

Newburgh Town Council Meeting  
Date: Wednesday, July 23, 2014

The Newburgh Town Council met in Executive Session on Wednesday, July 23, 2014, at 5:00 p.m. Those present at the meeting were Council President/Council-at-Large Leanna K. Hughes, District I William F. Kavanaugh, District II Tonya R. McGuire, District III Alonzo B. Moore, Jr., District IV Anne Rust Aurand, Town Manager Lori Buehlman and Town Attorney Christopher C. Wischer. Absent was Clerk-Treasurer Jon E. Lybarger. The purpose of the meeting was discussion of personnel matters and pending litigation.

5:30 p.m. Committee and Regular Session, Newburgh Town Hall, 23 W. Jennings, Newburgh, Indiana.

CALL TO ORDER

Council President Leanna K. Hughes called the Regular Session to order at 5:41 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Newburgh Town Council. A moment of silence was observed for Joyce Moore, a former employee of the Town as sewer office manager.

ROLL CALL

Those present at the meeting:

District I - William F. Kavanaugh

District II - Tonya R. McGuire

District III - Alonzo B. Moore, Jr.

District IV - Anne Rust Aurand

Council-at-Large - Leanna K. Hughes

Clerk-Treasurer - Marilyn Doyle, Deputy

Town Manager - Lori S. Buehlman

Town Attorney - Christopher C. Wischer

APPROVAL OF MINUTES

MOTION by Mr. Moore to approve the July 9, 2014 Town Council meeting minutes.

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 3, nays 0, abstain 2 (Hughes and McGuire).

PUBLIC HEARING

Preliminary Engineering Report (PER) to obtain assistance from The Waste Water State Revolving Fund (WWSRF) Loan Program

MOTION by Ms. Aurand to open the public hearing for the Preliminary Engineering Report (PER) to obtain assistance from The Waste Water State Revolving Fund (WWSRF) Loan Program.

SECOND by Mrs. McGuire.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Mr. Hynes displayed a Preliminary Engineering Report slide presentation on the Wastewater State Revolving Fund Loan Program which is included with the minutes. The project is for a sanitary sewer expansion along Epworth Road known as the Medical Corridor. The total project cost is estimated at

\$3,852,475.00. The PER will be available in Clerk's office for ten (10) days. An acceptance of the resolution will be made at the August 13, 2014 Town Council meeting.

MOTION by Mr. Kavanaugh to close the public hearing for the Preliminary Engineering Report (PER) to obtain assistance from The Waste Water State Revolving Fund (WWSRF) Loan Program.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

The Public Hearing was closed at 5:57 p.m.

#### SCHEDULED REQUESTS & APPEARANCES

##### 1. Jim Bush, Urban Obstacle Course Run on November 29, 2014

Jim Bush, 328 W. Main Street, Newburgh, spoke to the council regarding the Old Dam Challenge scheduled on November 29, 2014 which will be an obstacle course. Mr. Bush will attend the September 8, 2014 Rivertown Trail Committee meeting to discuss the event and obtain permission and speak with Chief Sprinkle regarding road closings.

MOTION by Mr. Kavanaugh to table Urban Obstacle Course Run until the September 10, 2014 Town Council meeting.

SECOND by Mr. Moore.

MOTION carried: ayes 5, nays 0.

##### 2. Jeannie Kellams, Cleo's Bakery, Letter of Support

Jerry Brochin, 8877 Woodland Dr., Newburgh, and the brother of Jeannie Kellams, requested a letter of support from the council to obtain a liquor license for Cleo's Bakery.

MOTION by Mrs. McGuire to authorize a letter in support of Cleo's Bakery permit to obtain a liquor license.

SECOND by Mrs. Hughes.

DISCUSSION: Cleo's is in the Riverfront Development District. Mr. Wischer will research whether the Riverfront Development District allows for a 2-way or 3-way liquor license.

MOTION carried: ayes 5, nays 0.

MOTION by Mrs. McGuire to authorize a letter in support of Impulse Hair Studio's permit to obtain a liquor license within the Riverfront Development District.

SECOND by Ms. Aurand.

DISCUSSION: None.

MOTION carried: ayes 5, nays 0.

#### PETITIONS AND COMMENTS FROM CITIZENS PRESENT

Historic Newburgh Inc. (HNI), requested use of the Trolley on August 2, 2014 from 8:00 a.m. to 4:00 p.m. for the Dog Days of Summer event.

MOTION by Mrs. McGuire to allow the use of the Trolley on August 2, 2014 from 8:00 a.m. to 4:00 p.m. and to waive all fees; however, HNI will be responsible for the driver's fee and cost of fuel.

SECOND by Mr. Moore.

DISCUSSION: None.

MOTION carried: ayes 5, nays 0.

#### UNFINISHED BUSINESS

1. Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1 -  
tabled from May 14, 2014

MOTION by Mr. Kavanaugh to remove from table Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Jim Seibert owns the lot at 5 East Jennings. His plan is to build a three (3) floor one-unit residence as he feels there is not adequate square footage for a retail space. Members of the Planning Commission, Jim Moore, Kris Setzekorn and Hap Hanson, all spoke in favor of the rezoning. Mr. Jim Moore stated the rezoning request was approved at the Planning Commission's May meeting.

MOTION by Mrs. McGuire for the adoption of Ordinance 2014-05, Re-zoning of 5 East Jennings from Commercial 1 to Residential 1.

SECOND by Ms. Aurand.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

## 2. Newburgh Volunteer Fire Department Pumper Engine Truck Financing Agreement

Rob McAtee from global emergency products presented the agreement for the new fire truck. Ms. Buehlman recapped the financing options through German American Bank.

MOTION by Mr. Kavanaugh to authorize Mrs. Hughes to sign the financing agreement for the Newburgh Volunteer Fire Department Pumper Engine Truck with German American Bank.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Chief Campbell distributed the June 2014 report detailing the number of runs made and man hours invested in the department through the year. The report is included in the minutes.

MOTION by Mr. Moore to surplus at no value 18 sets of turn out gear and donate them to a smaller community.

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Mr. Moore stated the department will receive a \$1,000.00 donation from HNI at their August 13, 2014 meeting at the Fire Department.

## NEW BUSINESS

None presented.

## COMMISSION REPORTS

AIR AUTHORITY - Ms. Aurand

No report.

## BOARD OF ZONING APPEALS – Ms. Aurand

Ms. Aurand stated BZA will meet on Monday at 6:00 p.m.

## FIRE - Mr. Moore

Mr. Aurand thanked the firefighters for their nice comments included in the June report.

HISTORIC PRESERVATION - Mrs. McGuire

Ms. Buehlman stated the committee met on July 10, 2014 and approved the application for Stained Glass and a sign request for Jim Seibert.

PARK – Mrs. Hughes

The batting cage area looks much better. The Park Board is working on updating the rental procedure and preparing a policy for Rivertown Trail events.

PLAN – Ms. Aurand

Ms. Aurand stated the next meeting will be held on August 4, 2014.

POLICE – Mr. Kavanaugh

Chief Sprinkle stated the Police Commission met on July 14, 2014. New police patrolman Michael Jones was sworn in and reserve officer Jason Brown was recognized. Patrolman Jones will be at the academy through November 14, 2014. The commission approved the proposed 2015 budget.

MOTION by Mr. Kavanaugh to approve the purchase of a computer server at a cost \$5,100.00.

SECOND by Mrs. McGuire.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Police Night Out is scheduled for August 5, 2014 at the Lock & Dam building. The next Police Commission meeting will be held on August 11, 2014; Alex, canine, will be sworn in and awards will be distributed.

STORM WATER – Mr. Kavanaugh and Mr. Moore

Storm Water met on July 21, 2014. The Town plans to work with the county to solve a drainage issue. IDEM did provide worthwhile feedback.

STREETS – Mr. Moore

Mr. Moore stated the Street Crew repaired a washout on Overlook Court. New engraved brick pavers at the mini park were installed and brick that had been displaced at Town Hall was repaired. A decorative lamp pole at Jennings and Monroe that had been hit and damaged was removed. The crew continues to patch pot holes, spray the riverbank and mow and trim Town properties. The new back-hoe arrived to the delight of the crew.

UTILITY – Mrs. Hughes

Mrs. Hughes stated Utility has not met since the last council meeting. The next meeting is scheduled on August 6, 2014.

STANDING COMMITTEES

FINANCE – Mrs. Hughes

Mrs. Hughes stated the budget meetings will soon begin.

PERSONNEL – Mr. Kavanaugh

Mr. Kavanaugh stated the personnel committee is willing to meet with staff at any time. A policy is in place should a suspension be needed.

SPECIAL BOARDS/COMMITTEE REPORTS

RIVERTOWN TRAIL – Mr. Kavanaugh

The Rivertown Trail policy is in the development stages. A joint meeting will be held on August 11, 2014 with the Trail Committee and Park Board.

**SIDEWALK – Mrs. Hughes**

Ms. Buehlman has received a contract from INDOT in the form of a 100% grant. River Town Construction is the low bidder. The Safe Routes to School Sidewalk Replacement project should get underway in September.

**ARTS PAVILION – Mrs. Hughes**

Mrs. Hughes stated the next meeting will be held on August 4, 2014.

**ZONING ADMINISTRATOR – Commissioner Ms. Aurand**

A preliminary job description draft for the part-time Zoning Administrator/Code Enforcement position. The information will be reviewed by the Personnel Committee and return to the council members. BZA will meet July 28, 2014 to review a conditional use application for the American Legion sign. The Plan Commission will review a rezoning application on Aug. 4, 2014.

**CLERK-TREASURER – Mr. Lybarger**

Mrs. Doyle stated that Gordon Bennett will meet with Robert Fowler of Local Govt. Finance to review the budget worksheets in progress on Thursday. Mr. Lybarger would like to meet with the Town department heads and the finance committee in early August. The budget must be submitted by Sept. 2, 2014 to County Auditor for review and to The Standard by Sept. 4 for publication on September 11th and 18th.

Mr. Wischer stated the salary ordinance amendment is in progress.

**TOWN ATTORNEY – Mr. Wischer**

Mr. Wischer stated the Pemberly Place Subdivision Sanitary Sewer Agreement and Construction Permit are ready for approval.

MOTION by Mr. Kavanaugh to approve, on legal recommendation, the agreement for the Pemberly Place Subdivision Sanitary Sewer.

SECOND by Mr. Moore.

DISCUSSION: The project's cost estimate is in the amount of \$45,900.00.

MOTION carried: ayes 5, nays 0.

MOTION by Mr. Kavanaugh to approve the permit for the Pemberly Place Subdivision Sanitary Sewer.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

**TOWN ENGINEER – Mr. Hynes**

No report.

**TOWN ADMINISTRATIVE MANAGER – Ms. Buehlman**

Ms. Buehlman stated Mr. Leon Key is in need of the Council President's signature to allow him to sign the NPDES documents online.

MOTION by Mr. Kavanaugh to approve Steve Meredith's use of the Trolley.

SECOND by Mr. Moore.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

Ms. Buehlman received a book entitled Educating Newburgh, Celebrating 300 Years of Education at Newburgh School from Sandra Jones, Clerk to the Newburgh Parish Council. Ms. Aurand told amusing stories based on memories from former students.

#### MISCELLANEOUS BUSINESS

Mr. Wischer will prepare an ordinance to limit parking in the front of Town Hall on Jennings Street.

Mr. McGuire stated the Vectren employees were cordial when working in her residential area as they replaced the gas mains. Mrs. Hughes felt Vectren was leaving the area in good condition every evening. Mr. Hynes stated the streets will be returned to the same condition as they were before the project began at no additional cost to the Town. A meeting will be arranged with Vectren regarding the street conditions; Mrs. Hughes, Mr. Kavanaugh and Mr. Wischer will attend. Ms. Aurand felt detour signs are needed during street construction projects and only those knowledgeable with the area should be allowed to direct traffic.

Ms. Buehlman will obtain an estimate to add a water fountain along the trail.

Ms. Aurand stated school begins August 11, 2014 and reminded everyone to be mindful of children and extra traffic. She also suggested the phone booth at Town Hall be sanded and painted.

#### APPROVAL OF CLAIMS

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

Civil Town – \$94,402.36

Sewer - \$231,257.85

SECOND by Mr. Kavanaugh.

DISCUSSION: None

MOTION carried: ayes 5, nays 0.

#### ADJOURNMENT

MOTION by Mrs. McGuire to adjourn.

SECOND by Mr. Moore.

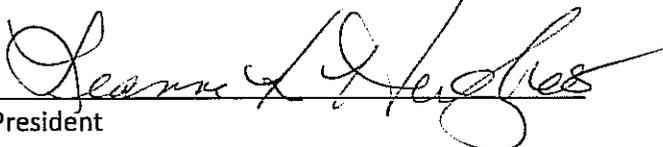
DISCUSSION: None

MOTION carried: ayes 5, nays 0.

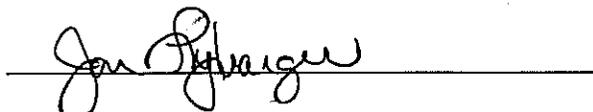
Mrs. Hughes adjourned the meeting at 7:55 p.m.

APPROVED this 13 day of August, 2014

Newburgh Town Council

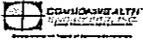
  
\_\_\_\_\_  
President

ATTEST:

  
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Clerk-Treasurer





## PUBLIC HEARING

TOWN OF NEWBURGH

PRELIMINARY ENGINEERING REPORT

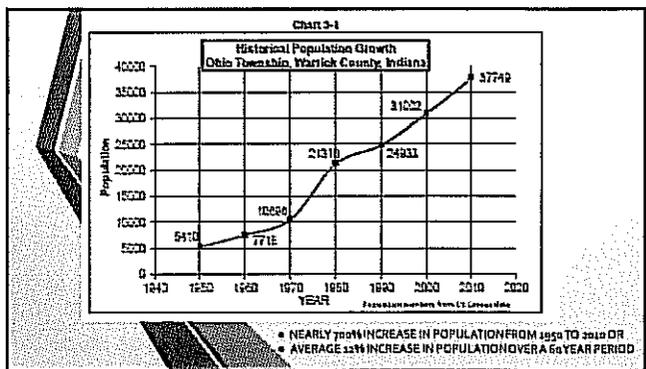
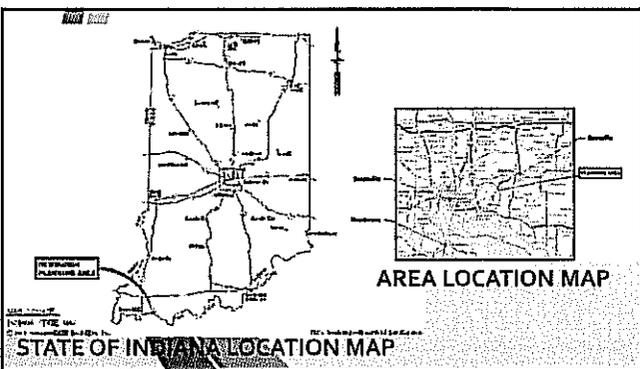
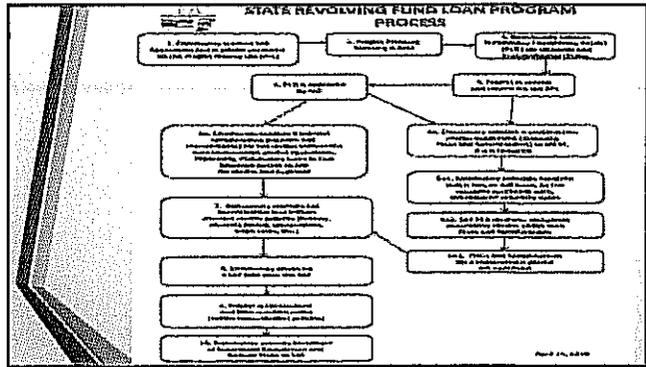
THE WASTE WATER STATE REVOLVING FUND LOAN PROGRAM

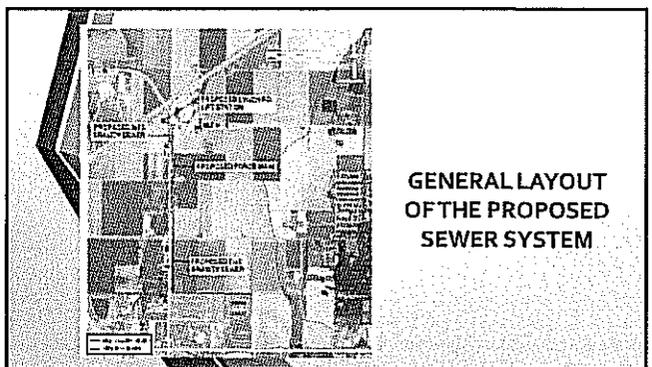
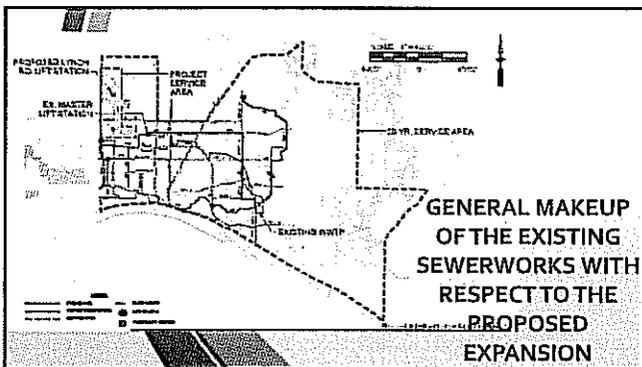
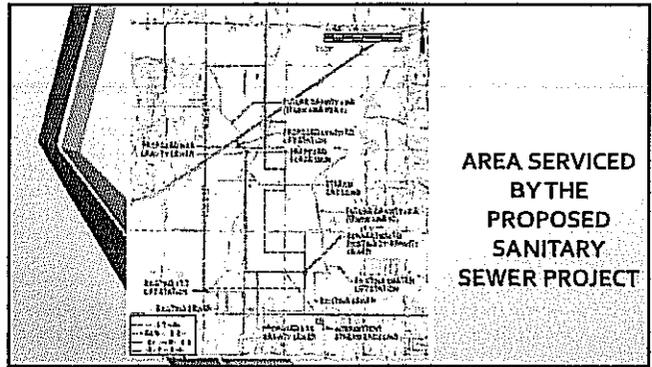
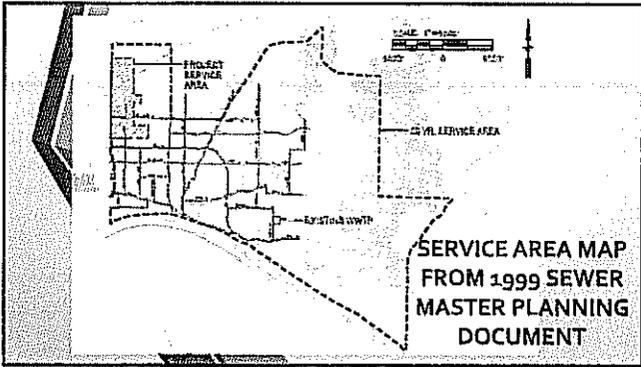
PROJECT:

EPWORTH ROAD, MEDICAL CORRIDOR  
SANITARY SEWER EXPANSION

**Town of Newburgh**  
Epworth Road, Medical Corridor Sanitary Sewer Expansion  
Preliminary Engineering Report  
April 2014

**COWAN & VEITCH**  
Professional Engineers, Inc.  
1000 North Main Street, Suite 100  
Newburgh, NY 12550  
Tel: 518-537-2200  
Fax: 518-537-2201  
www.covanveitch.com







# NEWBURGH FIRE DEPARTMENT JUNE/ HALF YEAR REPORT

	<u>JUNE</u>	<u>FIRST HALF</u>
<u>TOTAL RUNS MADE:</u>	29	181
<u>TOWN RUNS:</u>	4	37
<u>TOWNSHIP RUNS:</u>	20	128
<u>MUTAL AID:</u>	0	6
<u>PUBLIC RELATIONS EVENTS:</u>	5	10
<u>TOTAL MAN HOURS (RUNS):</u>	286.64	1412.59
<u>TOTAL MAN HOURS (TRAINING):</u>	98.75	1602.91
<u>TOTAL STATION HOURS (NON EMERGENCY):</u>	198.97	1192.82
<u>TOTAL MAN HOURS FOR MONTH:</u>	584.36	4208.32

NON EMERGENCY HOURS IS TIME SPENT ON STATION SUCH AS WORKING OUT,CLEANING,PAPER WORK,RUN REPORTS ETC.

FIRE DEPT. IS WORKING WITH THE DEPARTMENT OF HOMELAND SECURITY ON A NEW TESTING PROCEDURE FOR 2 REQUIRED TRAINING CLASSES. TESTING WILL BE IN AUGUST.