

**Town Board Meeting Minutes
January 14, 2013**

Supervisor Robert Keller called the regular monthly Town Board meeting to order. The meeting opened with the Pledge of Allegiance, lead by Supervisor Keller.

Members Present: Town Chairman Frank Frassetto via phone, Supervisors Mike Pollack and Robert Keller. Others Present: Treasurer John McDermott, Clerk Ellen Chmielewski and four townspeople.

Motion by Supervisor Pollack to approve the Town Board Minutes of December 10, 2012; seconded by Chairman Frassetto. CARRIED.

TREASURER'S REPORT: Treasurer McDermott read the Treasurer's Report as of December 31, 2012. The fund accounts and cash flow reports were reviewed; total cash: \$752,354, \$256,407 was collected in tax fund receipts. This closes out 2012. **Motion by Supervisor Pollack to approve the Treasurer's Report; seconded by Chairman Frassetto.** When asked, Treasurer McDermott said things are on schedule. **CARRIED.**

CLERK'S REPORT: 2013 Elections: There will be a Primary Election on Feb. 19th, with 3 running for Justice of the Supreme Court. The General Election will be on April 4th. We will be meeting with our poll workers for training.

Under correspondence, a letter was received from the Van Dyne Sportsmen Club; a copy will be sent to Terry Sweeney of the Stormwater Utility District. Next, the town received a reimbursement request for the trash/recycling special assessment of \$162. The new owners took out permits in 2012, however do not intend to move in until this spring; they have not purchased carts to put items in and our hauler will only take items from carts. After discussion the \$162 will be refunded to the new home owners.

PUBLIC PARTICIPATION

Robert Reider, Carow Land Surveyor, 615 N. Lyndale, Appleton is here representing the Schnell CSM. He is here to answer any questions the Board may have.

Michael Schraa, State Representative for the 53rd District, introduced himself. The Inauguration was held on Jan. 7th. He is making his way around the townships in his area and will be setting up hours at town halls. He is on many committee assignments and will be providing his contact information.

As no one else wished to speak, the public participation portion of the meeting was closed.

COUNTY SUPERVISOR'S REPORT: County Supervisor Pat Brennand talked about a meeting at Lakeside School in regards to future growth. He explained to them that Black Wolf has its own zoning; it was a spirited conversation. The OASD is getting focus groups together to gather input and want to get it done in 6 weeks. He then said he had a conversation with Frank on County Rd. I. The Highway Commission will try to get himself, Frank, and Glen Bartels from Nekimi to discuss County Road N (Fisk) to Old Oregon Road. The consultant did go out and look at the water flowage and the culvert the individual is concerned about. He wants to sit down with both Town Chairman and myself to see what direction we want to go on this. Chairman Frassetto advised he will be in town from Feb. 1 to Feb. 13th. P.Brennand will try to schedule a meeting. Supervisor Pollack talked about the County ordinance on

snowmobiles and asked how that will be enforced. P.Brennand said it is a County ordinance and the Sheriff would give citations. He added last year there were more problems on the north end of the lake. The DNR does not have authority on this; it is handled by the Sheriff's Dept.

CHAIRMAN'S REPORT: Re-appointment of Tracy Kollock to Planning & Zoning Committee. **Motion by Chair Frassetto to approve the re-appointment of Tracy Kollock to Planning & Zoning Committee; seconded by Supervisor Keller. CARRIED.**

Problems on Nekimi and Country Club Road. This is an on-going issue and an e-mail was received on this last week. A response was sent back reiterating the ball is in the property owner's court in terms of vacating the property and securing the necessary support from neighbors. The Sheriff's office was contacted. T.Verstegen came up with a solution by putting up "no parking" signs in the area. The Sheriff is not aware of any heightened contact out there. If we put up a sign then they would be able to enforce it under the County's ordinance. This can be given to Planning & Zoning. Chair Frassetto did not feel the town would have to pass an ordinance; we can follow the County. We would need a resolution on this. Supervisor Pollack asked about by-passing that when plowing, as it is a dead-end. He hasn't seen anyone park there and was surprised by the letter. Supervisor Pollack felt Bill was going to check with neighbors about purchasing the land so he can shut the road off, but would need the ok from all 3 land owners. As to plowing, Chair Frassetto talked about ingress and egress to landowners to the north, Roebke. Supervisor Keller said it is still listed as a public road and we are liable if something happens out there. Putting up "no parking" signs is a good idea; it is a reasonable solution to the problem and the County will enforce it. P&Z can weigh on this issue.

SUPERVISOR I REPORT:

Planning & Zoning Report: Supervisor Pollack was not at the P&Z meeting last week. He asked Zoning Administrator Verstegen to discuss the CSM for Schnell Living Trust. P&Z did not have a quorum for a recommendation. It looks like there is a 20' easement along the property from the south to the north end of the property. The owner is selling Lot 2; she wants to keep the woods. An arial view was shown; the survey follows the edge of the woods. P&Z Chairman, Al Stenerson, talked about recommending approval this to the Boarded approval; there were no major issues. Lot 1 is landlocked but doesn't appear to be an issue; it is not a buildable parcel as it is the creek bottom. The surveyor talked about putting a note on the CSM. When asked, F.Frassetto did not feel it would make a difference if P&Z approved it or not; sometimes something is recommended but we didn't approve it. If there are no issues, there is no reason the Board cannot approve the CSM. A drive could be put in on the 20' easement. T.Verstegen noted in the past when CSM's came up with major drainage on them that this would be discussed. Supervisor Pollack added that the creek bottom is probably one of the largest watersheds in the township. He talked about the layout of the parcels. T.Verstegen felt SWUD may have an interest in this; it is also a good spot to hold water in, a good retention pond. Supervisor Keller asked about water draining on the farmer's field and was told there are drain tiles there; the water flows the other way, towards the railroad. T.Verstegen added that north of there is where we would be more concerned; everything goes under Fisk Ave. F.Frassetto talked about previous discussions with Clarence Schnell about incorporating the property into the town. Supervisor Pollack did not see a problem with this. **Motion by Supervisor Pollack to approve the Schnell Living Trust CSM, 004-0087, 004-009302 and 004-0090; seconded by Chairman Frassetto. CARRIED.**

P&Z also talked about possible changes to the Dog Ordinance. T.Verstegen talked about the possibility of making the 3 dog limit township wide, regardless of zoning. No quorum was there to vote on it and it will be brought up at the annual meeting. There are no working farms in the township.

SUPERVISOR II REPORT:

Road Report: At the last meeting it was mentioned there were problems with manhole covers; the Sanitary District did repair 2 bad ones. Another issue was with dying trees on Country Club; they have

been cut down by a private company. Right now the white snowplow truck is at Monroe in DePere. A center pin came loose on the plow and it is being repaired; it will be back before the next snowstorm. We will be getting a tarp for the white truck to cover the salt in the truck. During the storm in December roads were cleared and passable. Complaints came in about packed snow and ice on some main roads, including Country Club. We have a "no salt" policy on roads in general, except for intersections, curves and hills, but in this case the main roads were salted. Chairman Frassetto felt this is a good idea. When things need to be done, and conditions warrant it, do what needs to be done.

Supervisor Keller then talked about the recent WTA meeting. There was an interesting presentation from Linda Kollmann from Emergency Management. Some handouts were given and suggestions were made on what towns can do for emergency management. There is a resolution for the chairman to determine a state of emergency if necessary. Also there is an emergency telephone notification system in place, a reverse 911. As this only goes to landlines it was suggested this be put in the next newsletter. Another suggestion was to designate an emergency manager; in the past it was Tom Herzing. Chairman Frassetto felt that should be the responsibility of the Town Chairman or designee. With working for FEMA on Sandy, it is the responsibility of the chairman. New information can be given to the County and then to the State. By declaring a state of emergency, this then provides more resources to be available. Chairman Frassetto wants a cell phone list to make sure there is a leadership structure in place. Supervisor Keller talked about the template for Town Emergency Operations Plan. We need to work on that for the next meeting. Chair Frassetto talked about the WTA meeting with the leadership going to the Town of Clayton from Black Wolf. He understands Clayton is not interested in taking it over. A number of Town Chairmen from Winnebago County were contacted and will convene a working group to figure out the transition before the April meeting. Towns of Vinland, Oshkosh, Clayton and others will meet and come up with a resolution or way forward on how the Unit wants to continue. We hope to have a couple of meetings the early part of February to get things in place.

Tank Ave. Public/Private. We had asked our attorneys about options and what we would have to do to make Tank a public road instead of private. Owners asked us to do that and we do have legal ownership of the road right of way. An email was received on this and Supervisor Keller came up with 5 things we would have to do to make it a public road. Our goal is to protect ourselves from liability; our attorney would get involved to obtain legal description and map; pass a resolution to initiate the laying out procedure; provide notice to certain agencies; hold a public hearing and pass a highway order and recording order. There are costs involved. Supervisor Pollack talked about turning it into a public road; the owners do not want it back. We would fill in pot holes and grade it. It was noted no property owners are here tonight. Supervisor Keller talked about conversations with owners. Chair Frassetto talked about how land is assessed being public vs. private. Lilly Lane is private. If we do this we may be looking at assuming more private roads in the future. Supervisor Keller said in 1992 the land owners deeded the property to the town; that will not be the case in all private roads. Chair Frassetto said once we take it back the argument could be made that ours is a similar situation. All in the past will be irrelevant; we need to be prepared. We could set up a meeting with the owners. This will be tabled.

SANITARY DISTRICT REPORT: Jennifer Oleson said things are quiet.

CONSTABLE'S REPORT: Chair Martell was not present.

BUILDING INSPECTOR'S REPORT: Dave Frank said nothing new; there were no questions.

APPROVAL OF BILLS: Supervisor Pollack moved to approve the payment of bills for January, 2013, second by Chairman Frassetto. **CARRIED.**

Supervisor Keller moved to adjourn until February 11, 2013, at 7:00 p.m. seconded by Supervisor Pollack. **CARRIED.**

Respectfully submitted, Ellen Chmielewski, Clerk