

Village of Bensenville
Board Room
12 South Center Street
Bensenville, Illinois 60106
Counties of DuPage and Cook

MINUTES OF THE VILLAGE BOARD OF TRUSTEES MEETING
July 18, 2023

CALL TO ORDER: 1. President DeSimone called the meeting to order at 6:30 p.m.

ROLL CALL: 2. Upon roll call by Village Clerk, Nancy Quinn, the following Board Members were present:

President DeSimone, Carmona, Franz, Frey, Lomax, Perez

Absent: Panicola

A quorum was present.

Staff Present: E. Summers, J. Caracci, S. Flynn, K. Pozsgay, D. Schulze, C. Williamsen

PUBLIC COMMENT: There was no public comment.

APPROVAL OF MINUTES: 4. The June 20, 2023 Village Board Meeting minutes were presented.

Motion: Trustee Lomax made a motion to approve the minutes as presented. Trustee Carmona seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

WARRANT NO. 23/11: 5. President DeSimone presented **Warrant No. 23/11** in the amount of \$2,587,322.40.

Motion: Trustee Franz made a motion to approve the warrant as presented. Trustee Lomax the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-83-2023:**

6. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-83-2023** entitled a **Resolution Designating Principal Authority to the Village Manager for Illinois Funds Self Insurance Reserve for the Village of Bensenville, Counties of Cook and DuPage.**

Village Manager, Evan Summers stated the Village of Bensenville has several accounts with Illinois Funds. Mr. Summers stated one account, the Self Insurance Reserve (SIR) Fund, dates back to when the Village was self insured. Mr. Summers stated now that all claims have been resolved, this account is no longer needed.

Mr. Summers stated with the Village no longer needing a Self Insurance Reserve (SIR), the former SIR account with Illinois Funds (managed by the State of Illinois Treasurer) will be transferred to the General Fund.

Mr. Summers stated it is critical that the Village Manager, currently Evan K. Summers be identified in official meeting minutes as the Village Principal Authority and having the authority which is exercised by the position.

Mr. Summers stated it is also important that the Village Board affirm the commitment of the position of Principal Authority to the Village Manager.

Motion: Trustee Lomax made a motion to approve the resolution as presented. Trustee Carmona seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
32-2023:**

7. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 32-2023** entitled an **Ordinance Designating Certain Property as Surplus and Authorizing the Disposition of the Same.**

Director of Public Works, Joe Caracci, stated the Village routinely declares equipment, material, and assets surplus if there is no longer a need for them.

Mr. Caracci stated in an effort to clear out items that are no longer useful to the Village business and operations, all departments were asked to determine if any equipment should be declared surplus.

Mr. Caracci stated the identified surplus items are as follows:

QTY	VEHICLE ID	YEAR/MAKE/MODEL	VIN
1	Vehicle #216	1999 Ford F250	1FDNX20L8XED63808
1	Vehicle #218	2008 Ford F250	1FTNF21548EC96326
1	Vehicle #227	1997 Ford E150	1FTEE1420VHB23735
1	Vehicle #228	1997 Ford E150	1FTEE1429VHB23734
1	Vehicle #230	1999 Ford F350	1FDWX37F4XED71110

Mr. Caracci stated all equipment with be disposed of in the most economic and responsible manner.

Motion: Trustee Perez made a motion to adopted the ordinance as presented. Trustee Lomax seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-84-2023:

8. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-84-2023** entitled a **Resolution Authorizing the Approval of a Purchase Order to Core & Main for Sensus Water Meters Annual Maintenance in the Not-to-Exceed Amount of \$20,779.**

Mr. Caracci stated the Village Board approved use of Sensus water meters in March 2013 (R-24-2013). Mr. Caracci stated the Village switched to the Automatic Meter Read (AMR) Sensus meters from Core & Main (previously d/b/a HD Supply Waterworks) to monitor and reduce the water loss rate percentage and enhance customer service capabilities.

Mr. Caracci stated the annual Core & Main Agreement benefits the Village by maintaining the software and streamlining the communication with Sensus meters to the financial software (Munis) to provide history of water usage and exact billing to the water customers.

Motion:

Trustee Franz made a motion to approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

Resolution No.

R-85-2023:

9. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-85-2023** entitled a **Resolution Authorizing the Purchase Order to the Illinois Environmental Protection Agency for the Annual Wastewater Treatment Plant NPDES Operating Permit in the Not-to-Exceed Amount of \$17,500.**

Mr. Caracci stated each year the Village is required to acquire NPDES Permits from the Illinois Environmental Protection Agency (IEPA). Mr. Caracci stated NPDES stands for National Pollutant Discharge Elimination System. An NPDES permit will generally specify an acceptable level of a pollutant or pollutant parameter in a discharge (for example, a certain level of bacteria).

Mr. Caracci stated these permits are necessary for agencies that operate either storm sewer or sanitary sewer collection and/or

treatment systems. Mr. Caracci stated the Village holds a number of these permits for our individual systems.

Mr. Caracci stated the Wastewater Treatment Plant NPDES Permit totals **\$17,500**. Invoicing for the permit typically occurs in July. Mr. Caracci stated we have not received an invoice for this permit yet, but want to be ready to pay when it comes in. The fee schedule on IPEA's official website remains the same.

Motion: Trustee Lomax made a motion to approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-86-2023:**

10. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-86-2023** entitled a **Resolution Waiving Competitive Bidding and Authorizing a Purchase Order to Roesch Ford of Bensenville, IL for the Purchase of One (1) Public Works Truck in the Not-to-Exceed Amount of \$50,903.**

Mr. Caracci stated Public Works maintains a fleet of vehicles that are often in need of repairs or full replacements. Mr. Caracci stated the CY2023 budget includes funds for the purchase of one (1) new Ford F250 Truck. post-pandemic vehicle purchases have taken on a new approach. Mr. Caracci stated currently, there are no State purchase or joint purchase agreements for many vehicles, therefore its challenging for the staff to find vehicles at MSRP or lower.

Mr. Caracci stated Roesch Ford of Bensenville provided a Quote for a 2022 Ford 250 Super Duty 4x4 Truck for \$700 under MSRP. Mr. Caracci stated with license and title, cost of this vehicle is \$50,903.

Mr. Caracci stated there will be additional costs associated with this vehicle, including purchase of a plow (~\$7,500), lights (~\$1,500), and stickers (~\$300). Mr. Caracci stated we anticipate that all the up-fits will keep the total cost under the budgeted \$60,000.

Mr. Caracci stated this vehicle will replace Unit #218 - a 2008 Ford F250 with 75,500 miles.

Trustee Lomax asked for the reason to waive competitive bidding. Mr. Caracci stated Roesch Ford has promised to meet State Bid requirements and this patricidal price is below MSRP.

Motion: Trustee Franz made a motion to approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-87-2023:**

11. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-87-2023** entitled a **Resolution Authorizing the Execution of a Change Order Number Three (Final) with Independent Mechanical Industries, Inc. for an Increase of \$85,549 for the York Road (LS-10) Lift Station Improvements Project for a Final Contract Cost of \$1,173,655.**

Mr. Caracci stated the Village approved Resolution R-90-2021 in the amount of \$1,016,255 for construction of the York Road Lift Station Project. Mr. Caracci stated this rehabilitation project will bring the facility to current standards. Mr. Caracci stated Independent Mechanical Industries, Inc. of Elk Grove Village was the awarded contractor.

Mr. Caracci stated the Village approved change order number one for the York Road Lift Station Project with Resolution R-60-2022 on May 24, 2022. Mr. Caracci stated the Village approved change order number two for the York Road Lift Station Project with Resolution R-132-2022 on November 15, 2022.

Mr. Caracci stated the York Road (LS-10) Lift Station Improvements Project was substantially completed in January 2023, and Final completion was on May 31, 2023. Mr. Caracci stated due to supply chain issues with procurement of materials, this project ended up finishing nearly 1 year later than originally anticipated.

Mr. Caracci stated Change Order Number One provided extensions to the original dates of substantial completion to October 17, 2022 and final completion scheduled for October 31, 2022.

Mr. Caracci stated Change Order Two provided an additional extension to substantial completion on December 31, 2022 and final completion on May 31, 2023.

Mr. Caracci stated the project is now completed with final quantities agreed to by the Village and Contractor. Mr. Caracci stated change order number three (final) is the remaining contract items that were required by IMI to perform bypass pumping, zero out allowances for certain pay items, swap out the proposed check valves on the project to a different style other than what was originally proposed, and to replace an intake louver for the diesel generator that was originally planned to remain in place. Mr. Caracci stated this total value of Change Order Number Three (Final) is an increase of \$85,549 for a revised final contract amount of \$1,173,655.

Motion: Trustee Lomax made a motion to approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-88-2023:**

12. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-88-2023** entitled a **Resolution Authorizing a Purchase Order to CC Power for Purchase and Installation of Forty (40) Ensersys Batteries at the Police Department in the Not-to-Exceed Amount of \$14,205.**

Mr. Caracci stated the Villages Police Station has a backup generator along with an Uninterruptible Power Supply (UPS) to ensure the Police station always has power/electricity. Mr. Caracci stated the UPS machine is stored energy that fills the gap when the normal power to the building is interrupted until the time the generator starts and transfers over its power to the building. Mr. Caracci stated the UPS stored energy is a bank of 40 batteries that have an anticipated life expectancy of 4 years.

Mr. Caracci stated the batteries are nearing the 4-year anticipated life expectancy. Mr. Caracci stated the batteries are tested twice a year to ensure their reliability. Mr. Caracci stated the last test done has determined that the batteries are testing, "weak" and should be replaced at this time.

Mr. Caracci stated Staff solicited and received three (3) Proposals. Mr. Caracci stated Staff recommends going with CC Power as the lowest qualified bidder for this project.

Motion: Trustee Carmona made a motion to approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-89-2023:**

13. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-89-2023** entitled a **Resolution Authorizing a Purchase Order to Vian Construction for the Emergency Repair of York Road Lift Station Force Main in Not-to-Exceed Amount of \$39,000.**

Mr. Caracci stated the York Rd. Lift Station Force Main has experienced a leak that was identified the week of May 22, 2023. Mr. Caracci stated the utilities and wastewater divisions worked together to identify the cause of the leak through vacuum excavation. Mr. Caracci stated once exposed it was determined that a 4" conduit that was directionally drilled clipped the bell portion of the forcemain, causing the leak. Mr. Caracci stated Staff performed a JULIE locate to determine that the 4" conduit belonged to AT&T.

Mr. Caracci stated AT&T verified that the conduit was theirs. Mr. Caracci stated unfortunately, they are not experienced to perform the necessary repair to the forcemain. Mr. Caracci stated in order to get the repair completed in a timely manner, the Village will contract the repair and seek reimbursement from AT&T through their claims process.

Mr. Caracci stated the scope of the repair includes the contractor providing trench box, repair clamp, labor and all equipment necessary to complete the repair.

Mr. Caracci stated Staff sought proposals from qualified contractors capable of performing the repair. Mr. Caracci stated two contractors provided proposals for the work. Mr. Caracci stated after review of the proposals staff recommends the low proposal of Vian Construction Inc. in the amount of \$38,950.

Motion: Trustee Frey made a motion to approve the resolution as presented.
Trustee Lomax seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-90-2023:**

14. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-90-2023** entitled a **Resolution Authorizing a Purchase Order to Omega Prosystems for Purchase and Replacement of Fire Alarms at Edge Ice Arena in the Not-to-Exceed Amount of \$28,700.**

Mr. Caracci stated the fire alarm panel and devices at the Edge II Facility are original to the building and approximately thirty years old. Mr. Caracci stated the fire alarm panel that serves the entire building has been compromised and is in need of repair or replacement. Mr. Caracci stated the technology and parts of the existing system are outdated, obsolete and no longer available. Mr. Caracci stated we propose to install a new fully addressable fire alarm system along with all of the devices associated throughout the entire facility. Mr. Caracci stated the new system will put us in compliance with NFPA (National Fire Protection Association) and IBC (International Building Code).

Mr. Caracci stated the Village Solicited Proposals from four qualified contractors. Mr. Caracci stated Staff recommends moving forward with Omega Prosystems to install the new panel and addressable devices.

Motion: Trustee Carmona made a motion to approve the resolution as presented. Trustee Frey seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-91-2023:**

15. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-91-2023** entitled a **Resolution Authorizing the Execution of an Amendment to an Agreement with the DuPage River / Salt Creek Workgroup (DRSCW) Accepting the DRSCW Special Condition Provision and Participating in the DRSCW Local Funding Program.**

Mr. Caracci stated the Village entered into an Agreement with the DuPage River / Salt Creek Workgroup (DRSCW) in August 2015 via Resolution R-86-2015. Mr. Caracci stated this agreement included participation in a Special Conditions Program approved by the Illinois Environmental Protection Agency (IEPA) to maintain a manageable Phosphorus limit on our IEPA Permit. Mr. Caracci stated the Agreement extended participation through 2022.

Mr. Caracci stated Staff would like to extend this agreement for another five years, through June 1, 2027.

Motion:

Trustee Franz made a motion to approve the resolution as presented. Trustee Franz seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-92-2023:**

16. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-92-2023** entitled a **Resolution Authorizing a Purchase Order to Tidewell Roofing and Sheet Metal of Elk Grove Village, IL for Purchase and Installation of Roof Coating on Edge Ice Arena in the Not-to-Exceed Amount of \$245,290.**

Mr. Caracci stated the Edge 2 Ice Rink Facility has an 86,000 square foot, flat galvanized roof that is original to the building. Mr. Caracci stated the existing roof is beginning to show signs of compromise due to age and has developed several leaks around the flashings and roof top units.

Mr. Caracci stated Staff has done a significant amount of research and reviewed a variety of roofing systems for rehabilitation of the roof. Based on longevity, cost, and Midwest weather conditions, we have determined that a properly prepared rubber roof coating would

be the most advantageous, give us the longest reliability, and be the most cost effective.

Mr. Caracci stated the roof is at a point where we could still get a significant amount of life out of it if we prepare it to receive a fully rubberized roof coating. Mr. Caracci stated the Karnak 502 Elasto-Kote White 10 Year Roof System is the roofing system that staff feels is best for our application. Mr. Caracci stated once prepared and applied in accordance with the manufacture's recommendations, the manufacture will provide a ten-year warranty against any leaks or wear through concerns.

Mr. Caracci stated we have received three proposals from roofers that were provided and recommended to us by the manufacture of Karnak roofing products located in Westchester Illinois.

Mr. Caracci stated Staff solicited proposals for the work. Mr. Caracci stated Staff recommends entering into a contract with Tidewell to install the roof system.

Motion: Trustee Franz made a motion to approve the resolution as presented. Trustee Lomax seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-93-2023:**

17. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-93-2023** entitled a **Resolution Approving a Sales Agreement with AVI Systems, Inc to Upgrade the Sound System on the West Rink at 735 E. Jefferson St in the Not-to-Exceed Amount of \$73,737.00.**

Director of Recreation, Sean Flynn, stated after this year's Honor Flight Hockey Game back in March staff was asked to look into upgrading the sound system at the ice arena. Mr. Flynn stated based on the Village's good relationship with AVI Systems, Inc with our system at Village Hall staff reached out to them to give us a proposal to upgrade the sound system.

Mr. Flynn stated AVI Systems, Inc investigated the system, ran audio tests on all three sheets of ice. Mr. Flynn stated they then provided us with multiple quotes for each ice surface.

Mr. Flynn stated after internal discussions it has been determined that the best course of action is to fix the West Rink sound issues and resolve the other suggested improvements at a later date.

Mr. Flynn stated the sound system on the West Rink is over 20 years old and need of an upgrade. Mr. Flynn stated poor sound quality and microphone issues have hampered what otherwise have been successful events. Mr. Flynn stated a new system will make for a more enjoyable experience for all patrons.

Motion: Trustee Perez made a motion to approve the resolution as presented. Trustee Lomax seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

President DeSimone stated the following regarding Empire Construction:

"I know that many of you are concerned about the recent bankruptcy of Empire Construction which was affected the Senior Center Buildout. No one has been more upset by this delay than me. I want to assure you the we are committed to completing this project as soon as possible.

Empire Construction was the lowest responsive bidder for the project and their bid was reviewed and accepted by the state per grand guidelines. Empire has 38 other government agencies with open contracts at the time of their default, which suggests that they were a reputable company with a good track record. In fact, if we didn't select Empire Construction, we would have been in violation of state bidding guidelines and would have been unable to access the \$1.2 million dollar grant that we were awarded. The idea that past candidates for elected office are proposing that the Village should have violated a fair and open process only proves that the voters made the right choice.

Empire Construction was fully bonded, which means that there is a surety bond company that is responsible for completing the project if Empire is unable to do so. We are currently assessing the surety bond company's liquidated damages in the amount of \$600 per day until the project is substantially completed.

The State of Illinois Department of Commerce and Economic Opportunity is fully engaged and advising us on how to remain grant compliant.

I know that this is a delay that no one wanted, but I want to assure you that the project will be completed as planned. The only thing that we are out is time.

We will continue to remain transparent and keep the community updated on the progress of the project.”

President DeSimone announced the next Music in the Park is scheduled for July 26th and will feature American English; a full schedule can be found on the Village’s website.

President DeSimone announced National Night Out will be hosted on August 2nd; full details can be found on the Village’s website.

President DeSimone announced Public Works Open House will be hosted on August 5th; full details can be found on the Village’s website.

President DeSimone announced the next Senior Lunch will be on August 11th and will be the annual BBQ event; full details can be found on the Village’s website.

President DeSimone announced the Village is hosting a back to school movie in the park on August 11th; full details can be found on the Village’s website.

**MANAGERS
REPORT:**

Village Manager, Evan Summers, stated he had no report.

**VILLAGE ATTORNEY
REPORT:**

Village Attorney, P. Joseph Montana, stated he had no Village Attorney Report.

**UNFINISHED
BUSINESS:**

There was no unfinished business.

NEW BUSINESS:

There was no new business.

**EXECUTIVE
SESSION:**

Village Attorney, Joseph Montana, stated there was not a need for Executive Session.

ADJOURNMENT: Trustee Perez made a motion to adjourn the meeting. Trustee Carmona seconded the motion.

ROLL CALL: AYES: Carmona, Franz, Frey, Lomax, Perez

NAYS: None

All were in favor. Motion carried.

President DeSimone adjourned the meeting at 6:52 p.m.

Nancy Quinn
Village Clerk

PASSED AND APPROVED by the President and Board of Trustees of the Village of Bensenville this 8th day, August 2023