

TOWN OF BROOKFIELD
TOWN BOARD
APRIL 8, 2009

The regular meeting of the Town Board was held on Wednesday April 8, 2009 in the Erich Gnant Room of the Town Hall, 645 N Janacek Road, Brookfield, WI.

Chairperson Keith Henderson called the meeting to order at 7:00 p.m. with the following people present: Supervisors: John Schatzman, Kevin Van Kirk, Patrick Stroebel and Dan Shea, Attorney James Hammes, Administrator Richard Czopp, Building Inspector Gary Lake and the Town Clerk Jane Carlson to record the minutes.

APPROVAL OF AGENDA

Supervisor Shea move to approve the agenda as presented, seconded by Supervisor Schatzman, voted on, and carried unanimously.

APPROVAL OF MINUTES

Supervisor Van Kirk moved to dispense with the reading of the minutes of the March 17, 2009 Town Board meeting and approve them as presented seconded by Supervisor Schatzman, voted on, passed 3 – 0 – 2 with Supervisors: Shea and Stroebel voting present.

PUBLIC COMMENT None.

OLD BUSINESS None.

a. **EMPLOYEE BENEFITS FOR PRIVATE BUSINESS**

Supervisor Schatzman moved approve adopting an Ordinance Creating Section 3.13 regarding Employee Benefits for Private Business, seconded by Supervisor Stroebel, voted on, carried unanimously.

NEW BUSINESS

a. **AUDIT REPORT**

Wendy Unger from Virchow Krause & Company presented and summarized the attached 2008 Financial Audit Highlights of the Town, Utility District No 1 which is Stormwater and refuse and recycling, and Sanitary District No 4 which is sewer and water. She reported that the auditors are hired to audit the financial activity of each of the entities and to determine an opinion that the financial statement presents fairly in all material respects the financial activity of each entity in accordance to generally accepted accounting principles.

She explained that the Town's general fund is the operating fund and shown in more detail on page 53 of the Financial Statements. This fund had revenues and transfer in of approximately 4.4 million compared to a budgeted figure of 4.1 which is very favorable and resulted in a positive of almost \$239,000. The main reason for that is there was more than \$60,000 received in additional room tax, \$15,000 received from the state for snow removal cost. There was also the TRIP grant (a transportation grant), the TRACS grant for the police department and a refund via the Trunked Radio Agreement. The expenditures for the year were a 4.6 million actual compared to a 4.2 million budgeted creating a negative of 364,000. The major reason for the difference is that during the year there was a transfer out of the general fund to purchase the fire truck. It was

anticipated during budget time to use \$140,000 of fund balance but actually used \$265,000, most was for the purchase of the fire truck, police cars, and computer and scanner equipment for the police department. The use of the fund balance money leaves a fund balance at the end of 2008 at 3.7 million. The fund balance has various components and is not all available for spending. \$152,000 is reserved assets which is not cash on hand, 15% of the 2009 operating budget \$676,000 is designated for working capital, and designated fund balance is \$384,000, most of which is what was budgeted to use when putting together the 2009 budget. The undesignated fund balance is slightly over 2.5 million which represents 57% of the operating budget which puts the Town in a very strong position.

The next column is the debt service fund that had 1.4 million dollars of revenue mainly coming from tax levy. Expenditures in this fund are for the principle and interest on the Town debt and were about the same as revenue with having to use \$40,000 from the Fund Balance leaving that balance at \$59,000 at the end of the year. At the end of 2008 there was \$303,000 in reserved and this is the Utility District share of debt that the Town paid prior to the formation of the district. This will be paid back by the Utility District as revenue is generated.

The last column is the non-major funds and these components are found in detail in the Financial Statement on page 56. The funds that are included are the Ambulance Act 102 Fund, Park Dedication Fund, the TIF fund, Capital Equipment and Capital Project. There was \$571,000 of revenue and expenditures of \$654,000 that included the capital equipment purchases of the fire truck, the police vehicles and equipment, and the Marx Park gazebo using \$82,000 from fund balance leaving a balance of \$229,000 at the end of the year. There are several components to this balance, \$28,000 is reserved which must be used for specific purpose. A small portion is from park fees and the majority is the ambulance grant funds (Act 102 monies). \$165,000 is designated for capital improvement and equipment and \$35,000 is for the TIF fund and the special assessment fund.

Then she talked about Utility District No 1 which is the Stormwater and refuse/recycling. They had revenues and capital contribution of \$1,026,000 of that \$149,000 was a capital assets contribution from the Marcus Theater, this is not a cash figure. There were expenses and transfers of \$896,000 generating \$129,000 of net assets leaving the net asset at the end of the year at almost 2.5 million dollars. This is not all cash it includes the infrastructure, equipment and related liabilities. The actual cash is \$500,000 of unrestricted, and \$621,000 that is borrowed monies that are restricted for projects that need to be done.

The last column is Sanitary District No 4 which represents the Water and Sewer Utility and the detailed information for this is included in a separate financial document. They had 2.1 million dollars of revenue during the year and expenses of 2.2 million decreasing the net assets by \$132,000. She explained that the water utility had a positive operating income during the year of almost \$55,000 and the sewer utility had an operating loss of \$393,000. Included in these figures are depreciation and amortization which are not cash figures but do factor in future replacement plans. This leaves the net assets at 27.6 million as of the end of the year. This is not all cash most of it is the infrastructure.

There is \$900,000 of unrestricted monies in the water utility and the sewer utility has 3.5 million dollars of cash and 3.2 million is unrestricted.

Lastly she explained that the reports on the internal controls serve two purposes. One is for the auditors to satisfy their requirements under their standards to have certain communications with the Boards and second to communicate any other comments and recommendations. There is what is referred to as material weaknesses which relates to segregation of duties due to the size of the staff and the fact that they prepare the financial statements and do journal entries. They have always prepared the financial statements and did journal entries as part of the audit process but, the new risk assessment standards that came out last year, require that to be put in writing and brought to the Boards attention. These comments are common to most all of their clients and they are not unusual for organizations like the Town. The other comments and recommendations are the status of prior year comments, and there is nothing unusual. They have met with the Town management and plans are in place to address some if not all of the comments.

She said that she wanted the Board to be aware of a new federal regulation regarding an Identity Theft Prevention Program Policy that the Sanitary District needs to have in place by May 1, 2009. She has informed the staff that there are sample policies out on the internet.

She also said that she wanted to let the board know they received full cooperation of the staff and that it has been a pleasure working with Administrator Czopp and the rest of the Town staff.

- b. **PICNIC PERMIT**
Supervisor Schatzman moved to approve a picnic permit for Keith Henderson on Saturday, April 18, 2009 from 2:00 p.m. until 6:00 p.m., at Marx Park, seconded by Supervisor Stroebel, voted on, passed 4 – 0 – 1 with Chairperson Henderson abstaining.
- c. **PICNIC PERMIT**
Supervisor Stroebel moved to approve a picnic permit for Terry Lesperance on Saturday, June 6, 2009 from 12:00 p.m. until 9:00 p.m., at Marx Park, seconded by Supervisor Shea, voted on, carried unanimously
- d. **ELECTION INSPECTOR**
Supervisor Stroebel moved to approve appointing Marilyn Vidergar as an Election Inspector, seconded by Supervisor Schatzman, voted on, carried unanimously.
- e. **COPS HIRING GRANT APPLICATION**
Supervisor Schatzman moved to allow the Police Chief to make application only at this time for the COPS Hiring Recovery Program Grant, seconded by Supervisor Stroebel, voted on, and carried unanimously
- f. **STORMWATER QUALITY MANANGEMENT PLAN GRANT PROGRAM**
Supervisor Schatzman moved to approve authorizing the submittal of a state grant application for a construction project consistent with the 2009 Stormwater Quality Management Plan, seconded by Supervisor Stroebel, voted on, and carried unanimously

- g. **VAC/ALL MULTIPURPOSE VACUUM SWEEPER GRANT PROGRAM**
Supervisor Stroebel moved to approve authorizing the submittal of a state grant application for the purchase of a Vac/All Multipurpose Vacuum Sweeper, seconded by Supervisor Shea, voted on, and carried unanimously
- h. **POPLAR CREEK STREAMBANK GRANT PROGRAM**
Supervisor Van Kirk moved to approve authorizing the submittal of a state grant application for a construction project for stabilization of the Poplar Creek Streambank, seconded by Supervisor Schatzman, voted on, and carried unanimously
- i. **BARTENDER LICENSES**
Supervisor Stroebel moved to approve a bartender license for Laurie A Olson at PDQ Food Store, seconded by Supervisor Van Kirk, voted on, and carried unanimously

DEPARTMENT, BOARDS, COMMITTEE/COMMISSIONS RECOMMENDATIONS

a. **PLAN COMMISSION RECOMMENDATION**

1. **2008 UPDATED WAUKESHA COUNTY DEVELOPMENT PLAN**

Inspector Lake explained that the Town Plan Commission made the recommendation for approval of the 2008 Update to Waukesha County Development Plan subject to additional consideration of transportation alternatives. As the plan goes forward to the year 2035 the discussion of transportation plan for the county basically relied solely on roads. There was no discussion for any other transportation alternatives and the Commission's concern was if fuel prices continue to rise and there was interest in rail or any other alternatives such as bike paths the plan offers no planning for those facilities. Would they be considered to run down the center of the I-94 median, down Bluemound Road, or Capitol Drive and since the plan has a long time window the Commission felt that some planning consideration should be given for other alternatives. The other suggestion was that there needs to be a clearer definition for parks and wetlands.

Supervisor Schatzman moved to approve the 2008 Waukesha County Development Plan subject to the Plan Commission recommendation, seconded by Supervisor Shea, voted on, carried unanimously.

b. **ADMINISTRATOR REPORT**

1. **BANK DEPOSITORIES**

Supervisor Schatzman moved to approve Foundation Bank and Waukesha State Bank as depositories for the Town, seconded by Supervisor Stroebel, voted on, carried unanimously.

VOUCHERS

Supervisor Stroebel moved to approve the vouchers as presented in the amount of \$216,152.75 seconded by Supervisor Shea, voted on, and carried unanimously.

Included in the approved vouchers were: \$29,441.33 to Liberty Mutual Insurance Group for general liability and worker comp insurance; \$27,301.38 to Veolia ES Solid Waste for recycling, refuse and yard waste collection; \$22,564.91 to Strand Associates, Inc for engineering fees; \$14,722.32 to Carl Krueger for repairs from sprinkler break water damage (insurance recovery); \$8,9000.00 Lee Recreation LLC for accessible play ground equipment; \$4,422.69 to Cramer, Multhauf & Hammes for legal fees and \$4,362.92 to North American Salt Company for road salt.

COMMUNICATIONS AND ANNOUNCEMENTS

The attached list of correspondence was reviewed by members of the Board with no comment:

Clerk Carlson reported that the election went without any incidents; there were 1,070 registered voters that voted giving the Town a 16.66% turnout. She said that the Board of Canvas certified that Keith Henderson received 751 votes, Dan Shea received 667 votes and Kevin Van Kirk received 574.

There being no further business Supervisor Shea moved to adjourn, seconded by Supervisor Van Kirk, voted on and carried unanimously. The meeting adjourned at 8:05 p.m.

Respectfully submitted,
Jane F. Carlson, Town Clerk

CORRESPONDENCE

April 8, 2009

1. Letter to Jeff Wolf regarding driveway repair.
2. Letter of commendation from John Pellmann for Det. Bertram.
3. Brookfield Chamber of Commerce advertising offer.
4. "Focus" No. 5. 3/24/09.
5. "The Wisconsin Taxpayer" Jan & Feb 2009.
6. News Release Solid Waste Supervisor regarding trash & recycling.
7. Capitol Drive project summary, Wis Dept of Transportation.
8. Time Warner's "Hang Tough" video contest.
9. Waukesha County Cooperation Council agenda, April 27, 2009.
10. Letter from Waukesha County Exec regarding 2010 census.
11. Census Meeting agenda April 27, 2009.
12. Update Wisconsin Partners for clean air.
13. "Foundations" Spring 2009.