

**PROCEEDINGS OF THE TOWN OF VERNON BOARD OF SUPERVISORS**

**Thursday, December 6, 2007**

**6:30 PM**

Vernon Town Hall Meeting Room  
W249 S8910 Center Drive

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1. CALL TO ORDER. Chairman Brian Paff called the meeting to order.
2. PLEDGE TO FLAG. Town Board recited the Pledge of Allegiance.
3. MOMENT OF SILENCE. Town Board had a moment of silence.
4. ROLL CALL. Chairman Paff, Supervisors Ludwig, Finch, Tylinski, Reilly, Clerk Gresch, Department of Public Works Director Salentine, Big Bend / Vernon Fire Chief Phil Buchholtz and Big Bend / Vernon Fire Board President Marilyn Gauger.
5. OPEN MEETING LAW COMPLIANCE CHECK. Chairman Paff asked the Clerk if the agenda was properly noticed. Clerk Gresch stated yes.
6. ANNOUNCEMENT OF CLOSED SESSION. Chairman Paff stated the Town Board will be convening into Closed Session at the end of the Town Board meeting, reconvening into open session to the adjourn the meeting.
7. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

**MOTION Supervisor Tylinski moved to open the meeting to public comments, seconded by Supervisor Reilly, carried by voice vote.**

***No public comments.***

8. REVIEW OF RECENT CORRESPONDENCE.
  - a. Ehlers Advisor Newsletter.
  - b. Letter from Time Warner Cable regarding new programming.
  - c. Thank you letter from Randy & Patty Wisniewski for Right-of-Way vacation.
  - d. Information from Town Realty residents of Oakview Road about the Harvest View Subdivision – Oakview Road Extension.

Chairman Paff stated the items on the agenda listed as correspondence are for the Town Board's reading pleasure. He briefly reviewed each item with the Town Board.

9. MISCELLANEOUS MATTERS. The following matters will be discussed and possible action taken by the Town Board:
  - a. Review of 2008 Mukwonago School District Budget with Jean Cruikshank.

Mukwonago School Board Member Jean Cruikshank was present and reviewed the Mukwonago School District with the Town Board. ***Clerk's Note: The informational sheet on the Mukwonago School District Budget is attached to the minutes.*** The Town Board thanked Mukwonago School Board Member Jean Cruikshank for coming to the meeting.

- b. Recommendation from Big Bend / Vernon Fire Board and Town Attorney to approve the Big Bend/Vernon Fire Board Polices and Procedures.

Big Bend / Vernon Fire Board President Marilyn Gauger was present and stated both the Town and Village attorneys have signed off on the Big Bend / Vernon Fire Board Polices & Procedures.

**MOTION Supervisor Finch moved to approve the recommendation from Big Bend / Vernon Fire Board and Town Attorney to approve the Big Bend/Vernon Fire Board Polices and**

**Procedures, seconded by Supervisor Reilly, carried by voice vote.**

- c. Request from Big Bend/Vernon Fire Board to transfer line item budget items, per Intermunicipal Agreement.

Big Bend / Vernon Fire Board President Marilyn Gauger was present and reviewed the line item transfers with the Town Board. She stated these are transfers from one line item to another and has no fiscal impact on the budget. Town Board members thanked President Gauger for all of her efforts.

**MOTION Supervisor Finch moved to approve the request from Big Bend/Vernon Fire Board to transfer the following line item budget items, in an amount not to exceed \$19,500, per the Intermunicipal Agreement:**

- **TRANSFER FROM:**
  - **Salary & Benefits \$19,500**
- **TRANSFER TO:**
  - **Computer & Supplies \$ 9,400**
  - **Fuel \$2,100**
  - **Vehicle/Equipment Maintenance \$8,000.**

**Seconded by Supervisor Tylinski, carried by voice vote.**

- d. Appointment of one (1) Elected Official to serve on Workgroup to do a review of Fire Department Rules, Regulations and Guidelines.

Chairman Paff stated he recommends Supervisor Ludwig be appointed to this committee because he sat on the committee that updated the Intermunicipal Agreement. He also stated John Maney also volunteered to be a citizen member. President Gauger stated the Big Bend / Vernon Fire Board appointed Cathy Bronk and Paul Fickau to be on that Workgroup. She also stated she has already put together an overview of the work for the Workgroup.

**MOTION Supervisor Tylinski moved to approve the Appointment of one (1) Elected Official, Supervisor Bill Ludwig, to serve on the Workgroup to do a review of Fire Department Rules, Regulations and Guidelines, seconded by Supervisor Finch, carried by voice vote.**

- e. Authorization of Town Attorney to review the Fire Department Rules & Regulations.

**MOTION Supervisor Tylinski moved to table the authorization of Town Attorney to review the Fire Department Rules & Regulations, seconded by Supervisor Ludwig, carried by voice vote.**

- f. Cost share with the Village of Big Bend to pay 50% of Attorney Macy's review of the Fire Department Rules & Regulations.

**MOTION Supervisor Ludwig moved to table the cost share with the Village of Big Bend to pay 50% of Attorney Macy's review of the Fire Department Rules & Regulations, seconded by Supervisor Reilly, carried by voice vote.**

- g. 2008 Historical Society Vernon Activity Center Lease.

**MOTION Supervisor Tylinski moved to approve the 2008 Historical Society Vernon Activity Center Lease, seconded by Supervisor Reilly, carried by voice vote.**

- h. 2008 Building Inspector Contract.

**MOTION** Supervisor Ludwig moved to approve the 2008 Building Inspector Contract, seconded by Supervisor Reilly, carried by voice vote.

- i. 2008 Assessor Contract.

**MOTION** Supervisor Tylinski moved to approve the 2008 Assessor Contract, seconded by Supervisor Reilly, carried by voice vote.

- j. Resolution #2007-17, Resolution Accepting Public Improvements of Sunset Glen Subdivision.

**MOTION** Supervisor Finch moved to adopt Resolution #2007-17, Resolution Accepting Public Improvements of Sunset Glen Subdivision, seconded by Supervisor Tylinski, carried by voice vote.

- k. Resolution #2007-18, Rozeski Certified Survey Map - Lots Not Abutting A Public Road Issue.

**MOTION** Supervisor Tylinski moved to adopt Resolution #2007-18, Rozeski Certified Survey Map - Lots Not Abutting A Public Road Issue, seconded by Supervisor Ludwig, carried by voice vote.

Waukesha County Sheriff's Department Deputy Brezemeister was present and stated the biggest problem right now in Vernon is snowmobiles cutting through people's lawns and damaging driveways. Supervisor Tylinski stated he has received complaints about speeding on John Drive after 4 p.m. Supervisor Reilly stated he received the same phone call.

- l. Resolution #2007-19, Resolution in Support of Charter Towns Bill.

**MOTION** Supervisor Tylinski moved to adopt Resolution #2007-19, Resolution in Support of Charter Towns Bill, seconded by Supervisor Reilly, carried by voice vote.

- m. Letter of Credit reduction for Fox River Woods.

**MOTION** Supervisor Finch moved to approve the Letter of Credit Reduction for Fox River Woods Subdivision, as recommended by the Town Engineer, in the amount of \$436,000, leaving a balance of \$440,000, seconded by Supervisor Ludwig, carried by voice vote.

- n. Denial of Digger's Hotline request to adopt Ordinance or Resolution that requires the routing of all subdivision plats and Certified Survey Maps to the County Land Information office, as that is already being done.

**MOTION** Supervisor Finch moved to deny Digger's Hotline request to adopt Ordinance or Resolution that requires the routing of all subdivision plats and Certified Survey Maps to the County Land Information office, as the routing of approved Certified Survey Maps and Subdivision Plats to the County is already being done, seconded by Supervisor Ludwig, carried by voice vote.

- o. Appointment of the following people to the Emergency Management Committee:
- i. DPW Director Doug Salentine
  - ii. Chairman Brian Paff
  - iii. Fire Chief Phil Buchholtz
  - iv. Clerk Gina Gresch

**MOTION Supervisor Finch moved to appoint DPW Director Doug Salentine, Chairman Brian Paff, Fire Chief Phil Buchholtz and Clerk Gina Gresch to the Emergency Management Committee, seconded by Supervisor Tylinski, carried by voice vote.**

- p. Recommendation from Plan Commission to approve the Final Certified Survey Map for Signe and Sam Reichelt, for the property located at W258 S8005 Prairieside Dr., Mukwonago, subject to all Planner, Engineer and Attorney conditions.

**MOTION Supervisor Finch moved to approve the recommendation from Plan Commission to approve the Final Certified Survey Map for Signe and Sam Reichelt, for the property located at W258 S8005 Prairieside Dr., Mukwonago, subject to all Planner, Engineer and Attorney conditions, seconded by Supervisor Ludwig, carried by voice vote.**

- q. Approve, execute and deliver Cingular Wireless Release and Settlement Agreement.

**MOTION Supervisor Finch moved to approve, execute and deliver Cingular Wireless Release and Settlement Agreement, seconded by Supervisor Ludwig, carried by voice vote.**

- r. Discussion of Town of Waukesha Water Meeting and possible creation of a committee to protect the Town of Vernon from the construction of municipal wells.

Supervisor Reilly reviewed the meeting the Town of Waukesha had on November 15, 2007 regarding water with the Town Board. **Clerk's Note: This information is attached to the minutes.** Supervisor Reilly asked the Town Board if this could be put on an agenda to discuss this further. Town Board members stated they would like to discuss this. Chairman Paff asked that it be put on the January 3, 2008 agenda.

10. ANNOUNCEMENTS. The following individuals will be given the opportunity to make announcements at the meeting in regards to activities they have undertaken since the last meeting on behalf of the Town, future activities and citizen contacts. It is not contemplated that these matters will be discussed or acted on but referrals to the appropriate committees and/or individuals will be made.

- a. Town Board, Department of Public Works Director, Town Clerk, Town Treasurer and Building Inspector.
- Supervisor Reilly stated he is concerned about the traffic on John Drive, which he conveyed to the Sheriff's Department. He stated the residents of John Drive asked for a speed bump. DPW Director Salentine stated speed bumps are not advisable, and if we put a speed bump there, we would have to put them all over town. Chairman Paff stated speeding is a law enforcement issue. Supervisor Ludwig suggested that the residents of John Drive call the Village of Big Bend Police Department for them to patrol since the new road is in the Village. DPW Director Salentine stated he will do that.
  - Supervisor Tylinski stated he also spoke to some residents on John Drive and they are upset with what is going on. He also suggested that they call the Village of Big Bend Police Department. He suggested this be put on the Public Health & Safety Committee agenda that a stop sign be placed at the intersection of John Drive and Valley View Road to slow the traffic down. He also received a letter from a resident on Oakview Drive regarding Harvest View Subdivision affecting their driveway. Supervisor Tylinski stated it looks as though the resident wants the developer to straighten out their driveway. Chairman Paff stated the Town Board has to give approval for the road connection and a condition of approval is to fix this resident's driveway, which is not an unreasonable request. Supervisor Tylinski also encouraged everyone to donate platelets.
  - Supervisor Finch asked people to drive safely and to wear their seatbelts. He stated it's a proven fact that wearing a seatbelt can save your life.
  - Supervisor Ludwig stated he has no announcements.

- Chairman Paff stated he has no announcements.
- Clerk Gresch stated the final tax collection numbers are in. The tax rate is \$12.35 up 52 cents from last year and property owners should be receiving their bills next week. She stated the Treasurer and Clerk's Office came up with a chart to show you where your tax dollars go and showed the chart to the Town Board. The Assessment Ratio is 93%; the Lottery Credit is \$77.23; the 2008 Refuse & Recycling Rate is \$100.81; the 911 Address number charge is \$32.50. If you live on a private road the charge is \$65 because you need to address number signs. The Stormwater Utility Charge is \$32 unless you received a separate letter stating you have more than one ERU charged to your property. She also stated the Tax Collection information and collection dates are on the Town's Website and Channel 25. She stated the 2008 Refuse & Recycling Calendar is available for download on the Town's website and it will be an insert that comes with your tax bill. On the flip side of that insert, is a summary of the stormwater charges and 911 address number charge. She also stated if anyone has questions regarding the stormwater charges, please see the FAQ's on the website and Channel 25, or stop at the Town Hall to pick one up. In addition, while you are waiting to pay your taxes or to renew your dog license, please check out the information board in the Town Hall meeting room. It has information about the stormwater and 911 address number charges and you can pick up an application to register to vote and apply for an absentee ballot. Don't forget to stop and check if you have any building plans on file that can be picked up. She also reminded everyone that the Town Hall offices will be closed on Christmas Eve, Christmas Day, New Years Eve and New Years Day. However the Treasurer's Office will be open New Years Eve for tax collection until Noon.
- Department of Public Works Director Salentine stated the paving program is under budget by \$19,500 and is in the Accounts Payables tonight. He stated that money will be encumbered into next year's budget. Also, snow fencing is up. Also, one of the highway employees backed into a state vehicle during a plowing operation and we are working on rectifying that. Also Fire Station #3 has a roof leak due to the ice on the roof. He also stated there is a major concern about the trash carts that are on the road during a snowstorm. He asked the residents to put the carts in the driveway and get them off the road. He stated the garbage truck's arm will reach the carts when placed in their driveway.

11. REPORTS. Information on discussion and action taken at previous meetings, future agenda items and upcoming scheduled meetings.

- a. Building Inspection-Monthly Building Inspection Report (if applicable)
  - Chairman Paff stated it will be available at the next meeting.
- b. D.P.W. Committee
  - Department of Public Works Director Salentine stated the committee meets next on January 21, 2008 at 5:00 p.m.
- c. Fire Department
  - No report.
- d. Ordinance Committee
  - Supervisor Finch stated the committee met on December 4, 2007 and discussed Firearms, ATVs and dirt bikes. He stated the Firearms Ordinance is ready to go to the Town Board. He stated we will be working on tightening up the noise and nuisance ordinance. The committee meets next on Tuesday, January 16, 2008 at 4:30 p.m. He stated the committee hopes to have these issues wrapped up by spring.
- e. Park & Recreation Committee

- Supervisor Ludwig stated the committee meets next on Wednesday, December 12, 2007 at 7:00 p.m. He stated they are still looking for volunteers.
- f. Plan Commission
- Chairman Paff reviewed the last Plan Commission agenda with the Town Board. He stated the next Plan Commission meeting is Thursday, December 13, 2007.
- g. Public Health & Safety
- Supervisor Tyliniski stated the committee has had discussion with the Sheriff's Department about a street light on CTH XX and Meyers Drive. He stated the Sheriff's Department will get the committee a written report about incidents at that location. He stated it is a very dark area and there is a lot of crime in that area. Director Salentine stated the installation is free, we will have the cost of the light, and we will have a minimum monthly cost like the other street lights we have, because we are asking for the light. Supervisor Tyliniski stated there are certain criteria for an intersection to meet to receive a street light. Chairman Paff asked Director Salentine to find out what Waukesha County's criteria are to have a streetlight installed. He stated the committee meets next on Tuesday, January 22, 2008 at 6:30 p.m.
- h. School Board
- Supervisor Reilly reviewed his school board report with the Town Board. He stated the Big Bend Elementary roof is currently being replaced. He also reviewed the football field bleacher plans and passed around the design plans for the Town Board to see.
- i. SE WI Fox River Commission
- No report.
- j. Treasurer's Monthly Report
- No report.
- k. Village of Big Bend Agendas & Minutes
- Chairman Paff stated there were none.
- l. Village of Mukwonago Agendas & Minutes
- Supervisor Finch stated he couldn't find anything pertaining to the Town of Vernon.
- m. Big Bend / Vernon Fire Board Agendas & Minutes
- Chairman Paff stated the agendas and minutes are in the packet for the Town Board's reading pleasure. He stated we approved the Big Bend / Vernon Fire Board Policies and Procedures and we are working on the Fire Department Rules & Regulations.
- n. Big Bend / Vernon Fire Commission Agendas & Minutes
- Chairman Paff stated there were none.
- o. County Board Supervisor(s)
- County Board Supervisor Rodell Singert stated he attended the Village of Big Bend's swearing in of the new Police Chief. He stated the Village Board did a very nice job and the new Chief is very impressive, warm and cordial. He also stated last week the County Board had an ordinance come through about the decriminalization of marijuana. He stated he was humbled by the comments that he received about his efforts to resist this ordinance. He stated he felt it was his moral obligation to not support this. He also stated the Sheriff's Department and District Attorney are supporting this change. He stated the vote was 27-4 to pass this ordinance. He stated he's sorry it happened. Chairman Paff asked if this is a dollars issue. County Board Supervisor Singert stated yes, about \$37,000 anticipated revenue.

p. Storm Water Utility Appeals and/or Credits

- Chairman Paff stated we put this on anticipating some discussion about these in the future, so we will have it on as a regular agenda item.

12. FINANCES.

a. Motion to approve Accounts Payable.

**MOTION** Supervisor Finch moved to approve the Accounts Payable in the amount of \$179,124.57, seconded by Supervisor Tylinski, carried by voice vote.

13. MINUTES.

a. Motion to approve previous minutes.

i. November 15, 2007 Town Board

**MOTION** Supervisor Finch moved to approve the November 15, 2007 Town Board minutes as printed, seconded by Supervisor Tylinski, carried by voice vote, with one abstention by Supervisor Reilly.

14. MOTION TO OPEN MEETING TO PUBLIC COMMENTS (Please be advised per Wisconsin Act 123, the Town Board will receive information from the public for a three minute time period, with time extensions per the Chairperson's discretion, per person; be further advised that after the public comments are completed, the Town Board Supervisors may have limited discussion on the information received, however, no action will be taken under public comments.)

**No motion was made because there was no public present.**

15. MOTION TO CONVENE INTO CLOSED SESSION, Pursuant to Wisconsin Statutes Section 19.85(1)(e) for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically to review the proposed rental agreement between the Town of Vernon and Cricket Communications. Participating in Closed Session will be the Town Board and Town Clerk.

**MOTION** Supervisor Tylinski moved to convene into Closed Session pursuant to Wisconsin Statutes Section 19.85(1)(e) for purposes of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, more specifically to review the proposed rental agreement between the Town of Vernon and Cricket Communications, seconded by Supervisor Ludwig, carried by Roll Call Vote.

**ROLL CALL VOTE:**

Chairman Paff:	YES
Supervisor Ludwig:	YES
Supervisor Finch:	YES
Supervisor Tylinski:	YES
Supervisor Reilly:	YES

**Town Board convened into Closed Session at 8:51 p.m.**

16. MOTION TO RECONVENE INTO OPEN SESSION.

**MOTION** Supervisor Finch moved to reconvene into Open Session, seconded by Supervisor Ludwig, carried by Roll Call Vote.

**ROLL CALL VOTE:**

**Chairman Paff:** YES  
**Supervisor Ludwig:** YES  
**Supervisor Finch:** YES  
**Supervisor Tylinski:** YES  
**Supervisor Reilly:** YES

**Town Board reconvened into Open Session at 9:11 p.m.**

17. MOTION FOR ADJOURNMENT.

**MOTION** Supervisor Ludwig moved to adjourn, seconded by Supervisor Tylinski, carried by voice vote.

**Meeting adjourned at 9:11 p.m.**

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Gina C. Gresch, MMC / WCMC  
Town of Vernon Clerk  
Waukesha County

**APPROVED:**

As printed ( )  
With amendments ( )

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Brian Paff, Chairman

Date: \_\_\_\_\_

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## **SUPERVISOR REILLY'S NOTES FOR THE DECEMBER 6, 2007 TOWN BOARD MEETING**

**December 6, 2007** ... Vernon Town Board Meeting

Agenda item: Discussion of Professor Cherkauer's report commissioned by the Town of Waukesha concerning the construction of municipal wells by City of Waukesha on the Lathers property located within that town's boundaries and the possible creation of a committee to study and initiate a plan of action to protect the Town of Vernon from any adverse consequences on the town's water supply and its residents wells by any neighboring municipality.

### **Supervisor Reilly's comments:**

Prior to making any comments on Professor Cherkauer's report concerning the City of Waukesha want to construct one or more high capacity shallow wells with the boundaries of the Town of Waukesha, I want to say that I went back and took a look at the minutes of four previous Town of Vernon Board of Supervisor meetings: January 20, 2005, February 17, 2005, September 1, 2005, and March 15, 2007. These minutes demonstrate that we like the Town of Waukesha have had concerns about maintaining our water supply in recent years. The unknown impact of the construction of a power plant on our board occasioned concern several years ago. Then the quarrying activity and a conceptual residential development around a resultant man made lake envisioned on property owned by Payne and Dolan within the Village of Big Bend. The latest concern is the likelihood that if Big Bend constructs a waste treatment facility near the Fox River that they will also drill one or more high capacity shallow wells near the intersection of Hwy. 164 and I-43.

On November 15, 2007, I attended Professor Cherkauer's presentation at the behest of Chairman Paff who felt that one of Vernon's Town Supervisors should represent the Town and give a report at the next town board meeting as to anything pertinent that might be of use to us. In the course of his talk, Professor Cherkauer outlined what the Town of Waukesha plan of action should be in seeking to protect its water supply. There were three things which he felt were essential and all three had to be undertaken in concert:

1. Begin monitoring the current water levels of nearby wells in the vicinity of the Lathers property on bi-monthly basis.
2. Everyone should educate themselves to the greatest possible extent on the matter.
3. Seek to persuade the city that there are other alternatives which pose fewer risks of adverse consequences and at the same time work to seek a written agreement with the city that if any detrimental affects occur that the city will be responsible for fixing the situation. (i.e. They could filter their water.)

As to the question of how much water is the City of Waukesha seeking to obtain from a well or wells constructed on the Lathers property my best guess based on what I believe to have heard at the presentation was between 1.5 million to 3 million gallons. I believe Supervisor Finch was the first of us to mention the possible adverse consequences that could occur sometime back when the news about what the City of Waukesha was seeking to do in the Town of Waukesha. He stated in the course of announcements that not only nearby wells but the Vernon Marsh could be negatively affected. Now, one of the things that I heard was that this isn't the only site that the City of Waukesha is looking at. They may consider looking further southward should the need arise over time in consequence of future growth, and this would pose a future problem for the Town of Vernon.

Professor Cherkauer is not only an educator, but he is also in the employ of the Town of Richfield, and he stated that one of the things the Town of Richfield has done to protect its water supply was to pass an ordinance that makes it illegal for anyone, be they another municipality or a developer, from engaging in any act that would lower the surrounding water table by more than one foot. The state Attorney General at the time of its passage felt that it was legal, but the Wisconsin Department of Natural Resources is quite upset with it, and would likely challenge it were the opportunity to present itself.

The Town of Waukesha has decided to monitor a number of wells in the vicinity of the Lathers property which is located on River Road. The Town of Vernon has, as I mentioned, done some of that in the past. The town has spent money on it, and as of yet I haven't been able to research what we did specifically other than to read the minutes of four (4) previous Town Board meetings. Back in March, 2007, Thomas Bird and I went to a public meeting held by the Village of Big Bend in regards to their contemplating constructing a waste treatment plant near the Fox River in the Village. That night not much was mentioned about the necessity to construct a municipal well in concert with this project. The water in this case wouldn't be replenished, but would wind up being discharged into the Fox River.

One of the most valuable things I learned from Professor Cherkauer's report is that it is very difficult for a town to stop a city or for that matter a village from seeking new water sources, and that if a town hasn't spent the time to get a benchmark in regards to its water levels and establish the validity of that benchmark by having maintained logs of a select number of monitored wells seasonally over a number of years, the likelihood of a town's recovering damages in a court of law is highly unlikely. But, if a town does its homework and if its vigilant, current case law affords any town a framework for winning in court. I think this is our best and most responsible recourse.

Previously, our town's representatives decided not to continue monitoring for fear that if we inadvertently contaminated a well, we might have to drill a resident another one or that we'd be sued. From everything that I have read so far, I did not find one instance where anyone working for this town ever contaminated a well or that subsequently led to the town's having to drill someone another one. Fear of liability is mentioned again and again, and was used as the rationale to abandon any thought of undertaking a long term effort to get the general benchmark that we need, and still don't have. I would hope that we might learn from the Town of Waukesha's dilemma.

**Supervisor Finch:**

It is my understanding that the City of Waukesha has a solution that does not involve drawing down everyone else's water. That it is a viable solution, but that they do not want to pursue it because it costs more money. This is the proper way for them to go.

**Supervisor Reilly:**

I agree wholeheartedly with that, but the City of Waukesha seems from what I have heard to be determined to do otherwise, and if that is the case, you can only respond in the manner that the Town of Waukesha is doing.

**Supervisor Tylinski:**

Is this the City of Waukesha or the Town of Waukesha?

**Supervisor Reilly:**

This is the Town of Waukesha that is trying to protect its water supply which the City of Waukesha wishes to tap into. It is the town that going to do the logging; the City of Waukesha is not going to do it for them.

**Supervisor Finch:**

The City of Waukesha doesn't want to find out if their tapping into the Town of Waukesha's water supply is going to have a detrimental affect on the town's water levels. If you get them to sign that they will fix all damages (and the damage is done), what are you going to do ... get some water trucks and start pouring water down the hole. You tell them your drawing down on the water. How long is that process going to take: six, eight, ten years ... and by that time everyone has moved on. You need to stop them up front.

**Supervisor Reilly:**

You have to work on two fronts simultaneously. On the first front you try to dissuade a city or village or developer from doing so and work to get them to agree in writing that they will fix or remedy any resulting problems and on the second front you need to establish a local benchmark by monitoring a select number of wells.

Four of us here tonight will recall that no water study was needed in the Town of Vernon, when I suggested that we needed to establish a benchmark in regards to this town's groundwater levels because the Southeastern Wisconsin Regional Planning Commission was undertaking such a study. Well, according to Professor Cherkauer this was not done for our benefit. At the time, we took heart in the thought that we could utilize that information to protect ourselves. Well, its not so. The whole endeavor was undertaken at the behest of municipalities that were looking for new sources of water for themselves outside their borders. I, also learned another interesting fact in the course of Professor Cherkauer's presentation, and that is that the WDNR has absolutely no interest in protecting private well owner's. There only concern, according to the professor, is if a private well is contaminated.

I think we ought to put this matter on the next agenda, and have a discussion about what we can do to protect our water supply. This is a serious matter.

(There were several comments related to when the Village of Big Bend planned on laying pipes to facilitate connecting a proposed high capacity shallow well in the environs of I-43 & Hwy 164 with a proposed waste treatment facility near the Fox River, and Chairman Paff stated that the Village had or wished to have that construction put off beyond 2009 to perhaps 2010 or 2011.)

**Supervisor Tylinski:**

Does it hinge on what they are going to do at Pabst Farms?

**Supervisor Reilly:**

Based on what I have heard, whenever Hwy 164 is rebuilt south of ES (National Ave.), the Village of Big Bend would wish to take advantage of that construction to lay pipe between the proposed municipal well and waste treatment site.

**Director of Public Works Salentine:**

Your talking about three years down the road from now. 2008 work on that section of road will only involve an overlay.

**Supervisor Reilly:**

Chairman Paff, at the next town board meeting let us try to determine when and how we could best approach this issue. Let's find out what would be feasible and plan accordingly. You do not want to wait. You want to plan in a sensible way and talk about it before you act.

**Chairman Paff:**

I think we should have discussion about it, but as deciding to put wells in, we have no idea where to put them ...

**Supervisor Reilly:**

I am not talking about drilling any wells.

**Chairman Paff:**

... or testing or monitoring any wells. There's no reason to monitor until we find out what area they are talking about possibly drawing down so that we can pick an area around it and monitor those wells if we choose to do so.

**Supervisor Reilly:**

Absolutely. We are in the talking stage right now. We want to find out what the projected dates for Big Bend's project to commence are and what they highly suggest is that you keep a log for two or three years prior to the commencement of any project because you have seasonal fluctuations and what they are looking at here is four to six readings per year, so that you get an accurate measurement of what the water level is seasonally over a number of years. Professor Cherkauer thought getting volunteers and monitoring one well every forty acres in the proposed vicinity of the project was essential ... even if this done just on paper at first, so that your organizing the project ahead time ... is desirable ... because ultimately the issue is going to come our way. Time is of the essence, but we are not in a crisis stage yet ... but I do think that this concern is coming because Big Bend's dream is to have a TIF district there. They want to develop the area in and around Hwy. 164 and I-43 for their benefit, and doing so could have adverse consequences on the water levels in the area because they did mention the possibility of constructing not just one well but two or even more wells, and if that's the case you could very well have a significant draw down. We had a water study done not too many years ago, and I would like to see someone find it so that the Board could go over it. There are people in our town like former Supervisor Fred Michalek and Kurt Barikmo who have knowledge of what transpired back then. We need to know what the topography beneath the surface in that area looks like.

**Supervisor Finch:**

I'd be in favor of further discussion of this topic in the future. Put it on the next agenda, and see if we could make some progress. Are there any meetings coming up where we are going to gather more information. ?

**Supervisor Reilly:**

I'd like to have another discussion like this. I would certainly like to make the suggestion that there be discussion between our Town Chairman and the Village President every two months because you know we need to know in advance what's coming, and that's what I meant when I said that we need to take action on this issue in a "co-operative spirit." The Village has to understand our concern. That we have a valid one, and I think our Chairman and the Village President could talk on a regular basis about our concern, and keep us informed of what their timeline and plans are on this matter. We should be forthright with what we are doing and what we are collecting. We have to do that to protect our own interests, and we can't rely on someone else to do it for us. They have to be our own figures. Our air and our water are a precious thing. Former Supervisor Gasser stressed the significance of that fact. Not so long ago we had concerns about the possibility of concrete being crushed at some future point in the developmental phase of the Kaishian property. We didn't want to see that, and we successfully encouraged the DNR to forbid that, and they did so. We must act in a concerted fashion in this case too in order to protect our town's essential resources.

**Supervisor Finch:**

I'm open for putting this on the agenda next time, but since Chairman Paff isn't going to be here next time, I'd like to wait until after the first of the year.

**Supervisor Reilly:**

We can wait until then. We can put it on the agenda of the first Board meeting in January.

**Town Clerk Gina Gresch:**

How should I list that?

**Supervisor Reilly:**

Just as a continuation of what we've been discussing tonight ... further discussion of the same topic.

**Supervisor Ludwig:**

If Big Bend goes through with this, and provides water to the people in the area, its going to call for a minimum of two high capacity wells, and its probably going to be four I would think because you have to have backup's and everything.

**Chairman Paff:**

That study hasn't even been done yet. They had one study that is obsolete now. The idea that they could do what was proposed for the stated cost of eight (8) million was unbelievable.

**Supervisor Finch and Ludwig:**

Maybe that was just for the pipes.

**Chairman Paff:**

They got a long way to go before they can even present ... they always present a sewer study before they do it, and they took that one off the table because there was a lot of controversy.

**Supervisor Tylinski:**

Keep in mind that it's been twenty years since the DNR has granted a new sewage treatment permit. They've granted permits to expand existing facilities, but not new ones. The Village has a big hill to climb.

**Chairman Paff:**

There are a lot of questions that need to be asked yet in order to find out what's going on.

**Supervisor Finch:**

So let's have further discussion after the first of the year.

**Supervisor Reilly:**

Absolutely. Thank you very much gentlemen.