

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: REGULAR MEETING OF THE VILLAGE BOARD

DATE AND TIME: MONDAY, NOVEMBER 1, 2021 7:00 p.m.

**LOCATION: Germantown Village Hall Board Room
N112 W17001 Mequon Road**

NOTICE: Pursuant to the recommendations of the Centers for Disease Control and Prevention concerning the prevention of COVID-19 infections, any member of the body and/or citizen may also attend the meeting virtually through the WebEx platform, Meeting #: 2559 801 3305 Password: tpWtnuEh539 which can be accessed by phone at 408-418-9388 or by logging on at

<https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=mfa69a537e0a0bd3fcce48ded51208457>

Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@germantownwi.gov by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration. Citizens may also view the meeting by live broadcast on Spectrum Cable Channel 25 or the livestream on the Village's website.

Previously recorded Village Board Meeting Videos can be viewed at

https://www.youtube.com/channel/UCOYp0EgELzTCa9X_iCohyhQ.

AGENDA

- I. **CALL TO ORDER:** *This meeting has been given public notice in accordance with Section 19.83 and 19.84, Wis. Stats, in such form that will apprise the general public and news media of subject matter that is intended for consideration and action.*
- II. **ROLL CALL:**
- III. **PLEDGE OF ALLEGIANCE:**
- IV. **PRESIDENT'S REPORT:**
- V. **ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC INTEREST
COMMITTEE AND DEPARTMENT REPORTS:**
 - A. The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:
- VI. **CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:**

Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received, however, no action will be taken under public comments. (15 minutes) Written Public Comments should be directed to comments@germantownwi.gov, by 4 p.m. on Monday, November 1.

VII. CONSENT AGENDA:

- A. Approval of Minutes October 18, 2021 Meeting.
- B. Accounts payable/payroll:
 - 1. October 15, 2021 Accounts Payable \$ 780,174.78
 - 2. October 22, 2021 Accounts Payable \$ 1,024,618.16
 - 3. October 26, 2021 Payroll (Hourly) \$ 165,725.31
 - 4. October 29, 2021 Payroll (Salary) \$ 65,085.34
- C. The following items were forwarded from **General Government and Finance** with a unanimous recommendation:
 - 5. CVMIC as the Village Property and Workmen's Comp Insurance.
 - 6. Village Pay Ranges.

VIII. UNFINISHED BUSINESS

- A. Ordinance 11-2021, An Ordinance Amending Section 14.09 of the Germantown Municipal Code Relating to Safety Measures for Private Swimming Pools.

IX. PUBLIC HEARINGS:

- A. None.

X. NEW BUSINESS:

- A. Disallowance of Claim Patricia Zancanaro.
- B. Village of Richfield Potential Water / Sewer Memorandum of Understanding. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate; and,
- C. Acquisition of Property in the Area of the Intersection of Donges Bay and Wasaukee Roads for a new Department of Public Works Facility. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate; and,
- D. Director of Public Works retirement agreement. The Village Board May Enter into Closed Session per Wis Stat § 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility and then may reconvene into open session to take such action as it deems appropriate.

XI. ADJOURNMENT.

The next regular meeting of the Village Board will be on Monday, November 15, 2021, at 7:00 p.m. The Budget Public Hearing will be on November 15, 2021.

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For Additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

**VILLAGE OF GERMANTOWN
VILLAGE BOARD MEETING MINUTES
October 18, 2021**

CALL TO ORDER: The meeting was called to order at 7:00 p.m. by President Wolter.

ROLL CALL: Present: President Wolter, Trustees Baum, Hudson, J. Miller, R. Miller, Myers, and Neureuther, and Pieper. Absent Excused: Kaminski. Also present: Administrator Kreklow, Clerk Braunschweig, Attorney Sajdak, Director Ratayczak, Chief Snow, Manager Hirn, Director Smith, and Manager Lloyd.

PLEDGE OF ALLEGIANCE:

PRESIDENT'S REPORT:

President Wolter reported that Halloween Trick or Treat will be from 5:30 to 7:30 pm on October 31, 2021.

President Wolter reported that we need to start on 4th of July Planning. He will be putting together a team for the 4th of July process.

**ANNOUNCEMENTS OF FORTHCOMING EVENTS OF PUBLIC
INTEREST/DEPARTMENT AND COMMITTEE REPORTS:**

The following individuals will be given the opportunity to make announcements of future municipal activities: Village President, Village Board Members, Village Administrator, Village Attorney, Village Clerk, And Department Heads, to include:

CITIZEN INPUT/PUBLIC APPEARANCE on items not subject to a public hearing:

Carol Schneider submitted comments over email. President Wolter read the comments that are against the water rate increase and tax increase.

Donna Arkenberg submitted comments over email about inaccurate water bills and what she has heard over social media.

CONSENT AGENDA:

- A. Approval of Minutes September 20, 2021 and October 4, 2021 Regular Village Board Meeting.
- B. Accounts payable/payroll:
 - 1. October 1, 2021 Accounts Payable \$ 240,271.69
 - 2. October 12, 2021 Payroll (Hourly) \$ 109,881.59
 - 3. October 15, 2021 Payroll (Salary) \$ 114,869.94
 - 4. October 8, 2021 Accounts Payable \$ 79,793.70

The following items were forwarded from **Public Works Committee** with a unanimous recommendation:

- C. Vinton Construction Inc. Invoice in an amount not to exceed, \$16,880 for butterfly valves.
- D. Resolution 32-2021, 2022 Contract with Wachtel Tree & Science Services, in an amount not to exceed \$15,000.

Motion (Myers/Baum) Consent Agenda items, A-C; Baum requested to pull item D. Motion carried unanimously.

Motion (R. Miller/Kaminski) Consent Agenda items D; Baum abstained. Motion carried.

UNFINISHED BUSINESS:

A. American Rescue Plan Act Presentation.

Administrator Kreklow presented a power point presentation and gave an update of how to use the American Rescue Plan Act funds and eligible uses.

\$ 1,052 Million was received in June of 2021 and an additional 1,052 Million is expected in 2022.

The funding uses need to be one-time expenses. GFOA has given guidance to look at infrastructure and should receive priority and fiscal resiliency and to adapt to future emergencies. Look at neighboring governments and how they are utilizing their funds and collaborate to work together. The department of treasurer looks at a revenue loss and lost 1.5 million in revenues in 2020. The funds could be used to replace the lost revenues. The item will come back in December. Look at ways of soliciting from the public on how the funds are used. There will be a plan brought forward for the Village Board to review. The funds have to be obligated by the end of 2024.

Discussion ensued how to go back to 2020 and the revenues. There were other adjustments made for 2020. Discussion ensued that seal coating was skipped, could double up on that for 2022.

Discussion ensued of bonuses to Village employees. Other communities in the collective bargaining process are including in the process. ARPA does explicitly state to use for deemed essential workers.

PUBLIC HEARING:

A. None.

NEW BUSINESS:

A. Employee Health Care Plan Design.

Administrator Kreklow introduced the item. Part of this process, includes design changes and employees will pay more of the out of pocket maximum. The premium contribution is 12% and not changing. The out of pocket and co-insurance, the employees pay 12% of the premium equivalent.

These are the changes that are not negotiated and apply to all employees.

Carmen Winkelman of R.R. Insurance came to the podium to present information to the Village Board.

Carmen reported on the renewal process and large claimants. United Healthcare Company has reduced the fixed cost by 9-10%, with 73,000 in fixed cost savings. Carmen pointed out the change to the gold plan deductible for employees.

Carmen presented Go365 to engage employees in the Healthcare to meet a silver status in 2022. The silver status allows the employee to receive a lower rate. Biometrics will not be offered at the Village Hall and employees will have to do this on their own. This has been on-site, approximately 26 employees have participated in the past.

There is an upcoming kick off meeting on November 11th with Humana.

Motion (Baum/Pieper) to approve the adjusted gold and silver plans design as presented. And include the GO 365 plan. Motion carried. Hudson abstained. Myers voted no.

- B. Health Care Plan Administration Contract with United Medical Resources, United Healthcare Third – Party Administrator Solution.

Motion (Baum/Myers) to approve the contract with United Healthcare / Sun Life Assurance Company. Motion carried. Hudson abstained.

- C. Effective Date of Water Rate Increase.

Administrator Kreklow reported via email that the PSC approved the rate application and the increased water rates. The timing for implementation of 90 days to modify the changes to get us through the end of the year. Discussion ensued to implement the fourth quarter of the year. The age of the billing system there are concerns of implementation mid quarter. Staff is recommending to implement at the beginning of 2022.

This would be after the first quarter of 2022. How would it affect the finances of the water utility. The long run is minimal. Missing one quarter will not be significant. Earlier today as the auditors reported a net operating loss for the water but manageable.

Motion (Kaminski/Baum) effective with the first quarter water utility billing of 2022. Discussion ensued of the water meter replacement. The meter replacement will start this winter and the cash flow will work. There have not been any supply chain issues reported. The rate increase was discussed. Motion carried. Hudson and Pieper voted no.

- D. Washington County Library Services Board Agreement.

Director Smith came to the podium and reported on the item. The last update was in 2014. Changes are from five directors and approved by the Washington County Library Board and Germantown Community Library Board. The library levy is flat. Director Smith reported on the Library Budget and Funding.

Motion (Kaminski/Pieper) to approve the Washington County Library Services Board Agreement. Motion carried unanimously.

- E. Acquisition of Property in the Area of the Intersection of Donges Bay and Wasaukee Roads for a new Department of Public Works Facility. The Village Board May Enter into Closed Session per Wis. Stat. § 19.85(1)(e) for the purpose of deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining

reasons require a closed session, and then may reconvene into open session to take such action as it deems appropriate.

Motion (Myers/Pieper) to convene into closed session at 9:20 p.m. and to include the Village Board, Village Administrator, Village Attorney, and Director Ratayczak. Roll Call Vote Carried Unanimously.

The Village Board convened into open session at 9:50 p.m. without action.

ADJOURNMENT.

ADJOURNMENT: There being no further business, the meeting adjourned at 9:20 p.m.

The next regular meeting of the Village Board will be on Monday, November 1, 2021, at 7:00 p.m.

Respectfully Submitted,
Deanna Braunschweig
Deanna B. Braunschweig, WCMC/CMC
Village Clerk

BUSINESS OF THE GERMANTOWN VILLAGE BOARD

MEETING DATE: November 1, 2021

PLACEMENT: New Business

ITEM TITLE: Property Insurance & Workers Compensation Policy

SUBMITTED BY: Erin M. Hirn, Support Services Manager

SUMMARY EXPLANATION:

In early 2021, it was decided to go out for Bid on the Village's current Property Insurance and Worker's Compensation Policy. Currently the Village is utilizing EMC Insurance Company and has been for about 8 years. The Village has been continuously using T.E. Brennan Company to help assess our risk management and recently prepared and collected the bids for this process. There were 4 quotes that came back. After reviewing the policies and cost, CVMIC came back with the largest benefit while also reducing our costs by \$156,522 annually. This policy also includes additional benefits including but not limited to Safety & Risk Management Employee Training, Grant Program, Assistance with Protective Services Accreditation, and a Workers' Compensation Incentive Program. Please review the summary below. Attached is the detailed policy comparison.

2021/2022		2022-2023			
<i>Hanover /EMC</i>	Hanover /EMC	EMC	CVMIC/MPIC/ Travelers	League/MPIC /UH/Liberty	CIC
\$588,913	\$554,679	\$538,225	\$432,391	\$440,527	\$521,405

ATTACHMENT:

- Policy Comparison Packet
- Power Point

ACTION BY Committee

- Recommend a Property Insurance & Workers Compensation Policy for 2022

VILLAGE OF GERMANTOWN

MARKETING COMPARISON

JANUARY 1, 2022



VILLAGE OF GERMANTOWN
NET PREMIUM COMPARISON
JANUARY 1, 2022

	2021/2022	2022/2023				
	M3	M3		Direct	R&R	TIC
	Hanover/EMC	Hanover/EMC	EMC	CVMIC/MPIC/ Travelers	League/MPIC/ UH/Liberty	CIC
Property	\$54,818	\$64,184	\$57,336	\$39,382	\$39,382	\$58,486
Contractors Equipment	12,000	6,566	9,417	6,914	6,914	Included
Crime	2,093	2,122	2,122	1,330	4,538	2,618
Equipment Breakdown	4,863	5,349	Included	5,504	3,263	3,477
Public Entity Liability						
General Liability	41,085	51,313	51,313	90,000	70,805 ⁽⁷⁾	119,929
Employee Benefit Liability	Included	Included	Included	Included	Included	Included
Public Officials Liability	27,251	33,524	33,524	Included	67,018	Included
Employment Practices Liability	Included	Included	Included	6,765	Included	Included
Law Enforcement Liability	9,461	11,319	11,319	Included	28,332	Included
Automobile Liability	129,194	115,462	115,462	Included	19,418	64,577
Automobile Physical Damage	Included w/Liab	Included w/Liab	Included w/Liab	51,623	36,993	59,065
Umbrella	<u>56,600</u>	<u>63,435</u>	<u>63,435</u>	<u>6,630</u>	<u>N/A</u>	<u>N/A</u>
Estimated Package Total	\$337,365	\$353,274	\$343,928	\$208,148	\$276,663	\$308,152
Workers Compensation	279,341	236,947	236,947	245,519	204,830	236,947
Estimated Dividend	<u>(\$27,793)⁽¹⁾</u>	<u>(\$35,542)⁽²⁾</u>	<u>(\$42,650)⁽³⁾</u>	<u>(\$21,276)⁽⁴⁾</u>	<u>(\$40,966)⁽⁵⁾</u>	<u>(\$23,694)⁽⁶⁾</u>
Estimated Annual Premiums	\$588,913	\$554,679	\$538,225	\$432,391	\$440,527	\$521,405

⁽¹⁾ Estimated 10% flat dividend.

⁽²⁾ Estimated 15% flat dividend.

⁽³⁾ Estimated 18% flat dividend.

⁽⁴⁾ Estimated - decided annually based on financial results.

⁽⁵⁾ Estimated 20% flat then League plan.

⁽⁶⁾ Estimated 10% flat dividend with a slider to up to \$64,725 depending on losses.

⁽⁷⁾ The package total would be \$240,463 without no fault sewer backup

NOTE: Included means the coverage is included up to the property limit unless stated otherwise.

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022

	2021/2022	2022/2023				
Property	(Hanover)	(Hanover)	(EMC)	(MPIC)	(MPIC)	(CIC)
<u>Limits:</u>						
Real and Personal Property, Property in the Open (Catastrophic limit) *	\$54,694,819	\$53,486,775	\$53,486,775	\$53,486,775	\$53,486,775	\$53,486,775
Business Income	2,000,000	2,000,000	2,000,000	2,500,000	2,500,000	2,500,000
Average Rate Per \$100 (Property)	0.1002	0.120	0.1033	0.0736	0.0736	0.1093
Contractors Equipment (over \$25,000)	See below	See below	See below	3,292,489	3,292,489	3,292,489
Contractors Equipment (under \$25,000)	See below	See below	See below	674,555	674,555	674,555
Contractors Equipment Total Value	3,548,657	3,673,657	3,673,657	3,967,044	3,967,044	3,967,044
Contractors Equipment Rate	0.338	0.179	0.256	0.174	0.174	.0660
Flood	See below **	See below **	Various	\$5,000,000	\$5,000,000	\$5,000,000
<u>Deductibles:</u>						
Contractors Equipment	\$1,000	\$1,000	\$1,000	1,000	1,000	1,000
Business Income	24 hr. wp	24 hr. wp	24 hr. wp.	24 hr. wp	24 hr. wp	24 hr. wp
Flood	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000
All Other	5,000	5,000	5,000	5,000	5,000	5,000
<u>Includes:</u>						
All risk, subject to stated exclusions	Included	Included	Included	Included	Included	Included
Blanket form – real, personal, PIO	Included	Included	Included	Included	Included	Included
Valuation – Replacement, unless not replaced then actual cash value	Replacement Cost	Replacement Cost	Replacement Cost	Replacement Cost	Replacement Cost	Replacement Cost
Coinurance	None	None	None	None	None	None
Property within 1,000 feet of the building	Included	Included	Included	Included	Included	Included
Improvements and betterments	If on SOV	If on SOV	If on SOV	If on SOV	If on SOV	If on SOV
Debris removal	\$50,000	\$50,000	25%/\$250,000	Included	Included	Included
Joint loss agreement	Included	Included	Included	Included	Included	Included
Civil authority	30 days	30 days	4 weeks	Not excluded	Not excluded	Included

* Limit includes individually scheduled buildings at \$422,286 each & BPP at 1 location.

** \$5,000,000 all locations except N112W16958 Mequon Rd & N96W17956 Mequon which are \$1,000,000.

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022

	2021/2022	2022/2023				
Property (cont'd) <u>Includes:</u> (cont'd)	(Hanover)	(Hanover)	(EMC)	(MPIC)	(MPIC)	(CIC)
Full ordinary payroll (BI)	Excluded	Excluded	Excluded	Included BI Limit	Included BI Limit	Included BI Limit
Valuable papers	\$100,000	\$100,000	\$500,000	Included	Included	Included
Paved surfaces	Within 1,000 ft of prop	Within 1,000 ft of prop	Within 1,000 ft of prop	Within 100 ft. of building	Within 100 ft. of building	Included
Loss of utilities (other than overhead transmission lines or satellites)	\$50,000	\$50,000	\$50,000	Included	Included	Included
Sewer back up	\$25,000	\$25,000	\$100,000	Within a building	Within a building	\$100,000
Underground pipes, flues or drains	\$250,000	\$250,000	Excluded	Within 1,000 ft. of building	Within 1,000 ft. of building	Within 1,000 ft of building
Underground fiber optic cable	Within 1,000 ft of building	Within 1,000 ft of building	Within 1,000 ft of building	Within 1,000 ft. of building	Within 1,000 ft. of building	Within 100 ft of building
Terrorism – certified acts	Included	Included	Included	Included	Included	Included
Extended period of indemnity	90 days	90 days	30 days	30 days	30 days	30 days

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022

	2021/2022			2022/2023		
Property (cont'd)	(Hanover)	(Hanover)	(EMC)	(MPIC)	(MPIC)	(CIC)
<u>Sublimits:</u>						
Asbestos cleanup or removal released by a covered peril	Excluded	Excluded	\$250,000	\$5,000,000	\$5,000,000	Excluded
Personal in transit	\$50,000	\$50,000	\$250,000	\$10,000 unless on SOV	\$10,000 unless on SOV	\$25,000
Ordinance or law – undamaged parts	Included	Included	Included	\$5,000,000	\$5,000,000	Building limit
Ordinance or law – increased cost & cost to demolish site	\$100,000	\$100,000	\$100,000	\$5,000,000	\$5,000,000	\$1,000,000
Rented Equipment from others	\$250,000	\$250,000	\$250,000	\$25,000 unless added to policy	\$25,000 unless added to policy	\$25,000 unless added to policy
Unscheduled buildings or property in the open (must schedule when discovered)	\$500,000	\$500,000	\$2,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Fungus, wet rot, dry rot, bacterium (each loss/total)	\$15,000	\$15,000	\$15,000	\$50,000	\$50,000	\$15,000
Pollutant clean-up or removal	\$50,000	\$50,000	\$100,000	\$2,000,000	\$2,000,000	\$250,000
Police dogs and horses	\$10,000	\$10,000	\$15,000 (\$5,000 Ded.)	\$25,000 (\$1,000 Ded.)	\$25,000 (\$1,000 Ded.)	\$15,000
Fine Arts	\$25,000	\$25,000	\$100,000	\$50,000	\$50,000	\$50,000

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022

	2021/2022	2022/2023			
Crime	(EMC)	(EMC)	(Hanover)	(Liberty)	(CIC)
Employee Dishonesty	\$500,000	\$500,000	\$5,000,000	\$500,000	\$500,000
Forgery or Alteration	\$250,000	\$250,000	\$5,000,000	\$250,000	\$500,000
Computer Fraud (CF)	\$500,00	\$500,000	\$5,000,000	\$500,000	\$500,000
Funds Transfer Fraud	Included in CF	Included in CF	\$5,000,000	Included in CF	Included in CF
Monies & securities (on/off premises)	*	*	\$5,000,000	200,000	\$200,000
Money order/counterfeit paper claim	Not covered	Not covered	\$250,000	Not covered	Not covered
Deductibles:					
- Employee Dishonesty	\$5,000	\$5,000	\$20,000	\$5,000	\$5,000
- Funds transfer fraud	\$5,000	\$5,000	\$25,000	\$5,000	\$5,000
- Forgery or Alteration	\$500	\$500	\$20,000	\$5,000	\$5,000
- All Other	\$5,000	\$5,000	\$20,000	\$5,000	\$5,000
Includes:					
Faithful Performance of Duty	Yes	Yes	Yes	Yes	Yes
Treasurers or Tax Collectors	Yes	Yes	Yes	Silent	Yes
Volunteers	Yes	Yes	Yes	Yes	Yes

(*) 2/16 to 12/14 the limit is \$25,000 with a \$500 deductible. 12/15 to 2/15 the limit is \$200,000 with a \$500 deductible.

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022

	2021/2022		2022/2023			
Equipment Breakdown	(Hanover)	(Hanover)	(EMC)	(Travelers)	(MPIC)	(CIC)
Limits:						
Direct Damage	\$55,834,717	\$53,486,775	\$53,486,775	\$500,000,000	\$53,486,775	\$53,486,775
Ordinance or Law	Included	Included	Included	\$10,000,000	\$25,000,000	Included
Ordinance or Law (increased cost or demolish)	\$100,000	\$100,000	\$100,000	Part of the \$10M	Part of the \$25M	\$1,000,000
Business Income & Extra Expense (BI & EE)	\$2,000,000	\$2,000,000	\$2,000,000	\$5,000,000	\$5,000,000	\$2,500,000
Hazardous Substance	\$100,000	\$100,000	\$100,000	\$250,000	\$1,000,000	\$100,000
Water Damage	Silent	Silent	Silent	\$100,000	\$1,000,000	\$100,000
Fungus, Wet/Dry Rot - limited	\$15,000	\$15,000	\$15,000	\$250,000	\$2,500,000	\$15,000
Off Premises Equipment	\$100,000	\$100,000	\$100,000	\$250,000	Silent	\$100,000
Expediting Expense	\$100,000	\$100,000	\$100,000	\$5,000,000	5,000,000	\$100,000
Utility Interruption	BI limit	BI limit	BI limit	\$5,000,000	BI limit	BI limit
Spoilage	\$100,000	\$100,000	\$100,000	\$1,000,000	\$1,000,000	\$100,000
Valuation	Replacement	Replacement	Replacement	Replacement	Repair or Replacement	Replacement
	Cost	Cost	Cost	Cost		Cost
Business Interruption waiting period	24 hrs.	24 hrs.	24 hrs.	12 hrs.	24 hrs.	24 hrs.
Deductible	\$5,000	\$5,000	\$5,000	\$2,500	\$5,000	\$5,000

**VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022**

	2021/2022	2022/2023			
Public Entity Liability Rating (344 miles of road, 221 employees & 20,686 population Limits:	(EMC)	(EMC)	(CVMIC)	(League)	(CIC)
General Liability (GL)					
Occurrence/ Aggregate	\$2,000,000/\$4,000,000	\$2,000,000/ \$4,000,000	\$5,000,000	\$10,000,000	\$10,000,000
Retention	None	None	\$25,000/\$100,000 aggregate	\$1,000	\$10,000
Employee Benefit Liability	\$2,000,000/\$4,000,000	\$2,000,000/\$4,000,000	Included in GL	Included in GL	Included in GL
Retroactive Date	1/1/1985	1/1/1985	N/A	1/1/1985	1/1/1985
Damage to rented premise	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000
Medical Payments	\$10,000	\$10,000	Not covered	Not covered	Not covered
Sewer backup - claim	\$50,000	\$50,000	Not covered	Included	Not covered
Sewer backup - occurrence	\$100,000	\$100,000	Not covered	Verifying limit	Not covered
Sewer backup - aggregate	\$500,000	\$500,000	Not covered	\$100,000/\$300,000	Not covered
Public Officials Errors & Omissions					
Occurrence - Aggregate	\$2,000,000/\$2,000,000	\$2,000,000 /\$2,000,000	Part of GL	Part of GL	Part of GL
Retention	\$3,000	\$3,000	Part of GL	Part of GL	Included
Employment Practices Liability					
Occurrence - Aggregate	Part of GL	Part of GL	\$1,000,000/1,000,000	Part of GL	Part of GL
Retention	Part of GL	Part of GL	Part of GL	Part of GL	Included
Law Enforcement Liability					
Occurrence - Aggregate	\$1,000,000/\$1,000,000	\$1,000,000/ \$1,000,000	Part of GL	Part of GL	Included
Retention	\$2,500	\$2,500	Part of GL	Part of GL	Part of GL

**VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022**

	2021/2022	2022/2023			
Public Entity Liability (cont.)	(EMC)	(EMC)	(CVMIC)	(League)	(CIC)
Limits:					
Automobile Liability	\$2,000,000	\$2,000,000	\$20,000,000	\$10,000,000	\$10,000,000 w/\$10,000 ded.
Limited Pollution	Sudden & accidental	Sudden & accidental	150,000/300,000	\$250,000	Not Covered
Uninsured Motorists (person/accident)	\$100,000	\$100,000	25,000/50,000	25,000/50,000	25,000/50,000
Underinsured Motorists (person/accident)	\$100,000	\$100,000	50,000/100,000	50,000/100,000	50,000/100,000
Automobile Physical Damage	(EMC)	(EMC)	(CVMIC/MPIC)	(League/MPIC)	(CIC)
Value of Vehicles	N/A	\$13,762,709	\$13,762,709	\$13,477,709	\$13,762,709
No. of Vehicles	107	106	106	105	106
Rate per \$100	N/A	.84	.38	.42	.47
Deductibles: - Comprehensive	\$2,000	\$2,000	\$2,500	\$2,500	\$5,000
- Collision	\$2,000	\$2,000	\$2,500	\$2,500	\$5,000
Valuation: - Less than 5 years old	Some replacement cost, some stated value, some actual cash value	Some replacement cost, some stated value, some actual cash value	Replacement Cost – heavy equip. & passenger vehicle less than 5 yrs. old	If 5 yrs. old or newer & value of \$100,000 or 10 yrs. or newer with value of over \$100,000 then RC Actual Cash Value	If 5 yrs. old or newer & value of \$100,000 or 10 yrs. or newer with value of over \$100,000 then RC Actual Cash Value
- All others	Actual Cash Value	Actual Cash Value	Actual Cash Value	Actual Cash Value	Actual Cash Value
Towing and Labor	PP \$100/\$500 other	PP \$100/\$500 other	\$10,000/occurrence	\$500	\$500
Rental Reimbursement	\$75/day, 30 days to \$2,250 max.	\$75/day, 30 days to \$2,250 max.	\$10,000/occurrence	N/A	\$1,000/occurrence

**VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
LIMITS/RATING BASE COMPARISON
JANUARY 1, 2022**

	2021/2022	2022/2023			
Umbrella or Excess	(EMC)	(EMC)	(Old Republic)	(League)	(CIC)
Occurrence/Aggregate	\$10,000,000/ \$10,000,000	\$10,000,000/ \$10,000,000	\$5,000,000/ \$10,000,000	N/A	N/A
Workers Compensation	(EMC)	(EMC)	(CVMIC)	(United Heartland)	(CIC)
Workers Compensation Code/Payroll					
Code 7520 - \$404,940					
Code 7704 – 20,364 (population)					
Code 7710 - \$2,831,114					
Code 8810 - \$2,362,320					
Code 9412 - \$2,683,620					
Experience Modification Factor	1.20	1.03	1.03	1.03	1.03
Dividend	10% flat	*	Dividend decided annually	20% flat for 3 yrs. then League dividend plan	10% flat & sliding scale

* If all lines written with EMC, then the dividend is 18% flat; if Hanover writes the property, contractors equipment & equipment breakdown, then the dividend is 15% flat.

VILLAGE OF GERMANTOWN
PROPERTY AND LIABILITY INSURANCE RENEWALS
ALTERNATES
JANUARY 1, 2022

	2022/2023
1. Add pollution coverage - \$1,000,000 per pollution condition/ \$10,000,000 aggregate	+\$5,000 (CVMIC/Indian Harbor)
2. Volunteers Accident Coverage – Death Benefit – max. \$30,000, Dismemberment \$30,000, Medical & dental expense \$100,000, weekly accident indemnity \$300 to max. 26 weeks, aggregate \$500,000	+\$3.44/volunteer (CVMIC)
3. Increase forgery or alteration from \$25,000 to \$500,000 with \$5,000 deductible	+\$268 (Liberty)
4. Increase all coverages to \$1,000,000 with \$10,00 deductible	+\$2,223 (Liberty)
5. Add social engineering - \$250,000 limit with \$2,500 deductible (conditions apply)	+383 (Liberty)

BUSINESS OF THE GERMANTOWN VILLAGE BOARD

MEETING DATE: November 1, 2021

PLACEMENT: New Business

ITEM TITLE: Pay Grade Compression Recommendation

SUBMITTED BY: Erin M. Hirn, Support Services Manager

SUMMARY EXPLANATION:

This item is coming before the Village Board in order to compress the current pay grades from 27 to 8 for the 38-40 employees it relates to. After the General Government / Finance Committee reviewed the documents, it was suggested to find a current salary study with comparable communities in conjunction with this request. Once surveys were gathered and analyzed, some changes needed to be made to the proposed pay grade chart in order to stay comparable to the surrounding communities. I have placed positions to match the average comparables to the proposed midpoint. The library positions are only in this chart for board knowledge and must be confirmed by the Library Board.

In approving this pay rate compression, there will be further room for growth in many positions as well as comparability to surrounding communities and should be completed every three years to make sure the Village has competitive wages in the public sector in order to retain and attract talented staff.

ATTACHMENT:

- 2022 Proposed Pay Rate Chart
- Prior Pay Rate Chart

ACTION BY Committee

- Approve / Deny Position Pay Grade Chart for 2022

2022 Proposed Pay Rate Chart

	Position	Average Comparables	Minimum	Midpoint	Max
1	Recreation Secretary Police Department Clerk Administrative Assistant to the Fire Chief Senior Coordinator Public Works Secretary Circulation Manager* Utility Accounts Clerk Administrative Assistant-Police	\$44,429 \$46,800 \$44,637 \$54,792	\$32,793.86	\$43,116.06	\$51,851.22
2	Deputy Clerk / Deputy Treasurer Planning Assistant Adult Service Librarian* Youth Services Librarian*	\$57,501 \$55,318 \$55,318	\$44,318.30	\$52,702.46	\$60,277.36
3	Recreation Supervisor Budget Manager Senior Deputy Treasurer Assistant Library Director*	\$50,174 \$61,666 \$61,885	\$51,521.22	\$61,268.54	\$73,680.36
4	Civil Engineer Associate Planner / Zoning Administrator Foreman	 \$68,948 \$69,172	\$62,976.85	\$74,891.93	\$85,654.91
5	Library Director * Battalion Chief Superintendent Support Services Manager	\$81,463 \$92,987 \$80,980	\$73,211.60	\$87,062.38	\$99,575.65
6	Village Clerk-Treasurer Director of Park & Recreation Community Development Director Village Engineer Police Lieutenant	\$89,988 \$81,782 \$99,536 \$98,467	\$80,943.92	\$96,256.97	\$104,701.77
7	Police Captain Fire Chief Director of Public Works	\$103,390 \$111,287 \$102,785	\$94,098.54	\$106,421.75	\$115,758.61
8	Police Chief	\$116,037	\$104,035.94	\$117,660.50	\$132,000.00
0	Village Administrator	\$126,028	Per Contract		

2021 Current Pay Grade Chart

Pay Grade	Position	Minimum	Midpoint	Maximum
4	Recreation Secretary	\$32,150.84	\$36,361.33	\$39,550.92
6	Accounts Payable Clerk	\$35,545.07	\$40,200.27	\$43,728.26
	Police Department Clerk			
7	Senior Coordinator	\$37,375.37	\$42,270.65	\$43,728.26
8	Building Inspection Secretary	\$39,299.41	\$44,446.20	\$48,345.73
	Planning/Zoning Assistant			
9	Utility Accounts Clerk	\$41,321.77	\$46,733.79	\$50,834.53
	Communications Officers (up to 2 years)			
10	Communications Officers (after 2 years)	\$43,449.31	\$49,140.27	\$53,451.36
	Public Works Secretary			
	Administrative Assistant - Police			
	Recreation Supervisor			
11	Deputy Clerk	\$45,686.60	\$51,669.08	\$56,201.96
13	Engineering Assistant	\$50,511.00	\$57,125.68	\$62,137.57
14	Sr. Deputy Treasurer	\$53,110.68	\$57,125.68	\$65,336.30
15	Building Inspector	\$55,845.27	\$63,158.46	\$68,699.66
16	Civil Engineer	\$58,719.33	\$66,409.79	\$72,235.65
	Senior Building Inspector (Inspector II)			
	Foreman of Parks, Highways, Buildings & Grounds			
	Land Surveyor			
	Associate Planner			
17	Communications Supervisor	\$61,742.01	\$69,828.02	\$75,954.55
18	Support Services Manager	\$64,920.17	\$73,423.46	\$79,864.37
	Highway Superintendent			
	Water Superintendent			
	Wastewater Superintendent			
19	Director of Parks and Recreation	\$68,262.95	\$77,202.95	\$83,975.40
20	Village Clerk Treasurer	\$71,776.08	\$81,176.79	\$88,299.07
	Finance Director			
	Community Development Director			
	Police Lieutenant			
22	Police Captain	\$79,356.78	\$89,749.82	\$97,623.19
23	Village Engineer	\$83,441.52	\$94,369.58	\$102,648.80
24	Fire Chief	\$87,736.60	\$99,227.13	\$107,932.77
25	Police Chief	\$92,253.48	\$104,335.05	\$113,488.83
	Director of Public Works			
27	Village Administrator	\$101,996.02	\$115,353.43	\$125,473.23

WESOLOWSKI, REIDENBACH & SAJDAK, S.C.
ATTORNEYS AT LAW
11402 WEST CHURCH STREET
FRANKLIN, WISCONSIN 53132

M E M O R A N D U M

TO: Public Safety Committee
FROM: Cooper S. Prindl, Assistant Village Attorney
DATE: September 16, 2021
RE: An Ordinance Amending Section 14.09 of the Germantown Municipal Code
Relating to Safety Measures for Private Swimming Pools

UPDATE:

Following the discussion at Village Board in October, the direction was to amend the proposed draft to allow for automatic pool covers in the “rural” areas. The Proposed code now accomplishes that. Within the current proposed draft there is text that is highlighted in gray, which reflects the original proposed text relating to additional safety measures. This language has been left as the direction was unclear if some or all of these safety measures were to be in place in the “rural” areas or not. Further, some Board members seemed will to consider broader adoption with safety measures in place. Leaving this text in place will allow the Board to more easily add or subtract as it sees fit.

Background

The Village Board previously adopted section 14.09 of the Municipal Code which regulates the construction and requirements for private swimming pools. The primary purpose of this regulation is the prevention of pool injuries and deaths of young children. The Code presently requires fences for all non-temporary pool installations.

A Village resident has approached both the Village President and at least one Trustee to request that the Village consider amending the code to allow for automatic pool covers in lieu of fences. At the request of the President, this code revision has been brought forward for discussion.

Discussion

According to the Centers for Disease Control and Prevention (CDC), drowning is the leading cause of unintentional death for 1- to 4-year-old children. Each year, nearly 300 children under age 5 drown in swimming pools. Many of these young victims could be saved if homeowners fenced in their pools completely and installed gates with self-closing and self-latching devices. For childproofing pools, the CDC follows the guidelines of the U.S. Consumer and Product Safety Commission (CPSC).¹

¹ <https://www.cdc.gov/nceh/publications/books/housing/cha14.htm>

The CPSC published Safety Barrier Guidelines for Residential Pools, a set of guidelines written to prevent injuries and deaths around pools.² These guidelines center on keeping children from entering the pool area when unaccompanied by a supervising adult. The CPSC concludes that fences provide the best level of protection. When it considered pool covers, the CPSC notes that they would be beneficial for adding an additional layer of protection.

Notwithstanding the CPSC's recommendation, the International Code Council (ICC) and the Association of Pool & Spa Professionals (APSP) developed a set of swimming pool-related building codes called the International Swimming Pool and Spa Code (ISPSC). The 2015 version of the ISPSC allows for an automatic pool cover in lieu of a fence for all inground pools and spas.³ As of 2019, 10 states have adopted the ISPSC for use state-wide and 10 states have adopted the ISPSC for use as determined by local authorities.⁴ Wisconsin has not adopted the ISPSC in any capacity for state-wide use.

With that said, there are a handful of municipalities across the state of Wisconsin that have allowed for automatic pool covers including Wauwatosa, Windsor, Minona, Waterloo, and DeForest. Windsor, Minona, and Waterloo take the same approach by giving the option of having either a fence or a mechanical cover. DeForest provides three options for protective measures with "a pool cover of such design and material of sufficient strength to prevent access to the pool" being one of them. Wauwatosa requires a building official to approve a pool cover or other alternative.

To be clear, staff's recommendation is that no changes be made. Fences provide the best level of safety in all circumstances. Certainly, one of the purposes of regulating pool safety is to prevent neighboring children from drowning by being drawn to an unattended pool (the so-called attractive nuisance). However, recognize that one CPSC study found that some 75% of incidents involve pools owned by the victim's family. Further, irrespective any local codes, remember that subdivision covenants and also homeowner's/liability insurance requirements may dictate more stringent protection than a code requirement.

One option that has been floated informally is that the Village's regulation may make exceptions based upon locational aspects of a property. For example, you could allow a pool cover in lieu of a fence if your property is above a certain size, or if the pool is located a certain distance from a neighboring residence. One problem with this approach is that you are drawing a distinction that does not have any basis to support it. For example, there is no research available that says a pool needs to be XXX feet away from a neighboring home before the risk to neighboring children is removed. Secondly, recognize that these factors change. The 5-acre parcel next to the 60-acre farm today may very well be the 5-acre parcel next to a subdivision tomorrow. Finally, these types of considerations do not protect any children residing on the property where the pool is installed. For those reasons, staff does not believe this type of regulation would be appropriate.

² <https://www.poolsafely.gov/wp-content/uploads/2017/08/Safety-Barrier-Guidelines-Pub-2017.pdf>

³ <https://codes.iccsafe.org/content/ISPSC2015/chapter-3-general-compliance>

⁴ <https://www.iccsafe.org/wp-content/uploads/April-2019-APSP-ISPSC-Adoption-Sheet-Map-002.pdf>

If the Committee desires to make a change, staff recommends the following attached proposed ordinance which includes rules that apply uniformly throughout the Village. Staff further recommends that the Committee keep in mind the CPSC acknowledgement that “[b]arriers are not childproof, but barriers do provide layers of protection for a child when there is a lapse in adult supervision.” Therefore, the Village’s code should ensure that there are appropriate levels of protection surrounding a pool for children. Because fences appear to provide the best protection, the proposed ordinance defaults to requiring a fence. However, it also provides the opportunity to utilize a powered pool cover provided that the pool is also equipped with an alarm and one additional safety measure. The proposed ordinance also addresses the spas and hot tubs, for which the current code is somewhat unclear as to how they are regulated.

CSP

STATE OF WISCONSIN VILLAGE OF GERMANTOWN WASHINGTON COUNTY

ORDINANCE NO. 11-2021

AN ORDINANCE AMENDING SECTION 14.09 OF THE GERMANTOWN MUNICIPAL
CODE RELATING TO SAFETY MEASURES FOR PRIVATE SWIMMING POOLS

WHEREAS, the Village Board previously adopted § 14.09 of the Municipal Code of Germantown which regulates private swimming pools; and

WHEREAS, citizens within the Village have requested the ability to utilize powered safety covers for their pools in lieu of fences; and

WHEREAS, the regulation of pools within the Village promotes the health, safety and welfare of the Community;

NOW, THEREFORE, the Village Board of the Village of Germantown, Wisconsin, do ordain as follows:

SECTION I

Section 14.09 of the Municipal Code of Germantown is amended to read as shown on the attached Exhibit A. (NOTE: added text is double underlined; deleted text is ~~struck-through~~)

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent repealed.

SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after publication.

ORDINANCE NO. 11-2021 – An Ordinance Amending Section 14.09 of the Germantown Municipal Code Relating to Safety Measures for Private Swimming Pools.

Page 2

Introduced by _____ on November 1, 2021.

Adopted: November 1, 2021

Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: _____

EXHIBIT A

14.09 - PRIVATE SWIMMING POOLS.

No person shall construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the Village except in accordance with the following regulations.

(1) DEFINITIONS.

- (a) "Swimming pool" means any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 18 inches deep is contained and which is used primarily for the purpose of bathing or swimming. "Swimming pool" includes a spa, hot tub, and temporary pool unless otherwise specifically excluded within this section.
- (b) "Temporary pool" means any swimming pool that has a surface area of less than 314.159 square feet (20-foot diameter) which is installed for any length of time less than 6 months and which is installed after April 1 and removed by September 30 in the same year.
- (c) "Power safety cover" means a barrier which can be placed over the water area of a pool and removed with a motorized mechanism actuated by a suitable control mechanism that provides a high level of safety for children under the age of five by inhibiting their access to the water and is certified to meet the standards of American Society for Testing and Materials (ASTM) specification 1346-91.

(2) PERMIT.

- (a) Required. No person shall construct, install, enlarge or alter any private swimming pool unless a permit therefor has first been obtained from the Building Inspector. A temporary pool shall be exempt from this permit requirement.
- (b) Application. Application shall be on forms provided by the Building Inspector and shall be accompanied by plans drawn to scale showing the following:
 - 1. Location of swimming pool on lot, distance from lot lines and distance from structure.
 - 2. Location of septic tank, filter bed and sewer lines.
 - 3. Swimming pool dimensions and volume of water in gallons.
 - 4. Location of fence, and type, size and gate location.
 - 5. Existing overhead wiring relative to proposed swimming pool.

(3) CONSTRUCTION REQUIREMENTS.

- (a) No swimming pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by Chapter 17 for permitted accessory building uses, and the waterline of any swimming pool shall not be less than 5 feet from any lot line or building.
- (b) No connection shall be made to the sanitary sewer or septic system.
- (c) Gaseous chlorination systems shall not be used for disinfecting swimming pool waters.
- (d) No swimming pool shall be less than 5 feet from the septic tank and no less than 15 feet from any septic system drainfield or less than 8 feet from any well.

(4) FENCES OR OTHER SAFETY MEASURES.

- (a) All non-temporary swimming pools not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the swimming pool, not less than 4 feet in height and so constructed as not to have voids, holes or openings larger than 4 inches in one dimension. The wall of the house or building facing a swimming pool may be incorporated as a portion of such fence. No fence shall be located, erected, constructed or maintained closer

than 3 feet to a swimming pool. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.

- (b) In lieu of a fence under paragraph (a) above, on any property located within any residential or agricultural zoning district where the minimum lot area is greater than 5 acres a non-temporary pool may utilize a power safety cover provided that such cover is in working order, and also that the pool is also equipped with:

1. An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.

2. And at least one of the following:

a. Removable mesh fencing that meets the standards of ASTM Specification F2286 in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.

b. Exit alarms on all doors within a residence that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."

c. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on all doors of a residence providing direct access to the swimming pool or spa.

d. Other means of protection acceptable to the Building Inspector, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).

- (b) Aboveground swimming pools with platforms and railings that are 4 feet or more in height above ground and temporary pools are not required to be enclosed as provided in paragraph (a) above; however, all ladders and stairways providing access to such swimming pools shall be removed from the swimming pool or shall be adequately fenced and fitted with gates or folded up and locked to prevent entry when the swimming pool is not in use.

- (d) Spas and hot tubs are exempt from the fence requirement under paragraph (a) above provided that such spa or hot tub has a locking safety cover which is certified to meet ASTM specification 1346-91 and which shall be in place and locked when the hot tub or spa is not in use.

(5) ELECTRICAL REQUIREMENTS.

- (a) To Comply with Electrical Codes. All electrical installations shall require separate permits and shall be governed by the Village or State Electrical Code.

- (b) Pool Lights. If overhead flood or other artificial lights are used to illuminate the swimming pool at night, such lights shall be shielded to direct light only on the swimming pool.

- (6) USE OF SWIMMING POOL. No swimming pool shall be so operated as to create a nuisance, a hazard or an eyesore or otherwise to result in a substantial adverse effect on neighboring properties.

October 22, 2021

Village of Germantown
N112W17001 Mequon Road
Germantown, WI 53022

Re: Claim Number: Z01637396
 Insured: Village of Germantown
 Date of Loss: 01/08/2021
 Claimant: Patricia Zancanaro

Dear Ms. Braunschweig,

As you are aware, we are the general liability insurance carrier for the Village of Germantown and have been handling the above claim. We ask that you formally disallow the claim of Patricia Zancanaro. We would issue a letter from this office; however, due to statutory requirements, the letter must come from the governmental body itself.

We are asking that the Village of Germantown, on its own letterhead, forward a brief letter to Patricia Zancanaro. This letter should be **sent certified, restricted delivery, with return receipt requested** and simply state the following:

The Village of Germantown is providing this letter in response to the Written Notice of Claim that was sent to the Village on your behalf, dated October 12, 2021.

In conformance with Wisconsin Statute 893.80, Village of Germantown has officially denied your claim. No action on this claim may be brought after six (6) months following the receipt of this communication.

The letter must be kept brief, because any addition to the above body can be viewed as a complication, which may negate the disallowance.

Please forward a copy of the letter of disallowance to our office so it can become a part of our file. Once you receive a copy of the certified mail receipt, please forward a copy to us. As a courtesy, you may also forward a copy to the claimant's attorney:

P.O. Box 327 | Brookfield, WI 53008-0327 | 262.717.3900 | 855.495.1800 | F 888.992.6125 | www.emcins.com



Gendlin, Liverman, and Rymer S.C.
Attn: Lincoln Murphy
10335 W. Oklahoma Avenue
Suite 300
Milwaukee, WI 53227

If you have any questions, please feel free to contact me.

Sincerely,

Jennifer Carrera, Claims Adjuster II
EMC Insurance Companies
Direct: 262-717-3927
Fax: 888-992-6125
E-mail: Jennifer.M.Carrera@EMCins.com
