

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 22, 2015

Members Present: L. Krause, P. Van Horn, C. Duchow, E. Kranick, R. Troy

Others Present: T. Barbeau, *Town Engineer*, P. Kozlowski, *Fire Chief*, M. Hoppe, *Deputy Fire Chief*, 7 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
Steve Lukach, N30W29497 Hillcrest Dr., thanked the Town for doing the paving job on his road. He is of the opinion, though, that the work resulted in trading one hazard for another. Since the asphalt was put on top of the existing pavement, there are dangerous areas with a 6" to 12" shoulder (drop off). He lives at the very end of Hillcrest, which is basically a 50' x 60' circle that used to be relatively flat. At the end of his circle is his driveway. Because of the paving, it is no longer flat and is tapered to the west away from his driveway. It has been constructed to have a grade which, basically, funnels all the water right down his driveway. He was directed to come to the Town Board meeting to express his concerns.

Julie Kita, N30W29389 Hillcrest Dr., appreciates the fact that the road is now smooth but does not know that it is safer. It's a narrow road and when there are vehicles that are parked for yard maintenance, etc., there is no place for the cars to go. This is a safety issue because there is no shoulder. She lives by the culvert, and that is the only unpaved area on Hillcrest. The culvert is huge safety issue. Her driveway ends about 3 ft. from the ravine. Because of the way the culvert was constructed, the road underneath has given way and Hillcrest is dipped down at end of ravine because the underlayment of road is washed away. This would be a problem for someone coming down from the west end of Hillcrest in the winter. Possibly, a guard rail could be put in until the culvert can be replaced.

Fourth order of business: Approval of September 8, 2015 Town Board Minutes
Chairman Krause directed attention to the motion in Item 8C to revise it to read, "Motion made by Mr. Troy, seconded by Ms. Duchow to vacate any easement and instruct Attorney Larson to draft a maintenance agreement".

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO APPROVE WITH ONE CORRECTION. MOTION CARRIED.

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

A. Report on budget sub-accounts and action to amend 2015 budget

B. 1) Accounts payable; 2) Payroll

Accounts Payable

MOVED TO APPROVE PAYMENT OF CHECKS #56218 TO #56253 IN THE AMOUNT OF \$96,387.80

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,661.38

MS. DUCHOW/MR. KRANICK. MOTION CARRIED.

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

A. Jeanne Ring, Prairie Hill Waldorf School (8/31/15), Re: Request for reduced speed limit in front of the school

Chairman Krause stated that the Board has taken up this issue in the past. The Town has no control over the speed limit, as we do not plow or maintain the road. Engineer Barbeau was informed by Waukesha County that this is a frontage road. When the matter was discussed last year, Engineer Barbeau informed Prairie Waldorf School that they needed to contact the DOT, as the Town has no jurisdiction over the road.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRANICK THAT THE TOWN OF DELAFIELD SUPPORT PRAIRIE HILL WALDORF SCHOOL IN GETTING A SCHOOL ZONE SET UP ON THE FRONTAGE ROAD, WHICH IS PART OF THE I-94 COMPLEX, AND SEND A LETTER TO THE STATE DOT AND WAUKESHA COUNTY SUPPORTING IT. MOTION CARRIED.

Engineer Barbeau was directed to write the letter.

B. Paul Farrow, Waukesha County Executive (9/3/15), Re: Consolidating fire and EMS service areas within Waukesha County

Chairman Krause stated the subject letter is a request for each community in Waukesha County to participate in a discussion of the issues surrounding the topic of consolidating fire and EMS services areas. This would be followed by hiring a consultant that could details the options available and make a recommendation on how to proceed. In order to pay for this effort, each community is being asked to commit \$1000 to \$2000.

Ms. Duchow stated that we've done our due diligence and found that consolidation would be cost prohibitive. It's an overwhelming task and does not benefit the Town of Delafield because we do not offer the same level of service as larger communities, i.e. full time fire and paramedic. We already have mutual agreements with other communities.

Chief Kozlowski stated that all communities have not received this letter and does not know why. He does not believe it would be in our best interest to spend the money.

Mr. Van Horn is in support of this and would be willing to spend up to \$1500.00.

Mr. Troy feels that if we do not contribute the money, we would still be involved.

Mr. Kranick is of the opinion that it is imperative to be at the table to discuss the issues of better economizing the services.

Chairman Krause is really split on this. The Town has done our due diligence several times over. We have great benefits of agreements with our neighbors. Yet, he feels that it is important to be part of the conversation. He stated that if we are not treated as an equal partner, the Town's participation could change.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. VAN HORN TO COMMIT TO THE STUDY UP TO \$1500.00. MS. DUCHOW – NAY, MR. TROY – NAY, MR. KRANICK – AYE, MR. VAN HORN – AYE, CHAIRMAN KRAUSE – AYE. MOTION PASSED 3-2.

C. Tim Frank (9/16/15), Re: Curb installation in Hawksnest Subdivision

Chairman Krause read the minutes from the Town Board meeting that was held on April 14, 2015 re: this issue. "The general consensus of the Town Board is to request that Mr. Frank let the property owners know that if they want the curbs installed, they need to either provide the money up front or a signed waiver approving an assessment for all costs related to this installation".

Tim Frank, W301N3226 Windrush Circle, stated that if there is any possibility in widening the road, adding rumble strips, etc., he would appreciate it. He will continue to try to fight for support from the neighbors.

If Mr. Frank is successful, Attorney Larson stated that the Town would prepare a waiver form for everybody in the subdivision to sign agreeing to pay an equal share, or that subset of the subdivision that agrees to share the cost would sign the waiver. The Town will only do the job if the residents agree to pay for it. Engineer Barbeau's estimate to complete the work is \$131,000. Discussion followed on the option to spread out the project over several years.

Attorney Larson stated that if Mr. Frank believes that the process could occur with a limited amount of neighbors sharing in the cost, he would prepare the waiver. He would need to know how many people are going to do it and pin down the number of years it will be paid in. The special assessment process would be followed with a resolution. The cost to prepare the waiver would be approximately \$500.00. All costs would be charged back to the participating residents.

Seventh order of business: Unfinished Business

A. Consideration and possible action on new town hall/fire station

1) Final change order

Ms. Duchow reviewed the final change order to include the following: \$500 deduct for window washing needed due to Nonn's Flooring, \$1000 deduct for landscape maintenance not completed per spec., \$210.00 deduct for epoxy wire mesh cost difference.

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO APPROVE THE FINAL CHANGE ORDER IN THE AMOUNT OF \$1710.00. MOTION CARRIED.

2) Application for payment

Mr. Van Horn questioned whether or not the architect has signed off on the project. Attorney Larson stated that the Town needs to have all lien waivers before approving the application for payment.

MOTION MADE BY MR. TROY, SECONDED BY MR. VAN HORN TO APPROVE THE FINAL APPLICANT FOR PAYMENT IN THE AMOUNT OF \$18,127.00 CONTINGENT UPON THE ARCHITECT SIGNING OFF ON THE PROJECT AND VERIFICATION THAT ALL LIEN WAIVERS HAVE BEEN PROPERLY APPLIED. MOTION CARRIED.

3) Waukesha County maintenance agreement

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. KRANICK TO TABLE UNTIL THE NEXT MEETING. MOTION CARRIED.

B. Consideration and possible action on disposition of Fire Station #1

1) Proposal from KPH for Asbestos and Universal Waste Removal and Disposal

Mr. Troy stated that the subject proposal in the amount of \$2,592.00 does not include abatement of 400 sq. ft. of 12" gray floor tile in the kitchen, office and west bathroom that tested less than 1% per asbestos content. The proposal says that the contractor would be responsible for abatement of that material. The contractor would need to comply with OSHA regulations for less than 1% asbestos, and Mr. Troy would like this to be mentioned in the bid.

MOTION MADE BY MR. TROY, SECONDED BY MR. KRANICK TO APPROVE THE ASBESTOS ABATEMENT FOR THE OLD FIRE STATION #1 WITH KPH ENVIRONMENTAL NOT TO EXCEED \$2,592.00. MOTION CARRIED.

2) Proposal from Siegler Grading & Excavating LLC

Engineer Barbeau stated that the proposal from Siegler, in the amount of \$23,400, covers demolishing and removing the existing building, facilitation of gas and electric disconnect, abandonment of the existing well per the DNR, capping of sewer lateral, removal of asphalt, asbestos inspection and obtaining necessary permits. There will be a \$100 charge to cap the sanitary sewer per LPSD requirements.

Discussion followed on not needing the asbestos inspection. Mr. Troy requested that the contractor be informed of his need to comply with OSHA regulations for removal of less than 1% asbestos. Also, the contract needs to indicate that not only does the contractor facilitate the gas and electric disconnect, but he need to pays for it.

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO APPROVE THE BID FROM SIEGLER GRADING AND EXCAVATING LLC NOT TO EXCEED \$23,400 FOR DEMOLITION OF THE OLD FIRE STATION ON MAPLE AVENUE. MOTION CARRIED.

3) Old tank removal

Engineer Barbeau stated that Siegler has proposed to either remove the existing 10,000 gallon steel tank for \$2,000 to \$3,000 or move it to another location for \$5,000. Chief Kozlowski stated that he has no need for the tank. Discussion followed on the Town taking responsibility to fill the remaining hole.

MOTION MADE BY MR. VAN HORN, SECONDED BY MR. KRANICK TO ACCEPT THE PROPOSAL FROM SIEGLER TO REMOVE THE EXISTING TANK NOT TO EXCEED \$3,000 AND THE TOWN OF DELAFIELD TO FILL THE REMAINING HOLE. MOTION CARRIED.

4) Siepmann real estate agreement

Engineer Barbeau stated that this is a standard real estate agreement and has been reviewed by Attorney Larson. He will complete the areas that need to be addressed.

MOTION MADE BY MS. DUCHOW, SECONDED BY MR. VAN HORN TO APPROVE THE CONTRACT WITH MR. SIEPMANN TO SELL THE OLD FIRE STATION ON MAPLE AVENUE CONTINGENT UPON COMPLETION BY STAFF AND SIGNED BY THE TOWN CHAIRMAN. MOTION CARRIED.

C. Consideration and possible action on renovation of old town hall

1) Proposal for fuel tank rewiring

Engineer Barbeau reviewed the bid from Ford Construction Co. in the amount of \$8,164.00. The general consensus of the Town Board is that this is excessive and directed Engineer Barbeau to get another proposal to address at the next meeting.

Eighth order of business: New Business

A. Consideration and possible action on Intergovernmental Cooperation Agreement regarding the Pewaukee Lake Water Safety Patrol Unit

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO APPROVE. MOTION CARRIED.

B. Re-appointments to the Plan Commission and Board of Appeals

Chairman Krause stated that Plan Commission Chairman Oberhaus does an outstanding job for the Town, and we are very fortunate to have him on the commission.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. KRANICK TO APPROVE ANOTHER 3 YEAR TERM FOR TOM OBERHAUS TO SERVE AS CHAIRMAN OF THE PLAN COMMISSION TO EXPIRES IN SEPTEMBER OF 2018. MOTION CARRIED.

There are three member terms expiring on 9/25; Nancy Bonniwell (Chair), Robert Schieble and Richard Nowacki. Chairman Krause stated that the Town Code now states that the terms expire in January and are staggering.

MOTION MADE BY CHAIRMAN KRAUSE, SECONDED BY MR. TROY TO REAPPOINT NANCY BONNIWELL AS CHAIR AND HER TERM TO EXPIRE IN JANUARY OF 2016, TO REAPPOINT ROBERT SCHIEBLE AND HIS TERM TO EXPIRE IN JANUARY OF 2017 AND TO REAPPOINT RICHARD NOWACKI AND HIS TERM TO EXPIRE IN JANUARY OF 2018. MOTION CARRIED.

C. Consideration and possible action on a Temporary Class "B" license to sell fermented beverages and a Temporary "Class B" license to sell wine for St. Anthony on the Lake Music Ministry on October 17 and St. Anthony Men's Club on October 23

MOTION MADE BY MR. KRANICK, SECONDED BY MS. DUCHOW TO APPROVE THE LICENSES FOR OCTOBER 17 AND OCTOBER 23. MOTION CARRIED.

Ninth Order of business: Announcements and Planning Items

- A. Special 99th District Election – September 29
- B. Congressman Sensenbrenner – October 4, 12:30 – 3:00 p.m.
- C. Next Plan Commission Meeting – October 6
- D. Budget Workshop – October 8 @ 6:00 p.m.
- E. Next Park and Recreation Commission Meeting – October 12 – Town Board quorum needed
- F. Next Town Board Meeting – October 13
- G. Budget Workshop – October 15 @ 6:00 p.m.

Tenth Order of Business: Adjournment

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY, TO ADJOURN AT 8:30 P.M. MOTION CARRIED.

Respectfully submitted,

Mary Elsner
Town Clerk/Treasurer

Minutes approved on: October 13, 2015