

Town of Newburgh
Town Council Meeting Wednesday, December 30, 2015



4:30 PM – Closed door – Pending litigation and personnel issues. By approving these minutes the Newburgh Town Council certifies that no subject matter was discussed in the executive session other than the subject matter specified above.

Committee and Regular session was called to order at 5:30 p.m. by William F Kavanaugh at Town Hall in Newburgh, Indiana.

A. PLEDGE OF ALLEGIANCE - Lead by the Town Council

B. ROLL CALL

District I – William F. Kavanaugh

District II – Leanna K. Hughes

District III – Alonzo B. Moore, Jr.

District IV – Anne Rust Aurand

Council-at-Large – Tonya R. McGuire

Clerk-Treasurer – Jon Lybarger

Town Manager – Christy Powell

Town Attorney – Christopher Wischer

Absent were Alonzo B. Moore, Jr. and Tonya R McGuire

G. NEW BUSINESS

1. Pine Valley Subdivision SS Extension Final Acceptance

We recommend acceptance of the system for maintenance. This recommendation is contingent upon a copy of the recorded plat and computer disc containing a PDF of the recorded plat being submitted to Susan Helms at the Newburgh Utility office. It was noted that this recommendation was proposed by Commonwealth Engineering Inc. No dollar figures were presented to council with this proposal.

A motion was made by Leanna Hughes that the proposal for the subdivision be accepted.

It was seconded by Anne Rust Aurand.

Discussion: None

Vote: ayes 3; nays 0 Motion carried

2. Oak Park Subdivision SS Extension Final Acceptance.

We recommend acceptance of the system for maintenance contingent upon a copy of the recorded plat and a computer disk containing a PDF of the recorded plat being submitted to Susan Helms at the Newburgh Utility office. The developer's engineer submitted an estimated cost for the system of \$117,305.00

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There was a question from Leanna Hughes regarding the recommendation of the acceptance and it was noted that the recommendation of acceptance was provided by Commonwealth Engineering Incorporated. She was good with that and then made a motion to accept the proposal.

A motion was made by Leanna Hughes that the proposal for the subdivision be accepted.

It was seconded by Anne Rust Aurand.

Discussion: None

Vote: ayes 3; nays 0 Motion carried

3. Approval of Resolution 2015-03 Budget adjustments and transfers

A motion was made to allow the reading of Resolution 2015-03.

The motion was made by Leanna K Hughes

Seconded by Anne Rust Aurand

Discussion: None

Vote: ayes 3; nays 0 Motion carried

Reading of Resolution 2015-03 by Chris Wischer. Recommended budget adjustments and transfers for YE 2015.

The motion was made by Anne Rust Aurand for the adoption of Resolution 2015-03.

Seconded by Leanna K Hughes

Discussion: None

Vote: ayes 3; nays 0 Motion carried

4. Sandra Wells basketball goal in the street at 112 Fairfax.

It was requested to remove the request by Sandra Wells from this agenda and add it to the agenda for January 27, 2016.

Brett Sprinkle stated that he would not be available for the meeting on the 27th. Chris Wischer stated that he was well versed on the issue and could enter opinions on Brett's behalf.

Various discussions were held regarding the issue of basketball goals and ended with Chris Wischer stating that he would draft whatever ordinance the town desired if they would just give some direction.

Discussion was conducted about the Primrose Retirement Community it is not on the current agenda and cannot be brought up for a vote at this session because of the lack of council members present.

There are two choices in regard of the Primrose Retirement Community Sanitary Sewer. Either delay the approval until the first regular council meeting in January, which would be January 13th, or have a special meeting on January 7, 2016 at which meeting the sole purpose would be to approve the Sewer Agreement and the Sewer permit 2015-10.

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It was decided to have a special meeting on January 7, 2016 at 5:30p.m. for the sole purpose of approving these requests.

A motion was made by Leanna K Hughes that a special meeting will be held on January 7, 2016 at 5:30 p.m. for the purpose of voting on the Sewer Agreement and Sewer Permit 2015-10 for the Primrose Retirement Community.

Seconded by Anne Rust Aurand

Discussion: None

Vote: ayes 3; nays 0

It was asked if there was anything else that should be brought before this special council meeting. No new items can be entered, but tabled items could be acted upon. It was recommended that the extension of the fire contract be approved since the current agreement would be null and void as of 12/31/2015 at midnight.

A motion was made by Leanna K Hughes to remove the agreement from the table.

Seconded by Anne Rust Aurand

Discussion: None

Vote: ayes 3; nays 0

Fire contract from the Ohio Township Trustee to continue the existing contract for the year of 2016

The existing contract will be reviewed during 2016 and changes may be made for the agreement in 2017. The current contract has been in effect since 2008.

A motion was made by Anne Rust Aurand to approve/extend the current existing contract for the year 2016.

Second by Anne Rust Aurand.

Discussion: Chris Wischer recommends the approval of the contract.

Vote: ayes 3; nays 0

There was a question from some of the people present regarding the fact that the budget adjustments were originally set as an Ordinance, why is it now a Resolution. The change was made due to the fact that there were only three council members present. Four members would be required to vote on an ordinance where three are only required for a resolution. Hence the change.

P. ADJOURNMENT at 6:15

Motion by Anne Rust Aurand

Second by Leanna K Hughes

Discussion: None

Vote: ayes 3; nays 0

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APPROVED this 13 day of January, 2015.

Newburgh Town Council


President

ATTEST:


Clerk-Treasurer

"Persons with disabilities or non-English speaking persons who wish to attend a public meeting or hearing and need assistance should contact Christy Powell, at Town Hall, 23 W Jennings St., Newburgh, IN 47630 or 812-853-1720 not later than one (1) week prior to any meeting or hearing. Every effort will be made to make reasonable accommodations for any such person or persons."