



TOWN OF EAGLE
REGULAR TOWN BOARD MEETING
JANUARY 20, 2010
APPROVED MINUTES

Clerk Pepper called the meeting to order at 7:00 p.m.

A motion was made by Supervisor Davis, seconded by Supervisor West to appoint Supervisor Malek as Interim Chairman. Upon voice vote, motion carried.

Present: Supervisors Malek, West, Davis and Rasmussen. Chairman Kwiatkowski was excused. Also present: Treasurer Pasterski, Clerk Pepper, Fire Chief Heim, and Recreation Director Heywood.

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 Davis, seconded by Supervisor Rasmussen to approve the minutes of the Regular Board Meeting Minutes dated December 16, 2009, as corrected. Upon voice vote, motion carried.

Clerk's Report- Clerk Pepper reported that the Nature Trail Advisory Committee is accepting financial endowments for the Nature Trail, linking the Alice Baker Library and the Eagle Elementary School. Clerk Pepper presented the Accounts Receivable Summary Report.

Treasurer's Report- Treasurer Pasterski presented the December, 2009 report. Savings balance as of 11-30-09 was \$226,656.07. Total cash was \$3,935,363.60. Treasurer Pasterski presented the Board with an informational packet regarding the state of the Town's budget. Treasurer Pasterski suggested that upon Chairman Kwiatkowski's return, the Board should conduct a Special Meeting to discuss the budget in detail. A motion was made by Supervisor Rasmussen, seconded by Supervisor Davis to approve the Treasurer's Report, as presented. Upon voice vote, motion carried.

Claims- Claims totaling \$3,579,422.87 were reviewed. Discussion took place regarding the recent damage to the snow plow truck. In regards to Smart Growth, Supervisor Malek requested a report indicating the total costs associated with Smart Growth and the grant monies which have been received. A motion was made by Supervisor Rasmussen, seconded by Supervisor West to approve the payment of claims. Upon voice vote, motion carried.

Mailbox/Post Damage Claim from Eleanor M. Davis, S98 W36721 Hearthwood Lane- A motion was made by Supervisor Rasmussen, seconded by Supervisor Davis to approve the mailbox/post damage claim, in the amount of \$20.00. Upon voice vote, motion carried.

Mailbox/Post Damage Claim from Therese Ostermeyer, W350 S7951 Prairie Farms Court– Ms. Therese Ostermeyer explained that she located her original paperwork for her mailbox/post, indicating the May 14, 1997 purchase price of \$100.32. Ms. Ostermeyer explained that the residents in her subdivision are required to purchase their mailboxes/posts from a specific vendor. Ms. Ostermeyer explained that she does not believe that the weight of the snow knocked her mailbox down because the mailbox was thrown into the ditch. Ms. Ostermeyer explained that she spoke with her developer who stated to her that the Town of Brookfield does stabilization repairs in these instances. Ms. Ostermeyer added that while the standard protocol is a \$20.00 reimbursement, \$20.00 does not compensate for the loss.

Supervisor Malek explained that subdivision restrictions are not set by the Town and that the Town is not legally responsible for anything placed in the right-of-way. In response to Supervisor Malek, Ms. Ostermeyer explained that the post has been in the ground since May of 1997. Ms. Ostermeyer stated that she would be happy if someone would come dig the hole for the post. Discussion followed regarding the weight of thrown snow, rotting mailbox posts, and that there is a proposed resolution to discontinue the practice of mailbox/post reimbursement on tonight's agenda. Ms. Ostermeyer disagreed with the Board's assessment, adding that she is not comfortable signing the settlement and release form.

A motion was made by Supervisor Davis, seconded by Supervisor Rasmussen to approve the mailbox/post damage claim, in the amount of \$20.00. Upon voice vote, motion carried.

Mailbox/Post Damage Claim from Gerald W. Bohmann, S108 W37130 Draper Road– A motion was made by Supervisor West, seconded by Supervisor Davis to approve the mailbox/post damage claim, in the amount of \$20.00. Upon voice vote, motion carried.

Resolution 10-01, A Resolution to Discontinue Mailbox/Post Damage Reimbursement – Discussion ensued regarding the responsibility of the right-of-way, where services must take place. A motion was made by Supervisor Davis, seconded by Supervisor Rasmussen to adopt Resolution 10-01, A Resolution to Discontinue Mailbox/Post Damage Reimbursement. Upon voice vote, motion carried.

Resolution 10-02, A Resolution Opposing the County Assessment Proposal – Supervisor West reported that he attended the open meeting at Waukesha County Technical College regarding the County Assessment proposal. Supervisor West explained that the state is attempting to shift assessments to the County level, possibly resulting in aggressive tax increases. The state has indicated that the cost would not exceed \$25.00 per household. The Wisconsin Towns Association will be discussing this topic at their meeting in the Town of Vernon, to be held on January 27, 2010. Discussion followed.

A motion was made by Supervisor Rasmussen, seconded by Supervisor West to adopt Resolution 10-02, A Resolution Opposing the County Assessment Proposal. Upon voice vote, motion carried.

Discussion regarding 2009 Wisconsin Act 28, transferring the agent status from the Wisconsin Department of Commerce to the Wisconsin Department of Natural Resources for Commercial Building Erosion Control Regulation – Supervisor Malek reported that the Town Engineer has commented that no action is needed by the Town Board on this issue. The changes will affect developers/builders. Supervisor West added that this has already been passed into law. Any commercial buildings and subdivision platting will now require the Department of Natural Resources' approval, prior to Town approval.

Sheriff's Report- No report.

Library – No report.

Municipal Building - Approval to use reserve funds from the Municipal Building savings account for 2009 budgeted items: carpet cleaning, floor refinishing and the storage wall construction – Village President Rich Spurrell explained that these items were budgeted items for 2009 however due to time constraints, the tasks were not completed. The monies are currently sitting in the savings account and tonight's approval will not cost either municipality additional funds. Discussion followed regarding the previously budgeted dollar amount.

A motion was made by Supervisor Davis, seconded by Supervisor West to approve the use of the surplus monies from the savings account for the carpet cleaning, floor refinishing, and storage wall construction in the amount of \$1,300, as budgeted for 2009. Upon voice vote, motion carried.

Fire Department/Fire Commission – Supervisor West reported that the Fire Department will be holding a Strategic Planning Meeting on January 27, 2010 at the Firehouse. Snowplowing around the Fire Department was discussed at the meeting, as well as plumbing issues and repair to the make-up air units, which insurance covered with the exception of the \$500 deductible. Some items up for discussion were tabled. Supervisor West reported that the Municipal Building Committee discussed different methods for locking the doors in the municipal building.

Fire Chief Heim reported that there were a total of 286 opportunities for service last year, the ambo fund revenue for 2009 totaled \$80,000, and he is currently working on their year-end report. In response to Supervisor Rasmussen, Chief Heim explained that Waukesha County Collections has been working on collecting old debts on an ongoing basis.

Discussion ensued regarding the frozen fire hydrant by the lakes. In response to Tom Day, W350 S10115 Highview Road, Chief Heim explained that 3,500 gallons of water are brought to the call, as well as an additional 1,000 gallons in the pumper truck. If any additional water is needed, the truck is sent back to collect water from the Village municipal system. Mr. Nick Wambach, W344 S10609 Island View Lane suggested drilling a hole in the lake ice to obtain water. Discussion followed.

Chief Heim reported that the Fire Department received monies through the Funding Assistance Program for technical upgrades for training and they purchased items such as Power Point, a projector, and a screen. An additional \$1,000 was donated by the membership for the sound system. It is important to note that the donated membership monies did not come off of the tax roll.

Lake Management District - Supervisor Malek reported that the Lake Management District met last evening. Mr. Tom Day, Lake Management District Chairman explained that he has been told that the Department of Natural Resource's (DNR) Environmental Assessment is going to be revised, stating that the lake water level will not have to be lowered. Discussion ensued regarding the dam work that was done in July of 2009. Mr. Day explained that the DNR has requested additional information, in addition to the previous engineering work submittal to the DNR, in which the Lake Management District has been exonerated from any violations. Mr. Day added that the definition of dam may be redefined by the DNR.

Mr. Day reported that the Lake Management District received the \$50,000 grant for the new harvester, which will be delivered this spring. Discussion followed regarding weed cutting.

Village Board Meeting- Supervisor Davis reported that during citizen's comments of the January 14, 2010 Village Board Meeting, it was announced that Kettle Moraine Days will be held on June 25th, 26th and 27th, 2010. Other topics for discussion included the endowments for the nature trail, the Recreation Director's presentation, the municipal building's request, and the Fire Department's upcoming Strategic Planning Meeting. The Village will also be looking to obtain bids for a three-year lease for the areas around the Village wells.

Park & Recreation – Recreation Director Heather Heywood reviewed with the Board her accomplished goals and objectives for 2009 as well as her new goals and objectives for 2010. Director Heywood explained that she has developed a strong partnership with Palmyra and Whitewater for youth and senior programs. In addition, she

has been working with the communities of East Troy and Mukwonago, running programs jointly. Director Heywood added that she is planning on attending a budget seminar and then have the committee evaluate funds on a regular basis. Director Heywood went on that she wanted to recognize volunteers who have shown extraordinary commitment to the Park & Rec department, specifically Carmen Ballman and Scott Stokhaug who have gone above and beyond what is expected from a volunteer. Director Heywood presented the Board with the current activity guide and encouraged the Board members and their families to get involved. She then explained the profit/loss balance sheet. Director Heywood added that the Department has received the funding balance from the Village.

Garbage & Recycling – Supervisor Rasmussen explained that as of September 1, 2010, John's Disposal will no longer pick up electronic items such as televisions and stereos because these types of items will no longer be land filled. Supervisor Rasmussen requested that this information be included in the upcoming newsletter.

Business Park – No report.

Road Matters – Supervisor West reported that, to date, the Town's salt and sand supply is sufficient.

Chairman's Report- No Report.

Public Comment – Mr. Tom Day, W350 S10115 Highview Road explained that, in regards to the weed harvester, the conveyor system collects 85% of the cut weeds, which goes into the harvester and is off-loaded into a truck, to be used as recycling material.

Mr. Nick Wambach expressed concern that the Department of Natural Resources is not paying their fair share of funds for the Fire Department, seeing they own 1/3 of the land in the Town of Eagle. In response to Supervisor Malek who stated that the DNR is regulated by the State, Mr. Wambach replied that the DNR is currently paying approximately \$6,000 to \$7,000 for the maintenance on Wambold Road, which is the same dollar amount collected for the Fire Department. Supervisor Malek explained that this topic needs to be researched further.

In response to Ms. Therese Ostermeyer, W350 S7951 Prairie Farms Court, Clerk Pepper explained that a settlement and release waiver will be mailed to her. Once the waiver is signed and returned, the mailbox/post reimbursement check will be mailed.

There being no further business on the agenda, a motion was made by Supervisor Malek, seconded by Supervisor Davis to adjourn at 8:49 p.m. Motion carried.

Respectfully Submitted,

Lynn M. Pepper
Eagle Town Clerk