

MINUTES
City of New Berlin
Special Utility Committee Meeting
Monday June 12, 2006

Members Present: Alderman Gallagher, Alderman Ament, Commissioner Bob Dude, and Commissioner Jim Morrisey

Excused: Alderman Harenda

Others Present: Mayor Chiovero, Rick Johnson (Utility Manager), City Attorney Mark Blum, Ralph Chipman (Accounting Manager), Greg Bolin (Ruekert & Mielke), & Sue Hanley (Office Coordinator Utilities & Streets)

Chairman Gallagher called the meeting to order at 4:33 p.m. declaring a quorum with all members present except for Alderman Harenda who was excused.

ITEM UT F-06 Approval of minutes from May 31st meeting

Motion by Alderman Ament to approve minutes from May 31st meeting. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

ITEM UT 08-06 Award Engineering Agreement for the design, agency approval and project Administration services for the radium treatment work to meet the Radium Consent Order to reconstruct the City of New Berlin Wells #3, #5 and #7

Alderman Gallagher asked the Committee if they had any questions regarding this item. Commissioner Morrisey asked Greg Bolin why we changed this design from two treatment facilities to three. Mr. Bolin said that it was his understanding that was not a preference of the Utility. Rick Johnson said that it is easier to put the facilities in the existing well houses and treat each well separately, rather than piping Well #5 to Well #7, with a waterline going across two County Highways and ripping up roads through an area of the City that we don't have Utility service.

Mayor Chiovero arrived at 4:37 p.m.

Commissioner Dude asked Greg Bolin from Ruekert & Mielke to clarify the Scope of Work document which states that if the system is designed with proprietary media, additional scope items and compensation may need to be required to redo the design efforts would need to be completed not to exceed \$50,000. Mr. Bolin said that based on the direction of the Committee a few months ago, R & M started design work on the Tonka system, and if the Committee decided to use another system, for example the Layne, they would have to reconfigure the building, reconfigure the filtration tanks to accommodate the alternate treatment method. Commissioner Dude asked if there would be more than one bid on this project. Mr. Bolin said that we would have more than 1 bid for the general construction, but the Committee will need to decide which treatment system it prefers, and that particular system will be specified as part of the construction package. Commissioner Dude asked where the data was to compare the two systems, or obviously someone made a decision for us. Mr. Bolin said that it was his understanding that the report was based on previous decision made by the Utility Committee and Council. Commissioner Dude said that maybe the Committee had made a decision on an HMO, but he didn't know that they chose a particular company or equipment. Mr. Bolin replied not if you choose Tonka equipment, but that is part of a total construction bid package that you will get more than one bid on. Alderman Gallagher said let's be fair, that if you design a system for the Layne system, you would also be locked into that. Mr. Bolin said that is correct.

Mr. Bolin handed out a revised cost estimate spreadsheet that takes in 3 separate facilities, instead of the combined systems for well 5 & 7. Commissioner Dude said that there was a 16.2% difference between the Tonka system and the Layne system. Mr. Bolin said that one of the reasons why the Tonka system was chosen is that the differences were less when the original design was to treat two wellhouses instead

of 3. Mr. Bolin said that based on his experience, the Tonka system is more effective, has an easier method of chemical addition (pre-mixed), and is a proven system. Mr. Bolin said that the Layne system has only been a pilot system, but it has the DNR approval for full scale operation and now one project has begun construction. Alderman Gallagher agreed that there are cost savings with Layne, but no one in Wisconsin has used it yet and said we don't want to take a chance on a system that is not proven if it is going to have to last 30 years. Commissioner Morrissey asked how many Tonka systems were being used now. Mr. Bolin said half a dozen, and there are also some switching to the chemical pre-mix.

Commissioner Dude said the Committee had not received a Cost Benefit Analysis and wanted this presented for projects in the future. Commissioner Dude said that there have been a lot of sets of numbers, and told Mr. Bolin that he wanted the Tonka cost to come in not more than 10% of the figure listed here. Mr. Bolin said that he would inform Tonka of the Committee's request.

Mayor Chiovatero handed out a letter from the DNR that he received today that stated they were concerned that some systems will not meet the December 8, 2006 timeline to meet radium compliance. The DNR advised that the deadline in the order cannot be extended because it has been negotiated with the EPA and is beyond the federal rule compliance date. The letter advised that the Department is proceeding with enforcement, but the EPA retains independent authority to enforce the radium standard.

Alderman Gallagher read the requested action. Alderman Ament asked Mr. Bolin what the timeline was for all 3 plants to be in place. Mr. Bolin answered that the plan was to concentrate on Wells 3 and 7 which are the largest, with the biggest workload, and just required additions to each building. Mr. Bolin said Well 5 has less capacity, and the building would have to be demolished then rebuilt. Alderman Ament asked if the best case scenario for completion of the project was the middle of May, or 6 months after the deadline. Mr. Bolin said that was correct.

Mayor Chiovatero said the letter from the DNR says that it is out of their hands and in the hands of the EPA. He added that he has written to our Congressman to help give us some relief, and added the City is still working on obtaining Milwaukee water for the rest of the service area.

Alderman Ament asked what the fines were for not meeting compliance. Mayor Chiovatero said fines could be as high as \$10,000/day for each well, but no fines are set yet, and the DNR could say fees are \$1 per day.

Commissioner Morrissey asked if we could buy our equipment ahead of time to speed up the project. Mr. Bolin said that using direct purchase instead of going through the contractor's bid will speed up the process, and added that he thought Steve Schultz had already figured that into the timeline.

Motion by Alderman Gallagher to recommend to Council to approve the Engineering agreement with Ruckert & Mielke for the design, agency approval and project administration services set forth in the attached scope of work description attached hereto for the radium treatment work at work to meet the Radium Consent Order to reconstruct the City of New Berlin Wells #3, #5 and #7 to Ruckert & Mielke within an amount not to exceed \$244,800.00. Scope of Work: Design and Construction of Hydrous Manganese Oxide Radium Removal Facilities at Well #3, Well #5, and Well #7. Source of funds: Funds to be transferred from the balance of 2004 CIP Forest View borrowed funds to account #107. Seconded by Commissioner Morrissey and upon voting the motion unanimously 4 to 0.

Motion to adjourn at 5:09 p.m. by Alderman Ament. Seconded by Commissioner Dude and upon voting the motion passed unanimously.

Respectfully submitted,

Suzette Hanley - Office Coordinator, Utilities & Streets