

**MINUTES OF THE  
MERRILLVILLE STORMWATER MANAGEMENT BOARD MEETING  
TUESDAY, NOVEMBER 6, 2013**

President Barbara Ghoston called the November 5, 2013 Merrillville Stormwater Management Board (SWMB) meeting to order at 4:36 p.m. The other members in attendance were Leonard White and Dorinda Gregor. Staff present was Executive Director Matt Lake, Compliance Officer Joe Fish, Attorney James Meyer and Secretary Liz Bushemi. Others present were Councilman Tom Goralczyk, Town Manager Bruce Spires, Lake County Drainage Board Member Milan Dakich, Mark Kaiser from Christopher Burke Engineering, Ron Wiedeman from Robinson Engineering, Merrillville Public Works staff member Mike Mahy and Karen Caffarini from the *Post-Tribune*.

President Barbara Ghoston thanked everyone for the condolences to her family during their loss and said it was good to be back. She apologized for having laryngitis and was unable to speak loud.

Included in the agenda packet was a copy of the minutes from the October 1, 2013 monthly SWMB meeting. Leonard White made a motion to approve the minutes from the October 1 meeting, and it was seconded by Dorinda Gregor; there were no questions or corrections, and the motion was approved and unanimously carried.

Also included in the agenda packet were copies of the accounts payable registers from October 8, 2013 and October 22, 2013 and appropriation reports for funds 626 and 627. Dorinda Gregor made a motion to approve the accounts payable registers from October 8 and October 22, 2013, and it was seconded by Leonard White. There were no questions, and the motion was approved and unanimously carried.

**OLD BUSINESS**

Matt Lake said the new Stormwater Resource Center is moving along nicely, and he is hopeful that the office can be relocated there after Thanksgiving. An open house and ribbon-cutting ceremony will be held, where Board members, Town Council members and public officials and stormwater coordinators from other communities will be invited. Included in the members' packets was a copy of the Pangere Pay Request #2. Dorinda Gregor made a motion to pay The Pangere Corporation their pay request #2 in the amount of \$330,290.30, and it was seconded by Leonard White. There were no questions, and the motion was approved and unanimously carried. Also included in the members' packets was a copy of Change Order #3 amounting to \$4,188.00 in changes. Dorinda Gregor made a motion to approve Change Order #3, and it was seconded by Barbara Ghoston. Discussion was held. Leonard White asked why these items were not thought out previously; Matt said there have been a few change orders for tweaks needed, which are expected for construction of any new building and are a common occurrence. Mr. White asked about the labor and materials for adding framing to the garage doors due to LVL being added, and Matt said this was added for structure support, and the cost was \$994. Matt said any Board member can call Pangere at any time to discuss change orders. Leonard asked if Matt anticipates any further change orders, and Matt said he cannot anticipate other changes but said they are near the end of the project. Councilman Goralczyk asked Attorney Jim Meyer about overages, and Mr. Meyer said overages can be up to 20% and higher if an emergency exists. The motion to approve Change Order #3 was approved and unanimously carried.

Included in the members' packets was a quotation from Landmark Sign Group for signage on the Stormwater Resource Center building, along with a picture of the proposed lettering. Matt said the letters will be 18" high and on the east side of the building. He said the lettering makes the building location known without obstructing Broadway with a sign at the road. Leonard White made a motion to accept and pay the quotation of Landmark Sign Group in the amount of \$5,391.00, with the contingency that if the \$100.00 permit fee listed is waived by the town, the claim be up to \$5,291.00; the motion was seconded by Dorinda Gregor, approved and unanimously carried.

Regarding the Taft Street project, Matt said Taft Place has been re-paved, the culverts are in and everything has been done at the south end of the project. Slight restoration may be needed at 75<sup>th</sup> Avenue for bare soil area, and Christopher Burke Engineering is checking driveways to make sure there are no dips at residents' homes. There have been two recent Indiana American Water water main breaks at this location, and Mark Kaiser from Christopher Burke Engineering has been monitoring the situation. Mark said the U.S. Post Office does not want to change mailbox locations to the west side of the street near the homes, but new mailboxes will be ordered and installed for residents through 75<sup>th</sup> Avenue. Matt said he was hopeful the post office would approve moving the mailboxes directly in front of homes for snow plow purposes, where snow could be dumped onto the ditch, and they may follow-up with the post office. Included in the members' packets was a copy of the Dyer Construction Company Pay Request #8 for work done on south side of the Taft Street Project. Dorinda Gregor made a motion to pay Dyer Construction for Pay Request #8 in the amount of \$152,897.59, and it was seconded by Leonard White. The motion was approved and unanimously carried. Matt said he has also submitted a claim to the Indiana Department of Transportation (INDOT) seeking reimbursement for part of these costs as part of their cost-share on the project.

Matt asked if anyone had any questions or comments regarding the job descriptions for the two Stormwater positions that were passed out last month. Leonard asked if they are for two new jobs, and Matt said he is seeking to change the current administrative secretary position to office manager and adding a part-time secretary to assist with other duties. Dorinda asked that the matter be tabled until the December meeting.

Matt said he attended a Lake County Soil & Water Conservancy District workshop on low impact development as part of stormwater standards. He said a lot of information was presented which addresses unfunded mandates. He also attended the Indiana Urban Forest Council (IUFC) fall conference, where he serves on the Executive Board. He said they had an interesting session on risk tree assessment, and a two-day class will be held for a new certification. He said he and other members of the Northwest Indiana Stormwater Advisory Group (NISWAG) met recently to address the new Indiana Department of Environmental Management (IDEM) rules and regulations; they have sent a letter to IDEM to address these concerns because there has been lack of communication with local MS4s. They are requesting a meeting with IDEM to discuss the new requirements.

### **NEW BUSINESS**

As has been discussed previously, Matt said the Town of Merrillville has been approached by the Town of Winfield for possible use of some Merrillville Stormwater Utility equipment since Winfield just established an MS4 department. Included in the members' packets was a copy of a Joint Interlocal Cooperation Agreement for use of the Merrillville Stormwater Utility equipment. Town of Merrillville obligations would always come first, but if an adjacent community would need the equipment, this agreement could assist everyone. Drainage knows no political boundaries, Matt said. Leonard asked if Winfield told Matt the size of their community, and Matt said he does not know if they have done any town-wide mapping like Merrillville has. The purpose of the agreement would be for a local community to use the equipment in the event of an emergency, and Merrillville Stormwater would generate income for use of the equipment and worker(s). Matt said he would go through Bruce and Public Works to see if the Merrillville employee was available. Dorinda asked about the fee for the employee, and Matt said pay for the employee is set into the fee chargeable to the community as outlined in the agreement. Matt said only Merrillville employees would operate Merrillville equipment; Merrillville is not loaning out its equipment. Dorinda asked about if an employee had already worked a 40-hour work week, and Matt said pay for the worker would come out of the \$117,200.00 that Stormwater budgets for pay to Public Works employees. Dorinda said if it is beyond an employee's 40 hours, the other community should pay any overtime; Matt said he thinks Winfield would pay any overtime as long as the work is done. Barbara asked about the pay schedule, and Matt said the other community would be charged a minimum of four (4) hours, even if it is less. Attorney Jim Meyer said the contract can be amended to include payment of overtime by Winfield. Attorney Meyer asked whose insurance would cover the employee in the event of an accident, and Matt said the Town of Merrillville is covered through Pampalone Insurance. Bruce suggested that Matt call Sam Wright at Pampalone Insurance to verify who would cover the employee if this agreement is signed. The matter was tabled until December in order to get more information regarding overtime and insurance liability.

Matt said Merrillville's Rule 13 permit was renewed and sent to IDEM on November 1<sup>st</sup>. Carol signed as president of the Town Council. Matt said changes will occur next year regarding MS4 requirements.

Matt said he will be looking at "the Madison Ditch", which is the ditch near 68<sup>th</sup> and Merrillville Road behind the old Y&W Theatre. A contractor will be hired to clear and snag the area of trees and bushes.

The town newsletter has been mailed to all residents. Matt's article is about Stormwater activities and what residents can do by implementing simple steps for their properties.

The town is revamping its website, and Stormwater has financially contributed to the new design. Matt is working with Jim Donohue on the new website design. Stormwater news will be included on the website, and there will be information about how homeowners can pay certain bills online.

**PUBLIC COMMENT**

Lake County Drainage Board Advisory Committee member Milan Dakich addressed the Board to congratulate Matt and the members on the new Stormwater Resource Center. He said the town has great leadership in Matt Lake, and he'd like to be invited to the grand opening. He said people don't understand what MS4s do, and some are just learning about stormwater and their activities. He said residential and agricultural sites are different, and people need to get involved because of regulations by the state. Mr. Dakich said Matt is doing a fantastic job being a leader in stormwater issues and said he is happy to hear about Merrillville partnering with Winfield. He asked if any other community has a stormwater building, and Matt said Merrillville is the first in the State of Indiana to have a Stormwater Resource Center. He said it is great working with Matt and partnering with Merrillville, and he congratulated Matt on a job well done.

**ANNOUNCEMENTS**

The next meeting is scheduled for Tuesday, December 3, 2013, at 4:30 p.m. at the town hall.

Dorinda Gregor made a motion to adjourn, and it was seconded by Leonard White. The meeting was adjourned at 5:21 pm.

Respectfully submitted,

Liz Bushemi  
Staff Secretary