

**MINUTES  
TOWN OF SALEM  
REGULAR MEETING OF THE BOARD OF SUPERVISORS  
Monday, July 11, 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 7:04 p.m. with the following present:

**CHAIRMAN:** Diann Tesar

**BOARD OF SUPERVISORS:** Pat O'Connell, Dennis Faber, Joe Meier and Dan Campion

**OTHERS:** Pat Casey, Attorney Richard Scholze, Mike Slover, Dave Shortess, Jack Rowland, and Cindi Ernest.

**GUESTS:** Pat Mulvey, Roland Alber, Laila Schiavo, Frank Soyka, Deneen Smith, Karen Maloney, Carl Siegel, Jeff Malueg, Wayne Kleinfelder, Carol Husnick, Chris Duesing, Betty Greiner, Dan Vuovich, Marvin Mullens, Robert Opelt, Pat Ringe, and Dave Jacobs.

**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, July 8, 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.

**CITIZEN COMMENTS**

There were no citizen comments.

**PRESENTATIONS, PETITIONS, COMMUNICATIONS, & OTHER AGENCY REPORTS**

**1.)** Chairman Tesar and Public Safety Department Head Dave Shortess thanked Chris Duesing with Habush, Habush & Rottier, S.C. for their generous donation of bicycle safety helmets to the Town of Salem & Bristol Safety Faire to be distributed to children attending. He was presented with a Proclamation and a thank you card signed by the children in appreciation.

**2.)** Kenosha County District 25 Supervisor, Kim Bruenig explained the Youth in Governance Program. Youth didn't feel they had a voice in the community, so Kenosha County started this program. Students submit applications and the few who were chosen were placed on County Committees. They have an active vote and their vote is recognized, but not counted. There were many more applications than positions and Ms. Bruenig requested that the Town of Salem

consider such a program in the town.

Discussion followed.

MOTION BY Supervisor Campion, second by Supervisor Meier to accept the Youth in Governance program and place students on the Planning Commission and the Parks Commission.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Town Assessor Rocco Vita gave a presentation on the revaluations. The notices went out in the mail today for the 2011 assessments. Values have declined for the most part. Most of the declines are due to lack of demand and foreclosures.

### **PARK COMMISSION**

**1.)** Administrator Casey reported on the recent Park purchase. The Town purchased seven (7) acres on 104<sup>th</sup> Street and was previously known as the Marchuck property. We bought it for a very reduced price of \$374,000. The two previous sales of the property were for approximately \$1,000,000. He went on to explain that the purchase will serve the Town well into the future. He will be requesting that structural engineers look at the buildings. Park Impact Fees were used to purchase the property. No tax money was used.

**2.)** Robert Opelt presented his proposed Eagle Scout project for an area near 278<sup>th</sup> Ave. The plan was approved by the Park Commission and CCLRD. The plan is to clear and put in path, boulders, benches and plants. Paul Schwartz Nursery has indicated they will help with the plantings.

David Jacobs who owns adjoining property to the south of the proposed project told the board that the area is secluded and affords limited access which limits the usefulness of the area. He feels that by improving the area, it will create an opportunity for adverse activity including dryness in the fall, underage drinking and vandalism and we will need someone to police the area. There will be problems with littering and people walking their dogs.

Discussion followed.

Dan Vucovich who owns property adjacent was also opposed. It's a swamp and a culvert would be needed.

Discussion continued.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to accept Robert Opelt's Eagle Scout project as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **BUILDING DEPARTMENT**

**1.)** There was intent, from the June 2011 meeting, 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.

At the July 2011 meeting, Mr. Alber was instructed by the board to bring back a plan for payment of the taxes on the property prior to proceeding with renovating the home.

Mr. Alber informed the Town Board and presented a receipt that he has paid money on his taxes and has set up a payment plan with the County Treasurer.

Mr. Alber was instructed to return to next month's Board meeting and to bring his receipts and show what progress has been done.

### **ADMINISTRATOR'S BUSINESS**

- 1.) Administrator Casey reported that he has been meeting with engineering firms and will begin reviewing proposals for the Utility engineer. He went to the boat launch open house, purchased the new park land and inspected areas of the town which were hit hard by the storm.
- 2.) Administrator Casey indicated that the fire association has been asked about their plans the old fire/rescue building and its lease, located south of the Town Hall. There has been no response yet. This item will be kept on the agenda.

### **FIRE AND RESCUE**

- 1.) It was announced that the public Open House for the Highway/Fire Building will be held on Sunday, August 7, 2011 from noon – 4:00 pm, for the Highway/Fire Building.
- 2.) The joint agreement with Silver Lake Rescue Squad was approved by Silver Lake and presented. There is a "step-down" process in the contract using less and a negotiated lessening payment because we are using less.  
MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the joint agreement with Silver Lake Rescue Squad as presented.  
Supervisor Campion questioned the use of a different name in the contract and that it doesn't make sense.  
Attorney Schulze responded that the use of a name should be used consistently throughout a document.  
Discussion followed.  
MOTION AMENDED BY Supervisor Faber, second by Supervisor O'Connell to approve the joint agreement with Silver Lake Rescue Squad after the wording has been changed for consistency throughout the document.  
UNANIMOUS VOTE – AYE  
MOTION CARRIED

### **SEWER UTILITY DISTRICT**

- 1.) Ordinance 11-07-11, An Ordinance Repealing and Recreating Chapter 13 of the Town of Salem Code of Ordinances Regarding Sanitary Sewer Utilities were presented.  
Brad Zautcke indicated to the board that definitions had been changed and it gives the Utility leverage to inspect if needed, and it created a user charge schedule.  
MOTION BY Supervisor Meier, second by Supervisor Faber to adopt Ordinance 11-07-11, An Ordinance Repealing and Recreating Chapter 13 of the Town of Salem Code of Ordinances Regarding Sanitary Sewer Utilities as presented.  
Supervisor Campion questioned the word wastesystems...should it be two words?  
A short discussion followed.  
UNANIMOUS VOTE – AYE  
MOTION CARRIED

**2.)** Resolution 11-07-11A, A Resolution Expressing Opposition To Assembly Bill 182 was presented. This bill if passed by the legislature would not allow delinquent utility bills to be placed on the landlord's tax roll if a tenant leaves and doesn't pay the bill.

Discussion followed.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to adopt Resolution 11-07-11A, A Resolution Expressing Opposition To Assembly Bill 182 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Brad Zautcke informed the board that Ralph and Jeanette Young expressed an interest in a sewer extension to the tavern and the lot adjacent. They will finance this project themselves and a Waiver of Notice and Hearing, for consent to the imposition of Special Assessment speeds up the process.

Supervisor Campion expressed concerns relative to the delinquent property taxes owed on the vacant lot.

Discussion followed.

Administrator Casey indicated that the delinquent taxes would be looked at in this process.

MOTION BY Supervisor Faber, second by Supervisor O'Connell to approve the Waiver of Notice and Hearing, for consent to the imposition of Special Assessment for Ralph and Jeanette Young, to allow for sanitary sewer extension along CTH 'C' to tax parcels # 66-4-120-262-0520 and # 66-4-120-262-0530.

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

SUPERVISOR Campion – NAY

MOTION CARRIED

### **STORM WATER DISTRICT**

**1.)** Ordinance No. 11-07-11A, An Ordinance Creating Sections 260-34(A) Of the Town of Salem Code of Ordinances, As It Pertains to Unimproved Properties Owned by the State of Wisconsin And Kenosha County was presented.

MOTION BY Supervisor O'Connell, second by Supervisor Meier to adopt Ordinance No. 11-07-11A, An Ordinance Creating Sections 260-34(A) Of the Town of Salem Code of Ordinances, As It Pertains to Unimproved Properties Owned by the State of Wisconsin And Kenosha County as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

### **FIRE AND HIGHWAY BUILDING PROJECT**

**1.)** Payment Request No. 17 from Miron Construction in the amount of \$7,812.60 for the Fire/Highway Building was presented. The original contract amount is \$4,500,474.00. Balance to finish is \$167,544.61 including retainage.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Payment Request No. 17 from Miron Construction in the amount of \$7,812.60 for the Fire/Highway Building as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**2.)** Payment Application No. 2 for Camosy Construction in the amount of 64,376.42 for Well Services Building was presented. The original contract amount is \$289,000.00. Balance to finish is \$183,723.10 including retainage.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve Payment Application No. 2 for Camosy Construction in the amount of 64,376.42 for Well Services Building as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**3.)** Payment Application No. 1 from Phoenix Fabricators in the amount of \$164,877.25 for the Water Tank was presented. The original contract amount is \$762,074.00. Balance of \$292,376.45 including retainage.

MOTION BY Supervisor O’Connell, second by Supervisor Faber to approve Payment Application No. 1 from Phoenix Fabricators in the amount of \$164,877.25 for the Water Tank as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**CLERK’S BUSINESS**

**1.)** Minutes of the previous meetings; A Regular Board Meeting on 06/13/11 and a Special Meeting on 06/13/11 & 06/20/11 were presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to approve the minutes of the previous meetings; Regular Board Meeting on 06/13/11 and a Special Meeting on 06/13/11 & 06/20/11 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

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

Nicole Wagner	Melody Pratt	Laura Wattlelet	Dennis Hackeloer
Tamara Herner	Kimberly Millhouse	Lindsey E. Kazlausky	Pat Hogan
Paul Brown, Jr.	Deborah A. Bellefeville	Pauline Teser	Peter Jacot

MOTION BY Supervisor Faber, second by Supervisor Meier to approve the 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.)** Applications have 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, approvals are contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees:

NAME & ADDRESS  
OF APPLICANT

TRADE NAME & ADDRESS  
OF ESTABLISHMENT

**CLASS "A" BEER AND "CLASS A" LIQUOR**

Shahid & Associates, Inc.  
737 Crosswind Lane  
Lindenhurst, IL 60046  
Agent: Claire Ladewig

Trevor Mini Mart  
25921 Wilmot Road  
Trevor, WI 53179

**CLASS "B" BEER AND "CLASS B" LIQUOR**

T & L Pub, LLC  
22002 60<sup>th</sup> Street  
Bristol, WI 53104  
Agent: Tracy J Ramey

T & L Pub  
22002 60<sup>th</sup> Street  
Bristol, WI 53104

Cross Lake Inn, Inc.  
12425 Antioch Road  
Trevor, WI 53179  
Agent: Angela L. Visconti

Cross Lake Inn  
12425 Antioch Road  
Trevor, WI 53179

MOTION BY Supervisor O'Connell, second by Supervisor Campion to approve the retail licenses to sell fermented malt beverages and intoxicating liquors as presented with approvals contingent on background check clearance, payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**4.)** Amusement Machine License applications were presented as follows, contingent on payment of delinquent taxes, assessments, and all necessary fees.

T & L Pub, LLC                      Cross Lake Inn, Inc.

MOTION BY Supervisor Campion, second by Supervisor Faber to approve the Amusement Machine License applications as presented, contingent on payment of delinquent taxes, assessments, and all necessary fees.

UNANIMOUS VOTE – AYE  
MOTION CARRIED

**5.)** Temporary Class B "Picnic License" application were received by the clerk for the following, approval is contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

- Schultz-Hahn Post 293 American Legion, Kenosha County Fairgrounds Beer Tent, Wilmot for Kenosha County Fair, August 17, 2011 through August 21, 2011 daily.
- Salem Oaks Community Association, Park, Pavilion at 235<sup>th</sup> Ave. & 81<sup>st</sup> St. Salem, WI, for Salemfest, July 30, 2011, noon until 11:30 pm.

- Silver Lake Sportsman Club, 27000 85<sup>th</sup> St, Salem, WI, for Silver Lake Sportsman Club Jr. Trap Shoot, July 24, 2011, all day.
- Silver Lake Sportsman Club, 27000 85<sup>th</sup> St, Salem, WI, for Silver Lake Sportsman Club Jr. Annual Picnic, August 27, 2011, all day.

MOTION BY Supervisor Meier, second by Supervisor Faber to approve the Temporary Class B “Picnic License” applications as presented with approval contingent on the payment of necessary fees and a licensed bartender (operator) for the event.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**6.)** A request by Colleen Glaves to serve alcohol to her guests at a family event, in Community Park, on August 20, 2011 was presented. The required Certificate of Liability has been filed with the Town Clerk for this event.

MOTION BY Supervisor Campion, second by Supervisor Meier to approve the request by Colleen Glaves to serve alcohol to her guests at a family event, in Community Park, on August 20, 2011 as presented.

MOTION AMENDED BY Supervisor O’Connell, second by Supervisor Meier to approve the request by Colleen Glaves to serve alcohol to her guests at a family event, in Community Park, on August 20, 2011, contingent on the Certificate of Liability as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

Discussion of a policy for approval of these types of events will be developed by Administrator Casey and placed on next month’s agenda.

**7.)** Resolution No. 11-07-11, A Resolution Adopting the 2011 Town of Salem Ward Plan Defining Municipal Wards In the Town of Salem was presented.

MOTION BY Supervisor Faber, second by Supervisor Campion to adopt Resolution No. 11-07-11, A Resolution Adopting the 2011 Town of Salem Ward Plan Defining Municipal Wards In the Town of Salem as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**8.)** A request was made by Greg Brown to serve alcohol to guests for a family wedding at the Town of Salem Highway/Fire Building.

MOTION BY Supervisor O’Connell, second by Supervisor Meier to approve the serving of alcohol to guests for a family wedding at the Town of Salem Highway/Fire Building as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**TREASURER’S REPORT**

**1.)** Chairman Tesar read the Treasurer’s report for June 1, 2011 – June 30, 2011.

**2.)** Approval of payment of the vouchers June 14, 2011 – July 11, 2011 was presented as follows:

Vouchers issued from June 14, 2011  
through July 11, 2011 \$ 240,096.60

Payroll #13 Ending 06/18/11 \$ 60,770.51

Payroll #14 Ending 07/02/11 \$ 70,624.79

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Total \$ 371,491.90

MOTION BY Supervisor Meier, second by Supervisor Meier to approve the payment of the  
vouchers June 14, 2011 – July 11, 2011 as presented.

UNANIMOUS VOTE – AYE

MOTION CARRIED

**PUBLIC WORKS/HIGHWAY**

1.) Nothing

**PLANNING AND ZONING COMMISSION**

1.) Nothing

**PUBLIC SAFETY**

1.) Nothing

**LIBRARY BOARD**

1.) Nothing.

**SALEM MOUND CEMETERY**

1.) Nothing

**BOARD OF REVIEW**

1.) Nothing

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

**Chairman Tesar** (Lakes Committee & Hooker Lake) report.

Chairman Tesar had nothing to report.

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

Supervisor Faber reported that there will be a CCLRD meeting on Wednesday at 6:30 pm in preparation for their annual meeting.

He also reported that there was a Multi Jurisdictional meeting held on Tuesday, June 28<sup>th</sup> relative to the adjustment in the Smart Growth Plan approved by municipalities. There is no action for the Town of Salem.

Board of Review will be held on Wednesday, August 3, 2011 at 9:00 am.

**Supervisor Meier** report.

Supervisor Meier had nothing to report.

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

Supervisor O'Connell reported that the Library Board held their meeting on June 27<sup>th</sup> and all were assigned to new committees.

There will be a blood drive held at the library on July 21<sup>st</sup> from 3:00 pm to 7:00 pm.

**Supervisor Campion** (County Liaison) report.

Supervisor Campion reported that the City of Kenosha isn't paying their fair share of the joint services building. It is a significant amount, approximately \$160,000. They are asking to reopen the Intergovernmental Agreement.

**ADJOURNMENT**

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

UNANIMOUS VOTE – AYE

MOTION CARRIED

**This Regular Board meeting was adjourned at 9:03 p.m.**

Respectfully submitted,

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Cindi Ernest, Clerk