



**AGENDA ITEM #17**

**AGENDA ITEM EXECUTIVE SUMMARY  
Village Board Meeting  
2/27/2023**

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

**Staff Contact:**        Karen Young, Director of Public Works  
Tom Dahl, Director of Finance  
Kristin Mehl, Assistant Director of Public Works

NEW BUSINESS

**VILLAGE BOARD ACTION:**

Provide direction on the draft Lead Service Line Replacement Policy.
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**Executive Summary:**

Based on the direction provided by the Village Board at the November 14<sup>th</sup> and 28<sup>th</sup>, meetings, staff has prepared a Lead Service Line Replacement Policy which is attached. The policy defines ownership and responsibility for replacement.

**Maple Avenue Project Update**

Based on feedback from the Village Board, staff sent a survey to residents impacted by the Maple Avenue Watermain Improvements. The survey provided information on the project, lead service line requirements, the upcoming project meeting, and asked for feedback on their interest in utilizing the Village’s contractor to complete their private side lead service line replacement. The initial survey results showed that 11 of the 14 respondents were interested in utilizing the Village’s contractor to complete the work though many noted it would depend on the actual cost of the work.

The intent of allowing the residents to utilize the Village’s contractor is to allow them to get a good price while also getting quality work inspected as part of the Village’s project with the standard warranty of one year required on all Village work. The Village will bid out the 2023 Watermain Replacement Program to include a line item for private side lead service line replacement. This unit price would then be available for any resident that wished to utilize it. The work would be done at the same time as the Village’s watermain work and the replacement of the public side water service line which would eliminate the need for coordination with private contractors or the use of water filters.

On January 30, 2023, the Mayor and staff met with the residents impacted by the project to discuss the overall project scope, lead service line requirements and their options

moving forward. There were 8 of the 24 properties impacted represented at the meeting. Most of the feedback related to the unknown cost of the replacement of the private side service at this time and how work could be coordinated if they chose to go with a private contractor.

As discussed at the meeting, the first step in potentially using the Village's contractor is to set up a home assessment. The home assessments are completed by a member of the Village's engineering consultant, EEI, and a member of the Village's Water Division. The assessments look to verify pipe material, meter location in the home, and any potential challenges or hazardous materials (such as asbestos) that may be encountered during the replacement of the private side service. Having a home assessment completed does not mean that a resident is obligated to use the Village's contractor, it just means that they can if they choose to. Copies of home assessments can be provided to the property owners to help them in getting pricing from private contractors if they would like.

On February 13<sup>th</sup> and 16<sup>th</sup>, home assessments were completed on 19 of the 24 homes. Staff was not able to contact or set up assessments with the remaining 5 property owners despite multiple attempts. With the home assessments completed, staff and EEI will finalize the construction bid documents and the project will go out for bid. The anticipated schedule for the remainder of the project is as follows:

- Mid-March: Project will go out to bid
- Early April: Bid opening
- April 10 or April 24: Contract brought to the Village Board for approval
- Mid-April to Mid-May: Staff will work with residents to determine if they will use the Village's contractor for the private side replacement based on the bid prices.
  - If they choose to move forward, the following items must be completed:
    - Temporary Construction Easement Agreement
    - Financial Agreement
  - If they choose not to move forward, they must sign the IDPH Waiver form unless they will have the work completed prior to the start of the Village's project.
- Early June: Start of Construction
- Mid-July: Completion of watermain project including any private side lead service line replacements.
- Late-July to Mid-August: Maple Avenue resurfacing

### **Financial Offerings**

As part of the Policy, staff has evaluated financial considerations and payment arrangements that the Village Board may wish to incorporate into the Policy including:

- Waiving Village permit and tap on fees for any lead service line replacement
- 12-month, zero interest deferred payment through the Village
  - Equal monthly payments included on water bill
  - Lien placed against the property
  - Payment due in full at time property changes ownership
  - Only homeowners utilizing Village contractor are eligible
  - Only costs for the actual replacement of the service line from the b-box to the meter are eligible

- Failure to comply with payment arrangement will not result in water shut-off/red-tag process
- Staff spoke with Itasca Bank and Associated Bank, which both offered to provide below market rate loan options for homeowners.

**Implications:**

**Is this item budgeted?** N/A

**Estimated cost:** N/A

**Any other implications to be considered?** During the home assessments, 10 properties that were thought to have full lead service lines were identified as potentially having a copper private side service line which would not require replacement. To assist the residents and avoid delays during construction, Village staff will hydroexcavate at the b-box to determine if the copper service seen in the house goes all the way to the b-box. If this is the case, these residents will not have any work to do on their private side service line.

**Strategic Priority:**

Reliable Infrastructure

**Attachments:**

Lead Service Line Replacement Policy



## LEAD SERVICE LINE REPLACEMENT POLICY

### 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.

### **Financial Offerings for Property Owners**

The Village understands the replacement of the private side service line may create a financial burden for property owners. The Village may elect to make certain financial offerings and payment arrangements available to qualifying property owners.