

Newburgh Town Council Meeting
December 21, 2009

Executive Session

The Newburgh Town Council met in Executive Session on Monday, December 21, 2009, at 4:30p.m. Those present at the meeting were Anne Rust Aurand, Eric Ellsperman, Bill Kavanaugh, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Chris Wischer. The purpose of the meeting was contract negotiations and was held in accordance with Indiana Code 5-14-1.5-6.

Call to Order

The Regular Session was called to order at 5:35p.m. by Council President Kavanaugh.

Pledge of Allegiance

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

A moment of silence was observed for the passing of Tom Shetler, Sr.

Roll Call

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

Approval of Minutes

MOTION by Ms. Sherman to table the December 9, 2009, minutes.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Public Hearing

MOTION by Ms. Sherman to open the public hearing regarding the storm water management grant.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Jeff Pruitt stated the town intends to apply for a \$600,000.00 storm water Community Focus Fund Grant. The pre-application (proposal) is due January 8, 2009. Another public hearing will be held in March 2010. Mr. Hijuelos stated a major area of concern is the Maple Lane/Windsor Pointe/Knob Hill area. This proposal will look at addressing those areas. Preliminary cost estimates for the needed repair range from \$400,000.00 to \$500,00.00. Mr. Pruitt reported that an income survey has been completed and certified. Mr. Kavanaugh inquired if the proceedings committed the council to spending any money. Mr. Pruitt stated the next hearing will commit the town and that the current hearing is only for submitting the proposal. If awarded, there is a 20% match the town would be responsible for and would be paid out of the EDIT construction money

allocated for Storm Water. Easements and environmental need to be “committed” prior to the March application. Ms. Burger recommended a cost estimate be provided for the easements (soft costs and acquisition). Mr. Pruitt stated this expense could be counted toward the local match. Ellen Harper will attend the public hearing in March and will provide a list of how many storm water projects have been submitted for consideration. There was no public comment.

MOTION by Ms. Sherman to close the public hearing.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Kavanaugh called for a three (3) minutes recess at 5:50p.m.

COMMISSION REPORTS

Air Board ~ Eric Ellsperman

No report.

Fire ~ Alonzo Moore

Mr. Moore conveyed a thank you from Chief Campbell for all those who attended the Newburgh Volunteer Fire Department Annual Christmas party.

Park ~ Eric Ellsperman

Mr. Ellsperman stated a meeting will be held after new board members are appointed. Letters of appreciation will be sent to those individuals who recently resigned.

Plan ~ Anne Rust Aurand

No report.

Police ~ Bill Kavanaugh

Chief Sprinkle described an incident at Washington and Water that involved a subject driving his vehicle into the river. Prior to entering the river, the vehicle hit a town police car, causing approximately \$1,300.00 in damages. The vehicle has been removed from the river.

Street ~ Alonzo Moore

The crew has placed weight limitation signage throughout town. Equipment has been readied for snow removal, if needed.

Utility ~ Shari Sherman

No report.

Standing Committees

Finance ~ Anne Rust Aurand

Ms. Aurand stated the 1782 notice has been received from the DLGF making it necessary to reduce the appropriation in the general fund.

MOTION by Ms. Aurand that department heads are required to come before the Newburgh Town Council for any non essential department expenditures and reviewed for potential approval.

SECOND by Mr. Moore.

DISCUSSION: Budget forms will need to be revised/adjusted prior to January 1. A list of essential expenditures will be presented to department heads which will include salaries, benefits, fuel, utilities, and debt service (principal and interest). A meeting will be held with department heads, Ms. Aurand, Mr. Moore, Ms. Burger, and Mrs. Gentry. Mr. Bodkin will also meet with each board and commission in January to discuss legal obligations as boards and commissions, along with their financial responsibilities to the town.

MOTION carried ayes 5, nays 0.

Personnel ~ Bill Kavanaugh

MOTION by Ms. Sherman to approve the 2010 salary ordinance with the attached pay scale.

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Special Boards/Committee Reports

Historic Preservation ~ Anne Rust Aurand

The commission met on December 17, 2009, and approved a Certificate of Appropriateness for W. Jennings. A 10 by 17 ½ addition will be made to the southeast corner of the Abshier Ice House.

The Bootz property and the Burns property will be discussed during the public hearing at the January 2010 meeting for inclusion into the historic district.

Merchants Liaison ~ Eric Ellsperman

No report.

Myrtle Ridge Cemetery ~ Eric Ellsperman

No report.

Rivertown Trail ~ Eric Ellsperman

INDOT representatives will meet with Ms. Burger in January to discuss the punch list for Phase I of the trail.

Sidewalk ~ Anne Rust Aurand

Ms. Burger stated a letter has been sent to a property owner on Jefferson Street regarding the sidewalk project. To date, there has not been any response.

Storm Water ~ Bill Kavanaugh

No report.

Clerk-Treasurer ~ Becky Gentry

MOTION by Ms. Sherman to adopt the state mileage rate for 2010 (.40 cents per mile).

SECOND by Ms. Aurand.

DISCUSSION: Discussion was held regarding federal and state rates.

MOTION by Ms. Sherman to table.

MOTION failed for lack of a second.

MOTION (main motion) carried ayes 5, nays 0.

Director of Planning & Development ~ Frank Hijuelos

No report.

Town Attorney ~ Tom Bodkin

No report.

Town Engineer ~ David Hynes

No report.

Town Manager ~ Cynthia Burger

No report.

Unfinished Business

1. Resolution 2009-08 ~ Riverfront Redevelopment District...tabled November 23, 2009

Continue to table.

New Business

1. Contact ~ Bamberger Legal Services for 2010

MOTION by Ms. Sherman to approve the 2010 contract with Bamberger Law Firm for legal services.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

2. Contract ~ HJ Umbaugh & Associates – Debt Service Reserve Investments

MOTION by Ms. Sherman to approved the contract with HJ Umbaugh & Associates for cash advisory services for SRF funds.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Contract ~ Commonwealth Engineers – 2010 General Services Agreement

MOTION by Ms. Sherman to approve the 2010 General Services Agreement with Commonwealth Engineers.

SECOND by Mr. Moore.

DISCUSSION: The hourly rate will be adjusted in July 2010.

MOTION carried ayes 5, nays 0.

4. Contract ~ Commonwealth Engineers – 2010 Civil Town Retainer
MOTION by Ms. Sherman to approve the 2010 Civil Town Retainer Agreement with Commonwealth Engineers.
SECOND by Mr. Ellsperman.
DISCUSSION: None
MOTION carried ayes 5, nays 0.

5. Contract ~ Commonwealth Engineers – 2010 Sewer Utility Retainer
MOTION by Ms. Sherman to approve the 2010 Sewer Utility Retainer Agreement with Commonwealth Engineers.
SECOND by Mr. Ellsperman.
DISCUSSION: None
MOTION carried ayes 5, nays 0.

Ms. Burger stated all three (3) Commonwealth Engineers retainer contracts are at no increase.

6. Ordinance 2009-23 ~ 2010 Salary Ordinance
MOTION by Ms. Sherman for the first reading of Ordinance 2009-23.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried ayes 5, nays 0.
Mr. Wischer read Ordinance 2009-23.
MOTION by Ms. Sherman to accept the first reading.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried ayes 5, nays 0.
MOTION by Ms. Sherman for the second reading.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried ayes 5, nays 0.
Mr. Wischer read Ordinance 2009-23.
MOTION by Ms. Sherman to adopt Ordinance 2009-23.
SECOND by Ms. Aurand.
DISCUSSION: None
MOTION carried ayes 4, nays 1 (Ellsperman).

MISCELLANEOUS BUSINESS

Nominating Chairman Alonzo Moore will present the Newburgh Town Council slate of officers at the January 13, 2010, meeting. Appointments will also be made for boards and commissions at that time.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

None

APPROVAL OF CLAIMS

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

Civil Town ~ \$255,624.35

Sewer ~ \$164,705.56

Park claims paid by Civil Town ~ \$501.71

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

ADJOURNMENT

MOTION by Mr. Moore to adjourn.

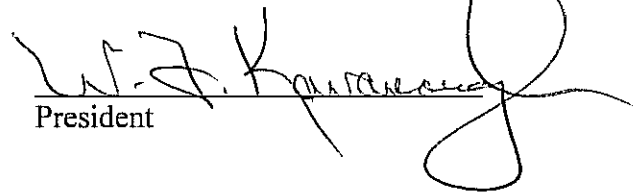
SECOND by Mr. Ellsperman.

DISCUSSION: None

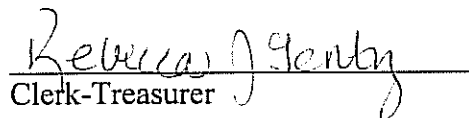
MOTION carried ayes 5, nays 0.

APPROVED this 13 day of January, 2010.

Newburgh Town Council


President

ATTEST:


Clerk-Treasurer