

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
MONDAY, NOVEMBER 12, 2012 7:00 P.M.**

Chairman Diann Tesar called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:00 p.m. with the following present:

CHAIRMAN: Diann Tesar

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

OTHERS: Pat Casey, Rich Scholze, Brad Zautcke, Mike Murdock, Mike Slover, David Shortess, and Cindi Ernest

GUESTS: Carl Siegel, Scott Fredrick, Brian Vanderhoef, Phyllis Harris, Natasha Brubaker, Robert Harris, Tim Vanderhoef, Dustin Harpe, Linda Marcussen, Harold Marcussen, Brian Jonjutjes, Michael Rombalski, Mary Pounar, Patti Zurla, Roland Buhler, Sandy Wilson, Lisa Hinze, Gerry Krieger, Karen Ihlen, Deneen Smith and Darren Hillock.

PLEDGE OF ALLEGIANCE

Chairman Tesar led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted by 4:00 p.m. on Friday, November 9, 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

The change in the agenda sequence was to move the Fire Department business to after Citizens Comments.

Yesterday was Veterans Day. Chairman Tesar took this opportunity to thank our veterans for their service, for protecting us and for giving us our freedoms.

CITIZENS COMMENTS

Mary Pounar informed the board that she is having issues with her neighbor and presented a picture board of the clutter at the neighbor's home. She started with complaints to the homeowners association. She stated she has personally mowed the neighbor's yard and has personally helped clean up. You can't walk on the side of the house due to the mosquitoes. There is a sofa in the middle of the back yard. She believes the address is 25627 107th Street. She was advised that Public Safety will look into this further.

Karen Ihlen questioned if the final ordinance FOR Rock Lake had been received back from the DNR to which Administrator Casey informed that we have received it back, but that want the town to start over on the ordinance and we are re-working it. This will be on the December agenda.

FIRE DEPARTMENT

1.) The purchase of four (4) portable radios and one (1) multi unit charger to complete the safety initiative of placing portable radios for four (4) riding positions in the fire engines was presented by Chief Slover. These are the same radios that have been purchased over the last three years and this is the final purchase year. Milwaukee 2-Way, Inc. is the vendor.

MOTION BY Supervisor Faber, second by Supervisor Culat to approve the purchase of four (4) portable radios and one (1) multi unit charger to complete the safety initiative of placing portable radios for four (4) riding positions in the fire engines as presented.

Supervisor Campion questioned whether we have purchased from this vendor before to which Chief Slover replied that they are the franchise and sales source for these.

UNANIMOUS VOTE – AYE

MOTION CARRIED

ADMINISTRATORS BUSINESS

Agenda item #2 was moved up in the agenda sequence.

2.) Administrator Casey said there three bids submitted for a garbage/recycling contract for the Town of Salem. Bids were submitted by John's Disposal, Veolia and Waste Management. Waste Management's was thrown out as the cost was too high. Of the other two, John's submitted a bid for both weekly and biweekly recycling pickup. Veolia only submitted a biweekly. Town is going to a cart program and will need to decide if you want weekly or biweekly recycling pickup. Discussion followed.

MOTION BY Supervisor Culat, second by Supervisor Campion to authorize the administrator to negotiate garbage/recycling contract for the Town of Salem.

MOTION AMENDED BY Supervisor Culat and seconded by Supervisor Campion to accept the bid by John's Disposal and authorize the administrator to negotiate garbage/recycling contract for the Town of Salem for bi-weekly recycling.

Jason (last name not given), representing Veolia, informed the board that there would be significant savings by going with Veolia. Historically it's at \$15 a ton, but their bid is \$5 a ton.

Brian (last name not given) also stressed that their contract is a ten (10) year contract with significant savings in the contract. The Town would save \$450,000 over the ten (10) year contract.

Brian Jonjutjes of John's Disposal pointed out that after five (5) years, the town would own the carts and they stand on their record.

Discussion followed about the trucks and use of side load trucks.

SUPERVISOR Culat – AYE

SUPERVISORS Faber, Kmiec, Campion and Chairman Tesar – NAY

MOTION FAILED

MOTION BY Supervisor Kmiec, second by Supervisor Faber to accept the bid by John's Disposal and authorize the administrator to negotiate garbage/recycling contract for the Town of Salem for weekly recycling.

UNANIMOUS VOTE – AYE
MOTION CARRIED

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar gave the background on the request from Hooker Lake Management District to change the current “Slow No Wake Hours” to Tuesday, Thursday and Saturday from Sunset to 10:00 am.

Supervisor Faber stated that he has been consistent in how he voted on Camp Lake and Lake Shangri-La. We have a petitioner who showed up with a petition. It was put on the annual meeting agenda for both Camp Lake and Lake Shangri-La.

Robert Harris stated he made it clear in his letter to the board why he objected to the change. The lake is there for everyone. He asked the board to read through his objections. He feels everyone should have use of the lake and it shouldn't be changed for a select few unless they can give a good reason. There is no good reason. He pays \$8,000 in taxes and deserves some peace and quiet.

Brian Vanderhoef stated it's illegal for boats to get too close. He would argue that it's not a skiing lake. He is a skier, but there are safety issues on the lake.

Scott Fredrick stated that the board should consider the zebra mussels. There is more influx of them from other areas. More boats will cause more problems. The shoreline is eroding and big boulders on the shoreline are already eroding.

Lorraine Paull stated she has been on the lake for fifty (5) years. We had a drought and we need to take that into consideration.

Lisa Hinze stated she wants to discuss the process. The meeting was clearly noticed with 450 plus people receiving the mailing, but only 6 -8 people have been attending since she began attending and now we are getting signatures after the meeting.

Gerry Krieger thinks that we need to reference back to what the hours are.

Tim Vanderhoef stated he was the one who came to the board meeting. The board told him to come back with signatures and he did, coming back with 93. He suggested the board read the comments from the citizens. It's not about how you please everyone, it's about how you protect and preserve the lake.

Frank Bell stated that water skiing is a warm weather sport. We could address the noise from duck hunting if we don't like the noise. If you're going to buy a house on a lake why wouldn't you investigate it before you bought or built?

Mrs. Pavolich stated there have been problems with fishermen throwing beer cans in the lake.

Jim Grumbeck stated the fishermen can use the lake with the others. Why not enjoy it together?

Further discussion followed.

MOTION BY Supervisor Faber, second by Supervisor Culat that a decision isn't made on this item until the SWERPC study is complete and results are available.

Supervisor Campion stated that Supervisor Faber made a good point. People are passionate about the lakes. This is why we had this study done. He agrees with Supervisor Faber and is not in favor of changing any "slow no wake" hours until the study is complete.

Supervisor Culat expressed concern that only five (5) people showed up for Hooker Lake's Annual meeting. He would like to table this item until the study is complete and look at the whole big picture.

SUPERVISORS Faber, Culat and Campion – AYE

SUPERVISOR Kmiec and Chairman Tesar – NAY

MOTION CARRIED

2.) Supervisor Culat proposed a vacant property ordinance. He referenced the ordinance from the City of Chicago and stated that we've had 122 properties close and 56 were foreclosed on. He wants to create a registry for these properties. The Building Department would go out and inspect them once a week. Also fire, public safety and the sheriff's department. There would be a \$200 fee to register these properties.

Attorney Scholze advised that the town needs to be cautious because the powers of a town are limited. You could register them, but the concerns are two-fold if the owner doesn't register. Registering these properties is within the town's authority, but he would question if the town can force the bank when they don't legally own it.

Further discussion followed.

MOTION BY Supervisor Faber to have the attorney look at this.

MOTION WITHDRAWN BY Supervisor Faber.

This item will be tabled until the December agenda.

PLANNING AND ZONING

1.) A request approval of a Certified Survey Map (dated August 6, 2012 by Mark A. Bolender of Ambit Land Surveying) to create one (1) 2.03-acre parcel, one (1) 1.05-acre parcel and one (1) 1.22-acre parcel from existing Tax Parcels #67-4-120-304-0390 & 67-4-120-304-0400 was made by Harold L. & Linda K. Marcussen & Marcussen Family Revocable Trust & Harold L. Marcussen (Owners) - Part of the Southeast Quarter of Section 30, Township 1 North, Range 20 East, Town of Salem. For informational purposes only these parcels are located on the east side of County Trunk Highway "B" (Tuttle Road), approximately 0.2 miles north of County Trunk Highway "C" (Wilmot Road)..

The Town of Salem Planning & Zoning Commission approved the Certified Survey Map request on a 6-0 vote with the following two (2) conditions:

- 1.) The wetlands be labeled as "Wetland Preservation Easement" on Lot 1 of Page 2.
- 2.) The Village of Silver Lake approve the CSM, exercising their Extraterritorial Platting Jurisdiction (ETP).

MOTION BY Supervisor Faber, second by Supervisor Campion to take the recommendation of the Planning & Zoning Commission and approve the request by Harold L. & Linda K. Marcussen & Marcussen Family Revocable Trust & Harold L. Marcussen (Owners) of a Certified Survey Map (dated August 6, 2012 by Mark A. Bolender of Ambit Land Surveying) to create one (1) 2.03-acre parcel, one (1) 1.05-acre parcel and one (1) 1.22-acre parcel from existing Tax Parcels #67-4-120-304-0390 & 67-4-120-304-0400. Part of the Southeast Quarter of Section 30, Township 1 North, Range 20 East, Town of Salem with the two (2) conditions as follows:

- 1.) The wetlands be labeled as "Wetland Preservation Easement" on Lot 1 of Page 2.
- 2.) The Village of Silver Lake approves the CSM, exercising their Extraterritorial Platting Jurisdiction (ETP).

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Heritage Estates Subdivision, Mark S. Bourque, Burco Holdings, LLC (Agent) is requesting approval of the First Amendment to Declaration of Conditions, Covenants, Restrictions and Easements for Heritage Estates Subdivision. The request is to allow for vinyl and fiberglass windows provided that they are The North American Fenestration Standard, ANSI/AAMA/WDMA 101/I.S.2/NAFS-02 and are either double hung or casement style.

Discussion followed.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the First Amendment to Declaration of Conditions, Covenants, Restrictions and Easements for Heritage Estates Subdivision and to include the Planning & Zoning Commission's recommendation of the following: "and to include "fixed" windows as a type of window allowed.

UNANIMOUS VOTE – AYE

MOTION CARRIED

FIRE DEPARTMENT

This item was moved in the agenda sequence to just after Citizen Comments.

1.) Discussion and possible action on the purchase of four(4) portable radios and one (1) multi unit charger to complete the safety initiative of placing portable radios for four (4) riding positions in the fire engines.

ADMINISTRATORS BUSINESS

1.) FINAL Payment Application #20 request in the amount of \$120,983.43, by Miron Construction, Inc. for the Highway/Fire Building was presented. The original contract amount was \$4,500,474.00.

MOTION BY Supervisor Campion second by Supervisor Kmiec to approve FINAL Payment Application #20 request in the amount of \$120,983.43, by Miron Construction, Inc. for the Highway/Fire Building as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) This item was moved in the agenda sequence to just after #2 of the Fire Department.

Discussion and possible action on the award of a garbage/recycling contract for the Town of Salem.

CLERK'S BUSINESS

1.) MOTION BY Supervisor Campion second by Supervisor Culat to approve the minutes of a Regular Board meeting on 10/08/2012, Special Board Meetings on 10/15/2012 & 10/22/2012, and Board Workshops on 10/22/2012, 10/29/2012 and 11/05/2012 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

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

Ashley Labelle Susan Woods Ryan Wagner Tammy Scwarz

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the Operator License applications were filed with the clerk with approval is contingent on background check clearance, completion of beverage server class, and payment of the necessary fees.

UNANIMOUS VOTE – AYE
MOTION CARRIED

TREASURER'S REPORT

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

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

October 1, 2012- Beginning Balance		\$2,280,312.40
	<u>RECEIPTS</u>	\$ 680,338.90
Prior Month Adjustment	\$ (295.01)	
	<u>DISBURSEMENTS</u>	\$ 517,884.43
	PAYROLL	\$ 157,031.78
	Total	\$ 674,916.21
October 31, 2012 - Ending Balance		\$2,285,440.08
State Pool - General	\$ 1,507,212.04	
Gen. Checking	<u>\$ 778,228.04</u>	
Totals	\$ 2,285,440.08	

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

October 1, 2012- Beginning Balance \$ 0.00

RECEIPTS \$ 0.00
Trnsfr from Gen. Ck. \$ 0.00

DISBURSEMENT
Trnsfr to Gen. Ck \$

October 31, 2012 - Ending Balance \$ 0.00

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

October 1, 2012 - Beginning Balance \$ 543,534.15

RECEIPTS \$ 1,706.93

DISBURSEMENTS \$ 0.00

October 31, 2012 - Ending Balance \$ 545,241.08

OCTOBER 2012 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

October 1, 2012 Beginning Balance \$ 37,166.93

RECEIPTS \$ 204.23

October 31, 2012 Ending Balance \$ 37,371.16

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

October 1, 2012 Beginning Balance \$ 475,220.95

RECEIPTS \$ 77.86
Transfer from LGIP 8 \$ 0.00

DISBURSEMENTS
Transfer to Gen Fund \$ 0.00

October 31, 2012 Ending Balance \$ 475,298.81

OCTOBER 2012- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

October 1, 2012	Beginning Balance	\$ 225,712.68
	RECEIPTS	\$ 36.98
October 31, 2012	Ending Balance	\$ 225,749.66

2.) The payment of the vouchers for October 9, 2012 through November 12, 2012, was presented as follows:

Vouchers issued from October 9, 2012 through November 12, 2012 (Including September Payrolls)	\$ 557,946.00
Payroll #19 Ending 9/08/12	\$ 70,420.50
Payroll #20 Ending 9/22/12	\$ 65,393.32
Payroll #21 Ending 10/06/12	\$ 67,195.93
Payroll #22 Ending 10/20/12	\$ 73,179.34
Payroll #23 Ending 11/03/12	\$ 89,652.80
Additional vouchers from 9/11/2012 (missed)	\$ 55,160.85
Total	\$ 978,948.74

MOTION BY Supervisor Culat, second by Supervisor Kmiec to approve the payment of the vouchers for October 9, 2012 through November 12, 2012, as presented.
UNANIMOUS VOTE – AYE
MOTION CARRIED

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

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

Chairman Tesar reported that a Library Board meeting is coming up and Hooker Lake meets this Thursday.

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

Supervisor Faber had nothing to report.

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

Supervisor Culat thanked everyone for their participation in Pumpkin Daze and talks have already begun for next year's event. Trucks were discussed in budget meetings and some good prices were received and would like a special meeting to discuss these. The next Park meeting is Wednesday night 11/14/12.

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

Supervisor Kmiec had nothing to report.

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

Supervisor Campion stated that the County has passed their budget. Voltz Lake has a tremendous amount of vegetation and there are concerns that they don't have enough money. He reminded about the Special Elector's meeting on Nov. 19th and also asked that people note the donation boxes in the Town foyer.

ADJOURNMENT

MOTION BY Supervisor Culat, second by Supervisor Campion to adjourn this Regular Board meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 9:00 p.m.

Respectfully submitted,

Cindi Ernest, Clerk