

RESOLUTION NUMBER 34 -09

**A RESOLUTION AUTHORIZING THE EXECUTION OF THE
MEMORANDUM OF UNDERSTANDING BETWEEN
EAST DUNDEE AND WEST DUNDEE
REGARDING WASTE WATER**

WHEREAS, the Village of East Dundee is a home rule unit of local government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

WHEREAS, it is deemed necessary and desirable for the Village of East Dundee to execute the Memorandum of Understanding between East Dundee and West Dundee regarding additional waste water flows.

NOW THEREFORE BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:

Section One. That the Village of East Dundee adopts and approves and the Village President be and he is hereby authorized and directed to sign the Memorandum of Understanding between East Dundee and West Dundee regarding additional waste water flows, a copy of which Memorandum is attached hereto and made a part hereof.

Section Two. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

Section Three. Repeal. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution.

Section Four. Publication. This resolution shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 6th day of July, 2009, pursuant to a roll call vote as follows:

AYES: Trustee Gorman, Lynam, Cichowski, Miller, Van Ostenbridge & Pres Bartels

NAYES: Ø

ABSENT: Trustee Ruffalo

Approved by me this 6th day of July, 2009.

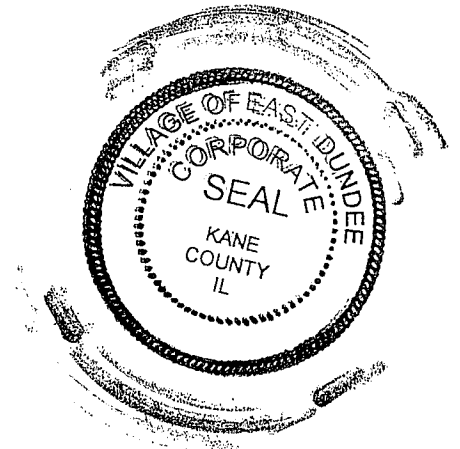
Jerald Bartels
JERALD BARTELS, Village President

Published in pamphlet form this 7th day of July, 2009, under the authority of the President and Board of Trustees.

ATTEST:

Heather Zipparo
HEATHER ZIPPARRO, Village Clerk

Recorded in the Village Records on July 7th, 2009.



Village of
West Dundee



June 16, 2009

Frank Koehler, Village Manager
Village of East Dundee
120 Barrington Avenue
East Dundee, IL 60118

RE: Memorandum of Understanding, Sewer Flows

Dear Frank:

Enclosed please find an executed copy of the Memorandum of Understanding between the Villages of East Dundee and West Dundee.

In addition, attached is a copy of a spreadsheet created by Village of West Dundee Finance Director, Dave Danielson.

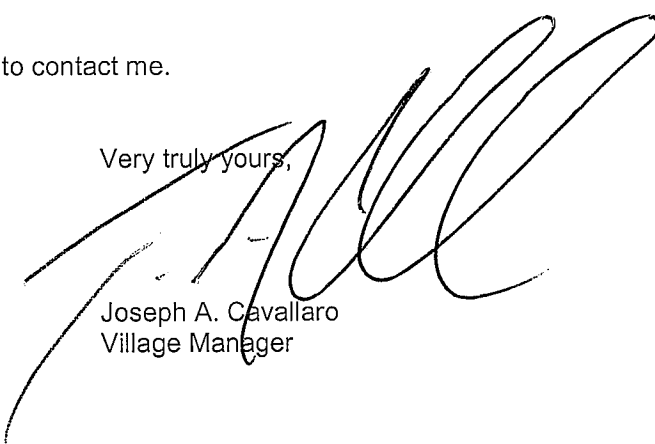
It is my understanding that the monthly sewer treatment charges will follow this formula:

The Village of West Dundee will remit a payment of \$12,500 each month which equals our \$150,000 annual payment. A credit of 2,976 wastewater units per month will be credited against the flow for that month.

The remaining actual flow sent to the Village of East Dundee, minus the 2,976 units per month credit, will be billed at a rate of \$.875.

Should you have any questions, please feel free to contact me.

Very truly yours,


Joseph A. Cavallaro
Village Manager

JAC:kt
Attachments (2)

CC: Director Danielson

VILLAGE HALL
102 South Second Street
West Dundee, IL 60118
847/551-3800
FAX 551-3809

PUBLIC SAFETY CENTER
555 South Eighth Street
West Dundee, IL 60118
Fire Dept. 847/551-3805 FAX 551-3814
Police Dept. 847/551-3810 FAX 551-3843

PUBLIC WORKS FACILITY
900 Angle Tarn
West Dundee, IL 60118
847/551-3815
FAX 551-3842

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE VILLAGE OF EAST DUNDEE AND THE VILLAGE OF WEST DUNDEE

1. The Village of East Dundee and the Village of West Dundee are entering into this Memorandum of Understanding with respect to the acceptance of additional flows at the East Dundee Waste Water Treatment Plant and the unit cost thereof.
2. The Village of East Dundee and the Village of West Dundee had previously entered into an agreement in January of 2003, with respect to construction and financing of a wastewater treatment plant in East Dundee, and the acceptance of sewer flows from the Village of West Dundee.
3. The Village of East Dundee is desirous of allowing for additional sewer flows from the Village of West Dundee. **Additional flows by this memorandum shall mean flows in excess of approximately 32,000 gallons per day which are included in the minimum use and service charge paragraph of the original agreement**
4. The Village of West Dundee shall, on or before May 1st, 2009, direct additional sewer flows to the Village of East Dundee Wastewater treatment plant.
5. These flows shall be not less than Five Hundred Thousand (500,000) gallons per day, nor more than Six hundred Thousand (600,000) gallons per day.
6. The cost for the treatment of these additional flows shall be two cents a gallon less than the rate as established by the Fox River Valley Water Reclamation District (FRWRD), which presently is at \$0.895 per 1,000 gallons.
7. The Village of West Dundee will maintain the additional flows for a twelve (12) month period from the date the additional flows began.
8. During the twelve (12) months of additional flows, the Village of East Dundee will analyze the impact the additional flows have on facility operations,
9. During the same twelve (12) month period, representatives from the two Villages shall meet not less than quarterly to discuss and review the operational impact of the additional flows.
10. At the end of the same twelve (12) month period, representatives from the two Villages shall meet to discuss the desirability of continuing the additional flows and determining the unit cost thereof.
11. This MOU is effective upon signatures of the designated representatives from the Village of East Dundee and from the Village of West Dundee.

For Village of East Dundee

By: James Burt
Name, Title

Date: 7/6/2009

For Village of West Dundee

By: Larry Akella
Name, Title Village President of West Dundee

Date: May 22, 2009

East Dundee Sewage Treatment Charges

Notes: Village of West Dundee to pay East Dundee minimum of \$150,000 per year

Contract year - January 01 - December 31

West Dundee to pay East Dundee \$12,500 monthly to meet the \$150,000 obligation
 Based on Sewer Treatment Charges for East Dundee of \$4.20 / 1,000 gallons for the \$150,000
 35,714 units x 4.20 = \$150,000 (2,976 / month)

Month	Payment (\$150,000 / 12)	E. Dundee Credit (4.20 / unit)	Actual Used	Usage Balance	Usage Owed	Amount Owed (.875/unit)	Total Owed for Month
January	\$12,500	2,976 units		0 2,976 units	0	0	\$12,500.00
February	\$12,500	2,976 units		0 5,952 units	0	0	\$12,500.00
March	\$12,500	2,976 units		0 8,928 units	0	0	\$12,500.00
April	\$12,500	2,976 units		0 11,904 units	0	0	\$12,500.00
May	\$12,500	2,976 units	19,001.80 units	14,880 units	4,121.80 units	\$3,606.57	\$16,106.57

