

Newburgh Town Council Minutes
Tuesday, November 10, 2009

The Newburgh Town Council met in Executive Session on Tuesday, November 10, 2009, at 4:30p.m. Those present at the meeting were Eric Ellsperman, Bill Kavanaugh, Alonzo Moore, Shari Sherman, Becky Gentry, Cynthia Burger, and Tom Bodkin. 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 Kavanaugh called the Regular Session to order at 5:30p.m.

PLEDGE OF ALLEGIANCE

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

A moment of silence was observed for the passing of Laurel Helms.

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

1. October 28, 2009

MOTION by Ms. Sherman to approve the October 28, 2009, minutes.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

COMMISSION REPORTS

AIR AUTHORITY ~ Eric Ellsperman

No report.

FIRE ~ Alonzo Moore

No report.

PARK ~ Eric Ellsperman

A service, honoring all veterans, was held at Veterans Monument on Saturday, November 7, 2009. The ceremony was conducted by the Newburgh American Legion, Central High School Junior ROTC, and Shari Sherman.

With renovations complete, the cottages are now available for rent.

PLAN ~ Anne Rust Aurand

The Board of Zoning Appeals will meet on November 16, 2009, at 7:00p.m.

POLICE ~ Bill Kavanaugh

Chief Sprinkle presented the October statistics (see attached).

The video enhanced computer equipment was received today. The equipment and all associated expenses (travel and training) were paid for by a grant.

STREET ~ Alonzo Moore

Along with their routine responsibilities, the crew cleaned the ditch at 905 Jefferson Street and planted one hundred twelve (112) holly bushes along Rivertown Trail. They also completed the annual safety training. Next week they will begin to relocate signage along north State Street.

UTILITY ~ Shari Sherman

MOTION by Ms. Sherman to allow 3311 Anderson Road to connect to the sanitary sewer via a private lateral partially located within the county road right of way subject to a recorded, three (3) party agreement that relocation and maintenance of the lateral be the responsibility of the property owner, subject to the approval of the Warrick County Commissioners.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve certification bonuses for Leah Holder, Russell Powell, and Marcus Jolly (2).

SECOND by Mr. Ellsperman.

DISCUSSION: Mr. Jolly is entitled to two (2) bonuses.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to authorize Stemaly Excavating to repair the lateral located at 5511 Lakeside in an amount not to exceed \$13,155.34.

SECOND by Mr. Ellsperman.

DISCUSSION: This amount includes an additional expense of \$5,501.00 in the event Warrick County requires a fifty (50) foot long asphalt overlay.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve Change Order #2 for the Colonial Hills Lift Station project in the amount of \$3,720.00.

SECOND by Mr. Ellsperman.

DISCUSSION: The additional funds will be utilized to install a curb between the lift station drive and an adjacent parking lot.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve Change Order #1 for the Wastewater Treatment Facility expansion project at no dollars and no time.

SECOND by Mr. Ellsperman.

DISCUSSION: The change order incorporates ARRA funding requirements.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to sign the ARRA compliance form provided by SRF with respect to the plant expansion project.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

STANDING COMMITTEES

FINANCE ~ Anne Rust Aurand

No report.

PERSONNEL ~ Bill Kavanaugh

MOTION by Mr. Kavanaugh to accept, with regrets, the resignation of Cindy Staples from her position as Accounts Payable Specialist with the Newburgh Utility Office effective November 15, 2009. Cindy is in good standing and, therefore, is entitled to her accrued but unused PTO.

SECOND by Ms. Sherman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

SPECIAL BOARDS/COMMITTEE REPORTS

HISTORIC PRESERVATION ~ Anne Rust Aurand

A certificate of appropriateness for approved by the HPC on Monday, November 9, 2009, for 111 W. Jennings (Wilhelmus House).

Discussion was held regarding several "scattered site" properties. A public hearing will be held on Thursday, December 10, 2009 for the Bootz Hill property and the Burns House (State & Gray).

The Beautification Committee will meet next week.

MERCHANTS LIAISON ~ Eric Ellsperman

No report.

MYRTLE RIDGE CEMETERY ~ Eric Ellsperman

No report.

RIVERTOWN TRAIL ~ Eric Ellsperman

The trail will be dedicated on Saturday, November 21, 2009, at 10:00a.m.

The committee is hopeful of a December bid letting for Phase II A & B. A pre-final punch list has been submitted for Phase I. Signage is expected to be delivered and installed in the near future.

SIDEWALK ~ Anne Rust Aurand

Mr. Hynes reported that the cost estimate for the Safe Routes to School project is in the amount of \$237,000.00. The sidewalks would run from Washington Street at Jennings, Jennings east to State Street, State Street north to Sharon Road.

STORM WATER ~ Bill Kavanaugh

The next meeting will be held on Monday, November 16, 2009, at 6:00p.m.

CLERK-TREASURER ~ Becky Gentry

No report.

DIRECTOR OF PLANNING & DEVELOPMENT ~ Frank Hijuelos

No report.

TOWN ATTORNEY ~ Tom Bodkin

No report.

TOWN ENGINEER ~ David Hynes

Mr. Hynes reported on the following projects:

Powers Place Lift Station – All piping is in the ground and the project is approximately 75% complete. The access drive is expected to be in by the end of November. Substantial completion is anticipated for December 15, 2009.

Colonial Hills Lift Station – The project is about 90% complete. The project will likely be complete in six (6) weeks or so. As expected, the delay has been in the delivery of the new pumps.

Lock & Dam Lift Station – Bypass pumping has begun in order to change the station over. New controls and a large relief pump are going in. This work has been done in anticipation of the Lift Station I & II force main project which should occur in 2010.

Lift Station I & II – There are only a few easements still needed for this project. Condemnation has been filed in order to obtain the River Ridge easement.

Rivertown Trail – The grouting that was done at the “failure” has been completed.

MOTION by Ms. Sherman to approve the authorization the discharge dredge/filled materials permit in the isolated wetlands for IDEM. The project is located within the Esche Ditch.

SECOND by Mr. Moore.

DISCUSSION: This provision will help to stabilize the stream bottoms.
MOTION carried ayes 5, nays 0.

TOWN MANAGER ~ Cynthia Burger

The additional bricks for the Veterans Monument were in place for the ceremony held on November 7, 2009. Bricks will continue to be sold and will be placed at the monument for Veterans Day, 2010.

Town employees participated in team development training.

Street Department employees and Wastewater Treatment employees participated in IPEP training. This training goes toward IDEM continuing education units. The town received the 2008 IPEP Safety Award again this year.

The compliance certification was recently received for the Newburgh Community Pool. The needed work was completed prior to the pool opening, but the certification was just received.

MOTION by Mr. Moore to appoint a committee consisting of Ms. Sherman, Mr. Bodkin, and Ms. Burger to score the applications for the Downtown Revitalization Grant.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

The town is also applying for a \$600,000.00 storm water construction grant. This grant requires a 10% match. Funds would be used for the Knob Hill and Maple Lane area. Funding is scheduled for approval in May, 2010.

UNFINISHED BUSINESS

1. Ordinance 2009-16 ~ W. Jennings parking...tabled until November 11, 2009

MOTION by Ms. Sherman to continue to table until November 23, 2009.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

2. Ordinance 2009-20 ~ W. Jennings Parking...tabled September 23, 2009

MOTION by Ms. Sherman to continue to table until November 23, 2009.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

3. Aramark Contract...tabled October 28, 2009

MOTION by Ms. Sherman to remove from table.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to approve the Aramark Contract for linen and towel service for the Lock & Dam cottages.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

NEW BUSINESS

1. Riverfront Redevelopment District

Please see attached presentation made by Mr. Hijuelos.

Amy Miller, Frank Sapavecchio, Penny Nejat, Jim Seibert, Morgan from the Tin Fish Restaurant, Walter Engle, Paul Rudolph all spoke in favor of creating the district. No one present spoke in opposition.

MOTION by Mr. Moore for Mr. Bodkin to prepare, for debate, two (2) resolutions to form a riverfront redevelopment district.

SECOND by Mr. Ellsperman.

DISCUSSION: The area of the district will be defined in the resolution. It was clarified that the passage of the resolution will not change the zoning of land inside the district.

MOTION carried ayes 5, nays 0.

2. Welborn Health Plan Renewal

MOTION by Ms. Sherman to approve the renewal of the Welborn Health Plan number P5387 dual hospital option for the Town of Newburgh employees for 2010.

SECOND by Mr. Moore.

DISCUSSION: The renewal amount is \$32,932.00 per month (for 37 employees) and represents a 14.4% increase.

MOTION carried ayes 5, nays 0.

3. Pay Request #3 for Powers Place Lift Station Relocation to PPMI

MOTION by Ms. Sherman to approve Pay Request #3 in the amount of \$141,650.00 (\$7,082.50 to escrow and \$134,567.50 to the contractor) for the Powers Place Lift Station Relocation project, payable to PPMI.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

4. Pay Application #3 – Wastewater Treatment Facility Project

MOTION by Ms. Sherman to approve Pay Application #3 in the amount of \$435,122.00 (\$21,756.10 to escrow and \$413,365.90 to the contractor) payable to Reynolds, Inc. for the plant expansion project.

SECOND by Mr. Ellsperman.

DISCUSSION: Mr. Bodkin stated copies of the certified payroll are being received that indicate Reynolds, Inc. is meeting the Davis-Bacon wage requirements. The copies are sent from the State of Indiana. The copies are attached to the pay request.

MOTION carried ayes 5, nays 0.

5. Rocky Doom Encroachment Agreement – 3000 Oak Trail Drive, Lot 60

MOTION by Ms. Sherman to approve the standard encroachment agreement for 3000 Oak Trail Drive.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MISCELLANEOUS BUSINESS

The Warrick County Humane Society is having their holiday bazaar on November 28 and 29, 2009.

Mr. Moore thanked Mr. Hijuelos for all his hard work in conducting the team building exercise that was held for all employees.

Warrick County was named as one of the top three (3) counties in the state for H1N1 distribution.

The public is invited to attend a DARE program at Newburgh Elementary on November 12, 2009, at 12:30p.m.

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Steve Amos discussed the dark skies initiative. He stated it was a great public relations/volunteer effort that would enhance the community.

APPROVAL OF CLAIMS

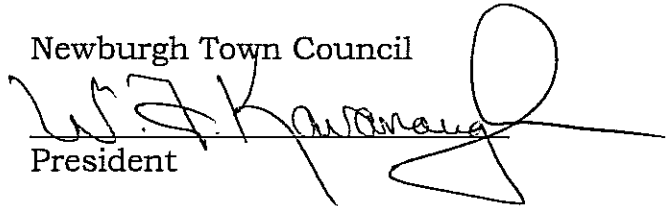
MOTION by Mr. Ellsperman that all claims, including any sewer adjustments, be paid in the following amounts:

Plant Expansion ~ \$58,657.64


Sewer ~ \$481,782.60
Civil Town ~ \$99,142.50
SECOND by Ms. Sherman.
DISCUSSION: None
MOTION carried ayes 5, nays 0.

APPROVED this 23 day of November, 2009.

Newburgh Town Council


President

ATTEST:


Clerk-Treasurer - Deputy

NEWBURGH POLICE DEPARTMENT

IN0870300

ACCIDENT STATISTICS (SHIFT COMPARISON)

11/10/2009

REPORTING PERIOD: 10/01/2009 00:01 TO 10/31/2009 23:59

SHIFT: SECOND SHIFT

TOTAL: 3 PERCENTAGE OF TOTAL: 75.00%

SHIFT: DAY BACK UP

TOTAL: 1 PERCENTAGE OF TOTAL: 25.00%

SUMMARY INFORMATION

MONTH BREAKDOWN

	COUNT	PERCENTAGE		COUNT	PERCENTAGE
JANUARY:	0	0.00%	JULY:	0	0.00%
FEBRUARY:	0	0.00%	AUGUST:	0	0.00%
MARCH:	0	0.00%	SEPTEMBER:	0	0.00%
APRIL:	0	0.00%	OCTOBER:	4	100.00%
MAY:	0	0.00%	NOVEMBER:	0	0.00%
JUNE:	0	0.00%	DECEMBER:	0	0.00%

DAY OF WEEK BREAKDOWN

	COUNT	PERCENTAGE
MONDAY:	0	0.00%
TUESDAY:	1	25.00%
WEDNESDAY:	0	0.00%
THURSDAY:	1	25.00%
FRIDAY:	2	50.00%
SATURDAY:	0	0.00%
SUNDAY:	0	0.00%

HOUR OF DAY BREAKDOWN

AM

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100
0	0	0	0	0	0	0	0	0	0	0	0
0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

PM

1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	0	1	1	0	2	0	0	0	0	0
0.00%	0.00%	0.00%	25.00%	25.00%	0.00%	50.00%	0.00%	0.00%	0.00%	0.00%	0.00%

TOTAL: **4**

NEWBURGH POLICE DEPARTMENT
IN0870300
CALL STATISTICS (SHIFT COMPARISON)
11/10/2009

REPORTING PERIOD: 10/01/2009 00:01 TO 10/31/2009 23:59

SHIFT: DAYSHIFT			
TOTAL:	31	PERCENTAGE OF TOTAL:	22.96%
SHIFT: SECOND SHIFT			
TOTAL:	50	PERCENTAGE OF TOTAL:	37.04%
SHIFT: THIRD SHIFT			
TOTAL:	39	PERCENTAGE OF TOTAL:	28.89%
SHIFT: DAY BACK UP			
TOTAL:	15	PERCENTAGE OF TOTAL:	11.11%

SUMMARY INFORMATION

MONTH BREAKDOWN

	COUNT	PERCENTAGE		COUNT	PERCENTAGE
JANUARY:	0	0.00%	JULY:	0	0.00%
FEBRUARY:	0	0.00%	AUGUST:	0	0.00%
MARCH:	0	0.00%	SEPTEMBER:	0	0.00%
APRIL:	0	0.00%	OCTOBER:	135	100.00%
MAY:	0	0.00%	NOVEMBER:	0	0.00%
JUNE:	0	0.00%	DECEMBER:	0	0.00%

DAY OF WEEK BREAKDOWN

	COUNT	PERCENTAGE
MONDAY:	19	14.07%
TUESDAY:	17	12.59%
WEDNESDAY:	22	16.30%
THURSDAY:	18	13.33%
FRIDAY:	29	21.48%
SATURDAY:	20	14.81%
SUNDAY:	10	7.41%

HOUR OF DAY BREAKDOWN

AM

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100
8	3	2	3	1	3	2	0	2	6	2	4
5.93%	2.22%	1.48%	2.22%	0.74%	2.22%	1.48%	0.00%	1.48%	4.44%	1.48%	2.96%

PM

1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
8	10	7	9	7	12	10	4	10	5	8	9
5.93%	7.41%	5.19%	6.67%	5.19%	8.89%	7.41%	2.96%	7.41%	3.70%	5.93%	6.67%

TOTAL: **135**

NEWBURGH POLICE DEPARTMENT

IN0870300

CITATION STATISTICS (SHIFT COMPARISON)

11/10/2009

REPORTING PERIOD: 10/01/2009 00:01 TO 10/31/2009 23:59

SHIFT: DAYSHIFT			
TOTAL:	3	PERCENTAGE OF TOTAL:	9.68%
SHIFT: SECOND SHIFT			
TOTAL:	4	PERCENTAGE OF TOTAL:	12.90%
SHIFT: THIRD SHIFT			
TOTAL:	19	PERCENTAGE OF TOTAL:	61.29%
SHIFT: DAY BACK UP			
TOTAL:	5	PERCENTAGE OF TOTAL:	16.13%

SUMMARY INFORMATION

MONTH BREAKDOWN

	COUNT	PERCENTAGE		COUNT	PERCENTAGE
JANUARY:	0	0.00%	JULY:	0	0.00%
FEBRUARY:	0	0.00%	AUGUST:	0	0.00%
MARCH:	0	0.00%	SEPTEMBER:	0	0.00%
APRIL:	0	0.00%	OCTOBER:	31	100.00%
MAY:	0	0.00%	NOVEMBER:	0	0.00%
JUNE:	0	0.00%	DECEMBER:	0	0.00%

DAY OF WEEK BREAKDOWN

	COUNT	PERCENTAGE
MONDAY:	3	9.68%
TUESDAY:	2	6.45%
WEDNESDAY:	3	9.68%
THURSDAY:	11	35.48%
FRIDAY:	6	19.35%
SATURDAY:	6	19.35%
SUNDAY:	0	0.00%

HOUR OF DAY BREAKDOWN

AM

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100
1	0	4	3	0	0	0	1	1	0	1	1
3.23%	0.00%	12.90%	9.68%	0.00%	0.00%	0.00%	3.23%	3.23%	0.00%	3.23%	3.23%

PM

1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	0	1	2	1	1	1	0	2	0	4	7
0.00%	0.00%	3.23%	6.45%	3.23%	3.23%	3.23%	0.00%	6.45%	0.00%	12.90%	22.58%

TOTAL: **31**

NEWBURGH POLICE DEPARTMENT

IN0870300

INCIDENT STATISTICS (SHIFT COMPARISON)

11/10/2009

REPORTING PERIOD: 10/01/2009 00:01 TO 10/31/2009 23:59

SHIFT: DAYSHIFT	TOTAL: 3	PERCENTAGE OF TOTAL: 27.27%
SHIFT: SECOND SHIFT	TOTAL: 5	PERCENTAGE OF TOTAL: 45.45%
SHIFT: THIRD SHIFT	TOTAL: 3	PERCENTAGE OF TOTAL: 27.27%

SUMMARY INFORMATION

MONTH BREAKDOWN


	COUNT	PERCENTAGE		COUNT	PERCENTAGE
JANUARY:	0	0.00%	JULY:	0	0.00%
FEBRUARY:	0	0.00%	AUGUST:	0	0.00%
MARCH:	0	0.00%	SEPTEMBER:	0	0.00%
APRIL:	0	0.00%	OCTOBER:	11	100.00%
MAY:	0	0.00%	NOVEMBER:	0	0.00%
JUNE:	0	0.00%	DECEMBER:	0	0.00%

DAY OF WEEK BREAKDOWN

	COUNT	PERCENTAGE
MONDAY:	3	27.27%
TUESDAY:	1	9.09%
WEDNESDAY:	0	0.00%
THURSDAY:	4	36.36%
FRIDAY:	0	0.00%
SATURDAY:	2	18.18%
SUNDAY:	1	9.09%

HOUR OF DAY BREAKDOWN

AM											
0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100
1	0	2	0	0	0	0	0	0	0	0	1
9.09%	0.00%	18.18%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	9.09%
PM											
1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
0	1	2	2	0	0	0	1	0	0	1	0
0.00%	9.09%	18.18%	18.18%	0.00%	0.00%	0.00%	9.09%	0.00%	0.00%	9.09%	0.00%

TOTAL: 

NEWBURGH POLICE DEPARTMENT

IN0870300

WARNING STATISTICS (SHIFT COMPARISON)

11/10/2009

REPORTING PERIOD: 10/01/2009 00:01 TO 10/31/2009 23:59

SHIFT: DAYSHIFT			
TOTAL:	15	PERCENTAGE OF TOTAL:	13.89%
SHIFT: SECOND SHIFT			
TOTAL:	20	PERCENTAGE OF TOTAL:	18.52%
SHIFT: THIRD SHIFT			
TOTAL:	68	PERCENTAGE OF TOTAL:	62.96%
SHIFT: DAY BACK UP			
TOTAL:	5	PERCENTAGE OF TOTAL:	4.63%

SUMMARY INFORMATION

MONTH BREAKDOWN

	COUNT	PERCENTAGE		COUNT	PERCENTAGE
JANUARY:	0	0.00%	JULY:	0	0.00%
FEBRUARY:	0	0.00%	AUGUST:	0	0.00%
MARCH:	0	0.00%	SEPTEMBER:	0	0.00%
APRIL:	0	0.00%	OCTOBER:	108	100.00%
MAY:	0	0.00%	NOVEMBER:	0	0.00%
JUNE:	0	0.00%	DECEMBER:	0	0.00%

DAY OF WEEK BREAKDOWN

	COUNT	PERCENTAGE
MONDAY:	11	10.19%
TUESDAY:	9	8.33%
WEDNESDAY:	10	9.26%
THURSDAY:	17	15.74%
FRIDAY:	20	18.52%
SATURDAY:	25	23.15%
SUNDAY:	16	14.81%

HOUR OF DAY BREAKDOWN

AM

0000	0100	0200	0300	0400	0500	0600	0700	0800	0900	1000	1100
10	5	6	3	3	1	0	2	0	0	4	5
9.26%	4.63%	5.56%	2.78%	2.78%	0.93%	0.00%	1.85%	0.00%	0.00%	3.70%	4.63%

PM

1200	1300	1400	1500	1600	1700	1800	1900	2000	2100	2200	2300
4	0	1	4	7	3	2	3	3	4	17	21
3.70%	0.00%	0.93%	3.70%	6.48%	2.78%	1.85%	2.78%	2.78%	3.70%	15.74%	19.44%

TOTAL: **108**

Over the past few months I have been visited by three business owners wishing to locate in Newburgh. Amy Miller, owner of Lorelei's Gallery; Frank Sapavecchio, Vecchio's Italian Grocery, and Penny Nejat, who is purchasing the Abshier Ice House to open a full service restaurant. All of whom are here tonight. The common thread is that each requires an alcoholic beverage license as an adjunct to their prime business. And, there are no licenses available for this area.

A minimum amount of research led me to the State of Indiana Riverfront Development District concept. The establishment of a Riverfront Development District, which requires a resolution of the Town Council will avail businesses such as restaurants, galleries, cafes, delicatessens, and bistros to an alcoholic beverage license with the approval of the Town Council.

Purpose:

Encourage the development of restaurants and other desirable establishments within the downtown area.

Remove a significant barrier to downtown development.

Provide an experience that encourages repeat visits by residents and visitors.

Create a destination, a sense of place, and gathering areas

Aid downtown revitalization.

Provide an opportunity for economic development, increase the tax base, and create jobs.

Implement the Main Street concept.

Main Street Assessment

A great tool for a possible new restaurant along the river and adjacent to the trail system.

As Director of Planning and Development, I felt that it was incumbent upon me to introduce this district concept to the Council for further review and discussion. My recommendation is to give serious consideration to moving forward with this. The next step would be to produce a resolution establishing such a district.