**New Buffalo Borough Meeting Minutes**

**December 06, 2010**

**Call to Order**

President Ted Engle called the meeting of New Buffalo Borough Council to order at 7:35p.m. on December 06, 2010 in the New Buffalo United Methodist Church.

**Roll Call**

Present were council members: Ted Engle, Dale Peterson, John Johnson, and Paul Krieger.

The following persons were also present: Sally Lesher, Christian Holler, Dan Balthaser, Lou Geist, Janice Crouse, Karen Ersoz, Ron Senior, Andy Beaver, Jobe Baker, Ryan Klose, and Dave Sweetland.

**Reading of last month’s minutes**

The minutes from November 01, 2010 were read with no additions or corrections. Upon motion of Dale Peterson, seconded by John Johnson, the minutes were approved. Paul Krieger abstained as he was not present at that meeting.

**Treasurer’s Report**

Upon motion of Dale Peterson, seconded by Paul Krieger, the Treasurer’s Report was approved, with corrections made.

**Sewage Report**

The plant is ready to go; all the mains are tested and approved by Ron Senior. The project cannot move forward until the generator issue is resolved. The borough had to employ Bill Bunt to help us with the legalities of this issue. Dave Sweetland gave an update on the sewer project.

1. Borough needs a change order to make changes to the generator. This will not be at New Buffalo’s expense per Dave Sweetland. Sample of a change order given to Borough to review by SEC. This has the zero dollar amount and is giving them until the 30th of December 2010 to get the generator issue solved.
2. Claims for liquidated damages – Bill Bunt recommended that we waive this fee of $800.00 per day to GEI.
3. Hold back monies to GEI – we paid them up to date – hold rest of monies – worst case 3 months.

Motion to approve – Dale Peterson, seconded by John Johnson with the stipulation that the Borough does NOT incur any expenses and waive fee of $800.00 to GEI.

Andy Beaver and another Representative from Gutielius was present. Dave Sweetland stated that Skelly & Loy are responsible to keep trying to correct the issue of the generator. If we cannot get a satisfactory ending than liquid damages will come back into play. Paul Krieger feels that we should get this in writing. Bill Bunt is pleased with the resolution that has been proposed. A test run is scheduled for December 28 at the plant. This will determine if the generator issue has been corrected. A representative from Generac® will be there at this time. Paul Krieger asked what the warranty for the generator is and Dave feels it is one year. This will be when all four steps are run to see if they work automatically. Dave suggests that we run a series of tests not just one round.

Karen Ersoz asked if we could hire our own electrician to oversee this – Dave Sweetland stated that he will see if he can obtain one for the Borough. Andy Beaver stated that they also have a subcontractor they use for Electric issues and they will have him there.

The fencing was completed around the project by Million Dollar Fencing. This cost the Borough $1612.00. Contracting them saved the borough money, however, because the Borough did not pay the prevailing rate we may not be able to get reimbursed with the grant monies for this. At this time we will pay out of the general account and Dave will see if we can somehow get the grant monies to pay for it.

Karen Ersoz asked if the manhole can be filled in before the snow starts. Ron will call and ask.

The Board approved to submit Gutelius Bill #5 for approval so that SEC can submit.

**Ordinance Violations**

Ted Engle stated he did send out letters to those in violation of the ordinances.

**Rental**

Nothing new.

**New Business**

Mr. Holler stated that he was sorry that he accidently knocked down the Borough’s bulletin board. Mr. Holler was generous to take down the tree that needed removed and in the process he knocked down the bulletin board. The removal of the tree looks excellent.

Jobe Baker from New Buffalo Fire Company submitted the monthly report for review. He stated that an individual in the community donated 50 smoke detectors and the FD will go around and install these in houses in the Borough. The FD will determine who is best suited to have one, and some places may be able to have 2. the FD will solicit help in installing them.

Prizes for Christmas decoration will be $50.00 for first place, $25.00 of that from the Borough and $25.00 from Peterson Automotive. Second place will be $20.00 from Millie’s Pizza. Motion to approve – John Johnson, seconded by Paul Krieger.

The Budget for 2011 will be reviewed at next month’s meeting.

**Bills**

Upon motion of Dale Peterson, seconded by John Johnson, the bill list was approved for payment.

**Adjourn**

Upon motion of Dale Peterson, seconded by John Johnson, council adjourned at 10:30 p.m.