



AGENDA ITEM #8E

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
3/27/2023**

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

CONSENT

VILLAGE BOARD ACTION:

Adopt a resolution approving the Village of Roselle Lead Service Line Replacement Policy.

Executive Summary:

Based on the direction provided by the Village Board at the November 14th and 28th, February 27th and March 13th meetings, staff has prepared a Lead Service Line Replacement Policy which is attached. The policy defines ownership and responsibility for replacement as well as financial offerings for property owners.

Staff recommends approval of this policy, which will be utilized as part of the Maple Avenue Watermain Replacement Project.

Implications:

Is this item budgeted? No. Financial offerings for property owners is not budgeted.

Estimated cost: N/A

Any other implications to be considered? Staff will evaluate the policy throughout the implementation of the Maple Avenue Watermain Improvement Project planned for 2023. In advance of any future Lead Service Line Replacement projects staff will bring this policy back with any recommended changes and as well as Village Board consideration of financial offerings for property owners for those projects.

Strategic Priority:

Reliable Infrastructure

Attachments:

Resolution

Lead Service Line Replacement Policy

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

RESOLUTION

NUMBER _____

**A RESOLUTION
APPROVING AND ESTABLISHING
A LEAD SERVICE LINE REPLACEMENT POLICY**

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 27th day of March, 2023

RESOLUTION NO. _____

**A RESOLUTION
APPROVING AND ESTABLISHING
A LEAD SERVICE LINE REPLACEMENT POLICY**

WHEREAS, the Village of Roselle (hereinafter referred to as the “Village”) is a municipal corporation organized pursuant to the laws of the State of Illinois possessing certain powers and perform certain functions pertaining to its local government and affairs as provided for by and through the Illinois Municipal Code and Illinois Statute;

WHEREAS, the Village has in full force and effect a codified set of ordinances which are of a general and permanent nature, which said codified set is known and designated as the Village Code of the Village of Roselle, as amended;

WHEREAS, the Village has the authority to adopt ordinances, policies and to promulgate rules and regulations that pertain to its government and affairs that protect the health, safety and welfare of its residents;

WHEREAS, the Village recognizes that there may be lead service lines within its water delivery system and desires to implement a policy relative to the replacement those lead service lines; and

WHEREAS, the Corporate Authorities of the Village of Roselle are of the opinion that that it is in the best interests of the safety, health and welfare of the residents to adopt the lead service line replacement policy as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Adoption of Lead Service Line Replacement Policy

The Corporate Authorities of the Village of Roselle hereby adopt a lead service line replacement policy which is set forth in Exhibit A which is attached hereto and made a part hereof.

Section Three - Codification

The title, chapter(s) and section(s) adopted by this resolution shall be numbered and placed in an appropriate title, chapter(s), and sections(s) sections when and during the codification of the Roselle Municipal Code if necessary.

Section Four - Conflict Clause

That all resolutions, parts of resolutions, board actions and/or policies in conflict with the terms of this resolution shall be repealed to the extent of said conflict.

Section Five - Constitutionality Clause

Any part or parts of this resolution declared by a court of law to be invalid or unconstitutional shall not affect the validity of the remaining provisions of this resolution.

Section Six - Passage Clause

That this resolution shall take full force and effect from and after its passage, approval and publication as provided by law.

Section Seven - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Eight - Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 27th day of March, 2023:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

STATE OF ILLINOIS)
) SS
 COUNTIES OF DUPAGE AND COOK)

CLERK’S CERTIFICATION

I, Amanda Hausman hereby certify that I am the duly appointed and qualified Village Clerk in and for the Village of Roselle, DuPage and Cook Counties, Illinois; that I am the keeper of the files, records, and seal of said Village, and that the following is a true and correct copy of Resolution No. _____

**A RESOLUTION
 APPROVING AND ESTABLISHING
 A LEAD SERVICE LINE REPLACEMENT POLICY**

adopted and approved by the Mayor and the Board of Trustees at an official meeting held on March 27, 2023 and that the vote on the motion for adoption was as follows:

	YES	NO	ABSENT	PRESENT
Bruce Berkshire				
Wayne D. Domke				
Cheryl Lenisa				
Tom Della Penna				
Tom Piorkowski				
Lee Trejo				
David Pileski				
TOTAL				

I do further certify that the deliberations of the Board on the adoption of said resolution were conducted openly, that the vote on the adoption of said resolution was taken openly, that said meeting was called and held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice, that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and with the provisions of the Village Code of the Village of Roselle, as amended, and that the Board has complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Board.

I further state that this Certification is issued under my hand and the seal of the Village of Roselle as required in the Illinois Compiled Statues 65 ILCS 5/1-2-4.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Corporate Seal of said Village of Roselle, DuPage and Cook Counties, Illinois on the date set forth herein.

 Amanda Hausman, Village Clerk

(SEAL)

Exhibit A

Lead Service Line Replacement Policy

DRAFT



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 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 invoiced separately from water bill
 - Lien placed against the property
 - Payment due in full at time property changes ownership
 - Failure to comply with payment arrangement will not result in water shut-off/red-tag process
 - 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
 - Additional financial arrangements through local banks such as Itasca Bank and Associated Bank



David Pileski *Mayor*
Amanda Hausman *Village Clerk*

MAPLE AVENUE LEAD SERVICE LINE GRANT ASSISTANCE PROGRAM

The intent of the Lead Service Line Replacement Grant program is to provide a grant for lead service line replacement for property owners who are at or below the Section 8 Poverty Level. All applications will go through an approval process before they are submitted for reimbursement.

The following Section 8 Poverty level income guidelines have been established by the DuPage Housing Authority.

One person household	\$36,500
Two person household	\$41,700
Three person household	\$46,900
Four person household	\$52,100

To qualify for the program, the total gross income of every member in the household will be taken into consideration. Income includes, wages, unemployment, workers compensation, disability benefits, pensions, social security, interest income, dividends and gains on investments and income on rental property. The total of all income will be used to determine the amount of the grant using the following scale.

% of Poverty Level	Amount of Grant
Up to 100%	50%
Up to 125%	40%
Up to 150%	30%
Up to 175%	20%
Up to 200%	10%
201% and higher	0%

All outstanding obligations with the Village will also need to be current prior to processing applications. This includes water/sewer bills, parking tickets, and any other outstanding debt due to the Village. Vehicle stickers must be purchased for each vehicle registered to your address.

All applicants must be a current resident of Roselle and reside within the Village at the time the application is approved.