

**MINUTES
TOWN OF SALEM
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, March 10, 2014 7:00 P.M.**

Chairman Diann Tesar called this Regular Meeting of the Town of Salem Board of Supervisors to order at 7:090p.m., with the following present:

CHAIRMAN: Diann Tesar

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

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

GUESTS: David Wickmare, Roland Buhler, Sandy Buhler, Johan Ihlen, Paul M Gagliardi, Mark Loeb, Dennis Sheen, Larry Short, Shan Short, Jean Lipstreuer, John Lipstreuer, Kerry Kaye, Robert Pluta, Darren Hillock and Jill Rozell

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 Wednesday, March 5, 2014 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

Robert Pluta read a letter (letter not available for the files) expressing his concerns to the board relative to the dam on Rock Lake and the lake levels.

Discussion followed with Johan Ihlen stating he had a history of watching the dam and there used to be a board in the dam, but it is gone. He has noticed also that the level of the lake has been low.

Supervisor Faber indicated to Mr. Pluta that he would assist with grants and other info relative to the dam.

Supervisor Faber recognized the late Arthur Bushing for his generous gifts in his will, totaling \$339,014 to the Salem Fire/Rescue, the Community Library, Wilmot High School and the Salem Methodist Church.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Brad Zautcke announced that the following Planning & Zoning Commission terms will expire in April: Thomas Hinze and Wesley Dumalski.
Applications will be accepted until April 1st, 2014 for those interested in applying for the positions.

BUILDING DEPARTMENT

1.) The question of whether an order for a raze should be issued on subject buildings or structures, located at 8548 Antioch Road, Salem, WI 53168, Tax Parcel No. 65-4-120-151-0220 and belonging to Doreen M Hardy, was tabled from last month's agenda to allow Ms. Hardy the opportunity to investigate the options she had.

Ms. Hardy informed the board that she is unable to borrow on the house. She could shore up the north side and would like to do so if it's safe. She could save the money and in June repair the other side. Building Inspector Rowland indicated he wasn't sure if the north side could be shored up. There is no insurance coverage.

Further discussion of options with Ms. Hardy followed. She is to come back to the board at their April 14, 2014 meeting for an update.

PLANNING & ZONING

1.) A variance request by Lawrence A. Short, 22840 128th Street, Bristol, WI 53104 (Owner), David Wickwire, Terra Architects, 22542 North Cottage Road, Lake Zurich, IL 60047 (Agent), to construct a 36' x 20' attached garage and covered porch addition onto the east side of an existing residence to be located 9'5" (required setback 30 feet) from the right-of-way of 128th Street on Tax Key Parcel #67-4-120-363-0240. Legal description is Southwest ¼ Section 36, Township 1 North, Range 20 East, Town of Salem was presented.

(Section IV. C. 12.21-4(g)1: which states that all structures shall be no less than 30 feet from the right-of-way of all other roads in the R-4 Urban Single-Family Residential District). For informational purposes only this parcel is located on the west side of 128th Street, approximately 400 feet west of the intersection with 228th Avenue.

The Town Planning & Zoning Commission made a recommendation for approval of this variance, with a vote of 4-0, motion carried.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to take the recommendation of the Planning & Zoning and approve the variance request by Lawrence A. Short, 22840 128th Street, Bristol, WI 53104 (Owner), David Wickwire, Terra Architects, 22542 North Cottage Road, Lake Zurich, IL 60047 (Agent), to construct a 36' x 20' attached garage and covered porch addition onto the east side of an existing residence to be located 9'5" from the right-of-way of 128th Street on Tax Key Parcel #67-4-120-363-0240 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request for a three (3) year renewal Conditional Use Permit by Diane Reese, 11931 Fox River Road, Wilmot, WI 53192, Stoppa LLC (Owner), Dennis Sheen, 11931 Fox River Road, Wilmot WI 53192 (Agent), to allow for a flea market in the PR-1 (Park & Recreational District) on Tax Parcels 60-4-119-364-0103 and 67-4-120-313-0401, 11931 Fox River Road was presented.

The Town Planning & Zoning Commission made a recommendation for approval of this variance, with a vote of 4-0, motion carried.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the three (3) year renewal Conditional Use Permit by Diane Reese, 11931 Fox River Road, Wilmot, WI 53192, Stoppa LLC (Owner),

Dennis Sheen, 11931 Fox River Road, Wilmot WI 53192 (Agent), to allow for a flea market in the PR-1 (Park & Recreational District) on Tax Parcels 60-4-119-364-0103 and 67-4-120-313-0401, 11931 Fox River Road as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) Task Order No. 14-01, between the Town of Salem and Strand Associates, in the amount of \$328,900 for construction related services associated with the 2014 Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Task Order No. 14-01, between the Town of Salem and Strand Associates, in the amount of \$328,900 for construction related services associated with the 2014 Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

2.) The awarding the 2014 Wastewater Treatment Plant Upgrades contract was presented. The bid summary is as follows:

Ahern	\$2,422,000
August Winter & Sons	\$2,444,850
Boller Const	\$2,690,400
Butters Fedding	\$2,843,000
Staab Const	\$2,347,000

MOTION BY Supervisor Faber, second by Supervisor Culat to award the contract for the 2014 Wastewater Treatment Plant Upgrades to Staab Construction in the amount of \$2,347,000 as presented.

Troy from Strand Engineering informed the Board that we've applied for our MPS Permit. The DNR is "cranking" down on the phosphorus levels and there is a potential for a .1 limit. The amount of chemical is greater and the filtration is greater. We will have nine (9) years to comply and wants the Board to know about this possibility.

UNANIMOUS VOTE – AYE
MOTION CARRIED

FIRE DEPARTMENT

1.) The joint services agreement, for fire/rescue services, between the Town of Salem and the Village of Silver Lake was placed on this agenda. This item was table from the February agenda. The Board directed that the item be removed from the agenda until we hear from Silver Lake.

CLERK'S BUSINESS

1.) The approval of the minutes of the previous meetings of a Regular Board meeting on 2/10/2014, a Public Hearing on 2/10/2014 and a Special Board meeting on 2/17/2014 was presented.

MOTION BY Supervisor Culat, second by Supervisor Faber to approve the minutes of a Regular Board meeting on 2/10/2014, a Public Hearing on 2/10/2014 and a Special Board meeting on 2/17/2014 as presented.

UNANIMOUS VOTE – AYE
MOTION CARRIED

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

Lanah A Herrick
James Chumbley

Dylan DeRouchie
Christina Mason

Nikolina Shafer
Schuyler Bullin

MOTION BY Supervisor Campion, second by Supervisor Campion, second by Supervisor Culat 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 Secondhand Jewelry Dealer and a Secondhand Article Dealer License application was received for Jean and John Lipstreuer, DBA JB Resale & Collectible, LLC. The business will be located at 30722 Geneva Road, Salem, WI 53168.

MOTION BY Supervisor Kmiec, second by Supervisor Culat to approve the Secondhand Jewelry Dealer and a Secondhand Article Dealer License application was received for Jean and John Lipstreuer, DBA JB Resale & Collectible, LLC as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for February 1, 2014 through February 28, 2014 as follows:

FEBRUARY 2014 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

February 1, 2014- Beginning Balance		\$11,664,684.35
	<u>RECEIPTS</u>	\$ 937,626.40
	Transfers In	\$ 8,847,762.53
	Prior Month Adjustment	\$
	<u>DISBURSEMENTS</u>	\$ 8,887,346.05
	PAYROLL	\$ 153,696.95
	Transfers Out	<u>\$ 8,913,431.58</u>
	Total	\$17,954,474.58
February 28, 2014- Ending Balance		\$3,495,598.70
State Pool - General	\$1,736,309.46	
Gen. Checking	<u>\$1,759,289.24</u>	
Totals	\$3,495,598.70	

FEBRUARY 2014 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

February 1, 2014 - Beginning Balance **\$ 963.43**

RECEIPTS **\$ 204.48**
Trnsfr from Gen. Ck. **\$ 8,913,431.58**

DISBURSEMENT
Trnsfr to Gen. Ck **\$ 8,463,603.68**

February 28, 2014 - Ending Balance **\$ 450,995.81**

FEBRUARY 2014 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

February 1, 2014 - Beginning Balance **\$ 329,965.68**

RECEIPTS **\$ 4,795.26**

DISBURSEMENTS
Transfer to LGIP 8 **\$ 0.00**

February 28, 2014- Ending Balance **\$ 334,760.94**

FEBRUARY 2014 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

February 1, 2014 Beginning Balance **\$ 40,002.47**

RECEIPTS **\$ 580.26**

February 28, 2014 Ending Balance **\$ 40,582.73**

FEBRUARY 2014 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM

February 1, 2014 Beginning Balance **\$ 2,624,361.68**

RECEIPTS **\$ 1,344.62**
Transfer In **\$ 0.00**

Hooker Laker Management District will not be holding a meeting until April.
The Annual Town Electors meeting will be held on April 15th at 7:00 pm.

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

Supervisor Faber reported on the oxygen depletion in the area lakes including Camp Lake. Anything below 3 is bad, with some of the lakes reporting 2 and 2.5.
There is a bill in the legislature which will extend the time limits for filing an appeal to the Board of Review relative to property assessments.

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

Supervisor Culat reported that there were two new permits issued for homes. We have had snow removal eighty-one (81) out of the last one hundred (100) days.
In the future, he will be bringing forward another event. A winter carnival.

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

Supervisor Kmiec reported that the road crew is doing a good job with the snow removal.
There was a difficult fire last week.

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

Supervisor Campion reported that Salem Methodist church held a smorgasbord and the Westosha Senior Center had a cabbage and corned beef dinner.
The ATC open house will be held on Tuesday, March 11 and Wednesday, March 12th and he will be attending the meeting and hopes the other board members will be attending.
March 20, 2014, Voltz Lake Management District will be holding a meeting at the town Hall.
Spring Fling and the Eater Egg Hunt will b on April 12th.
Supervisor Campion is waiting to hear back from Kenosha County regarding concerns about the snow plowing.

CLOSED SESSION

1.) MOTION BY Supervisor Campion, second by Supervisor Faber 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 joint services agreements.

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Town Board moved out of Open Session and into Closed Session at 7:59 pm.

2.) MOTION BY Supervisor Culat, second by Supervisor Campion to move out of Closed Session and reconvene in Open Session.

ROLL CALL VOTE

SUPERVISORS Faber, Culat, Kmiec, Campion and Chairman Tesar – AYE

MOTION CARRIED

The Board moved out of Closed Session and reconvene in Open Session at 8:52 pm.

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

ADJOURNMENT

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 8:53 p.m.

Respectfully submitted,

Cindi Ernest, Clerk