

Town gives big fine to big cable-TV company

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Last Thursday's Troy Town Board meeting was anything but your run-of-the-mill meeting.

For Comcast, located in Mahtomedi, Minn., it meant big dollars: \$10,750.

Comcast originated in 1963 as a single-system cable operation. Today, according to its corporate Web site, the company is "the largest provider of cable services — and one of the world's leading communication companies."

However the town of Troy will soon issue a citation to the company.

The fine stems from an incident when Comcast subcontractors were spotted installing underground communication cable along the west side of Radio Road from County Road MM to Kilkarney Hills Golf Course and along the east side of Radio Road to Hwy. 35 in October 2007.

Comcast and its subcontractors failed to obtain a permit application for the utility work.

A town representative contacted the subcontractors in November 2007 advising that they needed a permit to keep working. With no response received, a town representative contacted Comcast in December 2007 and again advised that it needed a permit to work in the town of Troy.

It was not until mid-February 2008 that Comcast complied and filed for the permit.

Town Engineer Rob Jones of Cedar Corporation said that "...under the utility ordinance each day that work is done without a permit constitutes a separate violation. The citation ordinance specifies that utility violations shall be no less than \$100 per violation and no more than \$250 per violation."

In an e-mail read by Chairperson Ray Knapp from Town Attorney Gwen Kuchevar, she recommended using the "high-end of the citation ordinance."

The board decided the cita-

tion would be issued from the time the town representative made contact with Comcast, not its subcontractors.

Using Kuchevar's recommendation, the board approved the permit and will issue the citation based on \$250 per day over 43 days of noncompliance bringing the Comcast citation to a hefty \$10,750.

John Salmon, 453 East Cove Road, Hudson, came before the board a second time to express his concerns over the installation of a cattle fence by the developer for Meadow Ridge of Troy and to seek resolution to the runoff and soil erosion of his field believed to be caused by the developer.

Salmon contends the current fence installed on his property by the developer does not meet the guidelines required by the state.

Town Engineer Rob Jones of Cedar Corporation told Salmon and the board members that in the state law he did not find specific language stating fencing had to be more than the current four strand fence installed by the developer.

While he acknowledges the information provided by Jones, Salmon believed it to be inaccurate, stating that his concern is with cattle: "...The developer should be required to put up fencing with adequate wire to control cattle."

Salmon would also like some resolution to the runoff and soil erosion as well as reimbursement for reinstalling a fence removed by the developer. Salmon replaced the fence and is seeking an undisclosed amount of money for his work.

Chairman Knapp stated the town engineer would work with the county to see if violations exist.

"If violations exist we will act on them," said Knapp.

"What about your promise to compensate me for the work?" Salmon asked.

The board agreed that it would not consider compensation for Salmon's work as there is no documentation to support the request.

"In other words, your word is just no good," Salmon stated.

"Yeah, probably that's true then," Knapp responded.

"I was only asking for fairness," Salmon said as he left the meeting.

In other action, the Town Board:

■ Heard from Jill Berke, Park Board chairwoman, who said the town impact fees to be \$112,345 and park funds (from county) to be \$91,349.

In addition, there was continued discussion of the long-term planning process.

■ A presentation was given by Britt Kelly, conservation coordinator from Western Wisconsin Land Trust (WWLT) in an effort to learn more about conservation easements, tax benefits to landowners and examples of partnerships of a municipality with the land trust.

The Park Board would like to meet with the Plan Commission to consider a policy for future park and recreation uses as it relates to road construction for bike and pedestrian usage, land in the planning stages of residential developments and creating a vision for future acquisition of parkland.

■ An update was given on the upgrades to Glover Park as well as the addition of a second ball field which may include a concession/storage shed.

■ The Town Board will continue issuing individual permits with the following criteria: The individual can provide proof of insurance; individual obtains a pyrotechnics license; use common sense and notify the neighbors of their intent; cannot use fireworks if there is a burn ban in place.

■ The board addressed Constables Mel Hermansen and Ron Schock's request for direction on the current dog license issue. The board advised that warnings for unlicensed dogs would go out and the dog owners would be charged \$50 per day until the animal is licensed.