

Burns Harbor Sanitary Board
Minutes of Wednesday, October 19, 2016

The Burns Harbor Sanitary Board met in its regular session Wednesday, October 19, 2016 in the Town Hall. The meeting was called to order by President Toni Biancardi at 7:00 p.m.

The Pledge of Allegiance was recited.

Roll Call:

Toni Biancardi..... Present
Jim Constantine..... Present
Rick Balunda Absent
Wilbur Oudman..... Present
Nathan Tumblin Present

Also present were Attorney Clay Patton, Sanitation Superintendent William Arney, Engineer Jeanette Hicks and Secretary Corinne Peffers.

Approval of Minutes

Oudman made a motion to approve the Minutes of September 21, 2016. Tumblin seconded the motion. Motion carried by all in favor vote.

Correspondence

The board noted the correspondence from IDEM saying that the sanitary sewer permit application was received on Sept. 26 to construct a sanitary sewer for Old Porter Road, and a Deficiency Notice from IDEM regarding the application. Hicks said she is working on the response letter stating there is no water in the area that the sanitary sewer will be constructed and will overnight it to IDEM so the permit will be approved.

The board reviewed the letter received from Bonnie and Thomas Jenkins of 320 Village Square asking for a refund of \$81.50 for prepaid sanitary sewer service for the months of November and December. The Jenkins are renting said property from Ina Aponte and they included a copy of their lease reflecting an expiration date of November 1, 2016, as well as a copy of their new lease on a property in Chesterton with an effective date of November 1, 2016.

The board discussed the town's policy of allowing a renter to be billed for sanitary sewer service with the property owner's consent, how the property owner is ultimately responsible for the sanitary sewer bill and that the billing reverts back to the property owner's once a renter has moved out.

Secretary Peffers said she suggested to Bonnie that she request the refund from the property owner and Bonnie said that the property owner wouldn't be willing to give the money back.

Attorney Patton suggested that nothing be done until November 1st and the renters have moved out of the property. He said he feels this issue is an administrative function and the board shouldn't be taking up their time with who gets refunds and when, and this seems to be micromanaging the situation. Biancardi says the board has always done it this way. Patton said you shouldn't refund someone who is still living at the property, it should be after they have moved out.

Oudman expressed concern about refunding the money and said if the renters will have a hard time getting the money from the property owner then the town will too. Arney stated we have the avenues to get those monies from the owner. Arney also said that we should wait until November 1st to refund the renter and at that time, we notify the property owner they are now responsible for the sanitary sewer bill. He directed Secretary Peffers to verify with the owner that the renters have moved out before a refund is made.

Biancardi said that refunds could be handled in house. We have very few and that is why the board has always overseen them, and now we have a full-time clerk to handle sanitary.

Constantine recalled a discussion from about a year ago about putting the sewer bill in a renter's name instead of a property owner, and then the renter bails out and the property owner has to catch up on the bill.

Arney said there is an authorization form in place now that the property owner signs consenting to bill the renter. Secretary Peffers said there isn't one on this particular account. It was before the form was put into place.

Oudman made a motion to issue a refund of \$81.50 to Thomas and Bonnie Jenkins after November 1, 2016 if they have vacated the property. Tumblin seconded the motion. Motion carried by all in favor vote.

Biancardi asked the board if they wanted refunds to be handled by the staff in the future, or if they still wanted the refunds to be presented and approved the board. Tumblin thinks the staff should handle it. Secretary Peffers suggested a written policy on refunds to be approved by the board. The board members concurred that refund requests happen very rarely. Attorney Patton said he doesn't think there needs to be a policy.

Biancardi said the renters need to be out of the property before the refund is issued. They need to prove that they have moved addresses. Secretary Peffers asked if she should call the property owner to verify the renters moved out and Arney said yes, call the landlord. Biancardi said when the call is made the property owner should be reminded that they are now responsible for the bill.

Arney asked that a form be created to have the property owner sign to state the renter has vacated the property.

Sanitary Report

The board reviewed the report and Arney said that he has been working with Gasvoda to get switch gear on one of the generators so it can be used with Lift Station #3. The 480 can't be used on the converter because it will blow it out and they have finally found a company that can do it. The price went from \$10,000 to \$8,000 and we have it down to \$6,200. That will put a converter box on the side of the generator so we can select from 230 or 480, and convert that power and it will also bring a second pigtail out that will be able to use that generator for the rest of the lift stations too, but in the event that we need it for #3, we will use that one pigtail, switch it and then convert it. He also said he is preparing for winter and he and Rob Wesley will be out draining the air release valves and pits so they don't freeze.

Engineer Report

Hicks said she is addressing the comments from IDEM regarding the Old Porter Road sanitary sewer extension and she will overnight the letter to IDEM. She also said she reached out to the Curly's engineer about the building construction and sent them the plans for the sanitary sewer extension so they can hook up when the time comes. They will have to have a grinder pump and a force main that ties into the manhole that will be put at the end.

Old Business

Traditions Apartments sewer rate

Biancardi said she would like to send a response to Traditions with the board's decision. Constantine suggested we notify them that at this time we will leave the rate where it is because there isn't justification to reduce it.

Oudman said his biggest concern is that we treat them differently as far as sewer rate compared to garbage pickup. Biancardi said the Plan Commission is working on the garbage ordinance now. Oudman said if you treat them as residential for one thing, they should be treated as residential for the other, or commercial either way.

Constantine stated my big issue is if you start giving one group a discounted rate, or cheaper rate, then you are going to have everybody else coming here wanting the same thing. People on fixed income are going to want it, older people are going to want it, people who have only got one person living in their house ... if you leave it one rate across the board there is no arguing.

Oudman said I don't think we want to change the way we do our metering now, I think that would be quite a shift in the way we do business. I don't think we are prepared to tackle that.

Attorney Patton questioned the need for a written response. The board consensus was to not send a letter at this time.

New Business

Burns Harbor Town Code Chapter 18, Section 3 (c)

Biancardi said we want to add "new construction" to Chapter 18 Section 3, so she will draft the change and forward it to Attorney Patton. A public hearing needs to be held next month.

Tumblin made a motion to hold a public hearing at the November 16, 2016 Sanitary Board meeting to amend Burns Harbor Town Code Chapter 18, Section 3(c). Oudman seconded the motion. Motion carried by all in favor vote.

Budget

The board reviewed the copy of the 2017 sanitation budget. Biancardi mentioned this is the first time this board has had a budget in place.

Oudman asked whose health insurance does the sanitation board pay for. Biancardi responded full-time employees.

It was noted that this is just a guideline and money can be moved around.

Bosak Motors proposed carwash

There was not a representative from Bosak Motors in attendance at the meeting. Arney said he told someone from Bosak to address the board about the proposed carwash as we have received a couple of requests for carwashes in the past and we haven't allowed them because our ordinance prevents wash out stations. He said it depends on how you interpret that use, whether or not a single lane car wash would be allowed. Arney also said the last board directed him to have Nissan remove theirs and shut theirs down because of how they interpreted the ordinance and the town's agreement with the sanitary sewer plant, and it resulted in Nissan pursuing litigation.

Constantine said Mike Perrine always told the board that by law we couldn't let anybody have a carwash because of the agreement made with Bethlehem Steel. Arney stated it's how you interpret it and he encourages the board to take a look at it.

Constantine said we refused Luke's carwash and Arney said they still want one.

Biancardi said the original agreement says no wash out station, and if you look at a wash out, it says it's a carwash. So, the way the code was written because of that agreement and the interpretation at the time, was that the only way you could have a car wash was if you recycle 95% of the water, which meant you would have to take it off site. She said she had a conversation earlier in the year and Town Council President Ray Poparad has reached out to Balunda who is going to get us in touch with their environmental person so our board can have a conversation about allowing carwashes in town.

Biancardi said if Mittal agrees to having carwashes in town, we would have to change our ordinance.

Tumblin asked if part of the reason Mittal is disagreeing with allowing carwashes is the amount of flow going to the plant. Arney said no, not the flow, the chemicals, as they will affect the wastewater treatment. He also said a lot of the chemicals have been changed now, as well as the reclaiming process. Most of the carwashes are now about 80-90% recycled, they have oil separators and retention basins per IDEM code.

Biancardi said it is worth asking and having a conversation. It would be great for our business community and our residents.

Arney said to keep in mind that businesses are already washing vehicles without reclaiming, so it will help by allowing a carwash.

Attorney Patton said that Arney should get Bosak's plans before the next meeting so it can be discussed with the appropriate people at ArcelorMittal. Biancardi suggested that Arney get plans from Luke as well. Arney will reach out to Bosak and Luke's.

Approval of Claims with three (3) or more signatures

Tumblin asked if we just have one lift station that works off the 230. Arney stated Lift Station 3 on Haglund is the only one because before we had Add-A-Phase on it like we do on Lift Station 2, and when we put the new pumps in, the Add-A-Phase was not giving us the voltage we need for start-up on the new pumps. So, we were still getting called out because it wasn't enough to kick that pump into high gear. So now they did this Phase Perfect that you get a high drive from the beginning. When we did that, the phase converter ... the way it recognizes it, it starts off, kind of like a flow measurement that it sees what voltage you need and it gives you it now. It reads it first and then it delivers. In fact, to give you a little insight, I got called out last week for it and I pulled up and the whole lift station's dead, but there was power everywhere. What happened was that thing surged and felt an overload, so it read it and shut the lift station down to protect it. It is actually a really neat system.

Arney said if we ever lose the transformer on Lift Station #2, he recommends we go with Phase Perfect.

Constantine made a motion to approve the claims with three or more signatures and PO # 2438 to Gasvoda for a voltage selector switch for \$6,200.00. Oudman seconded the motion. Motion carried by all in favor vote.

Spending Review

The board reviewed the report and there were no questions.

Delinquencies

The board reviewed the report and there were no questions.

Flow Report

The board reviewed the report and there were no questions.

Good of the Order of the Community & Any Other Business

None.

Announcements

The next meeting will be held Wednesday, November 16, 2016 at 7:00 p.m.

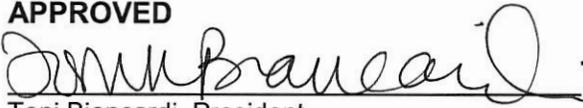
Secretary Peffers said she will be attending year end software training on November 10, 2016.

Adjourn

Oudman made a motion to adjourn at 7:38 p.m. Tumblin seconded the motion. Motion carried by all in favor vote.

Submitted by: Corinne Peffers, Secretary

APPROVED



Toni Biancardi, President



Corinne Peffers, Secretary