MINUTES
Board of Trustees & Committee of the Whole Meeting
7:00 PM - Thursday, February 27, 2025
Village Hall, 620 W. Main St., Newburg, Wisconsin

CALL TO ORDER / ROLL CALL
- President Dave DeLuka - Trustee Bill Sackett - Trustee Mike Heili
- Trustee Mike Enright - Trustee Brooke Stangel -Trustee Kevin Kohn
- Trustee Paul Zimdars

All members present a quorum was met. 7-0 The meeting was called to order at 7:00pm

PLEDGE OF ALLEGIANCE
"*I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*", should be rendered by standing at attention facing the flag with the right hand over the heart. A person in uniform should instead remain silent and render the military salute. Veterans may choose either method. (4 USC Sec. 4).

PUBLIC FORUM
Members of the public are invited to address the Village Board regarding any topic of public concern. Those who wish to speak are asked to clearly state their full name and address while standing at the podium when addressing the Village Board.

Heili motioned to open Public form, seconded by Zimdars.
Motion prevailed by a voice vote of 7-0.

Tiara Toland, 6884 Northvue Ct.
Brought to the attention of the board an issue with bus drop off issue and would like to know if the Village could do something to help reduce speed in these areas for the safety of all children.

Zimdars motioned to close Public form, seconded by Kohn.
Motion prevailed by a voice vote of 7-0.

CORRECTION AND APPROVAL OF PAST MINUTES
1. Meeting Minutes

Motion to adopt the meeting minutes as presented.
Moved by Sackett; seconded by Zimdars.
Motion prevailed by a voice vote 7-0.
Board of Trustees & Committee of the Whole - Jan 23 2025 - Minutes - Html

PRESENTATIONS
2. County Updates
Tony Thoma, Washington County Supervisor - District 19.

Mr. Thoma was not present at this meeting.

Newburg Fire Department Updates
Brad Karnitz, Newburg Fire Chief

The new Newburg Fire Department Chief, Brad Karnitz, and President, Chris Becker were present and introduced themselves. They intend to be at more of the Village Board meetings and providing detailed information.

NEW BUSINESS

ADMINISTRATION

Administrator Nathan Wendelborn. Including updates on items such as zoning, community center, village hall general operations, or other service areas related to village administration.

3. Department Update - Verbal

Administrator Wendelborn gave an update of Emmer's / Klink Development.

4. Discussion and Possible Action on authority for towing vehicles that are in violation of parking restrictions OR allowing Village Administrator / DPW Director direct authority to issue citations.

There was discussion among the board on how to best handle vehicles that are on streets where they are no supposed to be during snow events. It was discussed to give Administrator Wendelborn the authority to write tickets for those violating parking ordinances. They came to the conclusion that Chief Foeger will look into how other municipalities handle this situation and Administrator Wendelborn will speak to the new attorney to get his thoughts and report back to the board.

5. Discussion and Possible Action on **Resolution 2025- XX[03] - Resolution: Accept Funds from the Washington County Emergency Medical Service (EMS) & Fire Grant Program**

Motion by Sackettt to approve Resolution 2025- XX[03] - Resolution: Accept Funds from the Washington County Emergency Medical Service (EMS) & Fire Grant Program; seconded by Heili. Motion prevailed by a roll call vote of 7-0

File 2025-XX[03] EMS & Fire Grant

6. Website Reveal

Administrator Wendelborn presented the new Village of Newburg website and discussed the new logo. The logo was sent back to staff to have a graphic designer redesign within a reasonable expense. Agendas will no longer be processed through Icompass - Diligent to save funds and will be in .pdf format going forward.
The webpage will go live in the next few weeks.

7. Discussion and Possible Action on **Resolution 2025- XX[04] - Resolution: Accept**

Funds from the Washington County Roadway Shared Services Grant Program

Motion by Heili to approve **Resolution 2025- XX[04] - Resolution: Accept Funds from the Washington County Roadway Shared Services Grant Program**; seconded by Sackett, Motion prevailed by a roll call vote of 6-0, Zimdars excused

File 2025-XX[04] Roadway Shared Services Grant Program

BUILDING INSPECTION / ZONING / EMERGENCY MANAGEMENT

Mr. Jeff Thoma, Building Inspector

- Emergency Management updates relating to planning, preparation, training, and emergency events.
- Building Inspection information on quantity and type of permits requested, along with approval or denial status and any notable concerns or follow-up.
- Zoning relating to any pending, upcoming or complex zoning concerns. Updates on pending or recent zoning and comprehensive plan changes in neighboring towns relating to territory within the Village of Newburg's extraterritorial review area.
    - Town of Trenton
    - Town of Saukville

Administrator Wendelborn gave updates on some of Building & Zoning happening within the Village. There is a potential buyer for the old Fire House that is interested in turning it into a business. This includes connecting to the Sanitary system. The new homes on Steepleview are framed, and simple permits have been issued.
He also mentioned that we are out of compliance for assessments so the village will need to have a reevaluation in the next 5 yrs.

8. Discussion and Possible Action on Ordinance 90.04 (H)(1) - Nuisances Affecting Peace and Safety

Motion by Sackett to approve the addition of ordinance 90.04 H)(1) - NUISANCES AFFECTING PEACE AND SAFETY ; seconded by Heili. Motion prevailed by a roll call vote of 7-0

90.04 (H)(1) - NUISANCES AFFECTING PEACE AND SAFETY

LAW ENFORCEMENT

Police Chief Mike Foeger or Police Captain Justin Jilling.

9. Department Update

Chief Foeger reported that they are working with Newburg Fire Department to have coverage during this years Fireman's picnic.

NPD Memo

DPW: PUBLIC WORKS & SANITARY SEWER

DPW Director Nate Wendelborn.

10. Department Update - Verbal

Administrator Wendelborn reported that DPW employees took CPR training the Newburg Fire Department, plowing was minimal this winter, the 550 is operational but still needs work, shouldering on Steepleview will begin once the frost.

11. Discussion and Possible Action on WWTP Upgrade PayApp #5

Motion by Zimdars to approve WWTP Upgrade Pay Requests #5 ; seconded by Kohn. Motion prevailed by a roll call vote of7-0

WWTP Upgrade PayApp #5

12. Discussion and Possible Action on Sanitary Truck Upfit Quote

Motion by Stangel to approve DPW to spend up to $13,000.00 on a new service body for the Sanitary 2022 Ram pickup ; seconded by Kohn. Motion prevailed by a roll call vote of 7-0.

NEWBURG VILLAGE SERVICE BODY Quote

ELECTIONS & FINANCE

Clerk/Treasurer Brandy Loveland Seelow.

13. Financial reports for the period ending January 31, 2025.

Reports provided are in final form for internal management purposes as of the date of publication. Information may be updated in subsequent periods as corrections are made in reconciliation with new information or the auditor determines appropriate adjustments to prior periods.

- **General Fund - Balance Sheet.** *Shows the assets the village held, the liabilities the village owes to others, and the allocation of equity holdings remaining as of a certain date.*
- **General Fund - Income Statement.** *Shows actual revenue and expenses logged over a period of time (year to date) compared to the annual budget for the same. A balance of "profit" or "loss" at the bottom line indicates the resulting change that would affect equity on the Balance Sheet.*
- **Sanitary Fund - Balance Sheet.** *Shows the assets the SF held, the liabilities the SF owes to others, and the allocation of equity holdings remaining as of a certain date.*
- **Sanitary Fund - Income Statement.** *Shows the actual revenue and expenses logged over a period of time (year to date) compared to the annual budget for the same. A balance of "profit" or "loss" at the bottom line indicates the resulting change that would affect equity on the Balance Sheet.*
- **All Funds - Payroll Summary.** *Shows hours and dollars paid per category over a period of time (year to date) compared to the prior year. Because all payroll functions are initiated within the GF, this report also includes time for sanitary or capital project functions.*
- **Capital Fund - Income Statement.** *The Capital Fund is presently held as a sub-set of the General Fund data and is segregated out for this report to clearly show actual and budgeted revenue and expenses for capital projects.*
- **All Funds - Summary Debt Schedule.** *Provided Quarterly. Shows details of loans held, estimated future principal balances and debt service payments, and the relation to debt limit.*

Not available at the time of publication. Will be updated once completed.

Financial reports are not available, we continue to transition to Workhorse. This is going slowly but headed in the right direction so that everything will be done accurately. We hope to have everything set up by next month.

14. Discussion and Possible Action for a Special Assessment module from Workhorse

Motion by Heili to approve purchase Workhorse Special Assessment software ; seconded by Zimdars. Motion prevailed by a roll call vote of 7-0.

Special Assessment Module Quote - Workhorse

15. Clerk related items such as elections, record retention and license and permits.

- February 18th, 2025 Primary was slow and we were able to work with a small staff to save on the budget.
- Next election is April 1st, 2025, Spring Election

ANNOUNCEMENTS

- Plan Commission March 6th,2025 @ 6:30 PM
- Next BOT/COW Meeting will be March 27, 2025 @ 7:00 PM
- Cookout Employee on June 13th, 2025 @ Doc Weber Park

ADJOURNMENT

Motion by Enright to adjourn ; seconded by Sackett. Motion prevailed by a voice call vote of 7-0.

MINUTES
Board of Trustees & Committee of the Whole Meeting
7:00 PM - Thursday, January 23, 2025
Village Hall, 620 W. Main St., Newburg, Wisconsin

CALL TO ORDER / ROLL CALL
- President Dave DeLuka - Trustee Bill Sackett - Trustee Mike Heili
- Trustee Mike Enright - Trustee Brooke Stangel -Trustee Kevin Kohn
- Trustee Paul Zimdars

All members present, except Stangel whom was excused; a quorum was met. 6-0-1. The meeting was called to order at 7:00pm

PLEDGE OF ALLEGIANCE
"*I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.*", should be rendered by standing at attention facing the flag with the right hand over the heart. A person in uniform should instead remain silent and render the military salute. Veterans may choose either method. (4 USC Sec. 4).

PUBLIC FORUM
Members of the public are invited to address the Village Board regarding any topic of public concern. Those who wish to speak are asked to clearly state their full name and address while standing at the podium when addressing the Village Board.

Heili motioned to open Public form, seconded by Zimdars.
Motion prevailed by a voice vote of 6-0-1 (Stangel)

Jim Kitzinger, 619 Steepleview Rd., voiced his concern with the chip sealing and excessive gravel left.

Heili motioned to close Public form, seconded by Kohn.
Motion prevailed by a voice vote of 6-0-1 (Stangel)

CORRECTION AND APPROVAL OF PAST MINUTES
1. Meeting Minutes

Motion to adopt the meeting minutes as presented.
Moved by Zimdars; seconded by Enright.
Motion prevailed by a voice vote 6-0-1 (Stangel)
Board of Trustees & Committee of the Whole - Dec 19 2024 - Minutes - Html

PRESENTATIONS
2. County Updates
Tony Thoma, Washington County Supervisor - District 19.

Mr. Thoma was not present at this meeting

NEW BUSINESS

ADMINISTRATION

Administrator Nathan Wendelborn. Including updates on items such as zoning, community center, village hall general operations, or other service areas related to village administration.

3. Department Update - Verbal

- Working with Townweb to build our website and adopting .gov
- Administrator Wendelborn had a meeting with a local business that is showing interest in doing some development within the Village and has forwarded the information onto the County to see what they may be able to assist with.

4. Discussion and possible action Fire and EMS reserve funds.

A brief explanation by President DeLuka and Administrator Wendelborn was given.

Motion by Zimdars to approve File 2022-xx[02] Resolution Reserving Excess County Sales Tax Dollars for Future Use; seconded by Kohn. Motion prevailed by a roll call vote of 6-0-1(Stangel)

2025-XX[02] Fire and EMS Reserve Funds

5. Discussion and possible action RFP for legal services.

Administrator Wendelborn gave a brief overview of the 3 RFPs that were submitted. In conclusion he asked the board approve the submission from Dempsey Law to enter into contract for legal services.

Motion by Zimdars to approve the RFP from Dempsey Law and begin negotiations; seconded by Enright. Motion prevailed by a roll call vote of 6-0-1(Stangel)

Dempsey Law Firm LLC - Village of Newburg RFP 01.07.25
Russell Law Offices, SC - Village of Newburg RFP 01.07.25
Lindner & Marsack, S.C. Rates - Village of Newburg RFP 01.07.25
LINDNER & MARSACK, S.C. - Village of Newburg RFP 01.07.25

6. Discussion and possible action on Resolution 2025-01- Modifying the Handbook Health Insurance Supplement

Motion by Sackett to approve File 2022-xx[01] Resolution Modifying the Employee Handbook Health Insurance Stipend; seconded by Heili. Motion prevailed by a roll call vote of 6-0-1(Stangel)

File 2025-XX[01] Handbook Changes

BUILDING INSPECTION / ZONING / EMERGENCY MANAGEMENT

Mr. Jeff Thoma, Building Inspector

- Emergency Management updates relating to planning, preparation, training, and emergency events.

- Building Inspection information on quantity and type of permits requested, along with approval or denial status and any notable concerns or follow-up.
- Zoning relating to any pending, upcoming or complex zoning concerns. Updates on pending or recent zoning and comprehensive plan changes in neighboring towns relating to territory within the Village of Newburg's extraterritorial review area.
    - Town of Trenton
    - Town of Saukville

7. Department Update

The memo from Building Inspector Jeff Thoma was reviewed. Administrator Wendelborn did add that Cork N Barrel is looking to expand their building to include the back patio.

Building Inspector Memo

LAW ENFORCEMENT

Police Chief Mike Foeger or Police Captain Justin Jilling.

8. Department Update

Captain Jilling updated the board on the accident at St. John's Lutheran Cemetery that happened on January 10th, 2025. He then reviewed Police Activity as shown in the memo.

NPD Memo

DPW: PUBLIC WORKS & SANITARY SEWER

DPW Director Nate Wendelborn.

9. Department Update - Verbal

- F550 needs a new front end and will be done in the spring.
- The salter is now not working and DPW will be rebuilding the best they can.
- Administrator Wendleborn is recommending either purchasing a new truck or a complete overhaul.
- DPW building needs to be expanded to house machinery. Pricing will be compiled and presented at a future BOT/COW meeting.

ELECTIONS & FINANCE

Clerk/Treasurer Brandy Loveland Seelow.

10. Financial reports for the period ending December 31,2024.

Reports provided are in final form for internal management purposes as of the date of publication. Information may be updated in subsequent periods as corrections are made in reconciliation with new information or the auditor determines appropriate adjustments to prior periods.

- **General Fund - Balance Sheet.** *Shows the assets the village held, the liabilities the village owes to others, and the allocation of equity holdings remaining as of a certain date.*
- **General Fund - Income Statement.** *Shows actual revenue and expenses logged over a period of time (year to date) compared to the annual budget for the same. A balance of "profit" or "loss" at the bottom line indicates the resulting change that would affect equity on the*

Balance Sheet.

- **Sanitary Fund - Balance Sheet.** *Shows the assets the SF held, the liabilities the SF owes to others, and the allocation of equity holdings remaining as of a certain date.*
- **Sanitary Fund - Income Statement.** *Shows the actual revenue and expenses logged over a period of time (year to date) compared to the annual budget for the same. A balance of "profit" or "loss" at the bottom line indicates the resulting change that would affect equity on the Balance Sheet.*
- **All Funds - Payroll Summary.** *Shows hours and dollars paid per category over a period of time (year to date) compared to the prior year. Because all payroll functions are initiated within the GF, this report also includes time for sanitary or capital project functions.*
- **Capital Fund - Income Statement.** *The Capital Fund is presently held as a sub-set of the General Fund data and is segregated out for this report to clearly show actual and budgeted revenue and expenses for capital projects.*
- **All Funds - Summary Debt Schedule.** *Provided Quarterly. Shows details of loans held, estimated future principal balances and debt service payments, and the relation to debt limit.*

- Trustees reviewed the financial reports provided and had few questions or discussion.
- President DeLuka and Treasurer Loveland continue to review and balance the books on a weekly basis in preparation for our audit and transition over to Workhorse.

20241230 Financials - Balance Sheet - GEN FUND
20241230 Financials - Income Statement - GEN FUND
20241230 Financials - Balance Sheet - SAN FUND
20241230 Financials - Income Statement - SAN FUND
December Payroll Summary - Hours and Dollars Compared to Prior Year

11. *Clerk related items such as elections, record retention and license and permits.*

- We received 2 open records requests for Village Office Nominees
- Noticed for the February Primary have been submitted to local newspaper

ANNOUNCEMENTS

- Next BOT/COW meeting will be February 27rd, 2025 at 7pm
- Spring Primary Election is February 18th

CLOSED SESSION NOTICE

Pursuant to wis state statue 19.85(1)(c) this board will enter in to closed session for the purposes of Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility. Specifically to be discussed is the performance reviews and compensation of all employees including the administrator. Parties in attendance during closed session include the Village Board and the Village Administrator. The board may adjourn from closed session if no action is needed.

Motion to adjourn into Closed Session at 7:44pm.
Moved by Enright, seconded by Zimdars.
Motion prevailed by a voice vote of 6-0-1 (Stangel).

ADJOURNMENT

Village of Newburg - 620 W Main St. PO Box 50, Newburg, WI 53060 - (262) 675-2160 - Clerk@village.newburg.wi.us

Village of Newburg, Wisconsin

Resolution 2025- XX[03]

Resolution: Accept Funds from the Washington County Emergency Medical Service (EMS) & Fire Grant Program

WHEREAS, Washington County has allocated a pool of dollars to create a grant program to provide direct assistance to partner fire and Emergency Medical Services (EMS) agencies in the County; and

WHEREAS, the County has created a distribution formula and has calculated the award amounts for each eligible municipality; and

WHEREAS, Washington County has awarded $ 29,000 to Village of Newburg for this purpose; and

WHEREAS, Village of Newburg has reviewed the terms and conditions of the grant program, as described in the program description; and

NOW, THEREFORE, BE IT RESOLVED by the Village of Newburg Board that the Village Board does hereby accept the grant award in accordance with the Washington County Emergency Medical Service (EMS) & Fire Grant Program.

Passed and adopted by the Village Board of the Village of Newburg, Washington and Ozaukee Counties, Wisconsin, this 27th day of February 2025.

_____ _____

David DeLuka, Village President Brandy Loveland Seelow, Clerk

Village of Newburg, Wisconsin

Resolution 2025- XX[04]

Resolution: Accept Funds from the Washington County Roadway Shared Services Grant Program

WHEREAS, Washington County has allocated a pool of dollars to create a grant program to provide direct assistance to Municipalities in the County for road work and related professional services; and

WHEREAS, the County has worked in conjunction with local chief elected officials to create a distribution formula and has calculated the award amounts for each eligible municipality; and

WHEREAS, Washington County has awarded $ 3,628 to Village of Newburg for this purpose; and

WHEREAS, Village of Newburg has reviewed the terms and conditions of the grant program as reflected in the attached presentation, and agrees to abide by them; and

NOW, THEREFORE, BE IT RESOLVED by the Village of Newburg Board that the Village Board does hereby accept the grant award in accordance with the Washington County Roadway Maintenance Shared Services Grant Program

Passed and adopted by the Village Board of the Village of Newburg, Washington and Ozaukee Counties, Wisconsin, this 27th day of February 2025.

_____ _____

David DeLuka, Village President Brandy Loveland Seelow, Clerk

§ 90.04 NUISANCES AFFECTING PEACE AND SAFETY.

The following acts, omissions, places, conditions, and things are hereby declared to be public nuisances affecting peace and safety, but such enumeration shall not be construed to exclude other nuisances affecting public peace or safety coming within the definition of § 90.02:

(A) Signs, billboards, and the like. All signs and billboards, awnings, and other similar structures over or near streets, sidewalks, public grounds, or places frequented by the public so situated or constructed as to endanger the public safety;

(B) Illegal buildings. All buildings erected, repaired, or altered in violation of the provisions of this code relating to materials and manner of construction of buildings and structures within the village;

(C) Unauthorized traffic signs. All unauthorized signs, signals, markers, or devices placed or maintained upon or in view of any public highway or railway crossing which purport to be or may be mistaken as an official traffic control device, railroad sign, or signal or which, because of its color, location, brilliance, or manner of operation, interferes with the effectiveness of any device, sign, or signal;

(D) Obstruction of intersections. All trees, hedges, billboards, or other obstructions which prevent persons driving vehicles on public streets, alleys, or highways from obtaining a clear view of traffic when approaching an intersection or pedestrian crosswalk;

(E) Tree limbs. All limbs of trees which project over and less than ten feet above any public sidewalk or less than 15 feet above a street or other public place;

(F) Dangerous trees. All trees which are injurious to public health or safety because of a diseased or damaged condition, and the storage of cut elm wood unless such wood is debarked or sprayed with an effective elm bark beetle destroying insecticide;

(G) Fireworks. All use, possession, or display of fireworks, except as provided by the laws of the state and Chapter 130 of this code;

(H) Dilapidated buildings. All buildings or structures so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, or otherwise unfit for human use;

> (1) Exterior appearance. Every building and structure shall be kept neat and attractive in appearance. All exterior wood surfaces shall be properly protected from the elements and against decay by paint, stain or other protective coating and applied in a workmanlike manner as often as necessary to preserve and maintain such appearance and prevent deterioration. Stone, brick or other masonry shall be kept adequately pointed and maintained.

(I) Wires and cables over streets. All wires and cables over streets, alleys, or public grounds which are strung less than 15 feet above the surface thereof;

(J) Noisy animals or fowl. The keeping or harboring of any animal or fowl which, by frequent or habitual howling, yelping, barking, crowing, or making of other noises, shall greatly annoy or disturb a neighborhood or any considerable number of persons within the village;

(K) Obstructions of streets; excavations. All obstructions of streets, alleys, sidewalks, or crosswalks and all excavations in or under the same, except as permitted by this code or which, although made in accordance with this code, are kept or maintained for an unreasonable or illegal length of time after the purpose thereof has been accomplished or do not conform to the permit;

(L) Snow, ice, and debris removal. All debris not removed and all snow and ice not removed or sprinkled with salt, ashes, sawdust, or sand, as provided in § 95.06;

(M) Refrigerators. All abandoned refrigerators or iceboxes from which the doors and other covers have not been removed or which are not equipped with a device for opening from the inside;

(N) Open pits, basements, and the like. All open and unguarded pits, wells, excavations, and basements; and

(O) Flammable liquids violations. Repeated or continuous violations of this code or the laws of the state relating to the storage of flammable liquids.

(Prior Code, § 10.05)

To: Board of Trustees

From: Chief Michael Foeger

Date: February 13, 2025

Re: Departmental Update for February 27, 2025 BOT Meeting

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1. The Chief and Captain attended the Chief's Conference from February 10-February 12.
2. Newburg Police Department Activity Report

NEWBURG POLICE DEPARTMENT ACTIVITY
JANUARY 2025

Incident Type	Total
Accident - Traffic - Personal Injury	1
Ambulance Request	2
Assist PD	1
Assistance - All Others	1
Larceny (Theft)	1
Municipal Ordinance Investigation	1
Parking Violation	1
Property Check	83
Traffic Enforcement	17
Traffic Stop	18
TOTAL	**126**

Building a Better World
for All of Us®

February 14, 2025

RE: Village of Newburg
Wastewater Treatment Plant
SEH No 177794

Nate Wendelborn
Village Administrator/DPW Director
620 West Main Street
Newburg, WI 53060

Dear Mr. Wendelborn;

Attached is a signed Application for Payment No. 5 from August Winter for work completed from December 1, 2024 – January 31, 2025. This application includes payment for work primarily consisting of skylights, electrical equipment and control panels, electrical conduit/wiring, fencing, seeding/restoration, sanitary sewer systems, and vertical fine screen. I have reviewed this application for payment and believe it to accurately represent the work completed as presented by the contractor through the above referenced date.

Retainage of 5%, as specified in the contract, is being held on the work completed for this period as shown on page one of the attached request. The total requested amount is **$486,333.21** for which I recommend payment.

If you have any questions regarding this application for payment, please call me at 920.287.0829.

Sincerely,

Daniel J Schaefer

Dan Schaefer, PE (CO, KY, MI, NC, TN, WI)
Associate, Engineer VI

cc: Katie Healy, SEH
Attachment

X:\KO\N\NEWBW\177794\7-const-svcs\73-app-pymt\AFP #5

Contractor's Application for Payment

Owner:	Village of Newburg	**Owner's Project No.:**	
Engineer:	SEH, Inc.	**Engineer's Project No.:**	NEWBW 171185
Contractor:	August Winter & Sons, Inc.	**Contractor's Project No.:**	80624
Project:	Wastewater Treatment Plant Upgrades		
Contract:	Wastewater Treatment Plant Upgrades		
Application No.:	#5	**Application Date:**	01/29/2025
Application Period:	**From** 12/01/2024	**to**	01/31/2025

1. Original Contract Price				$ 2,570,000.00
2. Net change by Change Orders				$ 4,971.67
3. Current Contract Price (Line 1 + Line 2)				$ 2,574,971.67
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)				$ 1,333,650.00
5. Retainage				
a.	2.5% X	$ 2,334,971.67	Work Completed	$ 58,374.29
b.	2.5% X	$ 240,000.00	Stored Materials	$ 6,000.00
c. Total Retainage (Line 5.a + Line 5.b)			2.5% of Total Contract	$ 64,374.29
6. Amount eligible to date (Line 4 - Line 5.c)				$ 1,269,275.71
7. Less previous payments (Line 6 from prior application)				782,942.50
8. Amount due this application				$ 486,333.21
9. Balance to finish, including retainage (Line 3 - Line 6)				$ 1,305,695.96

Contractor's Certification

The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor:	August Winter & Sons, Inc.		
Signature:		**Date:**	01/29/2025

Recommended by Engineer		**Approved by Owner**	
By:	Dan Schaefer Daniel J Schaefer	**By:**	
Title:	Project Manager	**Title:**	
Date:	2/14/25	**Date:**	
Approved by Funding Agency			
By:		**By:**	
Title:		**Title:**	
Date:		**Date:**	

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APPLICATION AND CERTIFICATE FOR PAYMENT

Invoice #: 64458

To Owner: Village of Newburg
620 W Main Street
POBox 50
Newubrg, WI 53060-0050

Project: 80624- Newburg WWTP

From Contractor: August Winter & Sons, Inc.
2323 N. Roemer Road
Appleton, WI 54912

Via Architect:

Contract For: Newburg WWTP Upgrades

Application No. : 5

Period To: 1/31/2025

Project Nos: NEWBW 171185

Contract Date: 2/27/2024

Distribution to :
- ☐ Owner
- ☐ Architect
- ☐ Contractor
- ☐
- ☐

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract.
Continuation Sheet is attached.

1. Original Contract Sum		$2,570,000.00
2. Net Change By Change Order		$4,971.67
3. Contract Sum To Date		$2,574,971.67
4. Total Completed and Stored To Date		$1,333,650.00
5. Retainage:		
a. 2.50% of Completed Work	$58,374.29	
b. 2.50% of Stored Material	$6,000.00	
Total Retainage		$64,374.29
6. Total Earned Less Retainage		$1,269,275.71
7. Less Previous Certificates For Payments		$782,942.50
8. Current Payment Due		$486,333.21
9. Balance To Finish, Plus Retainage		$1,305,695.96

CHANGE ORDER SUMMARY	Additions	Deductions
Total changes approved in previous months by Owner	$4,971.67	$0.00
Total Approved this Month	$0.00	$0.00
TOTALS	$4,971.67	$0.00
Net Changes By Change Order	**$4,971.67**	

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information, and belief, the work covered by this Application for Payment has been completed in accordance with the Contract Documents. That all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: August Winter & Sons, Inc.

By:_____ Date: 01/29/2025

State of: Wisconsin County of: Outagamie
Subscribed and sworn to before me this 29th day of January, 2025
Notary Public: Kathryn M Knapp
My Commission expires: 5/13/2025

KATHRYN M. KNAPP NOTARY PUBLIC STATE OF WISCONSIN

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising the above application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information, and belief, the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED $ 486,333.21

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT:

By:_____ Date:_____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment, and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

CONTINUATION SHEET

Application and Certification for Payment, containing
Contractor's signed certification is attached.
In tabulations below, amounts are stated to the nearest dollar.
Use Column I on Contracts where variable retainage for line items may apply.

Application No. : 5
Application Date : 01/22/25
To: 01/31/25
Architect's Project No.: NEWBW 171185

Invoice # : 64458 **Contract :** 80624- Newburg WWTP

A	B	C	D	E	F	G		H	I
Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored	Total Completed and Stored To Date	% (G / C)	Balance To Finish (C-G)	Retainage
			From Previous Application (D+E)	This Period In Place	(Not in D or E)	(D+E+F)			
001	Mobilization	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00%	0.00	5,000.00
002	Bond	35,000.00	35,000.00	0.00	0.00	35,000.00	100.00%	0.00	1,750.00
003	Division 01 General Requirements	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
004	Administrative Requirements	54,700.00	0.00	4,000.00	0.00	4,000.00	7.31%	50,700.00	200.00
005	Temporary Clarifier	52,000.00	0.00	0.00	0.00	0.00	0.00%	52,000.00	0.00
006	Division 03 Concrete	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
007	Reinforcing Steel	30,000.00	27,000.00	0.00	0.00	27,000.00	90.00%	3,000.00	1,350.00
008	Concrete	58,000.00	58,000.00	0.00	0.00	58,000.00	100.00%	0.00	2,900.00
009	Precast Concrete	88,000.00	88,000.00	0.00	0.00	88,000.00	100.00%	0.00	4,400.00
010	Division 05 Metals	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
011	Misc Metals	90,000.00	7,000.00	0.00	0.00	7,000.00	7.78%	83,000.00	350.00
012	Division 8 Openings	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
013	Access Doors	45,000.00	7,000.00	0.00	0.00	7,000.00	15.56%	38,000.00	350.00
014	Skylights	45,000.00	0.00	33,750.00	0.00	33,750.00	75.00%	11,250.00	1,687.50
015	Division 9 Finishes	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
016	Coatings	52,000.00	0.00	0.00	0.00	0.00	0.00%	52,000.00	0.00
017	Division 22 Plumbing	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
018	Plumbing Piping	30,000.00	7,500.00	0.00	0.00	7,500.00	25.00%	22,500.00	375.00
019	Plumbing Fixtures	21,000.00	0.00	0.00	0.00	0.00	0.00%	21,000.00	0.00
020	Booster Pumps	23,000.00	0.00	0.00	0.00	0.00	0.00%	23,000.00	0.00
021	Plumbing Insulation	7,000.00	750.00	0.00	0.00	750.00	10.71%	6,250.00	37.50
022	Division 23 HVAC	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
023	Unit Heaters	18,000.00	0.00	0.00	0.00	0.00	0.00%	18,000.00	0.00
024	Fans/Louvers	11,000.00	7,100.00	0.00	0.00	7,100.00	64.55%	3,900.00	355.00
025	Ductwork	2,500.00	0.00	0.00	0.00	0.00	0.00%	2,500.00	0.00
026	HVAC Controls	2,000.00	0.00	0.00	0.00	0.00	0.00%	2,000.00	0.00
027	HVAC Insulation	8,000.00	0.00	0.00	0.00	0.00	0.00%	8,000.00	0.00
028	Division 26 Electrical	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
029	System Integrator	306,000.00	0.00	0.00	240,000.00	240,000.00	78.43%	66,000.00	6,000.00
030	Electrical conduit/wiring	185,000.00	40,000.00	15,000.00	0.00	55,000.00	29.73%	130,000.00	2,750.00
031	Division 31 Earthwork	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
032	Excavation/Backfill	189,000.00	170,100.00	0.00	0.00	170,100.00	90.00%	18,900.00	8,505.00

CONTINUATION SHEET

Application and Certification for Payment, containing
Contractor's signed certification is attached.
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Architect's Project No.: NEWBW 171185

Invoice # : 64458 **Contract :** 80624- Newburg WWTP

A	B	C	D	E	F	G		H	I
Item No.	Description of Work	Scheduled Value	Work Completed		Materials Presently Stored	Total Completed and Stored To Date	% (G / C)	Balance To Finish (C-G)	Retainage
			From Previous Application (D+E)	This Period In Place	(Not in D or E)	(D+E+F)			
033	Erosion Control	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00%	0.00	75.00
034	Shoring	28,000.00	28,000.00	0.00	0.00	28,000.00	100.00%	0.00	1,400.00
035	Division 32 Exterior Improvements	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
036	Aggregate Base Course	4,000.00	2,600.00	0.00	0.00	2,600.00	65.00%	1,400.00	130.00
037	Asphalt	56,000.00	0.00	0.00	0.00	0.00	0.00%	56,000.00	0.00
038	Fencing	14,500.00	4,350.00	10,150.00	0.00	14,500.00	100.00%	0.00	725.00
039	Seeding/Restoration	9,800.00	0.00	4,500.00	0.00	4,500.00	45.92%	5,300.00	225.00
040	Division 33 Utilities	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
041	Sanitary Sewer Systems	65,000.00	48,750.00	5,000.00	0.00	53,750.00	82.69%	11,250.00	2,687.50
042	Division 40 Process Integration	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
043	Process Piping	30,000.00	0.00	0.00	0.00	0.00	0.00%	30,000.00	0.00
044	Process Valves	20,000.00	0.00	0.00	0.00	0.00	0.00%	20,000.00	0.00
045	Heat Trace	4,000.00	0.00	0.00	0.00	0.00	0.00%	4,000.00	0.00
046	Flume	18,000.00	10,000.00	0.00	0.00	10,000.00	55.56%	8,000.00	500.00
047	Division 43 Process gas and liquid handling	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
048	End Suction Pumps	142,000.00	75,000.00	0.00	0.00	75,000.00	52.82%	67,000.00	3,750.00
049	Division 46 Water and Wastewater Equipmnet	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	0.00
050	Vertical Fine Screen	219,000.00	0.00	197,100.00	0.00	197,100.00	90.00%	21,900.00	13,546.79
051	Circular Clarifier Equipment	241,000.00	80,000.00	0.00	0.00	80,000.00	33.20%	161,000.00	4,000.00
052	Oxidation Ditch Equipment	265,000.00	26,500.00	0.00	0.00	26,500.00	10.00%	238,500.00	1,325.00
055	CO #1	4,971.67	0.00	0.00	0.00	0.00	0.00%	4,971.67	0.00
	Grand Totals	**2,574,971.67**	**824,150.00**	**269,500.00**	**240,000.00**	**1,333,650.00**	**51.79%**	**1,241,321.67**	**64,374.29**

Limited Waiver of Construction Lien

1. Upon receipt of payment, the undersigned hereby waives all rights to or claims for a lien on the land hereafter described, for any and all work, materials, plans and specifications made or furnished for the improvements of said lands, furnished between the date of December 1, 2024 and January 31, 2025 to the extent of $ 486,333.21** only.

   (Describe) Four Hundred Eighty Six Thousand Three Hundred Thirty Three & 21/100**

said improvements being done for Village of Newburg, Owner by August Winter & Sons, Inc., Prime Contractor said lands being situated in Ozaukee County, Wisconsin, and described as Wastewater Treatment Plant Upgrades (legal description, street address or other clear description).

2. The work done or to be done or materials furnished or to be furnished by the undersigned for said job consists of Mechanical Work

3. The right to assert construction lien rights for work done or materials furnished in excess of said amount or exclusive of stated period on said job is hereby expressly reserved.

4. This waiver furnished is a waiver of lien rights only, and not of any contract rights of the claimant otherwise existing.

5. Nothwithstanding Section 779.05, Wisconsin Statutes, if the consideration for this lien waiver consists of an uncertified check or other negotiable instrument, this lien waiver is null and void if such check or other negotiable instrument is dishonored or otherwise not paid when due.

Dated this 29th day of Jan, 2025

AUGUST WINTER & SONS, INC.

Assistant Corporate Secretary
2323 North Roemer Road, PO BOX 1896
Appleton, WI 54913

UNCONDITIONAL WAIVER AND RELEASE
PROGRESS PAYMENT

Job Number: 80624- Job Name: Newburg WWTP Vendor No: 41,492

The undersigned has been paid and has received a progress payment in the sum of: **$5,181.97** for labor, service, equipment or material furnished to **August Winter and Sons, Inc.** on the job of: 80624-
located at: **3590 Municipal Drive**
Newburg, WI 53060
through: 11/21/2024 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU, IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

Dated: 12-9-2024

By: Lannon Stone Products
Company Name
Signature
Accounts Receivable
Title
alyssa.zillmer@lannonstone.net

Please sign and return by mail or fax to:
August Winter & Sons, Inc.
PO Box 1896
Appleton, WI 54912-1896

Email: AR@augustwinter.com
FAX (920)739-4993

For the following Invoices:

Job:	80624-	Invoice:	1424540	1,623.21
Job:	80624-	Invoice:	1425494	3,558.76

UNCONDITIONAL WAIVER AND RELEASE
PROGRESS PAYMENT

Job Number: 80624- Job Name: Newburg WWTP Vendor No: 41,492

The undersigned has been paid and has received a progress payment in the sum of:
$599.35 for labor, service, equipment or material furnished to **August Winter and Sons, Inc.**
on the job of: 80624-
located at: **3590 Municipal Drive**
Newburg, WI 53060
through: 11/5/2024 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

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Dated: 12-9-2024

By: Lannon Stone Products
Company Name
Alyssa Jahn
Signature
Accounts Receivable
Title
alyssa.zillmer@lannonstone.net

Please sign and return by mail or fax to:
August Winter & Sons, Inc.
PO Box 1896
Appleton, WI 54912-1896

Email: AR@augustwinter.com
FAX (920)739-4993

For the following Invoices:

Job: 80624- Invoice: 1423569 599.35

UNCONDITIONAL WAIVER AND RELEASE
PROGRESS PAYMENT

Job Number: 80624- Job Name: Newburg WWTP Vendor No: 41,546

The undersigned has been paid and has received a progress payment in the sum of: **$524.34** for labor, service, equipment or material furnished to **August Winter and Sons, Inc.** on the job of: 80624-
located at: **3590 Municipal Drive**
Newburg, WI 53060
through: 1/9/2025 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

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Dated: January 5, 2025

By: Lifting Gear Hire Corp
Company Name
Katie Gorton
Signature
Accounts Receivable Representative
Title
Katie.Gorton@rentlgh.com

Please sign and return by mail or fax to:
August Winter & Sons, Inc.
PO Box 1896
Appleton, WI 54912-1896

Email: AR@augustwinter.com
FAX (920)739-4993

For the following Invoices:

Job: 80624- Invoice: 6000338880 524.34

UNCONDITIONAL WAIVER AND RELEASE
PROGRESS PAYMENT

Job Number: 80624- Job Name: Newburg WWTP Vendor No: 42,351

The undersigned has been paid and has received a progress payment in the sum of: **$1,890.00** for labor, service, equipment or material furnished to **August Winter and Sons, Inc.** on the job of: 80624-
located at: **3590 Municipal Drive**
Newburg, WI 53060
through: 11/21/2024 only, for and in the consideration of the payment amount listed above, the undersigned does hereby waive and release any lien rights to, or claim of liens with respect to and on said above-described premises, and the improvements thereon, on account of labor, services, material, fixtures, apparatus or machinery heretofore furnished by the undersigned to or for the above described premises by virtue of said contract.

NOTICE: THIS DOCUMENT WAIVES RIGHTS UNCONDITIONALLY AND STATES THAT YOU HAVE BEEN PAID FOR GIVING UP THOSE RIGHTS. THIS DOCUMENT IS ENFORCEABLE AGAINST YOU, IF YOU SIGN IT, EVEN IF YOU HAVE NOT BEEN PAID. IF YOU HAVE NOT BEEN PAID, USE A CONDITIONAL RELEASE FORM.

Dated: 11/27/24

By: Speedy Clean Inc
Company Name
Joy VanDenWildenberg
Signature
Accounting Assistant
Title

Please sign and return by mail or fax to:
August Winter & Sons, Inc.
PO Box 1896
Appleton, WI 54912-1896

Email: AR@augustwinter.com
FAX (920)739-4993

For the following Invoices:

Job: 80624- Invoice: 84754 1,890.00

BRAKE & EQUIPMENT CO.

2320 SYLVAN WAY

(corner of Progress Dr.)

WEST BEND, WI 53095

PHONE: 262-335-2326 www.becomilwaukee.com SALES: bobm@abcgparts.com

Customer:	**VILLAGE OF NEWBURG**	Date:	**02/19/25**
Address:	**MAIN ST.**	Delivery:	
City:	**NEWBURG, WI 53060**	Dealer:	
Attn:	**NATE WENDELBORN**	P.O.#:	
Phone:	**262-689-5960**	Reference:	**2022 Ram 2500/8' Pickup Box**
Cell:	**262-685-7450**	BECO P.O.#:	
E-mail:	nwendelborn@village.newburg.wi.us	**TERMS:**	**C.O.D.**

Quantity	**QUOTE GOOD FOR 30 DAYS**	PRICE EACH
1	**KNAPHEIDE Model 696-2 Service Body:** 8' long, 78" wide, 49" wide floor, 14.5" deep side packs, 40" overall height. Rear bumper with recess for hitch and bedliner coating – loose. Front compartment on each side equipped with 2 adjustable divider shelves. Curb side hoizontal equipped with 1 adjustable divider shelf. Street side horizontal is open (no shelf). Rear compartrment each side equipped with 1 adjustable divider shelf. Combination stop/tail/turn/reverse lights with built-in reflectivity mounted on rear body panels. (all lights are pre-installed) FMVSS-108 LED corner lights + reflectors. Installation kit – loose Factory applied undercoating and WHITE finish paint. Not mounted (cash & carry) F.O.B. - West Bend, WI	**$10,380.00**
	OPTION:	
1	**KNAPHEIDE Model 696-2-M Service Body:** Same as above body with masterlock option installed Add...	**$525.00**
*	The quoted price includes ***only*** what is described above.	
*	If the truck frame needs to be extended to accommodate proper mounting of a truck body or liftgate, a ***minimum of $500.00*** will be added to the price.	
*	Any items Beco provides, modifies, or installs, that are not listed on quote ***must be approved by the customer in writing.***	
*	Any relocation of air tanks, air dryer, exhaust components, fuel tank, battery box, chassis crossmembers, etc. will add to labor costs.	
NOTE:	**If paying by Credit Card, a 3% fee will be added. 3%=**	

CHASSIS INFO / NOTES		**SUBTOTAL**	
YEAR/MAKE:		**SALES TAX**	**N/A**
MODEL:		**TOTAL SALE**	
CAB TO AXLE/TRUNNION:	**Bob Muhlberger**	**TOTAL w/CC FEE**	

Village of Newburg - Municipal Software Offering (SA)

Village of Newburg
620 W Main St, PO Box 50
Newburg, WI 53060-0050

Nate Wendelborn
nwendelborn@village.newburg.wi.us
+12626895960

Reference: 20250130-153119202
Quote created: January 30, 2025
Quote expires: July 29, 2025
Quote created by: Justin Nelson
Sales & Marketing Manager
justin@workhorsewi.com
+18006544892

Comments from Justin Nelson

We are thrilled to have the possibility of working together regarding your needs for a Special Assessments Solution.

Products & Services

Item & Description	Quantity	Unit Price	Total
Special Assessments	1	$3,000.00	$3,000.00
Special Assessments - Training Online	1	$300.00	$300.00
Special Assessments - Annual Support Annual Support 2025	1	$750.00 / year	$750.00 / year

Annual subtotal	$750.00
One-time subtotal	$3,300.00
Total	**$4,050.00**

Purchase terms

** **Note:** Annual support will be pro-rated based on installation of module at customer site for the first year. After which annual support will be billed annually at the current annual support fee that can be seen on the Support Policy of our website.

Data Conversion Feasibility: The feasibility of data conversion is determined by the source file type (e.g., CSV, XLSX, TXT) and how it aligns with the Workhorse program. It is your responsibility to ensure the accuracy of the data. While Workhorse will convert the data as accurately as possible to the best of our ability, you, the customer, are ultimately responsible for its accuracy.

Disclaimer: While Workhorse Software Services, Inc. strives to maintain stable pricing for software fees, the stated prices are valid for 180 days. After this period, a price refresh should be requested as prices may be subject to change.

By signing you agree to our standard Software Services Agreement, which can be found at www.workhorsewi.com/contract.

Questions? Contact me

Justin Nelson
Sales & Marketing Manager
justin@workhorsewi.com
+18006544892

Workhorse Software Services, Inc.
P.O. Box 308
Wausau, WI 54402-0308
United States