

Village President R. Ruesch called the meeting to order at 6:45 p.m.

- 1.0 Roll Call – Present: President R. Ruesch; Trustees M. Bennett, D. Besson, K. Meleski, D. Schwartz, L. Teschendorf and M. Stahl; and Village Administrator/Clerk M. Weber. Audience (21).
- 2.0 Request for Temporary Restriction of Trailered Boat Launching at the Hales Corners Access to Kelly Lake Due to the Aggressive Presence of Starry Stonewort Invasive at Muskego Lakes & Consideration of a Permanent Restriction – Mike Cascio, President of Kelly Lakes Association clarified the request is on behalf of the association and they are looking for the board to make the temporary request to a permanent request for carry-in access. Mr. Cascio reported on the history of the Starry Stonewort invasive species. He reported an Indiana lake has tried chemical treatment of the species for 7 years and they are still unable to get rid of the invasive species. The Association’s mission is to preserve and protect the upper and lower Kelly Lakes and surroundings. They are striving to have better water quality and quantity. He also reported there is funding from the DNR; however, those funds are limited. Mr. Cascio understands that carry-in of boats is not the best, but it is necessary to protect the waters.

Tom Slawski, Chief Biologist at SEWPRC, described their role in the Kelly Lakes lake management plan. They have worked with the Association reconnecting the floodplain, improving storm water and on reducing aquatic invasive species. Mr. Slawski indicated there has been no means of getting this species reduced yet; therefore, the best way to manage it is to prevent it. The most cost-effective approach is to give out a lot of information, to educate, have signage and awareness. He said trailered boats represent a much higher risk than carry-on, since the trailer has a lot more areas where the invasive species can attach. Restricting trailered boats will reduce the risk and is the best prevention strategy. Mr. Cascio presented the proposal to the board. He would like to have the temporary restriction extended, and then formulate and present a proposal for permanent restrictions to the Board for submission to the DNR. The DNR will not provide prior feedback unless they receive a proposal from the Village. Mr. Cascio proposed representatives from the Village and from Kelly Lakes Association to help draft the proposal for the DNR. Special need usages would be allowed including, Fire Department water rescue and training, weed harvesting, DNR permitted functions and equipment and permanently moored boat access for repair, storage and permanent removal. He also suggested adding one more item to include the restriction of gas engines, since this lake is a “no wake” lake.

Tom Haney, 12221 W Rockne Ave, would like to know the danger of the species and its effects on the lake. Mr. Slawski explained the species fragments easily and spreads. Other counties are finishing their studies so he believes there will be more findings. He said the biggest risk is the Muskego Lake due to its proximity and how easy it is to transport. Limiting boats to carry-in would be the best mechanism to prevent the species getting into Kelly Lakes. Mr. Besson asked about the species reproduction rate. Mr. Cascio said it can multiply rapidly. Mr. Slawski said the species restricts navigation, leads to summer fish kills and chokes out other plants. This species is an algae but the lake can respond differently if they do large chemical destructions that are costly. Mr. Cascio said this could eventually become a dead lake due to the size of it and would reduce property values.

Mary Correo, 5843 S Hope St, New Berlin, reported trailered boats are being launched at the New Berlin Park and clarified this is a carry-in access point also.

Roger Brinkmeier, 5541 S Kurtz Rd, said he is opposed to the restriction and read the Public Trust Doctrine to the board. He noted Muskego Lake has not closed their launches yet. He also does not recall being asked to have this restriction done from the association. Mr. Cascio noted the Public Trust Doctrine also requires protection of waters. He said it is too risky not to take some action.

Roberta Zillgitt, 5621 S Kurtz Rd, long-time resident said if this affects Kelly Lakes it will affect Root River and Lake Michigan too. Also, if this algae is like others it could smell and be very offensive. She would like to see some kind of control and more education.

Ron Noeske, 10531 W Upham Ave, stated if it is inevitable to be spread, how do we prepare for it? Mr. Slawski said humans are the greatest threat to transport. He said this is a challenge. Mr. Brinkmeier went over the other species that are in the lake along with the treatments they have done on his side for weeds.

Ms. Bennett asked if there is discussion or a plan between the DNR and SEWRPC. Mr. Slawski confirmed they are working together. The DNR has regulatory authority of the water and SEWRPC provides water quality planning. He said this infestation is very new and they are trying to get a handle on it. As time goes on, this may be more prevalent than they know. Mr. Besson clarified the Starry Stonewort has been in this area for about two years. Ms. Stahl asked Mr. Slawski if the trailer restriction has merit, since the invasive species can be carried in by birds and animals. He said it helps reduce the risk and is better than doing nothing. Mr. Meleski asked what has been done in the last 2-3 weeks since the restriction. Mr. Cascio said they are gathering information. Mr. Besson said the board placed the temporary restriction until they receive DNR feedback to further assess the merits of the request. However, they need to prepare a specific proposal in order to hear from the DNR.

Motion (Besson, Bennett) for a continuation of the restriction until the plan can be developed and submitted to DNR. The proposal to the DNR to be drawn up with representatives from the Kelly Lakes Association, New Berlin representative and board members, then be brought back to the board, approved: 4-aye, 3-no (Meleski, Teschendorf and Schwartz).

Mr. Schwartz felt the board has no authority for this restriction. Ms. Bennett asked for monthly reports at the COW meetings. The majority of the board agreed. Village Board member representatives to be Mr. Besson and Mr. Schwartz.

- 3.0** Tax Incremental District (TID#4) and Developer Agreement (Commercial Horizons) Update – Mr. Weber indicated the project plan and developer agreement were planned for action tonight. However, the development agreement is not complete and the next available date is the June 13 Board meeting, but it will depend on how quickly terms can be reached.
- 4.0** Adjournment – Meeting adjourned at 8:20 p.m. (Teschendorf, Stahl).

Michael F. Weber, Administrator/Clerk