

**MINUTES OF REGULAR MEETING
BOARD OF TRUSTEES
ROCK RIVER WATER RECLAMATION DISTRICT
MONDAY, JUNE 26, 2017**

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:

Donald Massier	President
Rick Pollack	Clerk/Treasurer
Elmer Jones	Trustee
John F. Sweeney	Trustee
Ben Bernsten	Trustee

Staff present: Timothy S. Hanson, District Director; Joseph W. Hanley III, Esq., General Counsel; Christopher Baer, Engineering Manager; Larry McFall, Plant Operations Manager; David Cook, Supporting Services Manager; Chris Black, Business Manager; Michael Robertson, ITS Supervisor/Chief Information Officer; Susan Skinner, Legal Secretary; and Deborah Lyons, Executive Services Coordinator.

Others present: Scott Christiansen, Chet Kolodziej, and Steve Graceffa, Freedom Field.

President Massier stated the meeting was being recorded.

Trustee Pollack moved to approve the Minutes of the Public Hearing, Regular Meeting, and Closed Session of May 22, 2017; seconded by Trustee Sweeney; motion passed upon roll call as follows:

Ben Bernsten	Abstained
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Scott Christiansen stated the District has been one of the most progressive entities of which he is personally aware; he has been very appreciative of the District's efforts. Freedom Field's innovation has been a tremendous asset to our community. Sweden is technologically light years ahead of the rest of the world. Sweden and Rockford have been in a partnership with delegates from each traveling to see the other's innovations. Freedom Field is why international visitors are interested in Rockford. Mr. Christiansen recommends everyone take a tour of Freedom Field. Freedom Field fits well with what the District does.

Steve Graceffa, former District Director, stated the District building Freedom Field occupies was a process building, built in the 60's and added onto in the 80's. The process was discontinued and the vacuum filters were removed. The building was in distress; the use of acid in the building

013969

had caused deterioration of the concrete. An evaluation of the building revealed it to be structurally sound but in need of repair. The District was developing the co-generation process and began preparations to use a portion of the building for that process. As repairs were made for District's use, the entire building was renovated, enabling Freedom Field to use portions of the building. Visitors come to see Freedom Field, but they also see a very progressive treatment plant at the same time.

Chet Kolodziej stated Freedom Field has seen many visitors over the years. Its solar installation was initially the largest in the region; groups within 60 miles who wanted to install similar micro-grids came to see it. There are also two wind turbines and battery storage in the system. International visitors, visitors from other states, regional visitors, as well as local visitors come to see the innovations. Freedom Field also conducts an annual expo. Showing pictures before and after renovations were done of the space, various visitor groups and students on task, Mr. Kolodziej spoke about past and ongoing events and activities. Students learn to accumulate data on site and to use the data. Mr. Kolodziej encouraged the District to share internships and partnerships with Freedom Field.

Scott Christiansen stated the District is a great entity, now with international recognition. Mr. Christiansen hopes the District will assist Freedom Field with partnerships and internships.

President Massier stated WinGIS has moved staff into the same facility as RMAP staff. Supervisor Robertson stated the data connection has also been moved. The Technical Committee is looking at new technologies going forward. Another committee is looking at data pricing, including cost of photographs.

Trustee Pollack stated the Investment Report showed the District had \$23,367,673.32 Total Funds invested for the month of May and earned interest in the amount of \$18,289.03. Report placed on file.

Trustee Pollack moved to approve Total General Fund Expenditures to Be Approved for the month of May 2017 in the amount of \$6,058,013.02; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack moved to approve Total Special Assessment Fund Expenditures for the month of May 2017 in the amount of \$93,366.09; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Manager Baer reported no change in the status of the agreements for McDonald Creek Trunk South Branch; W. State Street Reconstruction, Phase 2; or McCurry Road Trunk Sewer Phase 4. Staff has learned none of the formerly interested property owners along Ralston Road (Harlem-Roscoe Fire District, Lateral Sanitary Sewer Extension – Special Assessment No. 130) want to pursue the matter. There is no change in the Soper Street (Swift Street to Westfield Road) Water and Sewer Main Improvements (Village of Winnebago) Agreement.

Trustee Jones moved to award the contract for Gravity Belt Thickener Expansion to the low responsible, responsive bidder, Civil Constructors, Inc., providing for the addition of a new gravity belt thickener, associated polymer feed system, supporting equipment, a new building for the equipment, and conversion of a primary clarifier tank to a hauled sludge storage tank for a cost of \$3,589,300.00; seconded by Trustee Pollack; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

District Director Hanson presented a draft variance agreement with Mercyhealth for their project at Riverside and I-90. The purpose of the Agreement is to ensure that there is an extension of sewer service to support the undeveloped land upstream from Mercyhealth’s property. Mercyhealth does not want a sewer line in front of the hospital, nor do they know how they will develop the rest of the land. The obligation to build the sewer line will stay with Mercyhealth, not with the land. Staff wants to be able to move promptly when the Agreement has been signed by the other party.

Trustee Pollack moved to authorize the President and Clerk to sign the Variance Agreement with Mercyhealth providing for extension of sewer to the upstream property line upon approval by Mercyhealth; seconded by Trustee Jones.

Trustee Pollack asked what is the customary policy for cases such as this.

Director Hanson stated the District requires extension of the pipe to upstream property. In this case, the least expensive route would be to extend the pipe underneath the street to where the next street would come in beyond the project property. Mercy’s engineers designed a “T” configuration although they don’t know how it would work. District arranged with the City to get a 24” tube inserted under that section so the District has a way to supply that property if a plan with Mercyhealth isn’t reached.

Manager Baer stated initially Mercyhealth wanted to connect multiple laterals directly to the trunk sewer. Staff resisted that concept and suggested sewer be extended up Mercy Way. This plan was first accepted, but later rejected. District’s concern is setting a precedent. The Code of Ordinances is very specific that the downstream developer is responsible to extend the sewer to upstream development. The Agreement gives them the option of not having to pay for it right now.

013971

General Counsel Hanley stated part of the variance is the timing, as we are not requiring the upstream sewer be built now; however, we are requiring it from Mercyhealth, not a future owner. The other part of the variance is the route to be used.

Trustee Jones asked can we go ahead and build the extension? What will it cost?

Director Hanson stated if they fail to pay for this we have Plan B where we will put that tube under the road and we are set to go at the upstream property line.

General Counsel Hanley stated part of Plan B is we will sue them under this Agreement. The Board has two options: to grant authority to the President to sign it upon approval by staff and District's attorney; or it can wait until the Agreement is finalized. If it comes back from them with significant changes, staff would come back to the Board for approval.

Trustee Bernsten asked if the Agreement prevents the District from putting in the trunk.

Manager Hanley stated in some ways, no. As written, Mercy is both paying for it and building it. The Agreement does not allow for the District to arbitrarily go beyond Mercy Way without Mercyhealth's agreement. We are allowing some flexibility for both parties. The rights and responsibilities cannot be assigned.

Trustee Sweeney asked if Mercyhealth is being given more consideration because of their size. It seems the District would have more leverage because of work that has already been done.

Director Hanson stated the District works with each party individually.

After discussion, the motion on the floor passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Director Hanson stated the renaming of the building in honor of Steve Graceffa is planned for the July 24, 2017, Board Meeting at 4:15 p.m. Family and friends will be invited. The stone will be placed in July and covered.

District Director Hanson stated WEFTEC is September 30 - October 4 in Chicago. Staff will contact the Trustees regarding attendance. A number of supervisors and employees will attend.

District Director Hanson stated Dennis Bonacquisti will retire June 30 after 12 years of service; we will have a party for him that day. Douglas Atkinson will retire July 7, 2017, after 27 years of dedicated service.

General Counsel Hanley presented a proposed amendment to the Residency Requirement, located at Section 31 of the Employee Policy. General Counsel Hanley indicated that he had spoken with Attorney Pirages regarding the history of the policy.

Trustee Pollack moved to approve the amendment to the Residency Requirement, Section 31 of the Employee Policy Handbook; seconded by Trustee Bernsten. After discussion about the history of the policy and implementation of exceptions, the motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Sweeney moved to approve the Plumber Bond Report as presented; seconded by Trustee Jones; motion passed as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Company	Type	Bond	Expires
Area Mechanical, Inc.	Contractor Bond	RLI2130551	5/31/2018
Area Mechanical, Inc.	Public Bond	RLI2123655	5/31/2018
Area Mechanical, Inc.	Private Bond	RLI2123654	5/31/2018
Aria Plumbing LLC	Public Bond	32S521141	5/31/2018
Aria Plumbing LLC	Private Bond	32S521137	5/31/2018
Automatic Fire Systems, Inc.	Private Bond	LSM0803892	5/31/2018
Boomer Plumbing, Inc.	Private Bond	929584553	5/31/2018
Ceroni Piping	Contractor Bond	400SM2070	5/31/2018
Ceroni Piping	Public Bond	400SV1730	5/31/2018
Ceroni Piping	Private Bond	400SV1728	5/31/2018
Collins Sanitary, LLC	Public Bond	2157190	5/31/2018
Collins Sanitary, LLC	Private Bond	2022069	5/31/2018
Dale's Plumbing	Public Bond	RSB0807842	5/31/2018
Dale's Plumbing	Private Bond	RSB4081572	5/31/2018
Dee's Plumbing & Construction	Public Bond	8333740	5/31/2018
Dee's Plumbing & Construction	Private Bond	8333719	5/31/2018
Evergreen Irrigation, Inc	Public Bond	2278492	5/31/2018
Evergreen Irrigation, Inc	Private Bond	2288007	5/31/2018
Five Star Plumbing	Contractor Bond	93-CL-U345-4	5/31/2018
Five Star Plumbing	Public Bond	93-WJ3388-2	5/31/2018
Five Star Plumbing	Private Bond	93-VU-5150-5	5/31/2018
Go Excavating Inc	Contractor Bond	580375	5/31/2018
Hartwig Plumbing & Heating	Public Bond	2283376	5/31/2018
Hartwig Plumbing & Heating	Private Bond	2283372	5/31/2018
Held Brothers Plumbing	Public Bond	B117944	5/31/2018

013973

Held Brothers Plumbing	Private Bond	B059197	5/31/2018
Infinity Plumbing, Inc.	Private Bond	63074955	5/31/2018
LH Plumbing LLC	Private Bond	RSB4129230	5/31/2018
Martin & Company Excavating	Contractor Bond	717925C	5/31/2018
Mechanical Inc.	Public Bond	LPM8779787	5/31/2018
Mechanical Inc.	Private Bond	LPM8779788	5/31/2018
Miller Engineering Co.	Public Bond	25390610	5/31/2018
Miller Engineering Co.	Private Bond	25390611	5/31/2018
Nelson Carlson Mechanical	Contractor Bond	25582291	5/31/2018
Nelson Carlson Mechanical	Public Bond	25390617	5/31/2018
Nelson Carlson Mechanical	Private Bond	25390616	5/31/2018
N-Trak Group LLC	Contractor Bond	354026890	5/31/2018
Service Plumbing	Private Bond	9899543	5/31/2018
Sjostrom & Sons, Inc.	Contractor Bond	71403911	5/31/2018
Spain Construction Inc.	Contractor Bond	61698249	5/31/2018
Stenstrom Excavation & Blacktop	Contractor Bond	104482884	5/31/2018
Total Plumbing Ltd.	Contractor Bond	62707672	5/31/2019
Total Plumbing Ltd.	Private Bond	62714405	5/31/2019
Troy Lee Excavating	Contractor Bond	IL100244	5/31/2018
Wayne Seymour Plumbing	Private Bond	RSB4059942	5/31/2018
Warren Plumbing	Private Bond	491167	5/31/2018
William Charles Construction Co.	Contractor Bond	105154184	5/31/2018
William Charles Construction Co.	Public Bond	105154183	5/31/2018
William Charles Construction Co.	Private Bond	105154182	5/31/2018
Williams Brothers Plumbing	Public Bond	50701620	5/31/2018
Williams Brothers Plumbing	Private Bond	69905867	5/31/2018

Trustee Pollack moved to approve the easement for Cherry Valley School granted by the Village of Cherry Valley; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack moved to approve Annexation Ordinance No. 17/18-A-02 annexing an area containing 36.8 acres more or less for Mercyhealth's Campus; said tract containing the property commonly denoted by PIN 12-01-301-003; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack moved to approve Annexation Ordinance No. 17/18-A-03 annexing an area containing 3.6 acres more or less, RosRoc Subdivision; said tract containing the properties

commonly denoted by PINS 04-17-400-043 and 04-17-400-044; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Jones moved to approve Spring Creek Trunk Sewer Replacement, CIP No. 1402/IEPA Project No. L17-5321, Change Order No. 2 providing for additional manhole and service work (\$11,894.03), quantity overruns based on field measurements (\$7,419.00), and additional “no-participating” storm sewer work requested by the City of Rockford (\$32,844.00) which will be reimbursed by the City at a later date, for a total addition of \$52,175.03 to the price of the contract and an adjusted contract value of \$9,863,853.03; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Bernsten moved to approve Equipment Supply for Main Pump, Pumps 1 and 3 Replacement, CIP No. 1422, Change Order No. 1 for a deduct of \$65,700.00 from the price of the contract for liquidated damages for delivery of equipment two hundred seventeen (217) days past the contractual due date and a credit for a change of motor bearings specified in the original contract document, for an adjusted contract value of \$314,200.00; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack moved to approve Incinerator Building Renovation, Ash Disposal Contract, CIP No. 1508, Change Order No. 1 – Final for larger final quantities of ash material in the incinerators than estimated and higher levels of mercury contained in the ash, for an addition to the contract of \$15,003.64 and an adjusted contact value of \$114,903.64; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

013975

Trustee Jones moved to approve 2016-2017 Plant Concrete Repairs, CIP Nos. 1650 & 1753, Change Order No. 1 – Final for a net deduct of \$2,227.90 for work not needed and work being deferred to a later date for an adjusted contract value of \$157,341.10; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack moved to approve Service Lateral Lining 2016-2017, CIP No. 1733, Change Order No. 2 – Final for a net deduct of \$8,680.00 from the cost of the contract based on the actual quantity of original bid items installed, for a final contract value of \$579,880.00; seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Bernsten moved to approve Consultant Contract Amendment No. 1 (Carollo) - Gravity Belt Thickener Expansion Project, CIP No. 1610, providing for changes in the scope of the work for the project, an addition to the construction phase services, and assistance from the design consultant for an adder of \$105,200.00, for an adjusted contract amount of \$244,200.00; seconded by Trustee Pollack; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Sweeney moved to approve Posting the Engineering Position – GIS Coordinator/Drafter (GIS Editor); seconded by Trustee Jones; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

In the month of May, District staff completed 23 services, 10 main line repairs, 40 manholes tickets and responded to 11 emergencies. The back-log of manhole tickets remained the same. Crews also responded to 1 mainline backup and completed 34 restoration tickets.

Manager Black stated for the month ending May 31, 2017, the Income Statement shows user fee revenue 21% under budget month to date, 21% under budget year to date. Total revenue is 9% under budget month to date, and 9% under budget year to date. O&M expenses are 9% over budget year to date. The large bad debt reported is due to the billing issue the District had with Muller Pinehurst, which is not a cash expense but is an accounting adjustment. The Income Statement shows \$90,728 net operating income through May 31, 2017. The Statement of Cash Flows shows \$349,504 decrease in cash for the 2017-2018 fiscal year. General Fund cash ended the month at \$21,910,606. District had 114 full time employee positions and 113 employees on staff, and 1 vacant position (Accounting/HR Technician).

Trustee Jones moved to approve the Prevailing Wage Ordinance, Ordinance 17/18-P-01, An Ordinance Ascertaining the Prevailing Rate of Wages for Laborers, Mechanics, and Workmen Employed on Public Works of Said District; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Trustee Pollack 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), employment matters, and at 5 ILCS 120/2(c)(11), probable or imminent litigation; seconded by Trustee Bernsten; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

The Regular Meeting recessed at 6:45 p.m.

The Regular Meeting of the Board of Trustees reconvened at 7:30 p.m. President Massier stated no decisions were made or actions taken in Closed Session.

Trustee Pollack moved to accept staff findings and recommendations regarding staff discipline; seconded by Trustee Sweeney; motion passed upon roll call as follows:

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

013977

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

Ben Bernsten	Aye
Elmer Jones	Aye
Donald Massier	Aye
Rick Pollack	Aye
John Sweeney	Aye

Meeting adjourned at 7:32 p.m.

Clerk