



TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
OCTOBER 21, 2009
APPROVED MINUTES

Chairman Kwiatkowski called the meeting to order at 7:30 p.m. and led the Pledge of Allegiance.

Present: Chairman Kwiatkowski; Supervisors Malek, West, Davis and Rasmussen. Also present: Clerk Pepper, and Fire Chief Heim. Treasurer Pasterski arrived at 8:10 P.M.

Agenda – A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the agenda. Upon voice vote, motion carried.

Minutes- Motion by Supervisor Malek, seconded by Supervisor Davis to approve the minutes of September 16, 2009. Upon voice vote, motion carried.

Clerk's Report- Clerk Pepper presented the Accounts Receivable Summary Report.

Wisconsin Deferred Compensation- Chairman Kwiatkowski explained that the Deferred Compensation Program, which is run through the state, is not part of the state retirement program. Deferred Compensation does not require a minimum percentage; the amount and timing are up to the employer. Chairman Kwiatkowski explained that Clerk Pepper was offered 3% retirement and Deferred Compensation may be an option for her, rather than an individual retirement account.

A motion was made by Supervisor Rasmussen, seconded by Supervisor Davis to authorize Chairman Kwiatkowski to further investigate Deferred Compensation, obtain the necessary paperwork, and move forward, if deemed appropriate. Upon voice vote, motion carried.

Treasurer's Report- Clerk Pepper presented the September, 2009 report. Savings balance as of 8-31-09 was \$213,045.76. Total cash was \$491,002.94. A motion was made by Chairman Kwiatkowski, seconded by Supervisor Malek to approve the Treasurer's Report, as presented. Upon voice vote, motion carried.

Claims- Claims totaling \$195,718.43, including the claim for crack filling, were reviewed. Discussion followed regarding the crack filling's inclusion on this month's bill list. A motion was made by Supervisor Malek, seconded by Chairman Kwiatkowski to approve the payment of claims, excluding the payments to Crack Filling Services in the amount of \$24,400. Upon voice vote, motion carried.

Paul Stirmel, W345 S10733 South Shore Drive – Discussion and possible action regarding initiation of process to vacate a portion of dedicated right-of-way to obtain a reduced width for a segment of South Shore Drive terminating at W345 S10733 South Shore Drive – Chairman Kwiatkowski explained that South Shore Drive’s road right-of-way width should have been fifty feet, including the extension however, as the County map was updated, the extension defaulted to a sixty-six foot right-of-way. Discussion followed regarding building area ratio.

A motion was made by Supervisor Malek, seconded by Supervisor Rasmussen to notify Waukesha County that the South Shore Drive extension’s right-of-way should be fifty (50) feet, as originally intended. Upon voice vote, motion carried.

Lake Management District/Lake Patrol- Supervisor Malek presented the year end Lake Patrol report.

Lake Management District Chairman Tom Day reported that the Department of Natural Resources has indicated that they will support the historic lake water level. The submission papers have been submitted to the DNR for their signature.

Mr. Day reported that the district hired an engineering firm to study the dam, which should be completed by months end. Mr. Day stated that he will give a report at next month’s meeting. Discussion followed regarding which engineering firm was chosen and how the district arrived at their choice.

Municipal Court – Possible approval of \$1,873.09 payment for the 2010 Town’s portion of the Joint Municipal Court budget – Supervisor Rasmussen explained that even though court costs have declined, the cost for the new software program raised the Town’s portion of the budget. Court costs for next year are close to last year’s cost.

A motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to approve the \$1,873.09 payment for the 2010 Town portion of the Joint Municipal budget. Upon voice vote, motion carried.

Sheriff’s Report- No report.

Library – No report.

Fire Department/Fire Commission – Chief Heim reported that the Pancake Breakfast fundraiser will be held on Saturday, October 31, 2009 from 7:00 A.M. to 11:00 A.M. The Eagle Pumpkin Party will be held during the afternoon. Chief Heim reported that there have been 226 calls year-to-date, the building fund is at 60% of the budget, and the Fire Department is at 68% of the budget.

In regards to the Fire Department’s proposed budget, Chairman Kwiatkowski explained that a small modification was made regarding insurance however the new number did not change the Town’s portion of the budget.

Discussion took place regarding the passive exhaust system at the Fire Department.

Village Board Meeting- Supervisor Davis reported that Chief Ehlers reported that the department received a \$6,100 grant for the “Keeping Kids Internet Discussion Safe” educational program. Supervisor Davis reported that the Village Board passed a resolution to transfer \$5,000 in the budget to the Park & Recreation Department, the Village’s Smart Growth Plan is complete and online, and that there will be no salary increases for 2010, including the Joint employees, as well as reported on other various activities.

Park & Recreation- Supervisor Malek presented the program report and reported that the year-to-date and monthly reports have been provided, for Town Board review. Chairman Kwiatkowski referred to page 3, total income and page 7, total expenses. Discussion followed regarding future expenses for the remaining calendar year and if the department will experience another shortfall. Supervisors Davis and West noted that registration and advertisements were down this year. Supervisor Malek added that, due to the economy, citizens are picking and choosing which classes to attend. In response to Chairman Kwiatkowski, Supervisor Malek explained that Trustees Thomas and Block made the original budget shortfall projection.

Garbage & Recycling – Supervisor Rasmussen reported that the recycling report has been submitted and accepted by the Department of Natural Resources.

Business Park – No report.

Road Matters – Supervisor West reported that he will submit a list of those who have filed for permits at next months meeting. Supervisor West reported that Time Warner will be installing cable lines in the Industrial Park.

Chairman Kwiatkowski reported that if the weather continues to be uncooperative, the second lift for Orchard's Grove may need to be reconsidered. Supervisor West will get a recommendation from Wolf Paving tomorrow.

Chairman's Report- Chairman Kwiatkowski reported that he, Supervisor Malek, and Town Planner Pionke attended a "Working Lands Initiative" meeting yesterday and copies of the power point will be available to the board members following the meeting. The state has admitted that, to prevent development of prime agricultural lands, they have decided to impose a penalty on farm owners who no longer wish to continue agricultural preservation zoning. Chairman Kwiatkowski explained that the Plan Commission and Town Board will be conducting a workshop on Monday to discuss how this impacts the Town of Eagle's proposed zoning. A consensus needs to be made for the November 2, 2009 meeting. Chairman Kwiatkowski explained that he has been personally calling owners in the original agricultural preservation zoning to discuss this new information. Discussion followed regarding how this has affected Walworth County, since their Comprehensive Plan has already been adopted. Chairman Kwiatkowski added that Waukesha County, as verified by Planner Pionke, wants to be self-certified for their farmland preservation program.

Chairman Kwiatkowski congratulated Clerk Pepper for obtaining her certification as a Wisconsin Certified Municipal Clerk.

Public Comment – In response to Ms. Pat Bandomir, W365 S8451 Hwy 67, Chairman Kwiatkowski explained that the "Working Lands Initiative" was a line item in Governor Doyle's budget. Chairman Kwiatkowski explained that this will have a great impact on communities who have already adopted their Comprehensive Plan. According to the state, those who want to rezone out of Agricultural Preservation will be required to pay a conversion fee of three times the assessed land use value per acre. The state's purpose of imposing this fee is to preserve farmland. Supervisor Malek added that annexations and land purchases by the Department of Natural Resources will not be subject to a conversion fee.

Mr. Nick Wambach, W344 S10609 Island View Lane questioned attorneys fees and wondered if other Towns have their attorneys on retainers, rather than individual billing. Mr. Wambach added that he does understand that the Town must have a municipal attorney.

Treasurer Pasterski announced that he has been appointed Chairman of the TRIP Committee.

There being no further business on the agenda, a motion was made by Supervisor Rasmussen, seconded by Supervisor Malek to adjourn at 8:43 p.m. Motion carried.

Respectfully Submitted,
Lynn M. Pepper

Eagle Town Clerk