

TOWN OF NEWTON
BOARD MEETING MINUTES

July 13, 2011

Chairman, Kevin Behnke called our July meeting to order at 7:00 p.m. on Wednesday July 13, 2011. Roll call was taken: Kevin Behnke, Chairman; Roger Busse, Supervisor; Mark Knorr, Supervisor; Paulette Vogt, Treasurer; Ed Downing, Road Supervisor; Barbara Pankratz, Clerk; Joe Janowski, Zoning Administrator; ValJean Marcoe, Law Enforcement Officer, Charlie Bauer and Martin Wiesbrook. Everyone joined in reciting the Pledge of Allegiance.

The clerk verified the posting of the agenda in the three designated public places and affidavit of posting for this meeting after which motion was made by Mark Knorr, Supervisor to approve the agenda. Motion was seconded by Roger Busse, Supervisor. Motion passed.

The minutes of the June meeting were amended per Roger Busse. The spelling of Dennis Buck's name was spelled "Bouc" instead of "Buck" Also there was a change in the wording in the driveway/culvert paragraph indicating that the Fire Department should be involved since they have to be able to get emergency vehicles to any property. Motion was made by Mark Knorr to accept the June minutes as amended. Roger Busse seconded the motion which carried.

Paulette Vogt, Treasurer submitted her monthly report which was accepted by motion made by Mark Knorr and seconded by Roger Busse. Motion carried.

The next item of business was public in-put. Claude and Sherri Siragusa appeared before the board to speak on behalf of Dennis Fitzpatrick's property located at 9125 North Lake Drive which falls under the Shoreland Zoning and for which there will be a hearing before Planning and Park on Monday, July 18 at 7:00 p.m. for a zoning variance to construct a 18X24 garage five feet off of the road. Chairman Behnke felt that the land use in English Lake was not proper – too many lots, private roads, etc. This was done before zoning was in effect in the Town. He felt that the Board of English Lake should make guidelines for people residing around the lake. A lengthy discussion ensued about plowing snow, other trucks but Kevin stressed at this point the Town is focusing on accessibility with emergency vehicles. Park and Planning is asking for a recommendation from the Town Board, even though the Town does not have to give a recommendation. It ultimately is up to the County to grant the variance. Kevin Behnke, Chairman was not comfortable giving any kind of recommendation. Since the road is not a public road the Town has no in-put as to restrictions but our concern is access of emergency vehicles. Mark Knorr felt that saying nothing would result in no

recommendation from the Board and made a motion to that effect. Roger Busse seconded the motion which carried.

Charlie Bauer appeared before the Board stating that he had attended a meeting at Twin Fountains which was for the American Transmission Company who are proposing three gas lines – one corridor following Highway 42,; one following County Road CR and one between Highway 42 and CR. Charlie received the notice since he is within 1500 feet of Highway 42 where the line would go through. Charlie submitted maps of the proposals which go through the Town of Newton. He was questioned why the company would not go with the main line which would save costs and was told that they have to have so many different alternate routes. The Wisconsin Public Service will make the decision by 2014 and this would go into effect in 2018.

Mark Wiesbrook was the next person to speak to the Board and he spoke about the culvert and water problems on his property. Ed Downing, Road Supervisor stated that Mr. Wiesbrook had cut the concrete thus allowing water to gain access to the culvert as the Town had requested. Mark Knorr indicated that he would look at it in Fall when the grass is down but if a heavy rain did occur he would look at it then. After considerable discussion about the culvert, once again Chairman Behnke stated the Board would take a look at it again in Fall and would monitor it.

There being no further public in-put said session was closed.

Joe Janowski, Zoning Administrator gave his report for the month of June including building additions, new garages, remodeling, conditional use permit and variance application.

Ed Downing, Road Supervisor indicated that Bruce Lensner who owns the property located at Newton and Center Road is desirous of replacing the septic line which runs in the Town right-of-way. He is asking permission to dig in the right-of-way. Chairman Behnke indicated the Board would have no problem with that except that when Mr. Lensner does dig he should contact Ed Downing about erecting barricades for traffic.

Ed also indicated he was approached by Mike Knorr of Hi-Way 42 Garage to be able to install cement between the curb and road alongside his building. Since there is already a curb present the Board felt that it would not be a problem as long as the concrete was blended with the curbing so as not to be caught by the snow plow blades.

Ed also stated that Southern Union Road bridge is in bad shape. He contacted John Kropp from the County Highway Department who recommended putting a reduced weight limit on the bridge to extend its life. Kevin thought that with the amount of traffic the bridge gets we should put in for a new bridge as soon as possible while there is aid available. Ed felt that if this was not done it could be damaged faster and might possibly have to be closed. Mr. Kropp is having a consultant come in and look at it at which time Ed will find out what the life span of the bridge is. Ed agreed that it should be replaced within a year or two. He will come back with a report at the next meeting. Also in reference to the culvert on Pine River Road the DNR will start paper work on the culvert which will be fixed next year.

In reference to the Recycling Center Roger Busse, Supervisor indicated he would like to increase the rates on the items that are taken in to cover our costs. Kevin requested that he put his figures into a proposal so that the Board can look it over. Kevin was not fond of the idea and would like to take time to review it completely before a decision is made. Roger also proposed doing a different system of disposal. The compactor should stay but all of the individual bins should be replaced with dumpsters. Roger also suggested a four foot high dumpster for the larger non-recyclable items brought in. It would cost \$175. from Larrys for hauling and no charge for the dumpster. The dumpster would be put next to the metal dumpster that is there now. Thirty yard dumpster is six feet high and twenty yard is four feet high. Kevin agreed totally with the dumpster addition. Roger Busse made a motion to approve the four foots dumpster and he will get the lowest bids for the other dumpsters and will submit his proposal at the August meeting for the revised rates. Mark Knorr seconded the motion which passed. ValJean Marcoe indicated that it would be a good idea for Roger to check with other townships what their rates are so he would have some guidance for the rates.

Treasurer, Paulette Vogt indicated that there are two outstanding snow plow bills as well as two personal property taxes that have not been paid. The County Treasurer stated they should not be written off because that would set a precedence. Paulette also stated that her printer broke and she was authorized by the Board to purchase a new printer. There was a discussion about e-pay checks with Bank First National. The clerk and treasurer will try this system with fifteen checks to start with just to see how the system works.

The next item of business was the landfill monitoring which is done by Cardinal Environmental two times a year. Kevin assumed that this was done for a twenty year requirement for inspecting the wells. Recently the DNR lifted the

requirement of the money in escrow. Kevin assumed that the twenty year requirement was not required since the DNR released the funds. Kevin called Cardinal and was told that we had to maintain the wells for perpetuity. He then called the DNR and was told that we went from quarterly testing to semi-annual testing and Kevin asked about testing the wells only once a year. Kevin gave the supervisors a packet explaining about the monitoring and being able to have the wells tested once a year. This matter will be on the agenda for August. There has been no problem with any of the wells for twenty years. Kevin recommended that we leave the money in the CD since if the testing remains the same it would cost approximately \$2,000. a year for testing. We will check with the auditor to see what has to be done to take this money out.

Culvert repair projects – Fahrner Asphalt backed out of doing the single slag seal on three roads for approximately \$19,000. As a result the Town will use this money to take care of four culverts and their asphalt overlays.

Kevin received a letter complaining about the condition of the Reichwaldt property on County LS. We will send our law enforcement to the property to evaluate the property complying with Public Nuisance Ordinance. There is a Right to Farm Law which regulates farming which is different than residential. The farm does not have any animals so it really is not considered to be a working farm. Our law enforcement officer will report back to the Board at the August meeting and it will be decided at that time if the matter will be turned over to the County.

A \$20.00 assessment letter fee is charged by our town. There are several towns charging \$25.00 for an assessment letter so Kevin Behnke, Chairman made a motion that we raise our assessment fee to \$25.00. Mark Knorr seconded the motion which carried.

The next item of business was snow plowing for the Town of Manitowoc. Kevin indicated we have to consider the wear and tear on our equipment, the number of snow plow drivers we have available and does this justify what we are taking in for revenue. Last year it was about \$10,000.00 and this year about \$14,000. We have to determine whether we want to continue this policy and we cannot wait another month or two to tell them that we are not going to plow for them. When this was agreed to Kevin indicated it would not be long term since we have a lot of plowing to do for our town. Kevin questioned whether the money received minus the wages and wear and tear on equipment warranted continued plowing. Mark indicated that maybe this additional plowing affected the road conditions of the Town of Newton and with the new wider intersections and tur in and out lanes on State Highway 42 our road plowing will be increased this year.

After discussion Mark Knorr made a motion we do not plow snow for the Town of Manitowoc. Kevin Behnke seconded the motion. Roger then questioned about raising the rates for snow plowing. Kevin did not know if a Municipality could raise rates higher than what the Department of Transportation rates are. Ed indicated it takes a hour and a half to two hours to do the plowing. Kevin stated we could change the motion to read as it was except “unless the Town Chairman finds out from legal counsel that we can raise our rates”. After discussion Mark Knorr amended his motion to read: The Town of Newton will no longer plow for the Town of Manitowoc unless the Town Chairman finds out from legal counsel that compensation can be raised higher than time and material. Kevin Behnke seconded the amended motion which carried. The Chairman will report back to the Board at the August meeting and if the Town of Newton cannot raise the rates above time and material we will no longer plow for the Town of Manitowoc. If we can raise our rates we would then plow for them and the new rates would be decided at that time.

Law enforcement officer gave his report of calls including six written warnings for burning permits, a junk warning, unleashed dog, a lawn mower at 11:00 p.m., a fire in the town of right-of-way at a property on Gass Lake Road. He also spoke about the condition of the Schuricht property and access to it because of road work. Roger questioned the presence of a septic tank but ValJean stated no one is living there so that is not an issue at this time.

Chairman Behnke asked if one of the supervisors could go to Stecker Machine for ground breaking on Thursday, July 21 at 11:00 a.m. since he could not attend.

Clerk indicated that there will be an assessment for the town because of lack of funds in the Unemployment Compensation Department. Also a letter was received from the Government Accountability Board indicating that voter picture ID as well as signing the poll list, and absentee voting deadline will be 5:00 p.m. on the Friday before the election.

The statements had been previously submitted to the Board and were approved by motion made by Roger Busse and seconded by Mark Knorr. Motion carried. The check detail report was signed as submitted.

Kevin mentioned that since we have a new board that we acquire different shirts which are worn for the Newton Parade as well as to the yearly convention. We will go back to the person (Embroidery Plus) to order the new shirts for the Board, Clerk and Treasurer.

The Town of Meeme and the Town of Centerville have agreed to pay each one-third for the cell phone for ValJean Marcoe, Law Enforcement Officer. The Town of Newton will bill each township for this charge.

There being no further business to come before the meeting we adjourned by motion made by Mark Knorr and seconded by Roger Busse. Motion carried.

Barbara Pankratz, Town Clerk