

TOWN BOARD MINUTES – JUNE 27, 2011

On Monday, June 27, 2011, the Town Board of the Town of Raymond held their regular monthly meeting. Chairman Kastenson called the meeting to order at 7:30 PM. The Pledge of Allegiance was recited. Roll call was taken as follows – Present were, Chairman Gary Kastenson; Supervisors, Joseph Pohlhammer; Stan Bugnacki; Paul Ryan and James Phillips. Also present were, Town Clerk, Linda M. Terry; Town Treasurer, Lee Marie Toll; and Town Fire/Rescue Chief, Alan Babe.

The Town Treasurer read the Treasurer's Report as follows:

Community State Bank - General Checking Beginning Balance		\$7,550.02
Deposits:	86,165.72	
Transfers in:	109,596.74	
Interest Earned	2.81	
Miscellaneous Credits Correcting Journal Entries made		
TOTAL DEPOSITS:		195,765.27
Disbursements:	(200,281.97)	
Transfers out: Bank Charges & Miscellaneous Deductions	(10.00)	
Correcting Journal Entries made	(609.21)	
TOTAL DISBURSEMENTS:		(200,901.18)
ENDING BALANCE:		2,414.11
OTHER ACCOUNTS:		
UNRESTRICTED		
Community State Bank - Money Market	188,148.77	
Less LOC for Stone Creek Crossing	<u>(1,136.52)</u>	187,012.25
State LGIP Fund - Tax Investment		<u>19,167.63</u>
TOTAL UNRESTRICTED FUNDS		206,179.88

RESTRICTED

Community State Bank - Bond Escrow	59,354.41	
Community State Bank - Money Market/Stone Creek LOC	1,136.52	
Community State Bank - Storm Water Utility	81,314.00	
State LGIP Funds - Bond Escrow	20,256.41	
State LGIP Funds - Cemetery	14,323.24	
State LGIP Funds - Municipal	15,851.22	
State LGIP Funds - Land	22,824.05	
State LGIP Funds - RJM LLC - Asphalt	32,398.99	
State LGIP Funds - Stone Creek Crossing	-	
TOTAL RESTRICTED FUNDS		\$246,322.32
ALL TOWN BANK ACCOUNTS		\$ 454,916.31

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

Chairman Kastenson asked if the Town would be receiving any more State Funding?

Treasurer Toll stated that the Town would be receiving some monies in July from the Department of Transportation. She also stated that the Town will be receiving tax money in August.

BILLS PAID FROM MAY 24, 2011 – JUNE 24, 2011: Town-\$200901.18; SWUD-\$58,983.45, were APPROVED ON A RYAN/BUGNACKI MOTION. MOTION CARRIED 5-0.

MINUTES FROM PREVIOUS MEETINGS OF 5/23/11 and 6/6/11:

Supervisor Phillips questioned the rescinding motion that was made in the June 6th Minutes. He would like to see that the change is made.

Chairman Kastenson stated that the minutes can be approved with the changes.

MINUTES APPROVED WITH THE CHANGES TO THE JUNE 6TH MEETING, TO REFLECT THAT THE MOTION THAT WAS RESCINDED, WAS THE MOTION ORIGINALLY MADE AT THE MAY 9TH MEETING, MADE ON A RYAN/BUGNACKI MOTION. MOTION CARRIED 5-0.

SET AGENDA: The Sheriff's Report will be held over until someone from the Sheriff's Department is present, **MADE ON A PHILLIPS/POHLHAMMER MOTION. MOTION CARRIED 5-0.**

SHERIFF'S REPORT:

Sergeant Mattke gave the Board members his report for the month of May. In May, the deputies spent 4.75 hours of billable time in the Town. He stated that there have been complaints of mailboxes being smashed on the North end of Highway "U". If anyone hears noise at night, please check it out.

He also informed the Board that the non-emergency number for the sheriff's department has changed – it is now – 1-262-886-2300.

Supervisor Phillips said that he noticed that over the last four months (prior to May), we had no animal at large calls; however, for the month of May, there were eight of them.

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.

Bob Flasz:

He had previously received the total costs for the Root River Project. He has asked for a break down for the project costs. He would like it placed in the minutes what the break down is. This is not an arduous task. He also stated that, after looking at the minutes, he wasn't sure how many culverts along Waukesha Road were going to be replaced. Is that part of the contingency?

Chairman Kastenson stated that the culverts that Mr. Ertl was speaking were cross culverts.

Bob Slivon:

Stated that he had requested and received information regarding the engineering costs. He feels that if the Town had hired our own engineer three years ago, we would have saved about \$350,000.00.

He would like the Town to support an Ordinance regarding State Statute 946.12. He said there are two Town Board members that have lied to the people. There are Statutes that prevent you from doing this. It is considered a Class I Felony.

Supervisor Pohlhammer would like this on the next agenda.

Mr. Slivon said – otherwise the people will need to go in a different direction.

Steve Daily:

Asked if the Town had an Ordinance regarding sex offenders? He found out that there are 18 sex offenders within 6 miles of the Town Hall address.

Sgt. Mattke, from the Racine County Sheriff's Department, stated that he is unsure whether or not Raymond has an ordinance. He knows that Union Grove has such an ordinance – which also addresses residency.

Mr. Daily feels that this is something that the Town should check out.

Chairman Kastenson said that it will be placed on next month's agenda.

Mrs. Potratz:

Has some issues with the road closure for the 4th of July. She lives just North of the Town Hall, and usually has family coming over on the 4th, and they are not allowed down the road.

She suggested that anyone with an address North of the Town Hall should be allowed down the road (from the North).

She also has some concerns regarding two new homes going up behind her house. When wells are drilled, they affect the surrounding water. The Town needs to crack down on this development. She also stated that previously, she was on the Town's Land Use Planning Committee.

1) Fire Department Business:

a. Communications / Announcements:

Chief Babe reported that they are presently ahead in calls – they are up 20% over last year’s total at this time.

**The Department had a training burn

**FEMA grant for tanker is not available yet

**Chief Babe sees that the Fireworks Permit is on the agenda for tonight’s meeting. Chief Babe had some concerns – we are less than a week away, and the RCBO is asking for permission to do the fireworks, yet no one has contacted me about safety measures. In the future, we need to sit down and plan it better. We have absolutely no plan in the event of an emergency.

Supervisor Phillips asked if Chief Babe was worried about liability?

Chief Babe said that last year, we had two rescue calls on the South end of 76th Street and it took us 20 minutes to get there.

Chairman Kastenson said that it would be very difficult to regulate the traffic on that road.

Chief Babe said that the whole point is that no one from RCBO ever comes to him to even ask.

It was stated that in the future, the RCBO will be getting together with Chief Babe prior to the event.

**He went on to say that he knows that the five member board doesn’t always get along, however, he thinks they are doing a great job and he trusts them. He pointed out to Mr. Slivon that he doesn’t think anyone of the Board members is trying to deceive anyone.

Chairman Kastenson stated that if Chief Babe would like to meet with the RCBO, he will go with the Chief.

Supervisor Phillips stated that there are a lot of different things the Town could do. What happens if we cannot provide services because of traffic? We have to think of better ways to control traffic.

Sergeant Mattke said it would be very difficult because it has been allowed so long.

Supervisor Phillips would suggest observing the process this year and working on something for next year.

2) Plan Commission Business:

a. Minor land division: Mark Gelhaus – Seek approval of Westfield Way Road extension and related CSM to include three additional lots:

Mr. Gelhaus was present for the meeting. He said that the Plan Commission tabled this request. He wants to split off one 9-acre parcel; and two 5-acre parcels. The Town’s Engineer has questioned the pond. Mr. Gelhaus would like to minimize the size of the pond – there is drain tile at the low point. The last time, we received a waiver from the Town for the asphalt – the waiver was from 6 inches to 5 inches. There is actually 4 – 5 inches throughout the Town on all other roads. Mr. Gelhaus will guarantee the road for two years.

His 90 days starts when he submitted the certified survey map.

On August 18th, his five years will be up. One can split property every five years. He would like the Board to allow him to discuss this – he has sent out certified letters to the neighbors.

Supervisor Pohlhammer asked if there was a revision on the CSM when the address changed?

Mr. Gelhaus said that he asked if he could sell the lots without putting the road in; he was told “no”, so, he put the road in.

Supervisor Pohlhammer asked who was responsible for the pond; is it on a separate lot? There should be a CSM for the pond, and shared responsibility. He also asked if the retention pond was designed for future roof tops?

Mr. Gelhaus said that there is only a need for an easement for the pond. As far as responsibility – the owners of the lots and the developer’s agreement will address responsibility. The pond is designed for the road – it is not designed for hypothetical lots.

Supervisor Pohlhammer asked where the water runs?

Mr. Gelhaus said there is a natural swale.

Chairman Kastenson stated that the Town's Engineer has a problem with the design of the pond.

MOTION TO TABLE THIS MATTER, MADE ON A RYAN/PHILLIPS MOTION.

MOTION CARRIED 5-0.

Mr. Gelhaus said that when someone comes to the Town to split off acreage, do they have to show where the water goes?

Chairman Kastenson said that what is happening here is, Mr. Gelhaus is putting up a subdivision without doing what is necessary for a subdivision.

Mr. Gelhaus stated that the rules are for 5 acre lots.

Supervisor Pohlhammer wanted the motion changed.

b. Soil Disturbance: Keith Kastenson – 3822-68th Street:

At this time, Chairman Kastenson stepped down from the board because of conflict of interest.

It was stated that the Plan Commission approved this request.

MOTION TO APPROVE, MADE ON A BUGNACKI/PHILLIPS MOTION. MOTION CARRIED 4-0

WITH CHAIRMAN KASTENSON ABSTAINING.

3) Town Board Business

a. Discussion/Decision regarding Town Treasurer to attend Conference in Green Bay from July 10 – 15, 2011:

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

b. Discussion/Decision regarding CSM approval for Scott Matkus; 3206-W. 5 Mile Rd. (split was previously approved on 3/28/11):

Chairman Kastenson stated that Mr. Matkus would first need a variance for the CSM. He will need to get that variance first from the Plan Commission.

TABLE THIS MATTER UNTIL THE JULY 26TH MEETING, MADE ON A PHILLIPS/BUGNACKI MOTION. MOTION CARRIED 4-1, WITH SUPERVISOR POHLHAMMER OPPOSING.

c. Discussion/Decision regarding Moczynski Pond on 100th Street: (previously tabled):

Chairman Kastenson doesn't know how much this pond is going down right now. He would like to table this matter until after the wheat field is combined.

Mrs. Paap stated that they may be planting cabbage in after the wheat is off.

Supervisor Pohlhammer asked who would be doing the work?

Chairman Kastenson said that it would be the Town's DPW.

Supervisor Pohlhammer had previously given the Town Board members a map from the 1970's. He stated that the tile is about 6 – 7 feet below the road. Supervisor Pohlhammer said that he had been lied to; Pat and Justin dug out the stand pipe; you can see water funnels going down. We need to have an engineer on site and then come up with a plan.

Chairman Kastenson asked what happens if the tile is broken under the road?

Supervisor Pohlhammer said that the dirt was there before Mr. Moczynski bought the property. It should be pumped down and find the tiles first. He also wanted to know why the Town was getting involved?

Chairman Kastenson said that if the tile is cut under the road, we are out of it.

TABLE THIS MATTER, MADE ON A PHILLIPS/RYAN MOTION. MOTION CARRIED 5-0.

- d. **Discussion/Decision regarding 2012 Contract with Racine County Sheriff's Department:**

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

- e. **Discussion/Decision regarding Ordinance for 35 MPH Speed Limit on Waukesha Road:**

TABLE UNTIL THE JULY MONTHLY MEETING FOR CLARIFICATION, MADE ON A RYAN/BUGNACKI MOTION. MOTION CARRIED 5-0.

- f. **Discussion/Decision regarding appointing two board members to attend a fence viewing:**

Mr. Paul Vnuk was present for the meeting, as was Mr. Scott Urban. Mr. Vnuk would request that, due to the fact that Chairman Kastenson and Supervisor Ryan have been out to the site previously, that they be the "fence viewers".

Supervisor Pohlhammer asked who will be paying for the attorney fees in this matter?

It was stated that the Town will absorb the attorney fees.

Chairman Kastenson and Supervisor Ryan will be the two Board members attending the fence viewing at a date and time to be set within a few weeks.

- g. **Discussion/Decision regarding 2011 Crack Filling:**

TABLE UNTIL THE JULY 11TH MEETING TO FIRST SEE WHAT THE WAUKESHA ROAD BIDS COME IN AT, MADE ON A BUGNACKI/RYAN MOTION. MOTION CARRIED 5-0.

- h. **Discussion/Decision regarding Fireworks Permit for RCBO:**

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

- i. **Discussion/Decision regarding Special Meeting Date of July 11th for the purpose of Approving Bid for Waukesha Road; Public Hearing and action regarding Ward Redistricting; and Joint Meeting with Raymond School Board:**

APPROVE HAVING THE MEETING START AT 7:00 PM ON JULY 11TH, MADE ON A RYAN/BUGNACKI MOTION. MOTION CARRIED 5-0.

- j. **Update on Monitoring Committee for Highway 45 Landfill:**

Supervisor Bugnacki gave the Board an update on the Monitoring Committee: They met on May 5th; there will be 35 wells tested each year; we will still be getting tipping fees, but when the new section is opened, the tipping fees will be more.

He has been meeting with Waste Management regarding the bills the Town received for picking up the dumpsters at the recycle center while the compactor was broken. He is working at getting some of that money back from Waste Management – four of the dumpsters can fit into one compactor load – we shouldn't be paying the price for picking up four dumpsters.

- k. **Update on Racine/Kenosha County Town's Association:**

Supervisor Bugnacki attended the Racine/Kenosha County Town's Association meeting on May 3rd. He said that it is their intent to continue recycling in the State. The Town's Association is asking for per capita on recycling. Absentee voting will be costing the Towns additional money. Tom Harnish, W.T.A. Education Director, touched on legal aspects for Town employees.

l. Discussion/Decision regarding Operator Licenses pending clear record checks:

Gary Martin	Candise Schier	Roger Tiarks
Brittni Sandahl	Andy Schuebel	Mark Venne
Thomas McMahon	June Strom	Debby Venne
Joseph Netzler	Al Jeske Jr.	

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

m. Communications and Announcements:

Supervisor Pohlhammer stated that he requested that four items be placed on the agenda. Who is responsible for setting the agenda?

Chairman Kastenson said that, regarding Mr. Pohlhammer's request -- there is an ordinance for culverts.

Supervisor Pohlhammer asked about the Reichel Field tile?

Chairman Kastenson said that the Plan Commission is working on the ordinance for that.

Supervisor Pohlhammer questioned the Hannon tile.

Chairman Kastenson said that the Town Engineer has already explained that to the Board.

**AT 9:15 PM, THE MEETING WAS ADJOURNED ON A BUGNACKI/RYAN MOTION.
MOTION CARRIED 5-0.**

Respectfully submitted,

*Linda M. Terry
Town Clerk*