

March 2, 2023

Geoff Farr, P.E.  
Village of Howard  
Director of Public Works  
1336 Cornell Road  
Green Bay, WI 54313

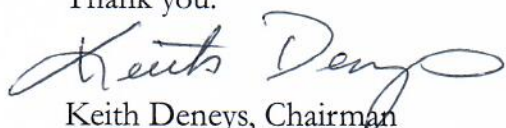
Re: Denial of Petition for Utility Installation

Dear Mr. Farr:

At a meeting held on March 1, 2023, the Town of Pittsfield Town Board met to consider the Village's Petition for Utility Installation on Glendale Avenue and County Trunk Highway U. The Town Board voted unanimously to reject the petition.

Enclosed with this letter is a copy of the Board's resolution denying the Petition pursuant to Wis. Stat. § 196.58(7)(a).

Thank you.



Keith Deneys, Chairman  
Town of Pittsfield

cc: Village Administrator

**TOWN OF PITTSFIELD  
BROWN COUNTY, WISCONSIN**

**Resolution Denying Petition for Utility Installation**

WHEREAS, on February 27, 2023, the Town of Pittsfield received a Petition from the Village of Howard seeking the Town's approval to install a water main within the Town's right-of-way along Glendale Avenue and County Trunk Highway U; and

WHEREAS, the Petition was purportedly filed in accordance with Wis. Stat. § 196.58(7)(a); and

WHEREAS, that statute allows a municipality to petition another municipality for permission to install utilities when the petitioning municipality is seeking to serve consumers of an area that is part of the petitioning municipality, but only when doing so is necessary or economically prudent; and

WHEREAS, the purpose of the Petition is apparently to provide water service to a single Village-owned property located on County Trunk Highway U; and

WHEREAS, the Village's Petition seeks permission to install 9,950 feet of water main to serve this single property; and

WHEREAS, there are no other Village properties on the portion of County Trunk Highway U in which the Village seeks to install its water main; and

WHEREAS, the Village's Petition does not indicate why its proposed water main extends north a quarter of a mile past the Village property to School Drive; and

WHEREAS, the Town estimates that the cost of 9,950 feet of water main to be approximately \$1,000,000, which is not an economically prudent way to serve a single property; and

WHEREAS, the Village's project is likely to impair the efficiency of service provided by other utilities both within the Town and to other municipalities – indeed, interfering with other utility services appears to be the primary purpose of the Petition; and

WHEREAS, the Village's proposed project is not necessary to provide adequate and reliable service for present and future customers because there will likely be alternative sources of water to the subject property in the near future; and

WHEREAS, completion of the Village's project would provide facilities that are unreasonably in excess of the Village's probable future requirements; and

WHEREAS, if the Village's project were completed, the additional cost of service of the project would be disproportionate to the increase in value or the available quantity of service; and

WHEREAS, the Village's project is not in the public interest; and

WHEREAS, under Wis. Stat. § 196.58(7)(a), the Town has 15 days from receipt of the Petition to act on it otherwise the Petition shall be deemed approved; and

WHEREAS, for all the reasons described above, the Petition should be denied.

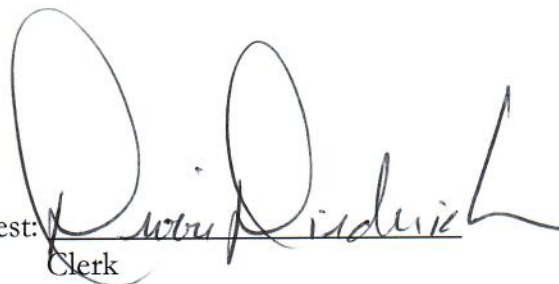
NOW, THEREFORE, BE IT RESOLVED, that the Town does hereby deny the Petition; and

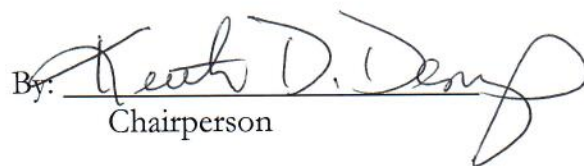
FURTHER RESOLVED, that the Town reserves the right to assert the above rationale, as well as any additional rational not asserted above, in any proceeding before the Public Service Commission; and

FURTHER RESOLVED, that all Town officials are hereby authorized and directed to take all action necessary to implement the intent of this Resolution.

Dated this 1st day of March, 2023.

TOWN OF PITTSFIELD

Attest:   
Clerk

By:   
Chairperson