

**MINUTES  
TOWN OF SALEM  
REGULAR MEETING  
OF THE BOARD OF SUPERVISORS  
Monday, September 10, 2012 7:00 P.M.**

**Chairman Diann Tesar** called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:03 p.m. with the following present:

**CHAIRMAN:** Diann Tesar

**BOARD OF SUPERVISORS:** Dennis Faber, Ted Kmiec and Dan Campion

**ABSENT:** Mike Culat

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

**GUESTS:** Jim Woodke, Jason Rossell, Elizabeth Greiner, Dan Gilday, Ralph  
Loveless, Joahn Ihlen, Cindy Cort, Kerry Kaye, Mike Ullstrup, Deneen  
Smith and Darren Hillock.

**PLEDGE OF ALLEGIANCE**

Chairman Tesar led the Pledge of Allegiance.

**OPEN MEETING COMPLIANCE CHECK**

The agenda was posted prior to 3:00 p.m. on Friday, September 7, 2012 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**

There was no change in the agenda sequence.

**CITIZENS COMMENTS**

There were no citizen comments.

**PLANNING & ZONING**

**1.)** Two variance requests by Daniel Gilday, 26736 105<sup>th</sup> Street, Trevor, WI 53179 (Owner), on tax parcel # 66-4-120-281-0791 were presented.

**(a).** Variance from, Section IV. C. 12.21-4(g)1: which states that principle structures must meet a 30ft setback from Town roads, variance requested is for 20ft setback from 105<sup>th</sup> Street and 24ft setback from 268<sup>th</sup> Avenue.

**(b).** Variance from Section V.A. 12.27-6(f): which states detached garages shall have a minimum separation of 10ft from a principle structure, variance requested is for 3ft of separation.

For informational purposes only this parcel is, triangular in shape, and located on the northeast corner of the intersection of 286<sup>th</sup> Avenue and 105<sup>th</sup> Street.

**Town of Salem Planning Commission approved the variances on a vote of 5-0 with the condition that the stoop is removed facing 268<sup>th</sup> Avenue and the garage must meet State Building Codes to prevent fire hazards.**

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the variance requests by Daniel Gilday, 26736 105<sup>th</sup> Street, Trevor, WI 53179 (Owner), on tax parcel # 66-4-120-281-0791 with the conditions stipulated by the Town P & Z, that the stoop is removed facing 268<sup>th</sup> Avenue and the garage must meet State Building Codes to prevent fire hazards.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **SEWER UTILITY**

**1.)** Amendment No. 1 to Task Order No. 11-01, Sewer Utility Master Plan, between Strand Associates and the Salem Utility District was presented. Amendment No. 1 is for additional engineering and planning expenses related to potential WWTP and collection system improvements. Compensation expenses change from \$115,000 to \$168,000 and schedule completion changes from May 31, 2012 to October 15, 2012.

Supervisor Faber questioned why we didn't foresee these things, to which Utility Department Supervisor Zautcke replied that the engineers missed them.

MOTION BY Supervisor Faber to approve Amendment No. 1 to Task Order No. 11-01, Sewer Utility Master Plan, between Strand Associates and the Salem Utility District as presented.

MOTION FAILED DUE TO LACK OF A SECOND.

Supervisor Campion expressed the same concerns voiced by Supervisor Faber questioning that it has just been a couple of months since approving the contract and the missed all this?

Administrator Casey explained that Valmar Subdivision may have been outside the scope of the project and that we didn't ask them for videos. Phosphorus removal came up in their discussions. The scope could include paragraphs number 23 and 24 and the other two we can come up with another way to do.

The task in paragraph 23 is to allow for an in depth feasibility study for converting the WWTP from Chemical Phosphorus Removal to Biological Phosphorus Removal. The task in paragraph 24 is to complete a conceptual layout for a potential gravity sanitary sewer system and lift station(s) to serve Valmar Subdivision.

Discussion followed with discussions regarding the costs of Valmar Subdivision and how to pay for it. Administrator Casey suggested assessment by ratepayers or construction costs.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve paragraph number 23, not to exceed \$5,000 and paragraph number 24, not to exceed \$18,000 of Amendment No. 1 to Task Order No. 11-01, Sewer Utility Master Plan, between Strand Associates and the Salem Utility District as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

## **ADMINISTRATOR'S BUSINESS**

**1.)** Final Payment Application Request No. 7 for Phoenix Fabricators for the Highway/Fire Water Tower in the amount of \$36,910.85 was presented. Original contract amount was \$762,074.00.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the final Payment Application Request No. 7 for Phoenix Fabricators for the Highway/Fire Water Tower in the amount of \$36,910.85 as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**2.)** A request by the Highway Department to purchase radios to meet the 2013 narrow banding requirements was presented. These will be shared by the fire, highway and utility departments. This is a budgeted expense.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the request to purchase radios to meet the 2013 narrow banding requirements as presented.

Supervisor Champion questioned if the April 2012 date on the quote would still be honored, to which Mike Murdock responded that yes it would be honored.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

### **CLERK'S BUSINESS**

**1.)** The minutes of the previous meeting of a Regular Board meeting on 8/13/2012, a Special Board Meeting on 8/20/2013 and a Special Board meeting on 8/28/2012 were presented.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the minutes of the Regular Board meeting on 8/13/2012, a Special Board meeting on 8/20/2013 and 8/28/2012 as presented with the spelling correction to the Regular Board Minutes on 8/13/2012.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

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

Courtney A Fakes

Kristin Whitaker

Kathleen A Whitlow

MOTION BY Supervisor Champion, second by Supervisor Faber to approve the Operator Licenses as presented with approval contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**3.)** A change of alcohol license agent application, from Lisa Francart to Karen J. Stevens for the Colony House, was filed with the clerk.

MOTION BY Supervisor Faber, second by Supervisor Champion to approve the change of agent, for the Colony House, from Lisa Francart to Karen J. Stevens as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**4.)** Resolution No. 12-9-10, A Resolution Requesting an Exemption from the County Library Tax for the 2013 Budget for the Town of Salem was presented. This is a yearly resolution, which is done so we don't pay library taxes to the county because of the joint Community Library.

MOTION BY Supervisor Faber, second by Supervisor Champion to adopt Resolution No. 12-9-10, A Resolution Requesting an Exemption from the County Library Tax for the 2013 Budget for the Town of Salem as presented.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**TREASURER'S REPORT**

1.) Chairman Tesar read the Treasurer's report for August 1, 2012 – August 31, 2012 as follows:

AUGUST 2012 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

August 1, 2012- Beginning Balance \$2,112,321.22

RECEIPTS \$ 1,378,892.55

Prior Month Adjustment \$ 30.00

DISBURSEMENTS \$ 532,133.52

Transfer to LGIP 11 \$ 42,400.00

PAYROLL \$ 232,483.99

Total \$ 807,017.51

August 31, 2012 - Ending Balance \$2,684,226.26

State Pool - General \$ 1,447,200.25

Gen. Checking \$ 1,237,026.01

Totals \$ 2,684,226.26

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AUGUST 2012 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

August 1, 2012- Beginning Balance \$ 0.00

RECEIPTS \$ 0.00

Trnsfr from Gen. Ck. \$ 0.00

DISBURSEMENT

Trnsfr to Gen. Ck \$

August 31, 2012 - Ending Balance \$ 0.00

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AUGUST 2012 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

August 1, 2012 - Beginning Balance \$ 536,920.29

RECEIPTS \$ 1,686.11

DISBURSEMENTS \$ 0.00

August 31, 2012 - Ending Balance \$ 538,606.40

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AUGUST 2012 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

August 1, 2012	Beginning Balance	\$ 36,940.44
	<u>RECEIPTS</u>	\$ 4.70
August 31, 2012	Ending Balance	\$ 36,945.14

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AUGUST 2012 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT - SALEM

August 1, 2012	Beginning Balance	\$ 432,697.46
	<u>RECEIPTS</u>	\$ 57.67
	Transfer from LGIP 8	\$ 42,400.00
	<u>DISBURSEMENTS</u>	
	Transfer to Gen Fund	\$ 0.00
August 31, 2012	Ending Balance	\$ 475,155.13

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AUGUST 2012- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

August 1, 2012	Beginning Balance	\$ 225,652.71
	<u>RECEIPTS</u>	\$ 28.71
August 31, 2012	Ending Balance	\$ 225,681.42

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2.) The payment of the vouchers for August 13, 2012 through September 10, 2012, were presented as follows:

Vouchers issued from August 14, 2012 through September 10, 2012	\$ 391,715.27
Payroll #17 Ending 8/11/12	\$ 76,098.66
Payroll #18 Ending 8/25/12	\$ 68,256.22
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Total	\$ 536,070.15

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the payment of the vouchers for August 13, 2012 through September 10, 2012, as presented.

Supervisor questioned the tempered glass for a table.

Supervisor Campion questioned the status of the Zandrowicz property to which he was told there is still a current action in circuit court.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Administrator Casey told the board he wanted guidance on the PA system. This will be added to the next committee meeting.

**Chairman Tesar** (Library Board, Hooker Lake, & Administration, Public Works, Public Safety & Communication Committees) report.

Chairman Tesar reported there will be a Library Board meeting on Sept 24<sup>th</sup> at 6:30 in Twin Lakes. Hooker Lake has changed their annual meeting date to Friday, September 14<sup>th</sup> at 7:00 pm.

**Supervisor Faber** (CCLRD, SEWRPC, P&Z Joint Liaison, Board of Review, Public Safety & Communication Committees) report.

Supervisor Faber reported that the drought has affected Camp and Center Lakes. Both are down about 2.5 feet. If we have a severe winter it could have a large impact on the lakes. Less water lowers the oxygen levels. Because of the numbers, the DNR has allowed a later weed harvest, which keeps them from dying and using the oxygen.

Supervisor Faber and Chairman Tesar attended the Silver Lake meeting with good attendance.

Discussion followed relative to residents on Silver Lake forming a lake association.

**Supervisor Culat** (Park & P & Z Commissions Joint Liaison, Public Works Committee) report.

No report.

**Supervisor Kmiec** (Park Commission Joint Liaison, Administration, Public Safety, & Communication Committees )report.

No report on the parks.

**Supervisor Campion** (County & Voltz Lake Liaison, Administration, Communication & Public Works Committees) report.

Supervisor Campion reported that it has been published that the Hackmatack project is not going to include Kenosha County and very little of Walworth County. Most of it will be in McHenry and Lake Counties.

August 23<sup>rd</sup> a Towns Association was held in Mukwonago with Rich Stadelman speaking. A couple of the topics included golf carts on roads and manure spreader weights on roads.

The Kenosha County Board is readjusting their committees and are starting to go through their budget.

## **CLOSED SESSION**

1.) MOTION BY Supervisor Faber, second by Supervisor Campion to move into closed session pursuant to: Section 19.85(1)(c) for the purpose of considering employment, promotion,

compensation, or performance evaluation data of employees over which the governmental body has jurisdiction or exercises responsibility. This closed session is relative to personnel.

and

Pursuant to: Section 19.85(1)(e), Wis. Stats. for the purpose of deliberating or negotiating the purchase of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. This closed session is relative to the purchase of property.

ROLL CALL VOTE

SUPERVISORS Campion, Faber, Kmiec and Chairmand Tesar – AYE

MOTION CARRIED

**The Town Board adjourned into Closed Session at 7:45 p.m.**

**2.)** MOTIONBY Supervisor Kmiec, second by Supervisor Faber to move out of Closed Session and reconvene in Open Session.

ROLL CALL VOTE

SUPERVISORS Campion, Faber, Kmiec and Chairmand Tesar – AYE

MOTION CARRIED

**The Town Board adjourned this Closed Session and reconvened in Open Session at 8:22 p.m.**

**3.)** There was no discussion, action or announcement relative to Section 19.85(1)(c) referenced during the closed session.

**4.)** Relative to Section 19.85(1)(e) referenced during the closed session.

MOTION BY Supervisor Kmiec, second by Supervisor Faber to authorize the acceptance of the offer to sell, the old rescue building, only in the amount of \$12,500.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**ADJOURNMENT**

MOTION BY Supervisor Campion, second by Supervisor Faber to adjourn this Regular Board Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Regular Board meeting was adjourned at 8:25 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk