

**MINUTES OF THE
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING
TUESDAY, FEBRUARY 5, 2013**

Vice President/Acting President Barbara Ghoston called the February 5, 2013 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:33 p.m. Members in attendance were Leonard White and Dorinda Gregor. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Attorney James Meyer, financial advisor Karl Cender from Cender & Company and Secretary Liz Bushemi. Councilman Tom Goralczyk, the Town Council liaison to Stormwater Utility, was also in attendance. Town Councilpersons Don Spann and Chrissy Barron, Public Works Director Bruce Spires and Town Administrator Howard Fink were also present, as were Mark Kaiser from Christopher Burke Engineering, Dennis Cobb from First Group Engineering, Dion Katsouros from Skillman Corporation and Julie Duttlinger from Lake County Soil & Water Conservation District. Residents present were Rebecca Lee, John Lee and Gene Ward, and Karen Caffarini from the *Post-Tribune* and Chas Riley from *The Times*.

Barbara Ghoston welcomed the Board's new member, Leonard White, and said he has experience with solid waste management.

She said she has served as vice president under Bud Crist for many years, and it is a responsibility she cherishes. She came to the Board when it met the back office of the Planning & Building Department, when Howard Fink and John Warmelink also served. She said although the Board lacked consistency, she remained on the Board, has learned so much and thanked Bud and the persons who helped her along the way.

Included in the agenda packet was a copy of the minutes from the January 2, 2013 monthly SWMB meeting. Dorinda Gregor made a motion to approve the minutes from the January 2, 2013 meeting, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried.

Also included in the agenda packet were the current appropriation reports and accounts payable registers. Dorinda Gregor made a motion to approve the accounts payable registers from January 8, 2013 and January 22, 2013, and it was seconded by Leonard White; there were no questions, and the motion was approved and unanimously carried.

COMMENTS FROM THE PRESIDENT

Mrs. Ghoston said she hopes to keep meetings to one hour, as has been the past.

OLD BUSINESS

Mrs. Ghoston said Stormwater fees of \$521,927.04 were paid by the Lake County Treasurer for the November, 2012, installment. It was noted that the agenda said stormwater fees paid "to" (not by) Lake County Treasurer.

She said that our Executive Director Matt Lake has excelled and received the Excellence in Stormwater Management Award, and members and staff received a copy of the Indiana Department of Natural Resources (IDNR) *Waterlines* newsletter with Matt's picture and award. She thanked Matt for his continued good service to Stormwater.

Matt Lake said all Stormwater Utility equipment is at the Public Works facility or at the north barn facility at Pruzin Center, and that Bud Crist saved Stormwater over \$2,500.00 per year by storing some Stormwater equipment in his barn. He is concerned about the delicate equipment in the camera truck, which may have to be moved to another location.

Matt asked Mark Kaiser from Christopher Burke Engineering to address the members regarding status of the Taft Street Drainage Improvement Project. Mr. Kaiser said that the two detention basins were finished last year by Dyer Construction, and although Northern Indiana Public Service Company (NIPSCO) is taking a little longer than expected to relocate their lines, the project is on track, and he estimates that by April 1, all lines will be relocated and Dyer Construction can proceed with the remaining work on Taft Street. Matt said NIPSCO is also working on Taft Place, and he is looking into if a cost-share between Public Works and NIPSCO to resurface the entire roadway is possible since NIPSCO will replace 50-75% of the road. Matt said we received the Indiana Department of Transportation (INDOT's) cost share on the Taft Street project in the amount of \$440,990.95; the full partnership amount of the project is expected to be \$750,000.00.

Regarding the 54th Avenue storm sewer road reconstruction project, Matt said he attended the wage determination hearing on February 4th. Dennis Cobb from First Group Engineering addressed the Board and said just prior to the meeting, he gave Matt a supplemental agreement to the initial contract for the project with \$3,500 additional for contract document preparation services; he said the Board can review and sign them following review. He said bid packages will be prepared, and paper copies will be available for \$100 each, and they would like to also sell electronic CD copies for \$25 each. They are ready to go on the project. Barbara Ghoston made a motion to approve the bidding of the 54th Avenue Meadowdale storm sewer project, and it was seconded by Dorinda Gregor; Leonard White abstained. With the approval of two members, the motion was unanimously approved.

Matt said Stormwater received a grant from the Indiana Department of Natural Resources for \$11,902 in January to continue work on the Emerald Ash Borer (EAB) project.

Leonard White said some residents have asked him about safety at the two detention ponds at the Taft Street project, and he asked Matt about signage for the ponds. Matt had discussed signage with Attorney Jim Meyer and Pampalone Insurance Company and presented to the members and those at the table a draft sign for use at the Taft Street ponds and also Bon Aire Lake, which has been discussed at other Board meetings. Matt said signs will be prepared for Stormwater water projects and ponds, possibly by B&H Technical Services, who have prepared signs for us in the past. The town ordinance regarding signs and signage will also be reviewed.

NEW BUSINESS

Barbara Ghoston said that for any project, she would like to see a time frame for any project to be done by the end of the year, including the Meadowdale sewer project. She also said that when a citizen has a stormwater issue, they need to advise Matt of their specific situation where he can advise them what is required on their personal property.

All members received copies of the four proposals/agreements in their packets prior to the meeting. The Robinson Engineering proposal for Phase II - Storm Sewer Mapping Proposal was presented; it estimates the remaining work on Phase II to range from \$72,000 to \$90,000. Dorinda Gregor made a motion to approve the proposal, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried.

The Christopher Burke Engineering proposal regarding the stormwater easement associated with the Taft Street project on Calumet Park Cemetery property was also presented; the estimated fee for the work is \$4,500. Dorinda Gregor made a motion to approve the proposal, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried. Councilman Tom Goralczyk asked about the easement and was told that it would be upon approval of the cemetery.

The Municipal Separate Storm Water System (MS4) Agreement with the Northwestern Indiana Regional Planning Commission (NIRPC) for public education and outreach, quarterly workshops and MCM1 costs was discussed. Matt said in the past, \$11,300 was paid to NIRPC, but as a way to streamline our local approach, since NIRPC services are regional services, Merrillville Stormwater materials and Merrillville-only related matters are not part of the NIRPC agreement. The new agreement calls for payment of only \$4,300. Dorinda Gregor made a motion to approve the agreement, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried.

The Agreement for Education and Outreach Services between the Lake County Soil and Water Conservation District and Stormwater Utility provides for education and outreach materials, providing the services that NIRPC is unable to do. Julie Duttlinger was present for Soil and Water and distributed copies of their 2011 annual report and said they hope to do more education on stormwater. Matt has worked with them in the past and is attempting to get the word out on their work with the public. Dorinda Gregor made a motion to approve the agreement, and it was seconded by Leonard White; there were no questions or corrections, and the motion was approved and unanimously carried.

Matt has received two proposals for architectural services for the Stormwater Resource Center, one from CDM Smith and one from Stutler Architects. Barbara said she saw a stormwater facility that was fantastic, and since Merrillville is a leader in the State of Indiana, we need to build the building which will also provide education and outreach, in addition to having our office and keeping Stormwater equipment in our facility.

In other matters, Matt said he reviewed 14,100 Merrillville parcels and provided data to Lake County Data Processing for the 2013 tax bills. He attended a native plant workshop last week, and this information will help with the planting of the 54th Court project rain garden. He attended a common construction wage hearing yesterday, where wages are set for the Meadowdale 54th Avenue project and the Stormwater Resource Center project.

Matt said that he and Compliance Officer Joe Fish will be attending the LTAP Stormwater Conference at Purdue University on February 14th. Purdue's LTAP Annual Road School is scheduled for March 5 through 7, and he and Councilman Goralczyk will be attending for Merrillville Stormwater Utility. He has also been attending the Northwest Indiana Stormwater Advisory Group (NISWAG) meetings.

He submitted an article for the town newsletter regarding stormwater runoff and coal-based sealants, which have been identified as a significant source of polycyclic aromatic hydrocarbons (PAHs) and is a known carcinogen, according to the U.S. Department of Health and Human Services. He suggests that people purchase coal tar-free or asphalt-

based sealants offered in home improvement stores. Leonard White asked if we are taking samples, and Matt said the information is based on studies from the U.S Environmental Protection Agency (US EPA). Matt said if someone is interested in obtaining a sample, the local company Microbac may be able to sample the sealant.

Barbara said all members received a copy of proposed Resolution 13-04 regarding the transfer of \$29,735 from office equipment and other equipment to new line items for office rent and the 2013 dump truck. Leonard White questioned why there was not enough money for the items, and financial advisor Karl Cender advised that these are two new line items for 2013 and money is simply being transferred from other budget items for office rent and the dump truck; Karl said in August, 2012, when the budget was prepared, these two new items were not known. Public Works Director Bruce Spires explained to Mr. White that the dump truck is a joint purchase with Public Works, where they used insurance money from an accident the old truck was in, along with Public Works recycling fund money, to pay their share. Karl said there are six (6) payments owed by Stormwater in the amount of \$8,266.33 each, with two (2) payments due each year until 2015. Dorinda Gregor made a motion to approve the transfer of \$13,200 from SW Office Equipment to SW Office Rent and to approve the transfer of \$16,535 from SW Other Equipment to SW Dump Truck, and it was seconded by Barbara Ghoston. Upon roll call vote, Dorinda Gregor and Barbara Ghoston voted yes, and Leonard White voted no; the motion to approve the transfer of \$13,200 from SW Office Equipment to SW Office Rent and to approve the transfer of \$16,535 from SW Other Equipment to SW Dump Truck was approved by a two to one vote.

Barbara said that she was informed by Liz Bushemi that all fund balance amounts are just estimates since the Clerk-Treasurer is having a problem with the Keystone program.

Tom Goralczyk asked if there is any problem or conflict in working with NIPSCO, and Matt said no, he is working with NIPSCO on the Taft Street, Meadowdale 54th Avenue and 54th Court projects.

Mrs. Ghoston said plans are being made to recognize Bud Crist for his many years of service to the Stormwater Management Board and the stormwater office, and a water drop glass award will be presented to him.

She introduced Leonard White to those at the table. She asked Councilwoman Chrissy Barron, Councilman Don Spann and Town Administrator if they had any questions of the Board before she proceeded, and they all said no.

Election of 2013 officers took place. Barbara complimented staff secretary Liz on her work as secretary; Tom Goralczyk asked if the Board secretary needs to be an officer, and Attorney James Meyer said the staff secretary can attest to documents, and the Board can appoint her to attest. The Board decided to elect a Board secretary. Barbara Ghoston asked for nominations from the floor. Barbara Ghoston nominated herself as president, and Leonard White nominated himself as president. Since there were two nominations, Barbara Ghoston asked for a show of hands for Barbara Ghoston, and she and Dorinda Gregor raised their hands; Barbara Ghoston asked for a show of hands for Leonard White, and Leonard White raised his hand. Barbara Ghoston was elected president by a two to one vote. Barbara Ghoston nominated Dorinda Gregor as vice president; with a

show of hands, Mrs. Ghoston voted yes, and Dorinda Gregor and Leonard White abstained, so no one was named vice president at that time. Barbara Ghoston nominated Dorinda Gregor as secretary of the board to attest to documents for the Stormwater Board; all three members voted yes, and Dorinda Gregor was unanimously approved as secretary. Attorney Meyer suggested that since there was no vice president named and upon Leonard White's agreement to serve, that he be nominated as vice president. Barbara Ghoston nominated Leonard White as vice president; all three members voted yes, and Leonard White was unanimously approved as vice president.

PUBLIC COMMENT

Councilman Tom Goralczyk stated that resident Becky Lee was present to address the Board about work being done at Trinity Church on Taney Place, behind her home. Matt said the work was done in the fall by a landscape company, and they have changed some characteristics of the pond. Compliance Officer Joe Fish said he has met with Becky Lee and advised her that the water cannot be stopped, and this is on church property. Joe said the landscaper plans to come back to add some fill and force the water onto rip rap, which was not sufficiently done in the fall, which will divert the water elsewhere. Becky Lee and her father had pictures, which were shown to the Board, and their concern is with rain season coming upon us, there will be problems with the size of the pipes installed. Matt said the problems will be resolved by the landscaper as soon as possible.

ANNOUNCEMENTS

Discussion was held about the next Board meeting, which was previously set for Tuesday, March 5th; however, by agreement of all Board members, Barbara announced that the next Stormwater Management Board meeting will be changed from its original date to Monday, March 4, 2013, at 4:30 pm at the Town Hall because of the LTAP Annual Road School conference in Lafayette on March 5.

Leonard White questioned why the Stormwater budget, "Budget Form No. 1", was not signed; however, he was advised that this is an amended copy only, and the Clerk-Treasurer has the original.

Barbara Ghoston made a motion to adjourn, and it was seconded by Dorinda Gregor. The meeting was adjourned at 5:41 p.m.

Respectfully submitted,

Liz Bushemi
Secretary