



AGENDA ITEM #22

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
11/28/2022**

Item Title: **Lead Service Line Replacement Policy Discussion**

Staff Contact: Karen Young, Director of Public Works
 Kristin Mehl, Assistant Director of Public Works

NEW BUSINESS

VILLAGE BOARD ACTION:

Provide direction to staff regarding a Lead Service Line Replacement Policy.

Executive Summary:

Based on the direction provided by the Village Board at the November 14, 2022 meeting, staff has prepared a draft Lead Service Line Replacement Policy which is attached. The policy defines ownership and responsibility for replacement. Staff is seeking further direction on the below items to assist with the refinement of a finalized policy while also beginning conversations with the residents on Maple Avenue that will be impacted by the 2023 Watermain Replacement Program.

Incentives for Property Owners

As noted in the policy the Village understands the financial burden of the replacement of the private side service line to property owners and may elect to implement a Lead Service Line Replacement Incentive Policy. Staff evaluated several options for Village Board consideration below and will be prepared to provide more detail on each potential incentive concept during the November 28 Village Board meeting:

- **Zero Interest Loan** – Staff will need to engage with local banks to discuss loan options that reflect a direct relationship the Village.
- **Village Stipend** – ARPA funds could be made available for a one-time stipend for eligible residents. Any remaining balance may also be included into a conceptual loan program.
- **Special Service Area** – Based on the review with the attorney, this option is not feasible due to lack of proximity of the services in one location.
- **Future Grant Funding** – Should the Village receive grant funding the incentive program will need to be re-evaluated.

Maple Avenue Watermain Replacement Project Next Steps

Staff is seeking direction on engagement strategies with Maple Avenue residents prior to the start of the 2023 Watermain Replacement Program. Staff will be prepared to discuss the proposed engagement opportunities in more detail and a projected timeline during the November 28 Village Board meeting:

- Beginning communication with Maple Avenue residents
 - Develop survey to gage interest level in replacing private service line.
Potential scenarios:
 - Will replace utilizing Village contract
 - Will replace solely by homeowner
 - Will sign waiver for refusal of replacement
 - Will only do work if there is an incentive/reimbursement plan
- Public Meeting in January
 - Education of policy and individual parties' responsibilities
 - Incentive policy criteria feedback
- Report feedback to Village Board
 - Present draft Incentives/reimbursement plans
 - Receive Board direction
 - Implement project timeline and communication strategy

Implications:

Is this item budgeted? No.

Estimated cost: Up to \$3,600,000

Any other implications to be considered? N/A.

Strategic Priority:

Reliable Infrastructure

Attachments:

Presentation



LEAD SERVICE LINE REPLACEMENT POLICY DRAFT FOR REVIEW

Purpose

It shall be the policy of the Village of Roselle to replace lead service lines as required by the Illinois Lead Service Line Replacement and Notification Act from the Illinois Environmental Protection Agency (IEPA).

Definitions

- **Public Side Service Line:** The publicly owned portion of a water service is from the connection to the Village's watermain to the buffalo box, which is where the water can be shut off to a property.
- **Private Side Service Line:** The privately owned portion of a water service is from the buffalo box into the building or home up to the first valve or 18 inches, whichever is shorter. Beyond this point, the lines are considered the building's plumbing.
- **Full Lead Service Line:** Both the public side service line and private side service line are lead.
- **Partial Lead Service Line:** The private side service line is lead and the public side service line is not.

Village Initiated Replacements of Full Services

The Village may complete watermain replacement work or other improvements specifically to address the replacement of lead service lines. As part of this work, the cost of the replacement will be shared by the Village and the property owner.

- **Public Side Service Line:** The Village will at its sole expense, replace the public side portion of the service line and complete the necessary restoration.
- **Private Side Service Line:** The Property Owner, at their sole cost, shall replace the private side service line including any necessary interior or exterior restoration. The Village may elect to provide an incentive program to assist in the replacement costs as noted below. If the property owner does not wish to complete the private side service line replacement the waiver process discussed below will apply.

Village Initiated Replacements of Full Services with State or Federally Funding or Loans

The Village may attempt to secure outside funding for watermain replacement work or other improvements specifically to address the replacement of lead service lines which may utilize loans or funds from State or Federal sources. Based on requirement by the funding source utilized, the Village will, at its sole expense, replace the public side services. The Village will also, at its sole cost, replace the private side service line so long as the property owner executes the Temporary Construction Access Agreement.

Every effort will be made by the Village and its contractors to limit the disturbance to private property by using the least disruptive construction methods possible based on the existing conditions. Even while working cautiously, damage to private property will occur. The Village's policy on interior and exterior restoration are as described below.

- **Interior Restoration**
The extent of the restoration to be completed by the Village or its contractor inside existing buildings or houses, is the sealing of the foundation walls or floor slab around any new or modified penetrations. The Village will not be responsible for the restoration of any finishes including, but not limited to drywall, paint, and flooring. Repairs to finishes will be the sole responsibility of the property owner.

- **Exterior Restoration**

The extent of the restoration to be completed by the Village or its contractors on private property outside of buildings or houses shall be limited to:

- Repair of driveways or sidewalks removed or damaged during construction
- Installation of topsoil, grass seed and erosion control blanket on areas disturbed by construction

Village will not be responsible for restoration of any other items including, but not limited to porches, decks, bushes, shrubs, landscaping and fences. Repairs to or replacement of these items will be the sole responsibility of the property owner.

- **Temporary Construction Access Agreement**

For the Village or its contractors to complete work on the private side service line, the property owner must execute a Temporary Construction Access Agreement. This agreement will establish the responsibilities of the property owner, the Village, and its contractors. The agreement will cover items such as notification, restoration, hold harmless and indemnification. Prior to the start of construction, this agreement must be executed by all parties. If the property owner will not execute the agreement, work cannot be performed, and the waiver process discussed below will apply.

Property Owner Initiated Replacement

- **Full Lead Service Replacement**

If a property owner chooses to replace their full lead service prior to the Village's program, the costs associated with the replacement of both the public side service and private side service and all restoration will be the responsibility of the property owner. This includes replacement associated with new watermain taps for service. The Village may elect to provide an incentive program to assist in the replacement costs as noted below.

- **Partial Lead Service Replacement**

If the public side service line is not lead and a property owner chooses to replace their private side lead service, the costs associated with the replacement and all restoration will be the responsibility of the property owner. The Village may elect to provide an incentive program to assist in the replacement costs as noted below.

Waiver Process

If the Village is completing a lead service line replacement project, the IEPA has created an official process for property owners who do not wish to have the Village replace the private side service. This Waiver of Complete Lead Service Line Replacement must be signed by the property owner before the water can be turned back on to their property after the public side service is replaced.

- **Non-Responsive Property Owners**

If a property owner is non-responsive or refuses to sign the waiver, the Village is required to notify the Illinois Department of Public Health (IDPH) within 15 working days. Failure of a property owner to sign the waiver or to allow the Village to complete the private side service replacement may result in the water being shut off to the property per the requirements of the IDPH and the IEPA.

Incentives for Property Owners

The Village understands the financial burden of the replacement of the private side service line to property owners and may elect to implement a Lead Service Line Replacement Incentive Policy.