

**LINDENHURST SANITARY DISTRICT
REGULAR MEETING
March 6, 2014**

CALL TO ORDER: President Halterman called the meeting to order at 7:00 p.m.

ROLL CALL: Present: President Sheldon Halterman
Treasurer Arthur Neubauer
Clerk James Stevens, via telephone

ALSO ATTENDING: Recording Secretary Karen Fassbinder
Attorney Howard Teegan
Matthew Formica, Village Administrator
Brian Molenaar, Strand Associates, Inc.
Engineer Wesley Welsh, via telephone

MINUTES: The February 2014 Regular and Executive Session Minutes were presented.

Motion was made by Treasurer Neubauer and seconded by President Halterman to accept the minutes.

Motion approved unanimously on a voice vote. Clerk Stevens will sign the minutes from March at the April meeting.

TREASURER'S REPORT:

A. Treasurer's Report
The Treasurer's Report for January 2014 prepared by Treasurer Neubauer was presented.

Motion was made by President Halterman and seconded by Treasurer Neubauer to approve the report. Approved unanimously on a voice vote.

BILLS:

Corporate Fund:

Paul Phillips –December 2013 Legal Fees for WWTF	\$ 3,144.00
Gewalt Hamilton Associates – January Engineer Welsh Fees	\$ 128.00
Strand Associates – December 2013 through January 2014	\$ 15,000.00

Trustee Salary Payroll for January, February, March 2014:
\$450.00 Total Salaries
34.43 Medicare
108.08 Paylocity Fee

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Motion was made by President Halterman and seconded by Clerk Stevens to approve payment of the presented invoices.

Roll Call Vote:	President Halterman	Aye
	Treasurer Neubauer	Aye
	Clerk Stevens	Aye

Motion carried.

CORRESPONDENCE:

1. Transmittal letter dated 2/14/14 from Strand Associates and letter dated 12/30/13 regard Amendment No. 9 to the March 14, 2007, Agreement for Engineering Services.
2. Letter dated 1/24/14 to Clerk Stevens and President Halterman from Attorney Michael Ralph of Ralph, Schwab & Schiever, CHTD regarding the complaint filed by Centrisys Corporation vs. Maxim Construction (given to Attorney Teegan for review).
3. Notice of Claim from Fischer Burton Company to the Sanitary District with copies to Hanover Insurance Company and Maxim Construction notarized on 1/31/14. (given to Attorney Teegan for review).
4. Copy of the Complaint from the Nineteenth Judicial Circuit Court of Lake County, IL, filed 1/16/14 by Centrisys Corporation against Maxim Construction Corporation. (given to Attorney Teegan for review).
5. Copy of the 2013 Annual 503 Sludge Report to the US EPA dated 2/19/14 from Superintendent Garcia.

OLD BUSINESS:

- A. Status Report - Old Mill Creek Request for Services
No Report
- B. Status Report - Addition to Wastewater Treatment Facility
See Executive Session

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- C. Status Report - Amendment to the Agreement between the Village of Lindenhurst and the Lindenhurst Sanitary District
President Halterman and Administrator Formica are in discussion with this item and President Halterman will advise after review.
- D. IEPA Loan Items
No Report

NEW BUSINESS:

- A. Issues Related to Contract 1-2011 WPCF Improvement Project
See Executive Session
- B. IEPA Loan Amendments & Task Orders
No Report

PUBLIC PARTICIPATION: None

EXECUTIVE SESSION:

Motion was made by President Halterman and seconded by Treasurer Neubauer to move into Executive Session pending litigation, inviting Administrator Formica to attend, at 7:07 p.m.

Roll Call Vote:	President Halterman	Aye
	Treasurer Neubauer	Aye
	Clerk Stevens	Aye

Motion carried.

RETURN TO REGULAR SESSION:

Motion was made by Treasurer Neubauer and seconded by President Halterman to reconvene the Regular Board Meeting at 8:06 p.m.

Roll Call Vote	President Halterman	Aye
	Treasurer Neubauer	Aye
	Clerk Stevens	Aye

Motion carried.

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MOTION: Motion was made by Treasurer Neubauer and seconded by Clerk Stevens to authorize the District President to sign a Hold Harmless and Indemnification Agreement for Release of Contract Funds on the Wastewater Treatment Facility Addition matter in form generally as presented with modifications acceptable to the District Attorney.

Roll Call Vote:	President Halterman	Aye
	Treasurer Neubauer	Aye
	Clerk Stevens	Aye

Motion carried.

MOTION: Motion was made by President Halterman and seconded by Clerk Stevens to authorize District Attorney to send notification to Maxim Construction Corporation and Hanover Insurance Company of the District's intent to declare a default in the contract for the Wastewater Treatment Facility Addition.

Roll Call Vote:	President Halterman	Aye
	Treasurer Neubauer	Aye
	Clerk Stevens	Aye

Motion carried.

Treasurer Neubauer requested that a check be reissued to Nikolas Painting Contractors for \$9990.00 replacing the first check dated 6/5/13 that was voided because it was never picked up by the contractor. The Board was in agreement that a two-partied check to contractor and Maxim Construction be reissued.

President Halterman stated that the Statement of Economic Interest was emailed to each board member and needed to be completed by the end of April.

AGENDA: The next meeting is scheduled for Thursday 4/3/14 at 7:00 p.m. and will include an Executive Session.

ADJOURNMENT: Motion was made by President Halterman and seconded by Treasurer Neubauer to adjourn the meeting. Motion was passed unanimously on a voice vote. Meeting adjourned at 8:22 p.m.

Respectfully submitted,

Karen Fassbinder, Recording Secretary

Attested this _____ day of _____, 2014

James B. Stevens, Clerk