

Wednesday, September 9, 2009
Newburgh Town Council Minutes

The Newburgh Town Council met in Executive Session on Wednesday, September 9, 2009, at 4:30p.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 contract negotiations and was held in accordance to Indiana Code 5-14-1.5-6.

CALL TO ORER

The Regular Session was called to order by President Kavanaugh 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 Carol Karlovsky, Jarvis Reid, III, and Susan O'Leary Metz.

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. August 26, 2009 ~ Executive & Regular Session

MOTION by Ms. Sherman to approve the August 26, 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

MOTION by Mr. Ellsperman to approve \$8,400.00 to purchase furnishings for the east and west cottages.

SECOND by Mr. Moore.

DISCUSSION: The purchase includes 2 sofas, 4 chairs, 2 dining room tables, 16 chairs, 8 mattresses, and 8 box springs.

MOTION carried ayes 5, nays 0.

Preliminary figures for the pool were presented by Mr. Ellsperman and are as follows:

Revenue ~ \$96,150.55

Expense ~ \$88,215.54

Minor repairs have been completed at the Fortress of Fun. A work day will be held in October.

The east cottage is complete. A walk thru will be scheduled within the next two (2) weeks for the west cottage.

PLAN ~ Anne Rust Aurand

The September 14, 2009, meeting has been cancelled.

POLICE ~ Bill Kavanaugh

Chief Sprinkle and Asst. Chief Williams are attending a conference in Indianapolis and will return on Friday.

STREET ~ Alonzo Moore

Mr. Moore thanked Mr. Hynes and Mr. Bodkin for their input regarding signage on State Street.

Mr. Moore asked Mr. Bodkin to prepare an ordinance regarding parking on W. Jennings.

The crew has been striping the Town Hall parking lot and the parking lot at the Fire Department. They have also been working on drainage problems at Village Lane. As street lights burn out, the crew has been replacing bulbs with energy efficient fluorescent bulbs.

UTILITY ~ Shari Sherman

MOTION by Ms. Sherman to engage Republic Companies, Inc. to repair an off-set joint near manhole 10-142 in Copper Creek at a cost of \$3,535.00

SECOND by Mr. Ellsperman.

DISCUSSION: This was the low quote.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to engage PPMI to repair a defective pump base in Victoria Lift Station at a cost of \$4,500.00.

SECOND by Mr. Ellsperman.

DISCUSSION: This was the low quote.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman to purchase a replacement flow meter for the plant recycle stream at a cost not to exceed \$5,600.00.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

The next utility meeting will be held on September 30, 2009.

FINANCE ~ Anne Rust Aurand

No report.

PERSONNEL ~ Bill Kavanaugh

No report.

SPECIAL BOARDS/COMMITTEE REPORTS

HISTORIC PRESERVATION ~ Anne Rust Aurand

The next meeting will be held on September 10, 2009.

MERCHANTS LIAISON ~ Eric Ellsperman

No report.

MYRTLE RIDGE CEMETERY ~ Eric Ellsperman

Ms. Burger is still waiting to talk with Mrs. Lant regarding the ownership of the cemetery.

RIVERTOWN TRAIL ~ Eric Ellsperman

Phase I plantings will take place next week. Larger trees will be planter later this fall. Dawn Kroh, Green 3, will assist with landscape placement.

Signage is expected to be delivered to R.W. Armstrong next week. The larger trail head signs will be delivered in approximately eight (8) weeks.

A dedication date for the trail will be discussed at the September 23, 2009, meeting.

SIDEWALK ~ Anne Rust Aurand
No report.

STORM WATER ~ Bill Kavanaugh
The next meeting will be held on September 21, 2009, at 6:00p.m.

CLERK-TREASURER ~ Becky Gentry
The 2010 budget adoption will be held at the September 23, 2009, meeting.

DIRECTOR OF PLANNING & DEVELOPMENT ~ Frank Hijuelos
A meeting will be held on September 16, 2009, to update all supervisors on the most current H1N1 data. All employees will meet on September 29, 2009 for a "Lunch & Learn" session during which time Mr. Hijuelos will provide information regarding H1N1. Mr. Kavanaugh thanked Mr. Hijuelos for all his work and preparation in making the H1N1 information available to the town.

Supervisors will also be reminded to inventory the emergency supplies to insure everything is up to date.

TOWN ATTORNEY ~ Tom Bodkin
No report.

TOWN ENGINEER ~ David Hynes
No report.

TOWN ADMINISTRATIVE MANAGER ~ Cynthia Burger
A note has been sent to Wal-Mart for their \$2,000.00 donation to the Rivertown Trail.

The town is a complete count committee for the 2010 census. Everyone will receive the same questionnaire containing ten (10) questions. The forms will be distributed, primarily by mail, in the first months of 2010 with the goal of having them returned by April 1, 2010, Census Day. Census workers will begin following up by second requests and personal contact to get information from those who did not initially respond.

Brick orders are being accepted for the Veterans Monument. Orders received by September 25, 2009, will be placed at the monument by Veterans Day. Ms. Aurand suggested a wreath be placed at the monument during certain holidays throughout the year. Republic Co., Inc. will be looking into a slippage issue along the brick walkway at the monument.

Newsletters will be mailed within the next week.

UNFINISHED BUSINESS

1. Collection Services Agreement...tabled on August 26, 2009

MOTION by Ms. Sherman to remove from table.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MOTION b Ms. Sherman to approve the agreement with Medical Professional Collection Services, Inc.

SECOND by Mr. Ellsperman.

DISCUSSION: MPCS will pursue collection of any unpaid trash and drainage fees written off by Indiana American Water Co.

MOTION carried ayes 5, nays 0.

NEW BUSINESS

1. Proclamation 2009-06 ~ American Legion Day – Post 44

MOTION by Ms. Sherman for the reading of Proclamation 2009-06.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Proclamation 2009-06 (please see attached).

MOTION by Ms. Sherman to so proclaim American Legion Day.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

President Kavanaugh called for a five (5) minute recess.

2. Rivertown Trail ~ Acceptance of Easements

MOTION by Mr. Ellsperman to approve the following easements for the Rivertown Trail:

ALCOA

Dr. & Mrs. James Rang

University of Evansville

Estate of Gregory Madden

Walthall Trust ~ Timothy J. & Karen L.

Gary L. & Sandra K. McDowell

James L. Seibert

SECOND by Ms. Sherman.

DISCUSSION: Mr. Bodkin stated ALCOA is accepting the appraisal for the easement but will deed all the property they own along the riverbank to the town. Four (4) other easements have already been accepted for Phase II, Sec. A & B.

MOTION carried ayes 5, nays 0.

3. Vacation of Easement – The Reserve, Section A, Lot 41

MOTION by Ms. Sherman to vacate an easement in The Reserve, Section A, Lot 41, 6040 Pembroke Drive.

SECOND by Mr. Ellsperman.

DISCUSSION: It has been verified by the Newburgh Sewer Department there are not any sewer utilities in the easement or plans to place any sewer utilities in the easement.

MOTION carried ayes 5, nays 0.

4. Ordinance 2009-18 ~ Establishing Regulations for Taxicabs

MOTION by Ms. Sherman for the first reading of Ordinance 2009-18.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Ordinance 2009-18.

MOTION by Ms. Sherman to accept the first reading.

SECOND by Mr. Ellsperman.

DISCUSSION: Bill Kramer, Unity Taxi, stated the ordinance would prohibit unlicensed transportation service companies from operating within the corporate limits. Mr. Bodkin stated he would encourage the Warrick County Commissioners to consider the adoption of a similar ordinance for the county.

MOTION carried ayes 5, nays 0.

MOTION by Ms. Sherman for the second reading of Ordinance 2009-18.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Ordinance 2009-18.

MOTION by Ms. Sherman to adopt.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

5. Resolution 2009-07 ~ Frame Road Annexation

MOTION by Ms. Sherman for the reading of Resolution 2009-07.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

Mr. Bodkin read Resolution 2009-07.

MOTION by Ms. Sherman to adopt Resolution 2009-07.

SECOND by Mr. Moore.

DISCUSSION: This 100% voluntary annexation consists of 8.82 acres. Access to the property is off Frame, and the parcel adjoins the town limits at Jefferson Parke and Copper Creek.

MOTION carried ayes 5, nays 0.

6. Partial Pay Est. No. 1 to PPMI for Powers Place

MOTION by Ms. Sherman to approve partial pay estimate no. 1 for the Powers Place Lift Station project in the amount of \$10,000.00 (\$500.00 to escrow and \$9,500.00 to the contractor).

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

7. Partial Pay Est. No. 4 ~ M. Bowling, Inc. for Lift Station #2 Upgrade

MOTION by Ms. Sherman to approve partial pay estimate no. 4 to M. Bowling, Inc. in the amount of \$226,771.00 (\$11,338.55 to escrow and \$215,432.45 to the contractor).

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

8. Partial Pay Est. No. 1 ~ Reynolds, Inc.

MOTION by Ms. Sherman to approve partial pay estimate no. 1 payable to Reynolds, Inc. in the amount of \$735,000.00 (\$36,750.00 to escrow and \$698,250.00 to the contractor).

SECOND by Mr. Ellsperman.

DISCUSSION: This pay estimate is primarily for mobilization.

MOTION carried ayes 5, nays 0.

9. Partial Pay Est. No. 1 to BMB, Inc. ~ Grief Sewer Relocation Project

MOTION by Ms. Sherman to approve partial pay estimate no. 1 payable to BMB, Inc. in the amount of \$16,053.53.

SECOND by Mr. Ellsperman.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

10. Plum & Jennings Intersection Improvement Project ~ Final Acceptance of Plans

Mr. Hynes stated the final tracings need to be approved by the Council before INDOT will let project for bid. The bid letting is scheduled for January 2010.

MOTION by Ms. Sherman to approve the plans for the Plum & Jennings intersection improvement project (HES Grant).

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried ayes 5, nays 0.

MISCELLANEOUS BUSINESS

None

PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Shirley Moore thanked those businesses participating in the "Lets Dine Out" project sponsored by the American Red Cross, Warrick County Chapter.

APPROVAL OF CLAIMS

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

Civil Town ~ \$283,893.62

Sewer ~ \$351,404.20

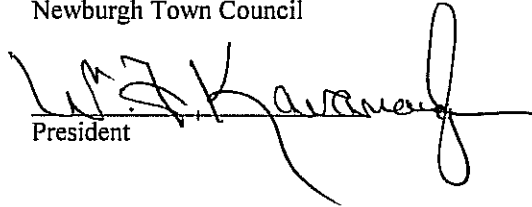
SECOND by Mr. Moore.

DISCUSSION: None

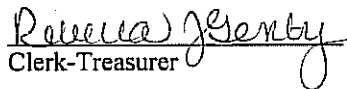
MOTION carried ayes 5, nays 0.

APPROVED this 23 day of September, 2009.

Newburgh Town Council


President

ATTEST:


Clerk-Treasurer