

**MINUTES OF THE REGULAR PUBLIC MEETING
BOARD OF SANITARY COMMISSIONERS
TUESDAY December 19, 2023**

The Board of Sanitary Commissioners of the Sanitary District of Highland convened in a study session immediately before the Regular Public Meeting at 6:30 p.m. on Tuesday, December 19, 2023 with Commissioner Garcia presiding, in the first floor meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana, in order to discuss the final agenda of the regular meeting.

Silent Roll Call: Commissioners John Bach, Kathy DeGuilio-Fox, Greg Cieslak, and Richard Garcia. David Jones-absent. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc., and Robert Tweedle, Attorney.

Mr. Garcia discussed a matter regarding hourly billing items and monthly retainer fees. He asked the commissioners should take a more active role in reviewing the monthly bills. It was agreed upon that the Public Works Director shall continue reviewing all incoming bills as in the past.

The commissioners discussed the letter of proposal by the Law Offices of Robert F. Tweedle for Legal Services for 2024.

The commissioners discussed the letter of proposal by NIES Engineering for General Engineering Services for 2024.

Mr. Garcia if anyone is ok with our recording secretary. No one had any.

No report from the Sanitary District Engineer.

No report from the Public Works Director.

Mr. Tweedle updated the commission on reports that he will be working on in the new year.

Study Session ended at 6:43.

At 6:43 the Regular Meeting of the Board of Sanitary Commissioners of the Sanitary District of Highland convened with Commissioner Garcia presiding, in the meeting room of the Highland Municipal Building, 3333 Ridge Road, Highland, Indiana. The Regular Public meeting was opened with the Pledge of Allegiance to the United States of America.

Roll Call: Commissioners John Bach Kathy DeGuilio-Fox, Greg Cieslak and Richard Garcia. David Jone-absent. Also present were Mark Knesek, Public Works Director, Derek Snyder of NIES Engineering, Inc. and Robert Tweedle, Attorney.

The minutes from the November 21, 2023 public meeting are approved.

Special Order: None

Communications:

1. A proposal by NIES Engineering for General Engineering Services for 2024.
2. A proposal by the Law Offices of Robert F. Tweedle for Legal Services for 2024.

General Order and Unfinished Business:

1. Pay Request NO. 1 Eder Street Backyard Sanitary Sewer Pipe Bursting Project

Dear Mr. Garcia:

As engineers for the Eder Street Backyard Sanitary Sewer Pipe Bursting Project, we have reviewed the enclosed Pay Request No. 1 submitted by Gatlin Plumbing & Heating, Inc. Upon this review, we recommend that the current retainage amount be withheld and that the current payment due be paid by the Sanitary Board. The payment breakdown is as follows:

Pay Request No. 1

Original Contract Amount	\$ 315,000.00
Change Order Total	<u>+ \$ 0.00</u>
Revised Contract Amount	\$ 315,000.00

Total Completed & Stored to Date	\$ 285,062.50
Retainage Prior Pay Requests	— \$ 0.00
Payment Prior Pay Requests	— \$ 0.00
Total Completed & Stored this Pay Request	\$ 285,062.50
Retainage this Pay Request	<u>— \$ 14,253.13</u>
Total Current Payment Due	\$ 270,809.37

Sanitary Board

Retainage to Withhold	\$14,253.13
Current Payment Due	\$270,809.37

Enclosed are 3 originals of Pay Request No. 1 from Gatlin Plumbing & Heating, Inc., including an itemized breakdown and the Contractor's partial waiver of lien.

**2. SANITARY DISTRICT OF HIGHLAND
BOARD OF SANITARY COMMISSIONERS
RESOLUTION NO. 2023-31**

A JOINT RESOLUTION OF THE BOARD OF WORKS, WATER WORKS BOARD AND SANITARY BOARD APPROVING AND AUTHORIZING CHANGE ORDER NO. 1 TO THE CONSTRUCTION CONTRACT BETWEEN THE HIGHLAND BOARD OF WORKS AND GRIMMER CONSTRUCTION, INC. FOR THE PARKWAY DRIVE IMPROVEMENT PROJECT CONTRACT 2 (CCMG DES. NO. 2300395)

Whereas, The Town of Highland, through its Board of Works pursuant to IC 36-1-2-24(3) and IC 36-1-12, has determined the need to make certain public improvements and repairs to roadway infrastructure along the 8600-8800 blocks of Parkway Drive and a 150-ft portion of Kenilworth Avenue directly adjoining Parkway Drive (including pavement, curb and gutter, sidewalk, driveway aprons and parkway trees) and has hereto approved a project to be described as the Parkway Drive Improvement Project (Project); and

Whereas, The Water Works District of Highland (WW District), through its Board of Directors pursuant to IC 8-1.5-4 and IC 36-1-12, has determined the need to replace and upsize the existing water mains within the Project boundaries, as described herein, in order to improve water flow and water quality; has determined that it would be in the best interest of the Water Works District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, The Sanitary District of Highland (SD District), through its Board of Commissioners pursuant to IC 36-9-25 and IC 36-1-12, has determined the need to replace certain storm sewer infrastructure within the Project boundaries, as described herein; has determined that it would be in the best interest of the Sanitary District to coordinate the work with the Project; and has agreed to fund its share of the construction costs and engineering services necessary to complete the work; and

Whereas, the Town of Highland has applied for and was successfully awarded a Community Crossings Matching Grant from the State of Indiana in the amount of Three Hundred Eighty-five Thousand Three Hundred Fifty-six Dollars and No Cents (\$385,356.00) to be used toward the cost of street and storm sewer improvements for the Project; and

Whereas, On May 22, 2023, Town Council through its Board of Works, adopted Order of the Works Board 2023-14, on May 25, 2023, the Water Works District adopted Joint Resolution No. 2023-06 and on June 6, 2023, the Sanitary Board adopted Joint Resolution No. 2023-11, awarding a Project to Grimmer Construction, Inc. the total amount of Seven Hundred Four Thousand Three Hundred Fifty-one Dollars and No Cents (\$704,351.00) for Contract 2 (CCMG DES NO. 2300395), to be the lowest responsive and responsible bid; and

Whereas, during the course of construction of the Project, it has become necessary to change or alter the original specifications of the project and/or to increase or decrease the planned material quantities; and

Whereas, NIES Engineering, Inc., a licensed engineer performing construction engineering services

on this project, has specifically identified and presented Change Order No. 1, attached herewith, which details the changes and alterations to the Project which has an overall net decrease in the total contract amount of Three Thousand One Hundred Forty-one Dollars and Eighty-five Cents (\$3,141.85); and

Whereas, the overall change in cost, as determined by NIES, is allocated as follows: a decrease to the Board of Works in the amount of Eleven Thousand Three Hundred Ninety-two Dollars and Five Cents (\$11,392.05), a decrease to the Water Works Board in the amount of One Thousand Seven Dollars and Forty Cents (\$1,007.40), and an increase to the Sanitary Board in the amount of Nine Thousand Two Hundred Fifty-seven Dollars and Sixty Cents (\$9,257.60); and

Whereas, The Town of Highland, through its Board of Works, now desires to approve and authorize the Change Order as described; and

Whereas, The Water Works District of Highland, through its Board of Directors, now desires to approve and authorize the Change Order as described; and

Whereas, The Sanitary District of Highland, through its Sanitary Board of Commissioners, now desires to approve and authorize the Change Order as described; and

Now, Therefore Be it Resolved by the Board of Works of the Town of Highland, the Board of Directors of the Highland Water Works District and the Board of Commissioners of the Highland Sanitary District as follows:

Section 1. That the First Addendum to the Construction Contract with Grimmer Construction, Inc. for the Parkway Drive Improvement Project – Contract 2 (CCMG Des. No. 2300395), as prepared by NIES Engineering, Incorporated, a licensed engineer performing construction engineering services on this Project, is hereby determined to be directly related to the original project and is hereby approved, adopted, and ratified in each and every respect;

Section 2. That this addendum is hereby ordered to be known as Change Order No. 1, issued to overall decrease net changes to the original agreement in the amount of Three Thousand One Hundred Forty-one Dollars and Eighty-five Cents (\$3,141.85), bringing the total value of the entire agreement with any and all change orders approved to date to Seven Hundred One Thousand, Two Hundred Nine Dollars and Fifteen cents (\$701,209.15) allocated as follows:

Board of Works (\$11,392.05)
Water Works District (\$1,007.40)
Sanitary Board \$9,257.60
Total Change Order Amount (\$3,141.85)
; and

Section 4. That the proper officers hereby be and are authorized to execute the necessary documents with their signatures.

Duly Adopted, Resolved and Ordered by the Town of Highland, Board of Works, Lake County, Indiana, this 11th day of December, 2023. Having been passed by a vote of ---- in favor and ---- opposed.

TOWN OF HIGHLAND, INDIANA
BY ITS BOARD OF WORKS:

Tom Black, President

Attest:

Mark Herak, Clerk-Treasurer

Duly Adopted, Resolved and Ordered by the Highland Water Works District, Board of Directors, Lake County, Indiana, this 28th day of December, 2023. Having been passed by a vote of ____ in favor and ____ opposed.

HIGHLAND WATER WORKS DISTRICT
BY ITS BOARD OF DIRECTORS:

George A. Smith, President

Attest:

Richard E. Volbrecht Jr., Secretary

Duly Adopted, Resolved and Ordered by the Highland Sanitary District, Board of Commissioners, Lake County, Indiana, this 19th day of December, 2023. Having been passed by a vote of four (4) in favor and none (0) opposed.

HIGHLAND SANITARY DISTRICT
BY ITS BOARD OF COMMISSIONERS:

Richard J. Garcia, President

Attest:

David Jones, Secretary

New Business: None.

Reports: None

Comments from the Commissioners: None

Business from the floor: None

Claims:

6201	SEWAGE OPERATING	345,250.60
6204	SEWAGE IMPOV	284,132.94
6205	WASTE WATER CONSTRUCTION	121,203.00
6206	SEWAGE CASH RESEVER	362,742.77
<u>6601</u>	<u>SANITARY OPERATION</u>	<u>214,453.47</u>
	Total	1,327,782.78

Commissioner Jones motioned to approve the docket. Commissioner Bach seconded. Upon a roll call, there were four (4) affirmatives and no (0) negatives. The motion passes.

Next Meeting: The next meeting will be a study session to be held at 6:30 p.m. on Tuesday January 2, 2024 . The next regularly scheduled Public Meeting will be held Tuesday, January 16, 2024 immediately following a study session at 6:30 p.m.

Adjournment: There being no other business to come before the Board of Sanitation Commissioners, Commissioner DeGuilio-Fox moved to adjourn. Upon a voice vote, the meeting was adjourned at 6:55 pm.

Respectfully Submitted, Denise Beck, Recording Secretary