

TOWN OF DELAFIELD BOARD OF SUPERVISORS MEETING
September 23, 2014

Members Present: P. Kanter, C. Dundon, P. Van Horn, L. Krause, C. Duchow

Others Present: T. Barbeau, *Town Engineer*, D. Roberts, *Highway Superintendent*, P. Kozlowski, *Fire Chief*, J. Mann, *Mannedge*, B. Fischer, *Fischer-Fischer-Theis*, J. Formea, *Fire Department*, R Mattano, *Waukesha County*, B. Cooley, *Plan Commission*, E. Kranick, *Plan Commissioner*, 40 Citizens

First order of business: Call to Order

Second order of business: Pledge of Allegiance

Third order of business: Citizen Comments
There was no citizen comment.

Fourth order of business: Approval of September 9, 2014 Town Board Minutes
The minutes will be filed as prepared by the clerk.

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

A. Report on budget sub-accounts and action to amend 2014 budget

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

MOVED TO APPROVE PAYMENT OF CHECKS #54537 – 54580 IN THE AMOUNT OF \$108,464.47 AND CHECK #70154 IN THE AMOUNT OF \$54,549.68

Payroll

MOVED TO APPROVE PAYMENT IN THE AMOUNT OF \$37,940.04

MS. DUNDON/MR. KRAUSE

MOTION CARRIED

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO TAKE THE CUSHING PARK ROAD MATTER OUT OF ORDER. MOTION CARRIED.

Eighth order of business: New Business

C. Consideration and possible action on matters related to the 2014 Road Paving Program specifically related to:

1. Request by a property owner to designate Cushing Park Road as a rustic road
2. Approval to enter into a contract with a contractor to install a retaining wall on Cushing Park Road to avoid grading on private property

Engineer Barbeau stated that the subject project is part of the annual road program. The area of Cushing Park Rd. from Abitz to Hwy 18 was on the 2014 plan. The roadway is between 20 and 21 ft.; however, there is a section near the old cheese factory that is 18 ft wide. The Town standard for road width is 24 ft. The reason for the proposed project was due to the fact that the road is in poor condition, i.e., is rated 4 and is the worst road in the town. The project entails pulverizing the road, using the pulverized material and adding 4 inches of asphalt on the entire stretch. The road would be widened to 22 feet from Abitz to Hwy 18 to be consistent with the roadway going north of Abitz. The road adjacent to the old cheese factory is narrower than the rest of the road (18 ft.) and needs to be widened. Our plow trucks are 12 ft. wide, so the driver is always concerned about passing. Engineer Barbeau stated that we won't be able to cut down the hill since we have to match the driveways on the west side of the road. A curb will be installed on both the west side as well as the east side (where the hill is located). A modular block retaining wall would allow the widening within the right-of-way, which is 66 ft. Four trees will have to come down, even if the retaining wall is only installed.

Pamela Latsoudis, W334S850 Cushing Park Rd., stated that she is happy the town is coming up with other alternatives. She referenced the letter from the Audubon Society and is asking the Town Board to involve citizens in this discussion. Once the trees are gone, the area won't be as rustic. How was the community involved in this project? She would like to find out about the rustic road program and the character of the road. There are many historical features of the road.

Wayne Matthiesen, W334S412 Cushing Park Rd., stated that it is dangerous when traveling north on this road. He feels sorry for the truck drivers. Even though there is a bike path, people ride on the road. To sacrifice a couple trees would help the safety. He likes the rustic road program. He is in favor of minimizing the amount of construction and digging. He offered to replace any trees that need to be removed in order to complete the project.

Jim Goeman, W335N785 Cushing Park Rd., stated that the speed limit was moved from 45 to 35. This is not a good situation from a safety perspective, and he supports a rustic road perspective. He asked what is budgeted for this project (\$315,000) it includes paving, new base and act like a new road

Dave Broadfoot, N5W33778 Lapham Ln., stated that he has been waiting for this road to be fixed for several years. He has a plow truck and has almost got wiped out by a town plow truck. He would strongly suggest that we look at improving this area. It would have been nice if this would have been communicated to the neighbors. He likes the idea of a rustic road as long as all the avenues are explored. If one of the stipulations of a rustic road would be that lines would have to get buried, it could get very expensive.

Chairman Kanter read 3 letters into the record (these are on file in the Town Clerk's office).

Engineer Barbeau stated that he is not aware of any accident reports in this area. The pavement is deteriorating, so something needs to be done. As you widen a road people drive faster. In this case we are widening out 1 or 2 ft. The plan will not affect the bike path. It would be possible to replace the trees. Engineer Barbeau suggested the option to put the project aside for this year and divert funds to overlay other subdivision roads.

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO AUTHORIZE THE DELAY OF THE CUSHING PARK ROAD PROJECT UNTIL 2015 WITH THE SUBSTITUTION OF THE OTHER ROADS IN 2014. MOTION CARRIED.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO DIRECT THE HIGHWAY DEPARTMENT AND TOWN ENGINEER TO PROCEED AS EARLY AS PRACTICAL WITH THE CUSHING ROAD PROJECT TO INCLUDE MINIMAL DISTURBANCE AND INCLUDE A RETAINING WALL. MOTION CARRIED.

MOTION MADE BY MR. KRAUSE, SECONDED BY MR. VAN HORN TO DIRECT THE TOWN ENGINEER TO RESEARCH DESIGNATING CUSHING PARK ROAD AS A RUSTRIC ROAD AFTER THE CONSTRUCTION PROJECT HAS BEEN COMPLETED. MOTION CARRIED.

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

A. None

Seventh order of business: Unfinished Business

A. Further discussion on new fire station/town hall

John Mann reviewed the internal costs of the new fire station/town hall that have been divided into 5 groups.

1. Approval of change orders

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE CHANGE ORDER IN THE AMOUNT OF \$61,205.00. MOTION CARRIED.

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO TAKE ITEM 8B OUT OF ORDER. MOTION CARRIED.

- B. Jonathan Walter (6/11/14), Re: paving a Town of Delafield alley

Engineer Barbeau was requested to do a survey of the subject area. He displayed and reviewed the survey performed by RA Smith National, Inc. He stated that the highway superintendent put some ground up asphalt in the 2nd alley.

If the Town does the work it will include paving the road with asphalt and removal of any trees within the right-of-way. The work will be assessed to the property owners.

One of the neighbors requested to speak with the other homeowners to come to an agreement on solutions.

Chairman Kanter stated that the Town Board should make a decision in 3 weeks as to whether or not they will consider an improvement within the right-of-way by special assessment or will the homeowners come forth with a proposal.

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO TABLE. MOTION CARRIED.

Eighth order of business: New Business

- A. Consideration and possible action to approve the termination of various easements and declarations related to the Zhang residence (formerly Maple Bluff Condominium property) located at approximately W303N2595 Maple Avenue

MOTION MADE BY MR. VAN HORN, SECONDED BY MS. DUCHOW TO REFER THIS MATTER TO THE PLAN COMMISSION FOR THEIR CONSIDERATION. MOTION CARRIED.

- B. Consideration and possible action to approve the following documents related to the development of the Summerhill West subdivision located south of North Shore Drive (CTH KE) and west of Mozart Road:

1. Developer's Agreement

Engineer Barbeau was directed to add the following to Letter H "a cistern is not necessary but may be required at the discretion of the fire chief and is not necessary if a fire hydrant is installed at KE and Imperial Drive".

2. Declaration of Restrictions

MOTION MADE BY MS. DUNDON, SECONDED BY MS. DUCHOW TO APPROVE THE DEVELOPER'S AGREEMENT WITH THE ADDITION TO LETTER H AND TO APPROVE THE DECLARATION OF RESTRICTIONS. MOTION CARRIED.

- D. Approval of Distribution Easement

MOTION MADE BY MS. DUCHOW, SECONDED BY MS. DUNDON TO APPROVE. MOTION CARRIED.

- E. Consideration and possible action on Intergovernmental Recycling Agreement between Waukesha County and the Town of Delafield

Rebecca Mattano stated that this recycling agreement, financial support for municipal recycling collection contracts, is the last piece to the puzzle. She summarized the recycling container and direct haul provisions that the contractor must comply with, which are required to maintain eligibility for annual payments from Waukesha County.

The general consensus of the Town Board is to address all issues in one package.

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

F. Set Budget Workshop dates

The 2015 Budget Workshop dates will be held on Tuesday, September 30 @ 7:00 p.m., October 8 (closed session), October 15 and October 20, if necessary.

Ninth Order of business: Announcements and Planning Items

- A. Next Plan Commission Meeting – October 7
- B. Next Park and Recreation Commission Meeting – October 13
- C. Next Town Board Meeting – October 14

Tenth order of business: Adjournment

MOTION MADE BY MR. KRAUSE, SECONDED BY MS. DUCHOW TO ADJOURN AT 9:45 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Elsner
Town Clerk/Treasurer

Minutes approved on: October 14, 2014