

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
MONDAY, NOVEMBER 8, 2010 7:00 P.M.**

Chairman Linda Valentine called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:06 p.m. with the following present:

CHAIRMAN: Linda Valentine

BOARD OF SUPERVISORS: Diann Tesar, Pat O'Connell, and Dennis Faber

ABSENT: Joe Meier

OTHERS: Pat Casey, Attorney Brian Wanasek, Brad Zautcke, Jack Rowland, Mike Murdock, Mike Slover, David Shortess, and Cindi Ernest.

GUESTS: Steve Brown, Karen Rasmussen, Jerry Kevek, Mike Sullivan, Carl Siegel, Lee Vanderspool, Linda Vanderspool, Johan Ihlen, Rachel Cates, Bea Champion, Michael Rombalski, Tim Vanderhoef, Pat Mulvey, Jennifer Donat, Lynn Biese, Darron Hillock, Gail Dziki, and Deneen Smith

ANNOUNCEMENTS

Chairman Valentine announced Santa Comes to Salem on Saturday, Dec 4th 10 a.m. – 2:00 p.m., there were 3,300 voters on Election Day, and campaign packets for town board positions are available. She also pointed out that we are the only taxing body with a 0% levy increase and the budget didn't pass unanimously.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chairman Valentine.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted by 3:00 p.m. on Friday, November 5, 2010 at the Town Hall Municipal Building, Salem Post Office, Camp Lake Post Office, Wilmot Post Office, and the Trevor Post Office. It was also posted on the Town's website.

APPROVAL OF AGENDA SEQUENCE

Chairman Valentine requested that #1 under Planning and Zoning be moved to after citizen comments.

CITIZENS COMMENTS

The Vanderspool's thanked the board for resolving the drainage problem on their property. It was stated that it was professionally taken care of and the highway employees are hard workers.

PLANNING AND ZONING

This item was moved up in the agenda sequence.

1.) A variance request by Michael Sullivan and Colleen Patrick-Feely to re-construct the front porch to an open format and enclose the rear porch into a three season room and continue it around the corner was presented. Property address of 8136 Antioch Road. Property tax parcel 65-4-120-104-1420. For informational purpose only this property is located on the west side of STH '83' between 81st and 82nd Street. Non-conforming structures which do not meet at least 50% of the required setback dimensions cannot be enlarged or expanded (Section V.B. 12.28-7). Required street yard setback from STH '83' is 50% of 65 feet (32.5 ft). Variance requested is for a 30 ft street yard setback.

The Planning & Zoning Commission approved this variance on a 6-0 vote.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to take the recommendation of the P & Z and approve the variance request by Michael Sullivan and Colleen Patrick-Feely to re-construct the front porch to an open format and enclose the rear porch into a three season room and continue it around the corner as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Chairman Valentine pointed out that the houses on STH 83 were affected by it's widening. We should look at standard variances for these.

Attorney Wanaseck advised that we should make notes of the effects of the Highway 83 widening as they come forward.

Discussion followed relative to setbacks and good record keeping.

CLERK'S BUSINESS

1.) Results from the November 2nd referendum, Should Any New Tax to Support Transit or Rail Services, Such as Sales Tax or Local Vehicle Registration Fee, Be Permitted in Any Part of Kenosha County?, were read by Chairman Valentine. At the close of Town of Salem polls there were 3302 votes cast and the return on the referendum was Yes - 540 No -2,698

2.) MOTION BY Supervisor Faber, second by Supervisor Tesar to approve the minutes of the previous meeting: Special Board Meetings on 10/13/10 and 10/18/10 and the Regular Board Meeting on 10/11/10 with the recommended changes.

SUPERVISORS Faber, O'Connell, and Tesar – AYE

CHAIRMAN Valentine – NAY

MOTION CARRIED

3.) Operator licenses were presented for the following. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Cheri Sinkovec Allyson Crutchfield Thomas Cooke Rachel Anderson

MOTION BY Supervisor Tesar, second by Supervisor Faber to approve the Operator licenses as presented.

UANNIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

- 1.) There was no Treasurer’s report for October 1, 2010 – October 31, 2010. It will be given at the next meeting.
- 2.) The vouchers for October 12, 2010 – November 8, 2010 were presented as follows:

Vouchers issued from October 12, 2010 through November 8, 2010	\$ 291,235.44
Payroll #21 Ending 10/09/10	\$ 63,726.54
Payroll #22 Ending 10/31/10	\$ 78,324.84
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Total	\$ 433,286.82

MOTION BY Supervisor O’Connell, second by Supervisor Tesar to approve the vouchers for October 12, 2010 – November 8, 2010 as presented.
UNANIMOUS VOTE – AYE
MOTION CARRIED

PUBLIC WORKS/HIGHWAY

- 1.) Mike Murdock reported that the 286th Ave. Bridge project and STH 83 sidewalk are about complete. A walk through is scheduled for this Friday.
- 2.) Project Payment No. 1 by B.R Amon & Sons, Inc. in the amount of \$257,264.52 for the 2010 Town Road Improvement of 84th Street, 122nd Street, 223rd Avenue, 222nd Avenue, and 256th Avenue (Path) was presented. The original estimated cost was \$284,198.50.
MOTION BY Supervisor Faber, second by Supervisor Tesar to approve Project Payment No. 1 by B.R Amon & Sons, Inc. in the amount of \$257,264.52 for the 2010 Town Road Improvement of 84th Street, 122nd Street, 223rd Avenue, 222nd Avenue, and 256th Avenue (Path) as presented.
UNANIMOUS VOTE – AYE
MOTION CARRIED

FIRE AND RESCUE

- 1.) Chairman Valentine gave the Fire Department report as follows: 40 Inspections, 92 Fire Responses, and 98 EMS Responses.
- 2.) Chief Slover presented a request to purchase portable radios for the fire department in the amount of \$15,768.22. The radios would be purchased from the equipment capital improvement fund. This is the first of four (4) requests over the next four (4) years.
MOTION BY Supervisor O’Connell, second by Supervisor Faber to approve the request to purchase portable radios for the fire department in the amount of \$15,768.22.
UNANIMOUS VOTE – AYE
MOTION CARRIED

CHAIRMAN INITIATED BUSINESS

1.) A request by the Twin Lakes Area Senior Citizens for a donation to help their programming was presented by Chairman Valentine.

Attorney Wanaseck advised the board that state law is clear that this can be done, but it must be approved by the electorate at a special or annual meeting. If it is in the budget and specific to that charity, it can be done.

Discussion followed relative to purchasing services, donations and specific line items in the budget.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to support the Twin Lakes Area Senior Citizens in the amount of \$500.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Lynn Biese, Executive Director of the Sharing Center, gave a background of the services which the Sharing Center provides people West of the I. She stated that the demand for services has gone up 60% in the last three (3) years. People who donated in the past are now receiving services. Salem has 59% of the mailing addresses. The Sharing Center has a \$15,000 shortfall and they are requesting support from the town in the amount of \$5,000.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to approved support of the Sharing Center in the amount of \$5,000.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Chairman Valentine received an email for banking services for the town. Banking services haven't been reviewed in a long time.

Administrator Casey said we will look at banking services sooner or later and at this time we are utilizing the state investment pool.

Discussion followed. There was no action taken on this item.

ADMINISTRATOR'S BUSINESS

1.) Administrator Casey provided a written report for packets. Chairman Valentine indicated that we need job descriptions and wants the audit report done by April for the annual meeting.

FIRE AND HIGHWAY BUILDING PROJECT

1.) Administrator Casey reported that the pitless adapter has been installed and we will be going out to bid on the water tower and the building now has furniture.

2.) Payment of direct purchasing invoice #01933 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 69,496.64 was presented.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve payment of direct purchasing invoice #01933 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 69,496.64 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Payment of direct purchasing invoice #01957 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 25,000.00 was presented.

MOTION BY Supervisor Tesar, second by Supervisor Faber to approve final payment of direct purchasing invoice #01957 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 25,000.00 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Payment request #12 by Powers Lake Construction Co., Inc. in the amount of \$ 40,562.31 for Site Grading, Drainage, & Roadway Improvement Project at Highway/Fire Facility was presented. Original contract amount \$1,553,443.30.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve payment request #12 by Powers Lake Construction Co., Inc. in the amount of \$ 40,562.31 for Site Grading, Drainage, & Roadway Improvement Project at Highway/Fire Facility as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) Payment request # 12 by Miron Construction, in the amount of \$162,864.48 was presented. Original contract amount \$ 4, 500,474.00.

MOTION BY Supervisor Tesar, second by Supervisor Faber to approve payment request # 12 by Miron Construction, in the amount of \$162,864.48 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

BUILDING DEPARTMENT

1.) Chairman Valentine gave the Building Department report.

2.) The Heath-Fortner property raze located at 25510 89th Street; Tax Parcel # 65-4-120-151-0500 was presented. This item was tabled from the July 19, 2010 Special Board meeting.

MOTION BY Supervisor Faber, second by Supervisor Tesar to remove this item from the table.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Administrator Casey advised that the structures are leveled, still some brush to clear, but we are pleased with the progress and will continue to monitor the site.

There was no action taken on this item.

SEWER UTILITY DISTRICT

1.) Brad Zautcke gave the Sewer Utility District report. We are close to closing out the effluent pump station modifications and the digester modification, finishing landscaping and punch list.

2.) Partial payment request #PR-1214003-02 by Starnet Technologies, for effluent pump station modification, in the amount of \$82,031.70 was presented. Original contract amount \$139,800.00, amount added by change order \$0.00, amount deducted by change order \$0.00 less previous payments of \$53,023.70.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve partial payment

request #PR-1214003-02 by Starnet Technologies, for effluent pump station modification, in the amount of \$82,031.70 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

STORM WATER DISTRICT

1.) There was no Storm Water District report. Direct billing of work was discussed.

PLANNING AND ZONING COMMISSION

1.) A variance request by Michael Sullivan and Colleen Patrick-Feely was moved up in the agenda to after Citizen Comments.

2.) A variance request by Richard A. Armstrong to construct additional living space on the 2nd floor was presented. Property address of 28300 Silver Lake Road. Property tax parcel 65-4-120-174-0200. For informational purpose only this property is located on the east side of Silver Lake on CTH 'F' east of the Canadian National Railroad and west of 278th Avenue. Non-conforming structures which do not meet at least 50% of the required setback dimensions cannot be enlarged or expanded (Section V.B. 12.28-7). Required shore yard set back from Silver Lake is 50% of 75 feet (37.5 ft). Variance requested is for a 22.1 ft shore yard setback.

The Planning & Zoning Commission approved this variance on a 6-0 vote.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to take the recommendation of the P & Z and approve the variance request by Richard A. Armstrong to construct additional living space on the 2nd floor as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A rezoning request from Peter & Donna DeBree to rezone a property from R-4 (Residential) & C-1 (Lowland Conservancy) to R-4 & C-1, to update the official zoning map to match existing field conditions was presented. Property address of 8220 238th Avenue. Property tax parcel 65-4-120-114-0140. For informational purposes only this parcel is located on the east side of Hooker Lake between 84th and 82nd Street.

The Planning & Zoning Commission approved this rezoning on a 6-0 vote.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to take the recommendation of the P & Z and approve the rezoning request from Peter & Donna DeBree to rezone a property from R-4 (Residential) & C-1 (Lowland Conservancy) to R-4 & C-1, to update the official zoning map to match existing field conditions as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A Letter of Credit reduction for Heritage Estates Subdivision was presented. Current retainage is \$832,866.00. Requested retainage is \$728,039.00. This item was tabled from the October 2010 meeting.

MOTION BY Supervisor Faber, second by Supervisor Tesar to remove this item from the table.

UNANIMOUS VOTE – AYE

MOTION CARRIED

It was explained that the \$105,815 was for a lien that the town was holding for the sanitary sewer which Powers Lake had.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the Letter of Credit reduction IN THE AMOUNT OF \$832,866 for Heritage Estates Subdivision as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PUBLIC SAFETY

1.) Chairman Valentine gave the Public Safety report as follows: Parking Violations 2, Traffic Violations 44, Property Maintenance 10, Animal Ordinance Violations 6, Informational 1, and ATV Violations 1.

2.) Chairman Valentine gave the Kenosha Sheriff Department report for 790 calls in the Town of Salem as follows: 911 Calls 55, Phone Calls 215, Cell Calls 114, Officer Alarm 8, Walkins 10, and Other 2. September there was 848.

PARK COMMISSION

1.) There will be no Park Commission meeting this month.

2.) A request by the Western Kenosha County Historical Society to install three doors to the history hall, possible repair work to floor area and request to waive the fee for the necessary building permit was presented.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to approve the request by the Western Kenosha County Historical Society to install three doors to the history hall, necessary repair work to floor area and to waive the fee for the necessary building permit as presented.

MOTION AMENDED BY Supervisor O'Connell, second by Supervisor Faber to

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) The Town of Salem Park Leases for Lake Shangri-La Homeowners Assoc., Rock Lake Highlands Assoc., and Camp/Center Lake Rehabilitation District (CCLRD) were presented. Chairman Valentine stated that she thinks it should be in the lease that there needs to be prior approval of sign before placement. Add to number six (6) in the lease should read "No structure or sign".

Discussion of signs followed.

MOTION BY Supervisor Faber, second by Supervisor Tesar to approve the Town of Salem Park Leases for Lake Shangri-La Homeowners Assoc., Rock Lake Highlands Assoc., and Camp/Center Lake Rehabilitation District (CCLRD) as presented.

MOTION RESCINDED BY Supervisor Faber.

MOTION BY Supervisor O'Connell, second by Supervisor Tesar to approve the Town of Salem Park Leases for Lake Shangri-La Homeowners Assoc., Rock Lake Highlands Assoc., and Camp/Center Lake Rehabilitation District (CCLRD) with the provisions of signs.

UNANIMOUS VOTE – AYE

MOTION CARRIED

JUDICIAL

1.) Chairman Valentine gave the judicial report – as follows:
November 9, 2010.

	Adult	Juvenile
Initial Appearances/Non Traffic	32	11 (Water Patrol: 0 – Ordinance: 32)
Initial Appearances/Traffic	61	0
Good Cause/Poverty Hearings	8	0
Trials (Water Patrol)	3	0
Follow-ups and Reviews	29	1
Totals	133	12

2.) Chairman Valentine gave the October report of fines collected by the Court. A total of \$5,941 was collected with \$480 paid to the County \$480, \$1,582 paid to the State and the Town kept \$3879.

SALEM MOUND CEMETERY

1.) There was no Salem Mound Cemetery report.

LIBRARY BOARD

1.) Chairman Valentine stated that there have been no names for Library Board Membership. Pat O’Connell is serving in an unofficial appointment. Supervisor O’Connell stated the Library Board will be meeting on Friday. Twin Lakes has been questioning what they get for the money they contribute. There will be a meeting on November 22nd in Twin Lakes at their regular meeting. Chairman Valentine encouraged attendance at this meeting.
Further discussion of the library followed.

REPORTS OF PREVIOUS MEETINGS, FUTURE AGENDA ITEMS & UPCOMING SCHEDULED MEETINGS

Chairman Valentine gave her (Lakes Committee, Bike Committee) report, including that there was a meeting with Mr. Hubler from the State Building regarding Ciesla. Mr. Hubler suggested using checklists for building. Chairman Valentine’s remaining report was submitted in the packets.

Supervisor Faber (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee, Board of Review) reported the fourth (4th) quarter CCLRD meeting will be held at 6:30 p.m. at the Town Hall on November 17th. All of the buoys have been removed from Camp/Center Lakes and will be pulled out of the other lakes.

Supervisor Meier had no report.

Supervisor O’Connell (Library Board, Voltz Lake District) reported that should Twin Lakes decide to pull out of the library joint agreement, it will take 18 months for the process.

Voltz Lake will hold their annual meeting on Wednesday, November 10th at 7:00 p.m. at the Town Hall.

Supervisor Tesar (Hooker Lake) reported that Hooker Lake District will hold their monthly meeting on Thursday, November 11, 2010 at 7:00 p.m. at the Town Hall.

ADJOURNMENT

MOTION BY Supervisor Tesar, second by Supervisor O'Connell to adjourn this Regular Board Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Respectfully submitted,

Cindi Ernest, Clerk