Council to close Jefferson Street to facilitate the repair.**

Mr. Key requested permission to repair a lateral protrusion into the sanitary sewer main at 835 Jefferson Street by Blankenberger Brothers, Inc. at a cost of \$17,864.00. The closing of Jefferson Street for one day to facilitate the repair is needed.

Motion: Christy Powell moved to recommend to Council to approve the repair to a lateral protrusion into the sanitary sewer main at 835 Jefferson Street by Blankenberger Brothers, Inc. (BBI) at a cost of \$17,864.00 and allow the closure of Jefferson Street for approximately one (1) day while the repair is made.

Motion seconded: Carol Schaefer

Discussion: Mr. Key will coordinate the road closure with Town management.

Motion passed unanimously.

**4. Request a recommendation to Council to replace defective Manhole #15-186A located at 7911 Camp Brosend Road by Koberstein Contracting at a cost of \$12,500.00.**

Mr. Key requested permission to replace defective Manhole #15-186A located at 7911 Camp Brosend Road by Koberstein Contracting at a cost of \$12,500.00. Root intrusion caused a CMOM overflow so the manhole is being replaced.

Motion: Christy Powell moved to recommend to Council to replace defective Manhole #15-186A located at 7911 Camp Brosend Road by Koberstein Contracting at a cost of \$12,500.00.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

**5. Request a recommendation to Council to approve the emergency sanitary sewer repair on January 14, 2020 by Blankenberger Brothers Inc (BBI) at a cost of \$19,853.00.**

Mr. Key stated an emergency sanitary sewer repair was made on January 14, 2020 by BBI at a cost of \$19,853.00.

Motion: Christy Powell moved to recommend to Council to approve the emergency sanitary sewer repair on January 14, 2020 by BBI at a cost of \$19,853.00.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

**6. Discussion of the Ironwood mud inflow situation.**

Mr. Key stated Jordan Aigner intends to satisfy the \$2,630.52 estimate of damages caused by a mud flow incident at the Ironwood subdivision during a heavy rain on August 13, 2019. The committee agreed the incident was not due to negligence; however, the expense should not fall on ratepayers so responsibility remains with Aigner.

Motion: Christy Powell moved to recommend to Council to assess a penalty of \$2,630.52, the amount of restitution for damage caused by the mud incident at the Ironwood Subdivision on August 13, 2019 by contractor Aigner Construction.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

**7. Discussion of a request from Ragle, Inc. to use an area at the Master Lift Station site as a lay-down area for the Triple Crown Lift Station Elimination Project.**

Mr. Key stated Ragle requested use of an area at the Master Lift Station site as a lay-down site during the Triple Crown Lift Station Elimination Project. The area is on the southside of the property outside the fence. Mr. Hynes stated this is a Town project so the entire project is bonded. He will review the contract specification to determine if legal and liability coverage are included and that the contractor is responsible for security at their site.

**Motion: Christy Powell moved to recommend to Council to approve the request from Ragle, Inc. to use the southside area outside the fence of the Master Lift Station site as a lay-down area for the Triple Crown Lift Station Elimination Project provided proper legal and liability coverage is included in the specifications.**

**Motion seconded: Carol Schaefer**

**Discussion: Legal and engineering will review the specification for liability responsibilities.**

**Motion passed unanimously.**

**8. Discussion of a Warranty Repair Notice concerning the Pebble Creek Subdivision**

Mr. Key stated when a project has been completed, the sewer line is videotaped as a warranty check. The Pebble Creek subdivision was found to be full of mud and must be vacuumed out. Aigner construction installed the line. Dr. Hussein, property owner, will receive notification of the warranty problem. Mrs. Helms stated a \$29,000.00 Letter of Credit (LOC) is on file for the first section of Pebble Creek. The LOC will expire at the end of May but may need renewal due to the warranty problem.

**9. Discussion of Capacity, Management, Operation and Maintenance (CMOM) Report Information.**

**a. 2020 Project Priority List**

**b. 2019 Summary of Accomplishments**

**c. 2019 Overflow Incident Report**

**d. 2019 Engineering Expenses**

**e. 2019 Easement and Land Acquisition Expenses**

Mr. Key stated the CMOM Report has been compiled; copies were distributed to the committee. The Project Priority One List contains 59 projects with some to be funded through the 2016 bond; the entire list includes 107 projects. After the Triple Crown project is completed, the focus will turn to Green Springs Valley where twelve easements need to be acquired; some are in the condemnation process and others have extenuating circumstances. The Summary of Accomplishments in 2019 included 32 sanitary sewer point repairs, video inspection of 42,359 feet, an acoustic evaluation of 249,186 feet and much more. The Wastewater Treatment Facility (WWTF) treated 1.2 billion gallons of wastewater and lost through overflow only 4,100 gallons. All priority projects, accomplishments, overflows, engineering, easement and land acquisition expenses are included in the handouts and will be sent as attachments with the minutes.

**10. Request a recommendation to Council to approve the Heritage Woods of Newburgh Wastewater Pretreatment Permit #111419. The permit requires the installation and operation of a macerator grinder station to pretreat disposable wipes prior to discharge into the Newburgh sanitary sewer system.**

Mr. Key stated Permit #111419 is a pretreatment permit for the Heritage Woods macerator station to pretreat disposable wipes prior to discharge into the Newburgh sanitary sewer system.

**Motion: Christy Powell moved to recommend to Council to approve the Heritage Woods of Newburgh Wastewater Pretreatment Permit #111419 which requires the installation and operation of a macerator grinder station to pretreat disposable wipes prior to discharge into the Newburgh sanitary sewer system.**

**Motion seconded: Carol Schaefer**

Discussion: None

Motion passed unanimously.

**11. Discussion concerning the restructuring of the Wastewater Utility.**

**a. WWTF Structural Organization: Discuss a recommendation to Personnel Committee and Council to:**

- i. Approve the revised Staff Organization Chart;**
- ii. Revise the 2020 wage ordinance to reflect the changes needed to maintain the structured alignment of the Staff Organization Chart;**
- iii. Create a new Inspection Supervisor position as indicated on the Staff Organization Chart at a maximum wage of \$31.46/hr. and with the benefit of a take-home vehicle;**
- iv. Create a new Pump Station Assistant Supervisor position as indicated on the Staff Organization Chart at a maximum wage of \$30.00/hr.;**
- v. Create a new Vehicle Maintenance Technician position as indicated on the Staff Organization Chart at a maximum wage of \$24.46/hr.;**
- vi. Add two (2) more Collection System Operation & Management positions to the staff; and,**
- vii. Change the superintendent's title to Utility Operation & Management Manager.**

**b. Discussion concerning office needs & property needs.**

Mr. Key distributed a copy of the WWTF current organization chart and a restructured chart. The area of most concern is the collection system area which is responsible for sewer line locates of which there were 8,743 locates in 2019, 203 inspections plus tv inspections, jet cleaning, point and lift station repairs, etc. Another need for the restructuring is the accumulation of Personal Time Off (PTO) hours which resulted in 4,467 PTO hours taken off in 2019 or 2.1 positions eliminated. The restructured chart implements additional employee depth, creates a new position for an Inspection Supervisor, Maintenance Technician and Pump Station Assistant Supervisor and the addition of two (2) new collection system operation and maintenance employees. The cost to implement the restructuring at one time is \$341,00.00 annually; Mr. Key would like the implementation done incrementally. The addition of a future in-house engineer was also discussed. The creation of the Inspection Supervisor position with take-home vehicle was requested. Mr. Wischer will have Baker Tilly include the restructuring costs as an option to the bond.

Motion: Christy Powell moved to recommend to Council and the Personnel Committee to allow the creation of a new Inspection Supervisor position at the WWTF at a maximum wage of \$31.46 per hour with the benefit of a take-home vehicle and that the position be added to the Indiana Public Retirement System.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

Mr. Key requested the maximum wage caps in the Wage Ordinance be increased \$2.46 as implemented as of January 1, 2020. Mrs. Powell will revise the ordinance.

**14. Request a recommendation to the Personnel Committee and Council for the James Byers wage realignment retroactive to January 1, 2020.**

Mr. Key requested the wage realignment approved for James Byers at the January meeting be retroactive to January 1, 2020.

Motion: Christy Powell moved to recommend to Council to make the wage realignment for James Andrew Byers retroactive to January 1, 2020.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

## **Engineer Report – David Hynes**

### **1. Green Springs Valley Trunkline Upgrades Project – Engineering amendment for constructability review and utility coordination**

Mr. Hynes stated the topography has changed since Commonwealth Engineering Inc. (CEI) designed the project four (4) years ago and a constructability review and utility coordination is necessary. All easement acquisition conditions and notes acquired by Mr. Wischer will be sent to CEI. The easement acquisition process will be completed within six (6) months. Mr. Hynes expects a bid date in September.

**Motion: Christy Powell moved to recommend to Council to hire Commonwealth Engineering Inc. for constructability review and utility coordination for the Green Springs Valley Trunk Line Upgrades Project.**

**Motion seconded: Carol Schaefer**

**Discussion: None**

**Motion passed unanimously.**

### **2. Manhole Rehabilitation Project – Engineering amendment for right-of-entries**

Mr. Hynes stated the Manhole Rehabilitation Project is an existing project; unfortunately, some easement acquisitions were not procured. Mr. Hynes suggested acquiring a right-of-entry where needed but CEI is not currently under contract to do so. Mr. Hynes will prepare a task order or an amendment to the original agreement, based on an hourly rate, to estimate the number of man hours involved to obtain the right-of-entries.

**Motion: Carol Schaefer moved to recommend to Council to hire Commonwealth Engineering Inc. at an hourly rate to identify the right-of-entries for the Manhole Rehabilitation Project.**

**Motion seconded: Leon Key**

**Discussion: None**

**Motion passed unanimously.**

### **3. 2016 Bond Projects – Engineering contract for CEI to assemble bid package, Contract Engineering (CE) and Resident Project Representative (RPR) for various projects**

Mr. Hynes stated there will be approximately \$600,000.00 remaining in the 2016 bond. Mr. Key suggested using the funds to complete both phases of the Green Springs Valley projects. Newburgh Heights was mentioned and Mr. Hynes suggested several smaller projects, all sewer rehab projects, be combined into one bid package including Newburgh Heights, Orchard Drive, Village Lane, Acorn Drive, 8999 Frame Road, Meadowbrook and Cypress Court to be completed in 2020. A new CEI contract is needed for bidding, Contract Engineering (CE) and Resident Project Representative (RPR).

**Motion: Christy Powell moved to recommend to Council to allow CEI to prepare a contract for Resident Project Representative (RPR), Contract Engineering (CE) and assemble the following sanitary sewer rehab projects into one bid package: Newburgh Heights, Orchard Drive, Village Lane, Acorn Drive, 8999 Frame Road, Meadowbrook and Cypress Court. The projects will be funded with remaining money from the 2016 bond.**

**Motion seconded: Carol Schaefer**

**Discussion: None**

**Motion passed unanimously.**

### **4. Newburgh Heights Sanitary Sewer Relocation Project – Engineering amendment for IN Dept of Transportation (INDOT), IN Dept of Environmental Management (IDEM) Sewer & Water Quality permits.**

Mr. Hynes stated there was an emergency repair needed at Newburgh Heights. As a result, permits are needed for INDOT and IDEM Sewer & Water Quality.



Motion: Carol Schaefer moved to recommend to Council to allow CEI to obtain the IN Dept of Transportation (INDOT) and IN Dept of Environmental Management (IDEM) Sewer & Water Quality permits for the Newburgh Heights Sanitary Sewer Relocation Project.

Motion seconded: Leon Key

Discussion: None

Motion passed unanimously.

#### **5. Wastewater Treatment Plant (WWTP) Feasibility Study Contract – Discussion on Scope**

Mr. Hynes stated the cost to make significant improvements at the WWTP are quite expensive especially when including the EQ basins. If a westside wastewater treatment plant is constructed, the improvements at the existing plant would not be needed. Mr. Key stated a westside plant could interconnect with the 24" line from Station #2 and the use of Sequential Batch Reactors (SBRs) # 6, 7 and 8 as Equalization (EQ) Basins would offset capacity from the eastside plant to the westside. CEI will massage the model to redirect the flow to the westside plant. The feasible study will be extensive and expected to cost approximately \$90,000.00. The incorporation of a westside plant could also eliminate some of the priority projects and solve the capacity issue with the Pecka Ditch line. The findings will be presented to the committee.

#### **6. Concord Drive Corrective Action Plan – Final Report**

Wastewater employees performed an inspection of the gravity sewer line on Concord Drive from manhole (MH) 21-41 to MH 21-42 due to an overflow event at MH 21-42. There were defects in the line and the line was very shallow. CEI was instructed to prepare a corrective action plan and presented two (2) to options. Option 2 requires an open-cut replacement and the new line re-routed to Martin Road at a cost of \$229,175.00. CEI recommended Option 1, the installation of a new sewer line in the same location but at a deeper elevation and with a new grade at a cost of \$206,325.00.

Motion: Carol Schaefer moved to recommend to Council to allow CEI to proceed with the Concord Drive Corrective Action Plan, Option 1, which requires an open-cut replacement at the existing location at a cost of \$206,325.00.

Motion seconded: Leon Key

Discussion: None

Motion passed unanimously.

#### **7. 8999 Framewood Exposed Lateral Investigation – Final Report**

Mr. Hynes stated the final report for the 8999 Framewood Exposed Lateral Investigation has been completed. The exposed existing lateral will be redirected to the sewer main located on the westside of the property. The Section 401 Water Quality Certification from IDEM and the U.S. Army Corps of Engineers (Corps) permits have been obtained; the project is ready to bid.

#### **8. Capacity Check for Future Developments: Victoria National Club Commons, Morley**

Mr. Hynes stated the model for the Victoria Commons sewer line indicates the line is surcharging meaning the circular section of the line is full and water is backing into the manhole. A new lift station is planned in Victoria but will not be functional until next year. Morley and Associates is planning to construct four (4) cottages and a housekeeping suite within Victoria National Club Commons and requested capacity. The committee felt that since there is a plan in place to increase capacity and there will be limited use of the golf cottages, the capacity request could be granted. The committee will not allow additional connections to this line until the upgrade is completed.

Motion: Carol Schaefer moved to recommend to Council to issue a letter stating capacity is available for the four (4) proposed cottages and one (1) housekeeping suite within the Victoria National Club Commons.

Motion seconded: Christy Powell

Discussion: Approval was granted due to the special nature and limited usage of the golf cottages.

Motion passed unanimously.

## **8. Capacity Check for Future Developments: Jennings/Anderson, Cash Wagner**

Covered previously during Glen Merit's Jenner/Anderson discussion.

### **Utility Chair, Steve Shoemaker**

No report.

### **Town Attorney, Chris Wischer**

#### **1. Update of Green Springs Valley**

Mr. Wischer stated a monthly spreadsheet of the project properties and corresponding easements will be distributed to Mr. Key and Hynes. Only 12 easements acquisitions remain for the Green Springs Valley project of which five (5) are in condemnation and six (6) are in the filing process. All should be obtained within 60 days.

#### **2. Sewer Revenue Bond Timetable and Rate Study**

The law firm Baker Tilly is conducting a preliminary rate study to determine an accurate bond amount and possible sewer rate adjustment. A public hearing will be necessary before any adjustment can be incorporated. Approximately \$22 million is needed to complete the Priority Project One list. The bond closing is anticipated for May. Mr. Wischer stated the spread between the in-town and out-of-town rates can be increased.

#### **3. Gary Miller**

Mr. Wischer stated a motion was made at the August 7, 2019 Utility Committee meeting to allow Gary Miller, 5888 Sharon Road, to tap to the Pecka Ditch Trunk Line; however, if the property is sold, an easement must be recorded. It was discovered that two (2) buildings are attached to the same lateral and an adjusted agreement is necessary stating that if the lots are sold separately, the second building must connect to the sewer via a new line.

Motion: Christy Powell moved to recommend to Council to have Mr. Wischer prepare a second agreement for Gary Miller, 5888 Sharon Road, stating that if the property is sold, all three (3) lots are to stay under one ownership. If the lots are sold separately, the second building must connect to sewer via a new line.

Motion seconded: Carol Schaefer

Discussion: None

Motion passed unanimously.

#### **4. Legislative Update**

Mr. Wischer stated Faegre Baker Daniels LLP is monitoring legislative action on House Bill #1131 regarding sewer construction and extensions. If a larger main is required than is necessary to serve the prospective customers, the difference in the cost shall be the utilities responsibility. Mr. Key stated this is referred to as 'betterment' and the utility already assumes these type costs. A second bill that would affect the utility is a landlord-tenant bill. If approved, the property owner would not be responsible for any tenant's unpaid gas, water and electric bills. The bill excludes sewer bills at this time. The annexation bill was approved in the Senate with hopes it will be defeated in the House.

#### **5. Triple Crown**

Mr. Wischer stated he was contacted by Don Lee who requested a second payment for crop damage on a particular property. Approximately three (3) years ago, the Town agreed to pay for crop damage on this property; the payment was made and the agreement was fulfilled. The

committee agreed that a second payment is not owed. All Triple Crown easements have been acquired.

**Town Manager, Christy Powell**

No report.

**Utility Manager, Susan Helms**

**1. Financial Report**

Mrs. Helms stated the Sewer Operating Account balance is \$6,056,028.48. Approved projects in the amount of \$378,964.71 have not been disbursed. One million will be moved to the improvement fund.

**2. Sewer Bill Layout Revisions**

Mrs. Helms stated the office is researching alternative bill options regarding paper size and layout. Thus far, all options result in a cost savings including the purchase of a new machine at \$11,000.00 that will fold, stuff and seal the bills. The committee was not in favor of spending money on a new machine and requested additional research be completed.

**3. Sewer Payment Assignment**

Mrs. Helms stated that in an effort to decrease the number of storm water liens, payments will be applied to storm water first, followed by trash and sewer.

Mr. Shoemaker adjourned the meeting at 11:35 AM.