TOWN BOARD MEETING – FEBRUARY 6, 2012

On Monday, February 6, 2012, the Town Board held their January 23rd, monthly meeting. The meeting was called to order at 7:30 PM. The Pledge of Allegiance was recited. Roll call was taken as follows: Present were, Chairman Gary Kastenson; Supervisors, Paul Ryan; James Phillips; Stan Bugnacki. Also present were, Town Clerk, Linda M. Terry; Town Treasurer, and Lee Marie Toll. Absent was Supervisor Joe B. Pohlhammer.

The Treasurer's Report was read as follows:

Community State Bank - General Checking			
Beginning Balance		**$12,257.85**	
Deposits:	2,204,722.24		
Transfers in:	1,497,774.47		
Interest Earned	13.00		
Miscellaneous Credits	-		
Correcting Journal Entries made			
TOTAL DEPOSITS:		3,702,509.71	
Disbursements:	(2,377,914.29)		
Transfers out:	(1,300,000.00)		
Bank Charges & Miscellaneous Deductions	(255.49)		
Correcting Journal Entries made			
TOTAL DISBURSEMENTS:		(3,678,169.78)	
ENDING BALANCE:			**36,597.78**
JP Morgan Chase - Depository Checking			
Beginning Balance		**$1,025,167.87**	
Deposits:	1,339,691.92		
Transfers in:			
Interest Earned			
Miscellaneous Credits	-		
Correcting Journal Entries made			
TOTAL DEPOSITS:		1,339,691.92	
Disbursements:	(2,005,092.01)		
Transfers out:	-		
Bank Charges & Miscellaneous Deductions			
Correcting Journal Entries made			
TOTAL DISBURSEMENTS:		(2,005,092.01)	
ENDING BALANCE:			**$359,767.78**

OTHER ACCOUNTS:			
UNRESTRICTED			
Community State Bank - Money Market	202,814.62		
Less LOC for Stone Creek Crossing	-	202,814.62	
State LGIP Fund - Tax Investment		19,181.50	
TOTAL UNRESTRICTED SAVINGS			221,996.12
RESTRICTED			
Community State Bank - Bond Escrow		55,408.75	
Community State Bank - Money Market/Stone Creek LOC		-	
Community State Bank Storm Water Utility		179,852.04	
Community State Bank Cemetery Fund		4,304.00	
State LGIP Funds - Bond Escrow		20,271.06	
State LGIP Funds - Cemetery		15,233.83	
State LGIP Funds - Equipment Reserve		40,869.30	
State LGIP Funds - Land Reserve		22,840.57	
State LGIP Funds - RJM LLC - Asphalt		32,422.43	
TOTAL RESTRICTED FUNDS			371,201.98
ALL TOWN BANK ACCOUNTS			**$ 989,563.66**

The Treasurer's Report was APPROVED AS READ, ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 4-0.

BILLS PAID FROM DECEMBER 24, 2011 – JANUARY 20, 2012:
Town - $4,383,006.30; Storm Water Utility District - $2314.10:
WERE APPROVED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0.

Minutes from previous meetings of 12/27/11 and 1/17/12 were **APPROVED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0.**

SHERIFF'S REPORT: Sergeant Mattke was not present for the meeting.

PUBLIC COMMENT – Discussion of any matter raised by the Public:

STEVE DAILY:

Stated that he planned to chastise Supervisor Pohlhammer in public; however, he is not attending this evening's meeting.

He has checked and found that the Town Chairman can form a ethics Board, which could be made up of five people from the community and the Board can approve the Chairman's choices.

He also suggested that, for liability purposes, the Board should censure Supervisor Pohlhammer as a way to reprimand him for what he has done to the Town. By censuring him, you will eliminate liability for the Town.

SHARON KORPONAI:

Would like the status of the cemetery situation that was discussed a few months ago.

Chairman Kastenson will have the Clerk check into the progress on the new survey.

She also questioned the following:

*Closing off the lower portion of the windows in the Clerk's office;
*The status of the Gelhaus development;
*The status of the Waste Management Contract.

She was given the following answers:

The heating system in the Town has been worked on, and, as of right now, the system is working fine – we have checked into closing up the windows.

Mr. Gelhaus has authorized another 30 day extension.

Supervisor Bugnacki stated that the Town should be getting some money soon from Waste Management – they have opened the North side. He will get more information and report back to the Town.

GARY BOLDT:

Stated that there have been several instances that people have not been getting soil disturbance permits. He would like to have the Plan Commission look at any soil disturbance permits first, and then, the Plan Commission can decide whether or not it will need to be looked at by the engineer.

He also stated that he has recently spoken to Representative Vos regarding an ordinance stating that even elected officials can face fines for not doing their job, ie, not attending meetings. He would like for the Town to look into such an ordinance.

BOB FLASZ:

Stated that at the beginning of November, the Town opened the valve on the Gayhart Pond – he asked that it be closed. It was not closed. The valve is supposed to be closed in the frost months. The owner continues to use the pond. He is asking again, for a special meeting with the Town Board to discuss this matter.

He doesn't think that Mr. Daily could find five people in the Town of Raymond with any ethics.

As far as Supervisor Pohlhammer, he feels it is wrong to pass judgment.

As far as the soil disturbance, he doesn't feel that everyone needs a permit to do work now. The Town does not give liberty for all.

1) **<u>Fire Department Business</u>:**
   a. **Discussion/Decision regarding Conceal Carry Law:**
   b. **Merz Aesthetics – Discussion/Decision regarding access driveway for dry hydrant at 4133 Courtney Road: (previously tabled)**
   c. **Communications / Announcements:**

Due to the fact that Fire Chief Babe was absent from the meeting, all Fire Department Agenda items were TABLED ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 4-0.

2) **<u>Storm Water Utility District</u>: NOTHING**

3) **<u>Plan Commission Business:</u>**
   a. **Discussion/Possible Decision regarding proposed "General Drain Tile Policy":**

Mr. Scott Brenton, from the Town's Plan Commission, stated that at the Plan Commission level, this matter was tabled, pending receiving more information from Rochester. We are going to wait to see what happens in Rochester.

Supervisor Phillips was concerned that sometimes that could take quite a long time.

Mr. Brenton stated that it may take a couple of years. However, the Town doesn't presently have a tile policy now.

Supervisor Ryan stated that the Storm Water Utility District supplied the Plan Commission with a draft policy that they drafted.

Supervisor Phillips asked if any other municipalities had a policy now?

Mr. Gary Boldt, from the Town's Plan Commission, said that no other municipalities have a policy – they consider it a liability.

The Storm Water Utility District was asked to do a couple of projects, and we do not want to get caught up in this.

Mr. Ray Vogt stated that there was a new State rule that came in effect as of January, 2012, regarding this matter.

4) **Town Business:**

a. Discussion/Decision regarding Building Inspector Contract: (previously tabled):

Supervisor Bugnacki doesn't really care for a three-year contract.

Chairman Kastenson would like to extend it for one year from January 1st through December 31st.

MOTION TO EXTEND THE CONTRACT FOR ONE YEAR, FROM JANUARY 1, 2012 THROUGH DECEMBER 31, 2012, AND HAVE EVENING HOURS TWICE A MONTH, MADE ON A BUGNACKI/PHILLIPS MOTION. MOTION CARRIED 4-0.

b. Award Bid for 8-Mile Root River Project:

Supervisor Ryan stated that the Storm Water Utility District held a Special Meeting for the purpose of accepting the bid. They accepted the low bidder for the project.

APPROVE STORM WATER UTILITY DISTRICT'S APPROVAL OF LOW BIDDER, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0.

Chairman Kastenson asked if the low bidder had the proper insurance?

Supervisor Ryan stated that the low bidder will need to get the proper information to the Town's Engineer within the next two weeks.

c. Discussion/Decision regarding rental of 4th of July Festival Area:

Mr. Rich Adams was present for the meeting. He would like to use the property for a wedding in August. He will be supplying his own dumpsters and security for the event.

APPROVE RENTAL OF THE 4TH OF JULY FESTIVAL AREA, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 4-0.

d. Discussion/Decision regarding protocol for Supervisors/Commission Members in contacting the Town Attorney/Town Engineer:

Supervisor Phillips stated that no board member should be contacting the Town Attorney without Board Approval.

Supervisor Ryan stated that if this procedure is violated, then, the individual contacting the attorney or engineer should be charged for the services.

Supervisor Bugnacki asked who would authorize the Town Clerk to contact the Town Attorney? Everyone should be made aware of what is going on. He also stated that the Board does have a policy in place now, but, it needs to be enforced.

THREE BOARD MEMBERS WILL NEED TO BE POLLED BEFORE CONTACTING THE TOWN ATTORNEY OR TOWN ENGINEER, AND, THE BOARD SHOULD GET A RESPONSE, FROM THE CLERK, IN WRITING AS TO THE CONTENT OF THE DISCUSSION, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0.

e. Discussion/Decision regarding Office Computers & Support / Lee Toll:

Treasurer Lee Marie Toll presented the Board with a proposal. She stated that, right now, there are three computers in the office; she would like a data server. She handed the Board a proposal for a server to handle seven computers – three in the Town office, and four for fire/rescue department. Right now, the Treasurer does a back-up and takes it off site.

Supervisor Ryan doesn't like the idea of information leaving the building; it seems dangerous. He also would like to have two more quotes, with an explanation of why we would need this. He needs a better understanding of why it is necessary before he makes a decision.

Treasurer Toll stated that she will seek other bids. She feels that the Town could get a server, with installation for approximately $2000.00.

Supervisor Phillips wants more bids.

Supervisor Ryan wants more than just bids and also wants an explanation.

Supervisor Phillips says that we owe it to the Town to get more bids. He would like to see more bids for a server, not for service. He would also like to see what the cost for installation will be.

TABLE THIS ITEM PENDING ADDITIONAL INFORMATION AND QUOTES, MADE ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 4-0.

5) **Communications and Announcements:**

**Supervisor Ryan asked if the DPW employees voted to stay in the union?
He was told that the voting won't take place until February of March.

**It was stated that Supervisor Pohlhammer withdrew his claim against the Town Chairman. Is this something that the Town needs to look at? Will this be any cost to the Town?

**Stan Bugnacki updated the Board, stating that the land fill will be starting on the North end sometime later this month or the beginning of next month. The Town should be getting checks for that soon. Also, they are extending their Saturday hours at the Franklin Landfill till 3:00 pm on Saturdays.

WITH NO OTHER BUSINESS, THE MEETING WAS ADJOURNED AT 8:30 PM, ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 4-0.

Respectfully submitted,

Linda M. Terry
Town Clerk
Town of Raymond