

**Town Board Meeting Minutes**  
**Monday October 17, 2016, at the Rockland Town Hall**  
**Called to order by Chairman Cashman at 7:30 p.m.**  
**Adjourned at 9:25 p.m.**

The Clerk, Treasurer, and all Board members were present along with Bob Gerbers, Tim Ambrosius, CQM, Mike Liebmann, Ayres Associates, Tom Collins (Wrightstown Spirit) and other members of the public. The agenda was presented after the pledge of allegiance was recited.

**Minutes from September 28, 2016, Budget Workshop Meeting**

M/M by Supervisor Van Vonderen to approve the minutes from the September 28, 2016, Budget Workshop meeting as presented; seconded by Chairman Cashman. Motion carried.

**Minutes from October 3, 2016, Town Board meeting**

M/M by Chairman Cashman to approve the minutes from the October 3, 2016, Town Board meeting as presented; seconded by Supervisor Lasee. Motion carried.

**Hickory Ridge Drainage Improvement Project Update**

Tim Ambrosius, CQM, Inc., reported that based upon recent measurements taken by his employees, every culvert has been constructed in accordance with the design plan. CQM also shot the centerline of each ditch and determined that each ditch measured relatively close to the engineering design. Mike Liebman, Ayres Associates, stated that grass and weeds are growing slowly in the ditches. There has been a record amount of rainfall this fall and that there are some items that will need to be completed next spring. In Liebman's opinion, he believes the project is substantially complete. Under the contract, RC Excavating offers a one year warranty. A walk through of the properties is scheduled for Tuesday, October 19th at 2 p.m. to go over the items on the punch list.

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

Rick Noel, 3900 Stonewall Drive, stated that it has taken the contractor five months to complete something that was scheduled to take two months. Noel believes that the quality of the workmanship regarding finished grading is poor. Additionally, the ditches cannot be cut due to the standing water. Noel recommended that RC Excavating not be brought back in the spring to finish the project and instead have the Town hire another contractor that can complete the landscaping. He believes that the drainage easement between his property and the property at 3924 Stonewall Drive is worse than it was before.

Kevin Derenne, 3950 Seven Oaks Drive, stated that the cross drain culvert on the corner of Hickory Ridge and Seven Oaks Drive is three feet longer than each side of the roadway. Derenne believes that the culvert has to be shortened so that the owner can maintain the easement. Derenne also stated that the drainage easement between his property and the property at 3924 Seven Oaks Drive has standing water the entire length of the easement.

Liebman stated that it is constructed that way for proper drainage.

Rick Noel stated that there also is standing water in the easement between his property and the property at 3868 Stonewall Drive. He believes RC Excavating bit off more than they can chew.

Amy Jo Derenne, 3950 Seven Oaks Drive, asked if the contractor returns in the spring whether there would be a timeline to complete the work. Chairman Cashman believed that a 30 day deadline would allow an adequate time for the contractor to complete the work, weather pending.

Kory Derenne, 3943 Stonewall Drive, provided a letter dated October 13, 2016 along with four pictures of the culvert that was installed on his property. Derenne is requesting that the Town hold the contractor accountable to the design plan. Derenne stated that his culvert has been installed approximately 6" lower than the plan and that there is standing water in the drainage easement. In the past months, he has gotten stuck in the easement when he attempted to cut the grass. According to a discussion Derenne had with another contractor the standard practice in the industry is to have a project manager conducting field measurements of installations. Derenne claimed that there is 16" drop across a 30 inch culvert or a 4.5 slope and Derenne claims the slope is the same as before but now he has a four foot drainage easement in his front yard. When Derenne spoke to the contractor, the contractor informed him he could raise his culvert himself. Derenne does not think he should be responsible for moving it.

Chairman Cashman stated that Derenne's culvert would be inspected at the meeting tomorrow. Tim Ambrosius, CQM, Inc., stated that based upon recent measurements the outlet is 1" higher than the design. The inlet is 12" higher than the design and that there is a sump pump that is constantly running water into this drainage easement.

Motion by Supervisor Lasee to return to regular business; seconded by Supervisor Van Vonderen. Motion carried.

### **Request from Kevin Derenne for reimbursement of replacement of electric dog fence**

Clerk Charette indicated that she spoke with the Town's insurer from Rural Mutual. The insurance company advised taking no action because 1) the Town did not damage the dog fence; and 2) part of the wire was located in the drainage easement. The insurer advised that Derenne work with the contractor regarding this issue.

Tim Ambrosius stated that he spoke with Tina DuBois, Invisible Fence, who created the quote for Mr. Derenne. DuBois stated that there were two breaks in the fence on the property. One was in the right of way and one was on the Derenne property.

Kevin Derenne claims that the contractor failed to coordinate the location of the utilities with him. Derenne explained that he hand exposed the wire on the north side all the way to the back of the easement in August 2015. The Contractor has been on and off the property for the ditching work. The dog fence was on top of the soil with orange ribbon and the Contractor broke the wire. Derenne admitted that some of the wire was located in the right of way approximately 8-10 inches. Derenne claims that the Contractor failed to communicate that they were going to work in that area where the wire was broken. Once the wire was broken, Derenne went to the back part of property and rolled the fence wire up so that the Contractor would not damage the wire any further. The two breaks that were broken are on the punch list.

Derenne believes there are three breaks in the wire. He also stated that Ms. DuBois explained that when heavy equipment rolls over the property that there could be numerous breaks that are undetected. Derenne had a five year old dog fence that had no issues before this project began.

Derenne also stated that there is a 4" black PVC pipe that runs from the northwest corner of his home into the drainage ditch that was broken by the Contractor. Derenne explained that he had this marked for the excavation crew.

Derenne also complained about the type of seed used on the project. Derenne stated that the residents were told that the replacement grass would be just like their lawns. Derenne claims the Contractor used DOT 10 seed versus DOT 40 and that is why they have clover growing in the easements.

Mike Liebman stated that the DOT standard was the one used for residential use.

Supervisor Lasee stated that as a resident of the Town he is paying for this project and that some of work the residents will have to conduct for themselves. If the changes are required per the plan, the Town will take care of it.

### **Application for Payment #3 to RC Excavating for Hickory Ridge Drainage Improvement project work**

Mike Liebman, Ayres Associates, provided application for Payment #3, to the Board. Liebman noted that currently the Town is holding a retainage in the amount of \$6,216.51. Liebman is suggesting also holding back half (\$17,300) of the amount of \$34,600 for turf establishment. When asked, both Liebman and Ambrosius stated that the quality of the work is generally in accordance with the contract. Liebman went on to say that this has been the wettest year in history and that the project is way better than before.

Clerk Charette informed the Board that if it decides to make this payment, it will have paid out \$227,495.99 of the \$248,660.50 contracted amount. Ayres predicts that there will be a future change order coming which will bump the contract amount to approximately \$251,000.00 for actual quantities used on the project. Charette estimated there would be approximately \$25,000.00 outstanding to the Contractor if payment #3 is made.

Discussion was had on whether the full \$34,600.00 should be held back for turf establishment. Liebman advised against this action. Discussion also was had on whether to just wait to make this payment after tomorrow's meeting.

M/M by Supervisor Van Vonderen to pay application for payment #3 in the amount of \$109,080.50 to RC Excavating; seconded by Supervisor Lasee. Motion carried.

### **2017 Property Tax Agreement with Brown County**

The Board received a copy of a revised version of the 2017 Property Tax Agreement with Brown County. Treasurer Van Dyck stated that this is the fourth version of the agreement and that it should be tabled because it is not due until February 2017.

M/M by Chairman Cashman to table the 2017 Property Tax Agreement; seconded by Supervisor Lasee. Motion carried.

### **Proposals for Welcome Signs**

Clerk Charette provided three proposals received from Reinhold Signs, Lange Enterprise, and Bright Idea Shops. Charette explained that John Gage, the owner of Reinhold Signs, and resident of the Town, offered to donate half of the cost of the eight signs. The Town would be billed \$760.00 (half the cost) for eight 18" x 36" x .125 aluminum weight signs that include the Town's logo on them.

M/M by Supervisor Lasee to approve the purchase of eight 18' x 36" x .125 aluminum welcome signs from Reinhold Signs that include the words "Welcome to Rockland" and the Town's logo and that have rounded corners and a white border; seconded by Supervisor Van Vonderen. Motion carried.

### **Resolution #2016-06 Authorizing Voter Registration to occur in the Rockland Town Hall office on Election Day**

Clerk Charette informed the Board that with the busy upcoming election she would like to offer Election Day registrations in the office adjacent to the town hall. After speaking with state Election Commission staff, a resolution is required to do so even if the office is located in the town hall.

M/M by Supervisor Van Vonderen to approve Resolution #2016-06; seconded by Chairman Cashman. Motion carried.

### **Appointment of David Verhagen as Election Registration Official for 2016-17 election cycle**

M/M by Chairman Cashman to appoint David Verhagen as an Election Registration Official for the 2016-17 election cycle; seconded by Supervisor Van Vonderen. Motion carried.

## **Chairman's Report-**

### **Discussion of Town's Authority over county owned property located within the Town as it relates to Parcel R-181-1, 5374 Moonlite Drive**

Based upon Attorney Rossmeissl's opinion, Chairman Cashman informed the residents that the County has the authority to rezone the property located within the Town.

M/M by Chairman Cashman to open the floor. Second by Supervisor Van Vonderen. Motion carried.

Discussion was had by residents regarding how they felt disrespected by some of the Brown County Education and Recreation Committee members at the September 29, 2016, meeting. It didn't appear to matter what their concerns were. Residents also mentioned that it appears Brown County is getting into the wedding venue business and will be taking away business from local companies that already do that.

Chairman Cashman stated that the next Education and Recreation Committee meeting is tentatively scheduled for Thursday, November 17, 2016.

M/M by Chairman Cashman to return to regular business; seconded by Supervisor Lasee. Motion carried.

Chairman Cashman reported that: 1) the emergency address signs will be installed by the end of next week; 2) the road certification map required by the Wisconsin Department of Transportation was sent out last week; 3) Carter Trucking will be filling in potholes; and 4) Greenleaf Greenscapes is about half done with the top of the ditches and will return to finish the job by the end of next week, weather permitting.

### **Announcements and Distribution of Correspondence-**

The following was distributed to the Board: 1) a New Voices flyer for October 22, 2016 concert; 2) an agenda for October 18, 2016 De Pere City Council meeting; 3) an announcement of Project Vote competition; 4) a request from Curative Connections for resident to become a volunteer driver; and 5) 2017 calendars from Scott Construction.

**Items for future meetings-** revisions to permit fee schedule; budget

### **Public comment-**

Karla Derenne, 3943 Stonewall Drive stated that her son landed in a pothole on Stonewall Drive and chipped his tooth. She was wondering if there was something the Town would do to cover the expense. Clerk Charette informed her that she could file a claim under Sec. 893.90, Wis. Stats.

Chairman Cashman stated that if it is a legitimate pothole it will get filled.

### **Cash Flow-October**

The Board was provided with a copy of the cash flow analysis for the month of October.

### **Voucher in Payment of Bills**

The Board was provided with a copy of the voucher for approval.

M/M by Chairman Cashman to approve checks #9670-9678 for a total of \$172,225.07 with no voided checks and two online payments; seconded by Supervisor Van Vonderen. Motion carried.

## Adjournment

M/M by Chairman Cashman to adjourn the meeting at 9:25 p.m.; seconded 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, November 7, 2016.

Dennis J. Cashman, Chairman