

TOWN OF EAGLE  
REGULAR TOWN BOARD MEETING  
NOVEMBER 17, 2004  
MINUTES

Mr. Wilton called the meeting to order at 8:27 p.m., immediately after the 2005 budget hearing and special town meeting of the electors.

Present: Wilton, Malek, Orchard, Kwiatkowski. Also present: Atty. Adelman, Treasurer Pasterski, Clerk McMillan.

Budget- The 2005 budget as discussed at the public hearing and special town meeting was put forward for approval. Motion by Orchard, seconded by Malek to adopt the 2005 budget. Motion carried.

Minutes- Motion by Orchard, seconded by Kwiatkowski to approve the minutes from October 20, 2004 as printed. Motion carried.

Clerk's Report- A bartender's license application was received from Gillette's Country Store. Motion by Wilton, seconded by Kwiatkowski to approve the bartender's license for Michelle Paape. Motion carried.

Treasurer's Report- Mr. Pasterski reported October receivables were \$36,295.72. Total held in all accounts as of 10/31/04 was \$474,841.19. Motion by Orchard, seconded by Malek to approve the treasurer's report. Motion carried.

Claims- Claims totaling \$65,632.39 were reviewed. Motion by Wilton, seconded by Malek to approve payment of the claims. Motion carried.

Sheriff's Dept.- Deputy C. Spielvogel was in attendance. Discussion was held about the safety issues on Highway 67 near CTH ZZ. A resident shared concerns about speeding on Betts Road.

Library- Director Alison Senkevitch reported on library programming and events. A new part-time circulation clerk has been hired. Forty-seven library volunteers attended an appreciation dinner held for them. A recommendation was made to fill one of the vacancies on the Library Board. Motion by Wilton, seconded by Malek to appoint Irene Roberts to the Library Board. Motion carried.

Lake Management/Lake Patrol- Lake Management District President Tom Day reported the public boat launch on Eagle Spring Lake will be closed for 4-6 weeks for renovations. The dry hydrant insulation work should be done within a week. A user-friendly mechanism for the dam opening and closing will be installed within the next month.

Fire Department/Fire Commission- Asst. Chief Dennis Sudbrink reported information is being gathered regarding a new fire truck. A call was received regarding a problem with burning of construction materials on Chapman Drive. The department will follow up to instruct the property owner of fire regulations. Mr. Wilton explained a possible conflict of interest for one of the firms the Fire Commission is considering to discuss some issues that are of concern to the Fire Department. Atty. Adelman advised that although there is a conflict, the matters involved are so different she does not see it as a problem. Motion by Kwiatkowski, seconded by Malek to have them sign a waiver of conflict of interest. Motion carried.

Park & Recreation- Mr. Malek reported the Park & Rec Committee would like the Town Park Committee to do a study of the Town Park and identify what direction will be taken for future buildings. Mr. Wilton suggested the two committees meet jointly.

Garbage/Recycling- No report.

Business Park- Mr. Wilton and Atty. Adelman will correspond with the Town Engineer regarding the assessment procedures for roadwork in the Industrial Park.

Roads- Mr. Wilton explained the developer of Eagle's Preserve subdivision is concerned about potential damage to the curb and gutter during snowplowing season. Motion by Wilton, seconded by Kwiatkowski that the developer not be held responsible for damage to the curbs if caused by Town vehicles at Eagle's Preserve subdivision until the roads are accepted. Motion carried.

Town Lot on Bennington Drive- Atty. Adelman appeared in court and the park classification was vacated. The lot can now be sold. Planning for the sale will be discussed again in December.

Multi-User Driveway Permit- Bond fees were clarified. Atty. Adelman advised a different member of the Town Board should be chosen to sign on behalf of the Town for Mr. Wilton's multi-user driveway permit agreement. Motion by Orchard, seconded by Wilton to have Mr. Kwiatkowski sign. Motion carried.

Insurance Response to Village Claim Letter- Atty. Adelman recommended that this matter be considered in closed session. It will be on next month's agenda.

Clerk's Salary Increase- Atty. Adelman explained a salary increase for the Town Clerk was motioned for and approved by the citizens of the town at the budget hearing and special town meeting held in November of 2002. A town resident has taken issue with the increase, and contacted his state representative. Atty. Adelman's opinion is that it was permissible for this increase to take effect immediately after the approval per state statute 60.32. She has spoken with the state representative's office and with the Towns Assn., whose opinion is that it was an error to allow the increase to take effect during the term, but that the statute is poorly worded. The state representative's office has stated that they would send the matter on to the Attorney General for an opinion if the Town Board takes no action. Mr. Wilton feels the board should take a stand and offer the clerk their support, that the people of the town voted on it, the actions described were done in good faith and thought to be proper. Motion by Wilton, seconded by Malek to take no action. Motion carried.

Chairman's Report- Nothing to report.

Attorney's Report- Regarding the Stiglitz case, cleanup of the property is progressing, but it still appears we are not moving toward resolution, so the matter is going forward. Regarding the ordinance presented by Tom Day pertaining to non-conforming lots and buffer strips in the lake area, Atty. Adelman advised it would not be necessary to adopt this ordinance since conditions could be imposed by the Board of Zoning Adjustment to achieve the buffers if it was found to be in the public interest.

There being no further business, a motion was made by Wilton, seconded by Orchard to adjourn at 9:20 p.m. Motion carried.

Respectfully submitted,

Sally McMillan  
Town Clerk