

**Town Board Meeting Minutes
 Wednesday, July 22, 2015 at the Rockland Town Hall
 Called to order by Chairman Cashman at 5:00 p.m.
 Adjourned at 6:15 p.m.**

The Clerk, Treasurer, Chairman Cashman, Supervisor Van Vonderen were present along with Tim Ambrosius (CQM), Mike Liebman (Ayres Associates), John Schumacher and Kevin Derenne. Supervisor Lasee arrived at 5:07 p.m. Clerk Charette verified that the meeting was properly noticed.

Cashman Drive Improvement & Award of Project

Tim Ambrosius, CQM, Inc. reviewed the bids received from Express Excavating, Duame Sand and Gravel, Express Excavating and RelyCo Inc. and verified that the numbers within the bids were accurately calculated. Ambrosius provided the Board with spreadsheets, which are incorporated herein by reference, which broke the bids down by line item. The spreadsheet also demonstrated the cost for just Cashman Drive and the culvert work and the deduction for not constructing the cul-de-sac.

	Express Excavating 5431 Church Road New Franken, WI 54229	RC Excavating 2633 Quail Lane Suamico, WI 54173	Duame Sand & Gravel 5870 Duame Road Lena, WI 54139	RelyCo, Inc 1195 Scheuring Road De Pere, WI 54115
Cashman Drive Reconstruction, Culvert & Cul-De- Sac	\$ 98,902.75	\$104,170.70	\$104,982.52	\$108,568.15
Cashman Drive Reconstruction & Culvert		\$ 74,170.70	\$ 70,338.29	\$ 78,568.15
Deduction	\$0.00	\$ 30,000.00	\$34,644.23	\$ 30,000.00

Ambrosius explained that Express Excavating was the lowest bidder for the whole project at \$98,902.75. Express is not interested in doing just the road and therefore did not provide a deduction for the cul-de-sac.

Express' bid was broken down because it was the lowest overall bid. Ambrosius concluded that of the \$98,902.75, the Town would be responsible for \$53,314.10 and the three landowners (Schumacher, Lewis and Ariens) would be responsible for \$45,588.65. Ambrosius explained that he arrived at the percentage of work required for each part of the project by reviewing the quantities required for each section. Mobilization/Destabilization and Erosion Control, Maintenance, Signage and Dust Control were divided equally because the work would be required regardless of which section was being done. The reconstruction of Cashman Drive requires more trees and grubbing work than the cul-de-sac so the Town was allocated 85% of the costs and the landowners were allocated 15% of the cost. Ambrosius explained that the cul-de-sac construction requires more subbase work than the reconstruction because the reconstruction only requires approximately 200 yards of dirt removal. The landowners were assessed 75% of the costs. Ambrosius further explained that the breaker run, course aggregate, and asphalt numbers were all based upon the quantity required for the section being reconstructed (295 feet) or constructed (cul-de-sac). The culvert work was allocated at 100% to the Town.

John Schumacher asked whether the numbers listed in the bids for subbase soil excavation, backfilling and compaction line item were priced at onsite or delivered. Schumacher confirmed that both Duame and

Express Excavating spoke with him about removing the dirt from his property for use on the project. Ambrosius believed the bids represented using the dirt onsite.

Chairman Cashman asked the dollar amount the landowners would be required to place into escrow if the Town accepted the bid from Express Excavating.

Clerk Charette explained that paragraph 6 of the Developer's Agreement, dated June 1, 2015, states that the landowners will pay an amount equal to 1) 110% of the Town's engineer's estimate of the costs of construction and materials for the cul-de-sac and the Cashman Drive extension, 2) apportioned share of any estimated remaining engineering fees and costs, and 3) any of the Town's expended or estimated legal fees that have not been previously paid by the landowners.

Ambrosius estimated that the remaining engineering fees for the whole project would be \$5,800.00. The landowner's proportion would be half or \$2,900.00 Clerk Charette stated that the legal fees have totaled approximately \$4,000.00 thus far. These fees were split in half. Based upon these estimates, Clerk Charette calculated that if the Board accepted Express Excavating's bid, the landowners would need to place \$53,337.52 (110% of construction & engineering costs), plus \$2,000 (legal fees), less \$1,361.10 (amount remaining in escrow from first deposit) = \$53,976.42. Each landowner's share would be $\$53,976.42/3 = \$17,992.14$.

Schumacher expressed that Duame Sand & Gravel informed him that they could construct the cul-de-sac for around \$34,000.00 and questioned the \$45,588.65 share that Ambrosius arrived at. Chairman Cashman explained that Duame's verbal quote does not include any additional surveying, engineering or legal costs that the three landowners would need to incur in order to construct a cul-de-sac that meets the Town standards. Schumacher stated that he would need to speak with Ariens and Lewis before providing a response to the Town.

Clerk Charette reminded Schumacher of the prior meetings and the Developer's Agreement that the parties reached whereby the landowners agreed to use the Town's contractor to complete the whole project and would pay for the work according to the Town's engineer's estimates (paragraph 3 of the agreement).

M/M by Chairman Cashman to table item #4 until the three landowners respond back to the Town; seconded by Supervisor Lasee. Motion carried.

Resolution #2015-5 Authorizing Borrowing of Monies from Greenleaf Wayside Bank for Improvements to Cashman Drive

M/M by Chairman Cashman to table item #5; seconded by Supervisor Lasee. Motion carried.

Discussion and possible amendments to Drainage Improvements- Hickory Ridge Area Project

Supervisor Lasee mentioned that after leaving the Monday, July 20, 2015, meeting, he remembered that years ago, when the Hickory Ridge subdivision was created, the project was probably surveyed to the center of the road.

Mike Liebman, Ayres Associates, stated that if the Board intends to condemn the property for the cul-de-sacs or do something else, the Town may want to amend the bid notice so that the bidders can submit their bids accordingly.

It was asked what would happen if the cul-de-sacs are removed as proposed in the existing project. Liebman explained that the landowners and other vehicles would need to turn around in the Wilson or Derenne driveways. If a T was constructed, additional property would need to be acquired for the project.

It was asked whether a cul-de-sac could be placed in the existing right of way. Liebman stated that it might fit but would not have ditches. Liebman estimated the width of the cul-de-sac is 60 feet from driveway to the edge and that the widest part may be 70 feet. Ambrosius verified that a new cul-de-sac should have a 50 feet radius or 100 feet diameter. Liebman concluded that a compromise to move it into the existing right of way would not make it any better.

Liebman concluded that it will be difficult for snow plows to get through this area without the cul-de-sac and that the options presented are best for the landowner (Derenne) but not for the flow of traffic or the overall use by the public.

Discussion was had on whether the plan should be amended to include the removal of the cul-de-sacs. Liebman and Ambrosius confirmed that if the Town decides to change the plan after further consideration of its options, it could make a quick change order or an amendment to the contract with the successful bidder. It was recommended to move forward with the bidding process and then make any changes after the bids come in.

M/M by Chairman Cashman to open the floor to the public; seconded by Supervisor Van Vonderen. Motion carried.

Kevin Derenne, 3950 Seven Oaks Drive, provided a copy of a document entitled "Significant Concerns Regarding Ditch Depth, Slope Intercepts and Project Construction Costs" along with copies of pages C-103, C-104, X-108 and X-109 to the Board which are herein incorporated by reference. Derenne reiterated some of the concerns noted in his document to the Board regarding depth of the ditches, cost savings by excavating less dirt, and his belief that the project will be ditching outside of the easements.

Liebman responded that the drainage plan, on page C-2, allows the contractor in some restricted locations to deviate from the noted cross-sections and slope ratios to avoid damage to trees, shrubs or buildings. Liebman reiterated that the intent of the plan is to lower the ditches so that there is proper drainage throughout the whole subdivision.

M/M by Supervisor Van Vonderen to return to regular session; second by Chairman Cashman. Motion carried.

Supervisor Van Vonderen asked Liebman if the proposed plans are detrimental to the property owners. Liebman stated that the proposed depth and slope of the ditches are needed throughout the subdivision to have proper drainage.

M/M by Chairman Cashman to revise the Drainage Improvements-Hickory Ridge Area plan to note that many landowners may want the excess fill; seconded by Supervisor Van Vonderen. Motion carried.

Public Comment

Kevin Derenne informed the Board that the plan he provided has the potential to save the Town possibly \$10-20,000 because the ditches do not need to be that deep. He asked the Board to review and consider his proposal.

Adjournment

M/M by Chairman Cashman to adjourn at 6:15 p.m.; seconded by Supervisor Lasee. Motion carried.

All minutes have been taken truthfully and honestly and to the best of my knowledge and ability.

Jann B. Charette, Clerk

Minutes approved as written / with corrections (**strike one**) by the Town Board on Monday, August 3, 2015.

Dennis J. Cashman, Chairman