

August 8, 2007
Newburgh Town Council Meeting

The Newburgh Town Council met in Executive Session on Wednesday, August 8, 2007, at 4:40p.m. Those present were Anne Rust Aurand, Eric Ellsperman, Bill Kavanaugh, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin. The purpose of the meeting was discussion of personnel issues and contract negotiations and was held in accordance with Indiana Code 5-14-1.5-6.

CALL TO ORDER

President Kavanaugh called the meeting to order at 5:45p.m.

PLEDGE OF ALLEGIANCE

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

A moment of silence was observed for Randall Sanders.

ROLL CALL

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

APPROVAL OF MINUTES

I. July 25, 2007

MOTION by Ms. Sherman to approve the July 25, 2007, minutes, as submitted.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

COMMISSION REPORTS

AIR BOARD - Eric Ellsperman

No report.

FIRE - Alonzo Moore

See attached report.

PLAN - Anne Rust Aurand

No report.

PARK - Eric Ellsperman

The pool closed for the season today, August 8, 2007. Discussion was held regarding extending the pool season through Labor Day, possibly in the evening and on the weekends. Mr. Ellsperman stated a study was done several years ago that showed extending the season was cost prohibitive. The Council discussed the possibility of constructing a water park at the batting cage location (as it is no longer in use).

MOTION by Ms. Sherman that sewer construction permits be valid for three (3) years from the date the contract is approved by the Newburgh Town Council.

SECOND by Mr. Ellsperman.

DISCUSSION: This provision would allow the contracts and permits to run concurrently.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman that, as a part of the sanitary sewer contract, once the contracting party has received the official certificate of substantial completion, the contractor has ninety (90) days to complete the punch list and submit all necessary documentation for the Town to take ownership of the sanitary sewer system. On the ninety first (91st) day, no more taps will be sold in that development until all necessary documentation is received.

SECOND by Mr. Moore.

DISCUSSION: This provides leverage to get the work completed.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to amend Figure 5-9C (entitled "Typical Grease Trap") of the Newburgh Sanitary Sewer Design and Construction Standards to include the Note: "All buried exterior tank surfaces shall be coated with 10 mil. thickness coal tar epoxy."

SECOND by Mr. Moore.

DISCUSSION: This revision clarifies what is meant by "waterproofing."

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to revise page 2-15 and page 12-22 (entitled "Town of Newburgh, Grease Trap Inspection Form") in the Newburgh Sanitary Sewer Design and Construction Standards to reflect twelve (12) inches instead of six (6) inches.

SECOND by Mr. Moore.

DISCUSSION: This is a revision to correct an error on the form.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to purchase three (3) ArcView concurrent use licenses from Environmental Systems Research Institute, Inc. in an amount not to exceed \$7,800.00.

SECOND by Mr. Moore.

DISCUSSION: This software is necessary to view and perform minor edits to the interactive collection system mapping.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to purchase from Ruxer Ford one (1) 2008 F350 pickup truck at the state bid not to exceed \$17,400.00 and one (1) 2008 F350 4x4 extended cab pickup truck at the state bid not to exceed \$23,300.00.

SECOND by Mr. Moore.

DISCUSSION: These vehicles would replace a 1985 Chevy pickup and a 1989 Chevy pickup. These vehicles will be surplus and taken to the auto auction.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve permit no. 2005-1 for Grimm Road Commercial Subdivision.

SECOND by Mr. Moore.

DISCUSSION: This parcel is at the corner of Hwy. 66 and Grimm Road.

MOTION carried ayes 5, nays 0.

STREET - Alonzo Moore

The crew has been painting the guard rails at French Island Trail and west of the Pet Food Center and hauling dirt from the Knob Hill retention pond. A twenty-four hour weed notice has been placed on Hillcrest and Law Drive. Both of these properties have tall grass and weeds.

FINANCE - Anne Rust Aurand

The committee has met two (2) times to review the proposed budget for 2008.

PERSONNEL - Bill Kavanaugh

Two (2) new employees will begin on August 6, 2007.

SPECIAL BOARDS/COMMITTEE REPORTS

ARTS PAVILION - Eric Ellsperman

No report.

HISTORIC PRESERVATION - Alonzo Moore

Mr. Hijuelos stated a house located in the historic district will soon be auctioned. The auctioneer has been made aware of the historic designation and has been encouraged to inform potential buyers of the requirements associated with an historic home.

RIVERTOWN TRAIL - Eric Ellsperman

American Structurepoint received a review notice from Evansville MPO regarding Phase I of the trail and bridge. The letter stated that all concerns have been mitigated. Green3 and American Structurepoint will be meeting in August to review the current plans for the project. A tentative meeting is scheduled for August 30 to conduct a Section 106 environmental hearing.

STORM WATER - Anne Rust Aurand

A special meeting was held to review plans for the Kiwanis building. The plans were sent back to Bill Bevins in order for three (3) specific items to be addressed. Today, Commonwealth Engineers submitted a letter stating the most recent drainage plans submitted "provide the minimum information requested by the board." Mr. Hijuelos stated a construction permit can now be issued. Groundbreaking for the project will be held on Thursday, August 9, 2007, at 5:15p.m.

TOWN HALL - Anne Rust Aurand

The Hard Hat Open House was a success with approximately ninety-five (95) in attendance.

Ms. Aurand provided an update on the progress at Cumberland Presbyterian Church (see attached).

VETERANS MONUMENT - Shari Sherman

Ms. Sherman stated the committee is hopeful to open bids on September 12, 2007.

CLERK-TREASURER - Becky Gentry

No report.

ZONING ADMINISTRATOR - Frank Hijuelos

No report.

TOWN ATTORNEY - Tom Bodkin

Mr. Bodkin stated the tax rate for the Town of Newburgh is .3365 per \$100.00. He also reported that the Ohio Township Assessor did "trend" commercial properties.

Recommended criteria for "selling water" in the Town of Newburgh will be available at the August 22, 2007, meeting.

Mr. Bodkin anticipates resolution in the Pressley lawsuit as it is pending before the court on a summary judgment motion.

The attorney in the Tang lawsuit has been notified that the sewer lines located in Quail Crossing do not belong to the Town of Newburgh and therefore, the Town should not be listed in the lawsuit. Ms. Aurand questioned whether there were provisions to recoup attorney fees.

TOWN ENGINEER - David Hynes

Discussion was held regarding the guard rail on Jefferson Street. Mr. Hynes said the estimate would run between \$5,000.00 and \$7,000.00, depending on whether the contractor was in the area.

MOTION by Mr. Moore to proceed with obtaining quotes for the guard rail on the west side of Jefferson from Darby Hills to First on Jefferson.

SECOND by Ms. Aurand.

DISCUSSION: Mr. Hynes stated the guard rail would cover the entire ravine (approximately 150'). The bid for the guard rail could be incorporated with the paving bids. Sidewalks could be added without relocating the guard rail.

MOTION carried ayes 5, nays 0.

Mr. Hynes distributed the engineer's paving estimate (see attached).

MOTION by Ms. Sherman to obtain quotes for paving for all priority 1's plus Carole Place.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

TOWN ADMINISTRATIVE MANAGER - Cynthia Burger

Ms. Burger provided Health Resources, Inc. (employee dental insurance) options starting October 1, 2007.

MOTION by Ms. Sherman to elect Health Resources plan 406030-52.
SECOND by Mr. Ellsperman.
DISCUSSION: This plan reflects a 3% increase over the current rates.
MOTION carried ayes 5, nays 0.

An updated street inventory was submitted in December 2006, increasing mileage from 14.48 to 23.24 for the town. This increase in mileage will generate additional MVH dollars.

Ms. Burger reported that the Plum, Jennings, and Main realignment project is ready for land acquisition. INDOT representative Brian Malone continues to work on the original terms of the agreement that stipulates INDOT would pay for 100% of the construction.

The summer newsletter will be mailed during the week of August 20th.

UNFINISHED BUSINESS

1. Resolution 2007-7 - EDIT Bond...tabled May 23, 2007

MOTION Ms. Sherman to remove from table.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to withdraw Resolution 2007-7.

SECOND by Mr. Moore.

DISCUSSION: Mr. Bodkin explained that there was no need to move forward with the bond until grant information was released (for the lock master houses). Additionally, the pool was repaired for much less than initially anticipated earlier this summer.

MOTION carried ayes 5, nays 0.

2. Time & Materials Bid...taken under advisement on July 25, 2007

MOTION by Ms. Sherman to issues the Notice of Award to Stemaly Excavating in the amount of \$159,202.80.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. HNI Request for Additional Funding in 2008...taken under advisement on July 25, 2007

Ms. Aurand stated funds were placed in the proposed 2008 budget. The adoption of the budget is scheduled for September 26, 2007.

4. Ordinance 2007-05 - Regulating the Use of Consumer Fireworks...docketed July 25, 2007

To be continued until September 12, 2007.

NEW BUSINESS

1. Acceptance of Sanitary Sewers - Jacobsville Development

MOTION by Ms. Sherman to accept the Jacobsville Development sanitary sewers for maintenance in the amount of \$60,310.00.

SECOND by Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

2. Acceptance of Sanitary Sewers – River Ridge IV B

MOTION by Ms. Sherman to accept the River Ridge IV B sanitary sewers for maintenance in the amount \$41,100.00.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Acceptance of Sanitary Sewers – Steele/SR 662

MOTION by Ms. Sherman to accept the Steele/SR 662 sanitary sewers for maintenance in the amount of \$17,925.00.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

4. Agreement & Notice to Proceed – Bellmoore Landing Offsite Sewer

MOTION by Ms. Sherman to accept the B.M.B., Inc. agreement and issue the Notice to Proceed to for the Bellmoore Landing Offsite Sewer.

SECOND by Mr. Moore.

DISCUSSION: Mr. Bodkin stated this sewer needed to be in place in order for Bellmoore Landing sewers to be connected. Discussion was held regarding potential crop damage due to the timing of the project. It was understood that the Notice to Proceed would be issued as soon as possible.

MOTION carried ayes 5, nays 0.

5. Release of Retainage – French Island Trail

MOTION by Ms. Sherman to approve payment to Blankenberger Bros. change order deduct for the French Island Trail project in the amount of \$15,182.05.

SECOND by Mr. Ellsperman.

DISCUSSION: The original contract was in the amount of \$109,399. The new amount for the project is \$94,216.95.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to release retainage in the amount of \$4,710.86.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

6. Pay Application No. 2 & Partial Release of Retainage for Bartlett Drive Sanitary Sewer

MOTION by Ms. Sherman to approve Blankenberger Bros., Inc. change order no. 1 (increase) in the amount of \$18,661.60.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve pay application no. 2 in the amount of \$17,728.52 to Blankenberger Bros., Inc. for the Bartlett Drive Sanitary Sewer project.

SECOND by Mr. Moore.

DISCUSSION: Retainage is in the amount of \$933.08.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to suspend the rules to consider the SR 66 pay application.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve pay application no. 2 payable to B.M.B., Inc. in the amount of \$66,864.35.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

7. Renewal of Sewer Agreement - Wyngate B

MOTION by Ms. Sherman to approve the renewed sewer agreement for Wyngate B.

SECOND by Mr. Moore.

DISCUSSION: This document will extend the existing agreement.

MOTION carried ayes 5, nays 0.

7. Engagement Agreement - Mark W. Cooper

MOTION by Ms. Sherman to approve the engagement agreement with Mark W. Cooper for legal services regarding the IURC.

SECOND by Mr. Ellsperman.

DISCUSSION: The Town of Chandler filed a conflict of interest which would disqualify Mr. Bodkin from representing the Town of Newburgh. Since this would delay the matter, Mr. Bodkin recommended that Mr. Cooper be hired. Mr. Cooper, an Indianapolis attorney, is a former administrative law judge at the IURC and past public councilor at the IURC.

MOTION carried ayes 5, nays 0.

8. Encroachment Agreement - 6010 Mayfield Court

MOTION by Ms. Sherman to approve the encroachment agreement at 6010 Mayfield Court.

SECOND by Mr. Ellsperman.

DISCUSSION: This would allow a fence to be constructed on the sewer easement.

MOTION carried ayes 5, nays 0.

9. Encroachment Agreement - 4531 Marble Court

MOTION by Ms. Sherman to approve the encroachment agreement at 4531 Marble Court.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

10. Declaration of Covenant - Abundant Life Assembly of God, Inc.

MOTION by Ms. Sherman to approve the Declaration of Covenant with Abundant Life Assembly of God, Inc.

SECOND by Ms. Aurand.

DISCUSSION: This agreement will allow the church to tap into the existing line; however, if the property is sold or subdivided, a new tap will be necessary.

MOTION carried ayes 5, nays 0.

11. Quotes - Lock & Dam Wall

Two (2) quotes were received for the replacement of "Shirley's Wall, the northern section of the Lock & Dam wall. The quotes were as follows:

Redi-Rock - \$37,120.00

Republic Companies, Inc. - \$31,545.00

MOTION by Ms. Sherman to take the quotes under advisement.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MISCELLANEOUS BUSINESS

The Kiwanis Field ground breaking will be held on Thursday, August 9, 2007, at 5:15p.m.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

None

APPROVAL OF CLAIMS

MOTION by Ms. Aurand that all claims, including any sewer adjustments, be paid.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

ADJOURNMENT

MOTION by Ms. Sherman to adjourn.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

APPROVED this _____ day of _____, 2007.

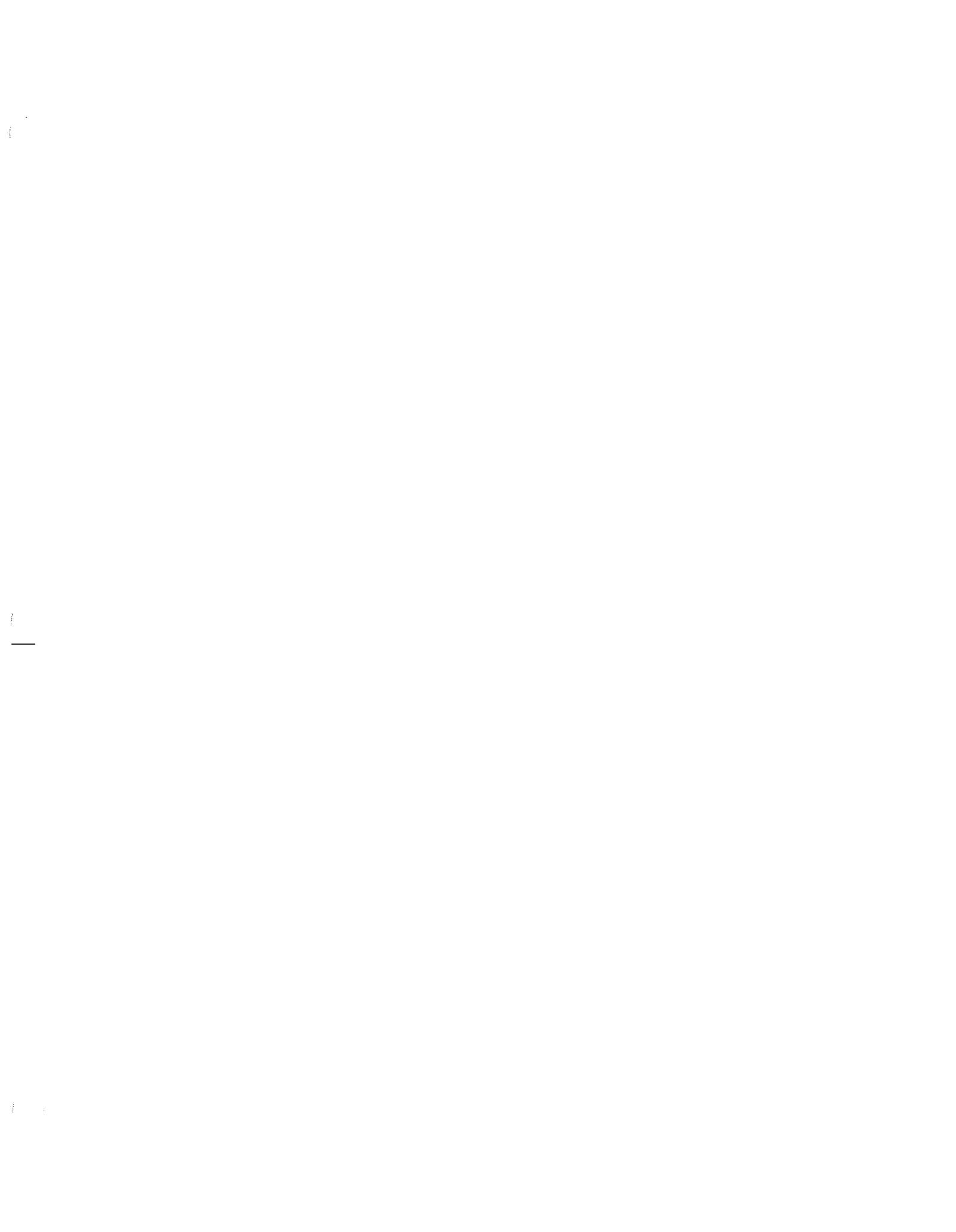
Newburgh Town Council

Ahori Shenan

✓/ President

ATTEST:

Rebecca J. Genty
Clerk-Treasurer



Newburgh Fire

Incident Type Report (Summary)

Alarm Date Between {07/01/2007} And {07/31/2007}
and Station = "1 "

Town

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
151 Outside rubbish, trash or waste fire	1	12.50%	\$0	0.00%
	1	12.50%	\$0	0.00%
3 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	2	25.00%	\$0	0.00%
322 Motor vehicle accident with injuries	1	12.50%	\$0	0.00%
	3	37.50%	\$0	0.00%
5 Service Call				
551 Assist police or other governmental agency	1	12.50%	\$0	0.00%
	1	12.50%	\$0	0.00%
6 Good Intent Call				
6___ Dispatched & cancelled en route	1	12.50%	\$0	0.00%
	1	12.50%	\$0	0.00%
7 False Alarm & False Call				
744 Detector activation, no fire -	2	25.00%	\$0	0.00%
	2	25.00%	\$0	0.00%

Total Incident Count: 8

Total Est Loss: \$0

Newburgh Fire

Fire and EMS Combined List by Incident Number

Alarm Date Between {07/01/2007} And {07/31/2007}
and Station = "1 "

Incident	Type	Date	Location	Description
07-0000146-0	FIRE	07/01/2007	201 State ST	744 Detector activation, no
07-0000149-0	FIRE	07/03/2007	20 E Water ST	151 Outside rubbish, trash
07-0000150-0	FIRE	07/04/2007	State ST & W Jennings ST	611 Dispatched & cancelled
07-0000151-0	FIRE	07/04/2007	French Island Trail	551 Assist police or other
07-0000152-0	FIRE	07/04/2007	French Island Trail	311 Medical assist, assist
07-0000160-0	FIRE	07/13/2007	5149 KNOB HILL DR	311 Medical assist, assist
07-0000161-0	FIRE	07/16/2007	6 VICTORIA CT	744 Detector activation, no
07-0000167-0	FIRE	07/24/2007	HWY 662 & KNOB HILL DR	322 Motor vehicle accident

EMS Incident Cnt: 0

Total Incident Count 8

Fire Incident Cnt: 8

Newburgh Fire

Incidents by Unit by District

Alarm Date Between {07/01/2007} And {07/31/2007}

District	Count
10 Battalion 10	
OHIO Ohio Township	1
TOWN Town of Newburgh	2
YANKE yankeetown	1
	<u>4</u>
11 Engine 11	
OHIO Ohio Township	5
TOWN Town of Newburgh	2
	<u>7</u>
12 Truck 12	
OHIO Ohio Township	3
	<u>3</u>
14 Boat 14	
TOWN Town of Newburgh	2
	<u>2</u>
15 Squad 15	
OHIO Ohio Township	3
TOWN Town of Newburgh	2
	<u>5</u>
17 Engine 17	
OHIO Ohio Township	3
TOWN Town of Newburgh	3
	<u>6</u>
19 Engine 19	
TOWN Town of Newburgh	1
	<u>1</u>
cancelled enroute	
OHIO Ohio Township	4
TOWN Town of Newburgh	1
	<u>5</u>
PERSONAL VEHICLE	
OHIO Ohio Township	1
TOWN Town of Newburgh	2
	<u>3</u>

Total Units Responded: 36

**Newburgh Town Hall ~ Restoration
PROGRESS MEETING MINTUES
July 30, 2007 ~ 9:00 a.m.**

Present:

Tom Groves, ARC
Dave White, Premier
Danny Bateman, ARC
David Wills, Hafer
Frank Hijuelos, Town of Newburgh
Cynthia E Burger, Town of Newburgh
Dick Mushlitz, NRC
Chris Bateman, ARC
Amy Silva, ARC
Brete Lottes, MRSM

RECEIVED

JUL 30 2007

TOWN OF NEWBURGH

I. Progress of Work Last Two Weeks

1. Reworked existing windows 1st floor
2. Insulated attic
3. Completed hanging drywall
4. Continue finishing drywall
5. Completed HVAC rough in 1st floor
6. Cleaned existing concrete floor in entry
7. Completed roofing and gutter installation
8. Continue scraping and prepping existing windows
9. Painted fascia
10. Electrical wall rough in 1st floor 100%
11. Lighting rough in 80%
12. Began 2nd floor rough in
13. HVAC - Rough in 1st floor
14. Duct in attic is fabricated
15. Plumbing – 100% roughed in and insulated

II. Work Schedule Next Two Weeks

1. Continue plaster patch and drywall finishing
2. Start painting windows, door frames and interior walls
3. Siding and trim on bell tower
4. Continue masonry on new addition
5. Trim on 2nd floor
6. Permanent electric power to job
7. Mount panel
8. 1st floor ceiling electrical rough in
9. Insulation of duct work
10. Running 2nd floor duct work this week

III. Needed Decisions

IV. Known Delays

V. Status of Fab. And Deliveries

1. Stain glass windows ready when we are; 2 weeks

VI. Status of Construction Schedule

1. On schedule

VII. Changes

1. To discuss at next meeting

VIII. Other Items

1. Next meeting: **August 13 – 9:00 a.m.**
2. Payment status – Cynthia will check on.
3. Bell tower – lightning protection; David is working on
4. Thyssen – Insurance. OK per Frank. Cynthia would like a copy – Amy will send.
5. Premier: will check status of Vectren
6. Call Frank on 1st floor ceiling inspection
7. Premier – need to know height on R fixtures
8. Door position switch? Can not put conduit through solid existing frame. David will check on.
9. All light fixtures will be here within 30 days.
10. Approximately 95 attended Open House
11. Application for payment (July) will be to David Wills on August 1
12. Supply diffusers need to be painted; Brete will deliver to job site

TOWN OF NEWBURGH
Summary of Asphalt Paving for 2007



August 2007

Item No.	Striping Description	Cost
1a	Sharon St. (Priority 1)	\$288.00
1b	State St. (Priority 1)	\$437.00
1c	Newburgh Pool Parking Lot (Priority 1)	\$209.50
TOTAL ITEMS 1a & 1b		\$934.50

Item No.	Sealing Description	Cost
2a	Newburgh Pool Parking Lot (Priority 1)	\$1,713.89
TOTAL ITEMS 2a - 2b		\$1,713.89

Item No.	1 1/2" Surface Overlay Description	Cost
3a	Filmore - First to Third (Priority 1)	\$13,314.36
3b	Jefferson Ave. - Darby Hills to Woodridge Ct. (Priority 2)	\$41,033.51
3c	Park Dr. - Jefferson to Dead End (Priority 1)	\$14,199.53
3d	Middle St. - North of Gray St. (Priority 2)	\$36,691.10
3e	Hillcrest - Gray to Sharon (Priority 1)	\$55,090.76
3f	Carole St. - Forest Park to Forest Park (Priority 2)	\$24,409.88
TOTAL ITEMS 3a - 3u		\$184,739.15

GRAND TOTAL FOR PROJECTS IN BID \$187,387.54
 (IN NUMBERS)

GRAND TOTAL FOR PROJECTS IN BID
 (IN WORDS)

- Priority 1 Immediate Improvement Needed
- Priority 2 Marginal Need for Improvement
- Priority 3 Watch List for Improvements

**COMMONWEALTH
ENGINEERS, INC.**

101 Plaza East Blvd., Suite 200
Evansville, IN 47715
(812) 474-1177
(812) 474-1176 (fax)

August 8, 2007

RECEIVED

AUG 08 2007

Newburgh Storm Water Management Board
Town of Newburgh
P.O. Box 6
Newburgh, IN 47629

TOWN OF NEWBURGH


**RE: Newburgh Kiwanis Community Building
Drainage Plan**

Dear Board Members:

The drainage plans submitted for the construction of the Kiwanis Facilities have been reviewed. It is our conclusion that the most recent plans submitted by William Bivins have provided the minimum information requested by the board for the drainage plan approval for this site.

If there are questions or comments concerning this matter, please contact this office.

Sincerely,
COMMONWEALTH ENGINEERS, INC.


David A. Hynes, P.E.

cc: William Y. Bivins, P.E., L.S.
David Goldenberg, President
Aaron Miller, Member
Robert Dale, Member
Anne Rust Aurand, Drainage Commissioner
Cynthia Burger, Administrative Manager
Tom Bodkin, Attorney
Frank Hijuelos, Storm Water Coordinator
file