

**TOWN OF SALEM BOARD OF SUPERVISORS  
SPECIAL MEETING  
MONDAY, AUGUST 13, 2009 6:00 P.M.  
SALEM TOWN HALL MUNICIPAL BUILDING**

**Chairman Linda Valentine opened this Special Meeting at 6:00 p.m.** with the following present: Dennis Faber, Pat O'Connell, Joe Meier, Josephine Weidman, Attorney Scholze, Cindi Ernest, Patrick Casey, David Shortess, Tom Seep, Jason Stalker, Mike Slover, Mike Murdock, Chris Kaempfer, Len Roecker, John Short, and Jon Wallencamp.

**Guests** included Deneen Smith, Gail Dziki, Darren Hillock, Jim Valentine, Anna Kenjer, Mary Laschinski, James A. Laschinski, Chris Lamb, Crysti Neuman, Bill Carey, Dr. Brad Smith, Tom Donat, Mark Morris, Jim Cross, Bonnie Bennett, Chris Gustafson, Violet Miller, Paul Neuman, Diann Tesar, Lynn Murdock, Jeff Malueg, Sandra Malueg, Wayne Kleinfelder, and Darin Noyes.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Chairman Valentine.

**OPEN MEETING COMPLIANCE CHECK**

The agenda was posted by 5:00 p.m. on Wednesday, August 12, 2009 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**

Supervisor O'Connell requested that because item # 5 was approved at the last meeting, he requested that item #'s 8, 9, 10, 11 & 19 needs to be combined. What was approved at the last meeting is a highway/fire meeting.

Supervisor Faber stated that item #19 should be before item #12.

The sequence for the these agenda items will be items 8, 9, 10, & 11 will be combined and item # 19 will be before item #12.

**Citizens Comments**

Darrell Damon read to those in attendance an email relative to unemployment and the number of homes in the foreclosure process. He asked that the Board consider these and consider doing a phased process of the building.

Jim Laschinski told the Board that he understands the need for the facility, but maybe we should look at downsizing the building. Possibly building a pole barn for public works. He also questioned what fund the training facilities go to and thinks the money should go to maintenance and upkeep.

Jim Valentine recommended going forward with the whole building. He feels the town should look at additional ways of financing. Some of these include; Impact fees, increase fees to other towns for services, contributions from businesses based on annual sales, income from the use of the fire department training are to other municipalities, softball tournament for all area fire departments, town booster club, Las Vegas night fundraiser, and modify the building and rent out as office space.

Gail Peckler-Dziki stated she has been coming to the meetings regarding this building from the beginning. She is glad that we now have an administrator here. The answers are here.

Darrell Damon stated that impact fees are illegal in Wisconsin.  
Supervisor Faber corrected that is true for schools no municipalities.

**7.)** Administrator Casey gave a brief history of the project – Buildings, Sewer, Water, Property, Finances, Bidding, etc. He stated the town has been working on this since 2005. The average cost per resident over twenty (20) years will be \$1,914. We will continue to look at other things to help with financing costs.

**8., 9., 10., & 11)** Reconsideration on the building of a new TOS Highway Department/ Fire/EMS combination building and proceed with the construction of the facility was presented. Supervisor Faber stated that in November 2007, the cost to build was estimated at around \$8 million. If we built in phases, the cost would go up by \$757,000. He feels building the highway/fire together is the most economical.

Supervisor O’Connell agreed that building the highway/fire together is the most economical. Right now there are record low interest rates that if they go up by 1.5%, the cost of the building will go up over \$2 million.

Supervisor Meier concurred with Supervisor O’Connell. The fire portion of the building is only 25% of the buildings cost. We still have to pay for a highway building. If we wait until the fire building is needed then it may cost the town another \$4 million. If we did patchwork on the old building then we would have a junk building. We haven’t been fined for the building yet, but feel it is because we have been planning. He stated he pays taxes just as everyone else.

Whenever we do something like this, there will always be people who don’t agree.

Supervisor Weidman stated she is in favor of both. She will pay dearly in taxes. She has a cauliflower ear from talking to contractors and right now prices have never been better.

Supervisor O’Connell pointed out that because of how we are structuring this, the funding won’t be done all at once. It won’t hit until 2011.

Administrator Casey added that the first debt service payment won’t be until 2011. The payments peak in 2013 and then they go steadily down.

Chairman Valentine stated that we are gonna pay one way or another. Trevor fire department takes care of most of Salem, but where there are the most people; there is not EMS service at the Trevor fire department. If we have a well, businesses coming in will help defray the costs. The current highway department building is in jeopardy with fines. To the north of the building is a roadway where water and sewer repair are needed. This is part of the building. Outside training could be leased to other departments to defray costs.

Supervisor Faber question architect Wallencamp about square foot costs and if the road portion would have impact fees.

Architect John Wallencamp told those in attendance that it came in at \$10.00 a square foot.

Everything associated with the project is included such as furniture, computers, everything.

Fire Chief Slover indicated that the town did contract with Meeham to do an impact fee study.

A needs assessment has been completed. We have intergovernmental agreements with Paddock Lake and Brighton and the meetings with them have been favorable.

**MOTION BY** Supervisor Meier, second by Supervisor O’Connell to build according to the presentation and proceed with the Highway/Fire building.

**ROLL CALL VOTE**

Supervisors Faber, O’Connell, Meier, Weidman, and Chairman Valentine – AYE

**MOTION CARRIED**

**19.)** Financing option, pay back options and new construction such as an Impact Fees for the proposed TOS building were reviewed.

Administrator Casey told the Board that we will definitely look at Fire and Highway impact fees. Rental will also be reviewed and a recommendation brought back to the Board. We will also look at fundraising. We are going to fund \$3.5 million to begin only for the infrastructure. After we find out about the grant we will borrow the remaining after.

Supervisor O'Connell is in favor of the impact fees and the ideas.

MOTION BY Supervisor Weidman, second by Supervisor Meier to go with the financial options presented and look at additional funding ideas.

UNANIMOUS VOTE - AYE

MOTION CARRIED

**12.)** The construction of Utility Improvements and Production Well #1 (a Deep Aquifer well) for purposes of hydrant use and later possible application of potable water for light industry was presented.

There was discussion of the production well and with Supervisor Faber pointing out that on April 6<sup>th</sup>, we approved this and approved the engineering so we could apply for grants.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to authorize the construction of Utility Improvements and Production Well #1, as presented.

Resident Jim Valentine encouraged the Board to please try to negotiate using Town of Salem residents for construction labor.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**13.)** The construction of the support well station for the above mentioned Production Well #1 was presented.

This item hasn't been sent out to bid because the well needs to be tested and right before putting out the specs on this.

Tabled.

Darrel Damon called for Point of Order.

MOTION BY Chairman Valentine, second by Supervisor Weidman to table this agenda item.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**14.)** The construction of the Building Utility Improvements and water main extensions for the above mentioned site was presented.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the construction of the Building Utility Improvements and water main extensions.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**15.)** The assignment of a project manager/s on each of the building projects of the Highway/Fire building project was presented.

Administrator Casey recommended that Jon Wallencamp is in charge of the building, Len Roecker the site construction, and Chris Kaempfer the utilities. Regular construction meetings will result in a report to the Board at least monthly.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to continue the team of Jon

Wallencamp - building, Len Roecker - site construction, and Chris Kaempfer – utilities, as project managers and work with the administrator and report monthly.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**16.)** Discussion and possible action on the method to be used by Town of Salem to track and communicate the activities (including inspections, financials, etc) of the project and detailed reports to the Town Board was covered in item #15, so no action was taken on this item. Chairman Valentine questioned the reporting and stated she wants a chart to know we are on target with dollars and activities.

**17.)** The disposition of funds obtained from any possible sale or rental/lease of the old Highway Department property was presented.

Administrator Casey stated we aren't sure what we are going to do yet and this will need further discussion. There are costs involved in removing the tank and the back of the building should be demolished.

MOTION BY Supervisor Faber, second by Supervisor Weidman to table this agenda item.

MOTION AMENDED BY Supervisor Faber, second by Supervisor Weidman to table this agenda item to the annual meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**18.)** There was discussion relative to the overview of bids received for the proposed Highway/Fire building.

Engineer Roecker gave an overview of the site bids which were put out in May of 2009. Ten (10) contractors bid and the two (2) closest to Salem were lowest bids.

Engineer Kaempfer reviewed the facility water and sewer. There were five (5) bidders.

Reesemans Excavating, a local contractor was low bid. The construction of the well station after the well and aquifer is tested and the results should be returned in 60-90 days. The results can be incorporated into the specs and then go out to bid.

Architect Wallencamp stated that the base bid was the Highway, alternative was Fire, and the other alternative was fire equipment. There were fourteen (14) qualified bids.

**20.)** The award of the contract for Site Construction for the above approved building including site grading, drainage and roadway improvements was presented. Note: From R A Smith National materials, this includes but is not limited to silt fencing 4800LF, signs, topsoil/seed/fertilizer/mulch, comprehensive erosion control, topsoil stripping, excavation of 30,000 CY, RCP storm sewer, storm sewer structures and sewer, pond outlet control, concrete curb and gutter, bituminous concrete binder and surface, limestone base and shoulder, milling asphalt pavement, 9inch concrete driveway, 5 inch concrete sidewalk, pavement marking and 18\* street trees (7 autumn blaze maple, 6 Redmond Linden, 6 Skyline Honey locust) . The bid cites 18 trees with details of 19 trees.

Contractor	Base Bid	Alt A aka EMS	TOTAL
Power's Lake Construction Co	\$1,427,928.30	\$125,515.0	\$1,553,443.30
Reeseman's Grading and Excavating	\$1,491,561.40	\$142,850.00	\$1,634,411.40
Willkomm Excavating and Grading	\$1,497,063.68	\$240,423.50	\$1,737,487.18
Mann Brothers, Inc	\$1,601,698.11	\$207,877.50	\$1,809,575.61

A W Oakes and Sons, Inc	\$1,613,818.20	\$190,600.00	\$1,804,418.20
Payne & Dolan, Inc	\$1,623,476.70	\$181,762.50	\$1,805,239.20
Super Western Inc	\$1,625,183.65	\$154,000.00	\$1,779,183.65
CU Purpero, Inc	\$1,653,163.64	\$172,950.00	\$1,826,103.64
DK Contractors, Inc.	\$1,681,070.92	\$200,711.00	\$1,881,781.92
Advance Construction, Inc.	\$1,750,243.90	\$114,450.00	\$1,864,693.90

Supervisor Weidman questioned whether there are walnut trees on the site to which Chairman Valentine responded that we could sell them when cut down and reduce the debt.

Administrator Casey said that the low bid is a local company and they employ local people.

Chairman Valentine voiced concerns about the bidder on the list having a judgment for not having the best management practices and keeping the site clean.

Attorney Scholze told the Board that the general contract documents will address these concerns. He will be sure and watch this. On site inspections are the best way to address these concerns.

Engineer Roecker stated that all three (3) project managers will have someone on site everyday to monitor the site. There is \$300,000 just in erosion control under the storm water permit. We will be a model and strict order of business relating to storm water.

Resident Chris Gustafson questioned whether Powers Lake Construction would be required to have a performance bond to which Engineer Roecker responded that the performance bond is required by the state.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to award the contract for Site Construction to Powers Lake Construction Co. Base Bid \$1,427,928.30, Alt A \$125,515.00 for a total of \$1,553,443.30.

Discussion followed when Chairman Valentine pointed out a case brought by Ozaukee County against Powers Lake.

Attorney Scholze cautioned that they are the lowest, responsible bidder. The Town is exposed to a potential claim based on this case alone if we award to another bidder.

Supervisor Weidman pointed out that the Board just wants to be sure that Powers Lake is held accountable.

Attorney Scholze advised that he reviewed the information alleging violations and it doesn't rise to the level of denying them as a qualified bidder. This is a part of the business and backgrounds may reveal that other have violations also.

Jim Short pointed out that work can be stopped at any time for violations and they can't impose penalties for delays.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**21.)** The award of the contract for Building Construction for the above Highway/Fire building was presented. Note: From KUENY materials , this includes but is not limited to the General construction, landscaping, fire protection, plumbing, heating, Ventilating and Air Conditioning, Electric, Electronic Systems, Lifts ALT#2, crane ALT #3, Fuel Dispensing System and Monitoring System ALT#4,Lubrication Dispensing System and Lube Waste Recovery System ALT #5, Salt Shed ALT \$6, Cold Storage Building ALT#7, Miscellaneous Equipment ALT#8, Fire Training grounds ALT #9 and meet provisions of ARRA2009 ALT#10.

MOTION BY Supervisor Weidman, second by Supervisor Meier to recommend awarding the bid contract for Building Construction to Miron Construction Co. in the amount of \$6,294,394.00 as presented.

Architect Wallencamp told the Board that the verbiage on Alt #1 the word “delete” will be taken out.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**22.)** The award of the contract for Building Utility Improvements and Water Main Extensions was presented. Note: From Chris Kaempfer Associates materials, this includes but is not limited to the construction of sanitary sewer and water main extensions of approximately 1,260 lineal feet of 10 in diameter sanitary sewer pipeline, 200 lineal feet of 8 inch diameter sanitary sewer pipeline, 1,430 lineal feet of 12 inch diameter potable water pipeline, 140 lineal feet of 10 inch diameter potable water pipeline, 235 lineal feet of 8 inch diameter potable water pipeline, 5 hydrants, 7 manholes, valves, fittings, sewer laterals, water services and associated work.

Reesman’s Excavating and Grading	\$274,666.85
C W Purpero Inc	\$276,103.00
Willkomm Excavating Inc	\$309,037.05
Powers Lake Construction Co Inc	\$321,712.00
Advance Construction Inc	\$343,334.70
Super Excavators Inc.	\$370,507.00

MOTION BY Supervisor Meier, second by Supervisor O’Connell to award the bid contract for Building Utility Improvements and Water Main Extensions to Reesman’s Excavating and Grading, in the amount of \$274,666.85 as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**23.)** The award of the contract for Building Utility Improvements Production Well #1 was presented. Note: From Chris Kaempfer Associates material, this includes but is not limited to construction using air rotary drilling equipment consisting of a 12 inch diameter upper inner casing to an estimated depth of 500 feet and a 12 inch diameter open bore hole to an estimated depth of 1,200 feet. .

	WITH ARRA2009	WITHOUT ARRA2009
Sam’s Well Drilling	\$230,475.00*	\$228,975.00*
Municipal Well and Pump	\$238,987.00	
Layne-Northwest	\$239,700.00*	\$222,200.00*
Water Well Solutions Service Group	\$277,755.00	
CTW Corporation	\$279,100.00	

Engineer Kaempfer stated that when the DNR was informed this was primarily a fire project, this eliminated the ARRA2009. This changed the low bid to Layne - Northwest.

MOTION BY Supervisor Faber, second by Supervisor Meier to award the bid contract for Building Utility Improvements Production Well #1 to Layne – Northwest in the amount of \$222,200,.00, as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**24.)** Resolution 09-08-13, A Resolution providing for the sale of approximately \$3,535,000 Note Anticipation Notes was presented.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to approve resolution No. 09-08-13, A Resolution providing for the sale of approximately \$3,535,000 Note Anticipation Notes, as presented.

ROLL CALL VOTE

Supervisors Faber, O'Connell, Meier, Weidman, and Chairman Valentine – AYE

MOTION CARRIED

**25.)** The next action steps in the project including but not limited to Value Engineering activities, Project Reports, new agenda items, etc. was presented. Administrator Casey stated this goes back to items #15 & #16. The site construction will begin next. We have to sign the contracts and then entertain meetings. The Board and administrator Casey thanked everyone who took the time to talk to people.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to have discussion and possible action about the agenda process on the agenda for the September meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Supervisor Faber stated that he appreciated the fact that people had come to this meeting.

There were lots of questions answered.

Supervisor O'Connell requested that we limit the number of special meetings we have as board members have many other meetings to attend. He suggested that if we find we are having regular special meetings, that the Board may consider having a second Regular Board meeting.

#### **ADJOURNMENT**

MOTION BY Supervisor O'Connell, second by Supervisor Faber to adjourn this Special Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Special meeting was adjourned at 8:05 p.m.**

*Respectfully submitted,*

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*Cindi Ernest, Clerk*

