

**MINUTES
REGULAR MEETING OF THE BOARD OF SUPERVISORS
Monday, May 11, 2015 7:00 P.M.**

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

CHAIRMAN: Diann Tesar

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

OTHERS: Attorney Wanasek, Administrator Casey, Engineer Jeff Rau, Brad Zautcke, Mike Murdock, Mike Slover, and Cindi Ernest.

GUESTS: Carl Siegel, Kim Roper, John Poole, Larry Simon, Corrin Simon, Larry Ellis, Larry Ellis, Brian Filiatreault 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 Wednesday, May 6, 2015 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.

CITIZEN COMMENTS

There were no citizen comments.

PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS

1.) Chairman Tesar read the new Email List Policy and Disclaimer. This disclaimer is for an email list for Town agendas and special notices which citizens may sign up for. Discussion followed with Supervisor Campion stating he wanted a time frame of ten (10) days to two (2) weeks before receiving notifications, added to the disclaimer. MOTION BY Supervisor Campion, seconded by Supervisor Faber to approve the Email List Policy and Disclaimer as presented with the addition of the time frame of ten (10) days to two (2) weeks to receive e-notices.
UNANIMOUS VOTE – AYE
MOTION CARRIED

COMMUNITY LIBRARY

1.) Chairman Tesar presented to the Board, Tim Squier, as the appointment to the Library Board for a three (3) year term, expiring in April of 2018. She stated that Mr. Squier is interested in serving and attended a library meeting with her.

MOTION BY Supervisor Kmiec, second by Supervisor Faber to appoint Tim Squier to the Library Board for a three (3) year term, expiring in April of 2018.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PARK COMMISSION

1.) Chairman Tesar presented to the Board Kim Roper as the appointment to the Park Commission for a seven (7) year term, expiring in April of 2018. Kim has indicated her interest in be re-appointed to the Park Commission.

MOTION BY Supervisor Faber, second by Supervisor Campion to re-appoint Kim Roper to the Park Commission for a seven (7) year term, expiring in April of 2018.

UNANIMOUS VOTE – AYE

MOTION CARRIED

PLANNING & ZONING

1.) A request by Trail's End Lake House, LLC, 6231 N. Glenwood, Chicago, IL 60660 (Owner), David Smith, PO Box 268, Twin Lakes, WI 53181 (Agent), for a Conditional Use Permit for a conversion of a resort to a residential condominium in the PR-1 (Park-Recreational District) on Tax Parcel #65-4-120-162-0160 located in the Northwest 1/4 of Section 16, Township 1 North, Range 20 East, Town of Salem, was presented. The Town of Salem Planning and Zoning recommended conditional approval of the requested Conditional Use Permit subject to the last paragraph of Patrick Meehan's memorandum dated April 14, 2015 and subject to addressing the items in Attorney Richard Scholze's memorandum dated April 16, 2015 on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by Trail's End Lake House, LLC, 6231 N. Glenwood, Chicago, IL 60660 (Owner), David Smith, PO Box 268, Twin Lakes, WI 53181 (Agent), for a Conditional Use Permit for a conversion of a resort to a residential condominium in the PR-1 (Park-Recreational District) on Tax Parcel #65-4-120-162-0160 located in the Northwest 1/4 of Section 16, Township 1 North, Range 20 East, Town of Salem, with the conditions that the Conditional Use Permit be subject to the last paragraph of Patrick Meehan's memorandum dated April 14, 2015 and subject to addressing the items in Attorney Richard Scholze's memorandum dated April 16, 2015, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) A request by Trail's End Lake House, LLC, 6231 N. Glenwood, Chicago, IL 60660 (Owner), David Smith, PO Box 268, Twin Lakes, WI 53181 (Agent), for approval of a Preliminary Condominium Plat of 27330 Silver Lake Road on Tax Parcel #65-4-120-162-0160 located in the Northwest 1/4 of Section 16, Township 1 North, Range 20 East, Town of Salem was presented.

The Town of Salem Planning and Zoning recommended approval of the requested a Preliminary Condominium Plat on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by Trail's End Lake House, LLC, 6231 N. Glenwood, Chicago, IL 60660 (Owner), David Smith, PO Box 268, Twin Lakes, WI 53181 (Agent), for approval of a Preliminary Condominium Plat of 27330 Silver Lake Road on Tax Parcel #65-4-120-162-0160 located in the Northwest 1/4 of Section 16, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for a variance (Section IV.H. 12.21-5(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested is for a shore-yard setback of 20 feet, to construct a 10' X 11' utility accessory building, on Tax Parcel # 66-4-120-211-0195, Northeast 1/4 Section 21, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only this parcel is located on the south side of 98th Street approximately 260 feet east of the intersection with 269th Avenue. The Town of Salem Planning and Zoning recommended approval of the requested Variance on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for a variance (Section IV.H. 12.21-5(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested is for a shore-yard setback of 20 feet, to construct a 10' X 11' utility accessory building, on Tax Parcel # 66-4-120-211-0195, Northeast 1/4 Section 21, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) A request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for variances (Section IV.F. 12.24-2(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested is for a shore-yard setback of 59 feet, and (Section IV.F. 12.24-2(g)3), all structures shall be located not less than 40 feet from a side property line, variance requested is for a side-yard setback of 29 feet, to construct a 10' X 11' utility accessory building on Tax Parcel # 65-4-120-164-0100, Southeast 1/4 Section 16, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only this parcel is located on the south side of 91st Place at the intersection with 269th Avenue.

The Town of Salem Planning and Zoning recommended approval of the requested Variance on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for variances (Section IV.F. 12.24-2(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested is for a shore-yard setback of 59 feet, and (Section IV.F. 12.24-2(g)3), all structures shall be located not less than 40 feet from a side property line, variance requested is for a side-yard setback of 29 feet, to construct a 10' X 11' utility accessory building on Tax Parcel # 65-4-120-164-0100, Southeast 1/4 Section 16, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

5.) A request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for a variance (Section IV.C. 12.21-4(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested is for a shore-yard setback of 19 feet, to construct a 10' X 10' utility accessory building, on Tax Parcel # 65-4-120-113-0410, Southwest 1/4 Section 11, Township 1 North, Range 20 East, Town of Salem was presented. For informational purposes only this parcel is located on the south side of 82nd Street approximately 320 feet east of the intersection with 249th Avenue. The Town of Salem Planning and Zoning recommended approval of the requested Variance on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (owner), for a variance (Section IV.C. 12.21-4(g)2), all structures shall be located not less than 75 feet from the ordinary high water mark, variance requested

is for a shore-yard setback of 19 feet, to construct a 10' X 10' utility accessory building, on Tax Parcel # 65-4-120-113-0410, Southwest 1/4 Section 11, Township 1 North, Range 20 East, Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

6.) A request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (facility owner), for a variance (Section IV. C. 12.21-3(g)1), all structures shall be located not less than 65 feet from the right-of-way of a county trunk highway, variance requested is for a street-yard setback of 8 feet, to construct a 10' X 10' utility accessory building, on Tax Parcel # 66-4-120-264-0196, Southeast 1/4 Section 26, Township 1 North, Range 20 East, Town of Salem. Arboretum Woods of Salem Community Association, PO Box 382, Salem, WI 53168 (property owner) was presented. For informational purposes only this parcel is located on the east side of Antioch Road (STH 83) approximately 480 feet north of the intersection with 112th Street.

The Town of Salem Planning and Zoning recommended approval of the requested Variance on a vote of 6-0 motion carried.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the request by the Town of Salem, 28733 Wilmot Road, Trevor, WI 53179 (facility owner), for a variance (Section IV. C. 12.21-3(g)1), all structures shall be located not less than 65 feet from the right-of-way of a county trunk highway, variance requested is for a street-yard setback of 8 feet, to construct a 10' X 10' utility accessory building, on Tax Parcel # 66-4-120-264-0196, Southeast 1/4 Section 26, Township 1 North, Range 20 East, Town of Salem. Arboretum Woods of Salem Community Association, PO Box 382, Salem, WI 53168 (property owner) as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

BUILDING DEPARTMENT

1.) An agreement between the Town of Salem and the Town of Randall for building inspection services was presented. Twin Lakes no longer provides these services to Randall.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the agreement with the Town of Randall for building inspection services.

UNANIMOUS VOTE – AYE

MOTION CARRIED

HIGHWAY DEPARTMENT

1.) Highway Department head, Mike Murdock, requested the purchase of a John Deere Zero Turn Mower Model Z960R Commercial ZTrak in the amount of \$10,529.00, from Mid-State Equipment. Administrator Casey indicated to the Board that the machine is 10 years old and would cost about \$6,000 to repair the old machine.

MOTION BY Supervisor Faber, second by Supervisor Kmiec to approve the purchase of the John Deere Zero Turn Mower Model Z960R Commercial ZTrak in the amount of \$10,529.00, from Mid-State Equipment.

UNANIMOUS VOTE – AYE

MOTION CARRIED

SEWER UTILITY DEPARTMENT

1.) Partial Payment Request No. 11 by Staab Construction Corporation, in the amount of \$74,569.00, for the Wastewater Treatment Plant Upgrades was presented.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve Partial Payment Request No. 11 by Staab Construction Corporation, in the amount of \$74,569.00, for the Wastewater Treatment Plant Upgrades as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

2.) The bid results for the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades were presented. It was recommended to award the project to MZ Construction in the amount of \$1,704,600.00. The award would be contingent on obtaining applicable permits for each lift station.

MOTION BY Supervisor Faber, second by Supervisor Campion to award the Sewage Lift Station 101, 102, 104, 207, and 211 Upgrades project to MZ Construction in the amount of \$1,704,600.00. The award would be contingent on obtaining applicable permits for each lift station.

UNANIMOUS VOTE – AYE

MOTION CARRIED

3.) A request by Sewer Department head Brad Zautcke for upgrades to the Supervisory Control and Data Acquisition system (SCADA) associated with the lift station upgrades, between the Town of Salem and Excel Research, in the amount of \$37,500.00 was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the upgrades to the Supervisory Control and Data Acquisition system (SCADA) associated with the lift station upgrades, between the Town of Salem and Excel Research, in the amount of \$37,500.00 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) Task Order No. 15-01, for construction related services associated with the upgrade of 5 lift stations, between the Town of Salem and Strand Associates, in the amount of \$225,000.00 was presented.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve Task Order No. 15-01, for construction related services associated with the upgrade of 5 lift stations, between the Town of Salem and Strand Associates, in the amount of \$225,000.00 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Jeff Rau of Strand Associates reported that things are going well with the projects and are on schedule, there were no emergency measures and the bids were good and below what was expected.

5.) A claim was filed against the Town by Laurence Robert Ellis, 29114 112th Street Trevor, WI 53179 for sewer backup in his home was presented.

The claim was submitted to Continental Western Insurance, the Town of Salem's insurance carrier and they denied the claim as they could find no evidence that the Town caused or contributed to the factors resulting in the backup.

It was recommended by Attorney Wanasek that the Town of Salem deny this claim.

Mr. Ellis gave his testimony to the Board regarding his version of the backup.

MOTION BY Supervisor Faber, second by Supervisor Campion to deny the claim filed against the Town by Laurence Robert Ellis, 29114 112th Street Trevor, WI 53179 for sewer backup in his home.

ROLL CALL VOTE

SUPERVISORS Campion, Faber, and Chairman Tesar – AYE

SUPERVISOR Culat and Kmiec – NAY

MOTION CARRIED

CLERK’S BUSINESS

1.) The minutes of a Regular Board meeting on 4/13/2015 and Special Meetings on 4/13/2015 and 5/04/2015 were presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of a Regular Board meeting on 4/13/2015 and Special Meetings on 4/13/2015 and 5/04/2015 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.

David C Gyger	Kevin R Gerber	Salvatore Barranco	Mark Abear	Kate Coronado
Wendy C Olsen	Rebecca Denten	Courtney Lastacy	Muhammad U Siddiajui	Stacy Harvey

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

4.) The vouchers for April 14, 2015, through May 11, 2015, were presented as follows:

Vouchers issued from April 14, 2015 through May 11, 2015		\$ 344,851.27
Payroll #8 Ending	4/18/15	\$ 61,323.30
Payroll #9 Ending	5/02/15	\$ 73,143.74

Total		\$ 479,318.31

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the payment of the vouchers or April 14, 2015, through May 11, 2015, as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

TREASURER’S REPORT

1.) Chairman Tesar read the Treasurer’s report for April 1, 2015 through April 30, 2015 as follows:

APRIL 2015 - CASH REPORT FOR THE GENERAL ACCOUNT - TOWN OF SALEM

April 1, 2015- Beginning Balance		\$2,004,134.52
	<u>RECEIPTS</u>	\$ 916,900.54
	Transfers In	\$1,092,025.76

Prior Month Adjustment	\$.55
<u>DISBURSEMENTS</u>	\$	557,238.16
PAYROLL	\$	155,501.68
Transfers Out	\$	<u>0.00</u>
Total	\$	712,739.84

April 30, 2015- Ending Balance		\$3,300,321.53
State Pool - General	\$ 1,704,074.13	
Gen. Checking	<u>\$ 1,596,247.40</u>	
Totals	\$ 3,300,321.53	

APRIL 2015 - CASH REPORT FOR THE TAX ACCOUNT - TOWN OF SALEM

April 1, 2015 - Beginning Balance		\$ 1,090,770.80
<u>RECEIPTS</u>	\$ 98.72	
Trnsfr from Gen. Ck.		

<u>DISBURSEMENT</u>		
Trnsfr to LGIP 8	\$1,090,770.80	

April 30, 2015 - Ending Balance		\$ 98.72
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APRIL 2015 - CASH REPORT FOR THE PARK ACCOUNT - TOWN OF SALEM

April 1, 2015 - Beginning Balance		\$ 370,829.89
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<u>RECEIPTS</u>	\$ 6,508.25	
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<u>DISBURSEMENTS</u>		
Transfer to LGIP 8	\$	0.00

April 30, 2015- Ending Balance		\$ 377,338.14
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APRIL 2015 - CASH REPORT FOR THE MAINTENANCE ACCOUNT-SALEM

April 1, 2015 Beginning Balance		\$ 43,758.58
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<u>RECEIPTS</u>	\$ 302.12	
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April 30, 2015 Ending Balance		\$ 44,060.70
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APRIL 2015 - CASH REPORT FOR THE CAPITAL PROJECTS ACCOUNT – SALEM

April 1, 2015	Beginning Balance		\$ 613,407.52
	<u>RECEIPTS</u>	\$	15,384.50
	Transfer In	\$	0.00
	<u>DISBURSEMENTS</u>		
	Transfer Out	\$	0.00
April 30, 2015	Ending Balance		\$ 628,792.02

APRIL 2015- CASH REPORT FOR THE TRAILS ACCOUNT – SALEM

April 1, 2015	Beginning Balance		\$ 215,778.55
	RECEIPTS	\$	21.70
	DISBURSEMENTS		
April 30, 2015	Ending Balance		\$ 215,800.25

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 the next Library Board meeting will be May 26th at 6:30 in Twin Lakes. Hooker Lake holds their meetings on the 4th Thursday of the month.

Supervisor Campion (County & Voltz Lake Liaison, Administration, Communication & Public Works Committees) report.
Supervisor Campion reported that at the end of the month the Town's Water Patrol will be holding Boater Safety Class.

Supervisor Kmiec (Park Commission Joint Liaison, Administration, Public Safety, & Communication Committees) report.
No report.

Supervisor Culat (Park & P & Z Commissions Joint Liaison, Public Works Committee) report.
No report.

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

Supervisor Faber reported that CCLRD received an additional grant which increased their total grant to \$51,000 received from the WI Waterways.

ADJOURNMENT

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

This Regular Board meeting was adjourned at 7:47 p.m.

Respectfully submitted,

Cindi Ernest, Clerk