

TOWN BOARD – APRIL 25, 2011

On Monday, April 25, 2011, the Town Board of the Town of Raymond, held a Special Meeting. Chairman Kastenson called the meeting to order at 7:00 PM. Roll call was taken as follows: Present were Chairman Kastenson; Supervisors, Joe Pohlhammer; Stan Bugnacki; Paul Ryan and James Phillips. Also present were Town Clerk, Linda M. Terry and Town Fire/Rescue Chief, Alan Babe.

Immediately after roll call, the board moved to Closed Session pursuant to s. 19.85 sub (1)(c)&(f) Wis. Stats. for the purpose of discussion of personnel matters regarding the Fire/Rescue Department, **ON A PHILLIPS/BUGNACKI MOTION. ROLL CALL VOTE TAKEN – MOTION CARRIED 5-0.**

After discussion regarding the above, the Board reconvened to Open session to take possible action on those issues discussed in closed session and to take other action as may be appropriate and related to this matter.

ACCEPT THE TWO CAPTAINS AND FIRST ASSISTANT AS RECOMMENDED BY THE CHIEF, MADE ON A PHILLIPS/Ryan MOTION. MOTION CARRIED 5-0.

At 7:10 pm, the Board moved to recess until 7:30, at which time, the Board will hold their regular monthly meeting, made on a RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

At 7:30 PM, the Board held their regular monthly meeting. The Pledge of Allegiance was recited. Roll call was taken earlier, however, also in attendance at this time were Town Treasurer, Lee Marie Toll; Town DPW, John Ertl, and Town Engineer, Chris Stamborski.

Lee Marie Toll read the Treasurer's Report as follows:

Community State Bank - General Checking

Beginning Balance		\$12,025.75
Deposits:	21,189.30	
Transfers in:	23,000.00	
Interest Earned	13.44	
Miscellaneous Credits	42,041.51	
Correcting Journal Entries made	6,363.08	
TOTAL DEPOSITS:		92,607.33
Disbursements:	(88,277.13)	
Transfers out:		
Bank Charges & Miscellaneous Deductions	(109.15)	
Correcting Journal Entries made		
TOTAL DISBURSEMENTS:		(88,386.28)
ENDING BALANCE:		16,246.80

OTHER ACCOUNTS:

UNRESTRICTED

Community State Bank - Money Market	349,858.64	
Less LOC for Stone Creek Crossing	<u>(1,136.52)</u>	348,722.12
State LGIP Fund - Tax Investment		<u>19,163.27</u>
TOTAL UNRESTRICTED FUNDS		367,885.39

RESTRICTED

Community State Bank - Bond Escrow	58,339.26	
Community State Bank - Money Market/Stone Creek LOC	1,136.52	
Community State Bank - Storm Water Utility	79,197.41	
State LGIP Funds - Bond Escrow	20,251.81	
State LGIP Funds - Cemetery	14,319.98	
State LGIP Funds - Municipal	15,847.62	
State LGIP Funds - Land	22,818.86	
State LGIP Funds - RJM LLC - Asphalt	32,391.64	
State LGIP Funds - Stone Creek Crossing	-	
TOTAL RESTRICTED FUNDS		\$243,166.58

ALL TOWN BANK ACCOUNTS **\$ 627,298.77**

The Treasurer's Report was **APPROVED AS READ, ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.**

BILLS PAID FROM MARCH 25, 2011 – APRIL 22, 2011: 88,277.13 WERE APPROVED ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

MINUTES FROM PREVIOUS MEETING OF: MARCH 28, 2011 WERE APPROVED ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

SET AGENDA

Chairman Kastenson stated that Public Comment will be heard at the beginning of the meeting instead of at the end. It was inadvertently placed on the agenda twice.

SHERIFF'S REPORT:

Deputy Mattke was present for the meeting. He gave the Board his report, and stated that there have been quite a few thefts in the area. There were two suspects caught in Rochester.

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

Please be advised that per Wisconsin Act 123, the Town Board will receive information from the public for a two minute time period, with time extensions per the Chairperson's discretion, per person.

Mr. Tom Lesch was concerned about Waukesha Road. He would suggest borrowing the money through loans or bonds – there are ways of getting additional revenue.

FIRE/RESCUE BUSINESS:

1. Communications and Announcements:

Chief Babe stated that he would like the Board members to keep in mind that they need to have a quarterly meeting with the Chief.

STORM WATER UTILITY DISTRICT BUSINESS:

1. Communications and Announcements: none

PLAN COMMISSION BUSINESS:

1. Soil Disturbance: Josie Gerovac; 4500 – 4800 Highway “K”:

This matter will be held over until the Town and/or Ms. Gerovac hear from the DNR.

2. Conditional Use Permit: Dale Rogers for Fiber-Tech, Inc., 4145 Courtney Road / to occupy portion of existing building for assembly operation and a paint booth:

Mr. Dale Rogers from Fiber Tech was present for the meeting.

Chairman Kastenson suggested that Mr. Rogers work some of the particulars, ie., where the paint will be stored, with the Town’s Fire/Rescue Chief.

APPROVE PLAN COMMISSION’S RECOMMENDATION FOR APPROVAL, WITH THE CONDITIONS THAT FIBER-TECH PUT THE SAME SPRINKLER SYSTEM AS IN THE PRESENT FIBER-TECH BUILDING, AND HAVE THE FIRE DEPARTMENT CHECK IT OUT AND TO FOLLOW THE COMMERCIAL LEASE AGREEMENT, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

3. Discussion/Decision regarding pond situation on 100th Street / Pat Moczynski:

Mr. Moczynski was present for the meeting.

Supervisor Pohlhammer stated that he did not sit through the entire Plan Commission meeting, therefore, he wasn’t sure what happened in this matter.

Town Engineer, Chris Stamborski suggested that the Town’s DPW investigate the East side of the road to see if there is a blow-out.

Chairman Kastenson stated that he walked the area and there is a great deal of water. He doesn’t feel that the tile is plugged on Mr. Moczynski’s side.

Dave Lecus said that last year, Mr. Moczynski called him regarding this matter. He went on to stated that if the problem is under the road, the Town is responsible.

Supervisor Pohlhammer said that the permit for this pond was issued in May of 2008. At that time, engineering was waived as Mr. Moczynski was his own engineer. He feels that Mr. Moczynski should pay for the engineering of this project now. He also stated that many tiles were dug through. He had a topographical map from Racine County.

Mr. Moczynski stated that he did not make the pond bigger – he only made it deeper. He state that the map that Supervisor Pohlhammer had was over 30 years old.

Chairman Kastenson stated that he would be willing to bet that the broken tile is on the Paap property.

Gary Boldt, from the Town’s Plan Commission, stated that the Plan Commission suggested that the Town’s DPW check to see if the culvert under the road is plugged.

Supervisor Pohlhammer asked, if the culvert is full of silt under the road, who is responsible for that?

Supervisor Ryan stated that the culvert under the road, and the tile in the right-of-way, are the Town’s responsibility.

MOTION TO FOLLOW PLAN COMMISSION RECOMMENDATION TO DIG UP ON THE EAST SIDE OF 100TH STREET, AND TRY TO RELIEVE THE PRESSURE, MADE ON A RYAN/KASTENSON MOTION. MOTION CARRIED 4-1, WITH SUPERVISOR POHLHAMMER OPPOSING.

Chairman Kastenson stated that there could be a wash-out on the Paap property if there is a plugged tile.

Mr. Paap stated that he does not want the water on his property.

There was much discussion as to whether or not there were busted tile on Mr. Paap's property, and that is the reason why the water is sitting on his property.

Mr. John Ertl stated that it would be nice to have some sort of location of the tile.

TOWN BUSINESS:

1. Discussion/Decision regarding Waukesha Road:

Town Engineer, Chris Stamborski stated that this project is for widening, pulverizing, and placing binder and surface coat on Waukesha Road. The approximate cost is \$336,000.00.

There is also a quote here for \$294,000.00, which will not include the surface coat.

Supervisor Pohlhammer asked if there is money in the estimate for a dump site for the spoils? Also, what about numbers for utilities, culverts and driveways?

Mr. Stamborski stated that drainage adjustments were made in the quote, which are about 15% of the construction costs. It is not the goal to replace the driveways.

Supervisor Pohlhammer questioned erosion and seeding?

Mr. Stamborski said that would be a Town cost – it is not a construction cost.

Supervisor Pohlhammer questioned the field tiles. He also asked about soil borings.

Mr. Stamborski said that the deepest that the Town's Highway Department would be digging is 18 inches. As far as the soil borings – they will not be done. Right now, RA Smith, is working within the Town's parameters. If borings were done, they might require a much more expensive cost for fixing the road.

Supervisor Pohlhammer asked about just going over what is there now?

Mr. Stamborski said that crack-filling would last about a year.

Chairman Kastenson said that Mr. Ertl has found someplace to dump the extra dirt – the DNR has already approved it; it is on 68th Street.

Supervisor Phillips stated that he agrees that Waukesha Road needs to be done; unfortunately, there is not enough money in the budget for this project. He would prefer to stay within the budget that the Town approved.

Chairman Kastenson stated that the quotes are usually higher than the actual cost; however, he feels the project should be done this year.

Supervisor Bugnacki asked why the 7-Mile Road project was so much cheaper than this project?

Mr. Stamborski stated that 7-Mile Road did not have the same problems that Waukesha Road has.

ACCEPT QUOTE FOR \$294,000.00 WITH 3-INCH BINDER ONLY; THERE WILL BE NO SURFACE COAT THIS YEAR – THE COST FOR SURFACE COAT WILL BE PLACE IN NEXT YEAR'S BUDGET, MADE ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 3-2, WITH SUPERVISOR POHLHAMMER AND CHAIRMAN KASTENSON OPPOSING.

2. Discussion/Decision regarding authorizing the Town Attorney to pursue enforcement of Town Ordinances on property located at 3711-80th Street:

Supervisor Phillips asked what happened to the letter that was sent to the Ladwigs? He feels that this matter has come before the Board, far too long. The Board has tried to work with the people for quite a long time.

A letter from the Ladwig's attorney, to Chris Stamborski was given to the Board members.

MOTION TO AUTHORIZE THE TOWN ATTORNEY TO TAKE THE NECESSARY STEPS TO TAKE CARE OF THIS MATTER, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 3-2, WITH SUPERVISORS BUGNACKI AND POHLHAMMER OPPOSING.

3. **Discussion/Decision regarding letter to Racine County DPW for Costs Associated with the Highway "K" Project:**

APPROVED ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 5-0.

4. **Presentation by Camille Gerou/2010 Western Racine County Health Dept. Annual Report:**

Ms. Cheryl Mazmanian gave the report from the Western Racine County Health department. Chairman Kastenson asked how much the proposed budget cuts will affect the health department?

Ms. Mazmanian stated that the Health Department does not get State money – they get Federal money. The Health Department will be affected when the Federal Budget is changed.

5. **Discussion/Decision regarding appointment of Plan Commission Members; and other appointments:**

Supervisor Ryan would like to suggest that we hold off of any action regarding this matter. According to the Town's present Plan Commission ordinance, there must be a fire/rescue member on the plan commission – no one has applied. He feels that this would be a line item for a special board meeting.

TABLE THIS TO ALLOW ADDITIONAL APPLICATIONS TO BE ACCEPTED UNTIL 4:00 PM ON MONDAY, MAY 9, 2011, MADE ON A RYAN/PHILLIPS MOTION. MOTION CARRIED 5-0.

There will be a Special Town Board Meeting on May 9, 2011, at 7:30 pm.

6. **Discussion/Decision regarding RCBO building a retaining wall at the Town Pavilion Site:**

Dave Lecus was present for the meeting. The RCBO would like to put up a 3-4 foot retaining wall. The RCBO will be paying for the retaining blocks – they would need the Town to allow one DPW employee to work with them for one day.

Supervisor Bugnacki asked if this is something that needs to be done immediately?

Mr. Lecus said that they would like it done within the next few weeks. The RCBO would be contacting the DPW.

APPROVE HAVING THE TOWN'S DPW WORK WITH THE RCBO TO WORK ON THE RETAINING WALL, WITH THE TOWN SUPPLYING THE LABOR, MADE ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 5-0.

7. **Discussion/Decision regarding Town Board Policy:**

Supervisor Ryan stated that copies should be made by the Clerk or the Clerk's Staff. He stated that there is an Office Policy in existence, but that it should be updated.

It was suggested that something be put together for the next regular meeting.

APPROVE LOOKING AT IMPLEMENTING A TOWN BOARD POLICY, MADE ON A BUGNACKI/PHILLIPS MOTION. MOTION CARRIED 4-1, WITH POHLHAMMER OPPOSING.

8. **Discussion/Decision regarding "Amendment to the Natural Areas and Critical Species Habitat Protection and Management Plan for The Southeastern Wisconsin Region":**

APPROVE PLAN COMMISSION'S RECOMMENDATION FOR APPROVAL, MADE ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 5-0.

9. Discussion/Decision regarding outcome of Joint Meeting with Raymond Grade School:

Chairman Kastenson would like to be able to work with the school regarding grass cutting, and snow plowing. As for grass cutting, the school may have already gotten quotes for that, but we could help out with the snow plowing for next year.

Supervisor Phillips will be the liaison for the school.

Supervisor Pohlhammer feels that the Town should be paid for the use of the equipment.

10. Communications and Announcements:

**On July 17, 2011, the Triathlon will be coming through the Town.

At 9:20 PM, the meeting was ADJOURNED ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

Respectfully submitted,

**Linda M. Terry
Town Clerk
Town of Raymond**