

**MINUTES  
TOWN OF SALEM  
PUBLIC HEARING AND REGULAR MEETING  
OF THE BOARD OF SUPERVISORS  
MONDAY, MARCH 14, 2011 7:00 P.M.**

**Chairman Linda Valentine** called this Public Hearing and Regular Meeting of the Town of Salem Board of Supervisors to order at 7:18 p.m. with the following present:

**CHAIRMAN:** Linda Valentine

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

**OTHERS:** Pat Casey, Attorney Rich Scholze, Brad Zautcke, Jack Rowland, Mike Murdock, Mike Slover, David Shortess, and Cindi Ernest.

**GUESTS:** Jerry Leslie, Karen Ihlen, Greg Pahl, Pat Mulvey, Marilyn Parker, Bernard Kean, Philip Dziki, Gail Peckler-Dziki, Mark Morris, Tom Rahlen, Eileene Anderson, Karen Mahoney, Darren Hillock and Deneen Smith

Chairman Valentine announced the election on April 5, 2011 and the Spring Cleanup the week of May 7, 2011. She pointed out that information regarding firewood and Kenosha County medicine collection is on the website. She also stated she visited Westosha Daybreak and explained their role in the community of providing help for those with family members suffering from Alzheimers.

There is a \$7,000 scholarship available from the WI Towns Association in the amount of \$7,000. The application is due May 25<sup>th</sup> and is available on the WTA website.

**PLEDGE OF ALLEGIANCE**

Chairman Valentine led the Pledge of Allegiance.

**OPEN MEETING COMPLIANCE CHECK**

The agenda was posted prior to 3:00 p.m. on Friday, March 11, 2011 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.

**AGENDA SEQUENCE**

There was no change in the agenda sequence.

**PUBLIC HEARING**

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)**

Pahl Properties, LLC  
12400 336<sup>th</sup> Avenue  
Twin Lakes, WI 53181  
Agent: Gregory Pahl

Wilmot Trading Post  
30602 114<sup>th</sup> Street  
Wilmot, WI 53192

**Class "A" and "Class A" (combination beer & intoxicating liquor retail off premises)**

EZ Gas, Inc.  
815 River Ridge Circle  
Waterford, WI 53185  
Agent: Gill S. Baljit

EZ Gas, Inc.  
12617 Antioch Road  
Trevor, WI 53179

**Class "B" (beer only consumption on premises)**

Wilmot Fire Association  
30400 Wilmot Road,  
P.O. Box 332  
Wilmot, WI 53192  
Agent: Sam Barranco

Wilmot Fire Association  
Kenosha County Fairgrounds  
30820 111<sup>th</sup> Street  
Wilmot, WI 53192

Chairman Valentine asked whether there were any comments for or against these proposed alcohol licenses. There were no comments.

**This Public Hearing was closed at 7:20 p.m.**

**CITIZENS COMMENTS**

There were no citizen comments.

**STORM WATER DISTRICT**

- 1.) There was no Storm water district report.
- 2.) The item below was not addressed and is tabled until the April 2011 meeting. Consideration and possible action on a request by Wayne E. Koessler, Local Affairs Account Manager for WE Energies for the Town Board to review of the storm water appeals for WE Energies' substations.
- 3.) Joseph Krupinski, Tax Parcel #'s 65-4-120-053-0300 and 65-4-120-064-0101, to the Northwest of Intersection Hwy 50 and Hwy B, requested to be on the agenda for consideration by the board of his storm water appeal and plan participation. Mr. Krupinski did not attend this meeting and will be required to request to be added to the agenda again.

**CLERK'S BUSINESS**

**1.)** The minutes of the previous meetings, a Regular Board Meeting on 02/14/11 and a Special Meeting on 02/21/11 were presented.

MOTION BY Supervisor Faber, second by Supervisor Tesar to approve the minutes of a Regular Board Meeting on 02/14/11 and a Special Meeting on 02/21/11 as presented with the changes requested by Supervisor Faber.

Supervisors Faber, O'Connell, Meier and Tesar – AYE

Chairman Valentine - NAY

MOTION CARRIED

**2.)** Operator Licenses were presented as follows. Approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Jon T. Kickel      Susan M. Warden      Martha Jo Passe      Gill S. Baljit      Gregory Pahl

MOTION BY Supervisor Tesar, second by Supervisor O'Connell to approve the Operator licenses as presented with approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Alcohol License applications for Wilmot Trading Post, EZ Gas, and Wilmot Fire Association were presented. A Public Hearing was held prior to this meeting and there were no comments for or against the proposed licenses. Approvals are contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the Alcohol License applications for Wilmot Trading Post, EZ Gas, and Wilmot Fire Association as presented with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees

UNANIMOUS VOTE – AYE

MOTION CARRIED

**4.)** Cigarette License application for EZ Gas, Inc. was presented. Approval is contingent payment of delinquent taxes, assessments, and all necessary fees.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve the Cigarette License application for EZ Gas, Inc., as presented with approval contingent payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**5.)** An Amusement Machine License application for Wilmot Trading Post was presented. Approval is contingent on payment of delinquent taxes, assessments, and all necessary fees.

MOTION BY Supervisor O'Connell, second by Supervisor Tesar to approve the Amusement Machine License applications for Wilmot Trading Post as presented with approval contingent payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER'S REPORT**

**1.) Administrator Casey gave the Treasurer's report for February 1, 2011 – February 28, 2011 as follows:**

**FEBRUARY 2011 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM**

Feb. 1, 2011- Beginning Balance **\$3,510,797.47**

<b><u>RECEIPTS</u></b>		<b>\$ 1,386,277.41</b>
Transfer from LGIP#09	\$	7,008,466.56
Prior Month Adjustment	\$	0.00
<b><u>DISBURSEMENTS</u></b>		\$ 9,096,182.63
PAYROLL	\$	142,645.94
Prior Month Adjust.	\$	123.00
<b>Total</b>	<b>\$</b>	<b>9,238,951.57</b>

Feb 28, 2011 - Ending Balance **\$2,666,589.87**

State Pool - General	\$	264,386.32
Gen. Checking	\$	<u>2,402,203.55</u>
<b>Totals</b>	<b>\$</b>	<b>2,666,589.87</b>

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**FEBRUARY 2011 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM**

Feb. 1, 2011- Beginning Balance **\$ 7,008,466.56**

<b><u>RECEIPTS</u></b>		<b>\$ 698.45</b>
Trnsfr from Gen. Ck.	\$	0.00

<b><u>DISBURSEMENT</u></b>		\$7,008,466.56
Trnsfr to Gen. Ck		

Feb. 28, 2011 - Ending Balance **\$ 698.45**

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**FEBRUARY 2011 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM**

Feb. 1, 2011 - Beginning Balance **\$ 880,205.93**

<b><u>RECEIPTS</u></b>		<b>\$ 1,734.66</b>
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**DISBURSEMENTS**

Feb. 28, 2011 - Ending Balance \$ 881,940.59

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**FEBRUARY 2011 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM**

Feb. 1, 2011 Beginning Balance \$ 35,280.02

**RECEIPTS** \$ 221.86

Feb. 28, 2011 Ending Balance \$ 35,501.88

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**FEBRUARY 2011 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM**

Feb. 1, 2011 Beginning Balance \$ 1,936,172.48

**RECEIPTS** \$ 257.28

**DISBURSEMENTS**

Transfer to Gen Fund \$ 0.00

Feb. 28, 2011 Ending Balance \$ 1,936,429.76

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**FEBRUARY 2011- CASH REPORT FOR THE TRAILS ACCOUNT - SALEM**

Feb. 1, 2010 Beginning Balance \$ 225,184.74

**RECEIPTS** \$ 29.92

Feb. 28, 2011 Ending Balance \$ 225,214.66

2.) Approval of payment of the vouchers February 15, 2011 – March 14, 2011 was presented as follows:

Vouchers issued from February 15, 2011 through March 14, 2011

\$ 8,827,635.45

Payroll #4 Ending 02/12/11

\$ 66,766.87

Payroll #5 Ending 02/28/11

\$ 70,098.21

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Total

\$ 8,964,500.53

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve the payment of the vouchers for February 15, 2011 – March 14, 2011 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **PUBLIC WORKS/HIGHWAY**

1.) Department Supervisor Murdock gave the board a copy of report to County Emergency Services regarding the February snow storm.

2.) The quote summary for traffic lane painting at various locations throughout the town was presented as follows:

Crowley Construction	\$ 8,870.40
Guide Lines Pavement marking, LLC	\$ 9,.871.00
Century Fence Company	\$13,728.00

MOTION BY Supervisor Tesar, second by Supervisor O'Connell to approve the quote from Crowley Construction for traffic lane painting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **FIRE AND RESCUE**

1.) Chief Slover reported that he worked with the County Emergency Services and submitted a report for the February snow storm to County Emergency Services for the 48 hour period.

### **CHAIRMAN INITIATED BUSINESS**

1.) Chairman Valentine requested discussion possible action on Town Board Supervisor salaries. She questioned whether the salaries of the board need to be lowered since we now have an administrator.

Discussion followed with the consensus of the majority that the salaries should remain the same as the work hasn't changed.

2.) Chairman Valentine requested discussion and possible action on leave of absence policy/ordinance.

Supervisor O'Connell questioned who the leave of absence was for, to which Chairman Valentine replied that it was for employees.

Chairman Valentine stated that we don't really have one. We have an employee policy manual.

Administrator Pat Casey replied that the current policy manual says that an employee may request a leave of absence in writing.

Discussion followed.

There was no action taken on this item.

**3.)** Chairman Valentine requested discussion and possible action on policy on accessibility to Town personnel records.

Discussion followed.

Administrator Casey will develop a policy.

**4.)** Chairman Valentine requested discussion and possible action on policy for in town expenses for board members.

The board discussed the pros and cons of whether they should/shouldn't receive pay for mileage and a \$245 yearly mileage bill.

There was no action taken on this item.

**5.)** Chairman Valentine requested discussion and possible action on current events and activities in Madison and how they affect the town.

Administrator Casey stated that actions by the governor will have a small effect on our labor force. It won't change our dollars much as our union isn't large enough. It will have a negative effect in that the town will lose \$50,000 - \$60,000 in state revenues and we will lose the recycling grant and the General Fund can't go up either.

Further discussion followed regarding the General Fund, levy limit, debt service and the maintenance of service for emergency services.

There was no action taken on this item.

**6.)** Chairman Valentine requested discussion and possible action regarding our participation in County Wide Planning and Zoning, mandates, governance, enforcement, etc. She stated that there have been complaints about duplication of services and money.

Supervisor Faber explained that when the town adopted Village powers is when we went to the County Planning and there are many specifics we don't get involved in.

Further discussion followed regarding the pros and cons of staying with County Planning.

There was no action taken on this item.

**7.)** Chairman Valentine requested discussion and possible action on the recent SEWRPC Regional Water Supply Plan for Southeastern Wisconsin.

Chairman Valentine indicated that she had contacted SEWRPC relating to questions she had about the recommendations made in the plan. She presented a March 8, 2011 letter she received from SEWRPC relative to those questions and she indicated that the Town of Salem is destined to have thirteen (13) qualifying deep wells and believes that this will work against the Town in enticing developers and finds this in opposition.

Supervisor Faber stated that this is so far from being immediate and the Town wouldn't consider it unless it was something earth shattering. He indicated that a lot of misinformation has been given on this matter.

Discussion followed.

There was no action taken on this item.

**8.)** Resolution 11 03 14, A Resolution Supporting Legislation Prohibiting the Possession, Manufacture, Distribution or Delivery of Synthetic Canniboids, was presented.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to approve Resolution 11 03 14, A Resolution Supporting Legislation Prohibiting the Possession, Manufacture, Distribution or Delivery of Synthetic Canniboids, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

9.) Chairman Valentine requested discussion and possible action on the recently released Census data. She stated that the Town's population as of the 2010 Census is at 12,067 and that vacant housing is at 569 or 11.3%. There are a total of 5,055 housing units. There was no action taken on this item.

**ADMINISTRATOR'S BUSINESS**

1.) Administrator Report for the preceding period.

The annual financial audit will be presented at the annual meeting on April 12, 2011 and presented for Town Board approval at the May 2011 meeting.

A check in the amount of \$3,500 was sent for the renewal of the Clean Water Network storm water participation. There may be some relief in the future of some storm water regulations. The Village of Bristol/Town of Salem Boundary/Sewer Agreement will be presented at the April 2011 Town Board meeting.

Chairman Valentine requested the Tax Graphs on the Town Website - and the green flyer sent with tax bills be on the website.

The E-cycle collection sites are already on website.

2.) The Town of Salem Building Use Policy was presented.

Supervisor Faber pointed out that the parking areas weren't addressed in the policy.

This item will be brought back to the April 2011 agenda with the changes.

3.) Resolution No. 11-03-14, A Resolution Accepting Land Dedication for Public Purposes, was presented. This is for land donated to the Town by Piera Garofalo.

MOTION BY Supervisor Meier, second by Supervisor Tesar to adopt Resolution No. 11-03-14, A Resolution Accepting Land Dedication for Public Purposes as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) The fire service contract between the Village of Paddock Lake and Town of Salem Fire/Rescue EMS services was presented.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to approve the fire service contract between the Village of Paddock Lake and Town of Salem Fire/EMS services as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**FIRE AND HIGHWAY BUILDING PROJECT**

1.) Status report and possible action regarding the Highway/Fire building project.

The building is doing well. The burn building is 98% complete and we are waiting on Miron to complete the concrete. The tower and support meeting is on target and we are in discussions with AT & T relative to the tower. We are waiting for the sign to come back from the sign shop and will be brought back to the board.

2.) An electrical contract quote was received to move of the emergency generator from the old Trevor Station to the Town Hall. The range was about \$10,000. Administrator Casey requested permission to proceed for that amount.

MOTION BY Supervisor Meier, second by Supervisor Tesar to hire Becker to move the emergency generator from the old Trevor Station to the Town Hall.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) Payment request No. 15 from Miron Construction, in the amount of \$29,202.54 was presented. Original contract amount was \$4,500,474.00.

MOTION BY Supervisor Meier, second by Supervisor Tesar to approve Payment request No. 15 from Miron Construction, in the amount of \$29,202.54 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **BUILDING DEPARTMENT**

1.) There were eleven (11) building permits issued in February 2011, \$5402 in revenue.

### **SEWER UTILITY DISTRICT**

1.) There was no Sewer Utility Department report.

### **PLANNING AND ZONING COMMISSION**

1.) Chairman Valentine requested discussion and possible action regarding Town of Salem policy regarding our standards for entrance ways to new subdivisions, proliferation of homeowners associations for new developments and curbs and gutter requirements/preferences, etc. This is in follow up to comments she had received that the entrances are too narrow and that we should consider changing these now while there isn't any development going on.

Supervisor Faber suggested talking to town planner, Pat Meehan regarding swales vs. curb and gutter.

Discussion followed.

P & Z Administrator Zautcke will speak to Meehan and add this item to the next P & Z agenda.

### **PUBLIC SAFETY**

1.) Department Supervisor Shortess reported that a Safety Day, in conjunction with the Village of Bristol, will be held on June 4, 2011 beginning at 10:00 am at the Community Park. More details will be presented and sent out to the public.

A Boater Safety class will be held at the Salem Town Hall on April 2<sup>nd</sup> & 3<sup>rd</sup> beginning at 8:00 a.m.

Chairman Valentine gave the Sheriff's Department report.

### **PARK COMMISSION**

1.) Park Commission meets Wednesday, March 16, 2011 at the Salem Town Hall.

**JUDICIAL**

1.) Chairman Valentine gave the following judicial report:

Court Appearances:

	Adult	Juvenile
Initial Appearances/Non Traffic 3	0	(Water Patrol: 0 – Ordinance: 3)
Initial Appearances/Traffic	30	0
Good Cause/Poverty Hearings 13	2	
Trials	1	0 (1 Speeding)
Follow-ups and Reviews	11	9
Totals	58	11

2.) Chairman Valentine gave the February 2011 court financial report as follows:

Total Collected	Municipality Share	Sent to County	Sent to State
\$3767	\$2480	\$300	\$987

**SALEM MOUND CEMETERY**

1.) There was no report for Salem Mound Cemetery.

**LIBRARY BOARD**

1.) Supervisor O’Connell stated that the Library Board met on March 2<sup>nd</sup> instead of February 28<sup>th</sup>. There was a glitch in the financial reporting and it will be redone.

**BOARD OF REVIEW**

1.) Nothing to report.

**REPORTS AND ACTION TAKEN ON PREVIOUS COMMISSION MEETINGS, FUTURE AGENDA ITEMS, AND UPCOMING SCHEDULED MEETINGS**

**Chairman Valentine** (Lakes Committee, Census, Bike Committee) report.

There will be a UTC meeting on March 19<sup>th</sup>.

Chairman Valentine questioned Attorney Scholze about the dog ordinance.

Attorney Scholze indicated that the ordinance the Town currently has in effect is at the top of the Town’s authority. The Town doesn’t have the authority to order the destruction of a vicious dog, but could request it from a circuit court.

Discussion followed.

Supervisor Faber reminded that we have gotten off topic.

**Supervisor Faber** (CCLRD, SEWRPC, P&Z Liaison, Lakes Committee, Board of Review) report.

The Lake’s Committee, comprised of the Town Board as a whole, will have a meeting on March 21, 2011 to formulate a survey.

**Supervisor Meier** report.  
Supervisor Faber had nothing to report.

**Supervisor O'Connell** (Library Board, Voltz Lake District) report.  
The Voltz Lake spring meeting will be held on April 7, 2011.

**Supervisor Tesar** (Hooker Lake) report.  
Nothing to report.

**ADJOURNMENT**

MOTION BY Supervisor Tesar, second by Supervisor Meier to adjourn this Regular Board Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Regular Board meeting was adjourned at 8:59 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk