

**ORDINANCE NO. 2-2008**

**AN ORDINANCE PROVIDING FOR THE CONSOLIDATION OF  
THE VILLAGE OF ROCHESTER AND THE TOWN OF ROCHESTER  
PURSUANT TO SEC. 66.0229, WIS. STATS.**

**WHEREAS**, section 66.0229 of the Wisconsin Statutes provides for the consolidation of two municipal governments into a single incorporated entity and establishes a procedure to accomplish such a consolidation; and

**WHEREAS**, the Town Board of the Town of Rochester has determined that the consolidation of the Village of Rochester and the Town of Rochester will promote and increase the existing harmony and efficiency between the two communities, for the benefit of the constituents of the communities; and

**WHEREAS**, the Town Board has engaged in extensive discussions with the Village Board has appointed members to a “Consolidation Committee,” charged with making recommendations for various aspects of the structure and operation of a proposed consolidated community, and has reached an agreement with the Village of Rochester on all necessary aspects of a consolidation proposal; and

**WHEREAS**, the statutory process for consolidation requires that an ordinance be enacted by both entities desiring to consolidate, and the Town Board intends that this ordinance constitute such an ordinance;

**NOW, THEREFORE**, the Town Board of the Town of Rochester, Racine County, Wisconsin, does ordain as follows:

**SECTION 1. Consolidation.**

On and after the effective date of this ordinance, the Village of Rochester shall be consolidated with the Town of Rochester as a single governmental subdivision of the State of Wisconsin.

**SECTION 2. Name.**

The name of the consolidated entity shall be the “Village of Rochester”.

**SECTION 3. Form of Government.**

The consolidated municipal corporation shall be organized as a Village and, except as otherwise provided in this Ordinance, shall be governed by Chapters 61 and 66 of the Wisconsin Statutes, laws amending those chapters, other acts of the State Legislature and the Constitution of the State of

Wisconsin. Until modified by subsequent elections or charter ordinances, the government shall be organized as follows:

(a) **Governing Body.**

(1) **Initial Membership.** On the effective date hereof, the Consolidated Board of Trustees shall consist of all three (3) members of the Town Board of the Town of Rochester, and all individuals who hold the office of President or Trustee for the Village of Rochester on the effective date of this ordinance. Until the permanent membership is established as provided in (2) referenced below, the three (3) trustees who previously made up the Town Board of the Town of Rochester shall continue to meet and vote upon matters impacting the area known as the Town of Rochester immediately preceding the effective date of this ordinance. Additionally, the trustees who formerly made up the Village Board of the Village of Rochester immediately preceding the effective date of this ordinance shall continue to meet and vote upon matters affecting the territory known as the Village of Rochester immediately preceding the effective date of this ordinance. Any matter which requires the action of the Consolidated Board of Trustees prior to the permanent membership as established hereinafter in (2) shall be submitted to the Consolidated Board of Trustees as established hereunder. Votes of the Consolidated Board of Trustees shall be counted as follows:

The consolidated or majority vote of the individuals who held the office of Village President or Village Trustee immediately preceding the effective date of this ordinance shall be counted as one (1) vote.

The consolidated or majority vote of the individuals who held the office of Town Chairman or Town Supervisor immediately preceding the effective date of this ordinance shall be counted as one (1) vote.

Any tie resulting from this voting procedure shall be broken with the vote of the representative who held the office of Town Chairman for the Town of Rochester immediately preceding the effective date of this ordinance.

A. **Term.** The initial members terms shall terminate on the selection and qualification of the permanent trustees of the consolidated Village, as hereinafter provided.

B. **Compensation.** The compensation paid to the initial trustees of the Consolidated Village Board, shall be at the same level and frequency to which they were entitled preceding the effective date of this ordinance.

(2) **Permanent Membership.** At the Spring election in 2009 there shall be elected at large six (6) trustees and the Village President, who together shall constitute the Village Board. The three (3) trustees receiving the greatest number of votes in the election

shall hold their offices for a term of two (2) years. The remaining three (3) elected trustees shall hold their offices for a term of one year. Beginning with the annual Spring election in 2010, all newly elected trustees shall hold their offices for a term of two (2) years.

- A. Pursuant to Sections 8.05(4), 8.11(a) and (b) of the Wisconsin Statutes, candidates for the position of Village Trustee shall be nominated by a non-partisan primary, under Section 8.05(5), Wis. Stats.
- B. Nomination papers shall be circulated not sooner than December 1, 2008 and shall be filed with the Village Clerk not later than 5 p.m. on January 6, 2009.

- (b) **Co-Village Presidents.** The initial Co-Village Presidents on the effective date of this Ordinance shall be the then serving Village President and the then serving Town Chairman. The initial Village Presidents shall hold office until a successor is elected in April, 2009. In the event that any action, approval, appointment, direction or decision is required from the Village Presidents, whether by statute, ordinance or as provided hereunder, for which the Co-Presidents cannot agree, the tie shall be broken by the procedure set forth in Section 3(a)(1) of this Ordinance.

Additionally, either such Co-Village President shall be authorized upon the effective date of this Ordinance to execute any and all orders, contracts, resolutions and/or checks as approved by the Consolidated Board of Trustees.

- (1) The Village President shall be elected at large at the annual Spring election for a term of two (2) years beginning with the April, 2009 election.
  - A. Pursuant to Sections 8.05(4), 8.11(a) and (b) of the Wisconsin Statutes, candidates for the position of Village President shall be nominated by a non-partisan primary, under Section 8.05(5), Wis. Stats.
  - B. Nomination papers shall be circulated not sooner than December 1, 2008 and shall be filed with the Village Clerk not later than 5 p.m. on January 6, 2009.
- (2) The Village President shall have the powers and duties as specified in sec. 61.24, Wis. Stats. along with such additional powers as may be delegated from time to time by the Village Board. The Village President shall, as soon as practicable upon assuming office:
  - A. Appoint a Chairperson from among the members of the Plan Commission created by this ordinance. The appointment so made shall be subject to confirmation by the Village Board.

- B. Make necessary appointments to Village Board Standing Committees hereinafter created and submit the appointments to the Village Board for confirmation.
- C. Make appointments of Village officers as provided in this Ordinance or by applicable statute and submit such appointments to the Village Board for confirmation where necessary.

(c) **Village Officers.**

- (1) **Village Clerk.** The Village elects not to be governed by the provisions of sec. 61.19 providing for the election of a clerk. The Village Clerk shall be appointed by a majority of all of the members of the Village Board.
  - A. The Village Clerk shall hold office for an indefinite term, subject to removal as provided by law.
  - B. The Village Clerk shall have all the powers and duties set forth in sec. 61.25 of the Wisconsin Statutes, and such further duties as shall be assigned by the Village Board from time to time.
  - C. The initial Village Clerk shall be the person then serving as Village Clerk, on the effective date of this Ordinance.
- (2) **Village Treasurer.** The Village elects not to be governed by the provisions of sec. 61.19, Stats. providing for the election of a treasurer. The Village Treasurer shall be appointed by a majority of all of the members of the Village Board.
  - A. The Village Treasurer shall hold office for an indefinite term, subject to removal as provided by law.
  - B. The Village Treasurer shall have all the powers and duties set forth in sec. 61.26 of the Wisconsin Statutes, and such further duties as shall be assigned by the Village Board or the Village Administrator from time to time.
  - C. The initial Village Treasurer shall be the person then serving as Village Treasurer, on the effective date of this Ordinance.
  - D. Annual audits shall be made of the records and accounts of the Village Treasurer by a certified public accountant designated by the Village Board.
- (3) **Village Attorney.** The Village Attorney shall be one or more attorneys licensed to practice law in the State of Wisconsin appointed by a majority of all of the members

of the Village Board for an indefinite term. The Village Board may contract with any such attorney or law firm to serve in the capacity of Village Attorney, and may designate special counsel where necessary due to the disqualification of the designated Village Attorney or for any reason determined appropriate by the Village Board.

Any person or firm appointed to the office of Village Attorney shall serve at the pleasure of the Village Board.

- (4) Village Assessor. The Village elects not to be governed by the provisions of sec. 61.19, Stats. providing for the election of an assessor.

The Village Assessor shall be appointed by a majority vote of all of the members of the Village Board for an indefinite term. The Village Assessor shall be qualified pursuant to, and have the duties designated by, sec. 61.27 and/or sec. 61.197(1)(f), Stats. Any person or firm appointed to the office of Village Assessor or the initial Village Assessor, as hereinafter set forth, shall serve at the pleasure of the Village Board.

The initial Village Assessor shall be the person then serving as Village Assessor as of the effective date of this Ordinance.

- (5) Building Inspector. The Village Building Inspector shall be appointed by a majority vote of the Village Board for an indefinite term. The Village Building Inspector may also act as plumbing inspector and electrical inspector.

The Village Board may elect to have the functions of the Building Inspector carried out through contracted services of any qualified person, firm or corporation. In the event such services are provided by contract, the term of office shall be as provided in the contract.

- (6) Police Services. Police Services will be provided to the Consolidated Village through a contract between the Village and the Racine County Sheriff's Department.

- (7) Public Works Manager. Upon resolution of the Village Board, a Public Works Manager may be appointed by the Village President, subject to confirmation by a majority vote of the Village Board, on the basis of merit, training, experience, administrative ability, efficiency and general qualifications and fitness for performing the duties of the position.

A. Term. The Public Works Manager shall have an indefinite term of office.

B. Duties and Powers. The Public Works Manager shall have the following duties and responsibilities:

1. The Public Works Manager shall have general charge and supervision of all public works in the Village.
2. The Public Works Manager shall be responsible for the maintenance, repair and construction of streets, alleys, curbs and gutters, sidewalks, bridges, street signs, storm sewer systems, sanitary sewer systems, village buildings and structures and all machinery, equipment and property used in any activity under his control.
3. The Public Works Manager shall have charge of all public services, including garbage and refuse collection and disposal, snow and ice removal, street cleaning and flushing, mosquito and rodent control.
4. The Public Works Manager shall perform such other activities and duties as are imposed upon him or her from time to time by the Village Board, his or her job description or employment contract.

(8) Village Engineer. The Village Engineer is an appointed position. The Village Engineer may be appointed by the Village Board, and shall serve at the pleasure of the Board. When authorized by the Village Board, the Village Engineer shall provide engineering services to the Village.

The Village Board may modify the term of office, method of appointment, method of removal or other provisions of any appointed public official by ordinance or contract.

(d) **Village Boards And Commissions.** Any provision of this Ordinance relating to Village boards and commissions, exclusive of the governing body, may be amended by the Village Board at any time by ordinance except to the extent prohibited by law. The method of scheduling, conducting and reporting of meetings of boards and commissions may be determined by the Village Board by ordinance, or may be delegated to the various boards or commissions. The following boards and commissions are created:

(1) Plan Commission.

A. On the effective date hereof, the Consolidated Plan Commission whose powers are established under sec. 62.23(1), Stats. shall consist of all of the members of the Village of Rochester Planning and Zoning Commission and all of the members of the Town of Rochester Plan Commission holding that office on the effective date hereof. Until the permanent membership is established as provided in subsection B hereafter, the five commissioners

who previously made up the Plan Commission for the Town of Rochester shall continue to meet and vote upon any outstanding matters impacting the area known as the Town of Rochester immediately preceding the effective date of this Ordinance. Additionally, the seven (7) commissioners who formerly made up the Plan Commission of the Village of Rochester immediately preceding the effective date of this Ordinance shall continue to meet and vote upon any outstanding matters affecting the territory known as the Village of Rochester immediately preceding the effective date of this Ordinance. Any new business will require the action of the Consolidated Plan Commission prior to the permanent membership as established in subsection B hereafter. Votes of the Consolidated Plan Commission shall be counted as follows:

The consolidated or majority vote of the individual who held the office of Village Plan Commissioner immediately preceding the effective date of this ordinance shall be counted as one (1) vote.

The consolidated or majority vote of the individual who held the office of Town Plan Commissioner immediately preceding the effective date of this ordinance shall be counted as one (1) vote.

Any tie resulting from this voting procedure shall be broken with the vote of the representative who held the office of Plan Commission Chairperson for the territory known as the Town of Rochester immediately preceding the effective date of this ordinance.

- B. Permanent Membership. The Village President elected in the Spring of 2009 shall, as soon as practicable upon assuming office, appoint seven (7) members to the Village of Rochester Plan Commission and designate the Plan Commission Chairperson. The appointment so made shall be subject to the confirmation by the Village Board.
- C. Commission Organization. The Plan Commission shall hold an organizational meeting as soon as practicable on the call of the Chairperson and shall adopt within a reasonable time thereafter rules of internal operating procedure in compliance with all applicable statutes and provisions of the Zoning Code as defined herein.
- D. Term of Office. An equal number of the initial members of the Commission shall hold office for terms of 1, 2 and 3 years as determined by the Village Presidents by certification to the Village Board. Of the members appointed to 2 and 3 year terms, two shall be former members of the Town of Rochester Plan Commission and two shall be former members of the Village of

Rochester Plan Commission. The term of office of each member shall terminate on May 1, and the terms of initial members appointed for one year shall expire on May 1, 2009 notwithstanding the date of their appointment hereunder. All members of the Commission shall be eligible for reappointment upon expiration of their respective terms. All members shall continue to serve until their successors are duly appointed and qualified.

E. Appointments. Prior to April 1 of each year, the Village President shall appoint a replacement for each commissioner whose term expires on the following May 1 and submit the appointments to the Village Board for confirmation. The procedure for appointments provided in this paragraph shall be subject to modification by an ordinance enacted by the Village Board at any time, provided that no such ordinance shall affect the term of any member then holding office.

(2) Board of Appeals. The Board of Appeals shall consist of five (5) citizens of the Village, not more than one (1) of whom may be a member of the Village Board.

A. In addition to the regular members, there shall be two (2) alternate citizen members, designated as the first and second alternate at the time of appointment, who shall act with full power only when a member of the Board is absent or refuses to vote because of a conflict of interest as provided in sec. 62.23(7)(e), Stats.

B. Upon Consolidation as provided hereunder, members and alternate members of the Board of Appeals shall be appointed by the Village President for a term of three (3) years, subject to confirmation by the Village Board. The Board of Appeals shall have the powers and duties described in the Code of Ordinances for the Village of Rochester.

(3) Board of Review. The Board of Review shall consist of the Village President, the Village Clerk and three (3) Village residents which may include public officers and public employees.

A. The Village President elected in the Spring of 2009 shall, as soon as practicable upon assuming office, appoint the three (3) additional members to serve on the Board of Review, subject to confirmation by the Village Board. The members appointed hereunder shall serve as members of the Board of Review for a term of one (1) year.

B. The proceedings of the Board of Review shall be governed by the provisions of Section 70.47, Wis. Stats.

- (4) Library Board. The members of the Town and Village of Rochester Joint Library Board on the effective date hereof shall continue to hold office for the remainder of their unexpired terms. Upon the expiration of the term of office of any member, the Village President shall appoint a replacement, subject to confirmation by the Village Board.

The Library Board shall have the powers and duties set forth in sec. 43.58, Wis. Stats.

- (5) Finance Committee.

A. On the effective date hereof, a Consolidated Finance Committee shall be established consisting of all three (3) members of the Town Board of the Town of Rochester, and two (2) members who hold the office of President or Trustee for the Village of Rochester on the effective date of this ordinance.

1. Prior to November 30, 2008, the duty of the Consolidated Finance Committee shall be to assist the Village Treasurer in formulation and recommendation of a 2009 Village Budget for consideration by the Consolidated Board of Trustees. The 2009 Village Budget shall be adopted in accordance with sec. 65.90, Stats., except that revenues, expenditures and fund balances of the Town of Rochester and Village of Rochester shall be combined for fiscal years 2007 and 2008.

As part of 2009 budget preparation, the Consolidated Finance Committee shall recommend and the Consolidated Board of Trustees shall establish compensation levels to be paid to the Village Board of Trustees and Village President scheduled for election in the Spring of 2009.

2. The duty of the Consolidated Finance Committee from January 1, 2009 through appointment of the Permanent Finance Committee will be to assist the Village Treasurer in his or her responsibility for the Management of Consolidated Village Funds and assets, including investment and disbursement, in the best interest of the Village, including, but not limited to:

(a) Review and recommendation of payments of invoices presented to the Village.

- (1) In accordance with voting procedures specified by Section 3(a)(1), the Town of Rochester Board and Village of Rochester Board may vote at independent meetings to approve or disapprove payment of

monthly invoices. In the case of disagreement, a meeting of the Consolidated Board of Trustees will be called.

- (b) Review and recommendation of investment of funds not immediately needed in accordance with sec. 66.04(2) Wis. Stats.
  - (1) In accordance with voting procedures specified by Section 3(a)(1), the Town of Rochester Board and Village of Rochester Board may vote at independent meetings to approve or disapprove recommendations regarding investment of funds. In the case of disagreement, a meeting of the Consolidated Board of Trustees will be called.
- (c) Review and report on performance as compared to budget forecast, with report of findings to the Consolidated Board of Trustees.

#### **SECTION 4. SALARIES AND PER DIEMS.**

All officers, employees and members of committees, commissions and boards of the Village who held comparable positions with the Village of Rochester or the Town of Rochester immediately prior to the effective date of this ordinance shall continue to receive the same level of compensation, unless otherwise provided herein, until such compensation shall be changed by the Village Board. All officers, employees and members of committees, commissions and boards appointed after the effective date of this ordinance shall receive such compensation as shall be determined by the Village Board. Notwithstanding the foregoing, in the event that members of the same committee, commission or board would receive different levels of compensation (exclusive of any additional compensation paid for service as the chair) under this section, the compensation shall be adjusted such that all similarly situated members are paid the highest compensation paid to any member of the same committee, commission or board. This section does not apply to the three (3) members of the Town Board of the Town of Rochester, and all individuals who hold the office of President or Trustee for the Village of Rochester on the effective date of this ordinance.

#### **SECTION 5. LAND USE**

- (a) **Village Boundaries.** The boundaries of the Village shall include all of the lands within the Village of Rochester and the Town of Rochester on the date of enactment of this ordinance by both the Village and the Town.

- (b) **Land Use Plans.** The document entitled “A Land Use Plan for the Town and Village of Rochester: 2020” shall be deemed adopted as the Master Plan for the Village effective on the effective date of this ordinance. The Master Plan shall be amended only through the procedures authorized by statute.
- (c) **Residential Growth Policies.** Residential growth rates shall be determined by the Village Board after consideration of the policies and goals expressed in the Village Master Plan, and after consideration of recommendations made by the Plan Commission. Because it is impracticable to establish growth rate limits without consideration of the economic, social, governmental, demographic and other circumstances existing at any given time, no such future limitations are intended by this Ordinance.

**SECTION 6. General Ordinances.**

Except as provided in this section, and until amended, repealed or otherwise modified by the Village Board, all general ordinances of the Village of Rochester and the Town of Rochester shall remain in effect, and be enforceable by the Village, within the boundaries of the Village as it existed the day prior to the effective date hereof. All general ordinances of the Town of Rochester shall be enforceable by the Village, within the boundaries of the Town as they existed on the day prior to the effective date hereof.

- (a) **Governmental Organization.** The ordinances enacted by the Village and Town which relate to the organization, operation and membership of any unit of government shall not apply to the Village to the extent such ordinances are inconsistent with the terms of this ordinance.

To the extent they are not inconsistent with this Ordinance, the general ordinances of the Village of Rochester relating to the organization, operation and membership of the governmental unit shall apply to the Village until amended, repealed or otherwise altered by enactment of an appropriate ordinance.

- (b) **Zoning Code.** Except as set forth herein, the Zoning Code of the Village of Rochester shall be deemed the Zoning Code of the Village immediately on the effective date of this ordinance.
  - (1) All properly issued conditional use permits, building permits, zoning certificates, variances and other approvals or permits granted by the Village or the Town of Rochester and the County of Racine prior to the effective date of this Ordinance shall continue to be valid and binding on the Village.
  - (2) All properties subject to the Racine County Zoning Ordinance immediately prior to the effective date of this Ordinance shall continue to be subject to the same district

regulations until such time as said properties are reclassified to a village zoning district designations by the Village Board pursuant to applicable law.

- (c) **Moratorium on Plat Approval and Subdivision Regulations.** Upon the effective date of this ordinance there is hereby established and effective a moratorium on acceptance, receipt and approval of any subdivision preliminary plat subdividing lands, plats submitted for approval under any applicable Planned Unit Development (PUD) Ordinance, condominium plats and on approval of certified survey maps or other land divisions whereby the plat or land division creates four (4) or more parcels of land from an existing parcel until such time as the permanent membership of the Village Board for the Village of Rochester is formed pursuant to Section 3(a)(2) of this ordinance. Further, the moratorium created hereunder shall not apply to any plat or certified survey map submitted to the Town or Village Plan Commission or Board for consideration prior to the effective date of this ordinance.

Thereafter, the subdivision regulations of the Town of Rochester and Village of Rochester shall continue in effect on the effective date of this Ordinance and shall remain applicable within the geographical areas to which the respective regulations applied prior to the consolidation effectuated hereby.

- (d) **Traffic Regulations.** All ordinances of the Village regulating the use of motor vehicles shall apply within the entire boundaries of the Village on and after the effective date hereof. As used in this subsection, “motor vehicle” shall not include all terrain vehicles or snowmobiles.

## **SECTION 7. Fiscal and Budget.**

- (a) **Debts.**

(1) The Village shall assume all debts and obligations under any contract, bond or indenture held by any third party with either the Town of Rochester or Village of Rochester upon the effective date hereof. Nothing in this subsection shall be construed to affect in any way any defense, counterclaim, setoff or other right that the Village may otherwise have with respect to any such obligation or alleged obligation.

(2) The consolidation of the Town of Rochester and the Village of Rochester shall not be deemed an act of default under any instruments of debt or obligation of either the Town of Rochester or the Village of Rochester prior to consolidation.

- (b) **Fiscal Year 2008.** Through December 31, 2008, the Village of Rochester and the Town of Rochester shall continue the independent accounting procedures in practice prior to consolidation to allow for accurate reporting of revenues, expenditures and fund balances in each municipality’s 2008 Wisconsin Department of Revenue Financial Report Form C. Revenues and expenditures are to be recorded in accordance with each municipality’s adopted 2008 budget.

- (c) **Fiscal Year 2009.** The 2009 Village Budget adopted by the Consolidated Board of Trustees shall be deemed the adopted budget of the Village for fiscal year 2009.
- (d) **Consolidation of Assets.** All depository accounts of the Village and Town shall be consolidated into combined accounts. All other assets of the Village and Town shall be deemed assets of the Village immediately upon the effective date of this ordinance.

**SECTION 8. Designation of Depository for Village Funds.**

The Community State Bank, Rochester, Wisconsin, is hereby designated as the initial depository for the funds of the Village. The designated depository may be changed at any time by resolution of the Village Board.

**SECTION 9. Public Utilities.**

- (a) **Ownership of Water and Sewer Utilities.** The ownership of all assets of the Village of Rochester Sewer Utility, and the Town of Rochester Sewer Utility District No. 1, shall immediately on the effective date hereof, be transferred to the Village. Until such time as the facilities are completely interconnected, the Village may continue these Districts as separate public utilities subject to separate regulation by the Public Service Commission of Wisconsin. Upon complete interconnection between any such separate public utility and the other Village utilities, such separate utility shall cease to exist as a separate utility.
- (b) **Utility Rates and Service.** The Village Board shall review the operations of the various sanitary sewer systems owned by the Village and shall thereafter determine the means by which appropriate levels of service may be maintained and/or improved for all utility customers and the rates to be charged for such service along with any necessary governmental approvals for a revised rate structure.

**SECTION 10. SEVERABILITY.**

The various provisions of this Ordinance are intended to be severable. In the event any term or provision of this Ordinance is determined to be void or unlawful, such void or unlawful provision shall be promptly amended by the Village Board to comply with applicable legal requirements. Such invalidity shall not affect the remainder of this Ordinance.

**SECTION 11. NO WAIVER OF RIGHTS OR CLAIMS.**

Nothing in this Ordinance shall be construed as a waiver of any right the Village may have by way of derivation from the rights of the Village of Rochester or Town of Rochester against any third party. The repeal of any general ordinance of either component municipality by this Ordinance shall not affect the liability of any third party for any violation of such general ordinance occurring prior to the effective date hereof. In the event that any action is pending on the effective date hereof on

behalf of the Town of Rochester or the Village of Rochester against any third party, the prosecution of such action is hereby ratified by the Village, unless and until discontinued by resolution of the Village Board.

**SECTION 12. EFFECTIVE DATE.**

This Ordinance shall become effective immediately upon certification of the results of separate referenda conducted in the Village of Rochester and the Town of Rochester showing approval of the consolidation effectuated hereby in both such municipalities and pursuant to sec. 66.0229, Stats. Notwithstanding the foregoing, this Ordinance shall be void if the referenda votes are not conducted on or before November 7, 2008.

Introduced and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**TOWN OF ROCHESTER**

\_\_\_\_\_  
Town Chairman

ATTEST:

\_\_\_\_\_  
Supervisor

\_\_\_\_\_  
Betty J. Novy, Town Clerk

\_\_\_\_\_  
Supervisor