

## BROOKLYN VILLAGE BOARD MEETING MINUTES

DECEMBER 9, 2013

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Trustee Frandy moved, second Lust to approve the minutes of 11/11/13.

President Walsten thanked the Board and employees for the poinsettia memorial on the passing of her brother. Thank you also to Seneca Foods for their large donation of cases of canned foods (through Mark Langer) to Pellitteri's food pantry collection at the Clerk's Office. A letter from Roger Ellis was read thanking Public Works Director Langer for pursuing a grant that provided funding for cleanup of damaged trees in the cemetery due to the 2012 snowstorm damage. Dane County Cities and Villages Association meeting was held on Nov 21<sup>st</sup> in Middleton. An article from the Municipality monthly magazine on Frac sand mining preemption bill interfering with local control was handed out by President Walsten. This bill and several others proposed takes away local municipalities' control over management on the local level. Next month a resolution to register in opposition to this proposal will be presented.

Clerk Strause reviewed the monthly financial reports and final mill rate worksheet. October revenue was \$175,935, expenses \$189,494 with an end of month balance of \$1,239,028 for all funds. Final net mill rate for Green County is \$25.94, down \$.24/1000 of evaluation and Dane county is \$23.46, down \$.04/1000 of evaluation. This is all before lottery credit and first dollar credit. The nomination process for three Trustees is now open and closes on Jan 7, 2014 at 5 p.m. Notification of Noncandidacy is due Dec 26<sup>th</sup>. Information on the Village's website, how to get the monthly newsletter, how to sign up for NIXLE for emergency messages, residential water user cross-connection hazards for bathrooms & kitchens, and what to flush and what not to flush is included in this year's tax bill along with tax related data.

**PUBLIC WORKS:** Langer reported the **Business Complex** is done except for a small punch list and landscaping (trees) in spring which was not included in the construction contract. EDC is working on a sign for the Business Complex. The **Urban Forestry Grant for a matching \$5,000** has been sent in for reimbursement. The **Catastrophic Forestry Grant** will be sent in soon with contractor payment in the December bills. Changes to the **Policy for Public Nuisances** were presented. Repetitive violators will receive an additional \$25 administrative charge when a letter is sent. If the Village abates the nuisance, a \$25 administrative fee will also be assessed. Frandy moved to approve the changes to the Nuisance Policy, second Lust, carried. There was no committee meeting this month so there are no monthly Director or Utilities Superintendent Reports. Walsten asked how much have the marketed "flushable" wipes cost the village due to obstructed lift stations, etc. Langer estimated "thousands if you consider the cost of new pump motors." Walsten requested Langer contact the state Consumer Protection department and report what is happening as a result of these wipes causing sewer/wastewater treatment obstructions. Walsten felt there should be some redress to communities who are experiencing these costs from inaccurate marketing.

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**NEW BUSINESS:** Frandy moved, second McCallum, carried to approve the **resignation of Trustee Laura Clark Hansen**. Frandy moved, second Lust, carried to approve the **appointment of Levi Cutler** to complete the term of Trustee Clark Hansen until April 2014. Cutler, who has a financial background, will take the Oath of office in January. **Strand Engineering is requesting an additional \$3700** to their construction observation contract for the Business Complex mostly from re-engineering for the additional park infrastructure and the berm issue before the bidding process. Josh Straka did mention this several months ago but was told at a Board meeting that other parts of the project may not need as much inspection hours saving some cost that could be added to the projected cost overrun. Langer was able to supervise some of the construction which helped to keep some costs down. Frandy moved, second Lust, carried to amend the construction engineering contract for the Business Complex to increase the contract not to exceed an additional \$3700. An offer from a prospect in the Business Complex is contingent on them selling their house and office property. Clerk Strause recommended the Village apply for revolving loan funds through **Rural Development for a Rural Business Enterprise Grant** to help new or existing businesses. Frandy moved, second McCallum, carried to make preliminary application for a revolving loan fund and refer the application to EDC for review. Trustee McCallum reported on a meeting with the **Wis River Rail Transit Commission** last week. **Wisconsin Southern Railroad (WSOR)** will be re-activating the line and serving Oregon in 2014 (Feb or March). WSOR will be applying for a permit to the Federal government to operate the line. Communities Fitchburg & Oregon, currently owning the line, will be in control until then giving their authority to the Commission when the line is activated. McCallum stated Depot Days is going ahead with plans for 2014 hoping to use the rail going south of the Village that WSOR will not be operating. The local snowmobile club, Sno Hornets, is also requesting to use the right of way to connect to their trails. WSOR is planning on having all rail infrastructure intact to assist the Lycon plant being built in Oregon by June 2014. Rail repairs to operate the line will be done as far as Netherwood Road in Oregon. The Rail Transit Commission had lengthy discussion on encroachments to the right of way. The Rail Commission needs to approve allowing Depot Days to be on the track and the Sno Hornets in the ROW. Once WSOR activates the line, anyone in the rail right of way is considered to be trespassing and could be cited for such.

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**UNFINISHED BUSINESS: Community Building policy review**-no update. McCallum moved, second Frandy, carried to postpone until January discussion on the **Capital Improvement Plan**. All Trustees were directed to rank the items in the Capital Improvement document from high to low priority (or add new items) before the next meeting. Frandy moved, second Lust, carried to reaffirm the level of property assessment information previously chosen at the basic level regarding public access to records with no charge to the Village. This information will be on [www.assessordata.org](http://www.assessordata.org). Market Drive electronic records will be installed on a computer in the Clerk's Office. There was no update on Ordinance Recodification.

Frandy moved, second McCallum, carried to approve the **Consent Agenda**: payment of December 2013 bills; an **operator license** for Catrina DuBois; approve **2014-2015 Election Officials**: David & Nila Natzke, Megan Hamlette, Chief Inspector, Nadine Walsten, Helen McCord, Carol Strause, Kim Brewer, Steve & Sandy Wagner, Zach Leavy, John McNaughton, Marge Van Calligan, Paul Hansen, Laura Clark Hansen, Sharon Kovach.

**COMMITTEE REPORTS: Planning and Zoning**: A request to approve a **Town of Oregon land split in the Village's extraterritorial jurisdiction** was presented to the Commission with recommendation for approval. Certified Survey Maps are for 12.83 acres for Robert Halbleib and 13.21 acres for Joanne Huston, properties of which abut Glenway Road. Frandy moved, second Lust, carried to approve these land splits. **Ordinance** did not meet. **Fire/Ems** will meet on Dec 18<sup>th</sup>. Tom Bowers is now the new Fire Chief. **EDC** will meet Thursday, Dec 12<sup>th</sup>. **Recreation**-Twenty-one crafters and ten vendors participated in the craft show indicating they want to come back next year. The date will be further discussed. The free yoga classes have been well attended. Three Yoga classes begin in January and are on the website for sign up. **Emergency Management and Personnel** had no reports. **Finance**: Because of **IRS releasing Notice 2013-71 modifying the "Use-or-Lose" rule for Health Flexible Spending Arrangements (FSA)**, the Finance Committee recommends amending the Village's Health Flexible Spending Account (Health FSA) effective 2013 to allow employees to carry over \$500 of unused 2013 funds to 2014 to be reimbursed to plan participants for qualified medical expenses incurred during the following plan year. McCallum moved, second Frandy carried to approve this amendment. **Recycling and Website** – no reports.

McCallum moved, second Frandy, carried to adjourn at 8:37 p.m.

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President Walsten thanked the Board and employees for the poinsettia memorial on the passing of her brother. Thank you also to Seneca Foods for their large donation of cases of canned foods (through Mark Langer) to Pellitteri's food pantry collection at the Clerk's Office. A letter from Roger Ellis was read thanking Public Works Director Langer for pursuing a grant that provided funding for cleanup of damaged trees in the cemetery due to the 2012 snowstorm damage. Dane County Cities and Villages Association meeting was held on Nov 21<sup>st</sup> in Middleton. An article from the Municipality monthly magazine on Frac sand mining preemption bill interfering with local control was handed out by President Walsten. This bill and several others proposed takes away local municipalities' control over management on the local level. Next month a resolution to register in opposition to this proposal will be presented.

Clerk Strause reviewed the monthly financial reports and final mill rate worksheet. October revenue was \$175,935, expenses \$189,494 with an end of month balance of \$1,239,028 for all funds. Final net mill rate for Green County is \$25.94, down \$.24/1000 of evaluation and Dane county is \$23.46, down \$.04/1000 of evaluation. This is all before lottery credit and first dollar credit. The nomination process for three Trustees is now open and closes on Jan 7, 2014 at 5 p.m. Notification of Noncandidacy is due Dec 26<sup>th</sup>. Information on the Village's website, how to get the monthly newsletter, how to sign up for NIXLE for emergency messages, residential water user cross-connection hazards for bathrooms & kitchens, and what to flush and what not to flush is included in this year's tax bill along with tax related data.

**PUBLIC WORKS:** Langer reported the **Business Complex** is done except for a small punch list and landscaping (trees) in spring which was not included in the construction contract. EDC is working on a sign for the Business Complex. The **Urban Forestry Grant for a matching \$5,000** has been sent in for reimbursement. The **Catastrophic Forestry Grant** will be sent in soon with contractor payment in the December bills. Changes to the **Policy for Public Nuisances** were presented. Repetitive violators will receive an additional \$25 administrative charge when a letter is sent. If the Village abates the nuisance, a \$25 administrative fee will also be assessed. Frandy moved to approve the changes to the Nuisance Policy, second Lust, carried. There was no committee meeting this month so there are no monthly Director or Utilities Superintendent Reports. Walsten asked how much have the marketed "flushable" wipes cost the village due to obstructed lift stations, etc. Langer estimated "thousands if you consider the cost of new pump motors." Walsten requested Langer contact the state Consumer Protection department and report what is happening as a result of these wipes causing sewer/wastewater treatment obstructions. Walsten felt there should be some redress to communities who are experiencing these costs from inaccurate marketing.

**Jerry Bollig, Dist 31 Supervisor**, spoke to the Board and showed preliminary plans for the Anderson Park. He also discussed EAB that is now in Dane County in the northern part of Madison and expected to spread

throughout the area. More information on the EAB is on the Dane County website. Langer and Walsten reported on the proactivity of the Village regarding the invasion of the Emerald Ash Borer with an inventory done last year of all Village trees using the Urban Forestry Grant and this year using grant dollars for maintenance work. Other discussions were on bike trails, Health Care regulations, and development of the Business Complex for relocating or new business.

**SAFETY** – Chief Barger reported on the DaneCom upgrade that has been postponed into January. Officer Burns is working solo. Officer Neubert is off duty on medical leave. Barger stated the complaint on abusive language being used in the park is by youth who do not live here. The part-time patrol budget was stretched through December. The WIDOT BOTS grant for the new digital traffic sign has been filed. The department will be participating in the “Boose and Belts” program from Dec 13-21, 2013. Most Dane County Law Enforcement Agencies have tentatively agreed to participate in the Capitol Area Police Mutual Aid Response network (CAPMAR). The CAPMAR committee will now begin developing the protocols and agreements to formally establish this process through the Dane County Chiefs of Police Association.

**NEW BUSINESS:** Frandy moved, second McCallum, carried to approve the **resignation of Trustee Laura Clark Hansen**. Frandy moved, second Lust, carried to approve the **appointment of Levi Cutler** to complete the term of Trustee Clark Hansen until April 2014. Cutler, who has a financial background, will take the Oath of office in January. **Strand Engineering is requesting an additional \$3700** to their construction observation contract for the Business Complex mostly from re-engineering for the additional park infrastructure and the berm issue before the bidding process. Josh Straka did mention this several months ago but was told at a Board meeting that other parts of the project may not need as much inspection hours saving some cost that could be added to the projected cost overrun. Langer was able to supervise some of the construction which helped to keep some costs down. Frandy moved, second Lust, carried to amend the construction engineering contract for the Business Complex to increase the contract not to exceed an additional \$3700. An offer from a prospect in the Business Complex is contingent on them selling their house and office property. Clerk Strause recommended the Village apply for revolving loan funds through **Rural Development for a Rural Business Enterprise Grant** to help new or existing businesses. Frandy moved, second McCallum, carried to make preliminary application for a revolving loan fund and refer the application to EDC for review. Trustee McCallum reported on a meeting with the **Wis River Rail Transit Commission** last week. **Wisconsin Southern Railroad (WSOR)** will be re-activating the line and serving Oregon in 2014 (Feb or March). WSOR will be applying for a permit to the Federal government to operate the line. Communities Fitchburg & Oregon, currently owning the line, will be in control until then giving their authority to the Commission when the line is activated. McCallum stated Depot Days is going ahead with plans for 2014 hoping to use the rail going south of the Village that WSOR will not be operating. The local snowmobile club, Sno Hornets, is also requesting to use the right of way to connect to their trails. WSOR is planning on having all rail infrastructure intact to assist the Lycon plant being built in Oregon by June 2014. Rail repairs to operate the line will be done as far as Netherwood Road in Oregon. The Rail Transit Commission had lengthy discussion on encroachments to the right of way. The Rail Commission needs to approve allowing Depot Days to be on the track and the Sno Hornets in the ROW. Once WSOR activates the line, anyone in the rail right of way is considered to be trespassing and could be cited for such.

Resolution 2013-13 was presented **Authorizing an Agreement Between the Village of Belleville and the Village of Brooklyn in which Belleville Municipal Court will provide Court Services for the Brooklyn Municipal Court**. Frandy moved, second McCallum, carried to approve this resolution. Lust moved, second McCallum,

carried to set Jan 13, 2014 for a hearing for Ordinance Chapter 18 Municipal Court Shared Services and removing our current ordinance. An **offer of \$20,000 made to Billy and Marcia Hanson to purchase 23-109-23.1**, 103 Hotel St, has been accepted. Frandy moved, second McCallum, carried to approve this purchase at \$20,000, and to contact Atty Christopher for legalities with closing before 12/31/13.

**UNFINISHED BUSINESS: Community Building policy review**-no update. McCallum moved, second Frandy, carried to postpone until January discussion on the **Capital Improvement Plan**. All Trustees were directed to rank the items in the Capital Improvement document from high to low priority (or add new items) before the next meeting. Frandy moved, second Lust, carried to reaffirm the level of property assessment information previously chosen at the basic level regarding public access to records with no charge to the Village. This information will be on [www.assessordata.org](http://www.assessordata.org). Market Drive electronic records will be installed on a computer in the Clerk's Office. There was no update on Ordinance Recodification.

Frandy moved, second McCallum, carried to approve the **Consent Agenda**: payment of December 2013 bills; an **operator license** for Catrina DuBois; approve **2014-2015 Election Officials**: David & Nila Natzke, Megan Hamlette, Chief Inspector, Nadine Walsten, Helen McCord, Carol Strause, Kim Brewer, Steve & Sandy Wagner, Zach Leavy, John McNaughton, Marge Van Calligan, Paul Hansen, Laura Clark Hansen, Sharon Kovach.

**COMMITTEE REPORTS: Planning and Zoning**: A request to approve a **Town of Oregon land split in the Village's extraterritorial jurisdiction** was presented to the Commission with recommendation for approval. Certified Survey Maps are for 12.83 acres for Robert Halbleib and 13.21 acres for Joanne Huston, properties of which abut Glenway Road. Frandy moved, second Lust, carried to approve these land splits. **Ordinance** did not meet. **Fire/Ems** will meet on Dec 18<sup>th</sup>. Tom Bowers is now the new Fire Chief. **EDC** will meet Thursday, Dec 12<sup>th</sup>. **Recreation**-Twenty-one crafters and ten vendors participated in the craft show indicating they want to come back next year. The date will be further discussed. The free yoga classes have been well attended. Three Yoga classes begin in January and are on the website for sign up. **Emergency Management and Personnel** had no reports. **Finance**: Because of **IRS releasing Notice 2013-71 modifying the "Use-or-Lose" rule for Health Flexible Spending Arrangements (FSA)**, the Finance Committee recommends amending the Village's Health Flexible Spending Account (Health FSA) effective 2013 to allow employees to carry over \$500 of unused 2013 funds to 2014 to be reimbursed to plan participants for qualified medical expenses incurred during the following plan year. McCallum moved, second Frandy carried to approve this amendment. **Recycling and Website** – no reports.

McCallum moved, second Frandy, carried to adjourn at 8:37 p.m.

Carol A Strause, Clerk-Treas.  
MMC, WCMC, CMTW

