

**REGULAR TOWN BOARD MEETING
DECEMBER 14, 2009**

Chairman Leair called the meeting to order at 7:00 p.m. Present were Supervisors Morris, Schmittinger and Reid, Ross was absent. Also present were Administrator/Planner Herrmann and Clerk Whitmore.

Discussion/action – Minutes to be approved –

Regular Town Board Meeting of 11-9-09 Morris made motion to approve, Schmittinger seconded, motion carried unanimously. Special Town Board Meeting of 11-19-09- Morris made motion to approve, Schmittinger seconded, motion carried with Reid abstaining.

Monthly report from Wales-Genesee Fire Chief Greg Jezak

Chief Jezak went over the monthly report; there were 30 calls in the month of November for a total of 308 calls as of November 30th.

Don Gray, North Prairie Fire Chief was present and requested if a request comes in for a permit to re-build the building at 59 & 83 the owners be required to bring the building up fire code, there are mezzanines of plywood that need to be removed and replaced with firewalls, discussion. Clerk asked to give this information to our building inspector.

Discussion/action – Purchase of motor for new engine - Chief Jezak

The Chief and Board reviewed a memo from the Chief regarding the purchase of 2009 motor for the new engine 3761, the specifications for the engine are currently being written. The motor is a 2009 Cummins ISM configuration for the total price of \$32,878.00. The purchase now will result in a savings of approximately \$15,000 to \$20,000.00 due to the new 2010 emissions requirements. There will also be saving for future maintenance. Also the 2009 model does not have the diesel particulate filter required on 2010 motors, new components for the station's vehicle exhaust system will not have to be purchased, and a new boot to connect to the apparatus would be needed at a cost of approximately \$1,000.00. Diesel exhaust fluid would not have to be purchased in the future.

Disadvantages would be the up-front cost of the motor which is an unbudgeted item. The motor can only be used in a Pierce manufactured unit, and there are penalties for canceling the order. Also if the motor is purchased and not used in a Pierce-built unit, Peirce may charge a cancellation fee, the cancellation fee shall be equal to the amount of handling fees and a termination fee of up to thirty (30) percent of the total purchase price listed.

Leair told the Board she had spoken with Bob Gassert and this will be on the Joint Board agenda on December 15th, he feels they will be in favor of the purchase. Discussion

Morris made motion to support/approve the town's portion of \$32,878.00 for the purchase of the engine from the fire equipment funds, Reid seconded, discussion to review the Intermunicipal Agreement, motion carried unanimously.

Discussion/action – Approval of architect contract for Sunset Park Pavilion – Ron Hill

Hill went over the three proposals received for the architect for the new pavilion at Sunset Park. The three proposals received were – Fischer-Fischer-Theis - \$19,500.00; Architectural workshop - \$19,800.00 and Martinson - \$30,850.00. The Park Board recommended the town hire Fischer-Fischer-Theis, discussion. Morris made motion to approve the firm Fischer-Fischer-Theis for \$19,500.00, Reid seconded, motion carried unanimously.

Discussion/action – Re-approval of certified survey for Bob Rowlands, Road DT

This certified survey map for two 3 acre lots at the corner of Highway “D” and Road DT was approved in May 2008 subject to the approval it is filed with the county within one year, Mr. Rowlands is requesting re-approval of the csm, Mr. Herrmann has had conversations over the last six months with Mr. Rowlands regarding these

lots and recommends the Board reapprove the original csm. Schmittinger made motion to reapprove the csm and to give them 60 day from today to file, Morris seconded, motion carried unanimously.

Discussion/action - Resolution 09-10R Acceptance of Roads in Kettle Ridge Subdivision

Earle recommended acceptance of the road. Morris made motion to approve Resolution 09-10R Acceptance of the Roads in Kettle Ridge Subdivision, Reid seconded, motion carried unanimously. Discussion of changes in the wording of our Developers Agreement, motion carried unanimously.

TOWN OF GENESEE

RESOLUTION 09-10R

ACCEPTANCE OF THE ROAD

IN THE KETTLE RIDGE SUBDIVISION

The Genesee Town Board on _____, conditionally accepted the roads in the Kettle Ridge Subdivision, with a one year guarantee on the roads, as per the developers agreement.

The accepted roads are:

KETTLE RIDGE COURT

SPRING BROOK COURT

Approved this _____ day of _____, 2009

Sharon L. Leair, Town Chairman

ATTEST:

Barbara A. Whitmore, Town Clerk

Discussion/action – Ordinance Creating a 25 m.p.h Speed Zone in Kettle Ridge Subdivision

Morris made motion to approve, Reid seconded, motion carried unanimously.

STATE OF WISCONSIN TOWN OF GENESEE WAUKESHA COUNTY

ORDINANCE 09- 4__

AN ORDINANCE CREATING A 25 M.P.H. SPEED ZONE REGULATION ON THE ROADS IN THE "KETTLE RIDGE SUBDIVISION"

The Town Board of the Town of Genesee, Waukesha County, State of Wisconsin, DO ORDIAN AS FOLLOWS:

SECTION 1:

An Ordinance entitled TRAFFIC CODE for the Town of Genesee, subsection 1.02 entitled Speed Limits, Subsection 2 entitled Twenty Five Miles per Hour Speed Zones, is hereby amended by the addition of the following language:

KETTLE RIDGE COURT: West off State Trunk Highway 83 southwesterly to the end of the cul-de-sac

SPRING BROOK COURT: South off Kettle Ridge Court to the end of the cul-de-sac

SECTION 2: SEVERABILITY:

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the Ordinance. The remainder of the Ordinance shall remain in full force and effect. Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE:

This Ordinance shall take effect immediately upon passage and posting or publication as provided by law.

This Ordinance passed this _____ day of _____, 2009.

Conditions satisfied this _____ day of _____, 2009.

ATTEST:

Sharon L. Leair, Town Chairman

Barbara A. Whitmore, Town Clerk

Discussion/action – Request to lower letter of credit – Tom McAdams, Kettle Ridge Subdivision

The one year maintenance bond which is 15% of the total original Letter of Credit would be \$66,014.40. Morris made motion to reduce the Letter of Credit for Kettle Ridge to \$66,014.40, Reid seconded, motion carried unanimously.

Discussion/action – Release of letter of credit for Brookhill Heights Subdivision

This is for the final release of the maintenance bond/letter of credit, the road has been checked and the condition is acceptable. Morris made motion to release the balance of the Letter of Credit for Brookhill Heights, Reid seconded, motion carried unanimously.

Discussion/action – Approval of appointment of 2010/2011 Election Workers

A list of the proposed 2010-11 Election Workers was presented to the Board for approval.

Schmittinger made motion to approve the 2010-11 Elections Workers list as presented, Morris seconded, motion carried unanimously.

Listing of Poll Workers for 2010-2011**Wards 1, 2, 5**

Alba, Carrie	W. 5
Presta, JoAnn	W. 2
Heinonen, Laurie	W. 1
Paddock, Audrey	W. 5
Presta, Joanne	W. 2
Rosen, Sue	W. 5

Wards 3,4

Appenzeller, Emily	W. 3
Hemauer, Shelby	W. 3
Hinrichs, Barbara	W. 4
Praamsa, Joette	W. 3
Schmidt, Barbara	W. 3
Street, Sandy	W. 3

Wards 6, 9, 10

Bauernfiend, Kathy	W. 9
Ebert, Mary	W. 6
Hill, Barbara	W. 6
Kamps, Ruth	W. 6
Kempke, Carol	W. 6
Key, Sharon	W. 6
Klemp, Deb	W. 9
Machacek, Ann	W. 6
Meyers, Joy	W. 6
Passino, Deb	W. 6
Tritz, Chris	W. 9
Vanderhei, Donna	W. 6

Wards 7,8

Booth, Rosemarie	W. 7
Hellman, Betty	W. 7
McCann, Colleen	W. 8
Orgas, Betty	W. 7
Spencer, Maribeth	W. 8

Discussion/action – Fields Crossing subdivision letter of credit release

Herrmann explained to the Board that the Fields Crossing subdivision Letter of Credit is no longer valid the subdivision is being foreclosed on by Maritime Bank. They have presented the county with a \$60,000.00 Letter of Credit for the erosion control but not for the roads. He has contact attorney Macy on how to proceed, which will probably be special assessments to pay for the improvements, discussion. Morris made motion to direct Herrmann to work with the Town Attorney to start the reassessment process, Reid seconded, motion carried unanimously.

Review of Truck Use Policy changes

Review of the changes as proposed to the Truck Policy last month, Morris made motion to approve the Truck Use Policy, Schmittinger seconded, motion carried unanimously.

Discussion/action – Ordinance to regulate weight limits on certain town roads

Discussion of the proposed ordinance. Morris made motion to approve Ordinance 09-5 subject to the review by the Town Attorney, Reid seconded, motion carried unanimously.

Discussion/action – Winter Road Policy

Review of several other municipalities' policies, a final draft will be presented at the January meeting.

Reports**Public Works Supervisor – Tom Earle****Update on road work**

Earle reported the culver work on McAllister Way is complete as is the work on the culverts on Bethesda.

Update on snow and ice contract

Earle is working with Marty from Butterfield on the plowing.

Brushing work proposal

Earle is working on getting proposals to start brush cutting, he would like to do about six roads having the work completed by March 31st.

Treasurer – Carol McCormick

The town has received a donation from the Athletic Association for \$2,028.00. The state shared revenue and cable fee payments have been received and on December 4th we received a payment from WCTC for the Generac rescinded taxes.

Update on tax collection

We are waiting for the bills to go out.

Discussion/action – Bills to be presented

Morris made motion to approve the checks as presented, Schmittinger seconded, motion carried unanimously.

Discussion/action – Changes to Intermunicipal Agreement with the Town of Oconomowoc

Discussion, Schmittinger made motion to approve, Morris seconded, motion carried unanimously.

Discussion/action – Contract for Administrator/Planner

The Town of Oconomowoc approved the agreement on December 7th, Morris made motion to approve, Reid seconded, motion carried unanimously.

Discussion/action – Request for Operator Permits

Schmittinger made motion to approve the renewal permit for Rebecca Rockteacher at Genesee Market, Morris seconded, motion carried unanimously.

Reports**Chairman – Sharon Leair****Department of Revenue push to turn all assessments over to county units**

Leair reported the Department of Revenue is trying to have all assessments done through the county; the Wisconsin Towns Association is opposed to this, discussion.

Update on County Zoning Amendments

We received an 63 page e-mail from the county asking to set up a meeting to discuss the changes the four towns had asked for four years ago on December 8th; Leair replied to them no one was available on such short notice and would prefer something after the first of the year, discussion of zoning issues.

Update on Town legislation supported by Wis. Towns Assn.

Leair reported there are articles in the WTA magazine regarding – repealing of the levy limits and early voting.

Administrator/Planner – Jeff Herrmann

Update on highway 59/83 development

Herrmann reported this development is stalled.

Update on logo – Charlie Ross

Mr. Ross was not at this meeting.

Clerk – Barb Whitmore

Update on Wachtel Tree Science & Service report on gypsy moths

Whitmore reported there are no areas in the town that meet the criteria for spraying. She will send Wachtel's report out to those who called in with reports of the gypsy moth on their property.

Update on Generac rescinded taxes

McCormick had reported on the funds received so far.

Update on recycling of electronics

The Board was copied with correspondence we had received to date regarding the recycling of electronics.

Correspondence

Board members were copied with the correspondence. Schmittinger reported they had 94 families at Cookies with Santa.

Schmittinger made motion to adjourn, Morris seconded, motion carried unanimously. Meeting adjourned at 8:57 p.m.

Respectfully submitted,

Barbara A. Whitmore, WCMC
Town Clerk