Town Hall, 262-843-2313
Fax, 262-843-4432
TownofSalem.net
Salem Town Hall ● 9814 Antioch Road, (STH 83) P.O. Box 443 ● Salem, WI 53168

TOWN OF SALEM BOARD OF SUPERVISORS
REGULAR MONTHLY MEETING AGENDA
MONDAY, AUGUST 10, 2009 7:00 P.M.
SALEM TOWN HALL MUNICIPAL BUILDING
9814 ANTIOCH RD., SALEM, WI

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
OPEN MEETING COMPLIANCE CHECK

PUBLIC HEARINGS

1.) Applications have been filed with the Clerk of the Town of Salem, Kenosha County, Wisconsin for retail licenses to sell fermented malt beverages and intoxicating liquors, in accordance with the provisions of CHAPTER 125.04 of the Wisconsin State Statutes by the following:

NAME & ADDRESS OF APPLICANT	TRADE NAME & ADDRESS OF ESTABLISHMENT

Class B and Class B (combination beer & intoxicating liquor consumption on premises)

Haltom & Associates, Inc. 30620 114th St. Wilmot, WI 53192 Agent: Tina Markarian	Fox River Spirits 11333 Fox River Rd. Wilmot, WI 53192
Mary Rose Piazza, LLC 8502 246th Ave. Salem, WI 53168 Agent: Freda R. Pryga	Mary Rose Piazza 9524 Camp Lake Rd. Camp Lake, WI 53109

Applications will be read and comment taken at a Public Hearing of the Town Board on Monday, August 10, 2009 at 7:00 PM at the Town Hall. Published in accordance with the provisions of Chapter 125.04 of the Wisconsin Statutes.

CITIZEN INITIATED BUSINESS

1.) Citizens Comments: *Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.*

2.) Consideration and possible action on a request by Michael Gorzynski to replace an ash tree at 9016 257th Ave. in Falcon Heights. The claim is that the tree was damaged by a snow plow.

3.) Request by Bonnie Bennett to discuss as to when the sewer fees, for damaged equipment, will be reduced.

4.) Consideration and possible action on Camp/Center Lake water safety, Town of Salem Water Patrol, and financial participation of the CCLRD (Camp and Center Lake Rehabilitation District).

PRESENTATIONS, PETITIONS, AND COMMUNICATIONS

1.) Presentation and approval of the Fiscal Year 2008 Audit.

2.) Presentation and possible action relative to McGrath Consulting study and recommendations.

CLERK'S BUSINESS

1.) Motion: Approval of the minutes of the previous meeting: Regular Board Meeting on 07/13/09 and a Board Budget Workshop on 07/23/09.

2.) Consideration and possible action on Alcohol License applications as presented during the public hearing. Approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

3.) Consideration and possible action on Amusement Machine License applications as follows. Approval is contingent on payment of delinquent taxes, assessments, and all necessary fees.

Arleene's Coin Laundry

4.) Consideration and possible action on operator licenses as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Lauren Lichter	Jade Grumbeck	Jeffrey A. Joiner
Natalee Adams	Sharon M. Arimas	
Linda A. Hollingshead	Teri Siepl	

5.) Consideration and possible action on a Temporary Class B "Picnic License" for the following:

- Lake Shangri-La Family Fun Day on September 5, 2009 from 11:00 a.m.-10:00 p.m.

6.) Consideration and possible action or direction regarding EARLY VOTING.

7.) Consideration and possible action on the rescheduling of the October Regular Board Meeting due to the October Wisconsin Towns Convention of the same week.

8.) Consideration and possible action on setting trick or treat time and date for Saturday, October 31, 2009 from 4:00 p.m. – 7:00 p.m., in the Town of Salem.

TREASURER'S REPORT

1.) Treasurer's report July 1, 2009 – July 31, 2009.

2.) Motion: Approve payment of the vouchers July 13, 2009 – August 10, 2009 as presented.

3.) Consideration and possible action on the subdivision outstanding receipts.

4.) Congratulations to Crysti Neuman in being chosen as an advisory board member for the Wisconsin Municipal Treasurers Institute for 2008-2011.

ADMINISTRATOR'S BUSINESS

1.) July 2009 monthly reports.

DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS

PUBLIC SAFETY

1.) Consideration and possible action on the dumpsters that have been allowed to remain at 'Siebert's' and which are becoming a dumping ground since the beginning of July.

2.) Consideration and possible action to amend the TOS Sex Offender Residence Ordinance.

PLANNING AND ZONING COMMISSION

1.) Consideration and possible action on a variance request for **t**ax parcel # 66-4-120-291-2615 and a property address of 28309 107th Place. For informational purposes only this property is located on the southeast corner of 107th Place & 106th Place. Existing structures may be enlarged if at least 50% of set back requirements are met. Side yard setback requirement is 50% of 10 feet, variance requested is for 2.7 ft. side yard set back. All commissioners present at this meeting viewed this property on July 22, 2009.
Planning and Zoning Commission approved with the condition the proper documentation is provided or obtained if necessary and provided to staff. Motion carried 6-0.

SEWER UTILITY DISTRICT

1.) Consideration and possible action on payment request Payment Request # PR-1210801C-07 by Delta Electric, Inc. for Wet Weather Flow Equalization Facilities in the amount of $84,500.00. Original contract amount $649,400.00, amount added by change orders $43,600.00, less previous payments of $444,075.00.

2.) Consideration and possible action on payment request Payment Request# PR-1210802-09 by JF Ahern Co. for Digester Cover and Clarifier Renovations in the amount of $33,392.50. Original contract amount $790,000.00, amount added by change orders $156,307.00 (which includes moneys to be reimbursed to the U.D. for repairs covered by insurance), less previous payments of $310,122.75.

3.) Consideration and possible action on Payment Request **#** PR-1210801A-08 by Staab Construction

Corporation for Wet Weather Flow Equalization Facilities in the amount of $289,359.75. Original contract amount $3,540,000.000 amount added by change orders $13,884.00, amount deducted by change order $58,707.00, less previous payments of $2,325,029.92.

4.) Consideration and possible action on tort claims submitted by Daniel & Renee Beucher, William & Marigrace Stephens, Michael Ring & Leona Hultin, Orlando & Elizabeth Greiner, and Joshua & Elizabeth Mulloy, to the Town of Salem relative to the June 19, 2009 rains.

5.) Consideration and possible action relative to back water valve preventers.

HIGHWAY

1.) Highway report.

FIRE AND RESCUE

1.) Fire & Rescue report.

BUILDING DEPARTMENT

1.) Building report.

JUDICIAL

1.) Judicial report.

STORM WATER DISTRICT

1.) Storm Water report.

PARK COMMISSION

1.) Consideration and possible action on a lease agreement with Rock Lake Highland Association for park lease and shoreline property.

2.) Consideration of policies and procedures on the appointment of a Park Commission member.

BOARD OF REVIEW

1.) Consideration of policies and procedures on the appointment of a Board of Review member.

LIBRARY

1.) Consideration and possible action relative to the Joint Library Agreement with regard to compliance with WI Statutes Sec 43.53 and Sec 43.54, Fiscal Agency and associated costs of service and employee benefits.

SALEM MOUND CEMETERY

1.) Consideration and possible action on the acceptance of the Salem Mound Cemetery; establishment of appropriate dates, policies and procedures.

OLD BUSINESS

1.) Motion: To reconsider relative to the lowest responsive and responsible bid for Site Construction for the Highway/Fire facility to Powers Lake Construction Company Inc. in the amount of $1,553,443.30.

2.) Consideration and possible action relative to the lowest responsive and responsible bid for Site Construction for the Highway/Fire facility to Powers Lake Construction Company Inc. in the amount of $1,553,443.30.

3.) Consideration and possible action relative to the lowest responsive and responsible bid for Building Construction for the Highway/Fire Building to Miron Construction Company Inc. in the amount of $6,294,394.00.

4.) Consideration and possible action relative to the lowest responsive and responsible bid for Building Utility Improvements and water main extensions for the Highway/Fire facility to Reesman's Excavating & Grading Inc. in the amount of $274,666.85.

5.) Consideration and possible action relative to the lowest responsive and responsible bid for Building Utility Improvements Production Well #1 for the Highway/Fire facility to Layne Christensen Company in the amount of $222,200.00.

6.) Consideration and possible action on Resolution 09-08-03. A Resolution providing for the sale of approximately $3,535,000 Note Anticipation Notes.

REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS. And Considerations by the Board

Chairman Valentine Report

1.) Report back to the board relative to the request by John VanDenberge that the Town contact Kenosha County and the Dept. of Natural Resources about the culvert on CTH "C" and 274th Ave. This request was made at the July meeting.

2.) Consideration and possible action on beginning proceedings on the ownership of the Center Lake Outlet Gate Dam.

3.) Consideration and possible action on directing an amendment to Chapter 2 of the Town of Salem Ordinances relative to the selection of Board Meeting Chair in the absence of the elected Chairman.

4.) Consideration and possible action on the creation of an ordinance and/or permit fee for temporary advertising signs of those contractors working on private properties after the work has been completed including the establishment of the date upon which the sign will be removed.

5.) Consideration and possible action on the creation of an ordinance for permanent advertising signs placed on private property in residential and business areas. .

6.) Consideration and possible action on an ordinance similar to that attached to address BLIGHT, including those properties that are in the midst of development, in foreclosure and/or abandoned. See a Kentucky and Milwaukee ordinance exhibit.

7.) Consideration and possible action on the inclusion of a generator for the Town Hall and its necessary associated structures, interface and protection.

Supervisor Faber (CCLRD, SEWRPC, P&Z Liaison) Report

1.) Consideration and possible action on SNW levels at the onset of high water as well as the removal of the SNW order on the decrease in the water levels on a lake specific basis; as well as the possible re-evaluation of the lake level board placements. Note: This discussion and action will include review of TOS Chapter 20 Lakes and Beaches, TOS Ordinance 04 01 12 C, TOS Ordinance 07 09 10 A, TOS Ordinance 08 04 17, information from John Bronikowski (08 22 2007), the new restrictions to take affect Feb. 1, 2010 and the 07 08 2009 Brainstorming session notes. The result then to be processed thru John Bronikowski.

Supervisor Meier (FD/EMS, Hooker Lake District) Report

Supervisor O'Connell (Board of Review, FD/EMS, Library Board, Voltz Lake District) Report

Supervisor Weidman (Fair, & Parks Commission) Report

Finance Committee Report.
1.) Consideration and possible action on the committee members and responsibilities of this committee.

Lakes Committee Report.

1.) Consideration and possible action on the committee members and responsibilities of this committee

ADJOURNMENT

This Notice was posted at the following places:

Camp Lake Post Office
Salem Post Office
Trevor Post Office
Wilmot Post Office
Town of Salem Municipal Building

August 7, 2009

Signed: _____
Cindi Ernest, Clerk

Please note, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request service, contact Town Clerk, Cindi Ernest at 262-843-2313.
"Notice is hereby given that a majority of any other town commission, committee or board may be present at this meeting to gather information about a subject over which they may have decision making responsibility. It is intended that this notice shall constitute an adequate notice of meeting pursuant to State ex rel Badke v. Greendale Village Bd., 173 Wis.2d 553, 494 N.W. 2d 408 (1993), although none of the other town commissions or boards will take any formal action at this meeting".

Cc: Town of Salem Website www.townofsalem.net
Community Library