

**TOWN BOARD MEETING FOR WATERFORD  
APPROVED/OFFICIAL MINUTES FOR DECEMBER 10, 2012**

**5:30 PM AT TOWN HALL**

1. Town Board meeting was called to order at 5:30 PM by Supervisor Szeklinski. Present: Gauerke, Hincz, Jeschke, Chairman Langmesser via Skype, Attorney Dubis and residents of the Town.
2. Supervisor Szeklinski led the Pledge of Allegiance.
3. Printed Minutes: Supervisor Jeschke motioned to approve the Town Board meeting minutes dated November 12, 2012 and Special Meeting minutes dated October 8<sup>th</sup>, November 12<sup>th</sup> and November 13<sup>th</sup>, 2012 as printed, seconded by Supervisor Gauerke. Motion carried.
4. Treasurer Report/Payment of Claims- Chairman Langmesser motioned to approve the claims as presented, seconded by Supervisor Jeschke. All in favor. Motion carried. Supervisor Szeklinski read the Treasurer's report.
5. Correspondence: Supervisor read a letter from resident Ron Spears thanking Chairman Langmesser and the Town staff/employees on a quick response to his concern.
6. Committee Reports:
  - (a) Police Dept. Report- Chief Ditscheit reported that there had been an increase in activity with drugs in the Town and Village which has resulted in numerous smaller arrests and more involvement from the Sherriff's Department.
  - (b) Tichigan Vol. Fire Co. – Chief Bluhm reported that there was a successful deer rescue and that it was their second one. Assistant Chief Wagner stated that they had not received any bids on the fire truck that was sitting out front of Town Hall, but that he anticipated receiving at least one by the Wednesday deadline. Supervisor Hincz asked if TVFC was able to qualify the Police Department on CPR. Chief Bluhm replied that they are and that they have talked to Chief Ditscheit already and will be setting it up.
  - (c) Waterways Committee- Kelly Cornelius was unable to attend, but provided the board her report via email.
  - (d) Park-
  - (e) Road Dept. -
  - (f) Town Planning Recommendations- Supervisor Gauerke reported only one item on Planning (Fence permit at 6414 N. Tichigan Rd.), this did not need any further action from the Town Board.

Supervisor Gauerke motioned to disperse of the agenda and move New Business before Old Business, seconded by Szeklinski. Motion carried.

7. Old Business:

(a) Health Contract 2013 and thereafter:

Szeklinski motioned to move into closed session under Wisconsin Statute 19.85(1)(e) for the purposes of deliberation/negotiation the investment of public funds and other specified business with an entity offering to provide health coverage to the Town for 2013 and possibly thereafter because competitive and bargaining reasons require a closed session, seconded by Gauerke. Motion carried.

After completion of closed session, Supervisor Szeklinski motioned to move back into open session at 6:24 PM, seconded by Jeschke. Motion carried.

Supervisor Hincz motioned to accept the proposal sent via email from Pro Health, dated December 8, 2012, for health nurse services for the Town of Waterford starting January 1, 2013 with amending it to a 1-year contract at the rate per their proposal, seconded by Gauerke. Motion carried. Supervisor Gauerke commended Supervisor Hincz on all the hours and dedication he put into the health contract to save the Town money.

8. New Business:

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(a) Residents of Elm Island woods looking to possibly amend current land in common ordinance (7.06)- Shelley Tessmer, 29109 Elm Island Dr., stated that there are trees in the “land in common” that are dying of oak wilt and Elm Island residents are recommending the Town amend their ordinance to allow Elm Island residents to cut the trees that are dead or are a safety hazard. Tessmer stated that only Elm Island individuals should be allowed and that the wood may not be taken off of Elm Island. Attorney Dubis stated that the ordinance they are asking to amend encompasses all land in common properties in the Town, not just the Elm Island Subdivision. Tessmer asked how the issue could be addressed because she feels there are safety issues and they want to clean up the dead fall. Supervisor Hincz asked how their deeds read. Mike Manicke, 29029 Elm Island Dr., stated that he has been an Elm Island resident for about 40 years and that the Elm Island residents have deeded access for recreation purposes. Supervisor Hincz stated that if each of the deeds indicates what their uses and rights are, he feels the Town has already done what they are able to do. Atty. Dubis stated that the ordinance was passed years ago to govern the general health, welfare and safety of the people. Tessmer stated that they have always had healthy woods, but now it is not the case. Discussion took place on modifying the ordinance, who is to determine what trees are dead or sick, enforcement of the ordinance, safety, liability and also cutting trees in the right of way. Mark Choinski, 28911 Elm Island Dr., stated he has no problem with residents cutting dead trees down and then cleaning up after themselves, but he does have a problem with cutting good trees down and also not taking all the wood after the tree is cut. Choinski stated that he has documentation from the Town Assessor that the land is labeled as a “park”. He stated that people dump leaves, pumpkins and other things in the “park” and said it is not a dump site. Mark Boncher, 29025 Elm Island Dr., stated he was one of the residents approached by the police when he was cutting some trees. Boncher stated that he was allowed to keep cutting the deadfall since they were “cleaning” not “harvesting”. Attorney Dubis stated that he feels all the Elm Island residents should attempt to be notified and that he is unsure if the “majority” of the subdivision was being represented. Board members agreed that the ordinance does not need to be changed, that the DPW can address the trees in the right of way. Supervisor Hincz stated he would like to find a way for the residents to get a long and he understands each of the concerns, but feels for the Town to police that area is difficult. Treasurer/Deputy Clerk, Heather Stratton, brought up another complaint that has been the result of cutting within the land in common which is riding ATV’s. Complaints had been received that the people cutting the wood were hauling the wood with their ATV’s and that is also in violation of the ordinance. Bob Rutherford, 4964 Elm Island Cr., stated that the area is a “tight knit group of people” and is the reason for staying in the area. Rutherford stated he feels the issue is a big waste of the Town’s time and apologized for wasting their time. Rutherford stated he feels it is common sense and yes people do throw trash within the area and he has picked it up, and if a tree is down, he feels they have the right to clean that up. Choinski stated that all he is asking is to stop the garbage that is coming from right in the area. Supervisor Gauerke suggested the DPW be notified to look into cutting the trees within the right of way. Gauerke and Hincz stated they feel if beyond anything the DPW or the utility company has control over, they suggested the residents of the area need to get together and come to an agreement. If the Town Police get called to the site, they are to use their discretion when enforcing the ordinance. No change will be made to the ordinance at this time.

Forthcoming events- Supervisor Gauerke stated that he had spoken to Carol Hoppe regarding her culvert complaint and that she was requesting to meet the entire board on site and that a tentative date had been set up. Supervisors stated that they had all been on site and feel there is not an issue. Gauerke is to notify Hoppe that she has the option to have the Town Engineer go look into her issue at her expense.

Supervisor Jeschke motioned to adjourn the meeting at 6:45 PM, seconded by Supervisor Hincz. All in favor. Motion carried.

Respectfully submitted,

Heather Stratton, Deputy Clerk

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