

THE SEWER BOARD OF THE CIVIL CITY OF NEW ALBANY, INDIANA, WILL BE HELD IN THE THIRD FLOOR ASSEMBLY ROOM OF THE CITY-COUNTY BUILDING ON THURSDAY, JULY 22, 2010 AT 9:00 A.M.

PRESENT: Mr. Harbison, Mr. Wilkinson, Mr. Brinkworth, Mr. Marinaro, Mr. Christmas, Mr. Fifer, Ms. Welsh, Mr. Crawford, Mr. Sartell, and Ms. Wisman

CALL TO ORDER:

Mr. Harbison called the meeting to order at 9:19 a.m.

PLEDGE OF ALLEGIANCE:

APPROVAL OR CORRECTION OF THE FOLLOWING MINUTES:

Mr. Brinkworth moved to approve the July 8th meeting minutes, Mr. Wilkinson second, all voted in favor.

BIDS:

COMMUNICATIONS - PUBLIC:

Dan Christianni presented plans for the Earth First location on Dewey Street. He explained that when the City went in to repair the storm catch basin they discovered that his sewer line went into the storm drain. He stated that they capped his sewer line and now they would like to connect into the main which would be a large expense to him because he would have to run his lateral down the street at his expense. He feels that it should be the cities responsibility to run the line to his property line because he has been paying sewer bills all these years without being connected. He gave them the proposed plan which is enclosed in the City Clerk's file.

There was a lengthy discussion regarding his proposal and whether or not there is a closer line for him to attach to.

Mr. Brinkworth asked that he let them review the situation and the ordinances and get back with him.

Mr. Fifer stated that he feels that the sewer line should be run his property.

Mr. Sartell informed the board that in the past if there was an existing customer that discovered they were not connected to the sewers but had been paying bills they worked out to get the sewer line to their property.

Mr. Brinkworth asked if Mr. Christianni would be willing to do the work and charge the city at cost.

Mr. Fifer stated that they should solicit quotes.

Mr. Brinkworth moved to create a scope of work and solicit bids from three vendors to extend the line to the property line, Mr. Wilkinson second, all voted in favor.

David Eihlers, K&E Environmental, stated that he spoke with Mr. Wilkinson last night and he reviewed their annual report and admits that it was poorly done and he was not aware until he received the letter from Mr. Fifer stating that they were not longer representing the City. He stated that they have been doing this work for the City for the past 10 years and have always worked with the City when payments had to be held up

and while he should have been aware of what was going on with the reports he feels there should have been some communication before the contract was discontinued.

Mr. Wilkinson stated that he tried to make the reporting process clearly and distinctly a priority because of the financial situation and being under EPA jurisdiction. He stated that they are in and if there was a drop in communication between them and EMC it doesn't need to be debated but they did cover all the details on the violations that were in the data that they reported. He stated that they don't need to keep going over this because procedurally they took all the steps necessary and he would encourage them to reapply if they are still interested in the contract.

Mr. Eihlers stated that he certainly would be he wanted to address the board and take his part of the responsibility.

Mr. Harbison asked how they would handle things differently if they were awarded the contract again.

Mr. Eihlers stated that he would go back to doing the reports personally and meet monthly with EMC.

COMMUNICATIONS - CITY OFFICIALS

SEWER ADJUSTMENTS:

Ms. Welsh stated that she wanted to inform the board that many of these adjustments are for very long leaks. She explained that the water companies do not adjust for the entire time that the customer has a leak they only adjust for the highest usage month. She suggested that the board look into this and create an ordinance.

Mr. Brinkworth stated that there is a difference because the water company is losing a product and the sewer company is not and they are not treating the extra water so he doesn't know if they would be able to do this. He asked her how she is confirming that these leaks are not going into the sewer system.

Ms. Welsh explained that they usually have supporting document from the plumber.

Mr. Harbison stated that he doesn't have a problem making an adjustment for ones that can prove the water didn't go into the system.

Ms. Welsh presented the following adjustment for approval:

Angie Raymond in the amount of \$545.90 due to a water line leak.

Mr. Brinkworth moved to approve, Mr. Harbison second, all voted in favor.

Richard Grose in the amount of \$201.75, due to a water leak that had been repaired and received a prior adjustment. Customer claims that the repair came apart.

The board decided that they would only approve one adjustment for the same leak per calendar year.

Mr. Fifer suggested that they table this one until they get some more information on what the plumber did.

The board tabled this item.

Harriet Isaac requesting an adjustment for a water leak that went on for over a year. She stated that this is neglect and should have been brought to their attention long before now.

Mr. Fifer recommended that the wait for 6 months of normal usage before they adjust.

Mr. Harbison asked that she get them more information on where the water went.

The board tabled this item until they received more information

Lori Brachman in the amount of \$559.50 had a water heater that was leaking for three months and she has had it repaired.

Mr. Wilkinson questioned where the water went because if she doesn't have a sump pump this would have gone to a floor drain and into the sewer.

The Board tabled this item until they receive more information.

Ms. Welsh presented the board with a new letter for landlords per State Law if the landlords request that they are notified of delinquent bills.

Mr. Fifer stated that he would like time to review the Statute.

Ms. Welsh reviewed the amount of pre-lien letters her office sent out in the amount of \$700,000 and explained that since they were sent out she has received over \$100,000 in payments.

Mr. Wilkinson stated that there was about a \$20,000.00 increase from this month to last month in their billing but there is definitely \$100,000.00 missing from the watering discount and they need to address that.

Ms. Welsh reported that she has reviewed one of the landlords that they have a problem collecting because they continue to change the name of the owner by deed but the owner is still the same. She explained that they had one property where they had to write off up to \$4,000 because of this practice.

Mr. Fifer explained that Ms. Welsh is gathering this information and he is going to move forward with a lawsuit. He reported that he reviewed the State law on sending of the notices and it states that they can charge the landlords for administrative cost which does not limit them to the cost of the certified mailing, but they will have to figure what a reasonable amount would be.

Ms. Welsh asked how she should invoice for the cost of the mailing.

Mr. Fifer stated that they should make a motion that she mails the notifications to the landlords per State Statute and charge for the actual cost of certified mailing of the notice.

Mr. Harbison moved to approve, Mr. Brinkworth second, all voted in favor.

NEW BUSINESS:

Item #1 - Dan Christiani re: Earth First

Item #2 - Jason Copperwaite re: Grantline Road/Davenport Property

Christine Dunway presented the board with the SSO Standard of Operating Procedure and a checklist of the sites to be monitored. She stated that it would be helpful if they had

the old reports for their lab.

Mr. Sartell asked that she let him know what their standards are and they will get them in line with what theirs are.

Ms. Dunway asked if they could pop manhole lids to get their samples if needed, and she wanted to be sure that they have all the proper documents (consent decree, amended consent decree and MMU).

Mr. Brinkworth asked Mr. Christmas if they had submitted the letter to the EPA about eliminating the manholes.

Mr. Christmas recommended that she monitor them all until they find the ones that no longer need monitored rather than basing it on what they have found to be inaccurate information.

Ms. Dunway asked if they had permission to spray paint the manhole number on the lids so that they would be easier to find in the rain and dark.

Mr. Fifer stated that it should be done in safety green.

Mr. Marinaro presented a letter for variance request from American Beverage for the board to sign. He reported that he received a request from JTL for 42,000 GPU but they have not received any approval from the EPA. He asked if there is any way they can legally go ahead and start building the lines.

Mr. Fifer stated that they should wait until they have received confirmation on the money for the capital improvement projects. He asked him to hold up for the next 30 days.

Mr. Marinaro stated that he needs for the monitors to be pulled in Basin 16 and Gripp has agreed to do that as well as repair the monitors, retrieve the data from the monitors, update the software, and in a couple of the manholes they are going to core drill and run a line from the manhole and hang the monitor on the pump house where it will not be submerged. He explained that they will do all this work for \$2,290.

Mr. Wilkinson stated that the price seems reasonable and they need to have these monitors up and running.

Mr. Christmas stated that they have received some good data, but it is spotty because the monitors have been down. He stated that they also need to find a way to capture that information on a monthly basis.

There was a lengthy discussion regarding the data the EPA is requiring them to provide before and after the lining project.

Mr. Brinkworth moved to have the service done on the three monitors, Mr. Wilkinson second, all voted in favor.

Mr. Sartell presented quotes for the VFD to the 10th Street Lift Station, and he suggested that they go with Square D's low bid of \$17,213.76.

Mr. Brinkworth moved to approve the low quote of \$17,213.76 from Square D's, Mr. Wilkinson second, all voted in favor.

Mr. Sartell presented the board with the quote for a lease to purchase option from Dehaney for an easement machine in the amount of \$603.73/month (5 year lease) He explained that if they rented the same machine it would cost them \$4,500/month. He stated that it is a warranty used item but it is like new.

Mr. Brinkworth asked what the warranty would be.

Mr. Sartell stated that he does not see this.

Mr. Wilkinson stated that he remembers that it was the same as the new equipment warranty.

Mr. Fifer recommended that they approve contingent upon the warranty being equal to the new equipment warranty and not less than one year.

Mr. Harbison moved to approve as long as the warranty is the same as a new piece of equipment or not less than one year, Mr. Brinkworth second, all voted in favor.

Mr. Sartell presented a request to declare the rear gauges as excess property and dispose of them.

Mr. Brinkworth made a motion to declare them excess and sell them for scrap, Mr. Wilkinson second, all voted in favor.

Mr. Brinkworth informed the board that he spoke with Brad Baumbersback regarding a good truck that can be used as their lining truck. He stated that they can get a used truck for \$20,000 and it would last them forever. He explained that they don't need it today, but they will need to do it soon so they can get it to Virginia to be fitted out for the lining.

OLD BUSINESS:

Item #1 - Clark Dietz Update

Mr. Christmas reported that he did send out the RFP on this equipment and the one item that there was a discrepancy on was that they had asked for a 1 year warranty and they were only given a 6 months warranty. He stated that he spoke with SRF and they asked what projects that they want to get started on and he informed them that they need to get started on Basin 4 and the lining project. He explained that they informed him to put the financial needs for these projects together and they will get started on the approval. He stated that the RFP for the equipment for the lining equipment did state that the buyer would supply the truck and he hopes that the board will move quickly on this.

Mr. Fifer stated that he suggests that they call the guy and ask that he find them a truck in the \$20,000 range

Mr. Harbison stated that the only concern he has with the RFP is that he listed one hose of each size but he feels that there should be several of each size.

Mr. Christmas stated that his intent was to list all the equipment and get with them for their suggestions on the number of each item needed. He stated that he wants to get this in SRF's hands next week.

Mrs. Garry reported that she called Indianapolis and was informed that there will be a surplus of approx. \$600,000 after the Ban is paid and they could choose to invest that themselves because they are not getting very much interest on that money. She explained

that she got quotes from three banks and Your Community Bank was the winner with a 1.31% rate.

Mr. Crawford asked if there was any further discussion on getting the EMC bills up to date.

Mr. Fifer stated that Mrs. Garry has paid up to May so they are now 2 months behind.

Mr. Brinkworth mentioned that they received information from the accounting firms that and they took them under advisement and he wondered if they should make a decision on that.

There was a lengthy discussion on the proposals and what the scope of work they would provide.

Mrs. Garry recommended that they stay with McCauley Nicholas since they got them through the for the balance of the year

Mrs. Brinkworth moved to approve, Mr. Harbison second, all voted in favor.

CLAIMS

Mr. Marinaro presented the following claims for approval:

Clark-Dietz	7/8/2010	I/I Removal & Sewer Credits	406728	1,123.28
Clark-Dietz	7/8/2010	Basin 14 LS Upgrade	406729	4,704.00
Clark-Dietz	7/8/2010	Amended CAP/SRF Application & ---	406730	2,776.00
Clark-Dietz	7/8/2010	Basin 4 Sewer Interceptor	406764	2,025.00
Clark-Dietz	7/8/2010	Design Engineering Services	406765	9,562.50
K & E Environmental	7/8/2010	May SSO Report	877	1,966.96

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SUB TOTAL 22,157.74

Mr. Christmas asked if there is anyway Mrs. Garry would like for them to mark their invoices to indicate items that will be reimbursable from SRF.

Mrs. Garry stated that would be helpful.

Mr. Brinkworth moved to approve the claims, Mr. Wilkinson second, all voted in favor.

Mr. Brinkworth asked Mr. Christmas if the Basin 14 project has fallen off the radar.

Mr. Christmas stated that they are moving forward on that.

ADJOURN:

There being no further business before the board, the meeting adjourned at 11:45 a.m.

Roger Harbison, President

Marcey Wisman, City Clerk