

**MEMBERS PRESENT:** Donald Green, Supervisor; Colleen Schwartz, Clerk; Cynthia Dagenhardt, Treasurer; Trustees Randal Busick, William Mazzara, Dale Wiltse, Brien Worrell

**ALSO PRESENT:** Jennifer Elowsky, Township Attorney; Larry Waligora, Fire Chief; Steve Przybyla, Fire Captain; Les Pulver, Kathy Kercorian, Plante & Moran; Wayne Walli, Police Chief; Jeff VarnHagen, Linda Dagenhardt, Aileen Wingblad, Milford Times; Thirteen Audience Members, Holly Brandt, Recording Secretary

Supervisor Green called the meeting to order at 7:33 p.m.

The Pledge of Allegiance was recited.

**CALL TO THE PUBLIC (NON-AGENDA ITEMS ONLY)**

There was no response from the public.

**CONSENT AGENDA**

Trustee Wiltse requested to remove Ordinance 197 from the consent agenda. Trustee Mazzara requested to remove Ordinances 198 and 199 from the consent agenda. Treasurer Dagenhardt requested to remove "Not to Exceed" from the approval for Gail Michelini to attend the Michigan Municipal Treasurers Institute.

Trustee Wiltse moved, Trustee Wiltse seconded to remove the items as requested.  
**Vote unanimously carried.**

APPROVAL OF MINUTES, FEBRUARY 18, 2009 (REGULAR);  
APPROVAL OF BILLS (REGULAR & BOND): GENERAL FUND \$415,165.48, FIRE DEPARTMENT \$380,234.72, SENIOR CENTER \$3,823.96, SEMIS \$4,351.85;  
APPROVAL TO ATTEND MICHIGAN MUNICIPAL TREASURERS INSTITUTE, 725.00 – GAIL MICHELINI;  
APPROVAL TO ATTEND CLERKS EDUCATIONAL WORKSHOP, \$50.00 (FOR BOTH) – SCHWARTZ, BRANDT;  
APPROVAL TO ATTEND WIND ENERGY SITING/POLICY ISSUES WORKSHOP, \$165.00 – MAGRO, MUELLER, GREEN;  
APPOINTMENT, PARKS & RECREATION COMMISSION, TERM ENDING 12/31/2010 – LEE MUELLER;  
2009 CONTRACT FOR HVAC SERVICES, \$912.00 – LINC SERVICES;  
PROCLAMATION, APRIL AS NATIONAL CHILD ABUSE PREVENTION AND AWARENESS MONTH;  
INTRODUCTION, ORDINANCE 156-A-134, DEFINITIONS, SECTION 32-2;

INTRODUCTION, ORDINANCE 156-A-135, REGULATION, SECTION 32-572;  
INTRODUCTION, ORDINANCE 156-A-136, R-1-R ACCESSORY, SECTION 32-129  
INTRODUCTION, ORDINANCE 156-A-137, R-1-S ACCESSORY, SECTION 32-164

Trustee Mazzara moved, Treasurer Dagenhardt seconded to approve the consent agenda as revised. Roll call vote: **Yes** – Mazzara, Dagenhardt, Worrell, Schwartz, Busick, Wiltse, Green. **Vote unanimously carried.**

### **SUPERVISOR'S REPORT**

Supervisor Green reported the following:

Milford Recreational Trail is 85% complete. The final portions of land balancing and paving remain.

Parking for the trail has been recommended for approval by the village planning commission.

A ribbon cutting ceremony for the new trail's grand opening has be set for Saturday, May 30, 2009 at 11:00 a.m. at the Metropark's group campsite on Martindale Road.

Board of review records must remain on site for five years.

The fire station addition/renovation has been given a recommendation for approval with fourteen items needing to be addressed first. The architect has already addressed them.

The township will provide five applications of road chloride on township roads.

He will be meeting with the Road Commission for Oakland County to establish a two year wish list.

Supervisor Green requested to add the following to the end of new business: Request, Milford Pointe Homeowners Association; Fire Department Damage Policy and Use Variances.

Clerk Schwartz moved, Trustee Worrell seconded to add these items to the agenda as requested. **Vote unanimously carried.**

### **PLANNING COMMISSION REPORT**

Trustee Mazzara reported on the planning commission's meeting of February 26, 2009.

### **ZONING BOARD OF APPEALS REPORT**

There was no February meeting to report on.

### **FIRE DEPARTMENT REPORT**

Chief Waligora reported the following:

Runs for the month of February totaled 69 with 141 year to date.

The new fire engine has been received and is at Apollo Fire Equipment to have add-ons installed.

Apollo Fire Equipment has asked the department to show the new engine at the Southeast Michigan Association of Fire Chiefs vendor show on April 9, 2009 in Novi.

The drains at station #2 have been cleaned and jetted. The separators have also been cleaned.

Chief Waligora requested to purchase three Swissphone fire pagers from RITEC Enterprises for \$435.00 each.

Trustee Mazzara moved, Clerk Schwartz seconded to approve the request to purchase three pagers in an amount not to exceed \$1,305.00.

Discussion:

Trustee Wiltse asked why there was only one bid and could the pagers be purchased cheaper using a Michigan dealer. Chief Waligora said this is a highly durable product and there is only one dealer in the country, which is not located in Michigan.

Roll call vote: **Yes** – Mazzara, Schwartz, Worrell, Dagenhardt, Busick, Wiltse, Green.  
**Vote unanimously carried.**

Chief Waligora requested to purchase uniform parkas for firefighters that work day duty. He said the parka is a three season style with a zip-out liner. The cost per parka is \$179.00 each.

The board and Chief Waligora discussed the purchase of parkas. Supervisor Green stated there is nothing in place that specifies what a uniform is. Chief Waligora was directed to establish what a uniform is for firefighters.

Trustee Busick moved, Trustee Wiltse seconded to postpone until next month the purchase of uniform parkas for day duty firefighters. **Vote unanimously carried.**

Chief Waligora requested to purchase 46 traffic safety vests for the department for a cost of \$1,011.08. He said the vests are required by law for workers on public roads.

Treasurer Dagenhardt moved, Trustee Busick seconded to approve the request to purchase traffic safety vests in an amount not to exceed \$1,011.08. Roll call vote: **Yes** – Dagenhardt, Busick, Wiltse, Schwartz, Worrell, Mazzara, Green. **Vote unanimously carried.**

Chief Waligora requested to have Captains Przybyla and Moore attend the annual Fire Department Instructors Conference (FDIC) in Indianapolis, Indiana, for an amount not to exceed \$2,000.00 for classes and accommodations.

Treasurer Dagenhardt moved, Clerk Schwartz seconded to approve the request to send two firefighters to the FDIC as requested in an amount not to exceed \$2,000.00.

Discussion:

Trustee Wiltse which classes are being taken and if they are offered in Michigan. Captain Przybyla said the classes are about controlled use of fire training structures, using digital image cameras and stabilization classes with hands on training also. He said these classes are not offered in Michigan and the instructors come from throughout the nation.

Treasurer Dagenhardt noted that meals during conferences are typically paid for by the township. She asked if the firefighters would have enough to include their meals. Chief Waligora responded that they would.

Roll call vote: **Yes** – Dagenhardt, Schwartz, Wiltse, Busick, Worrell, Mazzara, Green.  
**Vote unanimously carried.**

### **UNFINISHED BUSINESS**

#### **ADOPTION, RESOLUTION AUTHORIZING 2009 UNLIMITED TAX OBLIGATION FIRE STATION BONDS**

Trustee Mazzara expressed concern that that market may not be good for selling bonds. Supervisor Green said he would not authorize the sale if the market is not good.

Treasurer Dagenhardt moved, Trustee Wiltse seconded to adopt the resolution for the sale of 2009 Unlimited Tax General Obligation Fire Station Bonds and authorize the clerk to sign the resolution.

Discussion:

Trustee Mazzara felt the resolution obligated the township to sell the bonds in a bad economic market.

Treasurer Dagenhardt expressed confidence that the bond counsel and financial advisor retained by the township would guide them through this process and help determine when a good time to sell the bonds would be.

The board continued discussion and Treasurer Dagenhardt withdrew her motion with Trustee Wiltse seconding.

Trustee Busick moved, Trustee Mazzara seconded to amend the resolution to include at every occurrence of an interest rate for the bonds, the rate would be subject to board approval prior to the sale of the bonds. **Vote unanimously carried.**

Trustee Busick moved, Trustee Mazzara seconded to adopt the resolution for sale of 2009 Unlimited Tax General Obligation Fire Station Bonds as amended and authorize the clerk to sign the resolution. **Vote unanimously carried.**

### **NEW BUSINESS**

#### **ANNUAL AUDIT REPORT, 2008 – PLANTE & MORAN**

Mr. Les Pulver and Ms. Kathy Kercorian, township auditors, presented the 2008 annual audit report. Mr. Pulver stated the township has received an Unqualified Audit designation, which means the township's financial condition is in very good standing. The township's accounting department was complimented by Mr. Pulver.

Treasurer Dagenhardt moved, Trustee Wiltse seconded to accept the 2008 audit report as presented for filing with the State of Michigan. **Vote unanimously carried.**

2008 ANNUAL REPORT – MILFORD POLICE DEPARTMENT

Chief Walli presented the 2008 annual report. He highlighted various issues the department was involved with in addition to annual statistics.

Clerk Schwartz moved, Trustee Busick seconded to accept the 2008 annual police report as presented. **Vote unanimously carried.**

POLICE SERVICES AGREEMENT

Supervisor Green requested to remove item “F” and have the chief and finance director attend township board meetings throughout the police department’s budget process.

Treasurer Dagenhardt moved, Trustee Wiltse seconded to approve the agreement as amended and authorize the supervisor and clerk to sign the agreement. **Vote unanimously carried.**

REQUEST, SPECIAL USE PERMIT- CUPPUCCINOS COFFEE, JEFF VARNHAGEN

Mr. Jeff Varn Hagen presented his request to locate a temporary coffee sales unit at the Dairy Queen site on S. Milford Road. He said he would like to be permitted to try out the site as a sales location for about six months with the hours of operation to be 5:30 a.m. through 11:00 a.m. Mr. Varn Hagen stated it would not interfere with the daily operations of the Dairy Queen and would not cause a traffic flow problem on Milford Road. He also said he had verbal permission from the property owners and understood that he needed to present the board with written permission, which he is in the process of obtaining.

The board, Mr. Varn Hagen and Mrs. Elowsky discussed the request at length. Due to the code of ordinances being recently re-codified there was some concern as to which ordinance this would need to be complied with. Mrs. Elowsky indicated that a public hearing needed to be held if this was to be approved as a special use permit.

Clerk Schwartz moved, Treasurer Dagenhardt seconded, to postpone and establish a public hearing at the next special board meeting. **Vote unanimously carried.**

SENIOR CENTER DIRECTOR POSITION

Supervisor Green explained that after two weeks of advertising the opening, the selection committee, consisting of the in-house officials and two others experienced in operating a senior center made their selection. Supervisor Green said the applicant selected thought the position was full-time and the salary would be much higher and turned it down, so the position was offered to the second selection, which was Mrs. Hinzmann. He said she would work thirty hours per week at \$15.00 per hour with no benefits.

Treasurer Dagenhardt moved, Trustee Mazzara seconded to approve Nancy Hinzmann as director of the senior center as presented. Roll call vote: **Yes** – Dagenhardt, Mazzara, Wiltse, Busick, Schwartz, Worrell, Green. **Vote unanimously carried.**

**REQUEST, TREE TRIMMING AT OAK GROVE CEMETERY – MILFORD CEMETERY COMMITTEE**

Ms. Linda Dagenhardt, part-time cemetery staff, presented the request and bids for trimming trees at Oak Grove Cemetery on behalf of Mr. Brent Morgan, chairman of the cemetery committee.

The board and Ms. Dagenhardt discussed the request and the bids. The board felt the trimming project was too costly to do all at once and that it was too late in the winter to trim trees without potentially exposing the trees to risk of disease.

They asked Ms. Dagenhardt to determine which blocks needed trimming the most and to present a request with bids in the summer for approval for trimming in the fall or winter.

Clerk Schwartz asked Ms. Dagenhardt if the Oak Grove Fund Committee would be willing to expend funds toward this project. Ms. Dagenhardt felt the committee may be able to help.

**No action taken.**

**PART-TIME SEASONAL CEMETERY POSITION**

Supervisor Green stated that, based on input from the clerk's office, he felt the position didn't take much of the cemetery burden from them. He said he didn't know exactly what tasks the position entailed or if it had a job description and that the funds from eliminating the position could be used to maintain the cemeteries.

Ms. Dagenhardt expressed concern that this issue was not discussed previously with her. She explained that she has done general cleanup and maintenance at both cemeteries, additionally she assists the public, Mrs. Brandt and Mr. Mike Willenberg, cemetery sexton, with whatever burial questions that arise.

After discussion, Ms. Dagenhardt was directed to compile a list of duties and tasks she's completed in prior years. The board also asked her to submit the list to her immediate supervisor for review who would provide a recommendation to the board as to whether or not the position is cost effective.

Mrs. Elowsky suggested that a job description be created based on tasks she has performed and what tasks the township would like her to do.

Trustee Wiltse moved, Trustee Busick seconded to postpone. **Vote unanimously carried.**

**INTRODUCTION, ORDINANCE 197, COST RECOVERY ORDINANCE**

Trustee Wiltse said this ordinance would allow the fire department to charge residents for fire department calls to their residence, which he did not agree with.

The board and Chief Waligora discussed the ordinance. Chief Waligora said Oakland County is requesting municipalities to adopt the ordinance. After discussion the board determined they did not want to adopt the ordinance.

Trustee Busick moved, Treasurer Dagenhardt seconded to remove ordinance 197, Cost Recovery ordinance from consideration. **Vote unanimously carried.**

#### INTRODUCTION, ORDINANCES 198 & 199, LAND DIVISION STANDARDS

Trustee Mazzara said there needs to be an intent summary noting the changes in the ordinance amendment. He said the new ordinance book has discrepancies with the old ordinance book and the ordinance codifiers need to review the old and new books.

Trustee Mazzara moved, Trustee Worrell seconded to postpone until next month giving the codifiers the opportunity to clarify the ordinance amendments. **Vote unanimously carried.**

#### REQUEST, MILFORD POINTE HOMEOWNERS ASSOCIATION

Supervisor Green explained a memo was received from Mr. Paul Groth, township attorney, dated March 17, 2009, regarding municipal civil infractions issued against Michael Huszti, HLI Development Corp. and William and Anna Huszti, BAM Investment Group, LLC, for their failure to complete the site improvements for the Mill Valley subdivision. He said the township has issued tickets and taken the matter to court in an effort to get the site improvements completed.

Mrs. Elowsky said the township can request the Court to appoint them as a receiver to seize the assets of the developers and to apply those assets toward the completion of the site improvements. She said the township however would bear the costs of being the receiver if there were no assets recovered.

Mr. Grant Mendeljian, 619 Olivia Drive, Milford, stated their homeowners association, based on the extensive research they have done, believes both entities have assets. He said they want to get the development completed.

The board, Mrs. Elowsky and Mr. Mendeljian discussed the matter at length. Mrs. Elowsky said, if the township chose to get involved, it could collect any costs incurred first before using any assets to complete site improvements.

Trustee Mazzara moved, Trustee Worrell seconded to authorize the supervisor to move forward with court appointed receivership on behalf of the township with any costs incurred by the township to be reimbursed first and to explore obtaining assets from HLI Development Corporation and BAM Investment Group, LLC. Roll call vote: **Yes** – Mazzara, Worrell, Schwartz, Dagenhardt, Busick, Wiltse, Green. **Vote unanimously carried.**

#### FIRE DEPARTMENT DAMAGE POLICY

Supervisor Green said there was damage done to station #1 that wasn't reported to him and expressed concern that there was no policy in place to deal with this situation when it arises. He felt if damage was done and fire department personnel were not following rules they should pay the deductible for the insurance claim.

The board, Chief Waligora and Mrs. Elowsky discussed addressing this issue and adding it to the Standard Operating Procedures (SOPs) for the department. It was

determined to have Chief Waligora draft language to add to the SOP and Mrs. Elowsky will review it.

Trustee Busick moved, Treasurer Dagenhardt seconded to direct Chief Waligora to draft language to add to the SOP regarding damages at the fire department with Mrs. Elowsky to review them prior to incorporation into the SOP. **Vote unanimously carried.**

#### **USE VARIANCES**

Trustee Wiltse moved, Trustee Mazzara seconded to send use variance language to the planning commission for review. **Vote unanimously carried.**

#### **BOARD MEMBER'S REMARKS**

Trustee Worrell noted that tree trimming needed to be done between November and February.

Clerk Schwartz stated she was surprised the supervisor wanted to eliminate the part-time cemetery position and upset with the way the agenda item was handled by the supervisor. She said this matter should have been discussed more thoroughly prior to being placed on the agenda.

Treasurer Dagenhardt said she filed jeopardy tax assessments for unpaid taxes on two businesses located in the township. She said 95% of taxes have been collected, which is good considering the poor economic climate.

Supervisor Green said he expects the owner of Childs Lake Estates to request an extension to connect to the sewer system.

#### **ADJOURNMENT**

Trustee Wiltse moved, Treasurer Dagenhardt seconded to adjourn the meeting at 10:22 p.m. **Vote unanimously carried.**

Charter Township of Milford,

Colleen Schwartz, MMC  
Clerk