

TOWN OF CLAYTON

Town Board of Supervisors

Meeting Minutes

7:00 P.M. on Wednesday, June 18<sup>th</sup>, 2014

Town Meeting Room, 8348 County Road T, Larsen, WI 54947

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I. Call to Order:

A. Notice Verification, Roll

1. Town Board Chairman Luebke called the meeting to order at 7:00 P.M.
2. Pledge of Allegiance recited.
3. Meeting properly posted at three locations in the Town.
4. Roll

a. Board of Supervisors

Chair Luebke	PRESENT
Supervisor Geise	PRESENT
Supervisor Lettau	PRESENT
Supervisor Grundman	PRESENT
Supervisor Schmidt	PRESENT

b. Staff

Administrator Johnston	PRESENT
Treasurer Bowen	PRESENT
Town Engineer – Mary Jo Miller	PRESENT
Town Attorney – Rose Simon	PRESENT

II. Public Hearing(s) and/or Public Information Meeting(s):

III. Approval of Minutes:

- A. Approval of the Minutes of the Regular Town Board Meeting held at 7:00 p.m. on Wednesday, June 4, 2014.

**MOTION:**

Motion made by unanimous consent to approve the Minutes of the Regular Town Board Meeting held at 7:00 P.M. on Wednesday, June 4<sup>th</sup>, 2014.

IV. Open Forum – Non-Agendized Town-related Matters:

- Mike Rohrkaste, 1417 Mahler Boulevard, Neenah. Here to introduce himself as a candidate for the 55<sup>th</sup> State Assembly District which does include the Town of Clayton. Neenah resident for 20 years. Human resources background and recently retired from Oshkosh Corporation.
- David Buettner, 3683 Forest Heights Lane, Neenah. I live near the corner of Center Road and Shady Lane and I bicycle all over the area. Discussed current road conditions comparing surrounding areas the Town of Clayton. Would like the Town of Clayton to consider fixing these roads.

- V. Correspondence:
- A. Copy of an e-mail from Town resident Jon Gumtow.
- VI. Discussion Items (No action will be taken):
- A. County Supervisor Report
  - B. Winnebago County Sheriff’s Department – Public Concerns and Issues
  - C. Clayton-Winchester Fire Department
  - D. Larsen-Winchester Sanitary District
  - E. Administration Comments
    - Mary Jo Miller reviewed engineer status report
    - Northeast Asphalt awarded bid for #2 Phase of Ridgeway Subdivision and Braun Court project
    - Administrator Johnston discussed the manufacturing assessment report of 2014
    - Administrator Johnston discussed the area of Dekalb Lane and drainage issues and the storm water management pond mowing in this area
- VII. Operator Licenses Issued by the Town Clerk:
- A. New:
    - i. Mary Jo Landskron
    - ii. Kathleen Parra
  - B. Renewal:
    - i. No Renewal Licenses
  - C. The following parties have a renewal application for a Class “B” license to sell fermented malt beverages, and a Class “B” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period July 1, 2014 through June 30, 2015, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:
    - i. Westridge Golf Club LLC, (dba Westridge Golf Club), 8130 Golf Course Drive, Neenah, WI 54956.  
Agent: Jason Kunstman
      - Rose Simon reviewed the findings of fact regarding non-payment of taxes

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Grundman

Motion: Motion that we deny renewal of the Class “B” license to sell fermented malt beverages and a Class “B” license to sell intoxicating liquors in the Town of Clayton. Specifically the denial is recommended based upon section 3(e)(ii)(1) of the town’s ordinance that delinquent taxes are owed and based upon the facts and findings as presented by the attorney.

Vote: Approved per unanimous consent.

**7:25 to 7:33 pm: Recess for Tori and Rose to review information for motion to deny liquor license of Westridge Golf Course**

Motion amended as follows: The motion is to deny the Class “B” license to sell fermented malt beverages and a Class “B” license to sell intoxicating liquors to the Westridge Golf Course based upon the findings of facts as listed that since January 1, 2009 Westridge Golf Club, LLC has been delinquent in property taxes and that as of June 30, 2014 Westridge owes a total of \$185,540.36 in delinquent taxes a portion of which are outstanding to the Town of Clayton. That on **June 18, 2014** the Town of Clayton sent notice to Westridge through its agent informing it of its delinquent property taxes and possible non-renewal of its Class “B”/Class “B” liquor license. Number 4 the notice informed Westridge of the date of the hearing before the town board and informed Westridge of its opportunity to be heard. Also to continue conclusions of law that are also coming into play here. Item number one pursuant to the Town of Clayton’s ordinance number 5.231(e)(i) Westridge has violated the Town of Clayton’s ordinances 5.2 by failing to pay its taxes. Item number 2 on conclusions of law pursuant to the Town of Clayton ordinances 5.231(f)(ii) the Town of Clayton board has found a violation of 5.2 by evidence presented on June 18, 2014 and therefore Westridge liquor license is subject to nonrenewal. Item three under the conclusions of law the town has complied with all of the notice requirements under Wisconsin Statutes section 125.123 and in conclusion the town board of Clayton denies renewal of the respondent’s “Class B/Class B” liquor license issued for the premises located at 8130 Golf Course Drive Neenah, WI 54956

**Chair requested roll call vote:**

Supervisor Schmidt: Aye

Supervisor Lettau: Aye

Supervisor Geise: Aye

Supervisor Grundman: Aye

Chairperson Luebke: Aye

Vote: Motion carries unanimously

D. The following parties have a renewal application for a Reserve Class “B” license to sell fermented malt beverages, and a Reserve Class “B” license to sell intoxicating liquors is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2014 through June 30, 2015, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- i. Boe, LLC (dba The Re-Mixx Entertainment Venue), 8386 State Road 76 Suite B, Neenah, WI 54956.

Agent: Michelle Baumann

- Administrator Johnston recommends conditional approval of the alcohol license. Discussed Staff’s position on delinquent Real Estate Property tax.
- Jeff Boe, 8386 State Road 76 Suite B, Neenah, WI 54956. Discussion regarding paying distributors in full by June 30, 2014 to be able to renew alcohol license. He is tired of dealing with the issues that comes with running a bar. He purchased a reserve license for \$10,000 which is non-refundable. This would transfer to the new owner of the bar if Jeff Boe decides to sell the property. Need letter from distributors verifying that they have been paid in full.
- Ken Zastrow, Headliners, 407 Quarry Ln, Neenah, WI 54956. Questions regarding renewal of alcohol licenses. License cannot be renewed after it expires and would now be considered a new alcohol license after it expires.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Schmidt

Motion: Motion that we conditionally approve the reserve Class “B” license to sell fermented malt beverages and to sell intoxicating liquors in the Town of Clayton. The conditions that need to be satisfied or that the monies owed by the license holder are paid in full by June 30<sup>th</sup> and once the suppliers are paid they need to provide documentation that their accounts are current and they are willing to rescind that hold and that documentation needs to be in the town office by Monday, June 30<sup>th</sup> no later than 4:30 p.m.

**Chair requested roll call vote:**

Supervisor Grundman: Aye

Supervisor Lettau: Aye

Supervisor Geise: Aye

Supervisor Schmidt: Aye

Chairperson Luebke: Aye

Vote: Motion carries unanimously.

E. The following renewal application for a Class “B” license to sell fermented malt beverages is on file in the Town of Clayton, Clerk’s Office for the licensing period of July 1, 2014 through June 30, 2015, the granting of which is now pending and subject to compliance with State Statutes and Municipal Ordinances:

- i. S.O.L. Restaurants LLC (dba Oinks Restaurant), 8386 State Road 76 Suite A, Neenah, WI 54956.

Agent: Lynn Ann Miller

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: Motion to approve the Class “B” license to sell fermented malt beverages in the Town of Clayton for S.O.L. Restaurants dba Oinks Restaurant, 8386 State Road 76, Suite A, Neenah, WI 54956 with no conditions.

Vote: Motion carried unanimously.

VIII. Business referred by the Plan Commission:

Town Board receipt, review, and consideration of Plan Commission Referrals (second Town Board meeting of the month):

A. Plan Commission recommendation to the Board on the appointment/election of a Vice-chair for the Commission.

- Chair turned over to Chair Knapinski. Discussion regarding appointing a vice-chair. Becky Haskell nominated as vice chair.
- Vote: Approved per unanimous consent.

B. Plan Commission recommendation to the Board on the Final Plat of Whispering Meadows submitted by RRM Properties, 3929 CTR II, Larsen, WI 54947 for property specifically described as Tax ID # 006-0566-01, and 006-0566-02, and 006-0566-03 being part of Outlot 1 of Certified Survey Map No. 3996 and all of Lots Two (2) and Three (3) of Certified Survey Map No. 6693, being part of the northeast ¼ of the northwest ¼, of Section 21, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**ACCEPT**

- C. Plan Commission recommendation to the Board on a Site Plan Application for a metal storage structure submitted by Mark Caswell for Treeo's, 8889 Oakwood Avenue, Neenah, WI 54956, specifically identified as Tax ID # 006-0396-01 being part of the northeast ¼ of the northeast ¼ described as Lot 2 of Certified Survey Map 3847 in Section 15, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Lettau

Motion: Motion that we approve the conditional approval of the site plan of the metal storage structure submitted by Mark Caswell for Treeo's, 8889 Oakwood Avenue, Neenah, WI as described in the paperwork and with all the staff recommendations and planning committee recommendations.

Vote: Motion made by unanimous vote.

- D. Plan Commission recommendation to the Board on a Site Plan Application for a parking lot expansion submitted by Dino Valeri, for DSV LLC, 3440 DeKalb Lane, Neenah, WI 54956 for the Woodshed Bar and Grill located at 2895 CTR "II" Neenah, WI 54956, and 8472 STH "76" specifically identified as Tax ID # 006 0621-01 and 006 0621-02, both located in Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Motion: Motion that we approve the Site Plan Application for a parking lot expansion submitted by Mr. Dino Valeri for the site listed below along with all conditions and approvals by the Plan Commission.

Vote: Motion made by unanimous vote.

- E. Plan Commission recommendation to the Board on a Temporary Conditional Use Application for a fundraising event in the Headliners Bar and Grill parking lot, submitted by Ken Zastrow, for Pubs & More LLC (DBA Headliners Bar and Grill), 2788 Towne Court, Neenah, WI 54956 specifically identified as Tax ID # 006-0620-06 located in Section 24, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: Motion that we approve the Conditional Use Application for a fundraising event at the Headliners Bar and Grill parking lot submitted by Ken Zastrow for Pubs & More LLC dba Headliners Bar and Grill, 2788 Towne Court, Neenah, Wisconsin and with all recommendations by the Plan Commission and the staff.

Vote: Motion made by unanimous vote.

F. Plan Commission recommendation to the Board on proposed amendments to the Town’s Access Control Ordinances including, but not limited to, the driveway separation requirements of the Ordinance.

**NO ACTION TAKEN**

G. Plan Commission recommendation to the Board on proposed changes to the specific culvert diameter requirements of the Town’s Access and Culvert Permit Policy.

**NO ACTION TAKEN**

IX. Business referred by the Green Space Committee:

Town Board receipt, review, and consideration of Green Space Committee Referrals (first Town Board meeting of the month):

A. No Referrals.

X. Business:

A. Discussion/Action: Town Board review and consideration of Resolution # 2014-006 A Resolution Disallowing a Claim for Damages Submitted by Richard Matowitz for damages to a vehicle.

Attached please find copies of the claim for damages and correspondence from the Town’s Insurance carrier relative to the listed claim for damages. The Administration has prepared the attached Resolution 2014-006 to formally deny the claim submitted by Mr. Matowitz. Should the Board wish to deny the claim as recommended, a motion would be in order to approve Resolution 2014-006 and to direct staff to notice the proper individuals as required by law.

**MOTION:**

Motion by: Supervisor Luebke

Seconded by: Supervisor Lettau

Motion: Motion that we amend Resolution 2014-006 (listed as 2012-006) a resolution denying the claim for damages made by Richard Matowitz for damage to an automobile by a paved asphalt surface in the Town of Clayton to include a whereas to the dollar figure of the claim was \$1,000.

Vote: Motion made by unanimous consent to amend Resolution 2014-006.

B. Discussion/Action: Town Board review and consideration of Resolution # 2014-007 A Resolution Approving the Final Plat of Whispering Meadows submitted by RRM Properties.

Attached please find a draft copy of Resolution 2014-007 A Resolution Approving the Final Plat of Whispering Meadows submitted by RRM Properties. The Plan Commission has recommended that the Board approve the Final Plat of Whispering Meadows submitted by RRM Properties, 3929 CTR II, Larsen, WI 54947 for property specifically described as Tax ID # 006-0566-01, and 006-0566-02, and 006-0566-03 being part of Outlot 1 of Certified Survey Map No. 3996 and all of Lots Two (2) and Three (3) of Certified Survey Map No. 6693, being part of the northeast ¼ of the northwest ¼, of Section 21, Township 20 North, Range 16 East, Town of Clayton, County of Winnebago, State of Wisconsin. The Plan Commission’s recommendation for approval of the Final Plat is subject to the Conditions recommended by staff, and the Conditions placed on the Final Plat by other entities having jurisdiction over the matter. Should the Board wish to approve the Final

Plat of Whispering Meadows a motion would be in order to approve Resolution 2014-007 as presented.

**8:07 p.m. Chair Luebke recused himself and turned the chair over to Vice Chair Geise**

- Lettau requested confirmation of natural springs on property relative to town storm water management issue
- Administrator Johnston reviewed
- Is there a map of field tile?
- Mark Luebke, 3929 Cty Rd II, Neenah. Not aware of front 20 acres field tile. Regarding any of the springs the owner is not aware of them. Eventually we will be requiring elevation requirements in subdivision covenants
- Bruce Bondow, 3918 Cty Rd II, Neenah. Addressed the water issues relative to building requirements (permitting elevations).
- Town does not require minimum elevations.

**MOTION:**

Motion by: Supervisor Schmidt

Seconded by: Supervisor Grundman

Motion: Motion to approve Resolution 2014-007 as presented for the resolution approving the final plat of Whispering Meadows submitted by RRM Properties.

Vote: Motion made by unanimous consent.

- C. Discussion/Action: Town Board review and consideration of the Site Plan for the Drifters Snowmobile Club building at the east end of the Town Garage site. A few months ago the Board approved allowing the Drifters Snowmobile Club(Club) to construct a storage and maintenance facility on Town owned property adjacent to the Lions Club building located on the east side of the Public Works Building site. Mark Bombinski would like to review the Site Plan for the project with the Board prior to starting the work on the building. Staff will have material available at the meeting for the Board's review. As a point of reference, the Administration has asked the Club to limit the impact on the paved surface to an area that the Club can repair/resurface as part of its project. The Administration has taken this position based on the funding available to resurface the Trail Head and the Public Works Department's paved surfaces. The Administration understands that the parking surface is in need of resurfacing; however, before the resurfacing can occur some of the drainage issues with the parking area need to be repaired. This work was to be completed in phases along with the drainage improvements. At this time there is no funding available for resurfacing or drainage repair, however, staff is going to start recommending that the projects be funded over the next few budget cycles. If the Board is comfortable with the site plan as presented by the Club, a motion would be in order to accept the Site Plan and allow the Club to proceed with the project.

**8:17 p.m. Chair Luebke resumes meeting.**

**NO ACTION TAKEN**

D. Discussion/Action: Town Board review and consideration of negotiating the purchase of some of the east portion of the Larsen Tavern property located at 8338 CTR “T”, Larsen, WI, 54947 and specifically identified as #006-0535-03 in the Town of Clayton, County of Winnebago.

At the request of Mr. Clauson, the Town Chair has asked that this item be placed on the Board’s Agenda. Mr. Clauson would like to ask the Board to reconsider its motion to take any and all offers to purchase Mr. Clauson’s property, located at 8338 CTR “T”, off of the table. The Administration believes that the Board has Town Elector Authorization to purchase the property and would have no problem with funding a reasonably priced purchase of the property. The issue the Board will need to discuss is how it would like to negotiate the possible purchase. The Administration would have no problem with a “take it or leave it” offer negotiated in public. However, the negotiation process is up to the Board. Attached please find a copy of a map outlining Mr. Clauson’s property and the area staff would like to control (highlighted in yellow) for the purposes of creating a more efficient yard waste site. Should the Board wish to proceed with this issue, a motion would be in order to authorize the Town Chair to negotiate for the Board, to direct staff to schedule the negotiations, and to place the issue on the Board’s Wednesday, July 2<sup>nd</sup>, 2014 agenda for final consideration and action by the Board.

- Discussed liquor license issues. To be discussed at next meeting on July 2<sup>nd</sup>, 2014.

E. Discussion/Action: Town Board review and consideration of the amount of Municipal General Obligation Promissory Notes to issue to fund the Town’s CY 2014 through CY 2016 Capital Reconstruction Projects as identified in the Town’s 5-Year Capital Reconstruction Plan.

Attached please find a copy of the material provided to the Board by the Town’s Financial Advisor, Michael Hallmann of Lantern Associates, LLC. The Administration has estimated that the debt funding required for the Town’s CY 2014 through 2016 Capital Reconstruction Projects would be a little over \$2,000,000.00. The debt service on a \$2,000,000.00 borrowing would be approximately \$230,000.00. For every additional \$100,000.00 the debt service payment would increase by approximately \$11,000.00. The Administration has set the debt service at a zero impact to the Town’s Levy and Budget. This was accomplished by moving the Town’s annual \$250,000.00 funding for the Town’s Capital Reconstruction Budget to the Debt Service Budget. This action would allow the Board to borrow approximately 2,200,000.00 with no discernible impact on the Town’s Budget. The funding for future Capital Reconstruction Projects would have to be saved within the budget over the next 3 to 4 years or placed on the levy as an increase in the debt service funding. The Board has asked that this item be placed on its Agenda so that it can discuss and arrive at a consensus on the CY 2014 borrowing. As an option, the Board could use some of the additional funding available to repair additional Town Roads in CY 2014 (please see the material for agenda item F).

**MOTION:**

Motion by: Supervisor Grundman

Seconded by: Supervisor Schmidt

Motion: Motion that we set up a special meeting.

Vote: Motion made by unanimous consent to approve holding a special meeting for liquor license for Chris Clauson for Wednesday, June 25, 2014 at 7:00 p.m.

**8:35 to 8:40 p.m. recess called by Chair Luebke for emergency.**

- Discussed dollar amounts of General Obligation Promissory Note relative to payment and tax levy

**MOTION:**

Motion by: Chair Luebke

Seconded by: Supervisor Geise

Motion: Motion to direct staff to move forward with a debt service plan to borrow \$2,200,000.00.

Vote: Motion carried by unanimous consent.

- F. Discussion/Action: Town Board review and consideration of authorizing staff to issue a Request For Proposals (RFP) for the following CY 0214 Road Maintenance Projects and to award contracts for the work so long as they do not exceed the funding available in the Town's CY 2014 Budget:
- i. Asphalt patches and concrete curb returns on corners on various Town Roads.
  - ii. Double Chip Sealing of various Town Roads.
  - iii. Center Line and Fog Line Striping of various Town Roads.
  - iv. Crack Filling on various Town Roads.

Attached, please find copies of several maps that identify the type and location of the individual CY 2014 road maintenance projects. The Town's CY 2014 Budget for the proposed work is:

- i. Road Maintenance: \$40,000.00
- ii. Chip Sealing: \$90,000.00
- iii. Line Striping: \$7,500.00
- iv. Crack Filling: \$7,500.00

Staff has looked at the Town's roads and selected areas where road maintenance work would most benefit the Town. Funding for much of this work is included in the Town's CY 2014 Public Works, Road Maintenance Budget. The Administration has added work that it believes would benefit the Town and act as an interim step to the full blown reconstruction of the selected roads. The Administration respectfully asks the Board to approve the issuance of the proposed RFP's and authorization to award the projects that fit into the Town's CY 2014 Road Maintenance Budgets. Once the funded projects are awarded staff would present the additional work to the Board for its possible approval. Funding for any additional work would come from the Town's CY 2014 borrowing. The Administration's concern with this process is using debt service funds for road maintenance projects that may not last the term of the debt. The alternative to this concern is to do less additional but work but more long term reconstruction work. Specifically, rather than double chip seal several miles of road at an estimated cost of \$25,000.00 a mile and a life expectancy of 5 to 6 years, the Board may want to consider pulverizing and

paving a single mile of road at an estimated cost of \$250,000.00 per mile and a life expectancy of 30 years. Both options have benefits; the question is which is more cost effective. If the Board wishes to proceed with the planned road maintenance work and some additional maintenance and/or reconstruction work, a motion will need to be crafted that provides staff with direction and authorization.

- Administrator Johnston discusses asphaltting culvert replacement sections of road to be included in projects
- Discusses repair shoulder issues on Medina Junction
- Mitch Beatty, 9495 Pioneer Road, Neenah. Discussed condition of Medina Junction relative to muskrats undermining road base
- Curb return costs relative to repair costs of roads

Vote: Approved by unanimous consent.

- G. Discussion/Action: Town Board review and consideration of a proposal submitted by the Town's Engineer to provide bidding documents for the Town's CY 2014 double chip sealing road maintenance projects.

In addition to completing the Town's CY 2013 chip sealing projects the Town's plan was to double chip seal Fairview Road from Pioneer Road to the west Town Line. Attached please find a copy of an Agreement for Professional Services from the Town's Engineer to complete the documentation and bid the Town's CY 2014 Chip Sealing Projects at a cost of \$4,215.00 including estimated reimbursable costs. The proposal also includes those projects that the Board may wish to consider doing in CY 2014 with borrowed funds. If the Board chooses to not do the additional work with borrowed funds the documentation could be readily updated for work in CY 2015 and the request for bids re-issued in CY 2015 at a relatively nominal cost. The additional benefit of the process would be the relative accuracy of the budgeting numbers that would be used in the Town's CY 2015 Budget. If the Board wishes to consider the additional chip sealing work in CY 2014 a motion would be in order to approve the Agreement for Professional Services for the Town's CY 2014 Chip Sealing Projects at a cost not to exceed \$4,215.00 with the funding for the project to come from the Town's CY 2014 Public Works Budget, Engineering Line Item.

Vote: Approved by unanimous consent.

- H. Discussion/Action: Town Board review and consideration of a proposal submitted by the Town's Engineer to provide permitting and design engineering for the Town's CY 2014 County Bridge Aids Capital Construction Projects.

As part of a County Bridge Aids Project, the Town is scheduled to replace the large culvert in Larsen Road located approximately 1000 feet east of the intersection of Larsen Road and Oakwood Avenue. The culvert is being replaced with a larger, open bottom arch culvert in anticipation of resurfacing Larsen Road in CY 2017. As a County Bridge Aids Project the costs of the project are shared 50/50 between the Town and the County. The Administration expects to complete the project with force account labor; this will allow the Town to recover 50% of the labor costs in the project. In order to properly permit, size, and place the culvert arch the Administration has asked the Town's Engineer for the attached Agreement for Professional Services. The fee for the proposal is \$5,050.00 including the estimated reimbursable costs. Funding for the engineering and the project will come from the Town's CY 2014 Public Works, County Bridge Aids Budget Line Item. If the Board wishes to proceed with the project, a motion would be in order to

approve the Agreement for Professional Services in an amount not to exceed \$5,050.00 with the funding to come from the Town's CY 2014 Public Works, County Bridge Aids Budget Line Item.

Vote: Approved by unanimous consent.

- I. Discussion/Action: Town Board review and consideration of a Valley Sealcoat, Inc. Warranty Contract from MCC, the General Contractor on Phase 1 of the Town's CY 2013 Capital Reconstruction Project, to crack fill the center line seam of the asphalt surface on Westfield Ridge and Quail Point Road.
- Following the winter months, staff and the Town's Engineer reviewed the condition of the newly constructed portion of Westfield Ridge and Quail Point Road. The review was part of the routine construction process; additionally, several residents in the areas had reported a split in the center line seam of the roads. It appears that due to the cold winter and the significant depth of the ground frost, the center line seam of the asphalt roads had a significant split in many areas. Following the review of the condition of the roads the Administration directed the Town's Engineer to comparatively measure the areas where the center line seam split and the areas where it did not. The attached proposal was generated by Valley Sealcoat, Inc. for MCC, the General Contractor on the project. The only viable solution to the center line seam split is to crack seal the split areas. The Administration believes that it is only a matter of time before the rest of the center line seams will split. Unfortunately, when that happens the road surface will be out of warranty. In order to mitigate that problem the Administration has indicated that it is willing to recommend to the Board that the Town proportionately share the cost of crack filling the entire center line seam as a single project. The Town Engineer's comparative measurements were used to arrive at an equitable cost sharing proposal. The cost of the work in the Valley Sealcoat, Inc. proposal is \$3,364.00, using a 75% to MCC and 25% to the Town split, the Town's share of the project costs will be \$841.00 with the funding to come from the Town's CY 2014 Crack Sealing Budget Line Item. This appears to be a reasonable price to preemptively have the work done once. If the Board agrees with the Administration's recommendation, a motion would be in order to authorize the Administration to cost share with MCC on the crack sealing work on Westfield Ridge and Quail Point Road at a cost not to exceed \$841.00.

Vote: Approved by unanimous consent.

- J. Discussion/Action: Town Board review and consideration of a Municipality Recycling Surplus Revenue Ballot for CY 2013.
- Attached is a copy of the ballot for the Town's vote on distribution of the County's Surplus Recycling Revenue from CY 2013. Additionally, the ballot includes a vote on the amount of money the County will distribute. The County is asking the participating Municipalities to pay their pro-rata share of the Tri-County Single Stream Recycling Facility debt service. If the Board votes in favor of paying the Town's pro-rata share of the debt service for the Tri-County Single Stream Recycling Facility, the Town's share of the proposed distribution of the surplus revenue would be \$2,796.46. The Administration is recommending that the Town vote in favor of distributing the Surplus Recycling Revenue from CY 2013, and the assuming the pro-rata share of the debt service for the Tri-County Single Stream Recycling Facility. Additionally, the Administration is recommending that the funds generated by the distribution go into the Town's Solid Waste and Recycling

Utility Reserve Accounts. If the Board Agrees with the Administration's recommendation, a motion would be in order to vote in favor of the distribution of the \$77,384.00 dollars in the Surplus Recycling Revenue from CY 2013 and of funding the Town's pro-rata share of the recycling operating deficit.

**MOTION:**

Motion by: Supervisor Geise

Seconded by: Supervisor Lettau

Motion: Motion that we vote in favor of the distribution of \$77,384.00 from the surplus recycling revenue from CY 2014 and of funding the Town's pro-rata share of the recycling operating deficit.

Vote:

- XI. Upcoming Meeting Attendance:
- XII. Board Member Requests for Future Agenda Items:
- XIII. Review of Disbursements:
- XIV. Adjournment:  
**MOTION:**  
Motion made by unanimous consent to adjourn at 9:32 p.m.

**NO ACTION TAKEN**

Respectfully submitted,

Laurie L. Goffard, Administrative Assistant