

**TOWN OF GENESEE
TOWN BOARD MINUTES
MAY 8, 2023**

Chairman Leair called the meeting at 6:00. Present were Chairman Leair, Supervisors Morris, Ross, Braun and Houston. Also present were Administrator/Planner Herrmann, Public Works Superintendent Berg, Attorney Larson and Clerk Treasurer Majeskie.

Pledge of Allegiance

The Pledge was said.

Discussion/Action – Resolution 23-4R Commemorating years of service for Jeff Schmittinger

Ross made a motion to approve resolution 23-4R, seconded by Morris. The motion passed unanimously.

Discussion/Action – Reconsider the Memorandum of Understanding Agreement between the Town of Genesee and Generac Power Systems, Inc. regarding reconstruction and widening of Hillside Road

Attorney Larson explained what changes Generac wanted in this agreement. This is the revised document that Generac would accept. Larson these are not the kind of changes that Larson would accept on behalf of the Town because it will affect the risks of the agreement. The changes include on page 2 on the end notwithstanding anything to the contrary, without Property owner approval, the Total amount billed by the Town to property owner shall not exceed \$225,325.18. Generac wants a cap on the spending. This number is 50% more than what our costs should be. You never know what condition is under the existing road. The risk is if it goes over that amount Generac will not pay the overages. The next item is on the bottom of page three there is an addition of notwithstanding anything to the contrary, in no event shall the property owner or the Town be liable for any special incidental, indirect consequential, or punitive or exemplary damages. They want to limit their liability. The last change was in exhibit B they added the word third party, in the second paragraph fourth line. The Board discussed. Morris made a motion to approve the MOU, seconded by Ross. The motion passed 4-1. Houston was against.

Discussion/Action – Certified Survey Map for Frank and Ashleigh Schimpf. Property is described as Lots 1 and 2 of CSM #11480, being a part of the SW ¼ and the SE ¼ of Section 27, T6N, R18E, in the Town of Genesee. More specifically, the properties are located at W304 S5225 Hwy 83, Mukwonago, Waukesha County (GNT 1547.999.001 & GNT 1547.999.002)

Ross made a motion to approve the CSM with the completion of the recommendations in the planner's Report as recommended by the Plan Commission, seconded by Houston. The motion passed unanimously.

Discussion/Action – Holding Tank Agreement for Eagle Exterior Contractors, LLC W304S3925 Brookhill Rd Waukesha, WI 53189

Braydon Pozorski has been working with Herrmann. He would like to build a salt shed. The County said that he would need to have a holding tank for the runoff. Ross made a motion to approve the holding tank, seconded by Houston. The motion passed unanimously.

Discussion/Action – Special Event for Sideliners Pub and Grill parking lot on June 9th and June 10th 2023 W309 S4837 Commercial Drive, Genesee Depot, WI. (Tax Key GNT

1546.982.005)

Ross made a motion to approve the events and extend the liquor license to the tent in the parking lot, seconded by Houston. The motion passed unanimously.

Reports

Clerk/Treasurer – Meri Majeskie

Discussion/Action - Bills to be presented

Ross made a motion to approve the bills, seconded by Houston. The motion passed unanimously.

Public Works Department – Michael Berg

Public Works Report

Berg is looking for another full time DPW employee. Berg asked the Board if he should purchase a water softener for Sunset Park. The water is very hard and it's taking a toll on the plumbing. The cost would be approximately \$9,600.00. Berg would pay for the softener out of his budget. The Board discussed it and decided it would be ok for him to purchase it. It would be able to service the new proposed bathrooms with the shelters. The Board thought it was a good idea.

Discussion/Action – 2023/2024 Snow Plowing Contract

We have not received a contract from Wolf Paving.

Discussion/Action – To approve changes to the 2023 Road Program Chip Sealing Contract

The issue is that there were several roads that were approved in this contract that now Berg does not want to do and he would like to remove them from the contract and add in two other roads. Herrmann asked Attorney Larson what his thought on that were. There is a unit price. Larson said that the general rule is that you can't change the project by more than 15% or more without having to rebid. Larson thinks that if we change the roads and keep the amount of coverage the same it would be consistent with the bidding laws.

Discussion/Action – Status of the Pickle ball Court Plan

Berg and staff are going to turn one of the tennis courts into a permanent pickleball court and see how The turnout is. They also talked about up dating the fencing.

Chairman - Sharon Leair

Discussion/Action – WTA Directors Report

Chairman Leair talked about the Bill that deals with revenue sharing, it has not gone to the Senate yet. There could be a lot of changes before the bill is passed. The bill would not allow anyone to have a advisory referendum.

Discussion/Action - Amend the Lake Country Fire & Rescue Intermunicipal Agreement

The Board discussed the agreement and the changes that were made. This is just a one-year agreement to exceed the CPI plus 2% for 2024 to get the Budget to be the where LCFR needs it for their staffing. Ross made a motion to approve the first amendment to the Lake Country Fire and Rescue, seconded by Houston. The motion passed unanimously.

Discussion/Action - Request from John Orner to do a speed study on Town Road GE

The Board discussed the study and decided to get a price to do a speed study. We will bring this back when we have quotes.

Discussion/Action - ARPA expenditures

The Board would still like to use the ARPA funds for new plow trucks.

Discussion/Action - Extend the Premise for the Union House to sell old fashions, and cups of wine to go from the Depot Crossing parking lot to be consumed in Genesee Depot during Depot Daze.

Ross made a motion to approve extending the premise for the Union House for Depot Daze authorizing underage persons to be on the premise for which the licensed is issued, seconded by Morris. The motion passed unanimously.

Discussion/Action – Request for a Temporary Class “B” Beer license for The Lions Club for May 21, 2023 at the Lion Club Building at Town Park. Going forward this will be an annual event.

Ross made a motion to approve the Temporary Class “B” Beer license for The Lions Club for May 21, 2023 at the Lion Club Building at Town Park authorizing underage persons to be on the premise for which the licensed is issued, seconded by Houston. The motion passed unanimously.

Discussion/Action – Request for a temporary Class “B” Beer license for The Waukesha Blazers Club for July 7,8 and 9th, 2023 at Town Park and Sunset Park to sell beer at the shelters and to allow the consumption of Beer in the Park during the Tournament.

Ross made a motion to approve a temporary Class “B” Beer license for The Waukesha Blazers Club for July 7,8 and 9th, 2023 at Town Park and Sunset Park to sell beer at the shelters and to allow the consumption of Beer in the Park during the Tournament as long as there are at least four licensed operators selling the beer and authorizing underage persons to be on the premise for which the licensed is issued, seconded by Houston. The motion passed unanimously.

Discussion/Action – Ordinance 23-2 To repeal Chapter 136 of the Town of Genesee Code of Ordinances for the Creation of the Park Board in the Town of Genesee

Houston made a motion to repeal Chapter 136 of the Town of Genesee Code of Ordinances for the Creation of the Park Board in the Town of Genesee, seconded by Ross. The motion passed unanimously.

Discussion/Action - Waukesha County Collaboration Council – Buck Houston

The Council is putting a lot of effort to fight the drug problem in Waukesha County. They are putting up Oak Boxes that have Narcan for overdoses inside self-serve. Houston will get some boxes for the Town of Genesee.

Discussion/Action - Minutes to be approved - Regular Town Board Meeting April 10, 2023, Joint Park Board /Town Board Meeting April 10, 2023, Special Board meeting April 28, 2023

Morris made a motion to approve the Regular Town Board Meeting April 10, 2023, and the Joint Park Board /Town Board Meeting April 10, 2023, seconded by Ross. The motion passed 4-0. Braun abstained. Morris made a motion to approve the Special Board meeting April 28, 2023, seconded by Houston. The motion passed unanimously.

Discussion/Action – Reappointment of Charles DeNardo to a 2-year term for Board of Appeals

Morris made a motion to approve the reappointment of Charles DeNardo for a two-year term on the Board of Appeals, seconded by Houston. The motion passed unanimously.

Discussion/Action - Operator permit applications

None

Discussion/Action – Correspondence

Herrmann discussed two violations that he had received and will be sending out letters.

Discussion/Action – Adjourn

Ross made a motion to adjourn, seconded by Braun. The motion passed unanimously. The meeting was adjourned at 7:34 p.m.

Respectfully submitted,

Meri Majeskie WCMC
Clerk Treasurer