

Newburgh Town Council Meeting
March 24, 2010

The Newburgh Town Council met in Executive Session on Wednesday, March 24, 2010, at 4:30p.m. Those present were Anne Rust Aurand, Eric Ellsperman, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin. Mr. Kavanaugh was not in attendance. The purpose of the meeting was contract negotiations and was held in accordance with Indiana Code 5-14-1.5-6.

CALL TO ORDER

President Sherman called the Regular Session to order at 5:30p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council.

ROLL CALL

Those present at the Regular Session were Anne Rust Aurand, Eric Ellsperman, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin.

APPROVAL OF MINUTES

MOTION by Mr. Ellsperman to approve the March 10, 2010 minutes.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes, nays 0.

ROLL CALL

Ms. Sherman requested a roll call.

District One - Mr. Kavanaugh - not present

District Two - Mr. Ellsperman - present

District Three - Mr. Moore - present

District Four - Ms. Aurand - present

Council-at-Large - Ms. Sherman - present

Also present at the meeting were Clerk-Treasurer Becky Gentry, Town Manager Cynthia Burger, and Town Attorney Tom Bodkin.

COMMISSION REPORTS

AIR BOARD - Eric Ellsperman

No report.

FIRE - Alonzo Moore

No report.

PARK - Eric Ellsperman

The Park Board met on March 18, 2010, and approved new admission rates and guard pay rates for the 2010 pool season. Pool Manager interviews will be held on Tuesday, March 30, 2010.

IHOP will be open within the next two (2) weeks. Restrooms at the Fortress of Fun and the Lock and Dam are being painted.

PLAN - Anne Rust Aurand

The Plan Commission will meet on Monday, April 5, 2010, at 5:30p.m.

POLICE - Bill Kavanaugh

Chief Sprinkle reported that the department would be receiving five (5) licenses for the joint computer system with the Warrick County Sheriff's Department, not four (4) as he reported at the last meeting.

STREET - Alonzo Moore

Mr. Moore reported that the department received twenty-one (21) tons of salt. The crew cleaned the Rivertown Trailhead, hauled several loads of dirt from the Lock & Dam to the Water Street Overlook, and filled potholes around town. Utilities are being relocated for the Main, Plum, and Jennings intersection project.

UTILITY - Shari Sherman

No report.

STANDING COMMITTEES

FINANCE - Anne Rust Aurand

No report.

PERSONNEL - Bill Kavanaugh

No report.

SPECIAL BOARDS/COMMITTEE REPORTS

HISTORIC PRESERVATION - Anne Rust Aurand

The last meeting was held on March 11, 2010. The commission directed Mr. Hijuelos to write a letter to the property owner at 1001 State Street and state the property qualifies for demolition by neglect; however, this item remains on hold for legal review.

Preservation Week will be held the week of May 2 thru 8, 2010, with several events planned.

RIVERTOWN TRAIL - Eric Ellsperman

The pre-final for Phase I has been rescheduled until April 9, 2010.

SIDEWALKS - Anne Rust Aurand

The committee will meet on Wednesday, March 31, 2010 at 4:15p.m.

STORM WATER - Bill Kavanaugh

The board met on March 15, 2010. They are moving forward with the application process for the \$600,000.00 OCRA grant. The application deadline is October 1, 2010. If awarded, funds would be used for the west side drainage improvement project.

Mr. Hynes and Mr. Hijuelos will be meeting to discuss storm water issues at Sharon Road and State Street. They will also review the French Island Trail and Outer Gray property. Forest Park, Phase I and II improvement project, is on hold until the weather improves. Once AT&T moves utility lines, the Maple Lane project will begin.

CLERK-TREASURER - Becky Gentry

No report.

DIRECTOR OF PLANNING & DEVELOPMENT - Frank Hijuelos

Mr. Hijuelos will be meeting with Warrick County School Superintendent Brad Schneider to discuss paving the parking area at Kiwanis Community Park.

Kiwanis will also be addressing the sidewalk entrance of their building as it is not currently ADA accessible. Ms. Burger stated the Kiwanis is hopeful this could be an Eagle Scout project. The project is expected to be completed within the next year.

A request for demolition has been submitted for 409 E. Main. Since the house has no historic significance, and if there are no objections, by 4:00p.m. on March 25, 2010, a permit will be issued.

TOWN ATTORNEY - Tom Bodkin

The lawsuit (regarding 1001 State Street) that was filed against the Historic Preservation Commission has been dropped.

A request has been received from Allied Waste for the town to consent to the assignment of the contract from Allied Waste to Republic Services, Inc.

MOTION by Mr. Ellsperman to sign the consent to the assignment from Allied Waste to Republic Services, Inc.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 4, nays 0.

TOWN ENGINEER - David Hynes

No report.

TOWN MANAGER - Cynthia Burger

Ms. Burger corrected an error from the March 24, 2010, meeting, stating the correct option for the Bell Road intersection (convert the shared lane to a dedicated left turn lane) was option two (2), not option one (1).

The ALCOA grant application was mailed on Monday, March 22, 2010.

MOTION by Mr. Ellsperman to approve the purchase of weed killer and weed sterilizer, in an amount not to exceed \$1,000.00.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 4, nays 0.

Ms. Burger encouraged everyone to complete the 2010 census form as it is vital to the dollars that are assigned to the town.

UNFINISHED BUSINESS

None

NEW BUSINESS

1. Contract - Action Pest Control - 2010 Mosquito Spraying

MOTION by Mr. Ellsperman to approve the 2010 Mosquito Spraying Contract with Action Pest Control in an amount not to exceed \$9,765.00.

SECOND by Mr. Moore.

DISCUSSION: This represents a 5% increase over 2009.

MOTION carried ayes 4, nays 0.

2. Contract - 2010 Insurance Renewal

MOTION by Mr. Ellsperman to approve the contract with Cincinnati Insurance Co.

SECOND by Mr. Moore.

DISCUSSION: Ms. Burger stated the property will be insured with Cincinnati In. Co. in an estimated amount not to exceed \$69,558.00

MOTION carried ayes 4, nays 0.

MOTION by Ms. Aurand to approve the contract with Travelers Ins. Co. for general liability, public official liability, and automobile insurance in an amount not to exceed \$75,025.00.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 4, nays 0.

3. Pay Application #7 - WWTF Plant Expansion Project

MOTION by Mr. Ellsperman to approve Pay Application #7 payable to Reynolds, Inc. in the following amount:

TOTAL - \$458,405.92

ESCROW - \$22,920.30

CONTRACTOR - \$435,485.62

SECOND by Mr. Moore.

DISCUSSION: Mr. Hynes stated the contractor has requested additional days due to inclement weather.

MOTION carried ayes 4, nays 0.

4. Republic Companies, Inc. - IN-American Water Line Project

Bruce Biggerstaff appeared before the board to answer any questions regarding the installation of water lines. He stated the Main Street project should be complete by April 30, 2010. Darby Hills is expected to be finished by the end of May, 2010.

5. Ragle Inc. - Rivertown Trail, Phase IIA & IIB

Jason Ragle stated French Island Trail will be closed, east of Belle Rive to west of Orchard Lane, for construction of the trail between April 5, 2010, and July 3, 2010. Because of the amount of materials at the sight, and the equipment needed, the closure is necessary in order to drill the borings. Chief Sprinkle stated the closure was necessary, in part, to ensure the safety of the construction workers.

MOTION by Mr. Ellsperman to close French Island Trail (east of Belle Rive to west of Orchard Lane) beginning April 5, 2010, until July 3, 2010, for the construction of Phase II of the Rivertown Trail.

SECOND by Mr. Moore.

DISCUSSION: A detour route has been established and will be posted. The route will be mailed to effected property owners.

Ragle will incur any addition expenses for the detour signs. Bob Bullard, R.W. Armstrong, stated that the east bound lane will be closed for the duration of the project.

Ms. Aurand inquired about various markings. Jason Ragle clarified that the stakes with the orange tags indicate construction/clearing limits, not right-of-way signage. Trees and vegetation marked with orange paint will be removed. Trees and vegetation marked with a "circle" will not be removed. The new center line of the road will be offset 15' to 20' from the pink markings on the road.

Chief Sprinkle recommended signage for farm traffic. Mr. Ragle stated signage will be provided that will direct farm truck and other truck traffic to use the Hwy. 66 detour route. Mr. Bodkin suggested the Warrick County Commissioners, Warrick County School Corporation, emergency vehicles, ALCOA, and grain operations be notified of the detour route. Ms. Burger and Mr. Ragle will notify the appropriate entities.

MOTION carried ayes 3, nays 1 (Aurand).

6. Pay Application #4 - Colonial Hills Lift Station Project

MOTION by Mr. Ellsperman to approve Pay Application #4, payable to BMB, Inc., for the Colonial Hills Lift Station project in the amount of \$27,313.57 (\$13,65.68 to escrow and \$25,947.89 to the contractor).

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 4, nays 0.

7. Contractor Owner Agreement for Rivertown Trail Contract - 18" Relief Sewer Force Main

Mr. Hynes stated this short section of force main needs to be installed so it doesn't conflict with the trail project. Two (2) contractors responded to the quote that was solicited., with Deig Bros. submitting the low quote. A pre-construction meeting will be held on March 25, 2010. Mr. Hynes said it was imperative to complete this work as soon as possible due to the Rivertown Trail construction and that a road closure would be necessary.

MOTION by Mr. Ellsperman to approve the Notice of Award to Deig Bros. in the amount of \$46,464.00.

SECOND by Mr. Moore.

DISCUSSION: None
MOTION carried ayes 3, nays 1 (Aurand).

MOTION by Mr. Ellsperman to approve the contract between the Town of Newburgh and Deig Bros. in the amount of \$46,464.00. The contract will be complete within thirty (30) consecutive calendar days from date of the Notice to Proceed, then an additional thirty (30) days after it reaches substantial completion to finish all the work.

SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried ayes 3, nays 1 (Aurand).

MOTION Mr. Ellsperman to issue the Notice to Proceed to Deig Bros.
SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried ayes 3, nays 1 (Aurand).

MOTION by Mr. Ellsperman to approve a two (2) day road closure (French Island Trail) necessary to complete the above mentioned work. The road closure will take place sometime within the next two (2) weeks.

SECOND by Mr. Moore.
DISCUSSION: None
MOTION carried ayes 3, nays 1 (Aurand).

MISCELLANEOUS BUSINESS

Ms. Aurand stated she believed it was huge mistake to continue with the trail in the present manner. She stated it was a safety hazard for the construction workers and will also prove to be a safety hazard for walkers, bikers, and drivers.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Jim Ray, Commonwealth Engineers, Inc., stated the VU tank, equalization tank, sludge treatment tank at the north end of the project (Wastewater Treatment Plant Expansion Project) are underway.

APPROVAL OF CLAIMS

MOTION by Mr. Moore that all claims, including any sewer adjustments, be paid in the following amounts:

Civil Town - \$108,668.88
Sewer - \$445,038.44

SECOND by Mr. Ellsperman.
DISCUSSION: None
MOTION carried ayes 5, nays 0.

ADJOURNMENT

MOTION by Mr. Ellsperman to adjourn.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried ayes 4, nays 0.

APPROVED this 14th day of April, 2010.

Newburgh Town Council

Shari Sheeran
President

ATTEST:

Rebecca J. Gentry
Clerk-Treasurer