

**Town of Raymond Town Board
Special Meeting Minutes
September 14, 2009**

- 1.) **Roll Call:** Chairman Gary Kastenson called the special meeting to order at 7:00p.m. Present were Spvrs. Dave Lecus, Kevin Cantwell, Paul Ryan and Wayne Loppnow. Also present was Clerk Kari Morgan, Attorney Chris Geary of Hostak, Henzl & Bichler and one (1) resident.
- 2.) **Discussion/Review & Possible Decisions on Town of Raymond Rubbish Ordinance:** Atty. Geary explained that the town's current ordinance has been challenged in terms of the definition of what rubbish is. He explained that some defendants do not feel the ordinance is enforceable because of this. He feels that it is enforceable. Some defendants have argued that there should be an ordinance based more on property maintenance rather than rubbish. Atty. Geary explained that because the ordinance is so broad, there are more challenges. The board discussed giving warnings prior to issuing citations. Atty. Geary stated that this would be fair to do. Spvr. Loppnow moved, seconded by Spvr. Lecus to advise Investigator Dobesh to give a thirty (30) day written warning for rubbish citations prior to any citation being issues. Atty. Geary stated that he does not have a problem dismissing any current citations for new offenders. Motion carried 5/0.
- 3.) **Move to regularly scheduled Town Board Meeting:** Spvr. Ryan moved, seconded by Spvr. Lecus to move to regular meeting, carried 5/0.

**Town of Raymond Town Board
Regular Meeting Minutes
September 14, 2009**

- 1.) **Roll Call:** As done at previously held special town board meeting. Also present were approximately five (5) residents.
- 2.) **Payment of Bills:** Paid for and authorized in the amount of \$77,095.59
- 3.) **Treasurer's Report:** Presented by Clerk Kari Morgan as follows: General: \$8,672.89; Money Market: \$3,372.47; Reserve (Equipment): \$35,790.49; Reserve (Land): \$22,742.54. Spvr. Lecus moved, seconded by Spvr. Ryan to approve as presented carried 5/0.
- 4.) **Minutes of Previous Meeting: August 24, 2009, August 31, 2009, September 9, 2009:** Spvr. Lecus moved, seconded by Spvr. Loppnow to approve all three sets of minutes, carried 5/0.
- 5.) **Set Agenda:** Chief Babe stated that Chief Czerniak is running late so they can take other agenda items first. Ch. Kastenson stated that Atty. Geary is present for agenda items 8e and 8 f. He requested they be moved up on the agenda to become agenda items 6a and 6b. Spvr. Lecus moved, seconded by Spvr. Cantwell to move agenda items 8e and 8f to agenda items 6a and 6b, carried 5/0.
- 6.) **Fire Department:**
 - a. **Correspondence:** Chief Babe stated that Chief Czerniak is unable to make it so if any board member has questions of him, they can contact him. He also mentioned that the last time he spoke with the board they

were going to be involved with the MDA fill the boot program. They collected \$4,929 which was 500 higher than last year.

- b. **Review/Possible Decision on Electronic Key Entrance:** The board discussed the cost and the need for this in the fire department. Clerk Morgan suggested the board do this on the town hall's side first and see how it works and if it is something that goes well, they can always go back and implement it on the fire department's side. Spvr. Lecus moved, seconded by Spvr. Cantwell to approve the electronic key entrance for the town hall and exempt the fire department from this system for one year. Spvr. Cantwell stated that the only thing he didn't like is that you had to physically go to the lock to change it and he wants to see how this works first. Spvr. Cantwell stated that he would like to see every key holder pay a deposit for their key up front. Spvr. Lecus amended his motion seconded by Spvr. Cantwell to include that every employee with a key will be required to put a deposit down for the cost of the key, carried 5/0.
- c. **Discussion/Possible Adoption of Cell Phone Use Policy:** Clerk Morgan briefly explained the policy. Chief Babe explained the proposed contract costs from U.S. Cellular. He also stated that he would like to have more specific restrictions for text and picture messaging in the policy. The board also discussed setting the amount based on the current phone contract. Chief Babe will get the information he is requesting into the policy prior to the next regular meeting. Spvr. Lecus moved, seconded by Spvr. Cantwell to hold over carried 5/0.
- d. **Discussion/Decision on Aid Agreement w/Union Grove/Yorkville Fire Dept.:** Chief Babe stated that he met with Chief Czerniak Union Grove/Yorkville fire department and they discussed using automatic aid between Raymond and their department. He explained that they are very eager to work with the Town of Raymond. Ch. Kastenson questioned if it would be just for major fires. Chief Babe stated that they are discussing major fires, smoke showing and specific types of fire alarms with updated information. He also mentioned that they are more equipped for water rescue so they can assist them right now and it could be used under the auspice of MABAS. Ch. Kastenson stated that he does not see anything wrong with this. Chief Babe stated that there is a lot of open discussion right now. Spvr. Lecus stated that he should continue the talks with Union Grove/Yorkville. Chief Babe asked the officers to go through their MABAS cards and review them. Chief Babe mentioned that at the last Chief's meeting, Ch. Jim Moyer of Yorkville expressed his ideas or visions with him that he could see both boards working together. He stated that the town board obviously has a good working relationship with the Town of Yorkville. A consensus of the board authorized Chief Babe to move forward to get the agreement with Union Grove/Yorkville and to make sure it is what they can work with and what they are happy with.

7.) DPW

- a. **Discussion/Decision on amount to be Spent on New Loader:** DPW Foreman John Ertl was present. He stated that it has 1600 hours on it.

The cost is \$70,000 just the way they would want it. It has had one owner. There current loader has 3500 hours on it. Foreman John Ertl explained that this loader is one that will last forever because they do not put that many hours on their loader. He explained that the original has probably had 700 or 800 hours put on it since they have had it. He also mentioned that the dealer is going to give them \$8,000 for the old loader which will be put towards this new loader. Spvr. Loppnow questioned the financing. Clerk Morgan explained that she spoke with the dealer and informed him that the money from the State would take about a month to secure and he did not seem to have any problems with this. Spvr. Ryan questioned if it would work if the town gives the dealer the old loader with \$20,000 down? Ch. Kastenson suggested drawing \$20,000 out of the reserve equipment and getting a loan for \$50,000 from the State. Spvr. Loppnow moved, seconded by Spvr. Cantwell to purchase the end loader. Spvr. Loppnow amended his motion, seconded by Spvr. Cantwell to authorize \$20,000 to come out of the reserve equipment fund and \$50,000 to be applied for with the State Trust Fund Loan program. Spvr. Lecus stated that he has been watching the auctions and he feels that this is \$10,000 more than what they could be paying. John Ertl stated that many of them do not have the 4 in 1 bucket which is an additional \$15,000. Motion carried 4/1. Spvr. Lecus opposed.

8.) New Business

- a. **Discussion/Possible Decision on Publication of 2010 Budget:** Clerk Morgan explained that last year for the first time the town published the line by line detailed budget in the newsletter that goes out to every home. She explained that because it was published this way, the town staff and board has had to spend many additional hours watching every single account and drafting and passing resolutions when any line item goes over the approved number. Spvr. Ryan moved, seconded by Spvr. Lecus to return to the prior way the budget was being posted. Spvr. Ryan amended his motion seconded by Spvr. Lecus to place a detailed proposed budget on the website, carried 5/0.
- b. **Set date & time for Trick-or-Treat:** Spvr. Lecus moved, seconded by Spvr. Ryan to hold trick-or-treat on Saturday the 31st from 2 to 6p.m. carried 5/0.
- c. **Approval of Bartender's License Application for 7 Mile Fair:** Spvr. Lecus moved, seconded by Spvr. Ryan to approve, carried 5/0.
- d. **Discussion/Decision on Sanchez, 915 92nd St. – Code Administration Violation:** The board discussed the previous discussions they had with Mrs. Sanchez when they granted a temporary one year permit for the trailer. Spvr. Lecus moved, seconded by Spvr. Loppnow to have building inspector Lee Greivell to leave this as is, carried 5/0.
- e. **Discussion/Decision on Bob Flasz, Correspondence received for legal/engineer reimbursables:** Atty. Geary explained that Mr. Flasz sent a letter to the town requesting reductions for his most recent billing. He explained that the clerk's office audited the bills and Atty. Ekes reviewed

the correspondence and based on what they found, the current amount due is: \$\$3759.35. Spvr. Ryan moved, seconded by Spvr. Lecus to send the response letter to Mr. Flasz with town counsel recommendations with a 30 day timeframe for payment due, carried 5/0.

- f. **Discussion/Decision regarding Clerk/Administrator title and position changes:** Atty. Geary stated that they were looking to review the various procedures that would be required to combine the positions. If the town would want to combine, there would be a charter ordinance required, but if it is something they want to pursue, they should adopt a separate administrator ordinance and clerk ordinance since there is currently not one on the books. He said that the town just has to make sure that one would not have any authority over the other. Clerk Morgan explained that the board should adopt separate ordinances due to future possibilities. Ch. Kastenson questioned if there are other towns that have clerk/administrators. Spvr. Ryan moved, seconded by Spvr. Lecus to authorize Clerk Morgan to work with legal counsel to draft a separate administrator and clerk ordinance, carried 5/0.

9.) **Public Comment:** Resident Sharon Korponai questioned the LGIP account.

Clerk Morgan explained what it stood for. Resident Sharon Korponai questioned how they will create the administrator position and if there is a need for a public meeting. Clerk Morgan explained that during the budget hearing last year it was part of the budget and Atty. Ekes had explained that the board can create an administrator position through ordinance. Resident Robert Slivon stated that he requested a refund on his taxes and the town chair stated that it was against the law to issue a refund on his taxes. He has spoken to state officials and they have told him that it is not against the law for him to receive a refund on his taxes. Mr. Slivon stated that his research states that there is no law stating that he cannot be given a refund. Ch. Kastenson stated that they were informed by the town assessor they cannot refund money. He explained that the town will acquire the proper information from the town assessor. He also stated that he felt Ch. Kastenson spoke derogatory to townspeople at the last meeting he was at and felt that was wrong. Spvr. Lecus stated that if Mr. Slivon comes up with a number of what he wants refunded only basing it on what the town's portion is as well as providing an appraisal for his home, he'll put it back on the agenda. Resident Stan Bugnacki stated that the Hwy. 45 hazardous waste has different hours because of the cut budget from the State. Drop off can only be done on Saturdays from 8a.m. to 2p.m.

- 10.) **Communication & Announcements:** Clerk Morgan mentioned that Chief Babe is inquiring as to whether anyone from the board is planning on attending the Chief Officials workshop through Racine Co. Emergency Management. She also informed the board of the DOT information on the interstate closing on Monday, Tuesday and Wednesday nights this week.

- 11.) **Adjournment:** Spvr. Lecus moved, seconded by Spvr. Ryan to adjourn, carried 5/0. Meeting adjourned at 8:56 p.m.

Respectfully Submitted,

Kari D. G. Morgan