

415 N. MILWAUKEE ST.
WATERFORD, WI 53185
WATERFORD TOWN HALL

TOWN BOARD AGENDA

OCTOBER 9, 2023 @ 5:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/86306217826?pwd=NEtuMFB6Ung4SjFIUVNVN1I4OW1uQT09>

Meeting ID: 863 0621 7826

Passcode: 411869

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF TOWN BOARD MINUTES DATED SEPTEMBER 11, 2023 AS PRINTED.
4. APPROVAL TO PAY CLAIMS AS PRESENTED/TREASURER REPORT
5. CORRESPONDENCE
6. DEPARTMENT/COMMITTEE REPORTS:
 - (a) Police Dept.
 - (b) Tichigan Fire Co.
 - Discussion & possible action re: ordinance relating to access on private/public roads to ensure safety
 - Discussion & possible action re: key lock box system “Knox Box”
 - (c) Waterford Fire & Rescue
 - (d) Waterford Waterway Management District
 - (e) Park
 - (f) Road Dept.
 - (g) Town Planning Commission Recommendations (See October PC Agenda)
7. OLD BUSINESS:
 - (a) Discussion & possible action re: UTV on Town roads
8. NEW BUSINESS:
 - (a) Discussion & possible action re: resolution/policy addressing meeting attendance, electronic attendance as it relates to Board members
 - (b) Report from Cooperative Boundary Group- Updates on meetings with Village of Waterford
 - (c) Town Board Chairperson’s Report
 - Update on 6721 Spruce Ln and 7028 N. Tichigan Rd.
 - Update on budget hearings
 - Reminder of office closure- WTA Conference
 - Update on Liaison duties

PUBLIC COMMENTS- *Please be advised per State Statute Section 19.84(2), information will be received from the public. It will be the policy of the Town that citizens be pre-registered to present comments or suggestions to the Town Board. Registration forms will be available at the meeting and must be turned in to the Town Clerk prior to the start of the meeting. Pre-registered Citizens will be called by name by the Town Chair and are subject to a three-minute time period, per person, with time extensions granted at the Town Board’s discretion. Be further advised that there may be limited discussion on the information received; however, no action will be taken under public comments.*

FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

Posted this 4th day of October, 2023 @ 2:50 pm

TOWN BOARD MEETING FOR WATERFORD
415 N. MILWAUKEE ST.
UNAPPROVED/UNOFFICIAL MINUTES FOR SEPTEMBER 11, 2023

1. Town Board meeting was called to order at 5:30 PM by Chair Nicolai. Present: Supervisors Gauerke, Szeklinski, Schwartz and via zoom, Supervisor Ulander. Also present: Attorney Dubis, Police Chief Johnson, Lieutenant John Nelson, DPW Director, Ken Hinz, TVFC Chief, Bill Miller TVFC Secretary, Cassidy Flintrop, WWMD Commissioner Bill McCormick, and residents of the Town.
2. Chair Nicolai led the Pledge of Allegiance.
3. Chair Nicolai asked for a moment of silence in memory of 9/11.
4. Printed Minutes: **Supervisor Schwartz motioned to approve the Town Board meeting minutes and special Town Board minutes dated August 14, 2023, as presented, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
5. Treasurer Report/Payment of Claims- Chair Nicolai read the Treasurer's report. **Supervisor Szeklinski motioned to approve the Treasurer's report and pay the claims, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.**
6. Correspondence: Chair Nicolai read email from resident commending Officer Leech on the positive encounter he and his family had with Officer Leech.
7. Committee Reports:
 - a) Police Dept. Report- Lieutenant Nelson reported that officers were assigned to 306 actual calls, 199 crime preventions and 27 building checks. Lieutenant reported that there were 153 traffic citations, 53 warnings, 2 misdemeanors, 11 ordinance violations, 4 OWI's, 2 warrant arrest, 8 accident reports and 0 domestic abuse, 8 Water Patrol citations and 25 Water Patrol warnings. Chief Johnson indicated that they were offered the 23-24 CIOT Task Force Grant and asked permission to participate. **Supervisor Szeklinski motioned to approve the participation in the 23-24 CIOT Task Force Grant, seconded by Supervisor Schwartz. Vote taken: 5-0.**
 - b) Tichigan Vol. Fire Co- Secretary Cassidy Flintrop reported 19 EMS and 3 Fire calls for the month of August. Flintrop also reported the September 13th CPR class, October 14th open house.
 - c) Waterford Fire & Rescue-
 - d) WWMD- Bill McCormick reported that they are nearing putting away the equipment and that the annual budget is September 23rd.
 - e) Park Dept.- Ken Hinz reported that mowers are down and they are looking into replacing.
 - f) Road Dept.- Ken Hinz reported that the next meeting for the Town Line Rd project is next week, N Lake would be starting to get paved starting Thursday. Supervisor Schwartz asked if Hinz has notified the Fire Department. Hinz indicated that he would. Hinz reported that a property owner on N Tichigan Rd. hit and knocked down a guardrail. Supervisor Schwartz motioned to have the DPW replace the guardrail and bill the homeowner 50%, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.
 - g) Town Planning Recommendations-
 - CSM-Roth, 28502 Ivy Ln.- **Supervisor Szeklinski motioned to accept planning commission's recommendation for approval, seconded by Supervisor Schwartz. Vote taken: 5-0 Motion carried.**

- Short-Term Rental-Bratton, 6624 Canal Ln.- **Supervisor Szeklinski motioned to accept planning commission's recommendation for approval, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**
- CSM-Schierl, vacant property SE corner of E. River Bay Rd.- **Supervisor Szeklinski motioned to accept planning commission's recommendation for approval, seconded by Supervisor Schwartz. Vote taken: 5-0. Motion carried.**

8. Old Business:

9. New Business:

- a) Discussion & possible action re: Ordinance addressing Board absences- No action. Item to remain on agenda.
- b) Report from Cooperative Boundary Group-Tom Mroczkowski reported that the group had met two times for a combination of 4 hours and came up with expectations moving forward.
- c) Town Board Chairperson's Report- Chair Nicolai reported that budgets are due September 18th and that budget workshops are set up, the properties at 6721 Spruce and 7028 N Tichigan are being cleaned up, Town Hall offices will be closed October 23-24 for WTA conference, Tri-County meeting September 21st.

Forthcoming Events-

Supervisor Szeklinski motioned to adjourn the meeting at 6:11 pm, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

ORDINANCE#

TOWNSHIP OF WATERFORD

RACINE COUNTY WISCONSIN

AN ORDINANCE ASSURING ACCESS ON PRIVATE ROADS AND PUBLIC
ROADS TO ENSURE SAFETY IS NOT ADVERSELY AFFECTED

The Town Board of the Township of Waterford, at its regular and duly noticed monthly meeting does

hereby ordain as follows:

WHEREAS, the Town Board recognizes that services such as rescue, fire and police are essential

to the peace, comfort and wellbeing of the electors, property owners and the public in general and,

WHEREAS, for example, all private roadways throughout the township will be maintained by the property owner adjacent to the roadway and on public roadways will be maintained by the Town of Waterford. This will ensure service along with public safety access to all properties.

This will ensure a safe community that will be able to be serviced by Fire, Rescue, Police, Public Works, Sanitation District, and other Service delivery companies.

NOW THEREFORE, the Town Board does hereby ordain that all roadways in the Township will be maintained with approved clearances (17'.6'.and 14"6" tall) The road edges will also be maintained and kept clear of hazards (Vegetation, trees, snow, and ice)

The Town of Waterford Police Department is charged with the duty of enforcing this Ordinance, using its discretion as to whether or not an initial (1) warning be provided to those property owners.

In the event a citation is issued, the forfeiture shall be not be greater than \$1000.00 along with restitution of the time and wages expended by Town of Waterford or designee to clear area to conform to the required clearances.

Failure to pay the same on or before the initial appearance in the Town Municipal Court and with no extension given by the Court, the prosecuting attorney or the Town police.

Dated and adopted this day of , to take effect upon posting/publication as required by law.

KEY LOCK BOX SYSTEM

(1) Definition.

As used in this Section, the term "key lock box" means a locking, UL-approved, "Knox-Box"-type metal container approved by the Tichigan Vol Fire Company fire chief, designated to hold keys for emergency entry into buildings, which can be opened, strictly in emergency situations, by a master key to be kept by the Tichigan Vol. Fire Co.

(2) General provisions.

The following structures shall be equipped with a key lock box at or near the main entrance, or at such other location as required by the fire chief:

(A) A commercial, retail or industrial structures where one or more of the following applies:

1. The structure is currently under construction and no occupancy permit has been granted by the Town as of the effective date of this ordinance.

2. A building permit for the structure has been granted on or after the effective date of this ordinance, whether for new construction, an addition to, or a remodeling of, an existing structure.

3. There is a change in use within an existing structure on or after the effective date of this ordinance that requires a new or an amended conditional use permit, a rezoning, or an amendment to the Town's comprehensive plan

(B) Multifamily residential structures that have restricted access through locked doors and have a common corridor for access to the living units; and,

(C) Governmental structures and nursing care facilities.

(3) Key lock box installation.

All structures subject to this Section shall have a key lock box installed and operational prior to the issuance of an occupancy permit therefor and, in the case of preexisting structures, within 60 days after the effective date of this Section.

(4) Requirements.

(A) The fire chief shall designate the type and quality of the key lock box system to be implemented and shall have the authority to require all structures to use the designated system.

(B) The owner or operator of a structure required to have a key lock box shall, at all times, keep keys in the lock box that will allow for fire department access to all the following locations, as applicable:

1. Keys to locked points of egress, whether on the interior or exterior of such buildings;

2. Keys to locked mechanical equipment rooms;

3. Keys to locked electrical rooms;

4. Keys to elevator controls; and,

5. Keys to other areas as directed by the fire chief. Each key shall be legibly labeled, in such a manner as is approved by the fire chief, so as to indicate which lock the key opens.

(5) Rules and regulations.

The fire chief shall be authorized to implement rules and regulations for the use of the key lock box system, which rules shall be reviewed and approved by the Town of Waterford Board.

(6) Security procedures.

The fire chief shall promulgate and enforce procedures to protect the security of the fire department's master lock box key(s), which rules shall be reviewed and approved by the Town of Waterford Board

(7) Contact information.

Any person who owns or operates a structure subject to this Section shall annually provide a list of emergency contacts and telephone numbers to the fire department.

(8) Penalties.

Any person who owns or operates a structure subject to this Section shall be subject to the penalties set forth in this Chapter. Any person who tampers with, removes, removes keys from, opens without authorization, or renders any key lock box inoperable shall be subject to the penalties set forth in this chapter.

OCTOBER 2, 2023
PLANNING COMMISSION MEETING
TOWN OF WATERFORD
415 N. MILWAUKEE ST., WATERFORD, WI

TOWN HALL

5:30 PM

Join Zoom Meeting

<https://us02web.zoom.us/j/87507495889?pwd=c0UwM0xLa1VhM0h3dERuSng5aUI5Zz09>

Meeting ID: 875 0749 5889

Passcode: 299905

1. CALL MEETING TO ORDER
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF SEPTEMBER 11, 2023 MINUTES AS PRESENTED
4. PIER PERMIT- THIESENHUSEN, 6409 N. TICHIGAN RD.
5. PIER PERMIT- WILINSKI, 6601 HEIDELBERG CR.
6. PIER PERMIT/TOWN LEVEL VARIANCE- LIEBKE, 5624 W. PENINSULA RD.- VARIANCE IS TO EXCEED THE CURRENT SQUARE FOOTAGE REQUIREMENT FOR THE WHARF.
7. CORRESPONDENCE/PUBLIC COMMENTS
8. FORTH COMING EVENTS-

“Requests from persons with disabilities who need to participate in this meeting or hearing should be made to the Town Chairperson Office at 534-1871 with as much notice as possible”

TOWN BOARD MAY BE IN ATTENDANCE

This notice is subject to amendment up and to the time applicable as allowed by law. Please check with Town Clerk for any changes.

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
OCTOBER 2, 2023 @ 5:30 PM
UNAPPROVED/UNOFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chair Teri Nicolai. Present: Commissioners Derse, Nelson, Mroczkowski, Dickinson, Wagner and Town Attorney. Commissioner Wenck arrived at 5:34 pm.
2. Chair Nicolai led the Pledge of Allegiance.
3. **Commissioner Mroczkowski motioned to approve the September 11, 2023 minutes as presented, seconded by Commissioner Nelson. Vote taken: 6-0. Motion carried.**
4. Pier Permit- Thiesenhusen, 6409 N Tichigan Rd- Applicant present. **Commissioner Wagner motioned to approve the pier permit, as presented, seconded by Commissioner Mroczkowski. Commissioner Mroczkowski informed the applicant that he is required to have reflectors on the pier. Vote taken: 6-0. Motion carried.**
5. Pier Permit-Wilinski, 6601 Heidelberg Cr.- Applicant present. **Commissioner Derse motioned to approve the pier permit, as presented, seconded by Commissioner Dickinson. Vote taken: 6-0. Motion carried.**
6. Pier Permit/Town Level Variance-Liebke, 5624 W. Peninsula Rd.- Applicant present. **Commissioner Wagner motioned to approve the pier permit and town level variance, as presented, seconded by Commissioner Mroczkowski. Vote taken: 7-0. Motion carried.**
7. Correspondence/Public Comments-
8. Forthcoming Events-

Commissioner Derse motioned to adjourn the meeting at 5:37 PM, seconded by Commissioner Nelson. Vote taken: 7-0. Motion carried.

Respectfully Submitted,

Heather Stratton, Deputy Clerk

Re: golf card on town roads
From: Gary Bluemel <gary.bluemel@outlook.com>
Sent: Wed, Sep 6, 2023 at 4:49 pm
To: tmayer@townofwaterford.net

I request to be added to October's Town Board meeting agenda. Subject is adding UTV's to golf cart ordinance # 9-10-12.

Thanks,

Gary Bluemel
262-825-7601
gary.bluemel@outlook.com

From: tmayer@townofwaterford.net <tmayer@townofwaterford.net>
Sent: Wednesday, September 6, 2023 8:52 AM
To: Gary Bluemel <gary.bluemel@outlook.com>
Subject: Re: golf card on town roads

You have to write a letter/email requesting to be placed on the agenda. I would need this no later than September 14th. The next meetings that this could be placed on is October 2nd and 9th.

Have a great day!

Tina

-----Original Message-----

From: "Gary Bluemel" <gary.bluemel@outlook.com>
Sent: Tuesday, September 5, 2023 6:31pm
To: "tmayer@townofwaterford.net" <tmayer@townofwaterford.net>
Subject: Re: golf card on town roads

Tina, how do I get on the town board agenda to ask for UTV's to be added to the golf card ordinance?

Thanks,
Gary Bluemel
262-825-7601
gary.bluemel@outlook.com

From: tmayer@townofwaterford.net <tmayer@townofwaterford.net>
Sent: Tuesday, September 5, 2023 8:36 AM
To: Gary Bluemel <gary.bluemel@outlook.com>
Subject: RE: golf card on town roads

Hi Gary, it's on our website but I am attaching a copy for your convenience.

Have a great day!

Tina

-----Original Message-----

From: "Gary Bluemel" <gary.bluemel@outlook.com>
Sent: Monday, September 4, 2023 1:25pm
To: "tina mayer" <tmayer@townofwaterford.net>
Subject: golf card on town roads

Tina, can you send me a copy of the golf card ordinance that allows people to drive on town roads?

Thanks,
Gary Bluemel
262-825-7601
gary.bluemel@outlook.com

**PLANNING COMMISSION MEETING
415 N. MILWAUKEE ST.
JULY 5, 2017 @ 5:30 PM
APPROVED/OFFICIAL MINUTES**

1. Planning Commission meeting was called to order at 5:30 PM by Chairman Hincz. Present: Commissioners Schmidt, Luick, Alvey, Smith, Derse, Atty. Dubis and Town Board Members. Wenck was excused.
2. Chairman Hincz led the Pledge of Allegiance.
3. Commissioner Luick motioned to approve the June 5, 2017 meeting minutes as presented, seconded by Commissioner Smith. Vote taken: 6-0. Motion carried.
4. Correspondence-
5. Pier Permit- Bruce, 7613 N. Tichigan Rd. - Commissioner Schmidt motioned to recommend approval of the pier as presented, seconded by Commissioner Derse. Vote taken: 6-0. Motion carried.
6. Town Level Variance- Schmidt/Lardinois, 6836 N. Tichigan Rd. - Request to construct an oversized garage(s) - GMH Construction, builder, was also in attendance. Owner had signatures from surrounding neighbors indicating that they do not have a problem with the request. Mr. Schmidt indicated that the current trailer on the property will be removed. Builder noted that the foot of the home will remain the same and the deck will be screened in. Existing garage will remain but all other smaller building will be removed. The new garage will be 10' off the lot line instead of the 5' for maintenance reasons. Commissioner Luick motioned to recommend approval of the Town Level Variance, seconded by Commissioner Alvey. Vote taken: 6-0. Motion carried.
7. Conditional Use- Audrey Robran-Zegar, owner, Tyler Polzin, applicant-to construct an 81' x 150' pole barn for storage of company trucks and construction equipment (dba Steve's trenching service); located in the A-2 General Farming and Residential District II; directly west of 33428 Janesville Road; Sec. 5, T4n, R19E, (Parcel ID. no. 016041905005000) - Tyler Polzin, applicant, noted that they would be buying the house and 5 acres at 33428 Janesville Rd. as well as 5 acres owned by Audrey Zegar. Chairman Hincz noted that county has already approved this request and noted that the applicants will be required to combine the two properties via deed recorded with the Racine County Register of Deeds office. Mr. Polzin did note that there would be no further land division and Atty. Dubis noted that the Town would need to see this deed restriction. Atty. Dubis informed Mr. Polzin to have his surveyor, Degen-Foat, contact his office to explain what is needed. Commissioner Luick motioned to recommend approval of the CUP, seconded by Commissioner Alvey. Vote taken: 6-0. Motion carried.
8. Discussion & possible action re ordinance for ATV/UTV, proposed by Tichigan Sno-N-Go- Chairman Hincz indicated that comments would be limited to 2-5 minutes with the exception of the presenter, Jason Kawczynski. Mr. Kawczynski noted that they would like to start an ATV/UTC club as there are none in the area. They would like to create a system of ATV trails in the area similar to those used by the snowmobile club. The ability to use town roads is the only way for this to move forward. Mr. Kawczynski noted that

they could even set up something temporary to see how things progress. He feels this would be an asset to the area businesses as people would be coming here to ride. The club is very receptive to working with those who are in opposition to see just where the concerns are. Kawczynski was asked to go out to N. Tichigan Rd. to view just how busy this road is and he did so and that was the reason they removed N. Tichigan Rd. as a prospective route. It is not their intention to run through marsh land or the conservancy which is why they made some adjustments to their proposals. Chairman Hincz opened the comments first to those in favor. Mr. Kawczynski was given the opportunity at the end to speak again.

- Perry Baumann, 28902 Beach Dr., noted that he is currently the Trail Boss for Tichigan Sno-N-Go and is responsible for getting the trails ready and speaking to land owners, getting verbal agreements. Baumann noted that there is a need for a place to ride in this area. They would also like to start holding classes for kids. Baumann further agreed that some of the areas proposed are farmland and not feasible to drive on. They would like a designated trail on DNR land. Feels that the current golf cart ordinance is working well. One concern was dust and dirt and Baumann indicated that this would be an off-road issue. There would not be dust clouds on paved roads. He believes that most people will abide by the laws and riders will have to obey speed limits. Baumann also noted that the club might patrol themselves and work with the DNR. DNR already has a lot of stipulations on the uses of ATV/UTV. Baumann asked if the board had any questions and Chairman Hincz felt that the packet submitted by the club was thorough.
- David Kwasinski, 30719 Chapman Ln.- Mr. Kwasinski indicated that he was in favor of this proposal. He noted that he is a “weekend warrior” going up north to ride. He would like to be able to ride in town and he feels that this will give a boost in revenue to the area businesses.
- Mark Bonchar, 29025 Elm Island Dr.- Mr. Bonchar stated he was in favor of this for several reasons. He felt that Jason did a great job putting together this information that included both sides. Mr. Bonchar is an editor for a snowmobiling magazine. He feels this will be a positive thing and is already happening in other places much like the town. He has 26 signatures from his neighborhood that are in favor of this proposal. Feels this is a very recreational area.
- Randy Kwasinski, 29117 N. Lake Dr.- A big supporter of this proposal. He lives here for the recreational aspect. Would give something for the kids to do. He also noted that there are several people who are in favor and were not able to attend but could get signatures if needed. He also noted that atv’s are no louder than some of the cars that go up and down his road.
- Bob Vail, 6915 Burma Rd.- Mr. Vail indicated that he was instrumental in getting the golf carts approved for road use and feels this is just the next step. Mr. Vail noted that there are “26 counties, or 26 areas up north, towns” that use atv/utv on the roads. He indicated that he had given a list of these towns to the former Chief, Tom Ditscheit. He believes this will help areas businesses flourish. Have all the safety features of cars.
- Chairman Hincz then opened the floor to those in opposition. Chairman Hincz did note that he, himself at his email address, did not receive any in favor and did receive 15 opposed. This was strictly to his email account only and they are documented. Joel Dickinson, 6902 N. Tichigan Rd.- He had heard about this a few weeks ago and heard that N. Tichigan Rd. was proposed, at this time, and felt that they could not handle any more traffic. He personally collected 65 signatures (those residents over 18) who were opposed to this, about residential roads being be used as recreational roads. A total of 185 or so signatures were collected. Mr. Dickinson stressed that this is strictly about noise, safety; congestion and not that they do not like atv/utv. Feels our police dept. is busy enough without this added enforcement. Does support an atv trail just not on residential roads.
- The following speaker did not speak in favor nor in opposition but for information only: Jason Roberts, DNR Recreational Safety Officer for this area. Mr. Roberts noted that the town can open the roads to atv/utv and now off-road motorcycles use but noted that there were a few parameters that the town would need to follow. Need to have DOT approved signage. Safety and liability are a big issue. He noted that

atv's are engineered for off-road use and not all will have the same safety devices, even the modern ones. The tires are made for the dirt and mud and not meant to go faster than 20-25 mph on paved surfaces. Currently a 12 year old can operate an atv as long as they are accompanied on a road route but the town could prohibit them from riding on a road way. There are only approx. 2 wardens in the Racine area. Mr. Roberts noted that at statewide perspective there are 9 fulltime positions dedicated to law enforcement associated with ATV/UTV uses which equates to 16000 man hours. Distributed among the 230 or so wardens across the state that only means there are 30-40 hours of actual enforcement time that each warden would be able to respond. Roberts further noted that Racine County has not had an ATV patrol in at least 5 years. The town would be required in making sure that everything is "signed" appropriately. This would not be like the snowmobile trails, when on the roads all signage needs to be at DOT standards. Not doing so could create a liability. He has however seen an increase in commercial establishments that allow this type of activity. Is the town able to take on additional enforcement? Only Counties can be reimbursed for their enforcement time. Funding for signage is usually at the bottom of the priority list. Most grants go to the existing trail systems throughout the state, focusing on the western and northern parts of the state. Side note:

- Marty Johnson, Property Manager for the Tichigan Wildlife Area. Mr. Johnson noted that he has worked with Perry Baumann with the trails that go across their property. Mr. Johnson reiterated what Mr. Roberts, DNR, had stated that the state is neutral on this matter. A property manager responds to the public on what they want to use DNR land for. Currently the DNR is going through their master planning. This guides the DNR in managing the property. If people are interested in introducing other options, now would be the time. The master plan goes through public reviews. There is a refuge on the north side of the property used for water fowl management. Snowmobile club trails go through a lot of DNR wetland area that would not be ideal for ATV use in the summer. There are some concerns with the refuge area. The dyke system installed in the 1980's was not designed for ATV use. The DNR also installed an osprey platform that having ATV's going through could cause problems with the nest.
- Chief Matt Johnson- Chief noted that although he is an atv'er he does not feel it belongs in residential areas. Concerns over enforcement. The town does have an utv but since he took office they do not use it for road use other than to and from Balloon Fest or Jensen Parkway. Concerns over responding to off-road accidents. How would damage complaints be handled such as damage to farmland, etc? Chief noted that the snowmobile club has insurance to cover the trails would this carry over to the atv/utc club. Mr. Kawczynski indicated that it would have to be redone. Mr. Kawczynski indicated that he did not believe that the atv/utv need to be insured and Chief expressed concerns if they are now allowed on the roads. Take in consideration the length of the trails, is it worth it?
- Stewart Frost, 29529 N. Lake Dr.-Mr. Frost noted that his family has been farming in the area since the 1800's. They have owned or rented properties for miles of the proposed route. He currently resides on N. Lake Dr. and has personally seen people come up the hill in a vehicle and "gass 'er". Does not think any amount of law enforcement would prevent an atv from doing the same thing. They do provide land for the snowmobiles but would not for atv due to concerns over damage. He feels there is nothing "fun" about going 25 mph down the shoulder of the road. Already has trucks going across their farmland and feels this would provide more opportunity. Mr. Frost spoke to other famers where this is legal and the comments were that it is a disaster and there has been an increase in trespassing, accidents, damage. Sees nothing but detriment. He would have been happy to express these concerns with the snowmobile club but no one approached him prior to this meeting.
- James Fillicetti, 28540 Wildflower Dr.- Mr. Filliceti noted that he did come out here for recreation, boating, fishing, walking his dogs, etc. Makes use of the park almost every day. He is not opposed to atv/utv use but not on residential roads or the park.
- Phyllis Hallman, 28913 Fir Ln.- Concerned over children crossing the road to the lake.
- Jason Kawczynski noted that after hearing all the opposition, these were items they tried to address in the modified proposal. The thought process behind the park was the parking lot. Snowmobiles can use the

road to get to trails and the atv's cannot. Currently the ordinance is very strict and an owner cannot drive across roads even if plowing their driveway. Feels this can be a family event. Noted that there was opposition in the 70's when the snowmobile club started and now we have great trails. Mr. Kawczynski stated we need to start somewhere is this cannot be developed in one day. They are completely open to compromise. The DNR cannot create trails if they don't have a road to use to get to them. Definitely want to work with the boards and to just consider some options in getting this developed in the future.

- Commissioner Schmidt noted that the Waterford from the 1970's is different from 2017. Basically a subdivision with farmland. You will not see this in New Berlin or Greenfield, too residential. Knows there are trails that go from bar to bar to bar. The businesses mentioned tonight were bars. Worried about safety. Feels there are fewer regulations protecting the wetlands as it is. How would the town respond to accidents off-road? Feels the town will eventually be affected cost wise.
- Commissioner Alvey noted that the town has worked very hard to keep taxes down and does not want this issue fall on the taxpayers. The town is debt free. Concerned about if "signage" is off and the lawsuit that could follow. Feels "up north" is a totally different animal. We don't have the open space like "up north".
- Commissioner Derse stated that safety is a significant concern. Liability would be astronomical to the town. Do we need a lawsuit? Feels relating cars and atv/utv is not a fair correlation.
- Commissioner Luick feels that cars and atv/utv should not be sharing the roads. Is in opposition.
- Commissioner Smith had to recuse herself; she is the treasurer for the Tichigan Sno-N-Go.
- Commissioner Luick motioned to deny this proposal allowing atv/utv to use the town roads for all the reasons stated tonight by the board members, seconded by Commissioner Schmidt. Vote taken: 5-0 (Commissioner Smith abstained). Motion carried. Chairman Hincz noted that Commissioner Wenck, who was not able to attend this meeting, expressed his opposition to this proposal. (This is not part of the motion but rather a statement)

9. Shoreland Contract report- None

10. Forthcoming Event-

-July 30th- Tichigan Lion's Club Parade

-Commissioner Schmidt's art work is currently at Fluegge's and he will be at the Little West End Gallery in August.

Commissioner Luick motioned to adjourn the meeting at 7:02 PM, seconded by Commissioner Derse. Vote taken: 6-0. Motion carried.

Respectfully submitted,

Tina Mayer, Town Clerk

TOWN BOARD MEETING FOR WATERFORD
415 N. MILWAUKEE ST.
APPROVED/OFFICIAL MINUTES FOR JULY 10, 2017
5:30 PM AT TOWN HALL

1. Town Board meeting was called to order at 5:30 PM by Chairman Hincz. Present: Supervisors Nicolai, Draskovich, Gauerke, Szeklinski, Attorney Dubis, Captain Matt Johnson and residents of the Town.
2. Chairman Hincz led the Pledge of Allegiance.
3. Printed Minutes: Supervisor Szeklinski motioned to approve the Town Board meeting minutes dated June 12, 2017 and Special Meeting minutes dated June 12, 2017 as printed, seconded by Supervisor Nicolai. Vote taken: 5-0. Motion carried.
4. Treasurer Report/Payment of Claims- Supervisor Szeklinski read the Treasurer's report. Supervisor Nicolai motioned to approve the claims as presented, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried. Supervisor Szeklinski noted that the town is now debt free. Supervisor Szeklinski spoke briefly on the new radios acquired by the TVFC. Town saved approx. \$11,349 in interest by paying off the fire truck and therefore made a motion to use this money to make a one-time payment to the TVFC for their radio payments, seconded by Supervisor Gauerke. Vote taken: 5-0. Motion carried.
5. Correspondence: Chairman Hincz mentioned the following:
 - Chairman Hincz stated that he has been in contact with the *Waterford Post* about having a reporter at the town meetings. Did get an email from the managing editor and apologized for the lack of presence. The new reporter was in the audience and introduced himself as Alex Johnson.
6. Committee Reports:
 - a) Police Dept. Report- Captain Johnson noted that there has been increase in activity including two overdoses and two sexual assault cases, both suspects are in police custody. Both incidences occurred in the town. Chief reported a home invasion/robbery occurred on July 4th. Due to the holiday and the other investigations the police had going on as a result, they did not have the manpower to complete the case and turn over to the sheriff's dept. so it could progress as needed. Chief has not been made aware of any updates by the sheriff's dept. Picnic in the Park had a great turn out. Had 6 reserve officers and 1 officer in attendance. Stuff the Squad was well received. Johnson was not sure of any numbers this year but last year Pick N Save was the #1 store. All foods donated were given to area food pantries. Had 1 officer and 2 reserve officers there. The reserve officers recently went through CPR/Defib training that was hosted by the TVFC. Sandbar party was well attended. A lot of warning and 1 boating owl. Speed trailer is up and running. Residents can request that the trailer be put in different areas, the police dept. will try and accommodate. This is at no cost to the town as the reserve officers are maintaining and setting up. Chief noted that in May the reserves logged 57.75 hours and 93 hours for the month of June. The 4th of July parade was a success and had 18 staff members including both reserve and officers. Only one complaint and that was that the motorcycles couldn't go faster.
 - b) Tichigan Vol. Fire Co - Chief Wagner reported 256 calls and contacts year to date. Wagner noted that the gentleman from the home invasion was ultimately flighted for life. Wagner, on behalf of the TVFC, thanked the board for the money that will be used towards the payments for the radios.
 - c) WWMD- A representative was not in attendance. Chairman Hincz noted that he had read the minutes from WWMD. He noted that the DNR is making the WWMD look at their permit for their dredging project.
 - d) Park- Ken Hinz, DPW, noted its just upkeep. The next big event will be the car show.

- e) Road Dept. - Hinz noted that if the weather allows they will begin patching some culverts, one at E. Peninsula and the other Kramer as well as installing two new culverts, one at Riverside and the other at Lake Pointe Ct. Striping to begin shortly. Chairman Hincz noted that the town had awarded Payne and Dolan the road improvement bids as they were the lower bidder. Supervisor Szeklinski noted that there was to be a special board meeting about the recommendations. Supervisor Draskovich noted that he did have the recommendation that were sent to the Chairman as well as Ken Hinz had a list of recommendations as did the town engineer. Deputy Clerk Stratton had put together a spreadsheet. Chairman Hincz asked Ken Hinz if the repair at N. Lake and Foxwater Bay was part of the road improvements. Ken noted it was and that it will be a mill & fill at the southern joint of Foxwater Bay Blvd. and fill cross-cracks with liquid asphalt and crack-fill after that. Supervisor Draskovich motioned to approve Payne & Dolan for the recommendations as requested; Draskovich further noted that although the bottom line was only about \$1,000 difference, the town looked into the alternate pricing options. The town has approx. \$172,000 for the original options and with alternates options Payne & Dolan was significantly less. Proceed with Payne & Dolan original options and alternate options not to exceed \$225,000. This motion was seconded by Supervisor Nicolai. Vote taken: 4-1 (Szeklinski opposed). Motion carried.
- f) Board of Health- Supervisor Nicolai noted that the health dept. has an updated look and email address, www.crchd.com. BOH received a grant in the amount of \$20,000 from Unitedway of Racine. They have hired a new home visiting nurse. Nicolai requested that the board members, Chief of Fire and Police to complete the survey that was sent out from the Health Dept. BOH is looking to hire a new public health educator. This money would come from the Emergency Preparedness Grant that would cover this position for 2 years. The health dept. purchased a new medication drop-off box that should be delivered in the next couple of months. BOH does have someone who makes sure all food is ok for consumption at the area events like Chocolate Fest and Balloon Fest. Nicolai noted that 73 cribs were given out.
- g) Town Planning Recommendations-
- Pier Permit- Bruce, 7613 N. Tichigan Rd.- Supervisor Gauerke requested clarification on whether it was a deck proposed or a boat port. Mr. Libben indicated it was a boat port not a deck. Supervisor Gauerke motioned to accept planning commission approval, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.
 - Town Level Variance- Schmidt/Lardinois, 6836 N. Tichigan Rd. - Request to construct an oversized garage(s) - GMH Construction, builder, was also in attendance. Owners indicated that they have already completed a quit claim deed. Supervisor Draskovich indicated that he had been out to the site and believes this construction will make the structures look uniform, there are several large trees that affect visibility of the buildings, did not foresee any drainage problems and he spoke to a neighbor who was in favor. Supervisor Gauerke motioned to accept the planning commission approval, seconded by Supervisor Draskovich. Vote taken: 5-0. Motion carried.
 - Conditional Use- Audrey Robran-Zegar, owner, Tyler Polzin, applicant-to construct an 81' x 150' pole barn for storage of company trucks and construction equipment (dba Steve's trenching service); located in the A-2 General Farming and Residential District II; directly west of 33428 Janesville Road; Sec. 5, T4n, R19E, (Parcel ID. no. 016041905005000) – Mr. Polzin indicated that he had just been in contact with the surveyor, July 10th. Surveyor did contact Atty. Dubis and Atty. Dubis returned the call but Mr. Foat was out of the office. Supervisor Gauerke made sure that they would be able to store all of their equipment inside this new structure and Mr. Polzin indicated they could. Supervisor Gauerke also noted that the applicants would need to check with the Building Inspector in regards to stormwater regulations. Supervisor Gauerke motioned to accept the planning commission approval, seconded by Supervisor Szeklinski. Vote taken: 5-0. Motion carried.
 - Discussion & possible action re ordinance for ATV/UTV, proposed by Tichigan Sno-N-Go- Chairman Hincz started by mentioning a photo that was published on social media claiming he was driving an ATV on the road. Hincz clarified that it was in fact a golf cart. He was not even sure why this picture was taken. Hincz further noted that if items are posted on social media they should be true and takes

exception from that type of tactic. Feels that social media is being used in a manner that is not positive to the town. Chairman Hincz noted that all board members were present at the July 5th Planning Commission meeting and able to hear comments on both sides of this issue, heard from the DNR, Chief of Police, and heard from Mr. Frost, who would be a common element in the center of this issue. Supervisor Gauerke motioned to accept planning commission recommendation to deny this proposal allowing atv/utv to use town roads for the following reasons (and includes the reasons as stated and read as well as the additional reason from the Town Attorney regarding our existing ATV ordinance):

1. The Town of Waterford has become too congested and residential for this kind of activity. The town has become more of an Urban Town than a rural town over the past 10-15 years.
2. Concerns about safety for children and adults by having ATV/UTV's driving on town roads. Many of the roads on the proposed route as well as subdivisions such as Waterford Woods have dangerous hills and curves with little or no shoulders.
3. Concerns about the DNR having lost funds and personnel, and wanting to protect our wetlands.
4. This proposal will cost Town taxpayers money for signs, law enforcement, and liability.
5. Concerns that if signage was not perfectly installed to DOT standards that lawsuits involving the Town could follow if an accident occurred.
6. The town does not have the open space and gravel roads like they have in Northern Wisconsin.
7. Petitions have been received to the town with more than 185 citizens in opposition to this.
8. Jason Roberts of the DNR stated that ATV's are engineered for off-road use on gravel, dirt and mud, not paved roads. (read the copy of the manufacturer's warning label attached) He also stated that children as young as 12 years of age can drive *ATV's*. ATV's are not required to have vehicle insurance, and some ATV's don't have safety equipment. The DNR will provide little to no law enforcement, Racine County has had no ATV enforcement for the past 5 years, and the town would not be eligible for patrol aids. The DNR will not maintain or patrol DNR trails, and that the latest statistics show that 63% of ATV fatalities occurred on paved roads.
9. Police Chief Matt Johnson stated that *ATV's don't* belong in residential areas, ATV routes are mostly on gravel roads up north, Town parking lots are needed for baseball leagues and special events, a study would need to be conducted to determine if there would be a benefit to local businesses, and he questioned whether the length of the proposed trails be worth the trouble.
10. Stewart Frost, whose family farms 1600 acres of land, much of it adjacent to the proposed route is opposed to providing land access for *ATV's* on his property. He is concerned about vehicles already speeding near his property, cars parked illegally along his property, and trucks that have cut through his cornfields, damaging his crops. He reported that up to June, 11 ATV fatalities have occurred, due to speeding and alcohol. He is familiar with the Fayette and Argyle areas where ATV usage is allowed on roads, and stated that "ATV's are a disaster with trespassing and damage." He stated that there would be nothing fun about driving 25mph on Town roads.
11. Creating ATV trails in the Town of Waterford could flood the Town with riders looking for a place to park and ride. Town roads and subdivisions could be filled with noisy ATV's disturbing everyone's lives. Jensen Park's parking lots could be filled, leaving no room for park users. The walking trails and grassy areas of the park could be damaged. The DNR boat launch *off* Bridge Road could be filled with ATV driver's trucks and trailers, leaving no room for boaters to park during our short boating season.
12. The Marsh road DNR parking lot is in a low area. The land across the parking lot to the west is mostly marshland full of willows and cattails. This is not a high and dry area.
13. A private organization, like a snowmobile club, should not be issuing \$20 permits or assessing \$50 fines for people to be able to operate ATV's on Town roads.
14. A property located at 6936 North Tichigan Rd. was identified as an access to Tichigan Lake ice during the winter months. This property is located 1.2 miles from North Lake Rd., and is mostly

wetland. Damage could occur to the wetland and shoreline if this access was used. (Show copy of GIS map showing wetland at this location.

15. Concerns about noise from these vehicles driving through our Town roads and subdivisions. (Our ATV ordinance from 7/11/2005 Sec 4 Paragraph b. states that ATV noise emission may not exceed 99 decibels at a distance of 20 inches at idles. We recently approved a gravel pit near Hwy 83 and O. A Racine County condition requires the pit not to exceed 68 decibels at the property's limits.

This motion was seconded by Supervisor Nicolai. Discussion followed. Atty. Dubis noted for the record that the town did pass an ordinance back on July 11, 2005 and with respect to the ATV's *"ATV's are not to be used on the portion of any right-of-way of any public highway, street, road, trail or alley used for motor vehicle travel"*. This proposal would require an appeal or modification of the current ordinance.

- Supervisor Szeklinski indicated that he was at the July 5th planning meeting as was able to hear comments from both sides of this issue. He stated that he has an atv and golf cart and when they want to ride they go up north where there is more room. Szeklinski did not believe that there were many towns that allow road routes. Jason Kaczynski noted that he had an email from Randy Harden (that was only sent to the board members the day of the meeting). Jason reported that there are 12000 miles of road routes and less than 2500 miles of off-road trails in the state of Wisconsin.
- Supervisor Draskovich indicated that he was also at the meeting and heard both sides. He has family and friends who are for and against this issue. He noted that he spent a lot of time evaluating this proposal and has done his due diligence. He spoke to several residents and read through all the emails he received. He mentioned several points that were not discussed at the last meeting. He noted that if this is something that will continue, die or come back, there are things that the board should be thinking about. There was a petition against. He was surprised that there wasn't one "for". He read through the petitions, reviewed addresses and noted a lot of opposition on N. Tichigan Rd., subdivision, Beach Dr. and some of Fox River Rd. He further noted that some of the things that weren't talked about were that the proposal could be changed, modified, add to, deleted by the Town Board if this was ever to be approved. Board could try and accommodate those in opposition. The town could have said:
 1. No night travel;
 2. No access roads with signage could have been added that the club would have paid for;
 3. Could have requested signs saying "ATV/UTV with permit only;
 4. There as a misunderstanding that the club would get the permit fees, fines etc. These would come to the town, even court costs;
 5. Club would have taken on the cost of the signs;
 6. Would there be an increase in law enforcement, potentially, but reserve officers could have been used as ambassadors for the trails;
 7. Town could have required slow moving triangles on all ATV/UTV;
 8. Town could add stipulations to a good proposal system and could work with the club;
 9. Town could require all AV?UTV to have slow moving triangle on the back;
 10. Believes only licensed drivers should be allowed including golf carts;
 11. Town ould have requested that ATV/UTV's have insurance and;
 12. Could have limited the roads that were driven on.

Draskovich went on to say that UTV's should be looked at as an alternative form of transportation. What's the difference if he drives his truck to his family's house or the UTV? He also noted that he is saddened by the way citizens have talked about this issue and how they have treated each other. Draskovich stated that this is something he is in support of this but wanted people to know that there are things he would do to accommodate people in opposition and those who are not.

- Supervisor Nicolai noted that the way the proposal was drafted there are a lot of safety issues, the ages of the drivers and the fact that some of these machines are not meant to be driven on the roads, not safe driving on pavement. The town is debt free and this is huge. We do not need to take on some liability that

might occur because of some accident because a sign was not installed in the right place. We should be very proud on being debt free. We should be very proud that we have a nice place to live that is peaceful and quiet. Received a lot of emails and phone calls from people who have lived here their whole lives, they appreciate the peace and quiet and do not want people going through their land, zipping through the roads. Some people, with the tracks in the park or other places, have no regard to private property. We do not have the extra policing services to deal with this at this time. All the board can do is trying and do the best for the town and she does not believe the ATV/UTV should be allowed on town roads.

- Chairman Hincz noted that the Town Board is following the same order as is in other meetings. Jason Kawczynski wanted to explain and answer some questions that were raised at planning commission meeting. Chairman Hincz indicated that the board is only voting on the proposal that was submitted to the planning commission by Jason Kaczynski, Sno-N-Go. Chairman Hincz addressed Mr. Kawczynski and noted that if and when they decide to offer up an additional proposal, a different proposal, that the town would accept that proposal and acknowledge it. Chairman Hincz reminded everyone that the town is strictly acting on the matter as it was presented to the planning commission on July 5, 2017 and not any new or added amendments to this proposal.
- Supervisor Szeklinski indicated that he did not like the proposal as it was submitted. He also noted that if the snowmobile club was going back this or sponsor this club that the town get a copy of this approval.
- Call for a vote: 4-1 (Draskovich opposed). Motion carried.

7. Old Business:

- a) Annual Liquor License: Sam's Diner, 28432 N. Lake Dr. - Supervisor Szeklinski motioned to approve the licenses, seconded by Supervisor Draskovich. Vote taken: 5-0. Motion carried.

8. New Business:

- a) Discussion & possible action re distribution of funds retained from Foxwater Bay- Atty. Dubis noted that over 10 years ago the town had acquired just over a million \$ to finish the subdivision. Atty. Dubis noted that this is money remaining that was earmarked for this subdivision. Chairman Hincz explained that the head of the homeowner's assoc. approached him about possibly getting this money so they can continue to make improvements, such as lawn maintenance, retention pond maintenance, etc. Atty. Dubis believes that the town would have a rational basis in doing so. Chairman Hincz will send a letter to the association indicating that the money is to be used for lawn maintenance, retention pond maintenance, etc. Supervisor Nicolai motioned to release the money and for the uses as stated, seconded by Supervisor Draskovich. Vote taken: 5-0. Motion carried.
- b) Discussion and possible action re: Fire & Rescue Contract with the Village of Waterford
 - Consideration of Village request to amend Town ordinances re fire inspections conducted by Village within the Town
 - Chairman Hincz indicated that the village is asking that the town adopt SPS 314 which will be referred to Atty. Dubis to review. There are 2-3 commercial bldgs. the village would be inspecting on the west side and Chief Wagner wanted to make sure that the town be considerate of the cost the village may charge as TVFC has currently been doing the inspections and they do the inspections for free. These businesses are American Power, White Fox Den II and Rivermoor. Wagner noted that the Chief of the area they cover is responsible for these inspections. Town could ask the village to do the inspections for free. Town needs more information and has referred the matter to Atty. Dubis. No formal action taken.
- c) Discussion & possible action re potential changes to current ordinance re Planning Commission responsibilities recommendations- Chairman Hincz noted that the board members have until next Town Board meeting to review and possibly make comments regarding the list of items that was emailed which

references possible items that the planning commission potentially handle without town board approval. If he does not hear from the board members regarding this issue then the current ordinance will remain status quo.

- d) Town Hall building upgrade proposal submitted by the Waterford Sanitary District- Chairman Hincz noted that he had been given an estimate from Rollie, WSD #1, regarding replacing some soffits/fascia. Depending on who he has spoken to there are different variations of the amount that needs to be repaired. Hincz indicated that he wanted Atty. Dubis to review the lease, as it can be confusion on who pays what. The cost was between \$13,000 and \$14,000. Hincz indicated that he would like to get another opinion on what really needs to be done. Dan Dickinson, WSD #1 President, indicated that he did have conversations with Rollie regarding this matter but mostly in passing. Dickinson did not know this would be submitted to the town yet. He recommended that Ken Hinz, DPW and perhaps Chairman Hincz or any members of the board sit down and talk this through. No formal action taken.

Forth Coming Events- Chairman Hincz mentioned that the Tichigan Lions Parade is July 30th. Supervisor Gauerke handed the board members a picture of Heather Stratton, Treasurer, on the day she went and paid off the town debt.

Supervisor Szeklinski motioned to adjourn the meeting at 6:40 pm, seconded by Supervisor Draskovich. Vote taken: 5-0. Motion carried.

Respectfully Submitted,

Tina Mayer, Town Clerk

Ordinance Addressing Absences

--Under WI Statute 60.30 (5) Temporary vacancy

(c) If a Town Board Supervisor is temporarily incapacitated because of a physical or mental disability, the town board may appoint a person to discharge the supervisor's duties until the disability is removed.

PRESENCE REQUIRED AT MEETINGS, SANCTIONS FOR NON ATTENDANCE

Every TB elected official, who for whatever reason cannot attend a scheduled meeting shall notify the Town Clerk . In the absence of the Town Clerk, the Town Chair shall be notified.

All absences shall be entered into the record. In cases where unavoidable circumstances make advance notice impossible, the notification of excused absence shall be filed with the Town Clerk within one week of the absence and entered into the record. Any official who because of an emergency cannot file prior notification of absence may be excused by orally notifying the Town Clerk or, in the absence of the Town Clerk, the Town Chair any time prior to the meeting.

Officials who are consecutively absent for more than 60 days, unless in the case of good cause as determined by the board, shall not receive salary and expenses for said corresponding period of time. If a TB official is temporarily incapacitated because of a physical or mental disability, the TB may appoint a person to discharge the member's duties until the disability is removed.

If, after 60 days, for no good cause determined by the board, any official is absent from meetings, the Town board shall place the absences on the agenda to discuss further sanctions. The absent official shall receive written notice of such agenda item at least 10 days before the public meeting. At the public meeting, said official may plead special circumstances and Town Board may decide to give leniency or to place official on a probationary period of 60 days. If, after the 60 days, absence is still an issue, the Town board may impose further sanctions, up to and including a 2/3 board vote to remove offending official and appoint an official in his or her place.

ELECTRONIC ATTENDANCE AT MEETINGS

Electronic meeting attendance for voting members should be used sparingly and in conformance with the provisions described herein,

The presiding officer of the respective body shall appear in person. If the presiding officer cannot appear in person, that officer may appoint another supervisor to fulfill those duties. If

the presiding officer does NOT appoint another supervisor, the Town board shall vote on the supervisor to fulfill those duties. Officials may attend any open meeting via electronic attendance provide that such attendance is compliant with these rules and any applicable laws.

The presence of a quorum shall be determined by those present in person AND by the participating officials attending electronically.

Officials attending electronically have the following responsibilities:

Voting members shall notify the Clerk or the Chair with as much notice as possible prior to the meeting

Have the communications equipment necessary to attend meeting electronically

The Chair may cause or direct the disconnection or muting of an official's connection if it is causing undue interference. The Chair's decision to do so shall be announced during the meeting and recorded in the minutes.

Attendance in closed session meetings must be in person to preserve and protect confidentiality.

CONDUCT OF OFFICIALS

The conduct of public officials shall be above reproach and avoid the appearance of impropriety. Public officials may disagree and debate issues, however, the debate should be civil and cordial. Officials shall refrain from abusive conduct, personal charges, and written or verbal attacks upon the character or actions of other officials or the board as a whole.

Every official has a right to express him/herself on social media. Officials shall, however, refrain from abusive written conduct, personal attacks, or hearsay regarding fellow Town Board officials or the Town board.

Officials shall duly prepare for meetings to conduct the business of the Town in a meaningful manner. Public officials will listen courteously and attentively to all public discussion before the body and focus on the business being conducted. Laptops, cell phones, and other electronic devices shall not be used during meetings unless the information being used is regarding the business being conducted. Personal phones shall be silenced during meetings.

Officials shall refrain from interrupting other speakers, making personal comments not related to discussion, or otherwise interfere with the orderly conduct of the meeting.