

SPECIAL MEETING & MONTHLY MEETING – FEBRUARY 14, 2005

On Monday, February 14, 2005, the Town Board of the Town of Salem held a Special Meeting regarding Consideration of Municipal Water System. Chairman Walsh called the meeting to order at 5:30 PM. Clerk Seitz took roll call as follows: Present were, Chairman Tom Walsh; Supervisors, Joseph Meier; Patrick O’Connell; and Dennis Faber. Also present were, Town Clerk, Toni Seitz; Deputy Clerk, Linda Terry; Land Development Coordinator/Utility District Administrator, Brad Zautcke; Utility District Attorney, John Bjelajac; and Utility District Engineer, Chris Kaempfer. Absent was Supervisor Diann Tesar.

Mr. Zautcke stated that the Town has been talking about the possibility of Municipal Water for quite some time, and now it is time for the Town to decide which route to take.

Attorney Bjelajac stated that the Town could require all new developments to put in a water tower and then dedicate it back to the Town.

Chairman Walsh does not want to force people who have an existing well to hook into the water system.

Mr. Zautcke stated that it could work like a deferred assessment.

Mr. Kaempfer said that he had some ideas of where water could start – the proposed Mills development; a development that may be going in next to Stonehedge Subdivision; and at the new addition for Wilmot High School. In 2006 when Highway “83” is rebuilt, the Town could have the water main laid when the road is worked on.

Mr. Kaempfer also suggested that citizens have their wells tested on a yearly basis – if the well fails, you must hook up to the water system.

Chairman Walsh had concerns about putting in a municipal water system, and drying up someone’s well – who is liable for that? If the Town is liable, can the Town correct the problem if the Town causes the problem?

Mr. Kaempfer said that the answer to that is “yes”.

Chairman Walsh would like the water system to be voluntary for existing residents; but, mandatory for businesses, schools, apartment buildings, etc.

Attorney Bjelajac stated that could be a possibility. He also stated that what he needs tonight is a preliminary decision from the Board as to whether or not the Board really wants to proceed with this.

Chairman Walsh and Supervisor Meier would like to see graphs with initial costs to the Town.

Mr. Kaempfer stated that the Town would save money by putting in the pipe from “AH”, North to Hartnell this year. The cost is approximately \$200,000.00 to \$250,000.00 per mile.

The Board consensus was to make this voluntary for homeowners and mandatory for new development and commercial development.

AT 6:50 PM, THE MEETING WAS ADJOURNED ON A MEIER/O’CONNELL MOTION. MOTION CARRIED 3-0.

At 7:00 PM, the regular monthly meeting was called to order. Present for the meeting, in addition to the above, were, Town Attorney, Richard Scholze; Town Building Inspector, Jack Rowland; and Director of Public Works, George Vujovic. Absent was Treasurer, Chris Lamb. The Pledge of Allegiance was recited.

Minutes from previous meetings of: 1/10/05 and 1/20/05 were APPROVED ON AN O’CONNELL/FABER MOTION. MOTION CARRIED 3-0.

The Treasurer’s Report was read by Chairman Walsh as follows:
JANUARY, 2005 – CASH REPORT FOR THE GENERAL ACCOUNT:

January 1, 2005 – Beginning Balance
\$1,427,164.42
January 31, 2005 – Ending Balance **\$1,937,991.52**

JANUARY, 2005 – CASH REPORT FOR THE TAX ACCOUNT:

January 1, 2005 – Beginning Balance
\$5,139,797.41
January 31, 2005 – Ending Balance **\$6,975,862.93**

JANUARY, 2005 – CASH REPORT FOR THE PARK ACCOUNT:

January 1, 2005 – Beginning Balance
\$1,050,181.41
January 31, 2005 – Ending Balance **\$1,054,955.89**

JANUARY 2005 – CASH REPORT FOR THE MAINTENANCE ACCOUNT:

January 1, 2005 – Beginning Balance **\$23,882.26**
January 31, 2005 – Ending Balance **\$23,891.39**

**Treasurer’s Report was APPROVED ON A MEIER/O’CONNELL MOTION.
MOTION CARRIED 3-0.**

The Vouchers were read by Chairman Walsh as follows:

TOWN:	UTILITY DISTRICT:
End of January, 2005 = \$239,260.14	January, 2005 = \$112,009.37
February, 2005 = \$192,346.32	February, 2005 = \$ 53,057.88

TOWN PAYROLL:	UTILITY DISTRICT
PAYROLL:	
#2A = \$80,931.48	#2A = \$15,692.68
#2B = \$ 4,899.68	#2B = \$ 1,733.06
#3 = \$65,790.29	#3 = \$15,465.51

**VOUCHERS WERE APPROVED ON AN O’CONNELL/FABER MOTION.
MOTION CARRIED 3-0.**

CITIZEN COMMENTS:
NONE

UTILITY DISTRICT BUSINESS:

1. DISCUSSION AND POSSIBLE ACTION ON A REQUEST TO FORGIVE LATE FEE FOR THE ESTATE OF VINCENT BOBOWSKI:

Mr. Zautcke stated that the Utility District does not usually forgive late fees; however, Mr. Bobowski’s mother has asked the Town to forgive this – her son, Vincent, was killed in a plane crash in Kuwait and she did not get the bill forwarded to her in time.

MOTION TO FORGIVE LATE FEE, MADE ON A MEIER/FABER MOTION. MOTION CARRIED 3-0.

2. DISCUSSION AND POSSIBLE ACTION OF AMENDMENT NO. 2 FOR THE “AGREEMENT FOR ENGINEERING SERVICES FOR THE WET WEATHER FLOW MANAGEMENT IMPROVEMENTS” PROJECT:

Mr. Kaempfer stated that there was a meeting with the DNR. They would like additional documentation.

MOTION TO APPROVE, MADE ON A FABER/O’CONNELL MOTION. MOTION CARRIED 3-0.

3. DISCUSSION AND POSSIBLE ACTION OF AN “AGREEMENT FOR ENGINEERING SERVICES FOR THE WOODHAVEN MEADOWS SUBDIVISION SEWAGE LIFT STATION AND FORCE MAIN” PROJECT:

Mr. Zautcke stated that the Town has a new subdivision, Woodhaven Meadows, going in and they have asked that the Town design and install the lift station and force main. They would like to have this added to the developer’s agreement. When the Town gets the deposit amount, Kaempfer will start the project and the Town will pay out of the deposit money.

APPROVE AGREEMENT, MADE ON A MEIER/O’CONNELL MOTION. MOTION CARRIED 3-0.

TOWN BUSINESS:

1. EXPENDITURES:

a. CONSIDERATION OF PURCHASING 2004 JOHN DEERE, 80C EXCAVATOR FOR \$86,000.00:

Mr. Vujovic stated that the Town had originally approved the purchase of a Hitachi Machine from Illinois. After further checking, it was discovered that they are not allowed to ship out of the State of Illinois.

APPROVE PURCHASE OF 2004 JOHN DEERE, 80C EXCAVATOR FOR \$86,000.00, MADE ON A MEIER/O’CONNELL MOTION. MOTION CARRIED 3-0.

b. CONSIDERATION OF PURCHASING OFFICE FURNITURE FOR FIRE INSPECTOR’S OFFICE:

APPROVED ON AN O’CONNELL/FABER MOTION. MOTION CARRIED 3-0.

At this time, Supervisor Faber asked if the Board would approve authorizing two water patrol officers to attend two training courses.

Chairman Walsh stated that as long as the fee is less than \$500.00, Clerk Seitz could approve the courses without Board approval.

2. COMMITTEE REPORTS:

****MOTION TO APPROVE PARK COMMISSION MINUTES, WITH THE EXCEPTION OF THE PORTION OF THE MINUTES REGARDING ACQUIRING PARK LAND THROUGH THE CONDEMNATION PROCESS, MADE ON AN O’CONNELL/FABER MOTION. MOTION CARRIED 3-0.**

**CCLRD will be holding a special meeting on Saturday, March 12th regarding mechanical harvesting.

**Supervisor Faber stated that he went with Water Patrol Officer, Patrick Weyand to the DNR. The total water patrol expenses for the year were \$11394.00, of which the DNR will refund up to 75%.

**Supervisor Faber stated that he and Supervisor O'Connell will be looking over the applications for the position that is open on the Plan Commission.

3. UPDATE ON THE DRAINAGE ISSUES CONCERNING DOUBLE EAGLE DEVELOPMENT / TABLED FROM JANUARY MEETING:

Chairman Walsh stated that item #3 and item #4 would be handled together.

Mr. Wilton has written a letter of concern to the developers of Double Eagle Development regarding the drainage issues.

A woman from the homeowner's association was present for the meeting. She stated that the property was turned over to the association in December. They feel that the drainage issue was a pre-existing problem, and the association should not be held responsible for any problems.

Attorney Scholze stated that a deed would need to be recorded at the County office if Summer Hill (Double Eagle Development) transferred the property over.

Chairman Walsh would like the Board to authorize Attorney Scholze to write a letter to Double Eagle and have the costs of this problem, placed on the tax roll.

Attorney Scholze stated that first, the Town must write a letter to the property owner and then the property owner has time to fix the problem; then, if it is not fixed, the Town can fix the problem and bill the property owner. However, the property owner is allowed to do this "in a timely fashion".

AUTHORIZE ATTORNEY SCHOLZE TO DRAFT A LETTER TO SUMMERHILL (DOUBLE EAGLE) DEVELOPMENT, MADE ON A FABER/O'CONNELL MOTION. MOTION CARRIED 3-0.

4. CONSIDERATION OF REQUEST FROM THOMAS WILTON REGARDING DRAINAGE PROBLEMS:

5. DISCUSSION REGARDING ORDINANCE RELATING TO PETITIONS FOR ZONING AMENDMENTS OR VARIANCES / SUPERVISOR TESAR:

THIS MATTER WAS TABLED, ON A FABER/MEIER MOTION. MOTION CARRIED 3-0.

6. CONSIDERATION OF REQUEST FOR ACCESS TO DEDICATED ROAD RIGHT-OF-WAY IN ROCK LAKE MEADOWS / YONG M. CHOW:

Mr. Chow was present for the meeting.

Mr. Zautcke asked who would be paying for the improvements?

Chairman Walsh asked who would be doing the work?

Mr. Chow stated that he would be paying for the improvements and doing the work.

Mr. Vujovic said he has no problem with this.

Attorney Scholze stated that the developer's agreement addressed this piece of property.

Attorney Scholze also stressed caution regarding this property, due to the liability issue.

Chairman Walsh asked the attorney if the Town could get a contract with the property owners that the Town can give them permission to use this?

Attorney Scholze stated that the Town has the authority, if this is brought up to specifications, the Town can charge the property owner. But, that will not alleviate the liability problem on the Town.

Mr. Vujovic stated that there was supposed to be money set aside from Modern Homes, but that never happened. It would cost approximately \$25,000.00 to \$30,000.00 for the Town to put in a road.

AUTHORIZE ATTORNEY SCHOLZE TO DRAFT CONTRACT TO ALLOW GRAVEL WHEN BUILDING PERMITS ARE OBTAINED; AND TO FINISH THE ROAD TO TOWN SPECIFICATIONS PRIOR TO FINAL OCCUPANCY, MADE ON AN O'CONNELL/FABER MOTION. MOTION CARRIED 3-0.

**7. CONSIDERATION OF RESOLUTION #05-02-14; A RESOLUTION TO AUTHORIZE THE TOWN CHAIRMAN, WITH THE ASSISTANCE OF SUCH TOWN AND UTILITY STAFF TO PARTICIPATE WITH THE VILLAGE OF PADDOCK LAKE IN THE PREPARATION OF A COOPERATIVE PLAN, UNDER THE GUIDANCE OF THE TOWN BOARD AND THE TOWN PLAN COMMISSION:
APPROVED ON A MEIER/FABER MOTION. MOTION CARRIED 3-0.**

**8. FORMAL HIRING OF DALE SLATER AS FIRE INSPECTOR FOR THE TOWN OF SALEM, EFFECTIVE FEBRUARY 16, 2005:
APPROVED ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 3-0.**

9. FORMAL APPOINTMENT OF TOWN OF SALEM FIRE/RESCUE DEPARTMENT PERSONNEL:

Lieutenants:

Tom Smith	Wilmot Station
D.C. Schroeder	Wilmot Station
Steve Miller	Salem Rescue Station
Mandy Dodge	Salem Rescue Station
Ragnar Ouwerkerk	Salem Station

Battalion Chief:

Greg Brown	Wilmot Station
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APPROVED ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 3-0.

10. REQUEST FROM HICKORY HOLLOW SUBDIVISION OWNER'S ASSOCIATION / TIM STANKIEWICZ:

Mr. Stankiewicz was present for the meeting. He had requests for the following:

STREET LIGHTS AT THE ENTRANCE OF THE SUBDIVISION:

APPROVED ON A FABER/MEIER MOTION. MOTION CARRIED 3-0.

BUS STOP SIGNS ON "JF"

35 MPH SPEED LIMIT SIGNS ON "JF"

Mr. Vujovic stated that highway "JF" is a County Highway. However, the Town will write a letter making the above suggestions to the County.

APPROVE SENDING A LETTER TO THE COUNTY REGARDING BUS STOP SIGNS AND 35 MPH SPEED LIMIT SIGNS, MADE ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 3-0.

11. CONSIDERATION OF OWNERSHIP REGARDING TURN-AROUND AT THE END OF 116TH STREET / RICHARD DRAZEWSKI:

Attorney Scholze stated that in November, 2002, Attorney Konicek drafted an opinion regarding 116th Street. At that time, it was stated that the existing road (116th Street), is a Town Road.

Mr. Drazewski questioned the turn-around?

Mr. Vujovic stated that the Town has a “hold harmless” agreement with Ms. Pirelli for the turn-around. It seems that the Town paved the turn-around.

Mr. Drazewski asked why the road was never finished?

Chairman Walsh stated that the road was finished.

Mr. Drazewski would like clarification as to who owns the road?

Chairman Walsh said that the Town owns 116th Street.

12. CONSIDERATION OF PROPOSED STATE ACQUISITION OF LIBRARY PROPERTY:

Attorney Scholze stated that he wasn't sure if the Town has the authority to act on this without a Town meeting being held.

This will be placed on the Annual Meeting Agenda.

13. CONSIDERATION OF RESOLUTION ESTABLISHING SEASONAL OR SPECIAL WEIGHT LIMITS ON TOWN ROADS AND ANTICIPATED COSTS:

There was much discussion regarding this item.

Mr. Vujovic stated that the initial cost of this would be approximately \$9,000.00; plus an annual maintenance fee of approximately \$1500.00. Then, there is also the question of enforcement.

DENY RESOLUTION ESTABLISHING SEASONAL OR SPECIAL WEIGHT LIMITS ON ROADS, MADE ON AN O'CONNELL/FABER MOTION. MOTION CARRIED 3-0.

14. CONSIDERATION OF STREET LIGHT AT ENTRANCE TO TOWN HALL:

APPROVED ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 3-0.

15. CONSIDERATION OF ADDENDUM TO TOWN HALL RENTAL CONTRACT REGARDING STORAGE AREA:

Chairman Walsh had a meeting with the auction business that is presently renting the Town Hall. They would like to rent an additional space in the basement of the Town Hall for storage of any large items that are left unsold. This would be a holding area only.

Attorney Scholze worried about liability.

Chairman Walsh stated that the Town would not be liable for any damage that may be caused.

The cost will be an additional \$25.00.

AUTHORIZE ATTORNEY SCHOLZE TO ADD ADDENDUM TO THE TOWN HALL RENTAL

CONTRACT REGARDING STORAGE AREA IN THE BASEMENT FOR AN ADDITIONAL COST OF \$25.00, MADE ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 3-0.

16. CONSIDERATION OF A CLASS “B” PICNIC LICENSE FOR CENTER LAKE WOODS PROPERTY OWNER'S ASSOCIATION FOR FEBRUARY 19, 2005:

APPROVED ON AN O'CONNELL/MEIER MOTION. MOTION CARRIED 3-0.

17. CONSIDERATION OF 2005 KENNEL LICENSE:

Misty-Dawn Acres – 122nd Street

APPROVED ON A MEIER/O'CONNELL MOTION. MOTION CARRIED 3-0.

**18. CONSIDERATION OF OPERATOR'S LICENSES PENDING
CLEAR RECORD CHECKS:**

Katie Wigand

Michelle Olsen

Annette Matoska

Regina Paatsch

APPROVED ON A MEIER/FABER MOTION. MOTION CARRIED 3-0.

**AT 8:30 PM, THE MEETING WAS ADJOURNED ON A FABER/O'CONNELL
MOTION. MOTION CARRIED 3-0.**

Minutes submitted

by: _____ Town Clerk.

Minutes prepared

by: _____ Deputy Clerk.