



**TOWN OF SALEM BOARD OF SUPERVISORS
REGULAR MONTHLY BOARD MEETING AGENDA
MONDAY, September 13, 2010 7pm.
SALEM TOWN HALL
9814 ANTIOCH ROAD, SALEM, WI 53168**

1. CALL TO ORDER

2. ROLL CALL

3. CLOSED SESSION 6PM

a. MOTION: To move into closed session pursuant to: Section 19.85(1(g)), Wis. Stats. for the purpose of conferring with Town legal counsel concerning strategy to be adopted by the Town with respect to litigation in which it is likely to become involved. Board will discuss recent correspondence, events and strategy relating to that correspondence- Ernest.

b. MOTION: To move into closed sessions pursuant to: Wisconsin State Statute 19.85 (1) (e) Deliberating or negotiating the purchasing of public property, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This will be an update regarding the collective bargaining of the Teamsters Local 43 and future actions by TOS.

4. Return to Open Session

5 Announcements:

a. The Regular Board meeting of today from this point forward will not begin earlier than 7pm.

b. Primary Election tomorrow, September 14th 2010 7am to 8pm

c. On September 17th the NEW Central High School Athletic Complex will be dedicated. Admission to the Central vs Waterford High School will be free to all attendees in celebration of the event.

d. October 2 FALL WHEEL RIDE 10 – Noon Destination is Petrifying Springs

e. First Week in October several Board members will attend the Wisconsin Towns Annual Convention in LaCrosse

Please notice: Any item other than Citizens Comments on this Regular Board Meeting agenda may produce discussion and possible Town Board action.

6 PLEDGE OF ALLEGIANCE

7. OPEN MEETING COMPLIANCE CHECK

8. APPROVAL OF AGENDA SEQUENCE

9. 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.*

CITIZEN INITIATED BUSINESS

1. Consideration and possible action on Lee and Linda Vanderspool property located at 12029 220th Court to alleviate flooding and solve health issue by taking pipe to the lake and burying a pipe located in their back yard. This item was tabled from the August 9, 2010 Regular Board meeting.

CLERK'S BUSINESS

1. Motion: Approval of the minutes of the previous meeting: Regular Board Meeting on 8/9/10.
2. Consideration and possible action on setting the date and time for Halloween Trick or Treating in the Town of Salem. Halloween, October 31, 2010, falls on a Sunday.
3. Consideration and possible action on Resolution No. 10-09-13, a Resolution Requesting Exemption from the County Library Tax for the 2001 Budget for the Town of Salem.
4. Consideration and possible action on four (4) operator licenses as follows. Approval will be contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

Amanda Newell

Andrea Valverde

Valerie Shike

Sean P. Booe

5. Consideration and possible action on a Temporary Class B "Picnic License" request by Tracey Vasquez for the following:
Lake Shangri-La Property Owners Association Fall Festival to be held on Sat. Sep 25th

TREASURER'S REPORT

1. Treasurer's report for July 1, 2010 – July 31, 2010.
2. Motion: Approval of payment of the vouchers August 10, 2010 – September 13, 2010 as presented. In the amount of \$1,754,905.94.

CHAIRMAN INITIATED BUSINESS

1. Heath property report – activity, permit and anticipated November 15th completion date
2. Cull Barn on County K report – activity, permit and the previously agreed upon completion date of August 27th, 2010.
3. Status on any raze orders in process or work towards those events.
4. Status on the Brass Ball corners dumpsters and work to satisfy the citizen request of several months ago.
3. Consideration and possible action relative to a referendum asking electors if they support new taxes to transit services. Proposed referendum language as per ERIN DECKER: "Should any new tax to support transit or rail services, such as a sales tax or local vehicle registration fee, be permitted in any part of Kenosha County?"
4. Consideration and possible action on a request by Trevor-Wilmot Grade School representative that the Town provide support for the hot dog dinner for their Annual Halloween Spooktacular to be held on Fri. Oct. 29, 2010 from 6:00 pm to 9:00 pm at Trevor Campus.
5. Discussion and possible action on a new Holiday October VENDOR FAIR to be held at the Town Hall whereby proceeds will be used to help support the Annual SANTA COMES TO SALEM event in December. Vendors will be sought to participate in the Holiday Fair and those interested may contact Crysti Neuman regarding table sizes, cost and setup/take down arrangements. The SANTA COMES TO SALEM event (planned for December 4th* or December 11th) involves Town employees and volunteers , in conjunction with Toys for Tots, Salem Boosters, Sharing Center and other interested charitable organizations.

ADMINISTRATOR'S BUSINESS

Administrator Report for the preceding periods.

1. Consideration and possible action relative to supporting Camp, Center Lake Rehabilitation District (CCLRD) taking over the ownership of the orphaned Center Lake Dam outlet. It is expected that there will also be an official, re-evaluated and openly expressed, DNR approved surface level of CENTER LAKE as part of any activity on this spill way/gatedam and that no actions or agreements, legal or casual, by CCLRD waive the Town of Salem legal authority or responsibility in any way .
2. Confirmation action on Resolution No. 10-19-13A, A Resolution Authorizing a Change in the Purpose of Certain Appropriations Under the 2010 Budget for the Town of Salem specific to the water system as part of the Fire/Highway Building project.
3. Consideration and possible action regarding a Resolution 10-09-13B that may be an appropriate result of the closed session held earlier this evening.
4. Consideration and possible action on the WI Public Sector Consortium purchasing tool.

FIRE AND HIGHWAY BUILDING PROJECT

1. Status report and possible action regarding the Highway/Fire building project.
2. Consideration and possible action on payment of direct purchasing invoice #01851 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 53,999.24.
3. Consideration and possible action on payment of direct purchasing invoice #01866 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 40,547.51
4. Consideration and possible action on payment of direct purchasing invoice #01884 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 71,259.00
5. Consideration and possible action on payment of direct purchasing invoice #01899 from Advantage Purchasing, LLC, a division of Miron Construction, in the amount of \$ 45,349.00
Ending balance on the contract is \$279,257.50
6. Consideration and possible action on payment request #10 by Powers Lake Construction Co., Inc. in the amount of \$38,534.72, for Site Grading, Drainage, & Roadway Improvement Project at Highway/Fire Facility. Original contract amount \$1,553,443.30.
Ending balance on the contract is \$364,924.77
7. Consideration and possible action on payment request #10 by Miron Construction, in the amount of \$354,901.00. Original contract amount \$,500,474.00.
Ending balance on the contract is \$1,176,614.48
8. Consideration and possible action on payment request #8 by Layne Christensen Co., for Utility Improvements Production Well No. 1, at the Town of Salem Highway & Fire Facility in the amount of \$9,654.25. Contract amount \$222,200.00. Contract has been satisfied and there is a \$0 ending balance.

DEPARTMENT REPORTS, ACTIONS, AND EXPENDITURE REQUESTS

PUBLIC WORKS/HIGHWAY

1. Public Works/Highway Department report
2. Consideration and possible action on awarding the August 30th bid for the 2010 Town Road Improvement Program; 84th Street, 122nd Street, 223rd Avenue, 222nd Avenue, and 256th Avenue (Path).

FIRE AND RESCUE

1. Fire Department report.

BUILDING DEPARTMENT

1. Building Department report.

SEWER UTILITY DISTRICT

1. Consideration and possible action on the Utility District replacing/relocating a grinder pump station, servicing 29106 112th Place and located on 29102 112th Place. Cybul/Wiseman
2. Consideration and possible action on Payment Request #PR-1210802-18 by J.F. Ahern Company, for Digester Cover and Clarifier Renovations in the amount of \$54,208.00. Original contract amount \$790,000.00, amount added by change order \$299,851.00, amount deducted by change order \$1,250.00 less previous payments of \$862,502.98.
3. Consideration and possible action on creating a policy for the Utility District regarding customer refund claims for overcharges and potential back charges for customers that were undercharged.
4. Sewer Utility Department report.

STORM WATER DISTRICT

- 1 Storm water district report

PLANNING AND ZONING COMMISSION

1. Consideration and possible action on a variance request by Julie Creed to construct a covered porch for the main entrance to a home. Property address of 12435 Rock Lake Road. Property tax parcel 67-4-120-344-0315. For informational purpose only this property is located on the east side of Rock Lake Road approximately 400 feet south of 124th Street. Principle structure must maintain a minimum 10-foot setback from detached accessory buildings. Variance requested is for a 8.0 ft setback.
2. Consideration and possible action on a variance request by Thomas Hynes and Carole Jones to construct an outdoor pool and deck. Property address of 22100 120th Street. Property tax parcel 67-4-120-361-2051. For informational purpose only this property is located on the north side of 120th Street approximately 670 feet east of 223th Avenue. Pools required to be placed in rear yards. Variance requested is for side yard placement.
3. Consideration and possible action on a Certified Survey Map submitted by Rick and Melissa Samborski. Property address of 8617 Fox River Road. Property tax parcel 65-4-120-182-1115. For informational purpose only this property is located on the east side of CTH 'W' approximately 6800 feet north of CTH 'F'. Certified Survey Map is required to remove the "Outlot" label restricting development of this lot on the recorded subdivision plat.
4. Consideration and possible action on Resolution No. 10-09-13B, A Resolution Adopting Public Participation Procedures for Amending the Comprehensive Plan for the Town of Salem.
5. Consideration and possible action on requests by Kenosha County to Rezone Tax Parcels #65-4-120-114-0565, 65-4-120-114-0560, 65-4-120-114-0555, 65-4-120-114-0625, 65-4-120-114-0620, 65-4-120-114-0615, 67-4-120-354-1750, 67-4-120-354-1755, 67-4-120-354-1760, 67-4-120-354-1765, 67-4-120-354-2330, 67-4-120-354-2335, 66-4-120-214-0800, 66-4-120-214-0805, 66-4-120-214-0810, 66-4-120-214-0815, 66-4-120-214-0820, 66-4-120-214-0825 & 66-4-120-214-0830 from R-4 Urban Single-Family Residential District & R-5 Urban Single-Family Residential District to R-4 Urban Single-Family Residential District, R-5 Urban Single-Family Residential District AND C-1 Lowland Resource Conservancy District. For informational purposes only, these properties are located within Salem Oaks, R.A. Cepek's Cross Lake & Camp Lake Oaks Subdivisions and this reflects the actual field conditions..

PUBLIC SAFETY

1. Public Safety report

1. Consideration and possible action on Ordinance No. 10-09-13, An Ordinance Amending Chapter 20 of the Town of Salem Code of Ordinances Relating to Lakes and Beaches. Approval of this Ordinance will result in a replacement of Chapter 20 with a revised Chapter content. Board members should also consider the additional statements and possible inclusions from other Lakes Committee participants.

2. Consideration and possible action on a request by the Public Safety Department to purchase a used 2004 Dodge Ram 1500 pickup in the amount of \$15,995.

PARK COMMISSION

1. Park Commission report:

2. Consideration and possible action on payment request #3 by B. R. Amon & Sons, Inc., for Park Improvement Project – Passive Use Area, in the amount of \$22,378.32. Original contract amount \$157,682.00.

3.. Consideration and possible action on Ordinance 10-09-13A, An Ordinance Establishing Rules and Regulations for Town Parks.

4. Consideration and possible action on a policy for reserving and regulating the use of Town owned park facilities and park related equipment.

5. Consideration and possible action on Trevor Grade School using both ball fields at the Salem Community Park for practice.

JUDICIAL

September 21, 2010.

	Adult	Juvenile
Initial Appearances/Non Traffic	20	0 (Water Patrol: 6 – Ordinance: 14)
Initial Appearances/Traffic	51	0
Good Cause/Poverty Hearings	1	0
Trials	2	0
Follow-ups and Reviews	26	0
Totals	100	0

SALEM MOUND CEMETERY

1. Salem Mound Cemetery report.

LIBRARY BOARD

1. Possible appointment and confirmation of Library Board Member/s representing the Town of Salem.

Board of Review

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

Chairman Valentine (Lakes Committee, Bike Committee) report.

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

Supervisor Meier report.

Supervisor O’Connell (Library Board, Voltz Lake District) report. LEAVE OF ABSENCE

Supervisor Tesar (Parks Commission, Hooker Lake) report.

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

By Authority of Linda Valentine, Chairman

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 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

For October 2010 Agenda

1. May 2010 – Appointment of Library Board member.

SCHEDULE OF FUTURE MEETINGS/EVENTS

Regular Town Board Meeting	9/13/10 7:00 p.m.
Fall Partisan Primary Election	9/14/10 Polls Open 7:00 a.m. to 8pm
Town Budget Workshop	9/15/10 6:00 p.m.
Vendor Fair	10/ 2010
Regular Town Board Meeting	10/11/10 7:00 p.m
General Election	11/02/10 Polls Open 7:00 a.m. to 8pm
Regular Town Board Meeting	11/08/10 7:00 p.m.
Town Offices Closed – Holidays	11/11/10, 11/25/10 & 11/26/10
Santa Comes to Salem	12/2010
Regular Town Board Meeting	12/13/10 7:00 p.m.