

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
APRIL 25, 2016

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller
Members absent: None

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m.

B. Kehrier, 3314 Parkway Dr., wanted to make the township aware of the roads in Mutual Country Estates. There are bad curb & gutters and drainage issues in addition to the poor road conditions. The Supervisor held 2 meetings with the residents of Mutual. The first, on May 21, 2015, regarding the need to have a petition circulated for preliminary investigation of the roads by the township engineer and the second on February 4, 2016, to outline two improvement and cost options.

Mrs. Kehrier stated at both meetings the concern was raised regarding the need for soil testing prior to road resurfacing. To date this has not been done. Concern has been expressed by many Mutual residents regarding wet basement problems. Mrs. Kehrier cited examples of areas in the subdivision where the Road Commission had come out and cleaned the storm drain which eliminated the basement flooding problem.

She, along with other residents of Mutual who were present, stated all the storm drains should be checked and cleaned out before new curb/gutters and road surface work is done and asked 1) if that would be done by the Road Commission, 2) if it would be an added cost to the assessment and if so, 3) what the estimated cost would be.

Brandt stated he is planning to have at least 2 more meetings with Mutual. The first, to discuss work that needs to be done and the second, to provide an estimate of what the actual costs would be.

T. Osentoski, 4707 Birchwood Dr., stated Sharon Park has the same issues as Mutual and inquires about the status of that subdivision.

Brandt replied he just received the petitions that were circulated and is in the process of checking signatures to see if they represent 51% of the property owners in the subdivision. Another meeting will also be needed for Sharon Park.

L. Ramseyer, 4719 Birchwood Dr., stated he feels the road millage project has been mismanaged from the start. Soil testing; investigation of curb and gutter replacement; and drainage investigation should have been completed on all roads and subdivisions before any road replacement was, or is, done.

Arnold stated it was never the township's intent to pay for a full investigation without knowing what, or if, the subdivision residents were interested in paying for the investigation.

Malkin stated he attended most of the subdivision meetings and agreed that the information given was not what most of the subdivision people expected.

M. Kehrier asked, what if Spicer comes out to investigate, does the soil testing and finds all the curb and gutter does not need to be replaced or if the base is generally good and only needs to be replaced in certain sections? Mr. Kehrier believes more residents of Mutual would be onboard if they had more information.

Public Input closed at 7:35 p.m.

Motion by Miller supported by Kochany to adopt the agenda as presented.
Motion carried.

Motion by Miller supported by Kochany to approve the minutes of the April 11, 2016 regular meeting as presented.
Motion carried.

Motion by Pike supported by Miller to pay the bills in the amount of \$24,621.60 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Miller supported by Malkin to receive the Treasurer's Report for March 2016.
Motion carried.

Burk PA116 Application of Parcel 09-100-027-200-010-01

Motion by Kowalski supported by Malkin to approve the PA116 Application for Farmland Agreement submitted by John P. Burk for 112.4 acres of parcel 09-100-027-200-010-01 with an initial term of 10 yrs.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Hall Request of Cortland Farms South Homeowners Assn. June 21, 2016

Motion by Kowalski supported by Malkin to grant Cortland Farms South Homeowners Association request for use of the Hall on June 21, 2016 for their annual meeting; signed contract, all fees waived.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Uhlmann Fireworks Permit Application of June 24, 2016

Motion by Pike supported by Malkin to approve the fireworks permit submitted by C. Uhlmann for a fireworks display at 1650 E. Salzburg Rd. on June 24, 2016, contingent upon Fire Department inspection of the site prior to the event and the applicant provides \$1,000,000 liability insurance.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Miller Fireworks Permit Application ó August 6, 2016

Motion by Miller supported by Malkin to approve the fireworks permit submitted by S. Miller for a fireworks display at 5315 Four Mile Rd. on August 6, 2016, contingent upon Fire Department inspection of the site prior to the event.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Township Attorney

Brandt stated a six-month review was part of the motion when Fahey's firm was hired and for that reason he requested the township attorney be placed on the agenda.

Malkin stated the township needs to be more frugal in regard to what we are being charged for legal services. Attorney Doyle or Attorney Sheppard are more than capable to do the job. Brandt agreed Sheppard is capable and the township would have the benefit of not having to pay for travel time.

Kochany stated it has been in the township's best interests to have an attorney from out of town and without influences from the area.

Malkin stated it can also be in the township's best interests to have an attorney who is familiar with the Bay County courts and judges.

Miller asked the Supervisor's opinion regarding having an attorney in or out of the area.

Brandt stated he wanted Fahey but that is not what the board has told him they wanted.

Kochany agrees that Fahey is expensive. Her concern is that with the dark stores assessing, it will cause an increase in tax tribunal cases.

Kowalski stated there is an attorney in Doyle's office that represents the MTA and has experience in tax tribunal and she is certain Sheppard has the same resources.

Arnold stated he was concerned about the amount the township was being charged by Fahey and for that reason he, the Supervisor and Treasurer went to Fahey's offices to discuss the billing charges and how the township could reduce its legal costs.

Brandt stated at the end of that meeting, Fahey may have asked if he should prepare the documents the Clerk would need to create the subdivision special assessment districts and they agreed it would be a good idea.

Kowalski stated this is the first the rest of the board is hearing about this meeting and asked why this was not disclosed at the April 11th meeting when the billing charges were questioned and the board motion was made not to pay it.

Motion by Malkin supported by Miller to provide Attorney Fahey a written notice of termination effective immediately to comply with the terms of the letter of engagement that was signed by the Township Supervisor on September 30, 2015, and to request Attorney Patterson continue to work with the Treasurer to finish the court case concerning Alpine Village.

Roll call vote:

Yes: Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: Brandt

Absent: None

Motion carried.

Motion by Brandt supported by Malkin to pay Fahey's firm the \$450 that was contested and withheld at the April 11, 2016 meeting.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Motion by Arnold supported by Malkin to hire Attorney R. Sheppard as the township attorney effective immediately.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

Personnel Committee Recommendation ó Park Custodian & Park Maintenance Custodian

Motion by Miller supported by Malkin to hire Arthur (Jack) Adam as the Park Maintenance Custodian at a rate of 9.25/hr for the Park 2016 season beginning April 26, 2016; and to hire Mr. Adam as the Park Custodian at a rate of \$575/month for the Park 2016 season of May 1, 2016 ó September 30, 2016.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Arnold, Kochany, Malkin, Miller

No: None

Absent: None

Motion carried.

The meeting adjourned at 9:20 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor