

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

MINUTES OF THE SPECIAL VILLAGE BOARD OF TRUSTEES MEETING
December 12, 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, Panicola, Perez

Absent: None

A quorum was present.

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

PUBLIC HEARING
2024 Proposed
Budget:

3. President DeSimone opened the Public Hearing for the Proposed 2024 Budget at 6:31 p.m.

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

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

Absent: None

A quorum was present.

Village Manager, Evan Summers, provided an overview of the proposed budget for 2024.

President DeSimone asked if there was any member of the Public that would like to comment on the proposed budget for 2024. There were none.

Motion: Trustee Lomax made a motion to close the Public Hearing. Trustee Carmona seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

President DeSimone closed the Public Hearing at 6:34 p.m.

PUBLIC COMMENT: There was no Public Comment.

**APPROVAL OF
MINUTES:**

4. The November 14, 2023 Village Board Meeting minutes were presented.

Motion: Trustee Panicola made a motion to approve the minutes as presented. Trustee Franz seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

The November 30, 2023 Special Village Board Meeting minutes were presented.

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

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

NAYS: None

All were in favor. Motion carried.

**WARRANT NO.
23/19:**

5. President DeSimone presented **Warrant No. 23/19** in the amount of \$9,266,797.44.

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

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

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
52-2023:**

6. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 52-2023** entitled an **Ordinance Approving a Special Use Permit for a new Professional Office Within the Existing Building at 611 N IL Route 83.**

Director of Community and Economic Development, Kurtis Pozsgay, stated the Petitioner, Perfect Express Corp., is requesting approval of a special use permit to occupy an existing office space for their air-freight brokerage, U.S. customs brokerage, and other related businesses.

Mr. Pozsgay stated the applicant is proposing to occupy 8,000 square feet of office space on the first floor of the existing 3-story office building. Mr. Pozsgay stated the building is bounded by Thornton's Gas to the south, a trucking company to the east, a similar office building under the same ownership to the north, and IL Route 83 to the west.

Mr. Pozsgay stated the petitioner notes that there will be approximately 15 staff within the office, and that they intend to utilize approximately 15 parking spaces. Mr. Pozsgay stated per Code requirements, a professional office must provide 1 space per 400 SF of gross floor area. Mr. Pozsgay stated a minimum of 20 parking spaces must be provided for this use, and these requirements have been met. Mr. Pozsgay stated per the plat of survey for the property, there are an existing 112 total parking spaces, with 2 of those being accessible parking spaces.

Mr. Pozsgay stated office improvements are expected to be necessary for occupancy of the space.

Mr. Pozsgay stated professional Office uses require approval of a special use permit in the I-2 General Industrial District.

Mr. Pozsgay stated the property currently does not have any tenants. With the potential for additional tenants to enter the space, it will be important for the applicant to ensure that the minimum parking requirements for any potential future tenants can be met.

Mr. Pozsgay stated Staff does not have concern regarding the overall volume of parking within the existing parking lot, as the lot will still have a total of 92 spaces remaining for any future tenants in tandem with the subject professional office use.

Mr. Pozsgay stated given the nature of the professional office and relation to trucking and logistics, staff has recommended conditions to ensure that the use of the property remains as a professional office use only, which aligns with the current layout and function of the site as it stands today. Mr. Pozsgay stated the applicant has also noted that the company does not have any delivery or pickup requirements that would require any delivery or semi-trucks entering the parking lot. Mr. Pozsgay stated the intention is to move the established professional office use and employees from the location at 831 Foster Avenue to the subject site at 611 N IL Route 83.

Motion:

Trustee Lomax made a motion to adopt the ordinance as presented. Trustee Carmona seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Informational:
800 W. Irving
Park Rd:**

Mr. Pozsgay provided a revised Traffic Impact Study for the proposed Redevelopment of 800 W Irving Park Road, Bensenville, Illinois.

Mr. Pozsgay stated the Village Board approved the proposed project on June 20, 2023.

Mr. Pozsgay stated at the public hearing, several questions were brought up regarding the proposed site plan, traffic, and circulation.

Mr. Pozsgay stated Staff asked A&E Luxury to revise the traffic study to reflect the updated site plan.

Mr. Pozsgay stated the revised traffic study shows no need for a left turn lane heading north out of Eastview Ave.

Mr. Pozsgay stated Village engineering is currently designing the expansion of Eastview with this in mind.

President DeSimone asked what the issue would be for a third lane to be added. Mr. Pozsgay stated cost and space.

President DeSimone raised concerns with the revised traffic impact study and asked Staff to sketch out plans that allow for a left turn lane to see what the actual cost and effects it would have.

No actions were taken.

**Ordinance No.
53-2023:**

7. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 53-2023** entitled an **Ordinance Approving an Amendment to Title 6, Health and Sanitization, for Insect & Rodent Control.**

Director of Community and Economic Development, Kurtis Pozsgay, stated like other suburban communities, the Village has seen an increase in rodent complaints this year.

Mr. Pozsgay stated the Village President asked staff to look into ways to strengthen our ordinances and hold property owners accountable.

Mr. Pozsgay stated the proposed ordinance amends Nuisances ordinance to add specific language regarding insect and rodent control.

Mr. Pozsgay stated structures or properties in which insect infestation or rodent harborage is found or suspected shall be promptly exterminated at the property owner's expense by a village-approved rodent abatement/control company.

Mr. Pozsgay stated all residential rental properties and multi-family properties shall be treated not less than on a monthly basis by a licensed rodent control company.

Mr. Pozsgay stated Community & Economic Development inspectors may issue correction notices for property maintenance and abatement. Mr. Pozsgay stated abatement may occur by Village and/or by court action if necessary.

Motion:

Trustee Lomax made a motion to adopt the ordinance as presented. Trustee Frey seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
54-2023:**

8. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 54-2023** entitled an **Ordinance Adopting the 2024 Annual Budget for the Village of Bensenville for the Fiscal Year Commencing January 1, 2024, and Ending December 31, 2024.**

Mr. Summers stated on October 30, 2023 the Village Board held a budget work shop to review the draft budget, discuss budget priorities, and provide input for the 2024 fiscal year.

Mr. Summers stated the Village President and Village Consultant have had numerous meetings with the Village Manager to implement the Board's input from the budget workshop.

Mr. Summers stated per the Budget Act 65 ILCS 5/8-2-9.1 under which the Village functions, the annual budget must be adopted before the commencement of the Fiscal Year. Mr. Summers stated as such, the 2024 Budget needs to be approved by the Village Board by December 31, 2024. Mr. Summers stated as part of this process the Village is required to hold a Public Hearing to take public comment on the proposed budget. Mr. Summers stated his Public Hearing is was held on December 12, 2024.

Mr. Summers stated this policy document establishes the framework for achieving the Strategic Plan and objectives established by the Village Board. Mr. Summers stated these strategic objectives are used to guide in the decision-making process at all levels of the organization.

Mr. Summers stated key highlights of the 2024 Annual Budget and Community Investment Program are:

- The General Fund has a balanced budget with revenues and expenditures both totaling \$21.5 million.
- The 2024 Budget is delivered without a property tax increase.
- The Community Investment Plan (CIP) Fund has \$18.4 million in capital projects expenditures programmed, including \$9.2 million for capital improvements to facilities, \$5.8 million in the rehabilitation of streets and roads, and \$3.1 million in storm water

system improvements. Included in the facility improvement total is the development of a Community Center for \$1.6 million.

- The Equipment Replacement Plan was expanded to include equipment for the Police, Public Works and Community and Economic Development departments and shows \$518,337 in expenditures for 2024.
- All funds show balanced budgets for operations, meaning that the total of operating expenditures and debt obligations is less than or equal to budget revenues within the funds.
- Capital expenditures have been included in Tax Increment Funding ("TIF") Areas 4 and 11 in the amounts of \$1.1 million and \$9.9 million, respectively. This marks a 255% increase in the use of funding from TIF areas to improve infrastructure in those areas.
- The Debt Fund includes an earmark for an early retirement of debt of \$4.0 million. Future present value savings from this early retirement are projected to be \$1.7 million.
- The Water and Sewer Utility Fund has an operation surplus of \$5.2 million, which is 3.2 % higher than the previous budget. Revenues included an increase in rates of 4.5% to partially offset an increase in expenditure due to a high inflation rate that exceeded 8%. The fund also programs \$4.9 million and \$3.0 million in capital and debt expenses, respectively, for 2024.

Motion: Trustee Panicola made a motion to adopt the ordinance as presented. Trustee Franz seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

Ordinance No.
55-2023:

9. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 55-2023** entitled an **Ordinance Adopting the 2023 Tax Levy for the Village of Bensenville, DuPage and Cook Counties, for the Fiscal Year Beginning January 1, 2023 and Ending December 31, 2023.**

Mr. Summers stated the 2023 Tax Levy Estimate was unanimously approved by the Board via Resolution on November 14, 2023.

Mr. Summers stated now the Board is being asked to approve the 2023 Tax Levy Ordinance, which is based on the approved 2023 Tax Levy Estimate. Mr. Summers stated the levies to be adopted are included on Exhibit I to the Tax Levy Ordinance.

Mr. Summers stated during the budget workshop, the Village Board was unanimous that they wanted a 0% tax increase over last year. Mr. Summers stated the proposed property tax levy ordinance is flat with a 0% increase.

Mr. Summers stated the Levy Ordinance needs to be filed with the respective Counties by the last Tuesday in December. Mr. Summers stated ss such, action on this Ordinance is requested at this time. Mr. Summers stated as a non-home rule community, the Village of Bensenville is subject to Illinois' Property Tax Extension Limitation Law (PTELL). Mr. Summers stated the PTELL (or Tax Cap) limits the maximum amount the Village can increase its levy from the prior year to the CPI or 5%, whichever is less. Mr. Summers stated for the 2023 levy, the PTELL levy increase for the Village is limited to 5%. Mr. Summers stated however, the Village is not increasing the levy over the 2022 amount.

Mr. Summers stated the Tax Levy Ordinance represents a 0% increase over the previous year.

Motion: Trustee Lomax made a motion to adopt the ordinance as presented. Trustee Frey seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

Ordinance No.
56-2023:

10. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 56-2023** entitled an **Ordinance Providing for the Issuance of General Obligation Refunding Bonds (Alternate Revenue Source), Series 2023 of the Village of Bensenville, Cook and DuPage Counties, Illinois, in an Aggregate Amount of Not to Exceed \$2,500,000.**

Mr. Summers stated The Village of Bensenville, operating as a duly organized municipality under the provisions of the Illinois Municipal Code of the State of Illinois, had previously issued General Obligation Bonds, Series 2013A and 2013E.

Mr. Summers stated:

- Using cash on hand, the Village intends to fully pay off the 2013E bonds - \$5,325,000
- By eliminating the 2013E bonds, the Village will eliminate the annual debt service and increase cashflow.
- The Village will refund the 2013A bonds at a lower rate.
- 2013A bonds are tied to an Special Service Area in the North Industrial TIF.
- Refinancing these bonds, taxpayers will see reduced property taxes.

Motion:

Trustee Panicola made a motion to adopt the ordinance as presented. Trustee Franz seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
57-2023:**

11. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 57-2023** entitled an **Ordinance Amending the Bensenville Village Code Title 3 - Chapter 3 - Liquor Regulations - Class E1 to Allow for the Issuance of a Liquor License to Cilantro Taco Grill Bensenville.**

Mr. Summers stated Section 3-3-5-E.3 of the Bensenville Village Code limits the number of Class E1 liquor licenses issued and outstanding at one time. Mr. Summers stated Class E1 licenses authorize the retail sale of liquor for consumption on the premise when food is offered. Mr. Summers stated Cilantro Taco Grill Bensenville has a tentative lease to occupy 1301 West Irving Park Road. This proposed location is seeking a Class E1 liquor license to operate as a restaurant.

Mr. Summers stated a background check was conducted on the applicant, Cuahutemoc Morfin with no results found.

Mr. Summers stated the current Village Code allows for no more than ten (10) Class E1 liquor licenses to be issued. Mr. Summers stated currently all ten licenses are issued to the following: Two Chef's, Bella Vista Banquets, Mamma Maria's, Stella's, Lucky Dogs, Marico's El Amigo – 3, Green Street Grille, Los Buenos Diaz Mexican Grill, Tacos Puebla and Taqueria El Toreo. Mr. Summers stated in order to issue a Class E1 liquor licenses to Cilantro Taco Grill., the Village Board would have to increase the number of total licenses from 10 to 11.

Motion: Trustee Perez made a motion to adopt the ordinance as presented. Trustee Carmona seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-140-2023:**

12. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-140-2023** entitled a **Resolution Approving an Extension of the Water Supply Contract Between the DuPage Water Commission and the City of Chicago.**

Mr. Summers stated in 1984 The DuPage Water Commission entered into a water supply contract with the City of Chicago to allow the commission to purchase Lake Michigan water from the City to the DuPage Water Commission's customers.

Mr. Summers stated the water supply contract will expire on March 19, 2024. Mr. Summers stated the Commission, unilaterally decided to extend the contract for a period of no less than 10 years but more than forty. Mr. Summers stated however, due to negotiations and proposed terms between the Commission and the City, the Commission believes that additional time before the expiration of the current contract.

Mr. Summers stated therefore, pursuant to Section 16, the Commission will exercise the option to extend the current contract with its original terms and conditions for a period of not less than 15 years and not more than 20 years.

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

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

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
58-2023:**

13. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 58-2023** entitled an **Ordinance of the Village of Bensenville, DuPage and Cook Counties, Illinois Establishing Regulations for Unscheduled Intercity Buses, and the Discharge of Passengers to Ensure the Health, Safety and Welfare of Residents and Visitors to the Village of Bensenville.**

Mr. Summers stated the Village President and Board of Trustees of the Village of Bensenville are charged with the responsibility of protecting the health, safety, and welfare of the residents.

Mr. Summers stated Corporate Authorities can adopt Ordinances, promulgate rules, and regulations or policies pertaining to its government and affairs.

Mr. Summers stated unscheduled intercity buses are attempting to stop unannounced at various times on different days and at multiple locations near and around the Village to unload dozens of passengers.

Mr. Summers stated the Corporate Authority have determined the importance of the need to set regulations to provide for unscheduled intercity buses will ensure that people are treated fairly and free from deceptive practices and deem the need to regulate unscheduled intercity buses as an essential element to protect and promote the public health, safety, and welfare of the residents of the Village of Bensenville.

Motion: Trustee Carmona made a motion to adopt the ordinance as presented. Trustee Franz seconded the motion.

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

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
59-2023:**

14. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 59-2023** entitled an **Ordinance Regarding the Illinois Paid Leave for All Workers Act for the Village of Bensenville.**

Human Resources Manager, Marisol Leyva stated on or about March 12, 2023, Governor JB Pritzker signed into law the Paid Leave for All Workers Act (PLAWA) which will be effective January 1, 2024.

Mrs. Leyva stated the State of Illinois did not make the necessary appropriations or include statutory language exempting the Act from the Illinois State Mandates Act.

Mrs. Leyva stated the Act requires an employer to provide certain paid leave to their employees, unless the employer is subject to an existing municipal or county ordinance that requires the employer to provide any form of paid leave to their employees.

Mrs. Leyva stated the Village recognizes the importance of paid leave and currently provides reasonable paid leave benefits to its employees. Mrs. Leyva stated however, the Village has determined that applying the Act to its own employees will negatively impact the Village and place an undue financial and operational burden on the Village's ability to provide uninterrupted services to its residents.

Mrs. Leyva stated therefore, the Village declares that it is in the best interests of the Village to clearly and independently define the paid leave benefits that Village employees shall receive.

Motion:

Trustee Panicola made a motion to adopt the ordinance as presented. Trustee Franz seconded the motion.

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-141-2023:**

15. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-141-2023** entitled a **Resolution Authorizing the Execution of a one (1) Year Contract with Best Quality Cleaning Inc. for Janitorial Services at the Village Hall in the Not-to-Exceed Amount of \$30,900.**

Mr. Summers stated historically, the Village Hall has been cleaned by a janitor employed directly with the Village for well over 15+ years. Mr. Summers stated recently, personnel notified management of his desire to retire. Mr. Summers stated upon his retirement, the Village Hall would be left without a structured cleaning service.

Mr. Summers stated Best Quality Cleaning has been providing cleaning services for the Police Department for over two years. Mr. Summers stated the level service has been found to be acceptable.

Mr. Summers stated since the Village Hall is under construction of a new Senior Center and major renovations, certain areas of the hall will not be cleaned. Mr. Summers stated the contract's Exhibit A identifies the phases of the cleaning services that will be performed for each corresponding phase.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-142-2023:**

16. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-142-2023** entitled a **Resolution Approving a Sales Agreement with Landscape Structures to Supply and Install New Playground Equipment at Redmond Park in the Amount of \$565,862.00.**

Director of Recreation, Sean Flynn, stated the Playground at Redmond Park was originally installed in 1997 and is budgeted for replacement in 2024. Mr. Flynn stated after months of viewing proposals, Village President DeSimone, Village Manager Summers and Director of Recreation Flynn brought the two options to Tioga School and WA Johnson School to solicit input from the students.

Mr. Flynn stated the overwhelming response was the option before you today.

Mr. Flynn stated using the Village's cooperative purchasing agreement with Sourcewell, the Village is able to save time, money, and valuable resources in capturing competitive solicitations that meet or exceed local and national requirements. Mr. Flynn stated this should allow us to complete this project by June 2024.

Mr. Flynn stated the current playground has reached its useful life and is creating complaints from residents who frequent the park. Mr. Flynn stated accepting this proposal will allow for groundbreaking to occur ASAP and have the new playground ready for the 2024 Summer Season.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-143-2023:**

17. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-143-2023** entitled a **Resolution Approving the Entry into a Sales Agreement with NuToys Leisure Products to Supply and Install PlayBound Poured in Place Surfacing at Redmond Park in the Amount of \$157,106.00.**

Mr. Flynn, stated the Playground at Redmond Park was originally installed in 1997 and is budgeted for replacement in 2024. Mr. Flynn stated after months of viewing proposals, Village President DeSimone, Village Manager Summers and Director of Recreation Flynn brought the two options to Tioga School and WA Johnson School to solicit input from the students.

Mr. Flynn stated the overwhelming response was the option before you today.

Mr. Flynn stated using the Village's cooperative purchasing agreement with Sourcewell, the Village is able to save time, money, and valuable resources in capturing competitive solicitations that meet or exceed local and national requirements. Mr. Flynn stated this should allow us to complete this project by June 2024.

Mr. Flynn stated the current playground has reached its useful life and is creating complaints from residents who frequent the park. Mr. Flynn stated accepting this proposal will allow for groundbreaking to occur ASAP and have the new playground ready for the 2024 Summer Season.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-144-2023:**

18. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-144-2023** entitled a **Resolution Approving the Entry into a Sales Agreement with KD Landscape to Demo and Remove Existing Playground Equipment and the Installation of New Stone Base and New Retaining Wall at Redmond Park in the Amount of \$107,653.00.**

Mr. Flynn, stated the Playground at Redmond Park was originally installed in 1997 and is budgeted for replacement in 2024. Mr. Flynn stated after months of viewing proposals, Village President DeSimone, Village Manager Summers and Director of Recreation Flynn brought the two options to Tioga School and WA Johnson School to solicit input from the students.

Mr. Flynn stated the overwhelming response was the option before you today.

Mr. Flynn stated using the Village's cooperative purchasing agreement with Sourcewell, the Village is able to save time, money, and valuable resources in capturing competitive solicitations that meet or exceed local and national requirements. Mr. Flynn stated this should allow us to complete this project by June 2024.

Mr. Flynn stated the current playground has reached its useful life and is creating complaints from residents who frequent the park. Mr. Flynn stated accepting this proposal will allow for groundbreaking to occur ASAP and have the new playground ready for the 2024 Summer Season.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-145-2023:**

19. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-145-2023** entitled a **Resolution Authorizing the Execution of Amendment No. 1 to the Contract with Tria Architecture for the Senior Center Construction Oversight Services in the Not-to-Exceed Amount of \$54,500 for a revised contract amount of \$94,500.**

Director of Public Works, Joe Caracci stated the original contractor, Empire Construction Company, went out of business in early June 2023. Mr. Caracci stated the project was in various states of active construction. Mr. Caracci stated the Village pulled the contractors bond and has been negotiating a tender agreement with the surety ever since.

Mr. Caracci stated the Village entered into a construction oversight contract with Tria Architecture in May 2023 (R-64-2023) in the amount of \$40,000 after realizing construction engineering was not part of the original design contract. Mr. Caracci stated this contract amount was to pay for services rendered from January 2023 through project completion anticipated in June 2023.

Mr. Caracci stated moving forward, additional construction oversight is necessary in order to:

1. Identify the remaining work to be completed based on where the original contractor left off.
2. Reconfigure new contract documents with the completion contractor to assure the proper scope of work and necessary protections are in place.
3. Oversee the completion contractor to make sure the work performed adheres to the specifications and that the completed project is delivered as expected.

Mr. Caracci stated Tria was asked to prepare a proposal for this remaining work. Mr. Caracci stated the cost to finish the project is \$54,500. It is expected that this cost would be reimbursed by the surety as it is work that otherwise would not have been required. (Article 5.2 of the Contract Bond)

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-146-2023:**

20. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-146-2023** entitled a **Resolution Authorizing the 2024 Approved Vendor List for Village Departments Utilizing Parts, Equipment, and Services.**

Mr. Caracci stated State Statute requires any purchase or project in excess of \$25,000 to be formally bid and approved by the governing body of the municipality. Mr. Caracci stated the Village's purchasing policy is more restrictive and limits purchases and bid at \$10,000.

Mr. Caracci stated the work requirements of Village departments routinely require the purchase of various products and equipment which do not meet the bid threshold set forth in the Village's Purchasing Policy individually, but may exceed the limit in aggregate. All purchases made, whether by bid or otherwise, are accomplished through issuance of standard purchase orders, which are reported individually on Village warrants, and collectively, at the end of each budget year.

Mr. Caracci stated although not required by law, staff started a practice of informing our elected officials of intent or likelihood of making purchases to any single vendor that may exceed our own \$10,000 threshold. Mr. Caracci stated purchases made are from a group of vendors which the Village has consistently acquired product and equipment from, and which have historically offered the lowest price.

Mr. Caracci stated the Village recognizes the purchasing relationship with the vendors set forth herein, and, further recognizes that the these vendors will be called upon on dates and times to provide products and equipment which individually need not be bid, but collectively, at the end of the year, the total annual payments made to these vendors may exceed the amount which would require a formal bid process.

Mr. Caracci stated Staff feels this is a best practice to continue.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-147-2023:**

21. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-147-2023** entitled a **Resolution Authorizing to Waive Competitive Bidding and Execute One Year Contract Extension with Lindahl Brothers, Inc. for Sand & Stone Delivery and Debris Hauling in the Not-to-Exceed Amount of \$74,000.**

Mr. Caracci stated as part of our Public Works Operations, the delivery of sand and stone for the purpose of utility digs, pavement restorations, and parkway restorations is critical. Mr. Caracci stated also, the removal of debris (spoils, concrete, asphalt, etc.) from our facility to a Clean Construction and Demolition Debris (CCDD) facility is required.

Mr. Caracci stated Lindahl Brothers, Inc. of Bensenville, Illinois has provided sand & stone delivery and municipal debris hauling services reliably since the fall of 2010.

Mr. Caracci stated because they are a local, reputable and reliable vendor, the Village opted to waive the competitive bidding process and negotiate directly with Lindahl, a local Bensenville business, for another one (1) year extension with an increase in 3.0% (tracking with 2024 CPI Index) in prices for tonnage and hauling.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-148-2023:**

22. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-148-2023** entitled a **Resolution Authorizing the Execution of a Purchase Order with Cargill for the Purchase of 720 Tons of Bulk Rock Salt in the Not-to-Exceed Amount of \$56,500.**

Mr. Caracci stated one of Public Works core functions is our snow and ice management program. Mr. Caracci stated keeping our streets safe during winter events is something the department takes considerable pride in. Mr. Caracci stated one of the key variables in a successful snow and ice management program is rock salt. Mr. Caracci stated in a typical winter, we utilize approximately 1,250 tons of salt.

Mr. Caracci stated the Village has taken a number of approaches in securing our rock salt purchases in the past - Mr. Caracci stated State bid, County bid, open market, and emergency contracts. Mr. Caracci stated over the years, the Village has elected to secure salt from two different sources (State of Illinois and DuPage County). Mr. Caracci stated this approach provided us the ability to go to two different sources in a difficult winter, when securing extra salt is very difficult. Mr. Caracci stated this approach usually leads to two different prices that also gives us the ability to take advantage of maximizing our lower contract and minimizing our higher contract.

Mr. Caracci stated the State of Illinois contract allows for an 80% minimum purchase (480 tons) and a maximum of 120% (720 tons). Mr. Caracci stated the cost for 2024 is **\$78.25 per ton** as provided by Cargill. Mr. Caracci stated our commitment is 600 tons which will keep our dome full through 2024 Season.

Mr. Caracci stated Staff also participates in the DuPage County Joint purchase, which will take place in Spring of 2024.

Mr. Caracci stated it is the intent of the Village purchase a combination from our two contracts that will yield the most salt for the least cost (based on need). Mr. Caracci stated we currently have approximately 1,500 tons in our salt dome.

Mr. Caracci stated Staff is requesting approval for the maximum quantity of salt (720 tons) at this time. Mr. Caracci stated any unused salt allowance will be returned to the general fund and used in future years. Mr. Caracci stated the cost of the maximum salt purchase is \$56,340

Mr. Caracci stated we anticipate using this Purchase Order at the end of the season to fill our dome. Mr. Caracci stated this will be a 2024 Purchase Order.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-149-2023:**

23. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-149-2023** entitled a **Resolution Authorizing the Execution of a One (1) Year Contract with Viking Chemical Corp. for the Purchase of Aluminum Sulfate in the Not-to-Exceed Amount of \$12,320.**

Mr. Caracci stated alum is the coagulant of choice for many industrial and sanitary wastewater treatment applications, due to its high efficiency, effectiveness in clarification, and utility as a sludge dewatering agent. The chemical leaves no residual color and it offers very good turbidity removal.

Mr. Caracci stated raw water often holds tiny, suspended particles that are very difficult for a filter to catch. Mr. Caracci stated alum causes them to clump together so that they can settle out of the water or be easily trapped by a filter.

Mr. Caracci stated controlling phosphorous discharged from municipal and industrial wastewater treatment plants is a key factor in preventing eutrophication of surface waters.

Mr. Caracci stated controlling and removing phosphorous is one of the main components and goals for the Village in order to comply with Village's Waste Water Permit.

Mr. Caracci stated Waste Water staff continues to test best methods in phosphorous removal.

Mr. Caracci stated the cost for 2024 is \$2.01 per gallon. The Village is estimating to buy 6,000 gallons.

Mr. Caracci stated initially, the bid asked for prices for two (2) years. Each of the Contractor submitted costs for 2024, however, due to volatility of the market it was deemed impossible to predict future costs. Mr. Caracci stated with Viking's low cost per gallon, the staff deems appropriate to move forward and award a one (1) year contract to Viking Chemical.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-150-2023:**

24. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-150-2023** entitled a **Resolution Authorizing the Execution of One (1) Year Contract with ASE Illini-Scapes Inc. for Turf Chemical Treatment Program in the Not-to-Exceed Amount of \$26,000.**

Mr. Caracci stated the Village contracts the turf chemical application of multiple Village properties. Mr. Caracci stated contracting this work is a cost-effective way to chemically treat various sites throughout the Village allowing the Village staff to focus on mulching, trimming, trash removal, brush collection, and maintenance of other Village property areas. Mr. Caracci stated the properties maintained by the turf chemical contractor are areas that need to be weed free and fertilized for the aesthetics of the Village.

Mr. Caracci stated this year's bid contains three (3) treatments a year and added crabgrass control applications.

Mr. Caracci stated ASE Illini-Scapes, Inc, as read and with bid tabulation is the lower bid and staff recommend awarding the contract to ASE.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-151-2023:**

25. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-151-2023** entitled a **Resolution Authorizing a Two (2) Year Contract with Central Tree & Landscape Mulch LLC for Tub Grinding Services in the Not-to-Exceed Amount of \$20,000.**

Mr. Caracci stated our Forestry Division performs many activities each year, including tree trimming, tree removal, and our free brush pickup program. Mr. Caracci stated these activities generate large amounts of shrubbery, brush, branches, and logs. Mr. Caracci stated these are compostable materials can be reinvested into the community as mulching material for project restorations as well as free mulch for residents and their gardening activities.

Mr. Caracci stated each winter, the Village hires a contractor to come out and tub grind our brush material to create mulch. Mr. Caracci stated this mulch is used to landscape our Village owned gardens, displays, and trees. Mr. Caracci stated we also provide a once-a-year free mulch delivery program that utilizes the mulch created through this process.

Mr. Caracci stated Central Tree submitted the lowest responsible bid in the amount of \$19,790.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-152-2023:**

26. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-152-2023** entitled a **Resolution Authorizing the Execution of a Purchase Order to Al Warren Oil Company, Inc. to Provide Fuel Tank Rental and Fleet Fueling Services in the Not-to-Exceed Amount of \$242,000.**

Mr. Caracci stated the Village purchases bulk fuel as a cost benefit to purchasing retail from local gas stations. Mr. Caracci stated purchasing is typically based of current OPIS (Oil Price Information Service) average rack pricing plus an overhead and delivery cost.

Mr. Caracci stated the Village utilizes two 2,500 gallon above ground storage tanks for our unleaded and road diesel fuel. Mr. Caracci stated the Village also recently installed an additional 2,500 gallon above ground storage tank for off-road diesel fuel to supply our two backup generators at the Wastewater Treatment Plant (WWTP). Mr. Caracci stated the Village prefers above ground tanks as underground tanks have the potential to leak causing need for costly and time-consuming mitigation of contaminated soils.

Mr. Caracci stated the Village uses fuel management software to track fuel use for budgeting and commodity control purposes. Mr. Caracci stated Police and Public Works are the largest department fuel users.

Mr. Caracci stated in 2012, the Village Board passed Resolution R-67-2012 authorizing a contract with Al Warren Oil Co., Inc. to provide the tanks and fuel services.

Mr. Caracci stated in 2015, the Village passed Resolution R-73-2015 authorizing a contract extension that included a month to month contract at a reduced rate of \$0.10 above the Chicago OPIS rack average rate. Mr. Caracci stated **for 2024, the price will be Chicago OPIS average plus \$0.10 (as it has been since 2015).**

Mr. Caracci stated Staff would like to continue to utilize Al Warren Oil for our fueling needs. They are very responsive to our fuel needs. Mr. Caracci stated changing suppliers would also require the change out of our three above ground storage tanks and management software; this essentially creates a "sole source" situation.

Mr. Caracci stated the Resolution amount reflects the exact budgeted amount in each division, and it all depends on how the fuel prices go up or go down in 2024.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-153-2023:**

27. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-153-2023** entitled a **Resolution Authorizing the Execution of a Purchase Order with T-Mobile for the GPS Tracking Services in the Not-To-Exceed Amount of \$14,000.**

Mr. Caracci stated the Village tracks select Village vehicles with GPS tracking. Mr. Caracci stated the Village started tracking activities like snow plowing, street sweeping, brush pickup and sewer cleaning with 30 Public Works and CED vehicles. Mr. Caracci stated in 2016, all Police vehicles were added to the system. Mr. Caracci stated to date, all Village-owned Public Works, Police and CED vehicles have GPS tracking.

Mr. Caracci stated vehicles can be monitored from a website in real-time. Activities such as speeding, leaving Village boundaries, idling, and locations can also be tracked by the software.

Mr. Caracci stated the Village has been utilizing Geotab Technology as provided by T-Mobile for the past six (6) years. Mr. Caracci stated Sync-Up monthly rate to monitor each vehicle is \$12.60.

Mr. Caracci stated currently, the Village monitors 90 vehicles. Mr. Caracci stated this number fluctuates as vehicles are purchased and sold. Mr. Caracci stated the rates are monthly and the Village can terminate the contract on any or all devices remotely.

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

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

NAYS: None

All were in favor. Motion carried.

Resolution No.
R-154-2023:

28. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-154-2023** entitled a **Resolution Authorizing the Execution of the PACE Paratransit Local Share Agreement for Participation in the 2024 Ride DuPage Program.**

Mr. Caracci stated the Ride DuPage Program is run in partnership with PACE through the Inter Agency Paratransit Coordinating Council (IAPCC) and offers 24-hour / 7-days per week service anywhere within the DuPage County boundary limits. Mr. Caracci stated rider fees are established by Ride DuPage and are \$2 base fee plus \$1 per mile. Mr. Caracci stated the Program is only offered to seniors and disabled individuals.

Mr. Caracci stated the benefits of Ride DuPage include:

- 24/7/365 service for seniors
- Full range of destinations throughout DuPage County rather than just Bensenville
- Increased reliability
- Efficiencies through government consolidation/partnerships
- Reduced administrative costs to the Village as PACE handles all dispatching and complaints
- Reduced subsidy required by the Village

Mr. Caracci stated in 2023, we had 252 clients registered in the Program. Mr. Caracci stated the average monthly cost has been around \$1,500 a month. Mr. Caracci stated as ridership changes, so do our monthly invoices. Staff feels comfortable with a \$25,000 budget for this program.

Motion:

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

ROLL CALL:

AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-155-2023:**

29. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-155-2023** entitled a **Resolution Authorizing the Execution of a GIS Consortium Service Provider Contract with Municipal GIS Partners, Inc. (MGP) for the 2024 Calendar Year in the Not-to-Exceed Amount of \$91,989.72.**

Mr. Caracci stated Geographic Information Systems (GIS) is a computer system designed to capture, store, manipulate, analyze, manage and present all types of geographical data. Mr. Caracci stated the Geographic Information System Consortium (GISC) model is a best practice initiative whereby multiple municipalities collaborate to outsource their GIS technology needs with a single private sector provider. Mr. Caracci stated this tradition continues through annual review by the board of directors. Mr. Caracci stated membership will provide the Village access to resources that otherwise would be cost-prohibitive for a community of our size. Mr. Caracci stated members apply their GIS investment to solutions and all intellectual property developed by the GISC belongs to its members.

Mr. Caracci stated in 2015, the Village joined 31 other Illinois communities that share resources and benefits. Mr. Caracci stated membership in the consortium greatly improves the Village record keeping and accurate information management. Mr. Caracci stated the Village has the ability to store and access related parcel data such as permits, maintenance records, plats, and ordinances. Informative exhibits and maps can be streamlined to better define projects.

Mr. Caracci stated currently, there are 41 member communities in Chicagoland.

Mr. Caracci stated member programs are continually evolving as new solutions emerge to address common challenges. Mr. Caracci stated the GIS Consortium provides an array of solutions that members can implement and add to standards, applications, training, and shared procurement. Mr. Caracci stated the Board routinely identifies opportunities where cost and operation efficiency can be improved by the organization. Mr. Caracci stated once these improvements are identified, the members cooperatively develop the solution.

Mr. Caracci stated although each community within the GIS Consortium is unique, many of their needs are similar. Mr. Caracci stated these common-denominator traits are where the GIS Consortium focuses its resources.

Mr. Caracci stated our GIS membership to the Consortium includes an on-site GIS Specialist at our facilities two days a week. Mr. Caracci stated behind the scenes development and management of our account is also included.

Mr. Caracci stated as a component of joining the GIS Consortium, the Village annually enters into a Service Provider Agreement with Municipal GIS Partners, Inc., a consultant providing Consortium members staffing and technical assistance. Mr. Caracci stated the cost for the contract this year is \$91,989.72. Details of the costs are attached.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-156-2023:**

30. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-156-2023** entitled a **Resolution Authorizing the Approval of a Professional Engineering Services Agreement with Christopher B. Burke Engineering, Ltd. of Rosemont, IL for the On-Call Potable Water Modeling in FY 2024 in the Not-to-Exceed Amount of \$19,900.**

Mr. Caracci stated providing safe, clean, reliable drinking water to the residents and businesses of Bensenville is a key function of the Village. Mr. Caracci stated one of the largest assets the Village owns and maintains is the Village's potable water distribution system. When making improvements to the distribution system, ensuring the viability of today's improvements meet the needs of the community for the next century is important. Mr. Caracci stated to successfully implement Capital Improvement Projects and to be able to support redevelopment within the Village, being able to model changes to our water distribution system is a key piece of the design puzzle.

Mr. Caracci stated the Village has previously constructed and owns a model of the Village's watermain completed during the design of the White Pines Watermain Improvements Project.

Mr. Caracci stated using a computer model of our water distribution system allowed us to properly size the new watermain, showing that we can meet the demand for water if there is a fire in any area of the project limits (known as fire flow). Mr. Caracci stated additionally, by evaluating this model for the Mohawk Terrace Redevelopment, we were able to tell the developer that we could not meet fire flow demands of their proposed buildings, allowing them to properly plan for their own fire suppression tank to be constructed to protect the new buildings.

Mr. Caracci stated Christopher B. Burke Engineering Ltd. (CBBEL) created our water model during the design of the White Pines Watermain Project in the mid-2010s. Mr. Caracci stated in 2021, CBBEL provided an update to the model which incorporated any changes to our system from capital improvement projects and evaluated the proposed water demand created by the Mohawk Terrace Development. Mr. Caracci stated as we enter 2024, the Village is being asked to provide fire suppression connections to our water system for two bridges of the Elgin O'Hare Western Access (EOWA) Project. Mr. Caracci stated one connection is proposed at the eastern Village limit at County Line Road, and the second is proposed for the I-390 and I-490 Interchange. Mr. Caracci stated due to the length of proposed bridges at these two locations, a standpipe system is being designed to protect the structures in case of fire on them. Mr. Caracci stated CBBEL will use the existing Village water supply distribution system computer model to simulate the proposed improvements. Mr. Caracci stated the Village will provide information related to the limits, types and anticipated demands of these improvements. Mr. Caracci stated CBBEL will prepare the appropriate exhibits that show the calculated static pressures and calculated fire flows within the water distribution system for both the existing conditions and proposed improvements. Mr. Caracci stated additionally, the Village reviews redevelopment projects and we need to accurately confirm that reliable water delivery can be accomplished. Mr. Caracci stated as the need to evaluate these types of improvements, CBBEL will be available "On-Call" with the Village being billed for work we request.

Mr. Caracci stated staff obtained a proposal from Christopher B. Burke Engineering Ltd. (CBBEL) to perform on call, as needed, Engineering Services for water modeling. Mr. Caracci stated since CBBEL has our current model and is familiar with the Village's system, it is most efficient and cost effective to have CBBEL perform this work. Mr. Caracci stated currently, the Village is aware of the need to model the proposed fire suppression requirement for the Tollway. CBBEL will provide these services on an "On-Call" basis, with the Village being billed only for work we request.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-157-2023:**

31. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-157-2023** entitled a **Resolution Authorizing Extension #1 of the 2022-2023 Contract with Suburban Laboratories Inc. for the 2024 Wastewater Sampling and Analysis Services in the Not-to-Exceed Amount of \$72,000.**

Mr. Caracci stated the Illinois Environmental Protection Agency (IEPA) requires the Village to conduct a series of tests and analysis in order to satisfy significant portions of the National Pollutant Discharge Elimination System (NPDES) and sludge permits. Mr. Caracci stated in order to discharge into Addison Creek, IPEA requires close monitoring of the effluent (treated industrial water) that is released onto surface water. Mr. Caracci stated the ultimate goal is to limit effluents as much as possible. Mr. Caracci stated such complex operation requires diligent testing, monitoring and analysis for pollutants & chemicals (such as chlorine residuals, dissolved oxygen, phosphorus, nitrogen, chloride etc.) Mr. Caracci stated a range of industries with the Village manufacture or use complex organic chemicals. Mr. Caracci stated these include pesticides, pharmaceuticals, paints and dyes, petrochemicals, detergents, plastics, paper pollution, etc. Mr. Caracci stated waste waters can be contaminated by feedstock materials, by-products, product material in soluble or particulate form, washing and cleaning agents, solvents and added value products such as plasticisers. Mr. Caracci stated it is crucial to monitor, limit and test for any and all pollutants entering our environmental system and this is where state certified laboratories play an important, legally required role.

Mr. Caracci stated in 2021, the Village entered into a two (2) year contract with Suburban Labs, with possibilities of Extensions. Mr. Caracci stated we are enacting extension #1 for 2024 that includes a 3% CPI increase (tracking for 2024)

Mr. Caracci stated Suburban Laboratories is a familiar vendor for the Village, and we look forward to extending our business with them.

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

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

NAYS: None

All were in favor. Motion carried.

**Ordinance No.
60-2023:**

32. President DeSimone gave the summarization of the action contemplated in **Ordinance No. 60-2023** entitled an **Ordinance Amending Ordinance Number O-9-2023 Regarding the Repayment of Funds for the Water Supply Pressure Adjusting Station Replacement Project.**

Mr. Caracci stated the Water Supply Pressure Adjusting Station, located at 130 N. Church Road, includes critical structures required to provide the Village's residents, businesses, and industries with water. Mr. Caracci stated the existing underground Pressure Adjusting Station system and other subgrade structures are in poor condition and in need of replacement at the end of their useful life.

Mr. Caracci stated Greeley and Hansen, LLC was hired by the Village to perform the detailed design of the Water Supply Pressure Adjusting Station Project. Mr. Caracci stated the project has been selected by the IEPA for inclusion in their FY24 public water supply loan program. Mr. Caracci stated the loan value is \$7,535,000 with the Village receiving \$1,650,000 in principal forgiveness. Mr. Caracci stated the loan rate is 1.36% and has a current term of 15 years. Mr. Caracci stated project plans and specifications have been submitted for permit.

Mr. Caracci stated the Village intends to utilize the IEPA Public Water Supply Loan Program to fund the project. Mr. Caracci stated there are many steps required in securing the loan, one of which is the passage of an Ordinance authorizing the Village to borrow funds from the Program.

Mr. Caracci stated the Village approved O-9-2023 on April 11, 2023 satisfying the Debt Ordinance requirement. Mr. Caracci stated within the Ordinance, funding source and length of loan have been modified in order to provide a better financial platform for the project.

Mr. Caracci stated revenues from TIF 12 will be used to pay for the project. The term has been reduced from 15 years to 10 years to better align with the length of the TIF district.

Mr. Caracci stated due to these changes, the IEPA has requested that we amend the Ordinance to document these changes.

Mr. Caracci stated the current overall cost of the project is estimated at \$8.9 million. Staff intends to apply for bypass funding with the IEPA in hopes of adding the shortfall to the loan. Mr. Caracci stated if not selected for bypass funding, there is sufficient funding within the TIF12 account to cover the shortfall.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-158-2023:**

33. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-158-2023** entitled a **Resolution Authorizing the Award of a Construction Contract for the Pressure Adjusting Station Replacement Project to Williams Brothers Construction, Inc. of Peoria Heights, IL in the Not-to-Exceed Amount of \$7,740,000, Contingent on IEPA Loan Approval.**

Mr. Caracci stated the Village owns and operates a primary Water Production/Distribution Facility located at 130 N Church Road. Mr. Caracci stated the Facility consists of a primary water supply Metering Station operated by the DuPage Water Commission (DWC) that supplies the Village's primary water supply Pressure Adjusting Station, which then supplies the Village distribution system, 1.8-million-gallon underground reservoir, pumping station, and 500,000-gallon elevated storage.

Mr. Caracci stated the reservoir, pumping station, elevated storage, and associated underground yard piping have been in service since 1959, with recent electrical improvements to the pumping station.

Mr. Caracci stated the DWC primary water supply metering station and Village primary water supply pressure adjusting station were constructed in the late 1980s to early 1990s and have been in-service since 1992 when the Village switched from well water sources to the DWC. Mr. Caracci stated the existing Pressure Adjusting Station is nearing the end of its useful life.

Mr. Caracci stated certain design features of the existing Pressure Adjusting Station are not ideal, including requiring confined space entry down a ladder to an underground vault where the existing valving and piping is located today. Mr. Caracci stated this makes servicing the existing Pressure Adjusting Station more difficult and more dangerous than ideal.

Mr. Caracci stated the scope of the proposed project includes a modern pressure adjusting station with above grade personnel and service access to the pressure relief valving, isolation valving, sensors, SCADA, and metering a reality. Mr. Caracci stated additionally, the replacement and reconfiguration of the facilities yard piping to incorporate the new Pressure Adjusting Station, to the limits of the distribution system connection, reservoir connection, pumping station connection, and elevated storage connection will be accomplished. Mr. Caracci stated the project will also incorporate the Pump House 175 KW Standby Generator supplied by natural gas and the Chemical Storage and Motorola Radio Buildings into the new Pressure Adjusting Station.

Mr. Caracci stated the Village has applied for a \$7,535,000 loan through the Illinois Environmental Protection Agency's (IEPA) Public Water Supply Loan Program (PWSLP) to cover construction and construction engineering costs. Mr. Caracci stated the Village has been notified that the project is anticipated to receive the requested funding along with up to \$1,650,000 in Disadvantaged Community Principal forgiveness. The debit service on the loan is anticipated to be funded by leverage funding from a flourishing TIF district.

Mr. Caracci stated advertisement for bids was published on September 6th, 2023. Mr. Caracci stated proposals were received and opened on October 17th, 2023. Mr. Caracci stated four (4) Addendums were issued and received by the Bidders.

Mr. Caracci stated proposals were received from three bidders:

- Williams Brothers Construction, Inc. \$7,740,000
- Boller Construction, Inc. \$8,430,400
- Joseph J. Henderson & Sons, Inc. \$8,606,100

Mr. Caracci stated the proposal of Williams Brothers Construction, Inc. is the apparent low responsive, responsible bid, and was within ten percent (10%) of the Engineer's Opinion of Probable Construction Cost, which was \$7,170,000. Mr. Caracci stated Greeley and Hansen reviewed the bids and found that Williams Brothers Construction, Inc.'s Bid was complete and included the required certifications, Bid Bond, and Qualification Statement.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-159-2023:**

34. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-159-2023** entitled a **Resolution Authorizing the Award of a Professional Engineering Services Agreement for Construction Engineering of the Pressure Adjusting Station Replacement Project to Greeley and Hansen, LLC in the Not-to-Exceed Amount of \$599,837, Contingent on IEPA Loan Approval.**

Mr. Caracci stated the Village owns and operates a primary Water Production/Distribution Facility located at 130 N Church Road. Mr. Caracci stated the Facility consists of a primary water supply Metering Station operated by the DuPage Water Commission (DWC) that supplies the Village's primary water supply Pressure Adjusting Station, which then supplies the Village distribution system, 1.8-million-gallon underground reservoir, pumping station, and 500,000-gallon elevated storage.

Mr. Caracci stated the reservoir, pumping station, elevated storage, and associated underground yard piping have been in service since 1959, with recent electrical improvements to the pumping station.

Mr. Caracci stated the DWC primary water supply metering station and Village primary water supply pressure adjusting station were constructed in the late 1980s to early 1990s and have been in-service since 1992 when the Village switched from well water sources to the DWC. Mr. Caracci stated the existing Pressure Adjusting Station is nearing the end of its useful life.

Mr. Caracci stated certain design features of the existing Pressure Adjusting Station are not ideal, including requiring confined space entry down a ladder to an underground vault where the existing valving and piping is located today. Mr. Caracci stated this makes servicing the existing Pressure Adjusting Station more difficult and more dangerous than ideal.

Mr. Caracci stated the scope of the proposed project includes a modern pressure adjusting station with above grade personnel and service access to the pressure relief valving, isolation valving, sensors, SCADA, and metering a reality. Mr. Caracci stated additionally, the replacement and reconfiguration of the facilities yard piping to incorporate the new Pressure Adjusting Station, to the limits of the distribution system connection, reservoir connection, pumping station connection, and elevated storage connection will be accomplished. Mr. Caracci stated the project will also incorporate the Pump House 175 KW Standby Generator supplied by natural gas and the Chemical Storage and Motorola Radio Buildings into the new Pressure Adjusting Station.

Mr. Caracci stated the Village has applied for a \$7,535,000 loan through the Illinois Environmental Protection Agency's (IEPA) Public Water Supply Loan Program (PWSLP) to cover construction and construction engineering costs. Mr. Caracci stated the Village has been notified that the project is anticipated to receive the requested funding along with up to \$1,650,000 in Disadvantaged Community Principal forgiveness. The debit service on the loan is anticipated to be funded by leverage funding from a flourishing TIF district.

Mr. Caracci stated in March of 2022, the Village advertised for and selected through a Qualification Based System (QBS) approach a list of engineering firms to provide design engineering services for the upcoming years. Mr. Caracci stated Greeley and Hansen, LLC is one of the short-listed firms to provide Water and Wastewater Design & Engineering services.

Mr. Caracci stated Greeley and Hansen bring forth an experienced project team that has successfully provided similar services to numerous Public Entities across the Chicagoland region. Mr. Caracci stated the proposed construction engineering scope includes project management, construction oversight, progress documentation, schedule reviews, progress meetings, record drawings, and project close out. Mr. Caracci stated Greeley and Hansen will be the on-site day-to-day managers on behalf of the Village.

Mr. Caracci stated after project scope and work effort negotiations with Greeley and Hansen, the proposed construction engineering fees for the project total \$599,837.00.

Mr. Caracci stated this not-to-exceed fee equates to 7.75% of the construction cost, which is \$7,740,000 for the project.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-160-2023:**

35. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-160-2023** entitled a **Resolution Authorizing Purchase Order to PremiStar for Ice Rink Compressor Rebuilds in the Not-to-Extend amount of \$37,200.**

Mr. Caracci stated there are three (3), 6-cylinder compressors at the Edge 2 rink on Jefferson St. Each of the two rinks needs only one compressor per rink to operate unless the temperature outside gets above 90-degrees F. Mr. Caracci stated these compressors operate or run 24x7x365 in order to maintain the 18-degree F temperature of the floor ice rinks. Mr. Caracci stated being mechanical, they require service to ensure they will continue to operate as they should. Mr. Caracci stated each of these compressors is required to have what is referred to as a top end rebuild after 6,000 hours of operation and a full rebuild after 12,000 hours of operation. Mr. Caracci stated currently one of these compressors requires a 12k rebuild and another a 6K rebuild.

Mr. Caracci stated there are two (2) 4-cylinder compressors at the John St ice rink and only one is required to operate to maintain the ice unless the temperature outside gets above 90-degree F. Mr. Caracci stated these compressors operate or run six (6) months out of the year 24x7x182 in order to maintain the 18-degree F temperature of the floor ice rink. Being mechanical, they require service to ensure they will continue to operate as they should. Mr. Caracci stated each of these compressors is required to have what is referred to as a top end rebuild after 6,000 hours of operation and a full rebuild after 12,000 hours of operation. Mr. Caracci stated currently one of these compressors requires a 12k rebuild.

Mr. Caracci stated proposal covers rebuild of the three compressors, two at the Edge 2 and one at John Street Ice Rink.

Mr. Caracci stated this is an ongoing mechanical preventative maintenance process to ensure compressor liability.

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

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

NAYS: None

All were in favor. Motion carried.

**Resolution No.
R-161-2023:**

36. President DeSimone gave the summarization of the action contemplated in **Resolution No. R-161-2023** entitled a **Resolution to Obtain Permits to Authorize the Village of Bensenville to Perform Work on State Highways.**

Mr. Caracci stated the Village of Bensenville owns and operates sanitary sewer, water, storm sewer, street lights, and enhanced landscaping on Illinois Route 83 and Illinois Route 19 (Irving Park Road) within the Village. Mr. Caracci stated when repair work is required on the various utility lines in the State highway, the Village is obligated to obtain a permit from the Illinois Department of Transportation. Mr. Caracci stated the permit authorizes the Village to do repair work and assures the State the proper practices are followed to repair the State roadways to the proper condition.

Mr. Caracci stated the State of Illinois requires parties excavating in State highways to post bonds or some form of surety to provide the necessary funds for the State in the event repairs are improperly completed and the State needs to undertake the restoration work. Mr. Caracci stated in the case of municipalities, the State offers an option of having the Village Board adopt a Resolution to obtain permits to perform work on State highways in lieu of providing a surety bond for each permit request. Mr. Caracci stated the Resolution provides the good faith and guarantee of the Village to perform the work required by the Illinois Department of Transportation for repair work on their highways. The Resolution is adopted and valid for a two-year period and will allow the Village to obtain the necessary permits for repair work without posting bonds on an individual repair project basis.

Mr. Caracci stated attached is a Resolution for Village Board consideration that would cover the years 2024 and 2025 for all utility excavations performed on State highways in Bensenville.

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Mr. Caracci stated this is a housekeeping item that keeps us in good standing with IDOT and minimizes the paperwork required to maintain our systems within State Highways.

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

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

NAYS: None

All were in favor. Motion carried.

**PRESIDENT'S
REMARKS:**

President DeSimone announced Grand Subaru and the Village will be giving away Turkeys on a first come, first serve basis on December 17th; full details can be found on the Village's website.

President DeSimone announced the annual Holiday Ice Show is set to take place on December 17th; full details can be found on the Village's website.

President DeSimone thanked all Village Residents, Village Board and Staff for their work in 2023 and stated exciting things are coming in 2024!

President DeSimone wished everyone a Happy Holiday!

**MANAGERS
REPORT:**

Village Manager, Evan Summers announced vehicle stickers are currently on sale and must be displayed by January 1, 2024.

Mr. Summers announced Village Hall Holiday Hours: Closed 12/23; 12/25; 12/26; 12/29; 12/30 and 1/2.

Mr. Summers wished everyone a Happy Holiday!

**VILLAGE ATTORNEY
REPORT:**

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

**UNFINISHED
BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:
EXECUTIVE**

There was no new business.

- SESSION:** Village Attorney, Joseph Montana, stated there was not a need for Executive Session.
- ADJOURNMENT:** Trustee Carmona made a motion to adjourn the meeting. Trustee Frey seconded the motion.
- ROLL CALL:** AYES: Carmona, Franz, Frey, Lomax, Panicola, Perez
- NAYS: None
- All were in favor. Motion carried.
- President DeSimone adjourned the meeting at 7:32 p.m.