

Minutes of the regular meeting of the Board of Trustees of the Fox River Water Reclamation District held on Wednesday, November 15, 2023, at the Administration Building at 1957 North LaFox, South Elgin, Illinois. Present were President Benjamin Bernal, Vice President Martin McCormack, Clerk/Treasurer Elizabeth Penesis, and Trustee Marvin Kramer.

Staff present included Executive Director Eric Johnson, Assistant Clerk Amy Ortiz, Chief of HR Promod Vohra, Operations Director Ed Brown, Operations Superintendent Marcus Peters, Lab Manager Sam Youssef, and Attorney Michael Airdo.

President Bernal called the Board of Trustee's meeting to order at 5:30 P.M.

### **EXECUTIVE SESSION**

Trustee Penesis made the motion, seconded by Trustee McCormack, to adjourn the Board to Executive Session pursuant to Section 2(c)(11) of the Open Meetings Act in order to consider litigation, when an action against, affecting, or on behalf of the District has been filed and is pending before a court or administrative tribunal, or when the District finds that an action is probable or imminent and Section 2 (c) (1) of the Open Meetings Act to consider the appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the District.

President Bernal called for a vote; Ayes, Trustees Bernal, McCormack, Penesis, Kramer. Nays, none. Motion carried. President Bernal adjourned to the Executive Session meeting at 5:32 P.M. President Bernal called the board meeting back in session at 6:07 P.M.

### **APPROVAL OF THE OCTOBER 18 MINUTES**

Trustee Kramer made the motion, seconded by Trustee Penesis to approve the October 18th Board of Trustees Minutes and Board of Local Improvement Minutes as written.

There was no discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

### **PUBLIC COMMENT**

None

### **APPROVAL OF CASH DISBURSEMENTS**

Executive Director Johnson read aloud the cash disbursement totals per fund: Disbursements for the Sewer Revenue Fund are \$1,610,596.66 for the Capital Improvement Fund is \$19,652.29, for the Depreciation & Replacement Fund is \$681,496.8, and for the Corporate Fund is \$611,469.77. Trustee McCormack, seconded by Trustee Penesis, to approve the Cash Disbursements as presented.

There was no further discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**REVIEW OF CONNECTION PERMITS**

Thirty connection permits were issued in between Board meetings that consisted of six commercial, twenty four single family. Approximately \$3,200 was collected in service fees.

Trustee Kramer made a motion, seconded by Trustee McCormack, to approve the connection permits as issued. There was no discussion. President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**REVIEW OF CONTRACTS AND PURCHASE ORDERS**

Executive Director Johnson provided a report of seven purchase orders that was issued in-between the board meetings that was over \$10,000. The purchase orders include:

- Revere Electric Supply Co. in the amount of \$41,30.40 for MCC bucket replacements
- Abel Solutions, LLC in the amount of \$11,874.50 for October traverse support
- Enhanced Networks Inc in the amount of \$29,971.02 for Microsoft software renewal
- Illinois Counties Risk Management in the amount of \$71,299.00 for workers compensation insurance
- Illinois Counites Risk Management in the among of \$85,759 for liability insurance

**FOIA REQUESTS**

One FOIA request has been received in-between board meetings from Courtney Berg Meyer. Courtney requested information to update Kane County GIS Maps to outline each water reclamation district. The information requested was provided. No Board action is required at this time. This is for informational use only.

**NEW BUSINESS**

**MOTION TO APPROVE ORDINANCE 955-A ORDINANCE ANNEXATION FOR 955 FIRST UNITED TRUST COMPANY FOR A 7.26-ACRE PARCEL WEST OF THE BIGGERS MAZDA SUBDIVISION ALONG RANDALL ROAD, ELGIN**

Trustee Penesis made a motion, seconded by Trustee Kramer, to approve Ordinance 955, an annexation for First United Trust Company for 7.26-acre parcel west of the Biggers Mazda subdivision along Randall Road in Elgin.

There was no discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**MOTION TO APPROVE RESOLUTION 531 – A RESOLUTION AUTHORIZING A CHANGE ORDER NO. 2 TO MANUSOS GENERAL CONTRACTING FOR THE NORTH WRF INFLUENT BAR SCREEN PROJECT**

Trustee McCormack made a motion, seconded by Trustee Kramer, to approve Resolution 531 a Resolution authorizing a Change Order No. 2 to Manusos General Contracting for the north WRF influent Bar Screen Project.

There was no discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**MOTION TO APPROVE MICROSOFT SOFTWARE RENEWAL**

Trustee McCormack made a motion, seconded by Trustee Penesis, to approve the Microsoft software renewal. President Bernal inquired regarding the cost of the renewal. Executive Director Johnson explained that the licensing would be for all email and desktop applications within the organization that and the price is set at the government rate. Our current licensing agreement is set to expire on December 1<sup>st</sup>.

There was no further discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye

**MOTION TO APPROVE EMPLOYEE YEAREND BONUS**

Trustee McCormack made a motion, seconded by Trustee Penesis, to approve the employee yearend bonus. Trustee Penesis made a comment that she appreciates eliminating the bonuses for the part-time trustees stating this reduction is better for the taxpayers.

There was no further discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye

**MOTION TO APPROVE INSURANCE PROPOSALS FOR THE FOX RIVER WATER RECLAMATION DISTRICT**

Trustee McCormack made a motion, seconded by Trustee Kramer, to approve the insurance proposals for the Fox River Water Reclamation District. President Bernal asked for an overview of the proposals. Executive Director Johnson provided a break down of the insurance proposals from Illinois Counties Risk Management (ICRM) for workers compensations insurance and liability insurance. Johnson explained that changing from Illinois Public Risk Fund to ICRM would save the District \$35,000 in the cost of workers compensation insurance. Johnson also provided an alternative liability insurance plan that would reduce the District's deductible to \$5,000.00 for an additional cost of \$9,906.50. President Bernal made a motion, seconded by Trustee Penesis to approve the plan with the \$5,000 deductible for liability insurance.

There was no further discussion; President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**MOTION TO APPROVE SEPARATION AGREEMENT WITH  
TECHNICAL SERVICE DIRECTOR**

Trustee Penesis made a motion, seconded by Trustee Kramer, to approve the separation agreement with the Technical Service Director.

There was no discussion: President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

**MOTION TO APPROVE RESOLUTION 532-APPROVING PROFESSIONAL SERVICE  
AGREEMENT WITH HR GREEN FOR STAFF AUGMENTATION SUPPORT**

Trustee Penesis made a motion, seconded by Trustee McCormack to approve Resolution 532 authorizing agreement with HR Green for staff augmentation support. Executive Director Johnson explained that HR Green would be providing a temporary replacement for the Technical Services Director position until a permanent replacement could be established. Johnson provided the board with background information on Timothy Gualandri who we be in the role as acting Technical Services Director.

There was no further discussion: President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye

**MOTION TO APPROVE RESOLUTION 533 A RESOLUTION TO AMEND THE  
RESOLUTION AUTHORIZING CERTAIN INVESTMENT AND BANKING MATTERS  
FOR THE FOX RIVER WATER RECLAMATION DISTRICT**

Trustee Kramer made a motion, seconded by Trustee McCormack, to approve Resolution 533 amending certain investment and banking matters for the Fox River Water Reclamation District. President Bernal remarked that the bank should list down title of the organization for authorization instead of listing names.

There was no further discussion: President Bernal called for Trustees to vote: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye

**EXECUTIVE DIRECTOR JOHNSON'S REPORT**

Executive Director Johnson provided a verbal report to the board. Highlights include the following:

- Marcus Peters started in the role of Operation Superintendent on November 6<sup>th</sup>
- The lab obtained a new ICPMS equipment that could contribute to a savings of \$14,000 for the District by allowing testing to be completed in-house
- Staff will be having a Chili Cookoff on November 16<sup>th</sup> at ADP
- James Howard from Governmental Accounting presented a Power-Point presentation on information regarding the tax levy

### **PERMITTING REPORT**

Michal Dacka Permitting Coordinator provided a written Permitting Report. Highlights include the following:

- **Nonpermitted Development Within Blue Heron Business Park**
  - Blue Heron Business Park has expanded beyond the initial development site. Staff have sent a certified letter to the property owner advising them of their requirements to pay applicable fees.
  
- **Staff Approved Grease Trap Variances**
  - Sunshines Cupcakery, 1012 S. McLean Blvd., Elgin
  - Mecca Grocery, 1016 S. McLean Blvd., Elgin
  - Churro Bar, 238 South Randall Road, Elgin
  - Spice Bazaar, 1350 East Chicago Street, Elgin
  
- **Bell Casa Apartments Development**
  - The Bella Casa Apartments Development located at 880-900 Summit Street, Elgin has been revitalized by the developer and has been resubmitted for permitting. This project was first reported in 2022 and includes construction of a six-building complex(2 Residential/Commercial, 3 residential, 1 parking/Pool).
  
- **Continental Properties**
  - Continental Properties is proposing a residential subdivision containing 336 multi-family dwellings units across fourteen residential buildings. This development will also include a community clubhouse, pool, maintenance building, pet park, and private park area. The applicant is also proposing a 6.57-acre public park. This property will require annexation into the District with residential services fees totaling \$846,720 to be collected at project completion.
  
- **Seasons Elgin Subdivision**
  - Fiduciary Real Estate Development is proposing to construct a 280-unit multi-family residential development that would need to be annexed into the District. The property would consist of 14 two-story walk-up buildings, dog park, club house, resort style pool, and fitness center.

### **OPERATIONS DIRECTOR REPORT**

Operations Director Edward Brown provided a written report. Highlights include the following:

- **New Employee Operations Superintendent**
  - Marcus Peters from Carpentersville started on Monday, November 6<sup>th</sup>. Marcus holds a Class 1 Wastewater Certification and a bachelor's degree in Organization/Corporate Communication.

- **Struvite Facilities**
  - The struvite facility was taken offline, and the treatment was bypass due to struvite coating the overflow pipe. It was determined the best form of treatment was to use a chemical biodegradable industrial descaler (RYDLYME) that was circulated through the lines to dissolve the buildup of struvite on the pipes. After treatment the reactor was placed back in service. Moving forward routine chemical wash and flushing will be implemented, reactor cleaning and inspection will be scheduled, and discharge bypass, and flushing connections will be investigated.

## **STAFF REPORT OF ONGOING STUDY, DESIGN AND CONSTRUCTION PROJECTS**

Project Engineer Franklin Jakubow provided a written update on all projects. Highlights include the following:

- **ADP WRF Phosphorus Removal Liquid Facilities**

This project is complete, and staff are operating the facility to optimize the treatment process with assistance from the design engineer. The ADP WRF is receiving sludge from the North WRF via the sludge force main, and waste activated sludge from the West WRF via the sludge force main sludge to the gravity thickeners. Phosphorus removal continues to be an issue and staff is continuing to take additional samples of fermentate for vfa analysis and work with Black & Veatch process staff. Ortho-phosphorus sampling of the struvite sequestration process has been reinitiated and is being tested by the laboratory twice a week. Staff have run several treatments of citric acid through the struvite reactor and piping to remove struvite encased on the pipe's walls. This will significantly improve the performance.
- **CSO Structure Rehabilitation Design**

No bids were received at the last bid opening. The consultant is reaching out to potential bidders to determine if the bidding climate is such that competitive bids would be received in upcoming months.
- **ADP and North WRF HVAC Improvements**

This project is underway and progressive on schedule. The contractor has installed furnaces, air conditioning units, and boiler at the ADP Admin Building. The contractor is working to bring all this equipment online and operation for winter season. Ductwork has been installed at ADP Admin Building and ADP Grit Building.
- **ADP WRF Belt Filter Press Rehabilitation Project**

The work on the press #1 and #2 has been completed. After a successful trial of press #2 staff will deem it safe to take press #3 out of service for rehabilitation. The manufacturer's crew notified staff that the drain pans on Press #1 and press #2 are showing signs of wear due to decades of occasional rubbing against the belts. Manufacture offers a retrofit that replaces the drain pan with several that are slimmer and do not come in contact with the belts. Staff received a quote and estimate time of competition. Due to the high quote \$20,000 and have decided to wait on adding this addition.

- **North WRF Influent Screening Project**

Construction has begun at the North WRF. Bonds and insurance have been purchased by the contractor. Two new manholes and piping have been constructed and brought online in the T&M work approved by the board for the sewer relocation. The existing manhole determined to be too close to proposed screen channel sheeting location has been demolished. Sheeting has been installed and excavations have been started. Dewatering the groundwater within the sheeting has proved more difficult than the contractor anticipated. As a result, the contractor is drilling deep dewatering walls surrounding the sheeting to remove ground water at a much greater pace and volume. After sufficient dewatering, excavation can resume.

A meeting with the consultant Trotter Associates and the contractor Manusos General Contracting and FRWRD staff was held on November 2<sup>nd</sup> to discuss the submitted dewatering for install of the two new manholes. An agreement was reached Change Order No.2 includes the cost that staff and consultants found reasonable.

- **Pump Station 38 Rehabilitation Project**

Project has reached substantial completion. Startup of new equipment and programming was done with the general contractor, consultants, and FRWRD staff present. Minor electrical, HVAC, and masonry items are complete.

- **Electrical Distribution System Upgrades**

CDM-Smith and staff held a meeting to review the alternatives for future upgrades to best meet the electrical needs of the North WRF, and PS 32 and 37. Staff have provided comments to the consultant for inclusion in the final report. The final report, when fully completed, will be submitted to the board for review. The next step is performing preliminary design of the improvements. Staff will work with CDM-Smith to develop a proposed scope and fee for the work to be presented to the Board of Trustees. The Executive Summary from the final draft was submitted to last month's board meeting.

- **Pump Station 41 Generator Installation Project**

The contractor installed the pad, excavated electrical duct bank trench, and transported the generator to the site. FWRD staff are installing conduits and will pour concrete for the electrical duct bank. Nicor will extend the natural gas line to the pad in 1-2 weeks.

- **North and West WRF Structural Repairs Project**

The design of structural repairs at the north WRF chlorine contact tanks and secondary clarifiers and the West WRF storage tanks, plant water pump station, and Admin & Lab Building is proceeding. Structural engineers from TAI inspected the site for development of design documents. 50% of the design documents have been submitted to staff for review.

- **Demolition of 265 Lessened Place**

Results pending of asbestos survey. Demolition costs approximately \$40,000-\$50,000. Staff has recommended a two-phase approach to demolition to avoid liability and to adapt to winter conditions. Phase one demolishes the structures and landscape before winter conditions. Phase two removes underground utilities.

**ADJOURN**

As there was no additional business, Trustee McCormack made a motion, seconded by Trustee Penesis, to adjourn the November 15, 2023, meeting at 6:51 P.M. The next regular meeting is scheduled for 5:30 P.M. Wednesday, December 13, 2023. President Bernal called for a Roll Call vote. Assistant Clerk Ortiz called Roll: Trustees: McCormack: Aye, Penesis: Aye, Kramer: Aye, Bernal: Aye.

Respectfully Submitted,

Amy Ortiz, Assistant Clerk

APPROVED:

Benjamin Bernal, President

Elizabeth Penesis, Clerk/Treasurer