

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, November 14, 2011 7:00 P.M.**

Chairman Diann Tesar called this Public Hearing and 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:** Pat O'Connell, Dennis Faber, Dan Campion and Ted Kmiec
- OTHERS:** Pat Casey, Attorney Richard Scholze, Brad Zautcke, Dave Shortess
Mike Murdock and Cindi Ernest.
- GUESTS:** Gina Mordja, Dennis Mordja, James Woodke, Pat Mulvey, Susanne
Wilczek, Steve Brown, Michael Ullstrup, Tom Targos, AB O'Brien,
Thomas O'Brien, Bryon Spinler, Kim Swanson, David Berman and
Darren Hillock

PLEDGE OF ALLEGIANCE

Chairman Tesar led the Pledge of Allegiance.

OPEN MEETING COMPLIANCE CHECK

The agenda was posted prior to 4:00 p.m. on Friday, November 10, 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.

CITIZENS COMMENTS

David Berman, Pleasant Prairie, introduced himself to those in attendance as a candidate for Circuit Court Judge Branch 2 and gave some of his thoughts, background service, education and professional. Being elected as judge would be a continuation of his service to the community. He thanked the Town Board for allowing him to speak and congratulated Ted Kmiec on his appointment to the Town Board. He left brochures for those wishing to learn more or to contact him.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar told the audience that there were eight (8) great candidates to fill the vacancy left open with the passing of Joseph G. Meier. All candidates came in close with their scoring, but the candidate with the highest points was Ted Kmiec.

MOTION BY Supervisor O'Connell, second by Supervisor Faber to appoint Ted Kmiec as Town Board Supervisor until April 2012.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Clerk Ernest gave newly appointed Supervisor Kniec his Oath of Office.

2.) Kim Swanson, Board President of the Sharing Center, introduced the new Sharing Center Director, Susanne Wilczek.

Ms. Wilczek explained to those in attendance that classes will be taught to clients on budgeting, couponing, nutrition, and managing food and money. Beginning in January 2012 work related classes will be offered including resume' writing, interviewing, etc.

The Sharing Center is currently serving 430 households per month. They provide food to many for four (4) or five (5) days. Everything is donated and she explained the availability of various items. Currently the Sharing Center is in need of volunteers, especially in the food section. Supervisor Campion questioned what is being done for the holidays to which she responded that there is a Thanksgiving basket distribution with families signing up and the Sharing Center requesting sponsors. They do the same for Christmas and are looking for sponsors for Christmas baskets.

Fire Chief Mike Slover arrived at this meeting at 7:20 pm.

At Christmas, they provide gifts for children eighteen (18) and under.

Supervisor Faber noted that according to the statistics provided, 204 households or approximately 47%, are in the Town of Salem.

SEWER UTILITY DISTRICT

1.) Administrator Casey presented a summary of the contract for Scope of Services with Strand Engineering relative to the Sewer Utility District Master Plan to develop a master plan for the wastewater treatment plant (WWTP) and collection system, with a focus on pages 11, 12, 13 & 16. They will access each portion of our system. The plant was built in the 80's and the Master Plan is a ten (10) year plan that will allow us to identify replacements and upgrades. It will also include a rate analysis that will allow for gradual increases if needed. The cost of the contract is \$115,000.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the contract for Scope of Services with Strand Engineering for the Sewer Utility District Master Plan to develop a master plan for the wastewater treatment plant (WWTP) and collection system.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Utility Administrator Zautcke indicated that the property owners are anxious to begin the project. A contract to Reesman's Excavating & Grading, Inc., in the amount of \$53,274.00, to complete an approximate 500 ft sanitary sewer extension along CTH 'C' to provide service to tax parcel numbers 66-4-120-262-0520 and 66-4-120-262-0530 was presented.

MOTION BY Supervisor Faber to approve the contract to Reesman's Excavating & Grading, Inc., in the amount of \$53,274.00, to complete an approximate 500 ft sanitary sewer extension along CTH 'C' to provide service to tax parcel numbers 66-4-120-262-0520 and 66-4-120-262-0530 as presented.

Supervisor O'Connell questioned whether they would be paying anything up front to which Zautcke indicated that this would be placed as a special assessment on the tax roll.

Supervisor Campion questioned if this extension is to both or one of the properties to which Zautcke stated it is to both.

Supervisor Campion questioned why we are approving this when they owe for taxes.

Attorney Scholze responded that we have nothing in our current ordinances that would allow us to take into consideration whether the taxes are paid or not. We should look at the property and whether it is valued at more than the cost of the extension.

Supervisor Campion stated that we are giving value to a piece of property that's been delinquent on taxes.

Further discussion followed.

SECOND BY Supervisor O'Connell.

SUPERVISORS O'Connell, Faber Kmiec and Chairman Tesar – AYE

SUPERVISOR Campion – NAY

MOTION CARRIED

BUILDING DEPARTMENT

1.) Discussion took place on the intent to raze property located at 9949 272nd Avenue, Trevor, WI 53179-9797, Tax Parcel No. 66-4-120-214-1410, belonging to Roland Alber 9949 272nd Avenue, Trevor, WI 53179 and Mary K. Lester 10920 267th Avenue, Trevor, WI 53179.

Chairman Tesar questioned whether anything has been done to the home in the last month. There was discussion of the progress with Administrator Casey indicating that it appears no further work has been done on the home.

MOTION BY Supervisor Faber to proceed with the raze of the property located at 9949 272nd Avenue, Trevor, WI 53179-9797, Tax Parcel No. 66-4-120-214-1410, belonging to Roland Alber 9949 272nd Avenue, Trevor, WI 53179 and Mary K. Lester 10920 267th Avenue, Trevor, WI 53179.

Supervisor Kmiec questioned whether this raze is done administratively or judicially to which he received a response that it is done administrative first and judicial second.

SECOND BY Supervisor O'Connell.

SUPERVISORS Faber, O'Connell, Campion and Chairman Tesar – AYE

SUPERVISOR Kmiec – NAY

MOTION CARRIED

2.) Discussion took place to raze property owned by Steven C. Zandrowicz, P.O. Box 33 Camp Lake, WI 53109. Tax Parcel No. 66-4-120-212-1350. Property Address: 9607 Camp Lake Road, Camp Lake, WI 53109. On a motion by Supervisor Faber, second by Supervisor O'Connell this item was tabled to this November Regular Board meeting to allow Attorney Scholze to follow up on the foreclosure.

Attorney Scholze advised that Mr. Zandrowicz indicated the property might be in foreclosure. We have given notice of the raze order and he doesn't believe there is a prohibition based on a foreclosure that would prohibit the Board from taking action if they wanted to.

MOTION BY Supervisor Faber, second by Supervisor Campion to place this item on the table for discussion.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Administrator Casey stated that Mr. Zandrowicz came into the office today and indicated that he would do the raze himself once the board ordered the raze. He would remove the structure,

concrete and foundation. He just wants to do the contracting himself. He would be given a deadline to complete the raze.

MOTION BY Supervisor Faber to proceed with the raze order and have it completed by June 1st. Discussion followed about winter and a recommended timeline for the completion.

MOTION AMENDED BY Supervisor Faber, second by Supervisor Campion to proceed with the raze and allow Mr. Zandrowicz, if he intends to, demolish and remove the rubble from the building cleared by December 31, 2011 and when the weather clears remove the basement foundation, grade, seed the property and complete by June 1 2012.

UNANIMOUS VOTE – AYE

MOTION CARRIED

ADMINISTRATOR’S BUSINESS

1.) Administrator’s written report was included in Board packets.

2.) Resolution No. 11-11-14 a Resolution of Inclusion Under the Wisconsin Retirement System by the Town of Salem, Kenosha County, Wisconsin was presented.

MOTION BY Supervisor O’Connell, second by Supervisor Faber to adopt Resolution No. 11-11-14 a Resolution of Inclusion Under the Wisconsin Retirement System by the Town of Salem, Kenosha County, Wisconsin as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A lease agreement with Camp/Center Lake Rehabilitation District (CCLRD) for Town of Salem real estate property and the placement of a building on the property was presented.

Administrator Casey stated it was a twenty-five (25) year lease at \$5,000 per year and adjusts with CPI increases each year after that.

MOTION BY Supervisor O’Connell to approve the lease agreement with Camp/Center Lake Rehabilitation District (CCLRD) for Town of Salem real estate property and the placement of a building on the property, as presented.

MOTION FAILED FOR LACK OF A SECOND

Discussion followed after Supervisor Campion expressed concerns with lease for a period of twenty-five (25) years.

MOTION BY Supervisor Campion, second by Supervisor Kmiec to approve the lease agreement with Camp/Center Lake Rehabilitation District (CCLRD) for Town of Salem real estate property and the placement of a building on the property with the change in the agreement to fifteen (15) years.

SUPERVISOR Faber – ABSTAIN due to his CCLRD Board position.

SUPERVISORS O’Connell, Campion, Kmiec and Chairman Tesar – AYE

MOTION CARRIED

4.) Administrator Casey gave an update of the Fiscal Year 2012 Budget. The Board expressed to him that they wanted a 0% increase in the budget. The proposed Fiscal Year 2012 Budget which will be presented at the public hearing and special meeting on Wednesday will reflect the 0% increase as requested by the Town Board.

5.) Rocco Vita, Town Assessor presented the intergovernmental agreement between Town of Salem and the Village of Pleasant Prairie for the provision of real and personal property assessment services.

Chairman Tesar expressed concerns about the period of six (6) years in the agreement. Mr. Vita explained that it has always been a five (5) or (6) year agreement which would provide for continuity should there be a change in assessors. He explained the proposed scope of services and reviewed the changes in the agreement to reflect changes by the Department of Revenue. MOTION BY Supervisor Campion, second by Supervisor Faber to accept the intergovernmental agreement between Town of Salem and the Village of Pleasant Prairie for the provision of real and personal property assessment services.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) Administrator Casey presented a request to expend \$6,657 to complete the switchover of the Town of Salem phone system, the need for the switch over which will eliminated the phone lines by twelve (12).

MOTION BY Supervisor O’Connell, second by Supervisor Faber to approve the request to expend \$6,657 to complete the switchover of the Town of Salem phone system.

Supervisor Campion questioned whether this included the fire stations at Wilmot and Trevor. Administrator Casey responded that they are already complete.

UNANIMOUS VOTE – AYE

MOTION CARRIED

7.) Administrator Casey presented the Town of Salem Employee Grievance Procedure which has been modernized and updated to reflect the new State legislation.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve the Town of Salem Employee Grievance Procedure as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

FIRE AND RESCUE

1.) The status of the old rescue building located south of the Town Hall on STH ‘83’ was questioned. There has been no further information on this, but will be presented to the board when new information becomes available.

MOTION BY Supervisor O’Connell, second by Supervisor Faber to remove this item from the agenda.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) Fire Chief Slover requested permission to make the following fire department purchases:

- Personal Protective Equipment for firefighters from Paul Conway Shields . Six (6) sets to include pants, suspenders, and coat not to exceed cost of \$8611. Will add names to back of coat for each firefighter. Total cost not to exceed \$8750.
- Minitor V pagers for the department, to meet narrow band requirement. Purchase to be made from best quoted vendor.

- Portable radios. On-going initiative to upgrade radios for interoperability of communications between department and agencies, meet narrow band requirement and increase safety of firefighters for all members to have the ability to communicate when operating in dangerous environments. Milwaukee 2-Way, Inc. 4 portable radios at \$1357.23 each total of \$5428.92 and one IMPRES multi-unit charger for \$646.16 and Motorola Q4 Promotion Pricing \$(200.00) for total of \$5875.08.
- 60 ea - Survivor LED Yellow Handlight. Enhance fire fighter safety. NFPA recommendation, @\$47.00 each \$2820 from Jefferson Fire and Safety, Inc.
- 20 ea – 50’ x 2.5” coupled Key Big 10 fire hose @ \$114.99 each \$2299.80 from Jefferson Fire.
- 5 ea – Task Force Tips 1.5” ball valve/waterway 1 3/8” ea @ \$195.95 total of \$975.00 from Jefferson Fire
- 5 ea – Task Force Tips 1” tips for ball valve @43.63 ea total of 218.25 from Jefferson Fire.
- 4 ea – 1 ¾” x 50’ length of Key combat ready fire hose @ 192.65 ea for total of \$770.60 Jefferson Fire.
- 4 ea – Elkhart 4000-26 2 ½ “ nozzles @\$ 562 each for total of \$2,248, Bendlin Fire Equipment.
- Purchase of Cairns 1010 fire helmets for department. Plan to purchase from best quoted vendor.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve the purchases as presented.

Supervisor Kmiec questioned whether these items were budgeted to which Chief Slover responded that they were budgeted.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Discussion followed about the pricing comparison of the radios.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to request RC Electronics to match the pricing.

UNANIMOUS VOTE – AYE

MOTION CARRIED

FIRE AND HIGHWAY BUILDING PROJECT

1.) Payment Application No. 5 from Phoenix Fabricators in the amount of \$29,850.90 for the Water Storage Tank was presented. The original contract amount is \$762,074.00. Balance to finish plus retainage is \$58,130.95.

MOTION BY Supervisor Faber, second by Supervisor O’Connell to approve Payment Application No. 5 from Phoenix Fabricators in the amount of \$29,850.90 for the Water Storage Tank as presented.

Supervisor O’Connell questioned whether the water town was filled and operation to the building.

Mike Murdock responded that there is 1250 GPM coming from the hydrants and all will be up and running by the end of this week.

UNANIMOUS VOTE – AYE

MOTION CARRIED

CLERK’S BUSINESS

1.) The minutes of the previous meeting of a Regular Board Meeting on 10/10/11, a Workshop Meeting on 10/17/11 and Special Meetings on 10/14/11, 10/26/11 and 11/1/11 were presented.

Joe Meier’s name is to be removed from page 1 and a typing error corrected on page 4.

MOTION BY Supervisor Campion, second by Supervisor O’Connell to approve the minutes of the previous meeting of a Regular Board Meeting on 10/10/11, a Workshop Meeting on 10/17/11 and Special Meetings on 10/14/11, 10/26/11 and 11/1/11 as presented with the changes.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Clarissa M. Fanning
Patricia L. Ultsch
Roxanne M. Jackson

Jennifer S. Powell
Megan M. Lostroschio

Rosemarie B Weber
Melissa S. Vaughan

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve Operator license applications 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.) An application has 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, approval is contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees:

NAME & ADDRESS
OF APPLICANT

TRADE NAME & ADDRESS
OF ESTABLISHMENT

CLASS “B” BEER AND “CLASS B” LIQUOR

B & S Roadhouse, LLC
22911 83rd Street
Salem, WI 53168
Agent: Bryon P. Spinler

Lumpy’s Sports Bar
9251 Antioch Road
Salem, WI 53168

MOTION BY Supervisor O’Connell, second by Supervisor Campion to approve the Class “B” Beer and “Class B” liquor application with approval contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) Resolution No. 11-11-14, A Resolution Authorizing a Special Election for the Town of Salem Supervisor Seat vacated by Joseph Meier was presented.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to adopt Resolution No. 11-11-14, A Resolution Authorizing a Special Election for the Town of Salem Supervisor Seat vacated by Joseph Meier as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER'S REPORT

1.) Chairman Tesar gave the Treasurer's report for October 1, 2011 – October 31, 2011.

2.) Payment of the vouchers for October 11, 2011 – November 14, 2011 was presented as follows:

Vouchers issued from October 11, 2011
through November 14, 2011

\$ 620,967.56

Payroll #21 Ending 10/08/11

\$ 67,395.68

Payroll #22 Ending 10/22/11

\$ 65,726.92

Payroll #23 Ending 11/05/11

\$ 73,268.41

Total

\$ 827,358.57

MOTION BY Supervisor Campion, second by Supervisor Faber to approve payment of the vouchers for October 11, 2011 – November 14, 2011 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Chairman Tesar (Lakes Committee & Hooker Lake) report.

Hooker Lake was granted the watershed study.

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

There will be a CCLRD meeting at the Center Lake Community Center on Wednesday at 5:30 pm.

Supervisor O'Connell (Library Board & Voltz Lake District) report.

Twin Lakes Library is still under construction.

The Voltz Lake new member is now going through the County.

Supervisor Campion (County Liaison) report.

Supervisors Campion and O'Connell attended the Council of Governments which was held last Saturday. Items covered were unused medicine drop offs, the county's broadband services and children healthy care. There is now an unused medicine drop off at the town hall. The County passed their budget with an increase. The County/City problems, relative to the joint building, are looking at a resolution.

CLOSED SESSION

1.) MOTION BY Supervisor O'Connell, second by Supervisor Kmiec to move into closed session 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 public employee collective bargaining.

ROLL CALL VOTE

SUPERVISORS Faber, O'Connell, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

Town Board moved into Closed Session at 8:40 pm.

MOTION BY Supervisor Faber, second by Supervisor Campion to move out of Closed Session.

ROLL CALL VOTE

SUPERVISORS Faber, O'Connell, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

Town Board moved out of Closed Session and into Open Session at 8:55 pm.

ADJOURNMENT

MOTION BY Supervisor Faber, second by Supervisor O'Connell to adjourn this Regular Board Meeting.

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:55 p.m.

Respectfully submitted,

Cindi Ernest, Clerk