

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
May 11, 2010

Members Present: P. Kanter, P. Van Horn, C. Dundon, L. Krause and R. Ackley

Others Present: S. Riffle, *Town Attorney*, T. DeLacy, *Independent Inspections*, N. Bonniwell, *Board of Appeals Chair*, J. Stevens, *Lake Country Reporter*, 11 citizens

First order of business: Closed Session. It is anticipated the Town Board will convene into closed session for the following reason: Pursuant to State Statutes 19.85(1) (c) to consider employment, promotion, compensation or performance evaluation data of any employee over which the Town Board has jurisdiction, more specifically, to consider the qualifications of applicants for the position of Town of Delafield Town Building Inspector/Code Enforcement Officer and compensation to be offered to the particular applicants. Participating in this closed session will be the Town Board, Town Clerk, Tom DeLacy - Independent Inspections, and in turn the following applicants for the position: Tony Fockler, Peter Rafalski and Cindy Wandsneider.

Following the closed session, it is anticipated that the Board will reconvene and may take action on the matters discussed in closed session, and thereafter the Town Board shall continue with the matters noted in the agenda. Chairman Kanter called the Closed Session to order at 6:30 p.m. and read the Closed Session notice.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO GO INTO CLOSED SESSION. MS. DUNDON – AYE, MR. ACKLEY – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO GO OUT OF CLOSED SESSION. MS. DUNDON – AYE, MR. ACKLEY – AYE, CHAIRMAN KANTER – AYE, MR. KRAUSE – AYE. MOTION CARRIED.

Second order of business: Action on Closed Session Items. The Town Board may take action on the matters discussed in closed session.

None

MOTION MADE BY MR. ACKLEY, SECONDED BY MS. DUNDON TO TAKE ITEM 8A OUT OF ORDER. MOTION CARRIED.

Eighth order of business: Unfinished Business

A. Update and discussion of Agreement on Pewaukee Lake Safety Patrol

Attorney Riffle summarized the subject issue stating that there is one sentence of the agreement drawn up by the Village that is in dispute. It references all decisions regarding the lake patrol stating that they must be unanimous between the three communities. He stated that if the Town of Delafield requests Waukesha County Sheriff's Department to patrol its portion of the lake, it would be done on the "county's dime" and all revenue from citations would go to the County. He referenced the state statute which reflects, if multiple communities comprise more than 60 percent of the lakeshore, they can have their own lake patrol or contract for one that will enforce the communities ordinances and receive citation revenues. Chairman Kanter stated that the city and town comprise 86% of Pewaukee Lake. Attorney Riffle stated that the Village of Pewaukee will address this issue at their meeting in one week.

MOTION MADE BY MR. ACKLEY, SECONDED BY CHAIRMAN KANTER TO MOVE ON FROM THE SITUATION IN WAITING FOR THE VILLAGE OF PEWAUKEE TO COMPLY WITH THE REQUIREMENT OF THE PROPOSAL AND CONSIDER THAT THEY HAVE DEFAULTED AND TO CONTACT THE CITY OF PEWAUKEE TO PROCEED WITH HIRING THE WAUKESHA COUNTY SHERIFF'S DEPARTMENT TO CARRY OUT THE DUTIES OF THE PEWAUKEE LAKE SAFETY PATROL.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO AMEND THE MOTION TO DELAY DISCUSSIONS FOR ONE WEEK TO AWAIT THE DECISION OF THE VILLAGE OF PEWAUKEE. MOTION CARRIED.

Third order of business: Call to Order
Chairman Kanter called the meeting to order at 7:20 p.m.

Fourth order of business: Pledge of Allegiance

Fifth order of business: Minutes of April 27 and May 4, 2010
The minutes will be filed as prepared by the Town Clerk/Treasurer.

Sixth order of business: Action on vouchers submitted for payment:

A. Report on budget sub-accounts and action to amend 2009 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #47163 – 47201 IN THE AMOUNT OF \$59,063.52

Payroll

MOVED TO APPROVE PAYMENT OF CHECKS #21442 – 21493 IN THE AMOUNT OF \$35,292.22

MS. DUNDON/MR. KRAUSE

MOTION CARRIED.

Seventh order of business: Communications (*for discussion and possible action*)

A. None

Eighth order of business: Unfinished Business

B. Consideration and discussion of procedures concerning new fire station/town hall (tabled 4/13/10)

This item will remain on the table.

C. Consideration and possible action of Waukesha Blazer's request to sell concessions at the Sports Commons on June 5 and 6 (tabled 4/27/10)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO REMOVE FROM THE TABLE. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO REQUEST THE REQUEST OF THE WAUKESHA BLAZER'S TO SELL CONCESSIONS AT THE SPORTS COMMONS ON JUNE 5 AND 6. MOTION CARRIED.

D. Consideration and possible action of Delafield Youth Baseball, Inc.'s request to sell concessions at the Sports Commons on June 12 (tabled 4/27/10)

MOTION MADE BY MS. DUNDON, SECONDED BY MR. ACKLEY TO REMOVE FROM THE TABLE. MOTION CARRIED.

As the subject proposal includes all proceeds to benefit the Titans Select Baseball, Inc., the Town Board directed staff to contact the applicant and request his attendance at the next meeting.

MOTION MADE BY MS. DUNDON, SECONDED BY MR. KRAUSE TO TABLE. MOTION CARRIED.

Ninth order of business: New Business

A. Consideration and possible action to approve a Certified Survey Map to combine two lots into one lot for Jeff and Mary Harvie at N29W30388 Hawksnest Court

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. ACKLEY TO APPROVE A CERTIFIED SURVEY MAP TO COMBINE TWO LOTS INTO ONE LOT FOR JEFF AND MARY HARVIE AT N29W30388 HAWKSNEST COURT. MOTION CARRIED.

This subject proposal includes City of Delafield and Village of Hartland extraterritorial jurisdiction and requires such approval. Mr. Harvie requested to apply for his permit before these municipalities address the issue, due to a recent fire in his home.

MOTION MADE BY MR. ACKLEY, SECONDED BY MR. VAN HORN TO DIRECT THE TOWN ENGINEER TO CONTACT THE CITY AND VILLAGE AND INFORM THEM OF THE TOWN'S APPROVAL TO THE REQUESTED CHANGE IN PROCEDURE. MOTION CARRIED.

B. Award of 2010 Annual Road Paving Program Contract

Engineer Barbeau stated that two bids were received for the subject program: 1. Wolf paving – \$314,002.00; and 2. Payne & Dolan – 328,292.50. The Highway road budget is \$320,000 and the Town received \$18,642.000 in TRIP funds. The Highway Superintendent will need \$20,000 for crack filling and miscellaneous work, leaving a balance of \$318,642.00. Engineer Barbeau recommended awarding the bid to Wolf Paving in the amount of \$314,002.00.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. ACKLEY TO AWARD THE 2010 ANNUAL ROAD PAVING PROGRAM CONTRACT TO WOLF PAVING IN THE AMOUNT OF \$314,002.00. MOTION CARRIED.

C. Appointment to Board of Appeals

MOTION MADE BY CHAIRMAN KANTER, SECONDED BY MS. DUNDON TO APPOINT MIKE KAISER TO THE BOARD OF APPEALS. MOTION CARRIED.

Chairman Kanter stated that he will address another volunteer in two weeks.

D. Consideration and possible action of new Town Hall sign

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUNDON TO APPROVE THE SIGN PROPOSAL FROM STICKYBOYZ (OPTION 2) IN THE AMOUNT OF \$260.00. MOTION CARRIED.

E. Consideration and possible action of Operator's License for the period of 7/1/08 to 6/30/10
- Haley A. Wittemann for *Western Lakes*

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO APPROVE THE OPERATOR'S LICENSE FOR HALEY A. WITTEMAN FOR WESTERN LAKES. MOTION CARRIED.

- Katie M. Tetkoski for *Western Lakes*

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUNDON TO APPROVE THE OPERATOR'S LICENSE FOR KATIE M. TETKOSKI FOR WESTERN LAKES. MOTION CARRIED.

Tenth order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – May 18 – 7:00 p.m.
- B. Board of Review – May 25 – 7:00 p.m. (adjournment to September 29, 2010 at 7:00 p.m.)
- C. Next Town Board Meeting – May 25 – Immediately following Board of Review

Eleventh order of business: Adjournment

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRAUSE TO ADJOURN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:05 P.M.

Respectfully submitted,

Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

Minutes approved on May 25, 2010