

WATER PROJECT DISPUTE

Pumping station, reservoirs to be built in Waukesha

New Berlin to pay \$2M under agreement approved Tuesday

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WAUKESHA — New Berlin has agreed to pay Waukesha \$2 million in exchange for the Waukesha Water Utility abandoning plans to construct a booster pumping station (BPS) and two 9-million-gallon reservoirs on a farm field at Racine Avenue and Swartz Road in Minooka Park.

Under an intergovernmental agreement unanimously approved Tuesday by aldermen in both cities, the utility would construct the reservoirs at a former Nike Missile site off East Broadway and Rempe Drive.

Waukesha acquired the 24.6-acre site from the federal government in 2013 with plans to turn the mostly wooded site into a park. According to the intergovernmental agreement, the utility began looking at the land as a potential home for the BPS and reservoirs late last year in attempt to resolve its dispute with New Berlin.

The site had reportedly been unavailable in 2017 when the initial site screening was done.

End to dispute

The tentative deal marks the end of a bitter dispute between the cities over the project, which came after homeowners living near the Minooka Park site began raising objections to the plan.

Although both cities have agreed to the deal, it can't be put into action until the state Public Service Commission approves the new site plan.

As long as that occurs by Dec. 1 of this year, that PSC approval would also trigger the end of the lawsuit Waukesha brought against

New Berlin.

Dan Duchniak, general manager for the Waukesha Water Utility, applauded the passage of the agreement on Tuesday night.

"Our goal with this agreement is to make sure that the residents of Waukesha ultimately have a safe drinking water supply by the court-ordered deadline," Duchniak said.

Waukesha Mayor Shawn Reilly said he was happy to see the dispute resolved.

"I think we reached an agreement that puts the (city of Waukesha) in the same position costwise as the prior site, and also gives us more certainty from a timing standpoint," Reilly said. "Waukesha is under a court order to be radium compliant by September 2023. With this agreement, which is contingent on PSC approval, Waukesha should now meet that timeline."

New Berlin Common Council President Ken Harenda, II, also praised the deal.

"The agreement benefits both parties, allowing the city of Waukesha to move forward with securing clean and safe drinking water from the city of Milwaukee while also protecting the city of New Berlin's comprehensive plan and the rural characteristic of its west side," Harenda said.

Other expenses, agreements

Although the \$2 million, which is slated to be paid out in three installments between 2021 and 2023, may seem like a windfall for

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Waukesha, it is expected to pay for a number of items related to moving the site to Missile Park.

In order to gain the right to use the Nike Missile site for a non-park use, the city had to show the federal government that there was land nearby that it could use instead for park purposes. Last month, the Parks, Recreation and Forestry Board learned that the city had been offered a 30-acre parcel of land immediately adjacent to Missile Park for \$500,000.

Although the move means the city won't be paying Waukesha County the \$223,000 for the Minooka

Park site, it will still face the cost of plans for both the Missile Park site and the new park parcel.

Other expenses baked into the deal include allowing New Berlin to connect with a fiber optic line Waukesha will be constructing as part of this project, as well as an agreement allowing New Berlin to connect to Waukesha's new water supply line. The connection, which still must be approved by the city of Milwaukee, would be able to provide New Berlin with an extra connection to Milwaukee's water supply in the event there is a problem with their existing supply line.

Asked about the cost of that connection on Tuesday, Duchniak said it likely wouldn't be more than a few

thousand dollars.

Private well protections

The agreement also provides protection to New Berlin well owners within 200 feet of the trench excavation for the BPS and reservoir site.

Under the deal, such residents who believe their wells have been adversely impacted by the project can be included in a free well-protection plan.

To be included in the plan, however, residents would have to let the city of Waukesha test the water in their respective wells at least 30 days before trench excavation. The plan allows for testing of concerned landowners' well water following trench excavation, as well as other allowances.