

**TOWN OF CEDAR LAKE, LAKE COUNTY, INDIANA
MINUTES OF THE UTILITY BOARD**



August 20, 2024

**Public Meeting Advertised for 6:30 PM
Conducted at the Cedar Lake Town Hall
Pledge of Allegiance & Moment of Silence**

Roll Call:

Present	Robert H. Carnahan	Ward 1	Present	Mary Joan Dickson	At-Large
	Board Member			Board Member	
Absent	Julie Rivera	Ward 2	Present	Richard Thiel	At-Large
	Board Member			Board Vice-President	
Present	Nick Recupito	Ward 3	Present	Jennifer N. Sandberg, IAMC, CMC, CPFIM	
	Board President			Clerk-Treasurer	
Present	Chuck Becker	Ward 4	Present	Jeff Bunge	
	Board Member			Town Manager	
Present	Greg Parker	Ward 5	Present	David Austgen	
	Board Member			Town Attorney	

NEW BUSINESS

1. Approval of Minutes – June 18, 2024 and July 16, 2024

A motion to accept and waive the reading of the minutes was made by Robert Carnahan with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 - 0.

2. Approve Purchase of Xylem equipment for Lift Station #12 in the amount of \$16,887.00 and \$1,499.00

Mr. Kubiak explained this was discussed at the last meeting. It is for the two pumps at Lift Station #12. That is on 126th in August Oaks. This is for the two pumps and one base for one of the pumps. The equipment came in on Monday and is being installed. They plan to be up and running either tomorrow or the next day.

A motion to approve was made by Mary Joan Dickson with second by Chuck Becker. Roll Call: Carnahan – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 - 0.

3. Approve Purchase of Truck for Sewer (Request to Purchase GMC Truck)

Mr. Kubiak clarified this is a truck for the sewer department. It is a ¾ ton GMC four-wheel drive pickup truck. He stated he has received a few calls from some of them inquiring why a ¾ ton truck. He stated they have the Boss plows on all of the trucks. They are the go-to vehicles for plowing the subdivisions. He stated they are limited to the number of big trucks. They are trying to use the smaller vehicles to do the neighborhoods and plow as much as they can as fast as they can. In the sewer department, they have the camera truck and crane truck. This truck is something to plow as well as tow the generators. Mr. Parker asked if that included the truck that Tony Gatto drives. Mr. Kubiak stated yes. Both building department trucks do. At the time of purchase, there was less than \$10,000 difference from ½ ton to ¾ ton. Every one of the trucks has the Boss plow attachment. Mr. Parker stated he struggles with the fact the truck is driven every single day. He stated to him it is not efficient to use it for the building department. He gets it for plowing but not inspections. Mr. Kubiak discussed the longevity of the vehicle and the cost. He stated Public Works is still using trucks from 2007 and 2008. He stated he understands the concerns on the gas used but he does not believe it outweighs the longevity of the vehicle. Discussion continued on the gas use of vehicles. Mr.

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Carnahan asked about the price. Mr. Kubiak stated they priced a Ford extended cab four-wheel drive truck as well as the GMC extended cab truck with the Sourcewell pricing and the GMC was approximately \$4,000 less. Mr. Carnahan asked about the difference on the price sheets. Mr. Recupito stated one had an off-road package and the other one did not. Mr. Kubiak stated the cheaper one. Those two vehicles are what they had available. Mr. Carnahan stated the price was \$49,991 plus the \$245 doc fee. Mr. Thiel stated he figured it would be a truck with a work bed. He stated that Mr. Kubiak stated they did not need that bed. Those trucks are upwards of \$70,000. A brief discussion continued. Mr. Recupito asked if they budgeted for this. Ms. Sandberg stated no. It is something that has just come up so it will come out of the capital funds.

A motion to approve was made by Robert Carnahan with second by Richard Thiel. Roll Call: Carnahan – Yes, Becker – Yes, Parker – Yes, Dickson – Yes, Thiel – Yes, Recupito – Yes. Vote 6 - 0.

4. Current Water Capacity Needs Planning Discussion

Mr. Recupito asked if they had any movement on well locations. He stated he knew they had one in the works but it was not feasible and needed to be capped. Mr. Thiel stated he had a call with Tim about the one in Railside. Sheehy is aware and it is on the list to be abandoned. Mr. Kubiak stated he received confirmation that would occur on Monday. Mr. Carnahan asked if they would abandon looking at that. Mr. Thiel stated they would abandon the well. It had to do due to the proximity of the curb in the cul de sac. He stated they would not explore digging a well at that site because of the fact of being in an industrial park. There was still discussion of the one on Parrish. They are still doing initial due diligence on feasibility. Mr. Recupito stated things are now starting to click for him. He asked Neil to explain the need in the town for storage as well as production and when it comes to permitting with IDEM, storage does not matter. It all comes down to production and wells. Mr. Simstad stated it is all production capacity. That is the basis of the IDEM firm capacity. Storage is a benefit to the system. It helps mitigate the peaks. It is not considered part of the firm capacity to have storage. Ultimately, in terms of IDEM and how they rate capacity, it is completely related to production.

5. Written Report

- a. Fund Report – Clerk Treasurer Sandberg reported the cash and expenditure reports were previously sent out.

6. Consultant(s) & Staff Report(s)

- a. Engineer – NIES – Mr. Simstad stated they are working through the punch list items for the westside sanitary sewer interceptor project one. There are a few issues that LGS Plumbing is working on taking care of with the property owners. After that they will finalize the project and close it out. The one-year guarantee period and the performance bond will be in effect through the one-year guarantee period. They will submit to IDEM the reports for all of the testing of the system that is required in terms of the manhole vacuum test and the low-pressure air test for the sanitary sewer. They all passed and they will submit that to IDEM once they complete the punch list. Mr. Carnahan asked when he thought they would start phase two of the west side interceptor. Mr. Simstad stated project two design is completed. They have worked with Town staff and David's office to acquire all the easements required. That project will proceed as the board determines the next step is to move forward. The plans are ready and they can submit them to IDEM as the board directs. Mr. Carnahan asked if he was ready for them to give him that direction. Mr. Simstad stated yes. They have mentioned

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that in several recent utility board meetings. It is a policy call. The design is completed and the easements are required. Mr. Austgen added they are in good shape to go and this report's been made to the utility board for most of the last two years. It is a question probably of discussing funding and what source of funds you will use. Mr. Recupito asked Neil what the best time of year was to get the ball rolling on this. Mr. Simstad stated from his perspective, generally, they want to bid out in the fall and have work start right after the first of the year into early spring. The earlier you start; you will stay between harvest and planting times. You want to minimize the negative impact to property owners. The first project was approximately 7,000 feet of sewer and project two is just over 6,500 feet. He approximated eight to twelve months for the project. He stated the submission of the IDEM permit, which is the facilities construction permit, would be the next process if they want to move forward. Mr. Austgen asked what the engineer's estimate of probable cost was. Mr. Simstad stated project two was submitted at the March meeting. He stated he did not have the information in front of him but would forward the email from March to the entirety of the board. He believes it was around \$3.2 to \$3.5 million. Conceptual design for project three has been completed. That will pick up at the western edge of the Town owned property on the north side of 155th Avenue and continued out to 151st and Parrish. Mr. Thiel and if that was with A and B. Mr. Simstad stated A and/or B. There are a couple options. On paper, it is easy to make modifications. It depends on which direction they wish to go. Both of those for project three were on the cost estimate and the routing options in that email submitted prior. Mr. Recupito asked for a water update. Mr. Simstad stated he did not have a water update short of the report submitted last week on Monday. It is very clear that production is the main limitation within either system. From his understanding, there has been some well tests on the Robin's Nest system that seem to be productive. He would recommend they consider moving forward with those as the well driller and the engineer working on that project would recommend. On the west side, he would recommend consideration of the additional production fracture trace analysis and then consideration for storage as part of the initial part which would be the production capacity on the west side system. That was covered in the prior PER's and updates and reports to the Utility Board and Council.

- b. Director of Operations/Superintendent
 - i. Operation & Maintenance Report – Mr. Kubiak stated they received a couple quotes from Ortman for something similar to a fracture trace analysis for the SDF property as well as the corner of 141st and Parrish. Mr. Carnahan asked what the SDF property was. Mr. Kubiak clarified that is the sediment dewatering facility site. Ortman will do an electrical grid in the ground and using currents, determine the best place in the rock formations for water. It is supposed to be more accurate to pinpoint the larger quantities of water on the parcel. Both of the quotes together were approximately \$27,000. He stated he wanted to get with them prior to a meeting to look at the options. He stated he talked to Ryan and Brandon and they were talking about looking at the SDF property first. Mr. Thiel stated he thinks it makes the most sense. A brief discussion continued on the potential location. Mr. Kubiak stated they got with Beacon Point central people and they would be getting their sprinklers adjusted on Thursday. They will be staggering the start times as well as the odd and even addresses. A brief discussion continued on the irrigation and planning for future water needs.

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c. Town Attorney – No report.

7. Update/Discussion – Morse Street Water Line Extension

Mr. Kubiak reported they received the information that the permit was done and at the end of the email sent was a ten-day waiting period. The start date would be 8/26/24. They were getting everything prepped so they could begin at the end of the waiting period.

- 8. JMOB Report** – Mr. Thiel stated there has been no communication from Lowell. He reached out to Jeff to have him reach out to the Lowell Town Manager. According to the agreement, they should have had another meeting last week. There is supposed to be one every three months. Mr. Bunge stated he has not received a response. Mrs. Dickson asked about the true-up. Ms. Sandberg reported she has not received the true-up report and has had no correspondence back from the Lowell Clerk-Treasurer, since last month. Mrs. Dickson asked when that is due to them. Ms. Sandberg stated according to the agreement it is supposed to be received in March but historically has been the end of May/beginning of June when received. Mr. Carnahan asked Rich to explain what the JMOB is. Mr. Thiel stated JMOB is the Joint Management Oversight Board. There is an agreement between Lowell and Cedar Lake for the wastewater treatment facility. There are two Council people from Cedar Lake, Mary Joan Dickson and himself, and there are two Council people from Lowell. The engineers and town managers are also involved. Mr. Austgen asked if a check was sent to Lowell every month. Ms. Sandberg stated two checks are sent each month for estimated charges and outstanding debt service. Mr. Austgen asked if they are current. Ms. Sandberg stated yes. A brief discussion occurred continued. Mr. Carnahan stated the true-up is the amount of money they have to pay Lowell for the overuse of 50%. Ms. Sandberg stated it is all of the charges related to operations and maintenance, capital improvements, debt service, and calculations based on flow percentages. That is why they rely on the true-up report.

PUBLIC COMMENT

Jennifer Prunsky, 14617 Blaine Street, stated production and storage of water has been a great concern of hers. She reached out to IDEM and asked them several questions. She asked them if they had been communicating with the Town of Cedar Lake about any concerns related to growth or the aquifers. She stated she received a response from Liz Melvin. Ms. Melvin stated they have been communicating with the Town of Cedar Lake regarding the growth. They stated a letter was sent expressing their concern. She asked if they had received it. Mr. Recupito stated he received a letter on August 8th. Mrs. Prunsky stated they are asking for a meeting and asked if it has been scheduled yet. Mr. Recupito stated they are working on it. They have concerns about the capacity and what cannot be served as well as things that have been approved since 2020. They feel obligations cannot be met. Mrs. Prunsky asked where they are at with the water tower at Krystal Oaks. Mr. Simstad stated the tower has been tested and is approved. The engineer working with the Town staff on upgrades at Robin's Nest, which were previously recommended, are upcoming to be online by early September. The tower is completed, punch list items remain, it is operation and can be made operation once improvements are complete. Mrs. Prunsky discussed the sprinkler ordinance and a possible ban. She stated she keeps hearing that the town does not think there is a water issue. Mr. Recupito stated he did not think it was fair to say the current Council did not think there is an issue. They instituted a development moratorium shortly after the year began. They did not approve any more large-scale projects. They are actively working on securing locations for production and storage. A brief discussion continued. Mrs. Prunsky stated the letter from IDEM identified a couple wells that will provide additional supply. She asked where they were at with those wells. She asked if there would be impacts to the surrounding

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homes if they tap into the Lighthouse well. Mr. Recupito stated that is a valid concern. He stated a lot of domestic wells have gone dry in Town. It is part of what IDEM is looking at. Mrs. Prunsky stated IDEM said there are rules allowing connection bans and they said as of yet the town is not there. She asked if they were aware of that. Mr. Recupito stated he was trying to go through notes and the letter from IDEM. It did mention that for PWSID IN524547, the capacity in use is currently at 92%. Mr. Recupito asked Neil if that was for a particular side. Mr. Simstad stated he believes that is the west side. In his most recent letter, it was calculated at 83%. The entirety of the higher usage is based off irrigation/sprinkling. Under normal conditions they are at approximately 500,000 gallons per day. That is well within probably about 30% of what the production capacity is. On the east side, you do not have the same amount of irrigation and sprinkling, the difference between normal usage and high usage is minimal versus a factor of three on the west side. Mrs. Prunsky stated they are working hard as they inherited the situation. She stated when she reached out to IDEM it was really about the sanitary sewer and the relationship with Lowell. She voiced concerns with the continuation of no communication from Lowell. She discussed the expansion project for Lowell that has been discussed. She stated Cedar Lake has a moratorium and Lowell keeps building. She has how they move forward with the joint venture at the tune of several million dollars. She asked about buying capacity. She voiced concerns with the Lowell project and the Town of Cedar Lake's buy in. Mr. Carnahan stated it was stated to them the project was approximately \$52 million. She asked again about buying capacity. Mr. Recupito stated there is no capacity to buy. Capacity has to be created. He voiced his opinion on the matter and that he is not keen on the expansion and the potential effect on current ratepayers. He stated his vision is not the same of Lowell's. Mrs. Prunsky continued to voice her concerns with the information not getting to them. She stated that IDEM was clear their communication regarding the capacity issues is with Lowell specifically. She stated she would share the email with any of them. She asked since they are not communicating, are they not communicating with IDEM, when it comes to the sanitary. Mr. Recupito stated he could not answer that. She asked how long can they continue to sit. Mr. Austgen stated all strategies are being considered. Multiple strategy assessments are in place.

ADJOURNMENT President Recupito adjourned the meeting at approximately 7:29 PM.

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Robert Carnahan, Ward 1

Julie Rivera, Ward 2

Nick Recupito, Ward 3

Chuck Becker, Ward 4

Greg Parker, Ward 5

Mary Joan Dickson, At-Large

ATTEST:

Richard C Thiel Jr., At-Large

Jennifer N. Sandberg, IAMC, CMC, CPFIM
Clerk-Treasurer

The Minutes of the Cedar Lake Utility Board are transcribed pursuant to IC 5-14-1.5-4(b), which states:

(b) As the meeting progresses, the following memoranda shall be kept:

- (1) The date, time, and place of the meeting.
- (2) The members of the governing body recorded as either present or absent.
- (3) The general substance of all matters proposed, discussed, or decided.
- (4) A record of all votes taken by individual members if there is a roll call.
- (5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.