



A PERFECT ENVIRONMENT

Residential Recreational Responsible

Chair
Ron Troy
Supervisors
Edward Kranick
Christie Dionisopoulos
Steve Michels
Joe Woelfle
Clerk/Treasurer
Dan Green

AMENDED 8/9/2021@2:00PM

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
TUESDAY, AUGUST 10, 2021 – 6:30 P.M.
DELAFIELD TOWN HALL – W302 N1254 MAPLE AVENUE, DELAFIELD, WI**

AGENDA

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Citizen Comments: Public comments from citizens regarding items on, or not on the Agenda. The Board may not engage in a discussion with the citizen making the comments. Individual presentations are limited to three minutes and citizens shall follow the rules set forth in Section 2.04(1)(d) of the Town Code.
5. Approval of Minutes:
 - A. July 27, 2021 Town Board Minutes
6. Action on vouchers submitted for payment:
 - A. Report on budget sub-accounts and action to amend 2021 budget
 - B. 1) Accounts payable; 2) Payroll
7. Communications (for discussion and possible action)
 - A. Waste Hauler Services – Waukesha County RFP process (Discussion only)
 - B. Redistricting Update
 - C. Lake Country Fire and Rescue Budget (Discussion Only)
8. Unfinished Business - None
9. New Business
 - A. Discussion and possible action on the request from Jon Spheeris for an early start approval for the Retreat Subdivision.
 - B. Discussion and possible action on the adoption of Ordinance 2021-06, an ordinance to repeal and re-create portions of Chapter 19 of the Town Code concerning regulations of parks.
 - C. Discussion and possible action on the adoption of Ordinance 2021-07, an ordinance granting limited expenditure, contracting and contract execution authority to the Town Administrator/Clerk/Treasurer and Town Chair.
 - D. Discussion and possible action on the adoption of Ordinance 2021-08, an ordinance granting the Town Chair or the Town Board the authority to cancel a meeting of the Town Board.
 - E. Discussion and possible action on updates to the Town's employee handbook.
10. Announcements and Planning items
 - A. Town Board – Tuesday, August 24, 2021 @ 6:30 PM
 - B. Plan Commission – Tuesday, September 7, 2021 @ 6:30 PM

- C. Budget Workshop – Tuesday, September 14, 2021 @ 5:00 PM
- D. Town Board – Tuesday, September 14, 2021 @ Immediately following the Budget Workshop
- 11. Adjournment



Dan Green
Town of Delafield Clerk/Treasurer

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Town Clerk Dan Green (262) 646-2398.

**TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
JULY 27, 2021 @ 6:30 PM**

Video Link:

Motion by Supervisor Michels to appoint Supervisor Kranick to chair the Town Board meeting. Seconded by Supervisor Woelfle. Motion passed 3-0.

First order of business: Call to Order

Supervisor Kranick called the meeting to order at 6:30 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Roll Call

Present: Supervisor Kranick, Supervisor Woelfle and Supervisor Michels. Also, present was Administrator Dan Green.

Excused: Chairman Troy and Supervisor Dionisopoulos.

Fourth order of business: Citizen Comments: None

Fifth order of business:

- A. Approval of July 13, 2021, Town Board Minutes

Motion made by Supervisor Woelfle to approve the minutes from July 13, 2021. Seconded by Supervisor Michels. Motion passed 3-0.

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

- A. Report on budget sub-accounts and action to amend 2021 budget
- B. 1) Accounts payable; 2) Payroll

Motion by Supervisor Woelfle to approve payment of Check #64899 and checks #64902-#64915 in the amount of \$34,806.19. Seconded by Supervisor Michels. Motion passed 3-0.

Motion by Supervisor Woelfle to approve payrolls dated July 23, 2021, in the amount of \$14,035.58. Seconded by Supervisor Michels. Motion passed 3-0.

Seventh order of Business: Communications (for discussion and possible action) - None

- A. Waste Hauler Services – Waukesha County RFP process (Discussion only)
Administrator Green stated this item will remain on the agenda and he will keep the board informed as the Town and County move forward in the process.
- B. Waukesha County Sheriff Update (Discussion only)
Lt. Karwoski stated there have been numerous concerns at Lapham Peak. He has been encouraging residents to lock their car doors and to not keep anything valuable in the vehicles. He explained automobiles are still being broken into with the doors locked, so it is important to not leave valuables inside.
Lt. Karwoski also explained that subdivisions are big targets for home break ins. He has encouraged residents to keep their homes locked, and garage doors shut, especially at night. The County has set up extra patrols during nighttime hours, but encourages residents to call the Sheriff's Office if they see something suspicious.

Eighth order of Business: Unfinished Business: NONE

Ninth order of Business: New Business: NONE

Tenth order of Business: Announcements and Planning items

- A. Plan Commission – Cancelled
- B. Town Board – Tuesday, August 10, 2021 @ 6:30 PM
- C. Town Board – Tuesday, August 24, 2021 @ 6:30 PM

Eleventh order of Business: Adjournment

Motion by Supervisor Woelfle to adjourn the July 27, 2021, Town Board meeting at 6:40 p.m. Seconded by Supervisor Michels. Motion carried 3-0.

Respectfully submitted:

Dan Green, CMC/WCMC
Administrator - Town Clerk/Treasurer



A PERFECT ENVIRONMENT

Residential Recreational Responsible

005
Chair
Ron Troy
Supervisors
Edward Kranick
Christie Dionisopoulos
Steve Michels
Joe Woelfle
Clerk/Treasurer
Dan Green

To: Town Chairman
Town Board Members
From: Karen Nipko, Deputy Clerk
Date: August 6, 2021
Subject: Payroll and Accounts Payable

Account Payable:

Recommendation: Motion to approve payment of Checks #64916-#64917 and checks #64921-#64942 in the amount of \$99,249.07.

Payroll Checks:

Recommendation: Motion to approve the payrolls dated August 6, 2021 in the amount of \$14,039.86.



LAKE COUNTRY FIRE & RESCUE

MEMORANDUM

DATE: AUGUST 5TH, 2021
TO: LCFR FIRE BOARD
FROM: MATTHEW FENNIG – FIRE CHIEF
RE: 2022 OPERATING AND CAPITAL BUDGET

I am pleased to present the draft operating and capital budgets for Lake Country Fire and Rescue. This budget represents months of work by staff members to prepare a responsible and financially prudent budget that meets the long-term goals of both LCFR and the communities that we serve.

Operating Budget Highlights

Before adding any additional staffing or new initiatives the total budget increase is proposed at 3.48%. This includes:

- 3% pay increase for all employees with corresponding increases to the FICA / workers compensation accounts. It also includes step increases for employees that are moving through their 5-year step process and moves part time employees to 1 pay rate regardless of if they are working part time hours or coming in additionally for trainings or meetings. The change in hourly rate will help with employee morale and make the department more marketable when comparing rates to neighboring agencies.
- 4% increase to Health / Dental insurance premiums
- \$4,000 added to computer accounts for IT Hardware upgrades to combat the ongoing cyber-attacks that are occurring nationwide
- 24% increase in fuel expenses. Petroleum prices have increased 27% since the creation of our budget in March of 2020. The increase in our operating budget brings us back on track with where we are currently trending.
- 3% increase to the Fire Department Operations account to cover needed semiannual preventive maintenance on dive equipment.
- 4% Increase to the maintenance account to cover needed maintenance on the aerial ladder.

It is vitally important that LCFR continues to invest in increasing the number of full-time employees. This is imperative to continue to combat the decline in paid on call, paid on premise and part time employees that is happening nationwide across all sections of labor. As part of this budget, I am proposing that LCFR add 1.5 FTE to the budget for 2022 & 2023. Doing so would allow LCFR to add 3 (1 per full time rotating shift) FTEs to the roster on / around July 1st of 2022.

In the current configuration, LCFR must back fill (generally with overtime) anytime a person is on vacation, calls in sick or is out on extended leave because of illness / injury. 2021 has been

exceptionally bad with 2 employees out for an extended duration because of injuries (up to 6 months). Because we operate at the bare minimum every single day, we are forced to mandate staff to work overtime. This is causing severe employee fatigue to the point where we are at risk for losing staff. Furthermore, employee burnout is proven to increase the risk of injuries because employees are simply mentally and physically exhausted. Because of this burnout and exhaustion, we have been forced to fall below minimums on far too many occasions as of late. The addition of these full-time staff positions will allow our department to avoid “force hiring” as we will not be raising our minimum staffing as part of the plan moving forward.

This budget also includes the addition of a full-time instructor for the Training Center and 20 hours per week for administrative assistant support. The full-time instructor will be completely offset by the increase of revenue brought in by the training center. LCFR is pursuing a long-term contract with a local private ambulance where LCFR will provide EMT basic training to their new employees. This contract will ensure LCFR has a long-term viable revenue source.

The addition of the full-time staff brings a total overall increase to the budget of **5.14%** to the communities. This increase is allowable under state law where communities that are served by a joint fire department can increase their levy by CPI + 2%. Current CPI is calculated at 3.14 percent.

This budget does not include any other new initiatives. There are many areas of deficiency that need to be worked on in the coming future. These areas include; additional administrative support with a human resources background, funding for a Tactical EMS team, additional EMS funding to support advances in technology (video laryngoscopy, ultrasound etc), and additional funding to support advances in fire technology (thermal imaging, ultra-high pressure).

Capital Budget Highlights

In 2021, and as part of the intermunicipal agreement dated 9-30-2020, LCFR established a capital reserve fund. The purpose of this fund was for LCFR to save annually and pay cash for future capital purchases. This was done to take full advantage of the CPI + 2% increase that is allowed by the state and to avoid the communities being penalized during periods of large capital purchases such as a fire engine or ladder truck.

As part of our 2022 budget, I am recommending that LCFR takes the maximum allowable increase of 3.14% + 2%. This is for 2 reasons. First, we have been advised by our vendors to expect 5 – 9% increases in capital items for at least the next 3-5 years as commodity prices continue to be volatile. The second is that LCFR will need to replace its sole ladder truck a year earlier than expected. This replacement is due to extensive corrosion that has been noted in the “torque box” of the truck. The torque box is the area where the ladder assembly attaches to the frame of the truck and is essential to safe and proper operation of the vehicle. Current lead time on a vehicle like this is 13-16 months. As part of this budget, I am requesting that we sign a purchase agreement on a replacement aerial ladder in early 2022 (Jan – Feb) with the thought to take delivery in April – May of 2023. The capital improvement plan has been updated and is included in this packet.

In closing, thank you for the opportunity to present this budget to the board. I believe that it takes steps in the right direction by continuing to invest in staffing to offset the reduction in paid on call and paid on premise staffing.

DRAFT 2022 LCFR BUDGET

		2022
Acct #	REVENUES	Budget Amount
41010	FIRE PROTECTION FEES	\$6,000.00
41020	FIRE INSPECTION FEES	\$65,975.00
41021	OCCUPANCY INSPECTION FEES	\$850.00
41030	FD PUBLIC EDUCATION/TRAINING	\$0.00
41035	PARAMEDIC TRAINING CENTER	\$208,000.00
41040	SALES OF EQUIPMENT	\$0.00
41060	ST FIRE INSURANCE (2% Dues)	\$213,000.00
42000	Collected Ambulance Revenue (includes write off)	\$983,875.00
42040	INTERGOVERNMENT AGREEMENT AMBO	\$71,700.00
42050	ST AID AMBO	\$10,500.00
42060	TRANSP, ST FIRE ON ST HIGHWAYS	\$10,500.00
4600	INTEREST INCOME	\$9,734.00
47000	MISCELLANEOUS REVENUE	\$9,750.00
47500	OTHER MISCELLANEOUS REVENUE	\$100,000.00
7100	BAD DEBT RECOVERY	\$27,500.00
	TOTAL REVENUE	\$1,717,384.00
	EXPENSES	
51000	PAYROLL: FICA	\$186,625.61
51010	PAYROLL: INSURANCE BENEFIT EXPENSE	\$778,083.45
51020	PAYROLL-TOTAL BUDGET	\$2,450,050.41
51040	RETIREMENT EXPENSES	\$0.00
52000	ADMINISTRATIVE	\$12,225.00
52050	SERVICE CONTRACTS/AGREEMENTS	\$160,313.75
52100	FACILITY EXPENSES	\$7,512.00
52125	COMMUNICATIONS EXPENSE	\$11,460.00
52150	INSURANCE	\$161,273.10
52200	LEGAL EXPENSES	\$10,000.00
52250	LCFR-BOARD/COMMISSION EXPENSES	\$0.00
52300	RADIO/COMMUNICATION EXPENSE	\$3,800.00
52350	COMPUTER/NETWORK EXPENSE	\$20,200.00
53000	FD OPERATIONALS SUPPLIES/EXPENSES	\$32,500.00
53100	FD INSPECTION OP EXPENSES	\$7,525.00
53150	TRAINING EXPENSE (Training, Dues, Travel, Membership, Pub)	\$38,250.00
53200	VEHICLE MAINTENANCE EXPENSE	\$50,000.00
53250	FUEL EXPENSES	\$40,000.00
53300	VEHICLE PURCHASE EXPENSE	\$0.00
54000	AMBULANCE OP SUPPLY AND EXPENSE	\$70,000.00
55000	UNIFORM EXPENSE	\$20,000.00
54200	INTERN EXPENSES	\$100,000.00
59000	CONTINGENCY FUND	\$100,000.00
	TOTAL EXPENSES	\$4,259,818.31
	LESS PROJECTED REVENUE	\$1,717,384.00
	TOTAL MUNICIPAL RESPONSIBILITY	\$2,542,434.31

LAKE COUNTRY FIRE RESCUE
DRAFT 2022 OPERATING BUDGET-REVENUES

Account	Description	2022 Budget
41010	FIRE PROTECTION FEES	\$6,000.00
41020	FIRE INSPECTION FEES	\$65,975.00
41021	OCCUPANCY INSPECTION FEES	\$850.00
41030	FD PUBLIC EDUCATION/TRAINING	\$0.00
41035	PARAMEDIC TRAINING CENTER	\$208,000.00
41040	SALES OF EQUIPMENT	\$0.00
41060	ST FIRE INSURANCE (2% Dues)	\$213,000.00
42001	AMBULANCE BILLING	\$2,315,000.00
42010	ESTIMATED UNCOLLECTIBLE REC	(\$1,331,125.00)
42040	INTERGOVERNMENT AGREEMENT AMBO	\$71,700.00
42050	ST AID AMBO	\$10,500.00
42060	TRANSP, ST FIRE ON ST HIGHWAYS	\$10,500.00
46000	INTEREST INCOME	\$9,734.00
47000	MISCELLANEOUS REVENUE	\$9,750.00
47500	OTHER MISCELLANEOUS REVENUE	\$100,000.00
71000	BAD DEBT RECOVERY	\$27,500.00
	TOTAL	\$1,717,384.00

LAKE COUNTRY FIRE RESCUE

			Notes	2022 Through 6/30	2022 Budgeted	2022		% +/-
						Requested	Requested	
Account		Description				Detail	Total	
51000		FICA EXPENSES		\$87,218.00	\$167,032.00		\$186,625.61	11.73%
						186,625.61		
51010		INSURANCE/BENEFIT EXPENSES		\$298,597.00	\$704,602.00		\$778,083.45	10.43%
	51011	Dental				36,300.00		
	51012	Medical				449,037.40		
	51013	Income Continuation Ins (ICI)				2,500.00		
	51014	Life Insurance				2,200.00		
	51015	HRA (25 FT Insured)				22,000.00		
	51016	WRS Employer Contribution				266,046.05		
51020		SALARY/PAYROLL EXPENSE		\$1,186,253.00	\$2,193,937.00		\$2,450,050.41	11.67%
	51021	Full-time and Clerical				2,439,550.41		
	51022	Part-time w/o Retirement						
	51023	Part-time with Retirement						
	51026	Overtime Pay						
	51028	Holiday POC						
	51029	Training Center Wages				10,500.00		
52000		ADMINISTRATIVE EXPENSES		\$13,380.00	\$12,225.00		\$12,225.00	0.00%
	52001	Memorial/Special Event Expenses / Appreciation Dinner				4,500.00		
	52002	Recognition Expenses (Non-staff)				150.00		
	52004	Employee Health & Wellness				1,500.00		
	52010	Office Supplies				1,990.00		
	52011	Back-up Printer/Labeler/Fax Supplies				1,000.00		
	52012	Printing-outsourced				400.00		
	52013	Postage/UPS/Fed Ex				650.00		
	52014	Miscellaneous				500.00		
	52017	Background Checks				0.00		
	52030	Bank Service Charges/Convenience Fees				75.00		
	53161	Magazines/Publications				60.00		
	53162	Professional Memberships/Dues				1,400.00		
52050		SERVICE CONTRACTS/AGREEMENTS EXP		\$62,414.90	\$153,803.00		\$160,313.75	4.23%
Admin	52020	Payroll Service Expenses				5,000.00		
	52022	Third Party Benefit Administrative Exp				3,200.00		
	52022	Ambulance Billing Service fees 5% of amount collected				49,193.75		
	52024	Audit and Accounting Expenses				18,000.00		
	52092	MRA Management /HR Resources				1,650.00		
	52090	Copier/Rental Agreements				6,200.00		0

LAKE COUNTRY FIRE RESCUE

			Notes	2022 Through 6/30	2022 Budgeted	2022		% +/-
						Requested	Requested	
Account		Description				Detail	Total	
	52084	Laserfich				700.00		
	52025	Water Service				2,000.00		
Fire	52051	Aerial Ladder Tests (Annual)				750.00		
	52052	Ground Ladder Tests (Annual)				1,500.00		
	52053	Pump Tests (7 apparatus) (Annual)				5,000.00		
	52054	Fire Extinguisher Test & Service (Annual)				300.00		
	52056	Eagle Air - Station 1				1,500.00		
	52057	SCBA Testing				5,000.00		
	52063	TNT Extrication Tools Service Agreement				2,000.00		
	52064	Calibration of Gas Monitors				1,750.00		
	52065	Hose Testing				9,000.00		
Ambo	52060	Cot/Stretcher Maintenance (Annual)				6,000.00		
	52061	Heart Monitor Maintenance				6,000.00		
	52062	CLIA Lab License				200.00		
	52091	DEA (Expired Narcotics)				250.00		
Software	52075	US Digital				6,200.00		
	52080	E-Mail Support/Website (Taylor)				5,000.00		
	52085	I am Responding / First Arriving Software				6,000.00		
	52086	Fire Manager				8,100.00		
	52304	WCC Dispatch (intigraph/net motion)				4,020.00		
	52351	ESO Software Support				1,800.00		
	52352	ESO Fire Software Technical Support				4,000.00		
52100		FACILITY EXPENSES		\$4,471.51	\$4,512.00		\$7,512.00	66.49%
	52101	Building & Apparatus Lease				12.00		
	52102	Cleaning/Miscellaneous Supplies				5,000.00		
	52120	Building Repair/Exp-LCFR Responsibility				2,500.00		
	XXXX	Municipal Credit				0.00		
		COMMUNICATIONS EXPENSES		\$6,073.43	\$11,460.00		\$11,460.00	0.00%
	52110	Phones-Cellular				1,200.00		
	52112	DSL/Cable Services				0.00		
	52356	Computer Air Cards				10,260.00		
52150		INSURANCE EXPENSE		\$121,528.00	\$162,463.00		\$161,273.10	-0.73%
	52152	Crime (Honesty, Fraud, Forgery)				1,982.00		
	52153	Property (Local Gov Property Ins Fund)				4,000.00		
	52154	Vehicle/Liability Policy				61,460.10		
	52155	Unemployment				500.00		
	52156	WorkComp Ins				93,331.00		
	52160	Insurance Deductible Expense				0.00		
								0

LAKE COUNTRY FIRE RESCUE
DRAFT 2022 OPERATING BUDGET-EXPENSES

Account	Description	Notes	2022 Through 6/30	2022 Budgeted	2022		% +/-
					Requested Detail	Requested Total	
52200	LEGAL EXPENSES						
52201	LCFR		\$3,835.00	\$1,000.00	10,000.00	\$10,000.00	900%
52202	LCFR-Board Expense				0.00		
52203	LCFR-Commission Expense				0.00		
52250	LCFR-Board/Commission Expenses						
52251	LCFR Board Expenses				0.00	\$0.00	
52252	LCFR Commission Expenses				0.00		
52300	RADIOS/COMM EXPENSES						
53201	Batteries (pagers & portables)		\$505.00	\$3,800.00	1,000.00	\$3,800.00	0
53202	Pagers & Portable Radios				2,000.00		
53203	Radio Repair & Maintenance				800.00		
52350	COMPUTER/NETWORK EXPENSE						
52353	Taylor Computer Support/Repairs		\$7,535.25	\$16,200.00	5,000.00	\$20,200.00	25%
52354	Computer Replacement (Station)				4,500.00		
52355	Computer Replacement (Vehicles)				6,200.00		
52357	Quickbooks Software Updates				500.00		
	Cyber Security Hardware				4,000.00		
53000	FD OPERATIONAL SUPPLIES/EXPENSES						
53001	SCBA (Repairs)		\$21,398.00	\$31,500.00	5,000.00	\$32,500.00	3.17%
53002	Turnout Gear (Clean/Repair/Replace)				9,000.00		
53003	Equipment Replacement (Add Dive)				12,250.00		
53004	Equipment Repair				500.00		
53005	Foam				1,500.00		
53006	Hose				0.00		
53007	Oil Dry				750.00		
53008	Rehab Supplies				2,250.00		
53009	Miscellaneous (flares, etc)				1,250.00		
53100	FD INSPECTION EXPENSE						
53101	Fire Inspection Supplies		\$2,307.50	\$7,525.00	500.00	\$7,525.00	0%
53102	Fire Prevention/Public Ed Supplies				5,500.00		
53103	National Fire Protection Assoc. Codes				1,400.00		
53104	International Building/Fire Codes				125.00		
53150	TRAINING EXPENSES						
53163	Community Programs/Related Expenses		\$15,923.00	\$30,250.00		\$38,250.00	26.45%
53164	Medical Director Training				3,000.00		
53170	Training Center Expenses				1,200.00		
53171	Training Expenses-EMS				4,000.00		
53172	Training Expenses-Fire				3,800.00		
					500.00		

LAKE COUNTRY FIRE RESCUE
DRAFT 2022 OPERATING BUDGET-EXPENSES

Account		Notes	2022 Through 6/30	2022 Budgeted	2022		% +/-
					Requested Detail	Requested Total	
		Description					
		Conferences/Outside Training EMS			3,250.00		
	53173	Conferences/Outside Training Fire			5,000.00		
	53174	Certification/Testing/Training EMS			1,500.00		
	53175	Certification/Testing/Training Fire			1,500.00		
	53176	Equipment			1,500.00		
	53177	Fire Training annual expense			5,000.00		
	53178	Diversity and Inclusion Training			3,000.00		
		Leadership Training			5,000.00		
		MAINTENANCE EXPENSE					
	53201	Prevent. Maintenance	\$13,609.00	\$48,000.00	25,000.00	\$50,000.00	4%
	53202	General Maintenance			20,000.00		
	53203	Miscellaneous / New Equipment			5,000.00		
		FUEL EXPENSES					
	53250		\$20,916.00	\$32,250.00	40,000.00	\$40,000.00	24%
		AMBULANCE OP SUPPLY/EXPENSE					
	54001	Supplies-Disposable	\$50,467.00	\$70,250.00	44,000.00	\$70,000.00	-0.36%
	54002	Supplies-Non-Disposable			5,000.00		
	54003	Replacement of old Equipment			2,500.00		
	54010	Medication			13,000.00		
	54011	Employee Vaccinations			1,000.00		
	54020	Miscellaneous Expenses					
	54030	P.R. and Promotion			4,500.00		
		UNIFORMS					
	53010	Uniform Allowance (22 Full-time Employees)	\$9,357.00	\$20,600.00	11,250.00	\$20,000.00	-2.9%
	53011	Uniform Allowance (70 Part-time Employees)			5,000.00		
	53012	Special Uniform-Opt EE Expense			0.00		
	53013	Employee-Purchased Uniforms			0.00		
	54021	Uniforms (Smocks/Jackets)			0.00		
	54076	Uniform New Members			3,000.00		
	54077	Badges and Pins			150.00		
	54078	Service Awards			600.00		
		RESIDENT PROGRAM					
	54201	RESIDENT PROGRAM	\$31,625.00	\$100,000.00	100,000.00	\$100,000.00	0%
	54202						
	54203						
	54200						

LAKE COUNTRY FIRE RESCUE

			Notes	2022 Through 6/30	2022 Budgeted	2022 Requested Detail	2022 Requested Total	% +/-
	Account	Description						
59000		CONTINGENCY FUND		\$0.00	\$100,000.00		\$100,000.00	0
						100,000.00		
		SUB-TOTAL				4,259,818.31	\$4,259,818.31	
		Less Projected Revenue					(\$1,717,384.00)	
		Total					\$2,542,434.31	
							\$2,418,001.00	
							5.15% Increase	

Draft 8-5-2022

Capital Budgeted Expenses by Year

	Budget Item	Budget Total
2022		
Training Center Vehicle	\$63,500	
3187	\$63,500	
		\$127,000
2022		
Radios	\$100,000	
Turn out Gear	\$30,000	
		\$130,000
2023		
Ladder 4271	\$1,140,000	
		\$1,140,000
2024		
Ambulance 3751	\$325,715	
Loose equipment for ladder	\$30,000	
		\$355,715
2025		
Heart Monitors (4)	\$140,000	
Ambulance Tech / Cot	\$40,000	
Tahoe 3787 - 4210 moves to 3700, new 4210	\$100,000	
		\$280,000
2026		
Ambulance 3756	\$325,715	
Ambulance Tech / Cot	\$40,000	
Boat 3199	\$200,000	
Turnout Gear	\$30,000	
		\$595,715
2027		
Thermal Imaging Camera	\$50,000	
LUCAS CPR Tools		
Ventilator	\$30,000	
	\$20,000	
		\$100,000
2028		
Turnout Gear		
Ambulance 3151	\$30,000	
Ambulance Tech / Cot	\$300,000	
	\$70,000	
		\$400,000
2029		
Ambulance 4551		
Ambulance Tech / Cot	\$300,000	
	\$70,000	
		\$370,000
2030		
Engine 4561		
Loose Equipment for Engine	\$700,000	
	\$100,000	
		\$800,000
2031		
Tenders 3792 & 3112		
	\$600,000	
Totals		\$600,000
Total/10		\$3,498,430
		\$388,714

Capital Municipal Contribution and Saving Schedule:

	Municipal Contribution	Budgeted Purchases	Cap Fund Balance
			\$55,051
2022	\$406,000	\$127,000	\$334,051
2022	\$426,897	\$130,000	\$630,948
2023	\$439,704	\$1,140,000	-\$69,348
2024	\$452,895	\$355,715	\$27,831
2025	\$466,482	\$280,000	\$214,313
2026	\$480,476	\$595,715	\$99,074
2027	\$494,890	\$100,000	\$493,965
2028	\$509,737	\$400,000	\$603,702
2029	\$525,029	\$370,000	\$758,731
2030	\$540,780	\$800,000	\$499,511
2031	\$557,004	\$600,000	\$456,515

STATE OF WISCONSIN

TOWN OF DELAFIELD

WAUKESHA COUNTY

ORDINANCE NO. 2021-06

**AN ORDINANCE TO REPEAL AND RE-CREATE PORTIONS OF
CHAPTER 19 OF THE TOWN OF DELAFIELD TOWN CODE
CONCERNING REGULATION OF PARKS**

WHEREAS, the Town of Delafield has a Town Code that creates certain rules and regulations relating to parks in the Town; and

WHEREAS, the Town Staff has updated the Town Code to better fit the needs of the Town; and

WHEREAS, these changes have not yet been incorporated into the Town of Delafield Town Code.

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 19 of the Town of Delafield Town Code entitled "Parks", section 19.01 entitled "Park Rules Adopted", is hereby repealed and re-created as follows:

19.01 PARK RULES ADOPTED.

(1) DEFINITIONS.

(a) Town means the Town of Delafield.

(b) Town Board means the Town of Delafield Board of Supervisors.

(c) Town staff means the Administrator, Highway Superintendent or Baseball Coordinator

~~(e) Commission means the park and recreation commission.~~

~~(d) Park includes the grounds, buildings thereon, waters therein, and any other property which is now or may hereafter be under the control or jurisdiction of the commission.~~

(2) PURPOSE. The purpose of this article is:

(a) To protect the town's parks and appurtenances thereto from fire, abuse and desecration;

(b) To provide for the recreational use of these areas;

(c) To control and regulate traffic and maintain general order therein; and

(d) To further the safety, health, comfort, morals and welfare of all persons while within the limits of the parks.

(3) Rules, Regulations, Fees and Policies.

The Town Board may adopt additional rules and regulations for the proper conduct and administration of the parks in the town that are not in consistent with the provisions of this ordinance, and may perform such other acts in managing the parks as are lawful and as it may deem expedient to promote the beauty and usefulness of said parks and to increase the comfort, safety, convenience and public welfare of the citizens of the town and of visitors to the parks in their use of same. All fees and policies for the administration of the park shall be adopted by the Town Board by separate resolution and kept on file in the Office of the Town Clerk.

(4) Permits.

All permits required by this article shall be issued by ~~a duly authorized representative of the committee~~ Town Staff in writing and shall be subject to park rules and regulations. The

persons to whom such permits have been granted shall be bound by the rules and regulations as fully as though the same were inserted in the permits, and any person to whom a permit has been issued shall be liable for any loss, damage, or injury sustained by the town or by any person by reason of the negligence of the person to whom the permit has been issued, their servants or agents, and shall save and keep the town harmless from any and all liability whatsoever arising out of such negligence.

(5) Leasing of Equipment.

The ~~commission~~-Town Board is authorized to lease equipment suitable for recreational purposes to private organizations upon such terms as it may determine provided that any such lease shall contain the provisions binding the lessee to save and keep the town harmless from any and all liability whatsoever arising out of the leasing and use of such equipment, and provided further that the ~~committee~~-Administrator may, in its discretion, in each case require lessee to provide public liability insurance covering the use of such equipment.

(6) Operating Hours.

- (a) Except for vehicular traffic moving upon through streets or roadways, and except when the ~~commission~~-Town Board publishes general permission to use all or certain parks or parkways upon summer nights, the parks and parkways shall be closed at 9:40:00 p.m. each night until 6:00 a.m. the following morning, and no person shall remain therein during those hours, provided that, the ~~committee~~-Town Board may from time-to-time, in all or any of the parks, publish or post closing hours different from the above or discontinue closing hours as in the exercise of the judgement of the ~~committee~~-Town Board may appear reasonable and necessary.
- (b) In case of emergency, or when in the judgement of the ~~commission~~-Town Board the public interest demands it, any portion of the parks or buildings and/or shelters therein may be closed to the public, or to designated persons until permission is given to return.

(7) Interference With Park Employees.

No person shall interfere with or in any manner hinder any employee of the town, nor any employee of a contractor while engaged in constructing, repairing or caring for any portion of the parks, or while in the discharge of the duties conferred by this article.

(8) Alcoholic Beverages.

The use of alcoholic beverages in the parks shall be governed pursuant to the provisions of Section 9.09 of the Town ordinance.

(9) Disorderly Conduct.

- (a) No person shall use threatening, abusive, insulting, profane or indecent language, nor be guilty of conduct that is abusive, insulting, obscene, indecent or constitutes a breach of the peace.
- (b) No person violating any of the prohibitions enumerated in subsection (1) shall be allowed to remain in any park.
- (c) All radios, television sets and any other amplified electrical equipment must be operated in compliance with Section 9.04 of the Town Code, so as not to disturb the use and enjoyment of the park and its facilities by others.

(10) Smoking and Disposal of Smoking Materials.

- (a) No person shall be permitted to smoke, or to hold a lighted cigarette, cigar, or pipe in any building, or section of a building or shelter, or where officially posted notices so prohibit.
- (b) No person shall throw or drop a lighted cigar or cigarette stub or empty a lighted pipe from a motor vehicle moving along a park drive.

(11) Sale of Soda.

The ~~committee~~-Town Staff may sell soda water beverages at Town parks.

(12) Littering.

- (a) No person shall scatter, drop or leave any piece of paper, rag, tin can, bottle, glass, peanut shells, melon rinds, banana peels or other garbage, dead flowers, or other rubbish in any portion of the parks, except in the receptacles provided for that purpose.
- (b) Any person who breaks a bottle or other glassware in any park shall immediately pick up the broken pieces and remove same to a park waste container.
- (c) No person shall deposit, dump, throw, or place any earth, rubbish, dust, manure, paper garbage, or any other refuse matter or any sand, stone, lumber, or building material, or any substance of any kind, in or upon any part of the waters, grounds, or roadways of any park without written permission of the ~~committee~~ Town Board.

(13) Public Meetings, Parades and Funeral Processions.

No public meeting or assemblies, military or other parade or procession, or funeral shall take place in or pass through the limits of any park except upon written permit from the ~~authorized representative of the committee,~~ Town Staff and pursuant to Section 4 above., ~~and The permitted activity must then stay~~ only in areas designated in the permit.

(14) Advertising and Sales.

- (a) No person shall sell, keep, or offer for sale any tangible or intangible article, merchandise, or thing; nor solicit for any trade, occupation, business or profession, or for alms, within any park without the written permit from the Town Board.
- (b) No person, except upon written permit from the authorized representative of the ~~commission~~ Town Board, pursuant to Section 4 above, shall distribute, post, affix or display any card, handbill, sign, placard, target, banner, flag (except that of the United States and the State of Wisconsin), or advertisement of any kind. The word "distribute" includes the scattering of printed matter from aircraft.

(15) Permit for Picnic Areas.

- (a) No person shall in any manner disturb, harass or interfere with any person or party holding a written permit from the ~~commission-~~ Town or with any such person's or party's equipment or property.
- (b) Permits for the exclusive use of any picnic or play area for any specific date or time may be granted at the discretion of ~~the Town Staff commission,~~ and no person shall in any manner disturb or interfere with any person or party occupying the ground under such a permit, or with any of such person's or party's equipment or property.

(16) Weapons.

- (a) No person shall carry, fire or discharge any gun, pistol, or firearm, nor any rocket, torpedo or any other fireworks of any description, nor shall any person engage in trapping; nor shall any person hunt with bow and arrow within any park. The word "gun" includes air gun.
- (b) No person shall throw stones or missiles in or into any park.

(17) Fires.

- (a) Persons shall be permitted the use of private cooking grills subject to regulations as may be prescribed. Use of charcoal shall be permitted provided lawns and other vegetation are not damaged and provided further that all unburned coals or ash are disposed of in such manner as to prevent fire or damage to any park property.
- (b) Any and all other fires within the park are strictly prohibited and governed under the provisions of Section 5.01 of the Town Code.

(18) Animals.

- (a) No animal, except those placed in the park by the authority of the town board, except dogs on leash as regulated by subsection (b) hereof, shall be conducted into or driven within the parks or be allowed to remain therein.

- (b) No person having the control or care of a dog on a leash shall permit a dog to enter or remain in a public park unless it is led by a leash of suitable strength not more than six (6) feet in length and then only within such areas in parks as have been designated by order of the town. The ~~committee~~ Town Board shall cause signs to be posted in areas wherein dogs are not permitted, including baseball, softball and soccer fields at the Sports Commons. All waste must be collected and removed in compliance with Town Ordinance of 8-8-95. All persons having control or care of a dog in a public park require must show proof of the ability to collect dog waste.
- (19) Injury to Vegetation, Structures, and Equipment.
- (a) No person shall climb any tree, or pluck any flowers or fruit, wild or cultivated, or break flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove, or in any manner injure or deface, write upon, defile or ill use any tree, shrub, flower, flower bed, turf, fountain, ornament, statue, building, fence, apparatus, bench, table, official notice, sign, bridge, structure, or other property within any park.
- (b) No person in any park shall remove any device for the protection of trees or shrubs, nor shall any person fasten an animal next to any tree, shrub, or grass plot which may become damaged by the action of the animal.
- (20) Aircraft Landing Prohibited.
- (a) No person shall ascend or land with any aircraft including gliders and parachutes, nor engage in stunt flying or parachute landing in any park without the written permit of the Town Board.
- (21) Flying objects
- (a) No person shall throw, strike, propel or otherwise operate flying or propelled objects of a potentially dangerous nature, including by way of example, without limitations, such things as model airplanes, drones, rockets, horseshoes, or rocks, except in areas designated for such use or part of an authorized sport or recreational activity.
- (21) Sleeping or camping.
- (a) No person shall camp or lodge in any park.
- (22) Public Utilities and Private Construction.
- (a) The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone, and electric power posts and lines, manholes, conduit and pumps within any park shall be subject to the jurisdiction and control of the town. Their construction, erection, repair or relocation shall be undertaken only after written permission is received from the Town Board.
- (b) No curb, weather stone, concrete or grass shall be cut for the purpose of constructing a private driveway across any park border nor for any other purpose, without written permission from the Town Board. The location, width, grade, and construction of all paths, driveways and roadways across any sidewalk border along any parkway shall be subject to the approval of, and constructed only after written permission thereof is obtained from the Town Board. Every person who shall receive a permit to open a trench, to cut a curb, or to deposit materials in or upon any park shall at all times after such work has been commenced or materials deposited, and until the same has been completed, and until all accumulations of materials resulting from such work have been removed, so guard and protect the same that persons driving or passing along the roadway sidewalk or in the vicinity of the place where the work is being done, shall not be likely to meet with any accident therefrom. Such a person shall also during the time from sunset to sunrise, each night while said work is in progress, cause the same to be securely fenced and guarded by a red light or lights placed in a conspicuous position and secured that the same shall not be extinguished.
- (23) Traffic Regulations.

In addition to all other state and local traffic regulations, the following specific regulations shall apply within the parks:

- (a) No person shall drive any automobile, motorcycle, or other vehicle traffic or burden, including "off road vehicles" upon any part of the parks except the proper drives and parking areas or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive. This subsection shall not apply to vehicles engaged in the construction, maintenance, or operation of the park or to vehicles making deliveries to the parks under permit of the ~~commission~~ [Town Staff](#).
- (b) No person shall cause any taxicab, bus limousine or other vehicle for hire to stand upon any part of the parks for the purpose of soliciting or taking in passengers or persons other than those carried to the parks by the vehicle, unless licensed by the Town Board.
- (c) No person shall cause any bus, cart, dray, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil, or any other articles, or solely in use for the carriage of goods, merchandise, manure, or other article to enter or be driven in any part of the parks. This subsection shall not apply to vehicles engaged in the construction, maintenance or operation of the park or to vehicles making deliveries to the parks under permit of the ~~commission~~ [Town Staff](#).
- (d) It shall be the duty of every person operating an automobile, motorcycle or other vehicle or traffic or burden within the parks to comply with the state, county and municipal traffic laws and with all orders, directions, and regulations of traffic officers, or officially displayed on any post, standard sign or device installed for the regulation of traffic.
- (e) The ~~commission~~ [Town Board](#) shall cause signs to be erected indicating speed limits on roads and drives. Where no such signs are posted the speed shall in no case be greater than ten (10) miles per hour.
- (f) The ~~commission~~ [Town Board](#) shall cause to be erected such other traffic control signs as are necessary or which might become necessary for the proper regulations and safe movement of vehicles and pedestrians.
- (g) Vehicles normally shall be parked in designated parking areas.

(24) Bicycles.

- (a) Riders of bicycles shall comply with the section on Traffic Regulations.
- (b) No person shall ride a bicycle upon the lawns, walks, or foot trails in the parks.
- (c) Bicycle riders shall proceed in the extreme right hand lane of the drives at all times, in a single file only.
- (d) A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold on to any moving vehicle for purpose of being drawn along.
- (e) Children riding bicycles that have wheels less than twenty (20) inches in diameter may use the footpaths.
- (f) Wherever possible, bicycles, shall be parked in places provided for such purpose.

(25) Horseback Riding.

No person shall ride horseback in any park.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this _____ day of _____, 2021.

TOWN OF DELAFIELD

Ron Troy, Town Chairman

ATTEST:

Dan Green, Town Administrator/Clerk

Published and/or posted this _____ day of _____, 2021.

PARKS

19.01 PARK RULES ADOPTED.(1) DEFINITIONS.

- (a) Town means the Town of Delafield.
- (b) Town Board means the Town of Delafield Board of Supervisors.
- (c) Town staff means the Administrator, Highway Superintendent or Baseball Coordinator
- ~~(e) Commission means the park and recreation commission.~~
- ~~(d) Park includes the grounds, buildings thereon, waters therein, and any other property which is now or may hereafter be under the control or jurisdiction of the commission.~~

(2) PURPOSE. The purpose of this article is:

- (a) To protect the town's parks and appurtenances thereto from fire, abuse and desecration;
- (b) To provide for the recreational use of these areas;
- (c) To control and regulate traffic and maintain general order therein; and
- (d) To further the safety, health, comfort, morals and welfare of all persons while within the limits of the parks.

(3) Rules, Regulations, Fees and Policies.

The Town Board may adopt additional rules and regulations for the proper conduct and administration of the parks in the town that are not inconsistent with the provisions of this ordinance, and may perform such other acts in managing the parks as are lawful and as it may deem expedient to promote the beauty and usefulness of said parks and to increase the comfort, safety, convenience and public welfare of the citizens of the town and of visitors to the parks in their use of same. All fees and policies for the administration of the park shall be adopted by the Town Board by separate resolution and kept on file in the Office of the Town Clerk.

(4) Permits.

All permits required by this article shall be issued by ~~a duly authorized representative of the committee~~ Town Staff in writing and shall be subject to park rules and regulations. The persons to whom such permits have been granted shall be bound by the rules and regulations as fully as though the same were inserted in the permits, and any person to whom a permit has been issued shall be liable for any loss, damage, or injury sustained by the town or by any person by reason of the negligence of the person to whom the permit has been issued, their servants or agents, and shall save and keep the town harmless from any and all liability whatsoever arising out of such negligence.

(5) Leasing of Equipment.

The ~~commission~~ Town Board is authorized to lease equipment suitable for recreational purposes to private organizations upon such terms as it may determine provided that any such lease shall contain the provisions binding the lessee to save and keep the town harmless from any and all liability whatsoever arising out of the leasing and use of such equipment, and provided further that the ~~committee~~ Administrator may, in its discretion, in each case require lessee to provide public liability insurance covering the use of such equipment.

(6) Operating Hours.

- (a) Except for vehicular traffic moving upon through streets or roadways, and except when the ~~commission~~ Town Board publishes general permission to use all or certain parks or parkways upon summer nights, the parks and parkways shall be closed at ~~9:40:00~~ 9:00 p.m. each night until 6:00 a.m. the following morning, and no person shall remain therein during those hours, provided that, the ~~committee~~ Town Board may from time-to-time, in all or any of the parks, publish or post closing hours different from the above or discontinue closing hours as in the exercise of the judgement of the ~~committee~~ Town Board may appear reasonable and necessary.
- (b) In case of emergency, or when in the judgement of the ~~commission~~ Town Board the public interest demands it, any portion of the parks or buildings and/or shelters therein may be closed to the public, or to designated persons until permission is given to return.

- (7) Interference With Park Employees.
No person shall interfere with or in any manner hinder any employee of the town, nor any employee of a contractor while engaged in constructing, repairing or caring for any portion of the parks, or while in the discharge of the duties conferred by this article.
- (8) Alcoholic Beverages.
The use of alcoholic beverages in the parks shall be governed pursuant to the provisions of Section 9.09 of the Town ordinance.
- (9) Disorderly Conduct.
(a) No person shall use threatening, abusive, insulting, profane or indecent language, nor be guilty of conduct that is abusive, insulting, obscene, indecent or constitutes a breach of the peace.
(b) No person violating any of the prohibitions enumerated in subsection (1) shall be allowed to remain in any park.
(c) All radios, television sets and any other amplified electrical equipment must be operated in compliance with Section 9.04 of the Town Code, so as not to disturb the use and enjoyment of the park and its facilities by others.
- (10) Smoking and Disposal of Smoking Materials.
(a) No person shall be permitted to smoke, or to hold a lighted cigarette, cigar, or pipe in any building, or section of a building or shelter, or where officially posted notices so prohibit.
(b) No person shall throw or drop a lighted cigar or cigarette stub or empty a lighted pipe from a motor vehicle moving along a park drive.
- (11) Sale of Soda.
The ~~committee~~ Town Staff may sell soda water beverages at Town parks.
- (12) Littering.
(a) No person shall scatter, drop or leave any piece of paper, rag, tin can, bottle, glass, peanut shells, melon rinds, banana peels or other garbage, dead flowers, or other rubbish in any portion of the parks, except in the receptacles provided for that purpose.
(b) Any person who breaks a bottle or other glassware in any park shall immediately pick up the broken pieces and remove same to a park waste container.
(c) No person shall deposit, dump, throw, or place any earth, rubbish, dust, manure, paper garbage, or any other refuse matter or any sand, stone, lumber, or building material, or any substance of any kind, in or upon any part of the waters, grounds, or roadways of any park without written permission of the ~~committee~~ Town Board.
- (13) Public Meetings, Parades and Funeral Processions.
No public meeting or assemblies, military or other parade or procession, or funeral shall take place in or pass through the limits of any park except upon written permit from the ~~authorized representative of the committee~~, Town Staff and pursuant to Section 4 above, and then only in areas designated in the permit.
- (14) Advertising and Sales.
(a) No person shall sell, keep, or offer for sale any tangible or intangible article, merchandise, or thing; nor solicit for any trade, occupation, business or profession, or for alms, within any park without the written permit from the Town Board.
(b) No person, except upon written permit from the authorized representative of the ~~commission~~ Town Board, pursuant to Section 4 above, shall distribute, post, affix or display any card, handbill, sign, placard, target, banner, flag (except that of the United States and the State of Wisconsin), or advertisement of any kind. The word "distribute" includes the scattering of printed matter from aircraft.
- (15) Permit for Picnic Areas.
(a) No person shall in any manner disturb, harass or interfere with any person or party holding a written permit from the ~~commission~~ Town or with any such person's or party's equipment or property.

Formatted: Indent: Left: 0.5"

- (b) Permits for the exclusive use of any picnic or play area for any specific date or time may be granted at the discretion of ~~the Town Staff~~ commission, and no person shall in any manner disturb or interfere with any person or party occupying the ground under such a permit, or with any of such person's or party's equipment or property.
- (16) Weapons.
- (a) No person shall carry, fire or discharge any gun, pistol, or firearm, nor any rocket, torpedo or any other fireworks of any description, nor shall any person engage in trapping; nor shall any person hunt with bow and arrow within any park. The word "gun" includes air gun.
- (b) No person shall throw stones or missiles in or into any park.
- (17) Fires.
- (a) Persons shall be permitted the use of private cooking grills subject to regulations as may be prescribed. Use of charcoal shall be permitted provided lawns and other vegetation are not damaged and provided further that all unburned coals or ash are disposed of in such manner as to prevent fire or damage to any park property.
- (b) Any and all other fires within the park are strictly prohibited and governed under the provisions of Section 5.01 of the Town Code.
- (18) Animals.
- (a) No animal, except those placed in the park by the authority of the town board, except dogs on leash as regulated by subsection (b) hereof, shall be conducted into or driven within the parks or be allowed to remain therein.
- (b) No person having the control or care of a dog on a leash shall permit a dog to enter or remain in a public park unless it is led by a leash of suitable strength not more than six (6) feet in length and then only within such areas in parks as have been designated by order of the town. The ~~committee~~ Town Board shall cause signs to be posted in areas wherein dogs are not permitted, including baseball, softball and soccer fields at the Sports Commons. All waste must be collected and removed in compliance with Town Ordinance of 8-8-95. All persons having control or care of a dog in a public park require proof of the ability to collect dog waste.
- (19) Injury to Vegetation, Structures, and Equipment.
- (a) No person shall climb any tree, or pluck any flowers or fruit, wild or cultivated, or break flowers or fruit, wild or cultivated, or break, cut down, trample upon, remove, or in any manner injure or deface, write upon, defile or ill use any tree, shrub, flower, flower bed, turf, fountain, ornament, statue, building, fence, apparatus, bench, table, official notice, sign, bridge, structure, or other property within any park.
- (b) No person in any park shall remove any device for the protection of trees or shrubs, nor shall any person fasten an animal next to any tree, shrub, or grass plot which may become damaged by the action of the animal.
- (20) Aircraft Landing Prohibited.
- (a) No person shall ascend or land with any aircraft including gliders and parachutes, nor engage in stunt flying or parachute landing in any park without the written permit of the Town Board.
- (21) Flying objects
- (a) No person shall throw, strike, propel or otherwise operate flying or propelled objects of a potentially dangerous nature, including by way of example, without limitations, such things as model airplanes, drones, rockets, horseshoes, or rocks, except in areas designated for such use or part of an authorized sport or recreational activity.
- (21) Sleeping or camping.
- (a) No person shall camp or lodge in any park.
- (22) Public Utilities and Private Construction.
- (a) The location of all sewers and receivers, gas pipes, water pipes, stopcock boxes, hydrants, lamp posts, telegraph, telephone, and electric power posts and lines, manholes, conduit and pumps within any park shall be subject to the jurisdiction and

Formatted: Underline

Formatted: Indent: Left: 0.75"

control of the town. Their construction, erection, repair or relocation shall be undertaken only after written permission is received from the Town Board.

- (b) No curb, weather stone, concrete or grass shall be cut for the purpose of constructing a private driveway across any park border nor for any other purpose, without written permission from the Town Board. The location, width, grade, and construction of all paths, driveways and roadways across any sidewalk border along any parkway shall be subject to the approval of, and constructed only after written permission thereof is obtained from the Town Board. Every person who shall receive a permit to open a trench, to cut a curb, or to deposit materials in or upon any park shall at all times after such work has been commenced or materials deposited, and until the same has been completed, and until all accumulations of materials resulting from such work have been removed, so guard and protect the same that persons driving or passing along the roadway sidewalk or in the vicinity of the place where the work is being done, shall not be likely to meet with any accident therefrom. Such a person shall also during the time from sunset to sunrise, each night while said work is in progress, cause the same to be securely fenced and guarded by a red light or lights placed in a conspicuous position and secured that the same shall not be extinguished.

(23) Traffic Regulations.

In addition to all other state and local traffic regulations, the following specific regulations shall apply within the parks:

- (a) No person shall drive any automobile, motorcycle, or other vehicle traffic or burden, including "off road vehicles" upon any part of the parks except the proper drives and parking areas or permit the same to stand upon the drives or any part thereof so as to congest traffic or obstruct the drive. This subsection shall not apply to vehicles engaged in the construction, maintenance, or operation of the park or to vehicles making deliveries to the parks under permit of the ~~commission~~Town Staff.
- (b) No person shall cause any taxicab, bus limousine or other vehicle for hire to stand upon any part of the parks for the purpose of soliciting or taking in passengers or persons other than those carried to the parks by the vehicle, unless licensed by the Town Board.
- (c) No person shall cause any bus, cart, dray, wagon, truck or trailer or other vehicle carrying goods, merchandise, manure, soil, or any other articles, or solely in use for the carriage of goods, merchandise, manure, or other article to enter or be driven in any part of the parks. This subsection shall not apply to vehicles engaged in the construction, maintenance or operation of the park or to vehicles making deliveries to the parks under permit of the ~~commission~~Town Staff.
- (d) It shall be the duty of every person operating an automobile, motorcycle or other vehicle or traffic or burden within the parks to comply with the state, county and municipal traffic laws and with all orders, directions, and regulations of traffic officers, or officially displayed on any post, standard sign or device installed for the regulation of traffic.
- (e) The ~~commission-Town Board~~ shall cause signs to be erected indicating speed limits on roads and drives. Where no such signs are posted the speed shall in no case be greater than ten (10) miles per hour.
- (f) The ~~commission-Town Board~~ shall cause to be erected such other traffic control signs as are necessary or which might become necessary for the proper regulations and safe movement of vehicles and pedestrians.
- (g) Vehicles normally shall be parked in designated parking areas.

(24) Bicycles.

- (a) Riders of bicycles shall comply with the section on Traffic Regulations.
- (b) No person shall ride a bicycle upon the lawns, walks, or foot trails in the parks.
- (c) Bicycle riders shall proceed in the extreme right hand lane of the drives at all times, in a single file only.
- (d) A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold on to any moving vehicle for purpose of being drawn along.
- (e) Children riding bicycles that have wheels less than twenty (20) inches in diameter may use the footpaths.
- (f) Wherever possible, bicycles, shall be parked in places provided for such purpose.

(25) Horseback Riding.

No person shall ride horseback in any park.

19.02 SKATEBOARD AREA RULES ADOPTED (created 2003-007)

- (1) The Skateboard Area shall be open from sunrise to sunset, notwithstanding the general park rules found at §19.01.
- (2) The following items and activities are prohibited within the Skateboard Area, notwithstanding any general park rules which govern the Sports Commons:
 - (a) Smoking
 - (b) Alcohol
 - (c) Glass containers
 - (d) Graffiti
 - (e) Homemade ramps
 - (f) Littering
 - (g) Bicycles
- (3) The provisions of section §19.01 apply to the Skateboard Area at the Town Sports Commons, except for those sections that contradict the specific provisions set forth herein.
- (4) The Park and Recreation Department may enact any other rules or regulations deemed necessary for the safety and well being of the people using the Skateboard Area and to preserve the amenities located there.

PUBLIC WATERS

19.05 APPLICABILITY AND ENFORCEMENT. The provisions of this chapter shall apply to the waters of Pewaukee Lake, within the jurisdiction of the Town of Delafield. The provisions of this chapter shall be enforced by the officers of the Water Safety Patrol Unit under jurisdiction of the Town of Delafield.

19.06 STATE BOATING AND WATER SAFETY LAWS ADOPTED. The statutory provisions describing and defining regulations with respect to water traffic, boats, boating and related water activities in the following enumerated sections of the Wisconsin Statutes, exclusive of any provisions therein relating to the penalties to be imposed or the punishment for violation of such statutes, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by the provisions of any statute incorporated by reference herein is required or prohibited by this chapter.

§30.50	Definitions
§30.501	Capacity Plates on Boats
§30.51	Operation of Unnumbered Boats Prohibited
§30.52	Certificate of Number
§30.53	Identification Number to be Displayed on Boat; Certificate to be Carried
§30.54	Transfer of Ownership of Numbered Boat
§30.55	Notice of Abandonment or Destruction of Boat or Change of Address
§30.60	Classification of Motorboats
§30.61	Lighting Equipment
§30.62	Other Equipment
§30.64	Patrol Boats Exempt from Certain Traffic Regulations
§30.65	Traffic Rules
§30.66(1)	Speed Regulations
§30.67	Accidents and Accident Reports
§30.675	Distress Signal Flag
§30.68	Prohibited Operation
§30.69	Water Skiing
§30.70	Skin Diving
§30.71	Boats Equipped with Toilets
§30.79	Municipal Water Safety Patrols

19.07 DEFINITIONS.

- (1) SHORE ZONE. The water area within 200' of any shore.
- (2) SWIMMING ZONE. An authorized area marked by official buoys to designate a swimming area.
- (3) ANCHORAGE, MOORAGE. An area where continuous anchoring or mooring of boats for more than 24 hours is permitted.
- (4) HOUSEBOAT. A boat on which a toilet or food preparation facilities exist and on which persons are living, sleeping or camping.
- (5) PUBLIC LANDING. A marina or landing facility and the adjoining public shoreline under the jurisdiction of the State, county or municipality.
- (6) SEALED OR INOPERATIVE TOILETS OR HEADS. Toilets or heads plugged from the outside of the hull in such a manner that the plug cannot be removed from the inside of the boat.

19.08 SPEED RESTRICTIONS.

- (1) GENERAL LIMITS. No person shall operate a motorboat at a speed in excess of 10 mph between one-half hour after sunset and one-half hour before sunrise on all waters, and no person shall operate a boat at a speed in excess of 50 mph at any time. This provision shall not apply to boats participating in authorized races over a course laid out and plainly marked and adequately patrolled.
- (2) SPECIAL LIMITS. No person shall at any time operate a motorboat in excess of 5 mph within 200' of any shore, swimmer not in a designated swimming area, marked public swimming area, diving flag, canoe, rowboat, sailboat, non-operating motorboat, bridge or public landing or anchorage.

19.09 OPERATION BY MINORS. No person under 12 years of age shall operate or be permitted to operate a motorboat of more than 10 horsepower unless there is present in the boat a person 16 years of age or older. The owner of the boat shall be held to have violated this section if he knowingly permits or suffers any such operation.

19.10 CAPACITY RESTRICTIONS. No person shall operate or loan, rent or permit a boat to leave the place where it is customarily kept for operation on the waters covered by this chapter with more passengers or cargo than a safe load.

19.11 ADDITIONAL TRAFFIC RULES. In addition to the traffic rules in §30.65, Wis. Stats., adopted in §19.06 of this chapter, the following rules shall apply to boats using the waters covered by this chapter.

- (1) RIGHT-OF-WAY AT DOCKS, PIERS AND WHARVES. Boats leaving or departing from a pier, dock or wharf shall have the right-of-way over all other watercraft approaching such dock, pier or wharf.
- (2) RIGHT-OF-WAY OF SAILBOATS. Boats propelled entirely by muscular power shall yield the right-of-way to sailboats, when necessary to avoid risk of collision.
- (3) HOUSEBOATS. Anchoring, drifting or mooring of houseboats is prohibited from midnight to sunrise. However, unoccupied houseboats may be anchored in designated anchorages or moored to shore during this period with written permission of the property owner and where suitable shore sanitary facilities are available for use.

19.12 INTOXICATION AND INTOXICATING LIQUORS. No person shall permit any person who is so intoxicated as to be unable to provide for his own safety or the safety of others, to ride as a passenger in any boat operated by him.

19.13 ANCHORAGES AND STATIONARY OBJECTS.

- (1) RAFTS AND BUOYS. No person shall erect or maintain any raft, ski jump, stationary platform or any other obstacle to navigation more than 200' from the shore at any time unless a permit is obtained from the Chief of the Water Safety Patrol. All rafts and other obstacles described in this section shall be so constructed or anchored as to provide at least 6" of freeboard above the waterline, painted white, and have attached not less than 12" from each corner or projection, a red reflector not less than 3" in diameter. All rafts shall be inscribed with the name and address of the owner.

- (2) DESIGNATION OF ANCHORAGES. The shore zone is designated an anchorage or moorage except in areas of heavy traffic where anchoring or mooring may be prohibited by order of the Chief of the Water Safety Patrol. Anchoring or mooring of a boat other than an emergency craft is prohibited in swimming zones. Anchoring or mooring for more than 24 hours is prohibited elsewhere on the lake.
- (3) PUBLIC LANDINGS. Mooring or anchoring of boats at public landings other than at piers as designated by the controlling governmental agency is prohibited.
- (4) MOORING LIGHTS REQUIRED. No person shall moor or anchor any unoccupied boat, raft, buoy or other floating object more than 200' from the shoreline between sunset and sunrise unless a permit has been obtained from the Chief of the Water Safety Patrol and there is prominently displayed thereon a white light of sufficient size and brightness to be visible from any direction for a distance of 1500' on a dark night with clear atmosphere except as provided in par. (e). This provision shall not apply to the shore zone or objects moored or anchored in designated anchorages.
- (5) BUOYS MARKING RACE COURSES. Such buoys may be set without lighting provided that a permit has been obtained from the Chief of Water Safety Patrol and that they are a bright color and that they are made of materials which will not damage a boat if struck.
- (6) MOORING BUOYS. All mooring buoys placed on the water of the lake must comply with regulations of the Department of Natural Resources. Special permits shall be issued by the Chief of Water Safety Patrol for temporary nonconforming buoys necessary during regattas and sporting events.

19.14 SAFE OPERATION REQUIRED. No person shall operate, direct or handle a boat in such manner as to unreasonably annoy, unnecessarily frighten or endanger the occupants of his or other boats.

19.15 SWIMMING REGULATIONS.

- (1) SWIMMING FROM BOAT. No person shall swim from any unmanned boat unless such boat is anchored.
- (2) DISTANCE FROM SHORE. No person shall swim more than 200' from the shore unless in a designated swimming zone or when accompanied by a competent person in a boat.
- (3) HOURS LIMITED. No person shall swim more than 200' from the shoreline between sunset and sunrise.

19.16 WATER SKIING.

- (1) PERSONS IN A BOAT. No person shall operate a boat for the purpose of towing a person on water skis, aquaplane or similar device or permit himself to be towed for such purpose unless there are 2 or more competent persons 12 years of age or over in such a boat.
- (2) HOURS. No person shall operate a boat for the purpose of towing a water skier, aquaplane or similar device or engage in water skiing between sunset and 10 a.m.
- (3) DISTANCE FROM SHORE, LANDINGS AND BEACHES. No person shall operate a boat for the purpose of towing a water skier, and no water skier shall ski within 200' of the shoreline (except that take-offs of skiers perpendicular to the shoreline from piers are permitted, provided boats adhere to the speed limits for shore zones), or the outside limits of any swimming zone, any other watercraft, any swimmer not in a designated swimming area, any diving flag, or within 200' of any public boat landing.
- (4) LIFE PRESERVER OR BELT. No person shall engage in water skiing, aquaplaning or similar activity unless he is wearing a life belt or preserver.
- (5) LENGTH OF TOW. The maximum length of any tow rope for towing a person water skiing, aquaplaning or similar activity shall be 75'.
- (6) EXCEPTIONS. The limitations of this section shall not apply to participants in ski meets or exhibitions authorized and conducted as provided in §19.18.

19.17 LITTERING WATERS PROHIBITED. No person shall deposit, place or throw from any boat, raft, pier, platform or similar structure any cans, paper, debris, refuse, garbage, solid or liquid waste into the water or onto the ice.

19.18 RACES, REGATTAS, SPORTING EVENTS AND EXHIBITIONS.

- (1) PERMITS REQUIRED. No person shall direct or participate in any boat race, regatta, water ski meet or other water sporting event or exhibition unless such event has been authorized

and a permit issued therefor by the Chief of the Water Safety Patrol.

- (2) PERMIT. A permit issued under this section shall specify the course or area of water to be used by participants in such event and the permittee shall be required to place markers, flags or buoys approved by the Chief of Water Safety Patrol designating the specified area. Permits shall be issued only if, in the opinion of the Chief, the proposed use of the water can be carried out safely and without danger to or substantial obstruction of other watercraft or persons using the lake. Permits shall be valid only for the hours and areas specified thereon.
- (3) RIGHT-OF-WAY OF PARTICIPANTS. Boats and participants in any such permitted event shall have the right-of-way on the marked area and no other person shall obstruct such area during the race of event or interfere therewith.

19.19 MARKER AND NAVIGATION AIDS, POSTING OF.

- (1) DUTY OF CHIEF. The Chief of the Water Safety Patrol unit shall place authorized markers, navigation aids and signs in such water areas as shall be appropriate to advise the public of the provisions of this chapter and post and maintain a copy of this chapter at all public access points within the jurisdiction of the Village of Pewaukee, the Town of Delafield and Pewaukee and the County of Waukesha.
- (2) STANDARD MARKERS. All markers placed by the Chief of the Water Safety Patrol or any other person upon the waters of the lake shall comply with the regulations of the Department of Natural Resources.
- (3) INTERFERENCE WITH MARKERS PROHIBITED. No person shall, without authority, remove, damage, destroy, moor or attach any watercraft to any buoy, beacon or marker placed in the waters of the lake by the authority of the United States, State, County, Town, village or by any private person pursuant to the provisions of this chapter.

19.20 DRIVING AUTOMOBILES OR OTHER MOTOR DRIVEN VEHICLES ON THE ICE.

- (1) SAFE OPERATION. No person shall use or operate any automobile or other motor driven vehicle in any manner so as to endanger persons engaged in skating or in any other winter sport or recreational activity being engaged in upon the ice and no person shall, while using or operating any automobile or motor driven vehicle, tow, pull or push any person or persons on skates, sleds, skis, toboggan or device, or thing of any kind, designated or utilized to carry or support one or more persons.
- (2) SPEED. No person shall use or operate any automobile or other motor driven vehicle at a speed in excess of 10 mph.
- (3) PROPELLER DRIVEN SURFACE CRAFT PROHIBITED. No person shall operate any propeller driven surface vehicle, device or thing, whether or not designated for the transporting of a person or persons.
- (4) HOURS. No person shall use or operate any automobile or motor driven vehicle on the ice after 8:30 p.m.
- (5) DEFINITIONS.
 - (a) AUTOMOBILE. All motor vehicles permitted to be operated on the highways in Wisconsin.
 - (b) MOTOR DRIVEN VEHICLE. Any kind of device or thing designated or utilized for propulsion or movement upon the ice using a motor, whether of internal combustion design or not.
- (6) RISK AND LIABILITY. All traffic on the icebound water of Pewaukee Lake shall be at the risk of the traveler as set forth in §30.81(3), Wis. Stats., and nothing in this chapter shall be construed as rendering the enacting authority liable for any accident to those engaged in permitted traffic while this chapter is in effect.

19.21 PIERHEAD LINE. Pursuant to §30.11, Wis. Stats., a pierhead line is established within 100' of the shoreline of Pewaukee Lake. The line applies to all lands regardless of zoning classification and is shown on an official map on file in the office of the Town Clerk. For purposes of this section, "shoreline" is defined as the intersection of the land surfaces abutting the lake with the average annual high water elevation. Exceptions to the line shall require the approval of the Town Board and the Department of

Natural Resources.

PENALTIES

19.25 PENALTIES AND DEPOSITS.

- (1) STATE STATUTES. Any person violating the provisions of any statute adopted by reference in §19.05 of this chapter shall be subject to a forfeiture not to exceed the maximum forfeiture allowed under the comparable State offense, including any variations or increases for second and subsequent offenses, plus costs and assessments where applicable.
- (2) LOCAL PROVISIONS. Any person violating any other provision of this chapter shall be subject to a penalty as provided in §25.04 of this General Code of Ordinances.
- (3) MONEY DEPOSITS. Any officer arresting a person for violation of a provision of this chapter who is unable to bring the person arrested before the court without unnecessary delay shall permit such person to make a money deposit as provided in §30.76, Wis. Stats. Such deposit shall be made to the Law Enforcement Officer or other person designated for collections.

STATE OF WISCONSIN

TOWN OF DELAFIELD

WAUKESHA COUNTY

ORDINANCE NUMBER 2021-07

**AN ORDINANCE GRANTING LIMITED EXPENDITURE,
CONTRACTING AND CONTRACT EXECUTION AUTHORITY TO THE
TOWN ADMINISTRATOR/CLERK/TREASURER AND TOWN CHAIR**

WHEREAS, Wisconsin Statutes Section 60.22(1) states the Town Board has charge of all affairs of the Town not committed by law to another body or officer or to a town employee; and

WHEREAS, the Town of Delafield Municipal Code Section 2.01 indicates the Town Board has Village powers pursuant to section 60.22(3) Wis. Stats., by resolution of the annual Town meeting dated April 2, 1935; and

WHEREAS, it is often necessary in the administration of the legislative policies adopted by the Town of Delafield Town Board, and to carry out the budgetary approvals granted by the Town of Delafield Town Board, for the Town of Delafield to make expenditures or enter contracts for labor, materials, supplies and equipment in situations where it is not possible or practicable to convene the Town Board to act in the matter; and

WHEREAS, frequently time is of the essence regarding such contracts and expenditures; and

WHEREAS, in emergency situations or when timing is deemed to be critical, where the dollar amount for such expenditures or contracts is equal to or less than \$25,000, the Town Board finds that the Town of Delafield is best served if such contracts are entered in a timely manner, without the additional time and expense of calling a special Town Board meeting, provided that the contract pursues a legislative policy adopted by the Town Board, and is consistent with the budgetary approvals granted by the Town Board; and

WHEREAS, Wisconsin Statutes Section 60.44(2) and 66.0609 provide an alternative method of paying claims in the nature of bills and vouchers, and the Town Board hereby intends to adopt such alternative powers.

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin DO ORDAIN as follows:

SECTION 1: Chapter 2 of the Town Code of the Town of Delafield entitled, "The Governing Body," Section 2.08 entitled, "Appropriation Ordinances or Resolutions," is hereby repealed and re-created as follows:

2.08 APPROPRIATION ORDINANCES OR RESOLUTIONS. All ordinances or resolutions appropriating money or creating any charge against the Town other than the payment of claims for purchases or work previously authorized by the Board shall only be acted upon by the Board at the next regular meeting, provided this provision may be suspended by affirmative action of all members of the Board. A roll call vote shall be taken and recorded on all appropriations, except as to alternative methods provided in Section 3.12 of this Code.

SECTION 2: Chapter 3 of the Town Code of the Town of Delafield entitled "Finance and Taxation," Section 3.05 entitled "Public Contracts," the introductory paragraph only, with the numbered subsections unchanged, is hereby repealed and re-created as follows:

The Town Board shall let, pursuant to the provisions of ~~§66.29~~60.47, Wis. Stats., all public contracts as defined in ~~§66.29(1)(e)~~, 60.47(1)(a), Wis. Stats., the estimated cost or amount involved of which shall not exceed ~~\$5,000~~\$25,000.

SECTION 3: Chapter 3 of the Town Code of the Town of Delafield entitled "Finance and Taxation," Section 3.12 entitled "Alternative Limited Expenditure and Contracting Authority Delegated" is hereby created as follows.

3.12 Alternative Limited Expenditure and Contracting Authority Delegated.

- (1) The Town Administrator/Clerk/Treasurer and Town Chair, jointly, shall have the power to approve contracts and expenditures, for the Town of Delafield for bills, vouchers, labor, materials, supplies or equipment, subject to the following conditions:
 - (A) Any such contract or expenditure shall be for less than or equal to \$25,000 in total cost;
 - (B) The contract or expenditure must be approved by both the Town Administrator/Clerk/Treasurer and Town Chair;
 - (C) The contract or expenditure must be consistent with, and must not exceed, the budgetary approvals granted by the Town Board and the Town Chair, and the Town Administrator/Clerk/Treasurer must find all of the following:
 - i. Funds are available under the town budget to make payment.
 - ii. The item or service has been duly authorized.
 - iii. The item or service has been supplied or rendered in conformity with the authorization.
 - iv. For expenditures, the claim appears to be a valid claim against the Town.
 - (D) The contract or expenditure must require prompt action prior to the next regular meeting of the Town Board, as determined by the Town Administrator/Clerk/Treasurer and Town Chair. Any contract or expenditure that does not require this prompt action cannot be approved by this alternative procedure of Section 3.12, and must await Town Board action.
 - (E) The Town Administrator/Clerk/Treasurer must notify the Town Board of the contract or expenditure within a reasonable time following approval, no less frequently than monthly, not to reconsider the approval, but for the purposes of monitoring the Town Administrator/Clerk/Treasurer's and Town Chair's activities pursuant to this ordinance.

- (2) The contracts and expenditures approved pursuant to this Section 3.12 require the execution in the name of the Town by the Town Administrator/Clerk/Treasurer and Town Chair.

SECTION 4: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 5: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this ____ of _____, 2021

TOWN OF DELAFIELD

Ronald Troy, Town Chair

ATTEST:

Dan Green, Town Administrator/Clerk/Treasurer

Published and/or posted this ____ day of _____, 2021.

1

CHAPTER 2

THE GOVERNING BODY

2.01	Village Board Powers Adopted
2.02	Meetings
2.03	Adjournment to Specific Date
2.04	Conduct of Meetings
2.05	Duties of Presiding Officer
2.06	Absences
2.07	Conduct of Deliberations
2.08	Appropriation Ordinances or Resolutions
2.09	Reconsideration
2.10	Suspension of Rules
2.11	Procedures at Public Hearings

THE GOVERNING BODY

- 2.01 VILLAGE BOARD POWERS ADOPTED. (Am. MSC '85) The Town Board has Village Board powers pursuant to 60.22(3), Wis. Stats., by resolution of the annual Town meeting dated April 2, 1935.
- 2.02 MEETINGS.
- (1) OPEN MEETING LAW. All meetings of the Town Board, committees, boards and commissions shall be open to the public and preceded by public notice as provided in §19.84, Wis. Stats.
 - (2) REGULAR MEETINGS. (Rep. & rec. 98-456) Regular Meetings of the Town Board shall be held on the second and fourth Tuesday of the month at 6:30 p.m. Any regular meeting falling upon a legal holiday shall be held on the day designated by the Board. All meetings of the Board shall be held in the Town Hall, including special and adjourned meetings, unless otherwise designated. Notice of a substitute meeting place shall be given the public by posting a written notice of the substitute meeting place and time thereof on the outer door of the Town Hall at least 8 hours prior to such meeting. [The Town Chairman or the Board, by majority vote, may cancel any regular meeting. When possible, notice of such cancellation shall be given at least 24 hours prior to the meeting.](#)
 - (3) SPECIAL MEETINGS. (Rep. & rec. 2013-09) Special meetings of the Town Board may be called in one of the following ways: (a) by the Town Chair, with oral or written notice to the Town Clerk; or (b) by duly adopted motion of the Town Board, made and adopted at a properly noticed preceding Town Board meeting; or (c) by any 2 Supervisors in writing, filed with the Clerk at least 36 hours prior to the time specified for such meeting. When a special Town Board meeting is called, by any such method, the Town Clerk shall immediately notify each Supervisor of the time and purpose of such meeting. Only the business for which such special meeting was called shall be transacted at the special meeting.
- 2.03 ADJOURNMENT TO SPECIFIC DATE. The Board may by a majority vote adjourn any regular or special meeting from time to time to a specific date and hour.
- 2.04 CONDUCT OF MEETINGS.
- (1) The business of the Board shall be conducted in the following order: (Am. #187)(Am. #95-374)
 - (a) Call to order by presiding officer.
 - (b) Pledge of allegiance.
 - (c) Roll Call. (If a quorum is not present, the meeting shall thereupon adjourn, which may be to a specific date pursuant to §2.03).
 - (d) Citizen Comments: Public comments from citizens regarding items on, or not on the Agenda. The Board may not engage in a discussion with the citizen making the comments. During this period of citizen comments, the following procedures shall apply;
 1. Each citizen wishing to address the Board will have up to three (3) minutes to speak.
 2. Presentations shall be directed to topics subject to Town Board action and related to the Town of Delafield. Presentations are not limited to items on the agenda.
 3. Comments shall be limited to thirty (30) minutes in total, unless otherwise deemed appropriate by the Chairman or Consensus of the Town Board; the time limit may be increased by increments of 15 minutes.
 4. All comments shall be directed only to the members of the Town Board, and not to Town staff, the applicant, other residents, or members of the audience.
 5. Speakers shall not make comments regarding personalities of the Town Board, Town staff, applicants or members of the audience.
 6. Speaker's comments shall not attempt or be designed for the purpose of engaging the Town Board, Town staff, applicants, or members of the audience in a debate, conversation or a question and answer session.
 7. Speakers are not allowed to yield time to another speaker.
 8. Speakers are limited to speaking once during citizen comments
 9. No Board member may address the board during citizen comments.
 - (e) Approval of Minutes if correct, and rectifying mistakes if any exist.

3

- (f) Action on budget sub-accounts if necessary, and vouchers submitted for payment.
- (g) Communications (for discussion and possible action).
- (h) Unfinished Business
- (i) New Business
- (j) Announcements and Planning Items
- (k) Adjournment

(2) In the absence of the Clerk the Chairman shall appoint a Clerk pro tem.

2.05 DUTIES OF PRESIDING OFFICER. The Chairman at the stated hour shall call the meeting to order. He shall preserve order and decorum, decide all questions of order, and conduct the proceedings of the meeting in accordance with the parliamentary rules contained in Roberts' Rules of Order, current edition, unless otherwise provided by statute or by these rules. Any member shall have the right of appeal from a decision of the presiding officer. No appeal shall be debatable, and the appeal may be sustained by a majority of the members present, exclusive of the Chairman.

2.06 ABSENCES. If the Chairman is absent at the designated time for any meeting, the Clerk or, in his absence, the senior Supervisor present, based on date of original elections as Supervisor, shall call the meeting to order and preside until the Board shall by motion select an acting Chairman for that meeting.

2.07 CONDUCT OF DELIBERATIONS. The deliberations of the Board shall be conducted in the following manner:

- (1) No Supervisor shall address the Board until he has been recognized by the presiding officer. He shall thereupon address himself to the Chairman and confine his remarks to the question under discussion and avoid all personalities.
- (2) When 2 or more members simultaneously seek recognition the presiding officer shall name the member who is to speak first.
- (3) Unless recognized by the Chairperson, no person other than a board member shall address the Board except under order of business as provided in §2.04.
- (4) No motion shall be discussed or acted upon unless and until it has been seconded, unless the rules permit one Supervisor to initiate action. No motion shall be withdrawn without the consent of the person making the same and the person seconding it.
- (5) When a question is under discussion, no action shall be in order, except to adjourn, to lay on the table, move the previous question, to postpone to a certain day, to refer to a committee, to amend, to postpone indefinitely. These motions shall have precedence in the order listed.
- (6) Any member desirous of terminating the debate may move the previous question, in which event the Chairman shall announce the question as "Shall the main question now be put?" If a majority of the members present vote in the affirmative, the main question shall be taken without further debate, its effect being to put an end to all debate and bring the Board to a direct vote, first upon any pending amendments, and then upon the main question.
- (7) Any Supervisor may demand an aye and nay vote on any matter and such vote shall be entered in the proceedings. Every member shall vote when a question is put unless the Board by a majority vote of those present shall excuse him for special cause. A majority vote of all members of the Board in favor of any proposed ordinance, resolution or appointment shall be necessary for passage or approval, unless a larger number is required by statute, except as otherwise provided a majority vote of those present shall prevail in other cases.
- (8) A motion to adjourn shall always be in order, and a motion to adjourn, to lay on the table, and a call

4

for the previous question shall be decided without debate.

- (9) No member of the Board, whether he be a Supervisor or the Town Chairman, shall vote on any question involving his own character or conduct, his right as a member or his pecuniary interest.

- 2.08 APPROPRIATION ORDINANCES OR RESOLUTIONS. All ordinances or resolutions appropriating money or creating any charge against the Town other than the payment of claims for purchases or work previously authorized by the Board shall only be acted upon by the Board at the next regular meeting, provided this provision may be suspended by affirmative action of all members of the Board. A roll call vote shall be taken and recorded on all appropriations, except as to alternative methods provided in Section 3.12 of this Code.
- 2.09 RECONSIDERATION. Any member voting in the majority may move for a reconsideration of the vote of any question at that meeting or at the succeeding regular meeting. A motion to reconsider being put and lost shall not be renewed. A Supervisor may not change his vote on any question after the result has been announced.
- 2.10 SUSPENSION OF RULES. These rules or any part thereof may be temporarily suspended in connection with any matter under consideration by a recorded vote of 2/3 of the members present.
- 2.11 PROCEDURES AT PUBLIC HEARINGS. (Cr. #95-392) The Board shall be responsible for preparing written procedures for the conduct for all public hearings before the Board and the Plan Commission. A copy of the written procedures shall be maintained at all times in the Clerk's office and those procedures shall be made available to the general public for review.

Formatted: Indent: Left: 0", Hanging: 0.38"

CHAPTER 3

FINANCE AND TAXATION

3.01	Annual Report
3.02	Preparation of Tax Roll
3.03	Duplicate Treasurer's Bond Eliminated
3.04	Destruction of Obsolete Public Records
3.05	Public Contracts
3.06	Delinquent Taxes, Assessments and Fees
3.07	Tax Search
3.08	Charge Back of Engineering, Attorney and Other Fees to Landowners Benefitting
3.09	Combination of Tax Key Numbers and Parcels and the Creation of Tax Numbers
3.12	<u>Alternative Limited Expenditure and Contracting Authority Delegated.</u>
3.10	Reinspection Fees
3.11	Tax Credits to be Paid Directly to the Town
3.15	Penalties

3.01 ANNUAL REPORT.

- (1) Each year, the Treasurer shall prepare for the annual Town meeting an annual report. The report shall contain a summary of financial transactions for the preceding fiscal year, a statement of receipts and disbursements for the preceding fiscal year, and such other information as from time to time the Town Board may deem necessary and proper.
- (2) At the annual Town meeting, the Town Board shall also make a report of the Town activities for the preceding fiscal year.

3.02 PREPARATION OF TAX ROLL.

- (1) **AGGREGATE TAX STATED ON ROLL.** Pursuant to §70.65(2), Wis. Stats., the Clerk shall in computing the tax roll, insert only the aggregate amount of State, County, school and local taxes in a single column in the roll, opposite the parcel or tract of land against which the tax is levied or, in the case of personal property, in a single column opposite the name of the person against whom the tax is levied.
- (2) **RATES STAMPED ON RECEIPTS.** Pursuant to §74.08(1), Wis. Stats., in lieu of entering on each tax receipt the several amounts paid respectively for State, County, school, local and other taxes, the aggregate amount of such taxes shall be combined in a single column on the tax receipt issued by the Treasurer. The Treasurer shall cause to be printed or stamped on the tax receipt the separate proportion or rate of taxes levied for State, County, school, local or other purposes.

3.03 DUPLICATE TREASURER'S BOND ELIMINATED.

- (1) The Town elects not to give the bond for the Treasurer provided for by §70.67(1), Wis. Stats.
- (2) Pursuant to §70.67(2), Wis. Stats., the Town shall be obligated to pay, in case the Treasurer shall fail to do so, all State and County taxes required by law to be paid by such Treasurer to the County Treasurer.

3.04 DESTRUCTION OF OBSOLETE PUBLIC RECORDS.

- (1) **FINANCIAL RECORDS.** The Clerk may destroy the following non-utility records of which he or she is the legal custodian and which are considered obsolete, after completion of an audit by State auditors or an auditor licensed under Ch. 442, Wis. Stats., but not less than 7 yrs. after payment or receipt of any sum involved in the particular transaction unless a shorter period has been fixed or will in the future be fixed by the State Public Records Board pursuant to §16.61(3)(e), Wis. Stats., and then after such shorter period:

- (a) Bank statements, deposit books, slips and stubs.
- (b) Bonds and coupons after maturity.
- (c) Cancelled checks, duplicates and check stubs.
- (d) License and permit applications, stubs and duplicates.
- (e) Official bonds.
- (f) Payrolls and other time and employment records of personnel included under the Wisconsin Retirement Plan.
- (g) Receipt forms.
- (h) Special assessment records.
- (i) Vouchers, requisitions, purchase orders and all supporting documents pertaining thereto.
- (j) Vouchers and supporting documents pertaining to charges not included in plant accounts of municipal utilities and the Sewer Department.
- (k) Other municipal utility and Sewer Department records, with the written approval of the State Public Service Commission.

(2) **UTILITY RECORDS.** Town officers may destroy the following utility records, subject to the regulations by the State Public Service Commission, and of the Sewer Department of the Town, of which they are the legal custodians and which are considered obsolete, after completion of an audit by State auditors or by an auditor licensed under Ch. 442, Wis. Stats., but not less than 2 yrs. after payment or receipt of the sum involved in the applicable transaction:

- (a) Water and sewer stubs and receipts of current billings.
- (b) Customer's ledgers.
- (c) Vouchers and supporting documents pertaining charges not included in plant accounts.

(3) **OTHER RECORDS.** Town officers may destroy the following records which are considered obsolete, but not less than 7 yrs. after the record was effective:

- (a) Assessment rolls and related records, including Board of Review minutes.
- (b) Contracts and papers relating thereto.
- (c) Correspondence and communications.
- (d) Financial reports other than annual financial reports.
- (e) Insurance policies.
- (f) Oaths of office.
- (g) Reports of boards, commissions, committees and officials duplicated in the Town Board minutes.
- (h) Resolutions and petitions.
- (i) Voter cards.

(4) **NOTICE REQUIRED.** Prior to the destruction of any public record described above, at least 60 days notice shall be given the State Historical Society.

(5) **INTERPRETATION.** This section shall not be construed to authorize the destruction of any public record after a lesser period than that prescribed by statute or State administrative regulation.

3.05 PUBLIC CONTRACTS.

The Town Board shall let, pursuant to the provisions of §66.29, Wis. Stats., all public contracts as defined in §66.29(1)(c), Wis. Stats., the estimated cost or amount involved of which shall not exceed \$5,000.

- (1) Any class of public contract or part thereof may be done directly by the Town without submitting the same for bids.
- (2) The Town Board may also enter into arrangements with the County to do any type of work without the requirement of competitive bidding regardless of amount involved.

3.06 DELINQUENT TAXES, ASSESSMENTS AND FEES. (Rep. & recr. #92-336)

No initial or renewal license, permit, variance, conditional use approval, special exception, zoning matter or any other discretionary action of the Town Board or any of its boards, commissions, departments or employees shall be:

- (1) Approved for any applicant who is:
 - (a) Delinquent in the payment to the Town of any taxes, fees, assessments, special assessments, sanitary sewer assessments, personal property taxes, engineering, legal, administrative or other claims owed to the Town.
 - (b) Delinquent in the payment to the Town of any forfeiture or fees resulting from the violation of any ordinance of the Town.

(c) Delinquent in the payment of any taxes or other claims due to the Town.

(d) Has any known outstanding warrant or capias from any municipal, State or federal court.

(2) Issued for any premises or property for which taxes, assessments, special assessments, sanitary sewer assessments, personal property taxes, engineering, legal, administrative or other claims for the Town are delinquent and unpaid.

3.07 TAX SEARCH. (Cr. #88-207, repealed & recreated 2002-**-**))

Any request for a tax search submitted by anyone other than a governmental body or agency shall be accompanied by a fee as set from time to time by the Town Board.

3.08 CHARGE BACK OF ENGINEERING, ATTORNEY AND OTHER FEES TO LANDOWNERS BENEFITTING. (Rep. & Rec. #01-529)

(1) **CERTAIN FEES AND SERVICES TO BE CHARGED BACK.** If charges for fees that include without limitation attorney fees, engineering fees, other professional fees or if charges for services that include without limitation snow and ice removal, weed elimination, street sprinkling, oiling and tarring, repair of sidewalks or curb and gutter, garbage and refuse disposal, recycling, storm water management, including construction of storm water management facilities, tree care, removal and disposition of dead animals pursuant to Section 60.23(20), Wis. Stats., soil conservation pursuant to Section 92.115, Wis. Stats., and snow removal pursuant to Section 86.205, Wis. Stats., are incurred by the Town and such service is not a service supplied to the Town as a whole but a service to a property owner or owners. The property owner or owners who has benefitted from such fee or service shall be charged for the proportional amount of such fee or service pursuant to Section 66.0627, Wis. Stats.

(2) **PROCEDURE FOR CHARGE-BACK AND APPEAL**

- (a) At least 30 days prior to charging any fees for Town professional services against the current or next tax roll as provided in (c) below, the Town Clerk shall give the property owner notice of the charges, via first class mail. Such notice shall include an itemized statement of the professional service fees to be charged, with a statement that said bill is due and payable within 30 days. Such notice shall further specify that within 15 days of the date of the notice, the property owner may request a hearing before the Town Board regarding the assessment against the property.
- (b) Upon receipt of a request for hearing, the Town Board shall hold a hearing regarding the property assessment at its next scheduled meeting or as soon as feasible. Such hearing shall be preceded by public notice and reasonable notice, via first class mail, to the property owner. In the event a hearing is requested, no charges shall be placed on the tax roll until such hearing has been held.
- (c) If no hearing has been requested within the applicable time limits and the bill remains unpaid after 30 days from the date the Town Clerk served notice of the charges, the Town Clerk shall automatically charge that delinquent bill against the current or next tax roll as a delinquent tax against the property as provided by law. In the event the statement rendered to the property owner or the time given for the property owner to pay is too late in the current year for the charge, when it becomes delinquent, to be extended on that year's tax roll, then the delinquent charge shall be extended to the following year's tax roll.

3.09 COMBINATION OF TAX KEY NUMBERS AND PARCELS AND THE CREATION OF TAX KEY NUMBERS. (Cr. #93-350)

(1) **APPLICABILITY.** This section shall apply to the following:

- (a) The combination of 2 or more parcels, each of which exist under a separate tax key number, into one parcel existing under one tax key number
- (b) The creation of one or more parcels requiring the creation of one or more tax key numbers.

(2) **PERSON DEFINED.** A person shall mean any individual, business, corporation, partnership or other entity capable of purchasing and holding land.

(3) GENERAL REGULATIONS. No person shall conduct or cause to be conducted any of the activities subject to this section, as provided in sub. (1) above, unless that person first satisfies the following requirements:

- (a) Any combination or creation of lots as provided in sub. (1) above shall only be done through a certified survey map, which map shall be recorded in the Register of Deeds' office for Waukesha County under the requirements of Ch. 236, Wis. Stats.
- (b) The certified survey map shall first be presented to the Town Plan Commission for review and approval. Approval shall not be provided until the Plan Commission determines that the provisions of this section and all other applicable ordinances of the Town and Waukesha County have been complied with.
- (c) The Town Assessor shall not approve the combination of or creation of any tax key numbers unless this section is first complied with.

3.10 **REINSPECTION FEE.** (Cr. 2012-08)

To compensate for inspection and administrative costs, a fee of \$50 may be charged for any reinspection to determine compliance with an order to correct conditions of provisions of the Town of Delafield Code under the jurisdiction of the Town of Delafield Building Inspector, Town Zoning Administrator or Town Code Enforcement Officer, or their designees, except no fee shall be charged for the reinspection when compliance is recorded. A fee of \$75 may be charged for a second reinspection, a fee of \$150 for a third reinspection and a fee of \$300 for each subsequent reinspection. Reinspection fees shall be charged against the real estate upon which the reinspections were made, shall be a lien upon the real estate and shall be assessed and collected as a special charge.

3.11 **TAX CREDITS TO BE PAID DIRECTLY TO THE TOWN.** (Cr. 2019-01)

- (a) The Town receives more than \$3,000,000 in payments from the State of Wisconsin for the state school levy, lottery and gaming, and first dollar property tax credits.
- (b) Pursuant to 2017 Wisconsin Act 59, and Wisconsin Statutes Section 79.10(7m)(cm) 1.a. municipalities receiving greater than \$3,000,000 in state property tax credits may notify the state departments of administration and revenue that the municipality approves the direct distribution of the property tax credits to the municipality until or unless the ordinance is repealed, or the property tax credits to be distributed no longer exceed \$3,000,000 annually.
- (c) By passage of this ordinance, the Town hereby notifies the State of Wisconsin Departments of Administration and Revenue to make such direct payments in 2019 and for all subsequent years. Further, the Clerks shall send a copy of this ordinance to the Wisconsin Departments of Administration and Revenue by February 22, 2019.

3.12 **ALTERNATIVE LIMITED EXPENDITURE AND CONTRACTING AUTHORITY DELEGATED.** (Cr. 2021-07)

(1) The Town Administrator/Clerk/Treasurer and Town Chair, jointly, shall have the power to approve contracts and expenditures, for the Town of Delafield for bills, vouchers, labor, materials, supplies or equipment, subject to the following conditions:

- (a) Any such contract or expenditure shall be for less than or equal to \$25,000 in total cost;
- (b) The contract or expenditure must be approved by both the Town Administrator/Clerk/Treasurer and Town Chair;
- (c) The contract or expenditure must be consistent with, and must not exceed, the budgetary approvals granted by the Town Board and the Town Chair, and the Town Administrator/Clerk/Treasurer must find all of the following:
 - i. Funds are available under the town budget to make payment.
 - ii. The item or service has been duly authorized.
 - iii. The item or service has been supplied or rendered in conformity with the authorization.
 - iv. For expenditures, the claim appears to be a valid claim against the Town.
- (d) The contract or expenditure must require prompt action prior to the next regular meeting of the Town Board, as determined by the Town Administrator/Clerk/Treasurer and Town Chair. Any contract or expenditure that does not require this prompt action cannot be approved by this alternative procedure of Section 3.12, and must await

Formatted: Indent: Left: 0.5", No bullets or numbering

Formatted: Indent: Left: 0.5", No bullets or numbering

Town Board action.

- (e) The Town Administrator/Clerk/Treasurer must notify the Town Board of the contract or expenditure within a reasonable time following approval, no less frequently than monthly, not to reconsider the approval, but for the purposes of monitoring the Town Administrator/Clerk/Treasurer's and Town Chair's activities pursuant to this ordinance.
- (2) The contracts and expenditures approved pursuant to this Section 3.12 require the execution in the name of the Town by the Town Administrator/Clerk/Treasurer and Town Chair.

Formatted: Indent: Left: 0", Hanging: 0.25", No bullets or numbering

3.15 PENALTIES. (Cr. #93-350; ren. MCC '94)

Any person violating any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in §25.04 of this Code.

STATE OF WISCONSIN

TOWN OF DELAFIELD

WAUKESHA COUNTY

ORDINANCE NUMBER 2021-08

**AN ORDINANCE GRANTING THE TOWN CHAIR OR THE BOARD THE
AUTHORITY TO CANCEL A MEETING OF THE TOWN BOARD**

WHEREAS, the Town of Delafield Town Board occasionally requires a meeting cancellation due to holiday schedules, lack of a quorum, or other unforeseen circumstances; and

WHEREAS, the Town Board is interested in having the ability to cancel regularly scheduled meetings for holiday schedules, lack of a quorum, unforeseen circumstances, or for any reason that may require a cancellation; and

WHEREAS, the Town Board finds the proposed ordinance amendments will provide the flexibility needed to cancel meetings when there are conflicts with holiday schedules, lack of a quorum, or other unforeseen circumstances.

NOW, THEREFORE, the Town Board of the Town of Delafield, Waukesha County, Wisconsin DO HEREBY ORDAIN as follows:

SECTION 1: Chapter 2 of the Town Code of the Town of Delafield entitled, "The Governing Body," Section 2.02(2) entitled, "REGULAR MEETINGS," is hereby repealed and re-created as follows:

(2) REGULAR MEETINGS. (Rep. & rec. 98-456) Regular Meetings of the Town Board shall be held on the second and fourth Tuesday of the month at 6:30 p.m. Any regular meeting falling upon a legal holiday shall be held on the day designated by the Board. All meetings of the Board shall be held in the Town Hall, including special and adjourned meetings, unless otherwise designated. Notice of a substitute meeting place shall be given to the public by posting a written notice of the substitute meeting place and time thereof on the outer door of the Town Hall at least ~~8~~ 24 hours prior to such meeting; provided that nothing herein prevents the Town Board from convening a meeting at the duly noticed location and deciding at the meeting to recess and reconvene at an alternative location, without prior notice. The Town Chairman, or the Town Board by majority vote, may cancel any regular meeting. Notice of a cancelled meeting shall be given to the public by posting a written notice of the cancelled meeting thereof on the outer door of the Town Hall and on the Town website as soon as the Town Administrator/Clerk/Treasurer deems to be practicable prior to such cancelled meeting.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or

portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Passed and adopted this ____ of _____, 2021

TOWN OF DELAFIELD

Ronald Troy, Town Chair

ATTEST:

Dan Green, Town Administrator/Clerk/Treasurer

Published and/or posted this ____ day of _____, 2021.



TOWN OF DELAFIELD EMPLOYEE HANDBOOK

Adopted: August 28, 2007

Amended: November 9, 2016

Amended: ~~March 2~~ August 3, 2021

TOWN OF DELAFIELD EMPLOYEE HANDBOOK

I. INTRODUCTION

INTRODUCTORY STATEMENT

This Employment Handbook is a summary of the employment policies, procedures, rules, and regulations as adopted by the Board of Supervisors, Town of Delafield. It has been prepared to acquaint all employees with the Town's policies, procedures, rules, and regulations. As an employee of the Town of Delafield it is your responsibility to read and become familiar with this information, and to follow the policies, procedures, rules, and regulations contained herein. Most of your questions should be answered in this Handbook. However, if you have questions regarding this Employee Handbook or matters not covered in this Employee Handbook, please direct your questions to your immediate supervisor [or the Town Administrator](#).

DISCLAIMER STATEMENT

This Employee Handbook has been prepared for informational purposes only. None of the statements, policies, procedures, rules, or regulations constitutes a guarantee of employment, a guarantee of any other right or benefit, or a contract of employment, express or implied. All of the Town's employees are employed "at-will", and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the Town or the employee.

The provisions set forth in this Handbook may be altered, modified, changed, or eliminated at any time by the Board of Supervisors, with or without notice. This Employee Handbook supersedes any and all previous handbooks, statements, policies, procedures, rules, or regulations given to employees, whether verbal or written. Supervisors or Department Heads cannot change, waive, modify, or eliminate statements, policies, procedures, rules, or regulations in this Handbook.

II. EMPLOYMENT

RIGHTS AND RESPONSIBILITIES OF THE EMPLOYER

Certain rights and responsibilities are imposed upon the Town by state and federal law, rules, legislation, and court decisions. Many of these have implications upon the policies and procedures, which govern our employees. For this reason, a summary of the basic rights and responsibilities of the Town might be helpful. The rights and responsibilities include, but are not limited to, the following:

- To manage the employees of the Town, including the hiring, promotion, scheduling, transfer, assignment, or retention of employees in positions with the Town and to establish work rules;
- To establish and alter employment policies and procedures, including those set forth in this Handbook;
- To suspend, discharge or take other appropriate disciplinary action when necessary;
- To schedule overtime work as required consistent with the requirements of the Town;
- To develop job descriptions which act as a guideline and not a limitation;
- To assign employees to specific duties;
- To introduce new or improved methods or facilities or to change existing methods or facilities;
- To fulfill the Town's obligations in contracting out for matters relating to its operation; and
- Any other right or responsibility the Town may have by law or otherwise.

EQUAL EMPLOYMENT OPPORTUNITY

It has been, and shall continue to be, the policy of the Town to recognize the competence and ability of applicants for employment and existing employees. The Town shall provide equal employment opportunities to all individuals regardless of their race, age, sex, creed or religion, color, handicap or disability, marital status, citizenship status, veteran status, membership in the National Guard, state defense force, or reserves, sexual orientation, national origin, ancestry, arrest record, conviction record, or any other characteristic protected by law. This policy applies to all employment decisions including, but not limited to, recruitment, hiring, compensation, benefits, promotions, transfers, layoffs, discipline, termination, and other conditions of employment.

If you have a problem or concern in any matter relating to equal employment opportunity, please discuss your problem or concern with your immediate supervisor. If you are not comfortable discussing your problem or concern with your immediate supervisor, please discuss the problem or concern with the [Town Administrator](#). [If you are not comfortable discussing with the Town Administrator, please discuss the problem or concern with the](#) Town Board Supervisor appointed as the Board Liaison for your department, or directly with the Town Chairman.

ANTI-HARASSMENT POLICY

The Town is committed to maintaining a work environment that is free of discrimination. In keeping with this commitment, we shall not tolerate harassment of Town employees by anyone, including any supervisor, co-worker, vendor, client, or customer of the Town.

Harassment consists of unwelcome conduct, whether verbal, physical, or visual, that is based on a person's protected status, including, but not limited to, sex, color, race, ancestry, religion, national origin, age, physical handicap, medical condition, disability, marital status, veteran status, citizenship status, sexual orientation, arrest record,

conviction record or other protected group status. The Town shall not tolerate harassing conduct that affects tangible job benefits, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal, or visual conduct based on sex constitute sexual harassment when:

1. Acquiescence in or submission to such conduct is an explicit or implicit term or condition of employment; or
2. An individual's acquiescence in, submission to, or rejection of such conduct becomes the basis for employment decisions affecting that individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include, but is not limited to explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding", "teasing", "practical jokes," jokes about gender-specific traits, foul or obscene language or gesture, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.

All employees are responsible for helping to assure that we avoid harassment. If you feel that you have experienced or witnessed harassment, you are to immediately notify your immediate supervisor. If you are not comfortable discussing the harassment you feel you have experienced or witnessed with your immediate supervisor, please discuss the possible harassment with the Town Board Supervisor appointed as the Board Liaison for your department, or directly with the Town Chairman. The Town forbids retaliation against anyone who has reported harassment.

The Town's policy is to investigate all harassment complaints thoroughly and promptly, and to take the appropriate action that may be necessary to end the harassment and prevent the misconduct from reoccurring. The Town shall take reasonable measure to keep complaints and the terms of their resolution confidential. If an investigation confirms that harassment has occurred, the Town shall take corrective action that, in the Town's sole discretion, is appropriate.

IMMIGRATION REFORM ACT NOTICE

It is the Town's policy to only employ persons who are legally eligible to work in the United States.

The Immigration Reform and Control Act of 1986 requires that the Town verify the identity and the work eligibility of all persons hired after November 6, 1986. This law shall be enforced by the Immigration and Naturalization Service (and other government agencies), and any employee hired hereafter shall be required to sign a verification

form (Form I-9) and furnish both proof of identity (normally a driver's license or state identification card), and proof of eligibility to work in the United States (normally a social security card or birth certificate).

If you have any questions about the law or about this policy, please contact your immediate supervisor.

COMMUNICATIONS AND SUGGESTIONS

It is the Town's policy to encourage all employees to express their views on matters concerning their jobs and interests. The Town values the comments and suggestions of its employees concerning work methods and operations. Employees are encouraged to offer suggestions and to ask advice on any matter that is of concern to them. Employee suggestions ~~should~~ shall be submitted in writing, and ~~should~~ explain the present method of operation, the purposed change, and the benefits that the employee believes shall result from the change. All communication ~~should~~ shall be made in a constructive professional manner.

We believe that the future goals of both the Town and its employees shall be accomplished by our mutual efforts, and through honest, direct communications and relationships.

III. EMPLOYMENT STATUS AND RECORDS

EMPLOYMENT CLASSIFICATIONS

Full-time, Full-time salaried and Supervisory Personnel: This group includes all persons compensated by the Town of Delafield, elected or employed, whose duties resemble regular civilian positions with a minimum of 40 working hours per week and are scheduled on an annual basis.

Part-time Personnel: This group includes all persons compensated by the Town of Delafield whose duties resemble regular civilian positions with a minimum of 20 hours per week and are scheduled on an annual basis.

Safety Sensitive Personnel: This group includes all persons holding a Commercial Driver's License (CDL) as a condition of employment for the Town of Delafield.

PERSONNEL

Supervisory Personnel responsibilities include:

1. Providing the Board of Supervisors appropriate job descriptions for all employees under their supervision, including, but not limited to, defining work responsibilities and hours for all employees under their supervision;
2. Identifying the job experience or skills the job applicant should possess;

3. Identifying and assessing a job applicant's prior work, relevant abilities, and aptitudes.
4. Placing the individual applicant in the proper job classification.

Full-time and Part-time employees' responsibilities include:

1. Providing the Board of Supervisors, if requested, a detailed written job application that may include character references.
2. To meet the job experience or skills of the job description.

Safety Sensitive Personnel:

All employees must comply with the "Drug and Alcohol Testing Policy" of the Town of Delafield, as specified in Section VI of this Handbook: Drug and Alcohol Policy.

PUBLIC WORKS

Between November 1 and April 15, failure to report for work as scheduled, may result in disciplinary action, including possible termination, at the sole discretion of the Board of Supervisors, after a meeting before the Board.

ORIENTATION

New employees shall serve a ninety (90) day training period. The training period is an extension of the recruiting process and provides your Supervisor with the opportunity to assess your potential for success in your new job. During this time, you have the opportunity to demonstrate proper attendance, attitude, and ability toward your job performance.

If you are transferred to another job because of lack of performance or for any other reason, you must serve another ninety (90) day training period in the new position.

This training and orientation period does not alter the continuing "at-will" status of all employees.

ACCESS TO PERSONNEL FILES

The Town maintains personnel records and files for each employee. Maintaining these files with up-to-date information is very important, as it provides the Town with contact information in case of an emergency, addresses for mailings, data for payroll purposes, and information required for insurance programs and other benefits.

All employees must promptly notify the Town of any change in:

1. Address and/or telephone number;
2. Marital status for benefit plan purposes;

3. Beneficiary or dependents indicated in your insurance policy;
4. Number of dependents for withholding purposes; and
5. Party to be notified in case of an emergency.

If you shall be getting married, please notify the Town prior to the wedding so the appropriate arrangements for your spouse with regard to the benefit plans can be made. A delay in filing the proper forms could result in lack of coverage. If you become divorced or widowed, the Town recommends an employee verify whom they have designated as beneficiaries. In the event of your death, your listed beneficiary shall receive any insurance benefits due.

It is the Town's policy to implement, at the sole discretion of the Town, reasonable procedures to protect the confidentiality of every employee's personnel information.

IV. EMPLOYEE PAY AND BENEFITS

COMPENSATION

The Town of Delafield ~~agrees to employ~~s individuals for indefinite periods, depending on the Town's needs, and the employee understands that such employment can be terminated at will.

Employees shall be entitled to wages determined by the Board of Supervisors on an annual basis, or at such other intervals, as the Board, at the Board's sole discretion, may deem appropriate.

Employees may be entitled to leave without pay as requested with permission prior approval of the department head.

Salaries and wages shall be paid biweekly, in arrears, on Friday; ~~salaries and wages for non-regularly scheduled employees shall be payable monthly, in arrears on the final day of the month.~~

1. A hired employee, other than those listed below, shall be guaranteed two hours' full wages, if he/she reports on time for work and is unable to perform his/her duties due to equipment failure, weather, or other reasons beyond his/her control. ~~Fire Department employees shall receive a minimum of one hour pay or its equivalent if he/she is unable to perform his/her duties for reasons specified above.~~
2. Regular work week of the Highway Department shall be forty (40) hours, Monday through Friday, 7:00 a.m. to 12:00 p.m. and 12:30 p.m. to 3:30 p.m. These regular hours may be altered at the discretion of the Highway Superintendent and/or Town Administrator.
3. Regular work week of the Clerk's office shall be forty (40) hours. These regular hours may be altered at the discretion of the Town ~~Clerk~~Administrator. Monday through Friday 8:00 a.m. to 4:00 p.m., with additional hours scheduled during elections when necessary.

Updated: August, 2021

Page 7 of 32~~32~~

~~5. Regular work week of the full-time members of the Fire Department shall be forty-five (45) to fifty-three (53) hours, with attendance Monday through Friday 8:00 a.m. to 5:00 p.m. These regular hours may be altered at the discretion of the Fire Chief.~~

Full-time employees shall abide by current Fair Labor Standards Act rulings regarding Compensatory Time, including the following:

1. Compensatory Time and Overtime for the Highway Department shall be based on forty (40) hours calculated through any combination of compensatory time, vacation time, and hours worked.
2. Overtime ~~should~~ shall be pre-approved whenever possible by your immediate Supervisor.
3. Work in excess of forty (40) hours per week shall be compensated at a rate of one and one half (1 ½) times the employee's base rate of pay. The Town shall assign overtime for employees as the need arises, and shall be pre-approved whenever possible by your immediate Supervisor. Failure to work overtime when assigned by the Town may result in discipline, up to and including termination.
~~2.~~
- ~~3-4.~~ Compensatory Time for overtime shall not exceed eighty (80) hours. Time beyond eighty (80) hours shall be paid at the overtime rate at the time accrued.
- ~~4-5.~~ Compensatory Time for full-time salaried personnel shall be allowed for hours worked over the forty (40) hour work week. This time may only be accumulated by attending evening Town meetings or working additional hours during tax collection and/or elections. Hours shall be calculated using a one-to-one ratio and may not be carried over into a new year. Full-time personnel shall be allowed compensatory time for attending Town meetings. Hours shall be calculated using a one-to-one and a half ratio and may not be carried over into a new year.
- ~~5-6.~~ Compensatory Time for overtime (Public Works Employees) shall be taken during the period of November 1st of the previous year to October 31st of the current year. Compensatory Time not taken during this period shall be reimbursed as overtime wages during the first payroll of November.
- ~~6. Fire department full-time scheduled personnel work an FLSA work week comprised of fifty-three (53) hours, of which forty-five (45) hours are scheduled. Eligibility for overtime pay or compensatory time occurs after personnel accrue fifty-three (53) hours of regular paid time in any work week. Regular paid time is accrued by working or invoking compensatory, personal, or sick time. Compensatory time may be applied only to scheduled hours. For purposes of illustration, a full-time fire department employee is on the job for regular scheduled time and attending meetings, trainings, or runs for fifty (50) hours in one week. In addition, the employee was ill and took off one afternoon, invoking sick time for four (4) hours. For purposes of computing overtime, that employee is deemed to have~~

Commented [JRM1]: The Fair Labor Standards Act (FLSA) does not count paid time for overtime. Various municipalities do sometime count paid time, but just note it is by policy, not the FLSA.

I also note that this section refers to compensatory time, but not necessarily overtime. Is the intent to use paid time for comp time only. You may want to clarify this.

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.19", Hanging: 0.38", Right: 0", Line spacing: single, No bullets or numbering, Tab stops: Not at 0.44" + 0.45"

Commented [JRM2]: You may want to consolidate this section with the compensatory time section above.

Formatted: Indent: Left: 0.45", No bullets or numbering

~~"worked" 54 hours. The employee would be eligible for 53 hours of regular paid time and one hour of overtime.~~

Employees who are terminated or discharged shall receive, at the time of termination or discharge, payment for the earned and unused compensatory time at the present hourly rate. Earned and unused vacation hours shall also be paid if the severance is for non-disciplinary reasons.

Commented [JRM3]: The wage and hours laws pay this out depending upon policy. Sometimes we may not pay out certain benefits in disciplinary situations. This is similar to what you do later with sick leave.

VACATIONS

Full time employees shall earn vacation calculated by their anniversary date (defined at end of section) according to the following schedule:

<u>Length of Continuous Employment</u>	<u>Vacation Time</u>
One (1) year of service	1 week
Two (2) years, but less than six (6) years	2 weeks
Six (6) years, but less than eleven (11) years	3 weeks
Eleven (11) years or more	4 weeks

Regularly scheduled, part-time employees shall earn one (1) day of vacation per year for each day of the employee's regularly scheduled work week, calculated by their anniversary date (defined at end of section) according to the following schedule:

<u>Length of Continuous Employment</u>	<u>Vacation Time</u>
One (1) year of service	1 day
Two (2) years, but less than six (6) years	2 days
Six (6) years, but less than eleven (11) years	3 days
Eleven (11) years or more	4 days

(Example: A part-time employee who works three (3) days per week shall receive three (3) vacation days after one (1) year of service, six (6) days after two years, etc.)

Vacation time must be taken after the employment start date, during the year in which it was earned, with the exception of a MAXIMUM of 40 hours being carried over year to year. Any other unused vacation time shall be forfeited.

HOLIDAYS

All full-time employees and regularly scheduled part-time employees whose work days fall on scheduled holidays are paid holiday pay for the following recognized holidays:

- 1) New Year's Day
- 2) Memorial Day
- 3) Independence Day
- 4) Labor Day
- 5) Thanksgiving Day
- 6) Day After Thanksgiving
- 7) Christmas Eve Day
- 8) Christmas Day
- 9) New Year's Eve Day

Employees receive eight (8) hours straight time at their regular rate of pay for any of the listed holidays. If employees are required to work on a listed holiday, they shall be paid one and one half times their regular hourly rate in addition to the holiday pay.

When a listed holiday falls on a Saturday, the holiday shall be observed on the preceding Friday. When a listed holiday falls on a Sunday, the holiday shall be observed on the following Monday.

When Christmas Day and New Year's Day fall on a Saturday, the holiday shall be observed on the following Monday; When Christmas Eve and New Year's Eve fall on a Sunday, the holiday shall be observed on the previous Friday.

PERSONAL DAYS

Only full-time employees shall be granted personal days. Each full-time employee shall receive two (2) personal days per calendar year for personal business, such as doctor's appointments, emergencies, unpaid holidays, and any other personal reason. These days must be used in the year issued and are not accumulated.

SICK DAYS

All full-time employees shall be entitled to sick days, which shall accrue at a rate of one (1) day for each calendar month of service up a maximum of forty (40) days. An employee who is sick must notify their Supervisor (by 6:30 a.m. for the Highway Department or 7:30 a.m. for the Administrative Office ~~and the Fire Department~~), unless unable to do so, in order to be eligible for any earned sick day benefits. If the employee is out of work for three or more continuous days a doctor's excuse shall be required.

Full time employees and supervisory personnel who, at their request and not for disciplinary reasons, leave employment with the Town after fifteen (15) or more years of service shall be credited with those sick hours accumulated to a maximum of 320 hours for the Highway Department and Administrative Office personnel, ~~and a maximum of 360 hours for Fire Department personnel~~ at the hourly rate or the equivalent they are paid at the time the tenure is ended with the Town.

JURY AND WITNESS DUTY

The Town complies with all applicable laws concerning jury and witness duty. For purposes of this section, an employee shall be deemed to be required to serve as a witness only in cases in which the employee is not a party, and is compelled to attend by a subpoena. Employees must provide proof of such subpoena service.

MILITARY LEAVE

The Town complies with all applicable laws concerning military duty. Unpaid leave shall be granted pursuant to law to any employee who is required to serve in the armed forces.

FAMILY AND MEDICAL LEAVE

Commented [JRM4]: Reminder that the FMLA applies to employers having over 50 employees.

1. Introduction

This is the Policy of the Town of Delafield (the "Town") on the taking of family and/or medical leave by its employees. Eligible employees shall be allowed up to twelve (12) workweeks of unpaid leave as a result of a birth or placement of a child for adoption or foster care, or when the employee or the employee's parents, child, or spouse suffers a serious health condition. This leave shall be run concurrently with any other leave that is available to the employee, whether under state law or under the policies of the Town, including workers' compensation and ~~short-term~~ short-term disability. All or a portion of this period may be paid in certain instances. The taking of leave under this Policy shall not be used against an employee in any employment decision, including in the determination of raises or discipline.

2. Eligibility for Leave

It is the Town's policy to provide employees with family or medical leave if they have worked for at least twelve (12) months and have completed 1,000 hours of employment in the twelve (12) month period prior to the time leave begins. The leave taken under this Policy shall count toward the leave to which an employee may be entitled under the federal and/or Wisconsin law.

3. Amount of Leave Available

Employees are generally entitled to twelve (12) workweeks of unpaid leave during a calendar year for any one or combination of the following reasons, i.e., time off under paragraphs A, B, and/or C:

A. Birth or Placement for Adoption or Foster Care of a Son or Daughter.

Unpaid leave may be taken by an eligible employee on the birth or placement for adoption or foster care of a child with the employee. Leave must be taken all at once unless the Town agrees otherwise. Any accrued vacation or sick leave days the employee may have at the time leave begins may be used, or may be required to be used, for this otherwise unpaid time. The paid time used shall not be available later. Extensions of family leave shall not be permitted.

B. Serious Health Condition of Employee

The employee may take unpaid leave in the event he/she experiences a "serious health condition". A serious health condition is defined as when the employee receives inpatient care at a hospital, hospice, or nursing home, or receives outpatient care, which requires a schedule of continuing treatment by a health care provider. Medical leave may be taken all at once or in smaller increments as medically required. If leave is taken in smaller increments, the employee may be temporarily transferred to another job. An employee must provide the Town with a

Health Care Provider Certification completed by the treating health care provider.

Health Care Provider Certification Forms are available from the Town Clerk's Office. Any accrued vacation or sick leave time the employee may have at the time the leave begins may be used, or may be required to be used, for all or a portion of unpaid leave period. If the leave is required due to a work-related injury, workers' compensation leave shall run concurrently with the leave an employee is entitled to under the law. Any paid leave used shall not be available later. Extensions of medical leave shall not be allowed, except as required by law.

C. Serious Health Condition of a Child, Parent or Spouse

Unpaid leave may be taken to care for a son, daughter, spouse or parent with a "serious health condition". If leave is requested for such individuals, the employee must provide the Town with a Health Care Provider Certification prepared by the treating health care provider that states that the individual has a serious health condition and that the employee is needed to care for the person. Health Care Provider Certification Forms are available ~~form~~-in the Clerk's Office. The medical leave may be taken all at once or in smaller increments as medically necessary. If leave is taken in smaller increments, the employee may be temporarily transferred to another job at the Town. Any accrued vacation or sick leave days the employee has at the time of the leave may be used, or may be required to be used, for all or a portion of the unpaid time. This paid time shall not be available later. Extensions of medical leave shall not be allowed, except as required by law.

4. Notifying the Town of Your Need for Family or Medical Leave

In the event an employee would like family or medical leave, the Town must be notified, in writing, at least fifteen (15) days before the date on which the leave is to begin, except in the case of an emergency. The Family and Medical Leave Request Form is available in the Clerk's Office. In an emergency situation, notice must be given as to the need for leave as soon as possible. The failure to timely notify the Town of the need for leave may result in the delaying of leave until proper notice is received.

5. Health Insurance

The employee may continue to receive health insurance coverage while on a family or medical leave by paying the regular cost of coverage for active employees. Other employment benefits shall also be continued during the leave. An employee must notify the Town of his or her intent to continue health insurance while on leave.

6. Additional Certification

The Town may request that an employee provide additional health care provider certifications from a health care provider chosen, and paid for, by the Town. The Town may also request that an employee recertify as to the continuation of the serious health condition at various points in time, at the expense of the employee.

7. Return to Your Position at End of Leave

At the end of an employee's family or medical leave, he/she shall be either returned to his/her former position or, if the position is filled, to equivalent employment with the Town. If an employee wants to return to work before his/her leave is to end and work is available, the employee must notify the Town two (2) days prior to the return date. If the reason for the leave was due to the serious health condition of the employee, a medical release must be provided to the Town before the employee returns to work. If a medical release is not received, the employee's return to work shall be delayed until it is received.

8. Failure to Meet Policy Requirements

If the employee fails to meet the requirements of this Policy for family or medical leave, the request for leave may be denied or delayed until the requirements are met.

9. Questions

If you have any questions regarding the operation or interpretation of this Policy, please contact the Town Clerk.

BEREAVEMENT LEAVE

The Town of Delafield shall pay full-time employees for up to three (3) days for absence due to the death of the following family members:

- Spouse
- Child
- Parent
- Parent of Spouse

The Town of Delafield shall pay full-time employees for up to two (2) days for absence due to the death of the following family members:

- Brother or Sister
- Grandparents

These days are provided only for the purposes of making arrangements and attending the particular funerals. If the employee wishes additional bereavement days, the option of sick days, vacation, personal days, compensatory time, or any combination of thereof may be used.

GROUP MEDICAL INSURANCE

The Town currently ~~offers as an employee benefit regular hospitalization and medical coverage for each eligible full time employee and his/her dependents. A description of the medical insurance plan benefits shall be provided to each employee. All full-time~~

~~employees are eligible for Group Medical Insurance per the terms stated in the insurance plan.~~ makes health insurance available to eligible full-time employees by participating in the Wisconsin Public Employer's Group Health Insurance. Dental Insurance is included with health insurance coverage.

Commented [JRM5]: You may or may not want to name specific plans since they change from time to time.

The Town shall pay a percentage of the average top tier health insurance premium available to the Town. The employee shall be responsible for the remainder of the cost associated with the plan they have chosen. If the employee chooses a plan higher than the average top three tiered plans, employees may be required to pay a higher percentage toward their insurance. Those with a lower cost plan may be required to pay a lesser percentage toward their insurance.

Health insurance shall effective beginning the first day of the month following the start date of employment and continues through the month in which the final paycheck is received.

The Town offers a Health Reimbursement Account which allows employees to receive partial or full reimbursement of health insurance deductibles. The Town contributes \$1,000 per year to an employee's HSA for single coverage and \$2,000 per year for family coverage. Deductibles for the Local High Deductible Health Plan are \$1,500 for single coverage and \$2,000 for family coverage.

Formatted: Space Before: 4.65 pt

~~The Town shall determine the amount of the insurance premium paid for coverage by all employees. The Town may determine that the different Employment Classifications listed in Section III EMPLOYMENT STATUS AND RECORDS *supra* are responsible for different percentages and/or dollar amounts of the insurance coverage premium.~~

If a dependent of an eligible, participating employee is eligible for medical coverage under another group health plan, they shall no longer be eligible for coverage under the Town-sponsored medical plan without paying a surcharge for the coverage. This alternative offering requires a \$175 per month premium surcharge per such dependent to be paid by the participant for dependent coverage.

The Town reserves the right to make plan changes, including changing carriers and/or methods of funding, from time to time as it sees fit.

LIFE INSURANCE

The Town shall carry regular life insurance and accidental death and dismemberment insurance for each full-time employee and his/her dependents. A description of this insurance plan shall be provided to each employee. All full-time employees are eligible for this insurance coverage on the first of the month following a thirty (30) day waiting period after the start of employment.

SHORT TERM DISABILITY

All full-time employees are eligible for Accident and Sickness Insurance coverage on the first day of the month following a thirty (30) day waiting period after the start of employment. The coverage provides benefits in the event of a temporary or total disability caused by a non-occupational accident or illness, which results in an employee being unable to perform his/her normal duties, as defined by the insurance policy. Benefits are payable if the insured employee is under the care of a licensed physician and has satisfied an elimination period as stipulated by the insurance policy provided by the Town. Benefits are then payable for the period of disability up to the maximum benefit time-period (i.e. weeks) and the maximum benefit amount (dollars or percent of income) as defined by the insurance policy.

TUITION REIMBURSEMENT

The Town of Delafield encourages its employees to further their education in job-related courses.

1. For courses or seminars which are taken at the request of the Town and/or are required as a condition of employment, the Town shall pay the entire cost of the course. Entire cost shall include tuition, textbooks, and course required materials. The employee shall not be compensated for his or her hourly wages when attending evening classes, unless otherwise required by law.
 - a. The course must be approved in advance of enrollment.
 - b. The Town Board shall establish certain pre-approved classes and conferences, such as the Clerks/Treasurers Institute, ~~fire department training~~, Wisconsin Municipal Clerk's Association conference, Public works education, etc.
 - c. The Administrator or Town Board Chair must approve courses over \$500.00 if they are not included in the pre-approved list.
2. The Town offers tuition reimbursement for full time employees taking courses at a college or technical school accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools in pursuit of an associate, undergraduate or master's degree. Full time employees shall be reimbursed up to the rate charged by the University of Wisconsin-Milwaukee per credit as well as for books and all other required course fees if the following conditions are met:
 - ~~e-a.~~ The degree must be pertinent to the employee's job duties and must receive Administrator approval. Administrator's request for reimbursement must be approved by the Town Chair.
 - ~~e-b.~~ The Administrator and Town Chair must be notified by the employee three months prior to the start of classes said employee wishes to complete

coursework in pursuit of an undergraduate or master's degree pertinent to the employee's job duties.

c. The employee must obtain a grade of B or better per course for undergraduate and graduate level courses. Proof of costs incurred, and grades earned must be provided to the Administrator and Town Chair before reimbursement for course work is remitted.

~~2. If a non-seasonal and non-probationary employee requests to take a course, the Town shall reimburse the full time non-seasonal and non-probationary employee for the cost of tuition under the following guidelines:~~

~~a. The course must pertain to the employee's job.~~

~~b. Evidence of completion with a satisfactory grade must be supplied. Satisfactory is defined as a grade of "C" or higher.~~

~~c. The employee shall not be paid his or her hourly rate for classes taken during regular hours of employment, unless otherwise required by law.~~

RETIREMENT BENEFITS

In addition to any other employment benefits and after six (6) months from the date of employment or eligibility, the Town shall contribute a monetary benefit to any full-time employee working a minimum of forty (40) hours per week, or regularly scheduled part-time employee or supervisory personnel working a minimum of twenty (20) hours per week. The amount of contribution shall be based on a percentage of compensation equal to eleven percent (11%) of regular pay. The initial payment to such fund shall be retroactive to the date said employee is placed on the Town payroll or eligibility, and payments thereafter shall be made on the payroll. All employees shall invest their funds in the Deferred Compensation Program approved by the Town Board.

~~Employees who are terminated or discharged for disciplinary reasons shall receive no retirement benefits for overtime hours, compensatory time, or vacation hours.~~

Commented [JRM6]: Note that this appears in several sections. You may want to consolidate this in the discipline section.

WORKER'S COMPENSATION

This insured benefit agrees to pay promptly, when due, all compensation and other benefits required by workman's compensation law. This coverage is designed to compensate employees for occupation related disabilities. Employees who are absent from work due to an occupation related injury or illness and are receiving worker's compensation benefits shall not earn or accumulate sick hours. Employees are not eligible for any monetary retirement benefit from the Town while they are absent from work and receiving worker's compensation benefits.

VI. WORKING CONDITIONS

DRESS CODES

Employees shall dress in proper professional attire.

BREAKS AND LUNCH PERIODS

Employees working more than six (6) hours may take a thirty (30) minute unpaid lunch/meal period. This meal period ~~should~~ shall be taken at the midpoint of the employee's shift, when possible. Employees may also be eligible for a break period, depending on the number of hours worked, the workload, and the needs of the department head. Your immediate supervisor shall determine if you are eligible for a break during the work day.

OVERTIME

~~Work in excess of forty (40) hours per week shall be compensated at a rate of one and one half (1 ½) times the employee's base rate of pay. The Town shall assign overtime for employees as the need arises. Failure to work overtime when so assigned by the Town may result in discipline, up to and including termination.~~

Commented [JRM7]: You may want to consolidate this section with the compensatory time section above.

REPORTING ABSENCES OR TARDINESS

In the event of illness or other absences, the employee must notify his or her immediate supervisor at thirty (30) minutes prior to the employee's starting time. The supervisor must be notified each day of absence. The employee must indicate the reason for the absence. Employees who are absent from work due to illness or injury for three (3) ~~consecutive~~ work days, may be required to submit a doctor's certificate or other medical authorization prior to being permitted back to work.

Habitual or excessive absenteeism and/or tardiness, whether excused or not, and habitual returning late to work after breaks and lunch, or leaving early, may result in termination.

WORK PERFORMANCE

All employees are expected to satisfy or exceed the levels of performance required of the positions in which they are employed. Employee performance shall be reviewed annually or more frequently if deemed appropriate by the Town. An employee shall maintain reasonable standards of work quality, consistent with experience, and shall accomplish work within the time limits established by the Town. Employees who do not satisfy the levels of performance expected by the Town, who exhibit poor performance, or who are unable to work with other employees may be disciplined, up to and including termination.

WORKPLACE VIOLENCE AND WEAPONS PROHIBITION

- 1) The Town prohibits weapons and all threats to use weapons, intimidation, or
- Updated: August, 2021 Page 19 of 32~~32~~

violence, in the workplace. For purposes of this policy, a weapon is considered to be any firearm, loaded or unloaded, any electric weapon as defined in Wis. Stats. 941.295, or any other device or instrumentality that is calculated, intended to, or likely to produce death or bodily harm.

- 2) This policy does not apply to Fire/EMS personnel, and/or employees who use knives or other objects that could potentially be used as weapons, when the activity of these personnel are performed, or objects are used, within the scope of their official job duties.
- 3) If an employee has reason to believe a person outside the workplace may harm him/her or another employee in any way in the workplace, you are required to report those concerns to your supervisor or Department Head.
- 4) If an employee has obtained any legal protection order, such as a "No Contact", "Anti-Harassment", or restraining order against any other individual, that employee is required to report that legal protection order to his/her supervisor or Department Head. Such information shall be kept confidential to the extent reasonably possible.

DRUG AND ALCOHOL POLICY

- 1) The Town intends to maintain a drug and alcohol-free workplace. The Town will not tolerate the use, possession, manufacture, being under the influence of, or distribution of alcohol or illegal drugs by employees on the job or on Town property.
- 2) The Town's Drug and Alcohol Policy is intended to be consistent with the requirement of the Drug Free Workplace Act of 1988.
- 3) The Town's Drug and Alcohol Policy applies to all Town employees.
- 4) Should this policy directly conflict with the DOT Drug and Alcohol Policy covering employees who are required to have a Commercial Driver's License (CDL), the DOT Drug and Alcohol Policy provisions shall apply to those employees. The job applicant/employee for a job requiring a CDL understands and agrees that he/she is required to comply with the provisions of the CDL Law, including drug testing and random drug testing.
- 5) Drug or alcohol testing may be required following a work-related incident resulting in personal injury requiring treatment beyond simple first aid, actions or omissions that result in near-misses, that result in property damage, where there is reasonable suspicion, or where the reason for the incident is not evident or reasonably explained.
- 6) If an employee refuses to submit to a drug and/or alcohol test when directed to do so under circumstances consistent with this Policy, he/she shall be immediately placed on suspension pending investigation

Commented [JRM8]: You may want to also include "reasonable suspension" testing.

SMOKING

Smoking, including electronic cigarettes, is prohibited in any Town buildings, Town vehicles, while operating any equipment, or inside any roofed, permanent structures in Town parks. Smoking shall be permitted only outside of Town buildings in designated

areas and in accordance with Wisconsin law. The Town complies with all applicable state and federal laws concerning smoking.

TECHNOLOGY USE

Policy: Policies regarding technology use apply to all Town electronic equipment whether used by classified or unclassified employees. The policies apply to all Town departments.

The employer's computers, networks, programs, communication devices and tools, other technology, and internet are intended as tools for the employer to serve the public and the Town and are provided so employees may better perform their job-related responsibilities. Inappropriate use of equipment can adversely affect the Town and interfere with the work of its employees, increase its costs, and even expose the employer to damage, liability and security risks.

The employer's employees are professionals who are expected to exercise responsible professional judgement. The employer has complete and sole discretion to determine whether any use or access is inappropriate, even if the use is not expressly prohibited or addressed in this policy as rules. The employer shall require employees to stop any use the employer believes is improper. In addition, the employer may block access to any context the employer believes is not appropriate. Employees who do not adhere to this policy may be disciplined, which may include, but is not limited to, restriction of internet use or termination.

Authorized Town Staff as used in this section shall mean the Town Administrator. This policy does not cover employee-owned computers being used for Town work. Employee-owned computers shall standalone and shall not be permanently connected to the Town network. Employee-owned computers shall be limited to public network Wi-Fi connections.

Property of the Town: All the electronic data, communications, and information, including, but not limited to, including information transmitted or stored on the electronic systems of the Town, remain the property of the Town of Delafield.

The Town retains the right to access, inspect, monitor, and/or disclose any data stored on any Town computer, including, but not limited to, cell phones, CPUs and laptops, owned by the Town, whether transmitted or received via electronic information systems, media of any kind, and/or any other means of data input.

Information stored, saved, or maintained on any Town electronic device is considered public information and is therefore subject to public disclosure. Further, Authorized Town Staff shall have access to Town electronic devices at any time, for any reason, including, but not limited to, the inspection and monitoring of any material thereon.

Privacy: In order to protect the interests of the employer, the employer reserves its right to monitor all use by employees of technology. No employee shall have an expectation of privacy or secrecy in the use of any technology in the workplace. Employee use of technology in the workplace, constitutes acceptance of the employer's monitoring and disclosure of the employee's use. Use of the employer's property can be limited by the employer at any time for any reason. The employer may consent to the disclosure of information from use of technology or any other property, and the employer may consent or authorize a law enforcement agency to search or review the employer's technology, and the employer may use such information for its intentions and purposes.

The use of passwords on electronic communications systems is permitted, but all passwords are to be disclosed in writing to the Town Administrator upon request.

Prohibited Activities: The following activities are prohibited and may result in the employee being disciplined, including, but not limited to termination.

- Copying, disseminating or printing copyrighted or other protected materials, which can include articles, images, games and other software, in violation of the law;
- Accessing, sending, soliciting, displaying, printing, creating or otherwise disseminating material that is reasonably likely to harass, threaten or embarrass others or that is sexually explicit, fraudulent, offensive in nature, a racial slur, obscene, vulgar or otherwise inappropriate in a professional environment;
- Searching for, accessing or transmitting content that is reasonably likely to be perceived as offensive or disparaging of others, including, but not limited to, content that is sexually explicit, profane, pornographic, disrespectful, disparaging based on race, national origin, sex, sexual orientation, age, disability, religious or political beliefs or other legally protected basis;
- Engaging in personal, non-employer related activities including, but not limited to, activities for gain or profit, for example, consulting for pay or advertising or selling goods or services for personal gain;
- Engaging in illegal activities or using the technology for any illegal purposes, including, but not limited to, initiating or receiving communications that violate any laws or regulations;
- Interfering with or disrupting the work of other employees;
- Except as specifically authorized, gaining access by using any access control mechanism (e.g. login name, password, etc.) not assigned to the user, or permitting any person to have access by using another person's access control mechanism;
- Unauthorized access or attempting to gain unauthorized access to any

technology or stored information;

- Engaging in any transaction or other conduct that, if done through means other than over the use of technology, would not be authorized;
- Using Town electronic equipment for political campaign purposes including, but not limited to, using e-mail to circulate advertising for political candidates or relating to political campaign issues;
- To gain commercial or personal profit or advantage, including but not limited to, selling lists of names, addresses, telephone numbers, or other information generated from Town files;
- To represent oneself directly or indirectly as conducting Town business when using such equipment for incidental personal purposes; and
- For any purpose that would be a violation of any Town work rules, Town ordinance or State or Federal law, regulation, or order.

If an employee has a question about whether a particular use of the employer's technology is appropriate, the employee shall consult the Town Administrator, or the Town Chairperson in their absence.

Use: The employer provides some of its employees with electronic communication tools, including, but not limited to, e-mail, voicemail, cell phones, text messaging, computers and other communication tools and devices so they may better perform their job-related duties. The employer's electronic communications system includes all messages sent through the employer's computer network either externally via the internet or internally and through employer issued communications devices and networks. Electronic communications shall be sent only to those individuals who have a legitimate reason to receive them. Distribution lists shall be kept current and updated regularly to reflect changes in responsibility or employment status.

Electronic communications shall be courteous, concise, focused and written or spoken in good business English. The same care shall be used in drafting electronic communications as used for drafting any other written communication. All electronic communications are unavoidably attributed to the employer. When composing electronic communications, employees should keep in mind that personal comments may be perceived as comments made on behalf of the employer.

The employer's electronic communications systems shall not be used for personal communications unless an emergency exists or unless such use is incidental or not the fault of the employee. Employee 's are expected to use their personal computer, e-mail and cell phone accounts from their home computers or personal cell phones on the employee's own time for internet use and drafting, sending, receiving, or reading personal electronic communications. Exceptions to this rule may only be granted by the employee's Department Head. Use of electronic devices for personal reasons may be grounds for discipline up to and including dismissal.

Electronic communications may reside on the system in different recoverable forms, including, but not limited to system backup, sent mail folders shall spool queues. Employees shall not assume that deleting a personal electronic communication

removes all incidents of their existence. If there is a review of the information or an investigation, litigation, or other proceeding that requires or makes desirable the review or production of employer records, it is likely that electronic communications will be requested and potentially disclosed. Moreover, employees shall not delete any communications that are Records as defined under Wisconsin's Public Records Law.

Department Heads may have access to information pertaining to individual employees on the employer's technology. The employer does not condone "snooping"; employees shall not read, or review communications not sent to them except for legitimate business reasons. If an internal communication is confidential, it shall be distributed personally or by a confidential routing envelope and not by e-mail. Employees shall not presume an electronic communication sent via the internet is confidential unless it has been encrypted by the employer. The use of passwords on electronic communications systems is permitted, but all passwords are to be disclosed to the Town Administrator upon request.

If an employee has a question about whether a particular use or electronic communication is appropriate, the employee shall consult with their Department Head before making such communication.

Social Media includes, but is not limited to, websites and applications that enable users to create and share content or to participate in social networking.

Social Media: The Town of Delafield will use social media for the following purposes:

- To increase public awareness of the Town's programs, policies and services.
- To promote the value and importance of the Town's services and policies among government officials, civic leaders, and the general public.
- To maintain open, professional, and responsive communications with members of the public and the news media.

The purpose of this policy is to ensure the proper use of the Town's Social Networking Sites technologies. Publicly posted information shall be professional and reflect positively on the Town of Delafield, its employees, volunteers, programs, policies and services. Employees will check facts, cite sources, present balanced views, acknowledge and correct errors and check spelling and grammar before publishing any posts. Further, employees are personally responsible for the content they publish on any form of user-generated media.

All social media communications messages composed, sent, or received on the Town's IT equipment are the property of the Town of Delafield. The Town of Delafield reserves the right not to publish any posting, or to remove any posting at any time.

The Town Administration office is responsible for overall social media administration, including, social networking sites and the Town's website. The Town Administration office will also:

- Maintain the sites, including the look and feel and pages for the comment policy, descriptions, etc.
- Review each post. This will primarily be for policy and legal issues; editing will be essentially only to correct spelling or grammatical errors.
- Coordinate review with the Town Attorney's office for legal issues.
- Upload posts (repeat bloggers/posters may be authorized to post themselves).
- Moderate comments (see Moderating Public Comments).

All department and Town service-related social media sites shall be approved before an account may be set-up. Each site shall have wording that indicates who the owner of the site is and an email link back to the individual who maintains it. The name of the Town shall be on the site.

VII. EMPLOYEE CONDUCT AND DISCIPLINARY ACTION

RULES OF CONDUCT

So that disciplinary action can be held to a minimum, the Town seeks to maintain an orderly method of conducting business. This section does not alter the at-will employment policy.

A certain number of rules are necessary at work. ~~Actually, common~~ Common sense tells most of us what should or should not be done. In other instances, rules are established from time to time to govern conduct while at work.

Any employee who violates any Town policy, procedure, rule, or regulation, whether written or unwritten, shall be subject to disciplinary action that may, but need not, include oral warnings, written warnings, suspension without pay, work restrictions, or any other discipline, up to and including termination. The nature of discipline shall depend upon the nature of the violation and the surrounding circumstances.

The following list of reasons for discipline is not intended to be all-inclusive; the mere fact that a possible violation is not listed does not mean that it would not result in disciplinary action.

VIOLATIONS OF TOWN RULES OF CONDUCT INCLUDE,

BUT ARE NOT LIMITED TO, THE FOLLOWING:

1. Loafing, loitering, or otherwise wasting time during working hours, including, but not limited to, sleeping on the job;
2. Horseplay, such as running, shoving, pushing, throwing objects, and/or any type of horseplay that could jeopardize the safety of others;

3. Excessive tardiness;
4. Being absent from work without permission or proper notification;
5. Unsatisfactory job performance;
6. Taking breaks at unauthorized times or places;
7. Using abusive, profane, or threatening language;
8. Insubordination or failure to perform duties as instructed; willful and intentional refusal to perform work assignment, or to follow orders of supervision;
9. Posting, defacing, or removing notices, signs, or writing on the bulletin boards or other Town property at any time without specific authorization from supervision;
10. Threatening, intimidating, coercing, assaulting, injuring, or interfering with other employees or customers; physical assault of anyone;
11. Violation of Town's alcohol and drug policy;
12. Violation of Town's technology use policy;
13. False statements or omissions from an application form or other Town document;
14. Theft or unauthorized removal of property belonging to others or to the Town;
15. Gross neglect or negligence;
16. Unauthorized use of Town property;
17. Refusal to work overtime;
18. Failure to immediately report injuries or refusing to give information to a supervisor;
19. Possession of firearms or other weapons on Town premises; bringing firearms or other lethal weapons on Town premises;
20. Violation of any safety procedure, program, or rule; causing unsafe conditions or carelessness in regard to safety to self or others, or failure to properly use safety devices or tampering with safety equipment.

Formatted: Font: 12 pt

Formatted: Left, Indent: Left: 0.19", Hanging: 0.38",
No bullets or numbering, Tab stops: Not at 0.57" +
0.57"

GRIEVANCE PROCEDURE

Purpose and Scope:

- 1) The Grievance Procedure is adopted pursuant to Section 66.0509(1m) of the

Updated: August, 2021

Page 26 of 32

Wisconsin Statutes, and is intended to provide a timely and orderly review of disputes regarding: (a) employee terminations, (b) employee discipline, and (c) workplace safety.

Grievance Definitions:

1. A grievance shall mean a dispute regarding the application of Town policies pertaining to an employee's discipline or termination of employment, or a dispute concerning workplace safety. No grievance shall be processed under this policy unless it is in writing, and contains all of the following:
 - A. The name and position of the grievant;
 - B. A clear and concise statement of the grievance;
 - C. The issue involved;
 - D. The relief sought;
 - E. The date the incident or alleged violation took place;
 - F. The specific provision of the Employee Handbook/Town Policy or workplace safety rule alleged to have been violated; and
 - G. The signature of the grievant and the date.
2. The term "days" means regular business days, Monday through Friday, other than weekends and holidays, regardless of whether the employee is scheduled to work. The time limits within which an action is to be taken under this Grievance Procedure shall be computed by excluding the first day and including the last day.
3. A "grievant" is an employee as defined by state statutes governing this Grievance Procedure. At the grievant cost and request, he/she may be represented by a person of his/her choice.
4. "Workplace safety" means those conditions related to physical health and safety of employees enforceable under federal or state law, or Town Policy related to: safety of the physical work environment; safe operation of workplace equipment and tools; provision of protective equipment; training and warning requirements; workplace violence; and accident risk.
5. "Discipline" means oral reprimands (where a written record of the reprimand is placed in the employee's file), written reprimands, suspension and demotion. Discipline does not include performance reviews, work plans or corrective actions that do not include a reprimand or other adverse employment action.
6. "Termination" means discharge from employment. Layoffs (reduction in force) are not considered terminations and are not subject to this procedure.

Grievance Procedures:

Step 1

Within ten (10) days after the facts upon which the grievance is based, or should have reasonably become known, the employee shall present the written grievance to his/her immediate supervisor. The immediate supervisor shall provide a written answer within ten (10) days of receipt of the grievance, with a copy to the Town ~~Chairman~~ Administrator.

Commented [JRM9]: Consider substituting the Administrator for Chairman since the elected officials are the last step in the process.

An employee who has been notified of termination may process the grievance commencing at Step 3.

Step 2

If the grievance is not satisfactorily resolved at Step 1, the grievance may be submitted to the Town ~~Chairman~~ Administrator within five (5) days after the grievant receives the Step 1 response. After receipt of the written grievance, the Town ~~Chairman~~ Administrator, or his/her the designated representative, shall meet with the grievant in an effort to resolve the issue(s) raised by the grievance. Within ten (10) days after the meeting, the Town ~~Chairman~~ Administrator shall respond to the grievance in writing. The Town ~~Chairman~~ Administrator shall also determine if the grievance is timely, if the subject matter of the grievance is within the scope of this Grievance Procedure, and if the grievance was otherwise properly processed as required by this Grievance Procedure. If the Town ~~Chairman~~ Administrator is aware of other similar pending grievances, he/she may consolidate those matters and process them as one grievance.

Step 3

If the grievance is not satisfactorily resolved at Step 2, the grievance may be appealed within ten (10) days after the grievant receives the Step 2 response. The grievant shall submit a written statement specifically describing the reason(s) for the appeal. If the decision at Step 2 is based, in whole or in part, on the basis of timeliness, scope of this Grievance Procedure, or other failure of the grievant to properly follow this Grievance Procedure, the matter shall be referred to the Town Board who shall determine whether the matter should be processed further. If the Step 2 decision addresses only the merits of the grievance, the grievance shall be referred to an Impartial Hearing Officer (IHO). The IHO shall be designated by the Town Board. Any costs incurred by the IHO shall be ~~paid split equally between the grievance and~~ by the Town. The IHO shall convene a hearing in the manner the IHO determines necessary, except the hearing shall be held in closed session. The IHO shall have the authority to administer oaths, issue subpoenas at the request of the parties, and decide if an electronic recording is necessary. The IHO may require the parties to submit grievance documents and witness lists in advance of the hearing to expedite the hearing, but there shall be no discovery. The burden of proof shall be "whether the Town had a reasonable basis for its decision." In termination and discipline cases, the Town shall have the burden. In workplace safety cases, the employee shall have the burden. Cross examination of witnesses shall be limited to ten (10) minutes unless otherwise determined by the IHO. The IHO may request oral or written arguments and replies, but there shall be no post hearing submissions. The IHO shall provide the parties with a written

Updated: August, 2021 Page 28 of 32~~32~~

decision.

The IHO may only consider the matter(s) presented in the initial grievance filed by the employee. The IHO shall have no power to add to, subtract from, or modify the terms of the Employee Handbook/Town Policy or rule that forms the basis for the grievance and/or modify the at-will policy.

The IHO must uphold the Town's decision if there is any reasonable basis for the decision.

Step 4

Either party may appeal an adverse determination at Step 3 to the Town Board by filing written notice to the Town Clerk within ten (10) days of receipt of the decision of the IHO. The Town Board shall, within thirty (30) days after submission of the appeal, schedule the review of the IHO's decision. The review shall be conducted by the Town Board during a closed session meeting. The Town Board may make its decision based on the written decision of the IHO or the Town Board may examine any records, evidence, and testimony produced at the hearing before the IHO. A majority vote of those members of the Town Board present shall decide the appeal within twenty (20) days following the last session scheduled for review. The Town Board shall issue a final written decision, which shall be binding on all parties.

Timelines:

Failure to process a grievance by the grievant within the time limits, or agreed upon extensions, shall constitute waiver of the grievance and the grievance shall be considered dismissed and resolved on the basis of the Town's last answer. Failure of a Town representative to meet the time limits applicable to responding to the grievance shall constitute a denial of the grievance and applicable time limits for advancing the grievance shall apply. To encourage that grievances are addressed in a prompt manner the time limits set by this Grievance Procedure are intended to be strictly observed, and may not be extended except in extreme circumstances and then only upon the express written consent of all parties.

Exclusive Remedy:

This procedure constitutes the exclusive process for the redress of any employee grievances as defined herein.

However, nothing in this Grievance Procedure shall prevent any employee from addressing concerns regarding matters not subject to the Grievance Procedure with the administration and employees are encouraged to do so. Matters not subject to the Grievance Procedure that are raised by employees shall be considered by Town representatives who have final authority, subject to any applicable Town policy or directive, to resolve the matter.

Approved by the Town Board of Supervisors on _____

I

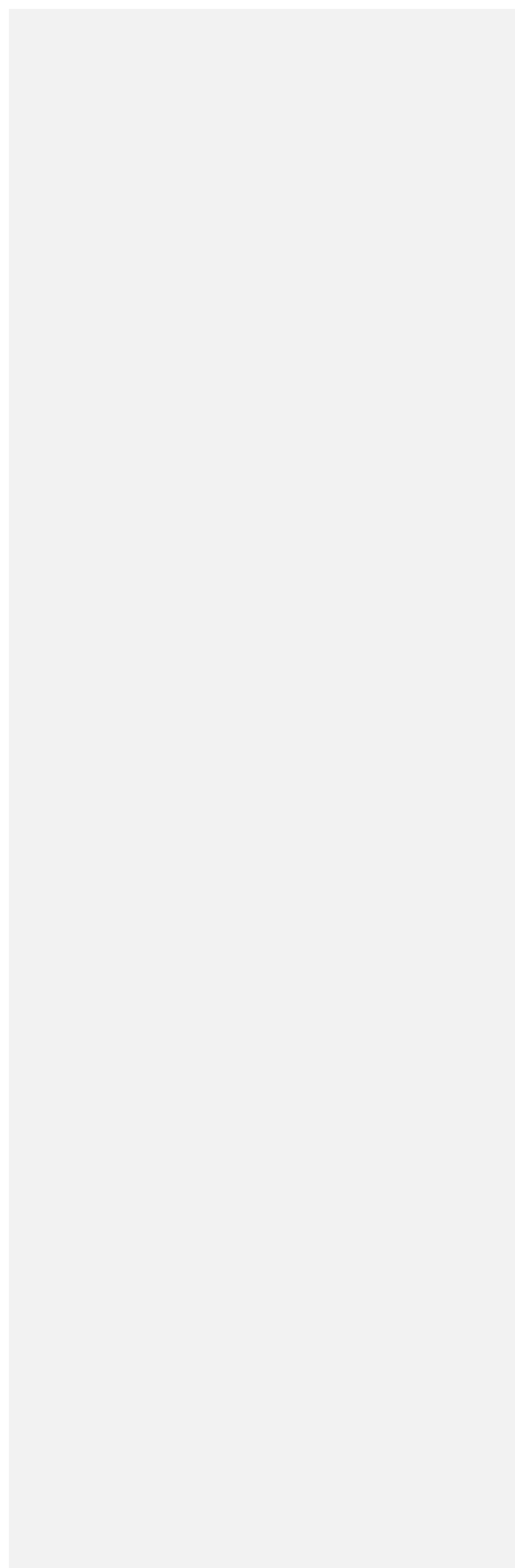


EXHIBIT A**ACKNOWLEDGEMENT OF RECEIPT & UNDERSTANDING****TOWN OF DELAFIELD EMPLOYEE HANDBOOK**

I hereby certify that I have received a copy of the Town of Delafield Employee Handbook, amended as of _____. I understand that it is my responsibility to read the Handbook, and I acknowledge that I have been given the opportunity to discuss any questions that I have concerning the contents and policies contained in the Handbook with my immediate supervisor, the Town Clerk, and/or the Board Liaison to my Department. I understand that compliance with the Town of Delafield's rules and expectations is necessary for continued employment.

I acknowledge and understand the Town reserves the right, in the sole discretion of the Town, to modify, amend, or revoke any of the policies or provisions in this Handbook at any time, with or without prior notice. I also acknowledge and understand that it is my responsibility to become familiar with any future changes to the Handbook.

I acknowledge and understand that neither this Handbook nor the policies contained in the Handbook create any promises, entitlement, or contractual obligations of employment or other rights and benefits between the Town of Delafield and its employees. I understand that employment with the Town of Delafield is "at-will", and as such is for no specified length of time and may be terminated by me or by the Town for any reason not prohibited by law.

Signature of Employee

Printed Name

Date: _____