

MINUTES
REGULAR MEETING
VILLAGE OF CRIVITZ BOARD OF TRUSTEES

Public present: Vito Congine, Jr., Marlene Gerbenskey, Bill Keller, Vito Congine, Sr., Marie Tomaszewski
(Peshigo Times)

1) **Call to Order:** Pres. Deschane called the meeting to order at 7:30PM.

2) **Roll Call:** Members present: President John Deschane Trustee Duane Swanson
 Trustee Kurt Kostuch Trustee Shirley Keller
 Trustee Rich Porfilio Trustee Jo Di Volk
 Trustee Janis Porfilio

 Also present: Attorney Frank Calvert
 Clerk/Treasurer Marilyn Padgett

Pres. Deschane declared a quorum present for the meeting.

3) **Adoption of Agenda:** Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, that the agenda be adopted as presented. Vote: Ayes: 6. Motion carried.

4) **Minutes Approval:** Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, that the minutes of the regular meeting of December 16th be approved as presented. Vote: Ayes: 6. Motion carried.

5) **Financial Report:** Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to accept the financial reports for all funds for the month of December as presented. Vote: Ayes: 6. Motion carried.

6) **General Fund Vouchers:** Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to approve payment of general fund vouchers numbered 2470 through 2482, and 18333 through 18443. Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Keller, to approve payment of general fund voucher number 18444. Vote: Ayes: 5, Abstentions: 1 (Kostuch). Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to approve the following payments from the general fund:

Elias Auto Value for supplies and plow maintenace	\$ 1,201.28
Marinette County Highway Dept. for supplies and gas	\$ 3,835.41
Workhorse Software for 2009 technical support	\$ 2,820.00
WPS for December utility fees	\$ 7,729.40
Frank Porth for Durango police squad brake repairs	\$ 572.44

Vote: Ayes: 6. Motion carried.

- 6a) Water Fund:** Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve payment of water fund vouchers numbered 3408 through 3417. Vote: Ayes: 6. Motion carried.

Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve payment from the water fund to Kerber, Rose & Associates in the amount of \$1,600.00 for WPSC water rate case application services. Vote: Ayes: 6. Motion carried.

- 6b) Sewer Fund:** Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve payment of sewer vouchers numbered 4346 through 4363. Vote: Ayes: 6. Motion carried.

Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve payment from the sewer fund to Kamp/Synergy in the amount of \$8,400.00 for revisions to the main lift station controls. Vote: Ayes: 6. Motion carried.

Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve a transfer of \$5,693.96 from the Clean Water Replacement Fund to the Sewer Operational Fund to cover eligible expenses for WWTF equipment. Vote: Ayes: 6. Motion carried.

- 6c) Other Vouchers:** Motion by Trustee Volk, seconded by Trustee Keller, to approve payment of TIF fund voucher number 239. Vote: Ayes: 6. Motion carried.

Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to approve payment of Well #3 Project fund vouchers numbered 1019 through 1024. Vote: Ayes: 6. Motion carried.

- 7) Committee & Department Reports:** Copies distributed. Pres. Deschane reported on a Committee of the Whole meeting held on January 19th at which drainage options in the area of Sarah St. to USH 141 were discussed. Also discussed were sidewalks in the same area and a rough cost estimate of \$60,000 was given by the engineer. This would be a grant eligible expense with the village to fund the entire 30% local share. The sidewalk issue was referred to the Development Committee.

- 8) Comments from Pre-registered Citizens:** None.

- 9) Ordinance No. 2009-01:** (Development) Motion by Trustee Volk, seconded by Trustee Janis Porfilio, to adopt Ordinance No. 2009-01: An Ordinance Annexing Territory to the Village of Crivitz, Wisconsin. Vote: Ayes: 6. Motion carried.

- 10) Ordinance No. 2009-02:** (Public Safety) Motion by Trustee Kostuch, seconded by Trustee Rich Porfilio, to adopt Ordinance No. 2009-02: An Ordinance Amending the Provisions of the Village of Crivitz Code of Ordinances Relating to Warrant Fees. Vote: Ayes: 6. Motion carried.

- 11) Resolution No. 232:** (Utilities) Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to adopt Resolution No. 232: A Resolution of the Board of Trustees of the Village of Crivitz Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing Portion of the Cost of Acquiring, Constructing, Enlarging, Improving, and/or Extending its Water Facility to Serve an Area Lawfully Within its Jurisdiction. Vote: Ayes: 6. Motion carried.

12) Resolution No. 233: (Utilities) Motion by Trustee Swanson, seconded by Trustee Rich Porfilio, to adopt Resolution No. 233: A Resolution Authorizing the Issuance and Sale of \$1,246,000.00 Waterworks System Mortgage Revenue Bonds of the Village of Crivitz, Marinette County, Wisconsin, and Providing for the Payment of the Bonds and Other Details with Respect to the Bonds. Vote: Ayes: 6. Motion carried.

13) Crivitz Dental Clinic Lot Purchase Refund: (Development) Motion by Trustee Volk, seconded by Trustee Keller, to approve a \$5,000.00 lot purchase refund to Dr. Joel Supita, Crivitz Dental Clinic, for Dyer Business Park Lot #5, who has met the terms of his development agreement, with landscaping to be completed in the spring of 2009. Vote: Ayes: 6. Motion carried.

14) Dory Investments, LLC: TIF Developers Agreement, Property Subdivision & Approval of Purchaser: (Development) Motion by Trustee Volk, seconded by Trustee Keller, to approve the TIF development agreement with Dory Investments, LLC, as submitted by Attorney Frank Calvert on January 6, 2009. Vote: Ayes: 6. Motion carried.

Motion by Trustee Volk, seconded by Trustee Keller, to approve the settlement agreement with Dory Investments, LLC, as submitted by Attorney Frank Calvert on January 6, 2009. Vote: Ayes: 6. Motion carried.

15) Dyer Business Park Improvements: Trees, Benches, etc.: (Development) Bypassed.

16) Bay Lakes Mapping Update Contract for 2009: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to accept the 2009 contract with Bay Lakes Regional Planning Commission for mapping updates on a time and expense basis, not to exceed \$2,000.00 for the entire year. Vote: Ayes: 6. Motion carried.

17) Computer Related Purchases & Phone System: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Keller, to approve the following computer related and new phone system purchases not to exceed the costs indicated::

Update Sonic Wall E-mail license	\$ 750.00
2 Computer Monitors	\$ 339.14
2 Lazer Printers	\$ 837.12
New Phone System	\$ 2,600.00
Wire for Phone System	\$ 225.00

Vote: Ayes: 6. Motion carried.

18) Class B Reserve Liquor & Fermented Malt Beverage License Application: VTC Tavern, LLC: (Whole) Motion by Trustee Volk, seconded by Pres. Deschane, to issue a Class B Reserve Liquor & Fermented Malt Beverage license effective 1/20/09 through 6/30/09 to VTC Tavern, LLC, Vito Congine, Jr., Agent. Roll call vote: Keller: No, Volk: Yes, Swanson: No, Rich Porfilio: No, Janis Porfilio: No, Kostuch: No. Motion failed for lack of voting requirement.

Motion by Trustee Janis Porfilio, seconded by Trustee Rich Porfilio, to deny issuance of a Class B Reserve Liquor & Fermented Malt Beverage license to VTC Tavern, LLC, Vito Congine, Jr., Agent, due to current economic conditions and concerns within the community as to an additional licensed establishment, and to concerns regarding the location of the establishment. Roll call vote: Keller: Yes, Volk: No, Swanson: Yes, Rich Porfilio: Yes, Janis Porfilio: Yes, Kostuch: Yes. Motion carried.

19) Economic Grant Agreement: VTC Tavern, LLC: Bypassed.

20) Cigarette License Application: VTC Tavern, LLC: Bypassed.

21) Operators Licenses: (Finance) Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to issue operators licenses effective 1/20/09 through 6/30/2010 to Diana Heider, Lois Kirby, and Sandra Forsythe who have all received satisfactory criminal records checks. Vote: Ayes: 6. Motion carried.

Motion by Trustee Janis Porfilio, seconded by Trustee Kostuch, to deny the operators license application of Cindy Newburry per the advice of the village attorney due to an unsatisfactory criminal records check. Vote: Ayes: 6. Motion carried.

OLD BUSINESS:

Snow Removal: Trustee Rich Porfilio noted problems with property owners pushing snow into the right of way and that he would be instructing Glen Franzen to notify the office of the names of persons who should be billed for snow removal costs.

Snow Plowing: Board members commended the Public Works crew on doing a good job plowing the streets.

NEW BUSINESS:

President's Corner: Regarding a recent letter to subscribers and announcements on the local cable access channel, Pres. Deschane explained that the village has never received a bill, or refused to pay a bill from Howard Cable for any damages to his equipment last year in the vicinity of the new fire station, even though he is reporting to subscribers that he must raise rates because the village has refused to pay for these damages. Pres. Deschane further explained that a village employee was subpoenaed to testify in a court case regarding these damages and he did his civic duty by doing so. The employee testified as a private citizen, not as a village employee.

Pres. Deschane reminded everyone that there would be a Christmas tree bonfire and ice skating party on January 23rd at 6:00pm at the fire station, hosted by the Crivitz Fire Dept. and Crivitz Rescue Squad. Also that the USDA loan closing on the Well #3 project would occur on February 23rd.

February Board Meeting: Pres. Deschane announced that due to the February 17th spring primary election, the February board meeting would be postponed until February 24th, with a public hearing regarding revisions to the sign ordinance to be held immediately prior to the meeting. The monthly Development and Finance Committee meetings would also be delayed one week.

CORRESPONDENCE: None.

QUESTIONS FROM THE FLOOR: None

ADJOURNMENT: Motion by Trustee Rich Porfilio, seconded by Trustee Keller, that the meeting be adjourned at 8:13pm. Vote: Ayes: 6. Motion carried.

Respectfully submitted,

John J. Deschane
President

Marilyn L. Padgett
Clerk/Treasurer