

**MINUTES OF REGULAR MEETING
BOARD OF TRUSTEES
ROCK RIVER WATER RECLAMATION DISTRICT
MONDAY, MAY 23, 2016**

President Massier called the Regular Meeting of the Board of Trustees of the Rock River Water Reclamation District to order at 5:15 p.m. in the Board Room at the District Administration Building, 3501 Kishwaukee Street, Rockford, Illinois. The following Trustees were present, representing the full membership of the Board:

Donald Massier	President
Lloyd Hawks	Vice President
Donald Kerestes	Clerk/Treasurer
Elmer Jones	Trustee
Rick Pollack	Trustee

Staff members present: Timothy Hanson, District Director; Dana Carroll, Engineering Manager; Larry McFall, Plant Operations Manager; David Cook, Supporting Services Manager; Frank Papke, Business Manager; Michael Robertson, Information and Technology Services Supervisor; Kathy Burfield, Engineering Coordinator; and Deborah Lyons, Executive Services Coordinator.

Others present: William Howard, Attorney for the District; Joann Rossi, Stepping Stones of Rockford; Jamie Rott, City of Rockford; Chris Burns, Melissa Burns, Virginia Martin, Wade Martin, and Heidi Tidwell, residents of the Prairie Lane/Dorothea Avenue Sewer Extension Project.

President Massier stated the meeting was being recorded.

Trustee Kerestes moved to approve the Minutes of the Public Hearing, Regular Meeting and Closed Session of April 25, 2016; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to appoint Timothy Hanson as Assistant Clerk for the Board of Trustees and as Collector for the Committee of Local Improvements; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye

013874

Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to appoint Rick Pollack as Hearing Officer for the Board of Trustees; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to retain the slate of officers for the Board of Trustees and remaining appointments for the Committee of Local Improvements, as follows:

Board of Trustees:

Donald Massier	President
Lloyd Hawks	Vice President
Donald Kerestes	Clerk/Treasurer

Committee of Local Improvements:

Board of Trustees	Committee Members
Donald Massier	President
Lloyd Hawks	Vice President
Donald Kerestes	Secretary

The motion was seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Jamie Rott reported on the City of Rockford's neighborhood and construction projects planned for the immediate future.

Wade Martin stated he resides on Prairie Lane in Machesney Park. Mr. Martin asserted that District's Ordinance 15/16-R-02 does not authorize the project as stated in District's letter; this was a case of mail fraud and an attempt to extort money from him. Mr. Martin asked the Board to show him the law that gives the District the right to do this project without a vote by the residents. Mr. Martin opposes the taxes that the project will add to his property tax bill. The Mayor of the Village provided the residents an opportunity to vote on the project; the project was voted down at that time; Mr. Martin asked that the vote be honored. The project does not make sense for his neighborhood.

Mr. Martin stated he is also concerned that the District talks about being green and does not understand how taking the water out of the ground in Machesney Park and sending it through pipes

to the south side of Rockford, dumping it into the Rock River and sending it to the Mississippi is green. The news is full of stories of areas that have been dewatered and homes and cars being swallowed by sink holes. The soil on Prairie Lane is ideal for septic tank systems. He asked that the project be postponed until the next time the road is replaced.

Melissa Burns stated she lives on Prairie Lane. Ms. Burns stated the large turnout at the March 31st neighborhood meeting showed strong opposition to the project. Ms. Burns stated her mortgage is upside down and she does not have the money to spend for this. Ms. Burns stated the additional charge for Route 251 trunk payback of \$2,000 per acre is a significant increase in the expense. Ms. Burns spoke to the affordability of the project for the residents, and suggested the Board consider other financial arrangements. Ms. Burns does not feel this project is the best answer for their situation.

District Director Hanson stated this is an opportunity for the District to put the sewer in at a reduced cost; residents are not required to hook up.

President Massier stated there are residents that need and want the sewer; those who do not want the sewer are saying it should not be provided to those who do want it. Whenever you do it, it represents a hardship for people.

A resident asked if there was a time line for this project. Staff answered that if the project is approved by this Board, it would be put in the ground before the new road is put in. Engineering Manager Carroll stated the contractor would probably be in the area in late June or July.

Attorney Howard stated there is a difference between this type of project, which is a cost recovery project, and a special assessment. The District is under mandate by law to put sewer wherever we can. This is the second project of this type.

President Massier stated for a project of this type, there is a cap on the amount of increase in cost that can result if a resident delays hooking up to the sewer.

Additional questions and comments from the audience were fielded by the Board and staff.

President Massier reported there is no WinGIS report.

President Massier reported there were 46 cases heard during Disconnect Hearings on April 8, 2016. Three accounts were paid in full with cash, 11 accounts were paid in full with credit cards, 4 sewer disconnections were stayed for the check to clear, 20 payment schedules were set up, 5 sewer disconnections were ordered, and adjustments were made on 3 accounts.

Trustee Kerestes stated the Investment Report showed Total Funds invested for the month of April was \$21,393,187.95 and earned interest of \$10, 171.07. Report placed on file.

Trustee Kerestes moved to approve General Fund expenditures for the month of April 2016 in the amount of \$3,392,464.95; seconded by Trustee Pollack; **motion passed** upon roll call as follows:

013876

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Kerestes moved to approve Special Assessment expenditures for the month of April 2016 in the amount of \$94,737.82; seconded by Trustee Pollack; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Staff reported the status of the Outstanding Agreements.

Trustee Pollack moved to issue a Request for Proposals rather than the usual formal bid documents for Roof Replacement 2016-2017, CIP No. 1721, for the replacement of the roofs on Snow Avenue Pump Station and the F.E.M.S. building on plant, to expand the bidder radius, to waive the deposit fee for plans, and to authorize the Director to sign a purchase order not to exceed \$60,000; seconded by Trustee Kerestes.

Trustee Jones stated he would prefer to stay within District's 40 mile radius for bidders.

Trustee Pollack moved to issue a Request for Proposals rather than formal bid documents for Roof Replacement 2016-2017, CIP No. 1721, for the replacement of the roofs on Snow Avenue Pump Station and the F.E.M.S. building on plant, to waive the deposit fee for plans, to retain District's 40 mile bidder radius, and to authorize the Director to sign a purchase order not to exceed \$60,000 for this project; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Hawks moved to award the contract for Incinerator Building Renovation Project – Asbestos, Non-Asbestos Thermal Insulation and Paint Chips Abatement, CIP No. 1508, providing for the abatement of asbestos, non-asbestos thermal insulation, and paint chips inside the abandoned Incinerator Building to the lowest responsible, responsive bidder, Valor Technologies, for a contract price of \$52,400; seconded by Trustee Pollack; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye

Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to award the contract for Collection System Repairs 2016-2017, CIP No. 1754, to the low responsive, responsible bidder, Go Excavating, Inc., for the sum of \$733,600 for annual repairs on existing main line sanitary sewers; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Pollack moved to approve the Notice of Intent to Award the contract for Spring Creek Sewer Replacement, CIP No. 1402, upon IEPA concurrence, to the lowest responsive, responsible bidder, Merryman Excavation, Inc., for the sum of \$9,811,696 for the extension of approximately 9,300 LF of sanitary sewer along Spring Creek Road from N. Second Street through Alpine Road; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

District Director Hanson stated a plaque was awarded to former Engineering Supervisor Weber as a surprise upon his retirement in April which read as follows:

*Michael Weber
 Congratulations on Your Retirement
 Thank You for 24 Years
 Diligent and Faithful Service
 Board of Trustees
 April 29, 2016*

District Director Hanson stated the Engineering Permit Clerk will be retiring in June and read the following plaque into the record:

*Melissa King
 Congratulations on Your Retirement
 Thank You for 25 Years
 Diligent and Faithful Service
 Board of Trustees
 May 23, 2016*

013878

Trustee Pollack moved to continue to ask Mark Crosby to serve as Special Assessment Commissioner; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

District Director Hanson requested that discussion on the Engineering Manager position be moved to Closed Session under 5 ILCS 120/2(c)(1), compensation for specific employees, of the Open Meetings Act.

Attorney Howard stated he had one item for Executive Session under the Open Meetings Act at 5 ILCS 120/2(c)(11), probable or imminent litigation.

Trustee Jones moved to approve the Plumber Bond Report for April 15, 2016 – May 15, 2016, as presented; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Company	Bond No.	Expiration
Abel Plumbing	9916168	5/31/2017
Area Mechanical, Inc.	2130551	5/31/2017
Area Mechanical, Inc.	2123655	5/31/2017
Area Mechanical, Inc.	2123654	5/31/2017
Ceroni Piping	400SM2070	5/31/2017
Ceroni Piping	400SV1730	5/31/2017
Ceroni Piping	400SV1728	5/31/2017
Civil Constructors	LPM8825181	5/31/2017
Commercial Mechanical, Inc.	9192870	5/31/2017
Dale's Plumbing	RSB0807842	5/31/2017
Dale's Plumbing	RSB4081572	5/31/2017
Five Star Plumbing	93-CL-6345-4	5/31/2017
Five Star Plumbing	93-WJ-3388-2	5/31/2017
Five Star Plumbing	93-VU-5150-5	5/31/2017
Held Brothers Plumbing	B117944	5/31/2017
Held Brothers Plumbing	B059197	5/31/2017
LH Plumbing	RSB4129230	5/31/2017
Martin & Company Excavating	717925C	5/31/2017
Mechanical Inc.	08779787	5/31/2017
Mechanical Inc.	08779788	5/31/2017

Northern Illinois Service Co.	2734096	5/31/2017
N-Trak Group LLC	354026890	5/31/2017
Stenstrom Excavation & Blacktop	104482884	5/31/2017
William Charles Construction Co.	105154184	5/31/2017
William Charles Construction Co.	105154183	5/31/2017
William Charles Construction Co.	105154182	5/31/2017

There were no easements or annexations for the month.

President Massier moved discussion on Dorothea Avenue/Prairie Lane Sanitary Sewer Extension, Amending Ordinance No. 15/16-R-02, Ordinance No. 16/17-R-01, to closed session under 5 ILCS 120/2(c)(11), probable or imminent litigation of the Open Meetings Act.

Trustee Hawks moved to approve an Ordinance authorizing the Construction of Sanitary Sewers for the Fisher-Haskell Sanitary Sewer Area, Special Assessment No. 127, Ordinance No. 15/16-S-02; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to approve City of Rockford's request to withdraw four parcels from the Fisher-Haskell Sanitary Sewer Area project, Special Assessment No. 127; seconded by Trustee Pollack; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

The Trustees discussed the request made by Stepping Stones asking their assessment be modified to an amount not to exceed \$2,000 as property owners within the Fisher-Haskell Sanitary Sewer Area, Special Assessment No. 127.

Trustee Jones moved to approve Fairview Blvd. and Guilford Road Sewer Replacement, CIP No. 1605, Change Order No. 2, for the addition of thermoplastic pavement stripes to replace pre-existing striping which was covered by pavement overlay for an addition of \$1,500 to the value of the contract and an adjusted contract sum of \$517,604; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

013880

Trustee Pollack moved to approve Large Diameter Trunk Sewer Cleaning 2015 - 2016, CIP No. 1649, Change Order No. 1 – Final, representing the final as-completed quantities of the project for an addition of \$1,680 to the value of the contract and a final contract amount of \$317,700; seconded by Trustee Jones; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Kerestes moved to approve Permanent Flow Meter Installation, Snow Avenue Meter Vault Rehab, CIP No. 1510, Change Order No. 1, extending the contract completion date thirty-two (32) calendar days for a final completion date of June 1, 2016; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Plant Operations Manager McFall had nothing to bring before the Board at this time.

In the month of April, District staff completed 37 services, 8 main line repairs, 27 manhole tickets and responded to 8 emergencies. The back-log of manhole tickets decreased slightly for the month. The District had zero mainline backups and completed 52 restoration tickets.

Trustee Pollack moved to authorize staff to fill the Sewer Construction Lead Person position that will be vacated by an employee's upcoming retirement and to fill any openings that occur as employees transfer to fill resulting vacancies; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Business Manager Papke stated for the month ending April 30, 2016, the Income Statement shows user fee revenue 10% over budget month to date, 4% under budget year to date. Total revenue is 7% over budget month to date, 1% under budget year to date. O&M expenses are 2% under budget year to date. The Income Statement shows \$2,724,691 net operating income through April 30, 2016. The Statement of Cash Flows shows \$461,785 increase in cash

for the 2015-2016 fiscal year. General Fund cash ended the month at \$20,010,688. District had 113 full time positions as of April 30 and 111 employees on staff.

Trustee Pollack moved to approve FY 2016-17 Budget Line Item Reclassification to incorporate changes made by the approval of the Collective Bargaining Agreement; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Discussion concerning an Employee's Request for Emergency Withdrawal of IRS 457 Funds was moved to Executive Session under Section 5, ILCS 120/2(c)(1), compensation for specific employees, of the Open Meetings Act.

Trustee Hawks moved to recess the Regular Meeting of the Board of Trustees to hold the Regular Meeting of the Committee of Local Improvements and to move into Closed Session in accordance with the Open Meetings Act at 5 ILCS 120/2(c)(1), compensation for specific employees; and 5 ILCS 120/2(c)(11), probable or imminent litigation; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

The Regular Meeting recessed at 6:11 p.m.

The Regular Meeting of the Board of Trustees reconvened at 6:34 p.m. President Massier stated no decisions were made or actions taken in Closed Session.

Trustee Jones moved to table Ordinance No. 16/17-R-01 and to instruct staff to only move forward with the portion of the project that crosses Route 251; seconded by Trustee Hawks; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Trustee Jones moved to approve the Employee's Request for Emergency Withdrawal of IRS 457 Funds; seconded by Trustee Kerestes; **motion passed** upon roll call as follows:

013882

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

There being no further business to come before the meeting, Trustee Kerestes moved to adjourn; seconded by Trustee Jones; **motion passed** upon roll call as follows:

Elmer Jones	Aye
Lloyd Hawks	Aye
Donald Massier	Aye
Donald Kerestes	Aye
Rick Pollack	Aye

Meeting adjourned at 6:37 p.m.

Clerk