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## TOWN OF NEW RICHMOND

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### Minutes of the Meeting

December 7, 2021 at 6:30 p.m.

**Roll Call:** Board Members Present, President Luke Martin, Council Member Minnie Howard, Carmine Azzato, Clerk/Treasurer Alaahea Foust and Water/Sewer Superintendent Earl Heide.

Alaahea Foust Clerk/Treasurer presented approval for Minutes of Work Session on November 4, 2021 at 3:00 p.m., Minnie H. made the motion to approve the minutes, Luke M. seconded the motion, Luke M. called for a vote, motion carried.

Alaahea Foust Clerk/Treasurer presented approval for Minutes of Meeting on November 4, 2021 at 6:30 p.m., Minnie H. made the motion to approve the minutes, Luke M. seconded the motion, Luke M. called for a vote, motion carried.

**Amendments/Additions to Agenda: None**

**Streets/Maintenance:** Luke M. said he is running out of hours for the year, so he is going to save some hours in case of snow.

**Water/Sewer:** Earl Heide said so that there are no miscommunications you need to come and ask him questions about what is going on with water and wastewater. We follow IDEM, EPA, Homeland Security, AWWA and other government agencies for water and wastewater. The water meter at the New Richmond Park had to be put in for the water loss report that all towns are required to do, that has been in the works for over 2 years. For a town of 165 meters, you have very little revenue coming in, so these projects take forever to get done. Next project at the New Richmond Park is the replacement of the wastewater meter that is wore out and IDEM said it has to be replaced. After that IDEM wants us to replace the wastewater meter that reads the gallons flowing into the creek at the lagoon. The next water project will be uptown running water lines to the Masonic Lodge and the building next to it, which cost several thousands of dollars.

Earl Heide said don't go around hassling in anyway, shape or form any contractors that I have in here on the water and wastewater, ever since 911 It's a different world out here, it is a federal offense, you can be prosecuted as far as their concern it would be an act of terrorism, it falls under those categories. You have a question you can ask me. We have another project at the small park rebuilding the meter pit, putting in a meter and a new hydrant or two some time next year or so.

**Town Marshal:** Jeremy Minor not present.

**Fire Department:** Fire Chief Darren Foreman gave a report on their runs for the month.

**Clerk/Treasurer:** Alaathea F. presented Accounts Payable Voucher Register for December 7, 2021 to the Board, Minnie H. made the motion to approve the APV Register, Luke M. seconded the motion, Luke M. called for a vote, motion carried.

Alaathea F. presented the bank reconcilements for October 2021.

Alaathea F. presented the Board with up-to-date Appropriation Report, Revenue Report and Fund Report.

Alaathea F. presented the Board with the yearly Nepotism Policy certification to sign. All Council members signed the form.

Alaathea F. presented Town Hall Meeting Dates for 2022. Carmine A. made the motion to change the meeting time from 6:30 to 7:00 p.m., Minnie H. seconded the motion, Luke M. called for a vote, Motion carried.

Alaathea F. asked permission to pay BL Anderson's quote for \$6,978.64 from the ARP Fund. This is for parts only for the Sewer Meter at the park. After some discussion Minnie H. made the motion to approve the payment out of the ARP Fund, Carmine A. seconded the motion, Luke M. called for a vote, motion carried.

Alaathea F. presented the Town Council her education and advancement certifications for payment on the first pay period of December as stated in the Salary Ordinance.

Alaathea F. said I talked to Minnie H. about the donation from the Hoosier Heartland Bank for gift cards for the Town Christmas Event. I wrote a check to Walmart to go get gift cards forgetting the check was written to Crawfordsville, I went to Lafayette they would not except that check, so out of my own pocket I paid for the cards already rang up, then reimbursed myself for those cards. I have the APV showing the cards and the explanation for why the reimbursement. The Town Council signed the APV.

#### **Old Business:**

**HWC Engineer-Preliminary for Engineering Services:** Eric Smith form HWC Engineer said he had met with some of the Town Council members about the water project and sent a proposal to do some of the preliminary work. The goal was to look at the study that was done, to see what we were happy with, what changes we want to make and that we did not want to start over. What I have prepared for you is our proposal to accomplish that, the goal to get funding from State Revolving Loan fund program it can be used as a match for the OCRA Grant with the help of your Gant Administrator. You cannot apply for that until you have a funding commitment from somebody, SRF is the best option. They (OCRA) require a preliminary engineer report and approval funding application so that you are approved for funding and allows your grant administrator to make an application for OCRA.

Eric said our proposal is a fee of \$7,000.00 to help you thru the process to get the SRF funding approved, we would propose to have the report documents submitted to the SRF before the end of February 2022 in time for OCRA to approve it for round 1. We will then have a public hearing for the SRF and the OCRA grant at the same time. You can use the \$7,000.00 fee for local match and help your score on the grant application or you can roll it into the project financing and then reimburse you water account after we close on the financing for the water project. You do not have to decide on this now. Alaathea F. reminded the Town Council that some of our ARP Fund will be used towards the match. Carmine A. made the motion to accept the proposal, Minnie H. seconded the motion, Luke M. called for a vote, motion carried.

**Water Meter at the Park:** This was discussed in Report from Water/Wastewater.

**Follow up on Reported Break Ins:** Luke M. asked to give a follow up on the break ins. Mike Taylor County Officer said the case is still pending upon investigations and waiting for some forensic testing to come back.

Carmine A. asked Mike Taylor if there were any break ins prior to October 6<sup>th</sup>, Mike Taylor did not know. Carmine A. asked for the break ins to be on the agenda and for Jeremy M. (Town Marshal) or the Deputy to be present at the meeting. He wanted it on the record that he received a text from Luke the morning after the meeting on the 6<sup>th</sup> when asked about the padlock on the maintenance building. Carmine A. said Luke made an

accusation when I asked for a key, that I am suppose to have access to every building. Luke said there is nothing that says you have to have a key to every building, nowhere in writing does it say. Carmine A. said he has asked Alaathea for a key and she gave me her key to get into the building. After some discussion Carmine A. asked Luke if he was speaking as the Maintenance guy or the President because he cannot govern himself, that's the problem of having two positions. Luke M. said he was speaking as the President right now. Carmine A. said as for anything regarding the Town Superintendent you have no say you cannot comment, you cannot govern yourself that is the law, the law states that you cannot have two positions.

After some more discussion Luke said he talked to the Attorney today and he said he is not going to do anything until January, we are going to table this until January meeting. Carmine A. did not want to table this.

After some more discussion Minnie H. said I want to table it because when we talked to the Attorney, he had not heard back from the Attorney General. Minnie H. made the motion to table it until the next meeting, Luke M seconded the motion.

**Follow up on the Selection of the Special Committee:** Carmine A. said Luke was to provide proof from the handbook that he could appoint the special committee at this meeting to show us that they had no say in it. Luke M. said he did not do that. Minnie H. said she looked it up and found there is two kinds of committees, one is a permanent committee which they have some say on how things turn out and the other is the type of committee that Luke appointed and it is a temporary committee they have no power to do anything when it comes to making decisions. Minnie H. quoted from the 2020 Indiana Elected Municipal Officials handbook, "Appointees generally serve at the pleasure of the authority (Mayor or Council)." Larger municipalities have mayors, small towns do not have a mayor they have the president of the council, they can appoint them and the committees. Minnie H. quotes "The committees are purely advisory and have no power to enact ordinances or direct activities of the city." All they do is make suggestions and we can take that and do with it as we see fit. Minnie H. said there was a good variance in the committee, there was the fire department, township board, community and the town board. Minnie H. said she was not sure what Carmine A. was upset about. Carmine A. said It was about how he picked the committee without our knowing, even the lawyer at the meeting did not know there was a special committee formed until the meeting.

After some discussion there was disagreements on how the committee was formed. Alaathea F. reminded the Board that the special committee was brought up at a Township meeting. The ideal was to have outside input on the matter of the fire station contract, to have those who opposed and those that were for it on the committee. It was brought up four days or so before the next town meeting and Luke M. was just trying to do some leg work to get that moving. No decisions were made on the matter.

**Follow up on Luke Martin's two positions with the Town:** This was discussed in Follow up on Reported Break Ins.

#### **New Business:**

**2021-12 Salary Ordinance:** Alaathea F. said this ordinance is for Town Council, Clerk/Treasurer, Water/Wastewater Superintendent and Town Marshal and Deputy. Minnie H. made the motion to approve the Ordinance 2021-12, Luke M. seconded the motion, Luke M. called for a vote, motion carried.

**2021-13 Salary Ordinance:** Alaathea F. said this ordinance is for Town Superintendent. All of you have a copy of it. Carmine A. made the motion to approve the Salary Ordinance, Minnie H. seconded the motion, Luke M. called for a vote; motion carried. Luke M. abstained from the vote.

**2021-14 Salary Ordinance:** Alaathea F. said this ordinance is for Part time and temporary work. Minnie H. made the motion to approve the Ordinance 2021-14, Luke M. seconded the motion, Luke M. called for a vote, motion carried.

**Snow Removal contract for 2022:** Alaathea F. said we have a contract from Charlie rice for \$425.00 per occurrence when 3 inches of snow falls. After much discussion Carmine A. wants to get other quotes for snow plowing. Tabled to next meeting.

**Coal Creek Fire & Rescue's contract:** After much discussion on the contract, it was tabled until a special meeting can be scheduled in January. Carmine will contact Town Attorney and Township Trustee Roger Kunkel will contact their Attorney.

**New Guidelines & Protocols for Town Superintendent:** Alaathea F. said we need to do this at a Work Session meeting to talk about protocols and guidelines and what that would be, get it in writing, then at a regular meeting vote on it. After some discussion it was decided to tabled it and have a Work Session meeting at a later date.

**Subbing out Mowing for Town Properties:** Luke M. asked Carmine A. if he had other prices. Carmine A. said he spoke with other towns that sub out their mowing. Carmine A. said he was comparing the cost of subbing the mowing out versus the town's expense of repair, labor and gas. Luke M. asked Jay Busses to give us a quote for mowing 19 acres. After some discussion this was tabled until next meeting.

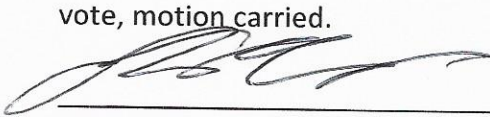
**Public Comments:**

Russ Wethington asked about getting natural gas in the Town of New Richmond. There was some discussion on this and the Board wants to check into it.

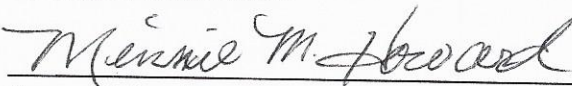
Darrell Birge asked about the use of Town equipment on personal property, he stated that this was illegal. Luke M. said that he has helped Darrell Birge as well as over 30 residents in town on their property and he will not stop helping people. After some discussion Shelly Wulfers and Theresa Gaylor were both thankful for Luke's willingness to help people in town.

RD Burns asked about taking tree limbs to the burn pile. Luke M. said just leave them at the stage at the park and he will take them from there.

Minnie H. made the motion to adjourn the meeting, Carmine A seconded the motion, Luke M. called for a vote, motion carried.

  
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President Luke Martin

  
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Attest: Clerk/Treasurer Alaathea Foust

  
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Council Member Minnie Howard

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Council Member