

Town of Berry Board Meeting
July 20, 2020, 7:00 p.m., at the Town Hall, 9046 State Road 19, Mazomanie, WI 53560
Agenda

1. Call to order
2. Approve minutes of June 15, 2020
3. Public Comments: You may address the Board on any item not on the agenda. A discussion item may be placed on a future agenda. Public comment may be heard on any agenda item either now, or at the time the agenda item is to be discussed, or at the discretion of the Town Chair at any other time the agenda item is discussed. Comments are generally limited to three minutes.
4. Patrolman Report, if necessary
5. Discussion/action re: Security cameras
6. Discussion/action re: Turkey Road project loan
7. Discussion/action re: Cross Plains District Volunteer Firefighter and Emergency Medical Technician Funds Ordinance
8. Discussion/action re: Request for Proposals for Residential Garbage/Recycling Collection
9. Budgetary Matters
 - A. Discussion/action re: Payment of bills
 - B. Discussion/action re: Insight FS LP contract
10. Committee reports/Correspondence/Communications
 - A. Fire Districts
 - B. EMS Districts
 - C. Other
11. Discussion of future agenda items
12. Adjourn

Persons requiring additional services to participate in a public meeting should contact the Town Clerk at the Town Hall, 9046 Hwy 19, Mazomanie, WI 53560. 767-4152 twnberry@chorus.net
Posted: 7/13/20 Brenda Kahl, Clerk/Treasurer

TITLE: Town of Berry Board Meeting Minutes
DATE: June 15, 2020
TIME: 7:00 – 8:26 p.m.
PLACE: Town Hall, 9046 State Road 19, Mazomanie, WI 53560
POSTINGS: Town Hall and Town of Berry website

I. CALL TO ORDER – ROLL CALL: The meeting was called to order at 7:00 p.m. Board members present: Anthony Varda, David Evert, Michael Statz, Christine Molling and Duane Haag. Also present Clerk, Brenda Kahl.

II. APPROVE MINUTES OF MAY 18, 2020

Motion Haag/Statz to approve the minutes of May 18, 2020. Motion carried. Vote 5-0

III. PUBLIC COMMENTS: You may address the Board on any item not on the agenda. A discussion item may be placed on a future agenda. Public comment may be heard on any agenda item either now, or at the time the agenda item is to be discussed, or at the discretion of the Town Chair at any other time the agenda item is discussed.

*Stan Theis had questions about who wrote the zoning ordinance and fee amounts

IV. PATROLMAN REPORT, IF NECESSARY

Patrolman was not present.

V. DISCUSSION/ACTION RE:

A. (R-2020-2) Kirk & Tracy Papenthien, 8691 Spring Valley Rd, zoning change of 9.28 acres from RH-3 to SFR, comply with new town zoning

Motion Varda/Haag to approve Kirk & Tracy Papenthien’s zoning change of 9.28 acres from RH-3 to SFR. Motion carried. Vote 5-0

B. (D-2020-1) Stanley Theis, 8688 Theis Road, driveway permit application

Motion Haag/Evert to approve Stanley Theis’ driveway permit application. Motion carried. Vote 5-0

VI. DISCUSSION/ACTION RE: VILLAGE OF CROSS PLAINS BOUNDARY AGREEMENT FOR BREWERY ROAD AND NORTH HILL POINT ROAD THAT ABUTS CREEK CROSSING SUBDIVISION

Representing the Village of Cross Plains was Bill Chang and Jerry Gray. The village is proposing a jurisdiction transfer of Brewery Road and a portion of North Hill Point Road. The town requested a memo from the village about the creation of town islands due to annexations.

VII. DISCUSSION/ACTION RE: REVISING ORDINANCE 300.15, REGULATE STOPPING, STANDING OR PARKING OF VEHICLES ORDINANCE

Discussion only. No action taken.

VIII. DISCUSSION/ACTION RE: APPROVING A CLASS B BEER AND LIQUOR LICENSE AND OPERATOR'S LICENSES FOR THE WHIPPOORWILL

Motion Evert/Haag to approve a Class B Beer and Liquor License for the Whippoorwill and Operator's Licenses for Sherry Starczynski and Cody Starczynski. Motion carried. Vote 5-0

IX. DISCUSSION/ACTION RE: REVIEW BUILDING INSPECTIONS

Discussion only. No action taken.

X. DISCUSSION/ACTION RE: CONFIGURATION OF MEETING ROOM TABLES DURING MEETINGS AND TOWN BOARD SOCIAL DISTANCING

Tables were re-configured to allow social distancing for both the board and public.

XI. DISCUSSION/ACTION RE: STATEMENT TO COUNTY FROM TOWN BOARD ON WHERE THE TOWN STANDS REGARDING THE COVID-19 SITUATION

Discussion of if our federal, state or county government contemplates another close down then should the town board challenge them to come up with metrics and protocol to base this close down.

XII. DISCUSSION/ACTION RE: TOWN HALL RENTALS

Motion Varda/Statz to suspend Town Hall Resident Use Policy 113.5 for issuance of reservations until such time the town locates an appropriate source for sanitizing and secure an agreement from any potential user to reimburse us for the cost until further order by the board.

Motion Evert/Haag to amend the motion to include a three month sunset. Motion carried. Vote 5-0

Motion to suspend Town Hall Resident Use Policy 113.5 for issuance of reservations until such time the town locates an appropriate source for sanitizing and secure an agreement from any potential user to reimburse us for the cost with a three month sunset. Motion carried. Vote 5-0

XIII. BUDGETARY MATTERS

A. Discussion/action re: Payment of bills

Motion Varda/Molling to approve the payment of bills. Motion carried. Vote 5-0
Check numbers 17479-17506

XIV. COMMITTEE REPORTS/CORRESPONDENCE/COMMUNICATIONS

* Black Earth Fire District: Two vehicles were fixed

*Cross Pains EMS: Six new EMT Volunteers

*Road Commissioner: Working on Hering Road and other ditching projects; had a meeting with the town engineer from Jewell on getting the Turkey Road bid more specific and having pre-bid meetings with contractors; will hold a special town board meeting on July 6 to take action on the bids

XV. DISCUSSION OF FUTURE AGENDA ITEMS

*Outside consultants or a check and balance system for equipment repairs

XVI. ADJOURN

Motion Haag/Statz to adjourn until the next regular meeting or the call of the chair. Motion carried. Vote 5-0.

Brenda Kahl, Clerk/Treasurer

Anthony Varda, Chair

7-13-20

Agenda Item #5, Security Cameras

This is on the agenda for discussion.

Should the town install security cameras for the two parking lots and where materials are stored?

There have been incidents where cold mix and gravel have been taken without permission

If you decide yes, what type of cameras and do you contract with a company?

7-13-20

Agenda Item #6, Turkey Road project loan

At the July 6 meeting the board approved Northwestern Stone's bid of \$934,088.

After paying off the Scherbel Road loan, there is \$88,746 of unassigned funds in the general account that can be used for the Turkey Road project

The Town would borrow \$845,342. $(934,088 - 88,746)$

5 year loan is 1.41% interest, approximate annual payment of \$176,287

7 year loan is 1.57% interest, approximate annual payment of \$128,465

10 year loan is 1.83% interest, approximate annual payment of \$93,274

7-13-20

Agenda Item #7, Cross Plains District Volunteer Firefighter and Emergency
Medical Technician Funds Ordinance

See attached draft

_____ **VOLUNTEER FIREFIGHTER AND EMERGENCY MEDICAL
TECHNICIAN FUNDS**

(a) **Purpose and authority.**

This section is enacted pursuant to the authority of Wis. Stats. § 66.0608 for the purpose of authorizing volunteer funds to be held and controlled by the employees and volunteers of the Cross Plains Area Fire Department and the Cross Plains Area Emergency Medical Service. This ordinance and its terms shall be interpreted in accordance with Wis. Stats. § 66.0608. Unless the context clearly indicates otherwise, all references to persons, offices, bodies or legal entities shall be presumed to relate to the Cross Plains Area Fire District and Cross Plains Area EMS District as established by intergovernmental agreement between the District municipalities, the Town of Cross-Plains, Village of Cross-Plains and Town of Berry.

(b) **Authorization to deposit funds.**

The (Town/Village) Board of the (Town/Village) of _____ hereby authorizes the Fire Chief, on behalf of the volunteers Cross Plains Area Fire Department, and the _____ on behalf of the Cross Plains Area Emergency Medical Service, to deposit volunteer funds in a separate account in the name of the respective department in any public depository designated by the District municipalities under Wis. Stats. § 34.05. Pursuant to Wis. Stats. § 66.0608(4), the volunteer funds shall be and remain the property of the District municipalities until such time as the funds are disbursed.

(c) **Control of funds.**

The volunteers shall have exclusive control over the expenditure of the volunteer funds. This authority is granted without limitation as to amount or type of funds but shall be subject to the limitations of subsection (d) below.

(d) **Limitations and requirements.**

The following limitations and requirements shall apply to the handling and disbursement of all volunteer funds:

(1) **Expenditures.** Expenditures withdrawn from the accounts may be made only upon majority vote of the volunteers present at a meeting noticed in accordance with Wis. Stats. § 19.84. Such withdrawals and expenditures may be made for any purpose that promotes the ability of the Fire Department or Emergency Medical Service, respectively, to provide services for which it is organized.

(2) **Accounting.** The Fire Chief or _____, as applicable shall annually provide the applicable District and the (Town/Village) Board with a financial statement. The statement shall be provided within thirty (30) days after the end of the District's fiscal year. The statement shall include a detailed itemization of all receipts, expenditures, and the balance on

hand at the end of the year. The statement shall further state the source of all funds and the identity of the payee and purpose for each disbursement.

(3) Audit. All accounts holding volunteer funds shall be included in any and all audits of the appropriate Fire or EMS District. In addition, the volunteers may appoint an internal audit committee from its membership after the close of each fiscal year to review all transactions to ensure compliance with this ordinance and any internal policies of the Fire Department, Fire District, EMS Department or EMS District. Any such audit committee shall issue a report of its findings to the membership of the Fire Department and to the (Town/Village) Board.

7-13-20

Agenda Item #8, Request for Proposals for Residential Garbage/Recycling
Collection

The RFP is attached. Any suggestions or revisions?

I plan to send it to this list of contractors:

Town & Country Sanitation
Waste Management of Wisconsin
Pellitteri Waste Systems
Advanced Disposal



www.townofberry.org

9046 State Road 19, Mazomanie, WI 53560, 608-767-4152, twnberry@chorus.net

Request for Proposals Residential Garbage/Recycling Collection for the Town of Berry

Objective of this RFP: To receive proposals for garbage and recyclable collection for the residents of the Town of Berry

Proposals Due: August 7, 2020

Term of Contract: January 1, 2020 – December 31, 2025

Information about the Town of Berry: The Town of Berry is a rural municipality in Dane County. It has a population of 1,146 who live in approximately 516 residences

Refuse Collection: The Contractor shall collect and haul all normal domestic household refuse generated by single-family units, duplex units and farms. Any commercial structure or businesses require their own separate contract with the contractor of their choice.

Recyclable Collection: The Contractor shall collect, process and haul recyclables, in accordance with the Town's Recycling Ordinance and/or any Dane County applicable rules and regulations, and in accordance with any State of Wisconsin mandates. The Contractor shall not collect non-recyclable materials or recyclable materials that have not been properly prepared. The Contractor shall leave those items in the container and leave a notice of improper material.

Service:

- The contractor shall collect refuse weekly and recyclables bi-weekly in accordance with a specific collection schedule, established and maintained by the Contractor, with the Town's approval.
- At the beginning of each year the contractor shall provide dates of collection. Unless the contractor gives the Town and affected residents at least thirty days advance notice, all regular collections shall occur on the same day each week. When a designated collection day is scheduled for pickup on a holiday, collection shall be made on the business day following that regular collection day. Holidays shall be New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
- Should the contractor decline from collecting any curbside pickup, he or his agents shall inform the resident why the solid waste was not collected.
- The Contractor agrees that no recyclable materials collected under this agreement will be landfilled, with the exception of materials that are unmarketable due to improper preparation or contamination. The contractor may decline to collect any recyclable materials not properly prepared or placed. In the event that markets become unavailable for any recyclable material to be

collected in this program during any term of this Contract, the Contractor shall notify the Town, and the two parties agree to meet to negotiate a resolution to the problem.

- The Contractor shall provide the Town with a recycling summary detailing the weight of each recyclable material collected on a quarterly basis. Complaints from residents and from Contractor, shall be submitted on a quarterly basis. Contractor will assist the Town in educating residents on the proper way to recycle and proper procedures for solid waste disposal.
- The contractor provides garbage and recycling collection services to the Town Hall and the Town Garage at no additional charge.

Collection Equipment: An adequate number of vehicles shall be provided by the Contractor to serve in accordance with the terms of this Contract. All vehicles and other equipment shall be kept in proper repair and sanitary condition. Each vehicle shall bear, as a minimum, the name and phone number of the contractor plainly visible on both sides of the vehicle. All vehicles shall be sufficiently secure so as to prevent any littering of solid waste and/or leakage of fluid. No vehicles shall be willfully overloaded. The contractor may make private collections with the same vehicles used for contract collections provided that such use in no way impairs the delivery of service required under this Contract.

Indemnity: The Contractor will indemnify and save harmless the Town, agents, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, and attorney's fees resulting from a willful or negligent act or omission of the contractor, its officers, agents, servants and employees in the performance of this Contract; provided, however, that the Contractor shall not be liable for any suits, actions, legal proceedings, claims, demands, damages, costs, expenses and attorney's fees arising out of the award of this Contract or a willful or negligent act or omission of the Town, Board members and employees.

Insurance:

- In addition to worker's compensation insurance, the Contractor shall carry general public liability insurance with limits of not less than \$1,000,000 aggregate coverage, vehicle insurance with not less than \$1,000,000 aggregate coverage and an umbrella policy with not less than \$1,000,000 coverage. The contractor shall furnish the Town with a certificate to show that all required insurance policies are in force and effective for the term of the Contract.
- All insurance policies carried by the Contractor, required by the conditions of the contract, shall bear an endorsement or shall have attached thereto a rider providing that in the events of cancellation of such policies for any reason whatsoever, the Town shall be notified, in writing, by the carrier and contractor, at least thirty days prior to such cancellation.

Content of Bid:

- Background information about the submitter's organization
- Three references from current municipal customers
- Include as an exhibit, a typical municipal contract
- Please answer the following questions and submit with your proposal. (Answer the questions that are applicable to your company)

1) Monthly charge per household for weekly collection of residential **solid waste** with automated refuse collection. _____

What is the initial cost to purchase the containers? _____

What is the size(s) of the containers? _____

2) Monthly charge per household for weekly collection of residential **recyclables** with automated collection. _____

What is the initial cost to purchase the containers? _____

What is the size(s) of the containers? _____

3) Monthly charge per household for weekly collection of residential **solid waste** with residents using own containers or bags. _____

Is there a (number) bag limit per week? _____

4) Monthly charge per household for bi-weekly collection of residential **recyclables** with residents using own containers or bags. _____

5) What is the fee for large items, such as TV's, appliance, furniture, etc.? (You may attach a price list)

6) Please advise any other applicable fees and/or additional services (if any):

Proposals shall be submitted to: Town of Berry, 9046 State Road 19, Mazomanie, WI 53560

Contact Brenda Kahl, Clerk/Treasurer at 608-767-4152 or twnberry@chorus.net with questions.

7/13/2020		List of bills to be approved at the July 20, 2020 board meeting	
Date	Check #	Payee	Amount
6/23/2020	17507	Brenda Kahl	1157.65
6/23/2020	17508	Orlin Danz	1177.04
6/23/2020	17509	Tyler Danz - part-time employee	166.23
7/7/2020	17510	Brenda Kahl	1157.65
7/7/2020	17511	Orlin Danz	1177.04
7/7/2020	17512	Tyler Danz - part-time employee	392.32
7/20/2020	17513	Accurate Appraisal - contract	2220.00
7/20/2020	17514	Allan Statz - building permit fee refund	105.00
7/20/2020	17515	Alliant Energy	77.54
7/20/2020	17516	Anthony Varda - base pay and meetings	997.38
7/20/2020	17517	Boehnen Inc - ditching, culvert replacements, etc	27748.28
7/20/2020	17518	Brenda Kahl - mileage	73.03
7/20/2020	17519	Burke Truck & Equipment - 2012 Dodge & 2017 Freightliner	510.34
7/20/2020	17520	Capital City Culvert - three culverts	4705.00
7/20/2020	17521	Christine Molling - base pay and meetings	527.31
7/20/2020	17522	Construction Fabrics - staples	128.00
7/20/2020	17523	Consumers Coop - fuel	1418.28
7/20/2020	17524	Dane County Treasurer - 20% of managed forest land collected	80.52
7/20/2020	17525	David Evert - base pay and meetings	507.92
7/20/2020	17526	Decker Supply - sign	49.15
7/20/2020	17527	District 1 EMS - payment 3 of 4	1188.95
7/20/2020	17528	Dresen Lawn Service - town hall, garage, Sunning Hill Cemetery	670.00
7/20/2020	17529	GFC Leasing - copier lease	190.31
7/20/2020	17530	Gordon Flesch - fee for copies per month	30.95
7/20/2020	17531	Group Health Coop - medical and dental insurance	4638.00
7/20/2020	17532	Jewell Associates - Turkey Road project	1396.18
7/20/2020	17533	Joe Kruchten - base pay and meetings	174.54
7/20/2020	17534	Kasieta Legal Group - legal fees	574.99
7/20/2020	17535	Kayser Chrysler - 2012 Dodge	1100.74
7/20/2020	17536	Larowe Gerlach Taggart - fees for Rimmel Ct & ATV ordinance	41.75
7/20/2020	17537	McFarlane - mower parts, seed and supplies	464.08
7/20/2020	17538	Michael Statz - base pay and meetings	577.18
7/20/2020	17539	Michael Theis - Plan Commission meetings	73.88
7/20/2020	17540	Robert Agee - Plan Commission meetings	50.79
7/20/2020	17541	State Bank of Cross Plains - postage and election	491.81
7/20/2020	17542	TDS Telecom	197.75
7/20/2020	17543	Town & Country Sanitation - garbage & recycling	5904.40
7/20/2020	17544	US Cellular - patrolman's cell phone	54.76
7/20/2020	17545	Alliant Energy	49.97

Additional bills will be handed out at the meeting

7-13-20

Agenda Item #9(B), Insight FS LP contract

Proposing Option 1: 100% Pre-Pay Program

Purchase 1,800 gallons at \$1.199 total cost of \$2,158.20

Used 1,700 gallons of LP last year