

**TOWN BOARD MEETING FOR WATERFORD  
APPROVED/OFFICIAL MINUTES FOR NOVEMBER 9, 2015  
5:30 PM AT TOWN HALL**

1. Town Board meeting was called to order at 5:30 PM by Chairman Hincz. Present: Supervisors Alvey, Draskovich, Gauerke Szeklinski, Attorney Dubis and residents of the Town.
2. Chairman Hincz led the Pledge of Allegiance.
3. Printed Minutes: Supervisor Draskovich motioned to approve the Town Board meeting minutes dated October 12, 2015 and Special Town Board minutes as printed, seconded by Supervisor Szeklinski: Vote taken: 5-0. Motion carried.
4. Treasurer Report/Payment of Claims- Supervisor Szeklinski read the Treasurer's report. Supervisor Alvey motioned to approve the claims as presented seconded by Supervisor Gauerke: Vote taken: 5-0. Motion carried.
5. Correspondence: County Executive Delegrave will be at the December Town Board meeting to discuss Racine Co. budget
6. Committee Reports:
  - (a) Police Dept. Report- Chief Ditscheit reported 1 arrest that was drug related. Ditscheit indicated that they are looking for reserve officers. Reserve officers would be people who volunteer to help with the police dept. when they are involved with special events, e.g. crowd control, assist with water patrol. Do not need to be police officers. An ordinance would need to be drafted and approved. Ditscheit will give to Dubis for review and email to the Town Board members, at least one week prior to the meeting for review, and will be on the December Town Board meeting. New squad is ready and "Town" has been removed from decal to just say "Waterford".
    - Discussion & possible action re: police part-time salary- Hincz proposed that all part-timer officers be paid the same wage which is currently \$22.37/hour. Szeklinski motioned to approve \$22.37/hour, seconded by Gauerke. Alvey questioned where this amount came from. Hincz indicated that this isn't a high-end salary but competitive. Vote taken: 5-0. Motion carried.
  - (b) Tichigan Vol. Fire Co. - Chief Wagner reported there was a fire that spread and damaged most of the house. He strongly recommends that people have their chimneys cleaned. Chairman Hincz noted that Szeklinski, TVFC and himself met to discuss the TVFC budget. TVFC would like to have at least 3 persons on duty during the week. Szeklinski indicated that the cost would be \$75/day, resulting in an additional \$40,000 a year to fund. Hincz noted that the town will need to be creative and make sure that the Town and TVFC are financially working together to understand where each entity stands. Wagner indicated that he put together a list of other municipalities and what their budget amounts are. Wagner will forward to Clerk. Hincz and Alvey questioned the status of the current on-going legal case involving the former Fire Chief. Wagner indicated that there is a preliminary hearing November 18<sup>th</sup>. Wagner has been told by several people that it could take 6 months to 2 years to work through the judicial system. Dubis questioned if the former Fire Chief was bonded. Wagner indicated that they have insurance but have not officially filed the paperwork. Dubis noted that there is a time limit in filing a claim. Alvey noted the fire company should have been filing the insurance claim to get the money back. Hincz stated that there needs to be more communication and that the Town will help if possible. It was also noted that TVFC does not have an attorney assisting them in this matter.
  - (c) WWMD- Derse indicated that the budget was approved 82-16 to raise the special charge amount by \$50.00 bringing the total to \$225.00. If there are complaints in regards to the increase, residents are to call Ted Derse or Chairwoman Baron. WWMD did take in over \$50,000 in grants from the DNR. The dredging effort is still continuing. Larry Gabrysiak, 32747 Sunburst Ct., questioned if the WWMD received approval to run a pipeline to the pit. Derse indicated that they have not and further testing has to be done first.
  - (d) Park- Ken Hinz indicated that the park is closed up for the winter
  - (e) Road Dept. – Ken Hinz indicating that he is currently completing the TRID grant. The Town will have 5 years to complete the work. After discussion with the Town engineer, it was decided that Town Line Rd. is the project to focus on with this grant. This would include Town Line Rd. from Homestead Rd. to N. Lake Dr. The town would need to spend \$100,000 + to qualify for the 50/50 grant. This project will also be bid out. The application will need to be submitted no later than November 19, 2015. Hinz reported that there was a landfill site inspection done October 22,

2015. Work will need to be completed. This includes posting signs on the front stating that it's a former landfill site; couple low areas need to be addressed and finally, the fence line needs to be cleared. This will be a costly and timely project and was uncertain why these items are issues now and not in past inspections. Hincz indicated that he wants to review the previous year's reports and will write a letter to the DNR questioning the validity of the Town having to complete these projects.

(f) Town Planning Recommendations-

-Rezone- Hall/Smiekowski, Big Bend Rd./Jensen Pkwy.- Request to rezone from A-3 to R-2 or R-2S. Gauerke read the minutes from the November 2, 2015 planning commission meeting. Smikowski indicated that she had spoken to Jeff Bratz, WRCSO, and WRCSO had sent a letter to SEWRPC requesting them to extend the line to allow the entire property to be included in the sewer service area. SEWRPC received the letter and they are waiting for the SEWRPC President to contact the WRCSO Chairman to determine the next step. Gauerke indicated that he had spoken to Brian Jensen, Racine County, and the applicants' definitely have to rezone. Gauerke motioned to accept planning commission's recommendation for approval with the 4 conditions and adding a 5<sup>th</sup> condition of the applicants being required to have their driveway off of Jensen Pkwy., seconded by Szeklinski. Vote taken: 5-0. Motion carried. Applicants are aware that with this rezoning, horses will not be allowed.

-CSM- Himebauch, 7123 Caldwell Rd.- Applicants looking to separate the house from the farm. Applicant, Dale Himebauch, present. Gauerke read planning minutes. Gauerke motioned to approve the CSM, seconded by Draskovich. Vote taken: 5-0. Motion carried.

- CSM- Rausch, 6926 Big Bend Rd.- Gauerke read planning minutes. Gauerke added that the Clerk had spoken to Brian Jensen to reaffirm that there will not be two tax key #'s for lot one but land is deed restricted and cannot be built on without having those restrictions removed. With that clarification, Gauerke motioned to approve the CSM for Rausch, seconded by Szeklinski. Vote taken: 5-0. Motion carried.

- Ordinance relating to culvert access will be discussed at a later time

7. Old Business:

- (a) Discussion and possible action re: policy regarding construction without obtaining permits and the sale of a residence- Chairman Hincz indicated that situations have come up where people have made improvements and Town doesn't know from taxation or a building permit standpoint. It falls on condition reports for when a person sells a property. Alvey indicated that realtors inform people that they need to disclose any work without permits be indicated on the condition report and if something is determined to have been done without permits the buyer does have recourse against the seller. Either way, Alvey indicated the seller is not "off the hook". Discussion took place on requiring "point of inspection". Chairman Hincz indicated he didn't think the current policy needed changing and asked if all was ok with how the system was currently working and that the Town has its own "police force" that is aware of what's going on around and makes inquiries to the Inspector as to work being performed in the Town. Town Board indicated they were content with the current system. No action.
- (b) Discussion and possible action re: implements of husbandry- Draskovich reported that Ken Hincz and he spoke with other municipalities and there is no consistency as to municipalities opting in or out, but recommends to opt. out. Draskovich did say that they need to post weight limits on the bridges. Alvey motioned to opt out and stay as-is and to post weight limits on bridges, seconded by Draskovich. Vote taken: 5-0. Motion carried.
- (c) Discussion and possible action re: changes to the pier ordinance in regards to fees- Hincz indicating that there is a problem with the Clerk's office receiving pictures of the piers that have been approved. Attorney Dubis indicated that a lot of time and resources are being spent on piers and feels the fee should be increased. Attorney Dubis explained \$75 submitted with application. \$75 paid within 7 days of board decision or to pick up permit, whichever comes first, if permit denied, only charged \$75. Dubis, spend way more money than \$50. Gauerke stated that it doesn't mention color photo to be submitted with the payment. Attorney Dubis replied that it could be added. Draskovich indicated that he feels no refund is needed and he feels \$75 filing fee up front, no additional fee if denied, then additional \$75 for the permit fee if approved and if they don't turn in a picture, the board can go look at again if something comes up. Draskovich motioned to approve the increase in permit fees, \$75 to be submitted with application, if denied no refund and if approved additional \$75 for permit fee, permit will not be issued without picture, seconded by Szeklinski. Vote taken: 5-0. Motion carried.
- (d) Discussion and possible action re: ordinance relating to ditch & culvert and public access- Hincz indicated that wording specifying that if a culvert has to be replaced that the Town is responsible within their right-of-way but not responsible to replace with the same materials that was present prior to the culvert and/or driveway excavation.

8. New Business:

- (a) Original Liquor, Soda, and Dance Licenses- JJ's Hilltop, LLC, 6812 N. Tichigan Rd. - Szeklinski motioned to approve the licenses, seconded by Gauerke. Vote taken: 4-0 (Hincz abstained). Motion carried.

Forthcoming events

- (a) Annual budget meeting is November 17, 2015 at 5:30 pm

Supervisor Szeklinski motioned to adjourn the meeting at 6:30 PM, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

Respectfully submitted,

Heather Stratton, Deputy Clerk