

Utility Committee Meeting
September 6, 2023
9:30 a.m. Newburgh Town Council Chambers

Steve Shoemaker, Leanna K. Hughes, Chris Wischer, Connor Voegel, Russell Powell, Susan Helms, Kristi Koressel, Drew Flamion, Christy Powell and Julie Lee.

Steve Shoemaker called the meeting to order at 9:30 a.m.

Consent Agenda

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| 1. Monthly Tracking Report | 5. Financial Report |
| 2. Inspection Status Report | 6. Monthly Sewer Adjustment |
| 3. Sewer Repairs Report | 7. Approval of August 2, 2023 Minutes |
| 4. Tap Report | |

Motion: Russell Powell moved to approve the consent agenda.

Motion seconded: Susan Helms

Discussion: No additional discussion.

Motion passed unanimously.

Petitions and Comments from Citizens Present

None

Committee Discussion Items

WWTF Superintendent, Russell Powell

- 1. Request for recommendation to Council for approval FOG Permit #082423 for OSAKA Newburgh at 4222 Bell Road, suite 7.**

Motion: Steve Shoemaker moved to recommend to Council to approve FOG Permit #082423 for OSAKA Newburgh at 4222 Bell Road Suite 7.

Motion seconded: Russell Powell

Discussion: This permit is for an existing building with 2 internal grease traps. This is the former Ninki Japanese Bistro location. The kitchen is not changing and we are allowing them to continue with existing equipment. Leanna Hughes stated that if they don't take care of the equipment/grease traps and keep it in the same current condition, the new owners will be responsible.

Motion passed unanimously

- 2. Request for recommendation to Council for approval FOG Permit #082523 for Ghost Quesadilla at 4222 Bell Road, Suite 1.**

Motion: Leanna Hughes moved to recommend to Council to approve FOG Permit #082523 for Ghost Quesadilla at 4222 Bell Road Suite 1.

Motion seconded: Susan Helms

Discussion: This permit is for an existing building with an existing internal grease trap. This is for the new owner.

Motion passed unanimously

- 3. Request for recommendation to Council for approval FOG Permit #082623 for Prime Sports at 4944 St. Rt. 261, Suite 9 in Newburgh Plaza**
Motion: Russell Powell moved to recommend to Council to approve FOG Permit #082623 for Prime Sports at 4944 State Route 261 Suite 9 in Newburgh Plaza.
Motion seconded: Susan Helms
Discussion: This permit is for an existing building with an existing internal grease trap. This is the former Pizza 261 location. There are no previous issues on this business.
Motion passed unanimously.
- 4. Request for recommendation to Council for approval FOG Permit #082723 for Newburgh Mercantile at 224 W. Jennings Street**
Motion: Susan Helms moved to recommend to Council to approve FOG Permit #082723 for Newburgh Mercantile at 224 W Jennings Street.
Motion seconded: Leanna Hughes
Discussion: The Newburgh Mercantile is wanting to start food prep in the kitchen and Russell Powell is recommending a 35 gpm grease trap in order to proceed. This permit is for a waiver to allow a 35-gpm grease trap. This is the former Refinery location.
Motion passed unanimously.
- 5. Request for recommendation for Council for approval of new pump for Post Office Lift Station.**
Motion: Leanna Hughes moved to recommend to Council to approve a new pump for Post Office Lift Station from Straeffler Pump & Supply at a cost of \$11,918 plus freight.
Motion seconded: Susan Helms
Discussion: Repairing the existing pump would be 50% of the replacement cost.
Motion passed unanimously.
- 6. Request for recommendation for Council for approval of pump repair for WAS pump at WWTP.**
Motion: Leanna Hughes moved to recommend to Council to approve pump repair for WAS pump at WWTP by Straeffler Pump & Supply for a cost of \$12,728.75 plus freight.
Motion seconded: Susan Helms
Discussion: The new pump estimate is \$50,000.
Motion passed unanimously
- 7. Mr. Powell stated that he had been in contact with the Warrick County Health Department regarding commissaries. He stated that the Health Department would like for the WWTF and them to work on this together, similar to food trucks. This would need to be added to the FOG Ordinance. They would be able to permit and pull licenses if not up to date. Mr. Powell stated a license would have to be created and send to County and comply with regulations. Mr. Wischer stated that he would look into how to handle this issue.**

Engineer Report, Drew Flamion

- 1. Green Springs Valley trunkline improvements - Change Order #4**
Motion: Russell Powell moved to recommend to Council to approve Change Order #04 for Green Springs Valley Trunkline Improvements Project in the amount of \$453,194.25 and additional 86 calendar days to reach substantial completion.
Motion seconded: Susan Helms

Discussion: This change order includes the unforeseen Lincoln Ave. retired petroleum pipeline conflict and additional unforeseen defects encountered through construction in which Newburgh Sewer Dept. was proactive in making additional sewer main and lateral replacements to reduce future capital, operation and maintenance cost.

Motion passed unanimously.

2. Newburgh Heights – Change Order #2

Newburgh Heights Sanitary Sewer Relocation Project for a decrease of \$4,983.90.

Motion seconded: Russell Powell

Discussion: The contract is modified as follows:

Extra grading work for drainage swale at MH A-3 – increase of \$2,500

10" PVC SDR 26 Gravity Sewer (15' depth) – increase of \$34,132.05

Final Quantity Adjustment – decrease of \$41,615.95

Motion passed unanimously.

3. 8268/8288 Green Springs Valley Sewer Extension Project

Motion: Leanna Hughes moved to recommend to Council to approve the request to quote 8268/8288 Green Springs Valley Sewer Extension Project.

Motion seconded: Christy Powell

Discussion: Drew Flamion stated this is in the same area as the Green Springs project. 8288 Green Springs has a lateral going across private property so will have to extend sewer main 200'. Drew is asking to proceed with quoting project out.

Motion passed unanimously.

Mr. Flamion stated the Blue Lakes Project is out for bids for Division A & B. The bids will be opened on September 27, 2023 at the Town Council Meeting.

Colonial hills will be ready for the bidding phase soon. It is approximately a \$28,000 project that will be paid for out of Sewer Improvement Fund.

Utility Chairman, Steve Shoemaker

Mr. Shoemaker stated how well Mr. Powell is able to balance whether a pump is in need of repair or replacement. He does a good job of getting the maximum life out of the pumps.

Town Attorney, Chris Wischer

Mr. Wischer discussed the situation for Libbert Lakes. Chris Combs is the developer of this new development. Mr. Combs would have to reimburse the Town for the purchase price of the easement. The Town would start the initiation of eminent domain proceedings if the easement is not able to be obtained voluntarily.

1. Motion: Christy Powell moved to recommend to Council to authorize initiation of eminent domain proceedings to acquire the Libbert Lakes off-site easement if the easement is not able to be obtained voluntarily through negotiation with the Developer to reimburse the Town for the purchase price paid for the easement and one-half of expenses incurred by the Town in connection with acquiring the easement, including legal fees and litigation expenses.

Motion seconded: Russell Powell

Motion passed unanimously.

Town Manager, Christy Powell

Christy Powell discussed Newburgh Mercantile is making a request for two 10' wide bike storage and upstairs rental B&B units on the vacant lot they own across from their current business. Christy said plans would be sent to discuss the sewer situation in the area.

Utility Manager, Susan Helms

1. Susan Helms stated the Sewer Operating Account balance is \$6,198,001.58. The motions outstanding amount is \$624,350.82
Ms. Helms stated that the 2016 Bond had only \$68,000 left in the account and This would be paid out during the next month and the 2020 bond has 7 million remaining in the account to pay for the Blue Lake Project.
2. Mr. Helms discussed the LNB ACH Bank Draft Agreement that was tabled at the last Town Council meeting. This is more an internal exchange with LNB to not use Shazam and the Utility Office would be able to submit bank drafts on LNB's website. There are no fees charged to customers for service. LNB does charge the Town a fee for this service.
Ms. Hughes asked for financial decisions to come to Utility meeting prior to approval by Council.

Motion: Leanna Hughes moved to recommend to Council to approve the request to proceed with the LNB Agreement for ACH Bank Drafts.

Motion seconded: Christy Powell

Discussion: This is just an internal exchange with LNB to go from Shazam to using their website. LNB has no fees associated with this service for the Utility customers. Leanna Hughes stated she would like all sewer financial decisions to go through Utility prior to Council meeting.

Ms. Helms also discussed a situation when a sewer agreement and construction permit have been approved but never signed by the developer. She discussed a letter she will send to one developer. He is the developer of the Bell Road Project and the development had warranty issues a \$10,000 check was given to the Utility Office to deposit to cover the cost if the warranty work was not completed. The warranty work has been completed and a check has been written to Dr. Kahn. Ms. Helms will send a letter to him to inform him about the check but will ask him to pick up the check at the Utility Office to sign a Sewer Agreement for the Stahl Road project that was approved in October 2021 but has never been signed. Both the sewer agreement and construction permit were approved by Council but never signed. He has not started construction on the project and no taps will be sold until the construction has been completed and approved but Ms. Helms was asking how to handle these issues in the future. Mr. Wischer suggested looking at the standards to see how we handle these situations in the future.

Ms. Helms also stated she had a couple of new developments that had the plans approved with a sewer agreement and construction permit issued but heard they would be selling the property to another corporation or individual. The transfer of the property would have to be approved and a revised agreement would be

written. Several new engineering firms are involved in these various projects in Newburgh. They are unaware of the Sewer Standards and do not seem to understand them. Mr. Wicher will look into refining this process.

Ms. Powell stated she had another request. She discussed a \$1.00 pay increase for Lynette Temple. She is a Sewer employee/Civil Town employee. She processes sewer payments and handles most of the walk-in customers in Town Hall. She is an asset to both departments. She was missed when an increase was done for several employees.

1. **Motion:** Leanna Hughes moved to recommend to Council to approve the request to increase Lynette Temple from \$17.25 to \$18.25 (\$1.00 per hour increase).

Motion seconded: Christy Powell

Discussion: Lynette is paid 50% by Town and 50% by Sewer. She receipts sewer payment for the Utility Office and is the assistant to the Town Manager.

Ms. Helms then asked the Utility Committee to increase her 2 Sewer customer service representatives as well by the same amount. The representatives were given a \$.75 increase in July so to make them all \$1.00 increase she would like to increase their pay an additional \$.25. Ms. Helms stated the Salary Ordinance would not have to be changed for the increases.

2. **Motion:** Leanna Hughes moved to recommend to Council to approve the request to increase Geralyn Gregory and Erica Hutchinson, both in the Utility Office, an additional \$.25 an hour.

Motion seconded: Susan Helms

Discussion: Geralyn Gregory and Erica Hutchison were only given \$.75 raise last month so to have the Customer Service Position to coordinate salaries increases with the employees it was agreed to raise them at the equivalent \$1.00 increase.

Adjournment of Utility Meeting

Motion: Leanna Hughes moved to adjourn the meeting.

Motion seconded: Susan Helms

Discussion: No additional discussion.

Motion passed unanimously.

Approved this 4th day of October, 2023.






