

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
November 14, 2017

Members Present: L. Krause, P. Van Horn, E. Kranick, R. Troy, B. Cooley

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, T. Dunker, *Waukesha County Sheriff's Dept.*, 6 citizens

First order of business: Call to Order
Chairman Krause called the meeting to order at 7:00 p.m.

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There were no citizen comments.

Fourth order of business: Approval of October 24, 2017, Town Board Minutes
MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO APPROVE AS PRESENTED BY THE CLERK. MOTION CARRIED.

Fifth order of business: Action on vouchers submitted for payment:
A. Report on budget sub-accounts and action to amend 2017 budget

B. 1) Accounts payable; 2) Payroll
Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #59220 – #59286 IN THE AMOUNT OF \$120,667.13

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$51,555.03

MR. TROY/MR. KRANICK

MOTION CARRIED.

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

A. Eric J. Larson (11/1/17), Re: Vacation Rental

Chairman Krause stated that due to a newly created State Statute regulating short-term rental of residential property, the current Town Ordinance will need to be updated. As the new laws contained in the Statute place multiple limits on municipalities, is it worth re-structuring the ordinance.

The general consensus of the Town Board is to refer this matter to the Plan Commission for review.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO TAKE ITEM 8F OUT OF ORDER. MOTION CARRIED.

Eighth order of business: New Business

F. Lake Pewaukee Sanitary District Commissioner Appointment

Chairman Krause stated that Chairman Richard Nowacki has resigned from the LPSD Commission. Due to the fact that his term expires in 2019, the Town Board needs to appoint his replacement. Mr. Nowacki has served on the Commission (unpaid) for 30 years, with 14 of those as Chairman. He has proven his true dedication to the lake and will be sorely missed. He recommended that the Town recognize Mr. Nowacki at the Town Annual Meeting in April 2018.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. KRANICK TO NOMINATE JOSEPH BOLAND III TO REPLACE RICHARD NOWACKI TO SERVE AS LAKE PEWAUKEE SANITARY DISTRICT COMMISSIONER UNTIL MR. NOWACKI'S TERM ENDS IN 2019. MOTION CARRIED.

Seventh order of business: Unfinished Business

A. Discussion and possible action on the Town Hall drainage issue (tabled 10/10/17)

**MOTION MADE BY MR. KRANICK, SECONDED BY MR. COOLEY TO REMOVE FROM THE TABLE.
MOTION CARRIED.**

Mr. Cooley stated that he has nothing new to report due to the fact that contractors have not submitted pricing as had been promised. This matter will be placed on an upcoming agenda in 2018.

B. Employee Handbook Review (tabled 10/24/17)

Mr. Troy stated that we have not heard back from the labor attorney, so there is no reason to take the item off the table.

C. Zoning code modification allowing two residences on a lot while building a new home (referred to Plan Commission 10/24/17)**MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO REMOVE FROM THE TABLE.
MOTION CARRIED.**

Engineer Barbeau stated that, in the past, he and the building inspector interpreted this code very strictly and responded to inquiries by stating that the code allows only one house on each lot. This was due to the fact that there is no specific provision for requiring a financial guarantee to assure that the second structure will be removed, nor is there a limit on the time frame that it can be allowed. The Plan Commission confirmed that the language in the code allows an exception for their review, approval/denial and development.

The general consensus of the Town Board is that this is an acceptable practice.

Eighth order of business: New Business**A. Discussion and possible action on Woodridge Estates ditches**

Mr. Kranick recused himself and left the room.

Engineer Barbeau stated that he has been trying to work with the developer for quite a while. Superintendent Roberts has not been happy with work that has been done by contractors. About a year ago, he and Don Roberts walked through the subdivision with the developer and pointed out outstanding issues that needed to be addressed. As these have not been completed, he drafted a letter outlining the outstanding items that need to be completed no later than July 1, 2018. If the work is not complete at that time, the Town Board could consider options of how to accomplish the work, including using funds in the Letter of Credit to hire a contractor and complete the work.

The Town Board was in agreement to send the proposed letter to Neumann Companies.

B. Discussion on ditch procedures

Engineer Barbeau reviewed the proposed development, ditching and bond processes. He also provided a summary of two letters that would be provided to the property owners outlining requirements to be completed before bond reimbursements. The Town Board directed staff to submit the draft letters to the town attorney for review.

C. Reduction in Letter of Credit for Hunt Club Farms

Engineer Barbeau recommended the subject Letter of Credit be reduced by \$183,636, leaving a balance of \$126,104 until the following work is completed: site grading/storm water pond, erosion control, restoration in the amount of \$5,000; asphalt surface course in the amount of \$104,604; and, barn demolition in the amount of \$16,500.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO REDUCE THE LETTER OF CREDIT FOR HUNT CLUB FARMS BY \$183,636, LEAVING A BALANCE OF \$126,104. MOTION CARRIED.

D. Approval of Rotroff Jeanson & Company 2017 Audit Agreement

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO APPROVE THE ROTROFF JEANSON & COMPANY 2017 AUDIT AGREEMENT. MOTION CARRIED.

E. Discussion on fire truck

Chief Kozlowski presented a cost sheet on the Pierce Pumper since contract entry dated 3/24/15. He stated that the damages came to approximately \$395,000.

Bill Ellingson, Community Insurance Corporation, stated that the tech appraiser is of the opinion that the vehicle is a total loss based on the salvage branding law (70%). CIC is proposing to offer a settlement to pay the towing cost of \$5,100, the storage charges up through Friday, November 17 and \$518,383 vehicle replacement (includes \$1,000 deductible). In addition, the Town is allowed to keep the salvage.

Chief Kozlowski stated that he received a salvage bid of \$10,663.00 from Kent Weber Towing.

Mike Walden, R&R Insurance, stated that this is the first fire truck they have had to settle a claim on. He is of the opinion that 3.5% depreciation is favorable, and Community Insurance has been very fair.

MOTION MADE BY MR. TROY, SECONDED BY MR. COOLEY TO ACCEPT THE INSURANCE SETTLEMENT FROM COMMUNITY INSURANCE CORPORATION IN THE AMOUNT OF \$519,383.00 LESS THE DEDUCTIBLE \$1,000 FOR A NET SETTLEMENT OF \$518,383.000 AND THE TOWN KEEPING THE SALVAGE OF THE FIRE TRUCK CONTINGENT UPON KENT WEBER TOWING CO. BUYING THE FIRE TRUCK FROM THE TOWN IN THE AMOUNT OF 10,663.00.

AMENDED MOTION BY MR. TROY, SECONDED BY MR. COOLEY TO INCLUDE THAT IN THE EVENT THIS TRANSACTION IS NOT COMPLETED BY FRIDAY, NOVEMBER 17, THE TOWN WILL NOT INCUR ANY STORAGE, TOWING OR ANY CHARGES RELATED TO THIS FIRE TRUCK. MOTION CARRIED.

Ninth Order of Business: Announcements and Planning Items

- A. Annual Budget Hearing – Wednesday, November 15 @ 7:00 p.m. (Town Hall)
- B. Next Town Board Meeting – November 28
- C. Next Plan Commission Meeting – December 5
- D. Next Town Board Meeting – December 26 @ 10:00 a.m.

Tenth Order of business: Adjournment

MOTION MADE BY MR. COOLEY, SECONDED BY MR. KRANICK TO ADJOURN AT 8:28 P.M. MOTION CARRIED.

Respectfully submitted,

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

Minutes approved on: November 28, 2017