



**TOWN OF SALEM BOARD OF SUPERVISORS
REGULAR BOARD MEETING AGENDA
MONDAY, FEBRUARY 8, 2010 7:00 P.M.
SALEM TOWN HALL
9814 ANTIOCH ROAD, SALEM, WI 53168**

- 1.) Call to Order
- 2.) Pledge of Allegiance
- 3.) Roll Call
- 4.) Open Meeting Compliance Check
- 5.) Approval of Agenda Sequence

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 by Julie Waidzulis, 9911 272nd Ave., Trevor relative to the railroad quiet zones in the Town of Salem.

CLERK'S BUSINESS

- 1.) **Motion:** Approval of the minutes of the previous meeting: Regular Board Meeting on 1/18/10, Special Meetings on 01/19/10 and 1/27/10, and Workshops on 2/1/10 and 2/2/10.
- 2.) 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.

Timothy J. Zimmerman

Sara Wilkinson

Monty Lowrey

TREASURER'S REPORT

- 1.) Treasurer's report for January 1, 2010 – January 31, 2010.
- 2.) **Motion:** Approval of payment of the vouchers January 18, 2010 – February 8, 2010 as presented.

CHAIRMAN INITIATED BUSINESS

- 1.) Consideration and possible action on the content of board minutes of the Town of Salem board meetings.

- 2.) Consideration and possible action on adding Nursing Home, Rehabilitation Services, Assisted Living, and other similar communities and the labs and services to support them to the BP District submitted to the Town for review and comment.
- 3.) Update, legal report and possible board action relative to a TOS outdoor wood boiler ordinance.
- 4.) Discussion and possible action on the expectations of four Commissioners – Planning and Zoning, Parks, Library Board and Board of Review. Board members were asked to provide their expectations of those commissioners and appointments that they consider important and necessary for their consideration and approval of candidates.
- 5.) Consideration and possible action on a BOARD REQUESTED agenda item at 01-18-2010 (O’Connell/Faber) “to review any letters that Board requests that the Chairman sends before being sent out and approved”
- 6.) Follow-up, consideration and possible action on the 2nd Annual Spring Cleaning Week and HazMat drop off point.
- 7.) Follow-up, consideration and possible action on the TOS Newsletter anticipated for the Utility Mailing.
- 8.) Follow-up, consideration and possible action relative to the flashing lights on 83 at the Salem Grade School crossing.
- 9.) Update and legal report relative to an ordinance regulating solicitors, fee schedules, violation policy, penalties and any advisory or info banner regarding solicitors in town and possible action by the board.
- 10.) Update, legal report and possible board action relative to TOS Snow Emergency Ordinance changes.

ADMINISTRATOR’S BUSINESS

- 1.) January 2010 monthly report.
- 2.) Consideration and possible action on Resolution No. 10 02 08A, A Resolution Accepting Land For Public Purposes (Wollin property).
- 3.) Consideration and possible action on a request by Nick Manning to get reapproved to proceed with his Eagle Scout project of clearing weeds, garbage, and build a fishing dock at the western boat launch of Montgomery Lake. Also requesting if there may be possible funds available from the town to help finance the project.

HIGHWAY/FIRE BUILDING PROJECT

- 1.) Status report of the Highway/Fire building project.
- 2.) Consideration and possible action on Change Order #3 by Miron Construction to DEDUCT the amount of \$(539,196.00). This is a credit for materials purchased through direct purchase. Original contract amount \$4,500,474.00.

- 3.) Consideration and possible action on Change Order #1 from Advantage Purchasing to ADD the amount of \$471,701.82. This is for materials purchased through direct purchase.
- 4.) Consideration and possible action on payment of direct purchasing invoice #01732 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 159,451.99.
- 5.) Consideration and possible action on payment of direct purchasing invoice #01719 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$9,056.86.
- 6.) Consideration and possible action on Payment Request #3 by Miron Construction in the amount of \$293,169.93. Original contract amount \$4,500,474.00.
- 7.) Consideration and possible action on Resolution No. 10-02-08, A Resolution Providing For The Sale Of Approximately \$7,055,000 Note Anticipation Notes for the purpose of paying costs of completing construction of the public works/fire station facility.

DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS

SEWER UTILITY DISTRICT

- 1.) Consideration and possible action on final payment request # PR-1210801A-13 by Staab Construction Corporation, for wet weather flow equalization facilities, in the amount of \$42,541.61. Original contract amount \$3,540,000.00, amount added by change order \$22,443.20, amount deducted by change order \$59,702.00, less previous payments of \$3,460,199.61.

STORM WATER DISTRICT

- 1.) Storm Water District report.

PLANNING AND ZONING COMMISSION

- 1.) Announcement of upcoming Open House and Public Hearing on the Town of Salem Comprehensive Plan:2035 to be held on Monday, February 22, 2010. The open house will be at 6:00 p.m. and the public hearing at 7:00 p.m.
- 2.) Consideration and possible action on a Variance request for William Ferry. Tax parcel # 67-4-120-341-1030 and property address of 25205 121ST Street. For informational purposes only this property is located approximately 50 feet west of the intersection of 252nd Avenue and 121st Street. All detached structures are to be placed in the side or rear yard, variance requested is for street yard placement. Street yard setback is to be 30 ft, variance requested is for 1 inch street yard setback.
- 3.) Consideration and possible action on a Rezoning request for Michael Rombalski. Tax parcel # 65-4-120-114-0130 and property address of 8238 238th Avenue. For informational purposes only this property is on the west side of 238th Avenue at the intersection with 82nd Place. Rezoning request is from R-4 (Single Family Residential), C-1 (Lowland Resource Conservancy District) and FFO (Camp/Center Lake Flood-fringe Overlay District) to R-4, C-1 and FFO, to match existing field conditions.

4.) Consideration and possible action on a Conditional Use Permit to allow for an outdoor flea market at the Wilmot Ski Hill. Tax parcels 67-4-120-312-0700 and 67-4-120-313-0400. For informational purpose only this property is located on the east side of CTH 'W' south of CTH 'C'.

5.) Consideration and possible action on a request to amend the Declarations of Conditions, Covenants, Restrictions and Easements for Heritage Estates Subdivision. For informational purposes only this subdivision located on the east of STH '83' approximately 3,000 feet south of CTH 'C'. Requested amendment is to reduce minimum home size requirements on certain lots to increase marketability.

6.) Announcement of Planning & Zoning Commission members terms that expire in April of 2010. Richard Fakes, Kim Breunig, and Steve Arnold.

BUILDING DEPARTMENT

1.) Building Department report and update.

2.) Consideration and possible action relative to the Public Hearing on October 19, 2009 on a raze order for Tax Parcel No. 65-4-120-262-0540, Property Address: 10834 Antioch Road, Property Owner: Shakuntala Chhabria, 225 S. Greenleaf Street, Suite 111, Gurnee, IL 60031. Time was granted by the board to allow the realtor/owner to develop a plan for the property. Motion needed to remove this item from the table.

3.) Follow-up, consideration and possible action on the following property order for raze. Motion needed to remove this item from the table.

Tax Parcel No. 66-4-120-211-0535

Property Address: 9620 269th Avenue

Property Owner: John R. and Corrine M. Neuman

c/o Nancy Keel

6134 No. Kedvale Ave.

Chicago, IL 606046-5208

4.) .) Follow-up, consideration and possible action on the following property order for raze. Motion needed to remove this item from the table.

Tax Parcel No. 65-4-120-041-0100

Property Address: 60th Street

Property Owner: Chung Hwe Park

26305 N Saint Marys Road

Mettawa, IL 60048.

PUBLIC SAFETY DEPARTMENT

1.) Public Safety Department report.

2.) Consideration and possible action regarding Ordinance 10 02 08 An Ordinance Creating Section 10.04(23) Of The Town Of Salem Code Of Ordinances Regarding Burying Of Rubbish.

3.) Follow-up, consideration and possible action on engine braking signs on CTH W especially at 8630 Fox River Road and at the bottom of the northbound hill in Fox River.

PUBLIC WORKS/HIGHWAY

1.) Public Works/Highway Department report.

FIRE AND RESCUE

1.) Fire Department report.

JUDICIAL

1.) Judicial report. February 9, 2010.

Adult /Juvenile

Initial Appearances/Non Traffic 1 / 4

Initial Appearances/Traffic 19/ 0

Good Cause/Poverty Hearings 5/ 0

Trials 2 / 0

Follow-ups and Reviews 0 / 2

PARK COMMISSION

1.) Park Commission report.

2.) Announcement of Park Commission member term that expires in June of 2010. Mark Eberle; and term of Karen Ihlen whose term expired in 2009.

LIBRARY BOARD

1.) Library Board report.

2) Discussion and possible action on the announcement of Library Board Commission seat availability.

BOARD OF REVIEW

1.) Board of Review report.

2.) Announcement of Board of Review seat vacancy. Delores Terry

SALEM MOUND CEMETERY

1.) Salem Mound Cemetery Report.

REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, UPCOMING SCHEDULED MEETINGS, AND CONSIDERATIONS BY THE BOARD

Chairman Valentine Report (Lakes Committee)

1.) Is quorum attendance at the Tri-County WTA meeting on 2/24/10 anticipated?

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

Supervisor Meier (Hooker Lake District) Report

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

Supervisor Weidman (Fair, Parks Commission, Lakes Committee) Report

ADJOURNMENT

By the authority of Chairman Linda Valentine

This Notice was posted at the following places:

*Camp Lake Post Office
Salem Post Office
Trevor Post Office
Wilmot Post Office
Salem Town Hall Municipal Building*

February 5, 2010

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

TABLED ITEMS FOR FUTURE AGENDAS

1.) For March 1010 Agenda.

JAN 18, 2010 - Consideration and possible action on the Sewer Utilities Commercial User Charge Equivalent (sewer utility fee) and past billing activities. Ref: B. Jonas. This item tabled pending the completion of the Utility audit.

2.) For June 2010 Agenda.

DEC. 14, 2009 - MOTION BY Supervisor Weidman, second by Supervisor Faber to request that Public Safety spend more time on 256th Avenue with additional patrol and that this item be tabled until the June 2010 regular board meeting.

UNANIMOUS VOTE AYE

MOTIONCARRIED

3.) For June 2010 Agenda.

JAN. 18, 2010 - Consideration and possible on Town Board decision to allow until June 2010 for an

update on the implementation of the plan, relative to a proposed raze order for Tax Parcel No. 65-4-120-151-0500. Property Address: 25510 89th Street, Property Owner: Carole Heath, Jacqueline Heath, and Joan Fortner, 2151 W. Granville Avenue, Chicago, IL 60659-3008.

4.) For June 2010 Agenda.

JAN. 18, 2010 - Consideration and possible on Town Board decision to allow until June 2010 for an update on the implementation of the contract that LaSalle Bank has to demolition and cleanup this property, for Tax Parcel No. 65-4-120-073-0710, Property Address: 8119 Fox River Road, Property Owner: Joseph V. Bychowski Trust, c/o LaSalle Bank, Attn: Ed Peters, 135 S. LaSalle Street, Rm 1925 Chicago, IL 60603.

SCHEDULE OF FUTURE MEETINGS/EVENTS

Town of Salem Comprehensive Plan: 2035 Open House & Public Hearing	2/22/10 6:00 p.m.
Spring Primary Election	2/16/10 Polls Open 7:00 a.m.
Regular Town Board Meeting	3/08/10 7:00 p.m.
Spring Election	4/06/10 Polls Open 7:00 a.m.
Regular Town Board Meeting	4/12/10 7:00 P.M.
Annual Meeting of Electors (tentative)	4/13/10 (always the 2 nd Tuesday in April)