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A GREAT PLACE TO GROW

**HAMBURG TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
Hamburg Township Hall Board Room
Tuesday, September 21, 2004 Regular Meeting Minutes
7:30 p.m.**

1. Call to Order

The meeting was called to order by Clerk Hardesty at 7:30 p.m.

2. Pledge to the Flag

Motion by Hohl, supported by Menzies, to appoint Trustee Majoros to chair the meeting.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

3. Roll Call of the Board

Present: Hohl, Hardesty, Majoros, Menzies, Balon-Vaughn, Wiley
Absent: Dillman
Also Present: John Drury-Township Attorney

4. CALL TO THE PUBLIC

Laurie Pravato of 1136 Bower St., Howell, stated her concerns with the Salary Study as being proposed. She requested an employee representative and Cindy Pine be added to the newly formed compensation committee. She alleged sexual discrimination with salaries.

Becky Torok of 10285 Shady Ridge, thanked the Board for the raise she received and requested the Board address the salary discrepancies. She stated that employee moral is at an all time low.

Sara DeFrancesco of 10940 Bob White Beach, stated concerns on the Lot Separation of Strawberry Point Bluffs request. She stated that the owner is marketing the lots as sewered and buildable with pilings. She provided the Board with a copy of a 1995 MDNR Correspondence denying the property owner's application to construct and access road and homes in the regulated wetland.

Jerrald Reams of 6522 Riverdale, stated concerns with 6536 Riverdale and its blighted condition. He stated that he is trying to sell his property and can't because of the condition the neighboring property is in. Demands action to be taken.

Peg Eibler of the Library Board, stated concerns regarding the sewer REUs and O & M charges that have been assigned to the Library and requested the Township to adjust them for the two years of meter readings showing use substantially less than they are being billed for.

Robert Kollen of 10398 LaSalle Place, Brighton stated that the inequities of the salaries of the employees need to be addressed by the Board.

Gary Strip of 4973 Gallagher, President of Strawberry Homeowners Association, stated concerns regarding the proposed lot splits at Strawberry Point Bluffs. He stated that there is no parking to access parcels.

Susan Forsgren of 2185 Sosna, read a letter from the Livingston County Road Commission regarding road structure. She expressed concerns with the proposed Woodland Open Space Development.

Merv Walsh of 4888 Gallagher, stated his concerns with Strawberry Point Bluffs lot split and stated that the Chain of title on the land is defective.

Al Metty of 11294 Algonquin, stated his concerns with the Mumford Park Canal Dredging District and thanked the Board for having a Special Meeting. Asked that the residents be included in the decision making process.

5. Correspondence

Clerk Hardesty informed the Board of the Certificate of Appreciation presented to the Recreation Board by the Hamburg Flyers Club.

6. Consent Agenda

Motion by Hardesty, supported by Balon-Vaughn, to approve the agenda as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

7. Approval of the Agenda

Motion by Hardesty, supported by Menzies, to add 09041.024 Zoning Board of Appeals Appointment and 09041.025 Road Improvement Contract/Livingston County Road Commission to current business and add the Peer Property/Blighted Condition to the beginning of old business and approve the agenda as amended.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

8. Old Business

Peer Property/Blighted Condition

Drury updated the Board that he visited the sight last week and has prepared a lawsuit that he is preparing to serve. The property is now owned by an out-of-state bank.

08991.008 Tara Glen Concerns - Ideal Steel /D & H Asphalt

Drury reported that no progress has been made since last month at both the Ideal Steel and D & H Asphalt site. Drury will move forward with legal action as previously discussed to force compliance with the consent judgements.

10021.012A Mumford Park Canal Dredging

No Board action taken.

11032.010 METRO Act Permit/SBC

Motion by Balon-Vaughn, supported by Hardesty, to follow the recommendation of Varnum, Riddering, Howlett & Schmidt authorizing them to prepare and submit the permit as outlined.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

05041.013 NPDES 2004 Stormwater Fee

Motion by Hardesty, supported by Balon-Vaughn, to direct the Supervisor to contact in writing Representative Hune, Senator Garcia, and Congressman Rogers regarding the NPDES 2004 Stormwater Fee assessed to Hamburg Township and request their assistance to resolve the issue.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

07041.008 Streamgaging Station/Huron River

Motion by Hohl, supported by Menzies, to direct the Supervisor to schedule a meeting with USGS, the National Weather Service and Green Oak Township to discuss the funding of the streamgaging station located in Hamburg Township.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

08041.004D2 Zoning Ordinance Amendment/Article 7.6.1 Lot Coverage

Motion by Hardesty, supported by Hohl, to move the resolution to amend the Zoning Ordinance Article 7.6.1 Lot Coverage as presented.

Roll Call Vote: Balon-Vaughn-yes, Wiley-yes, Hohl-yes, Menzies-yes, Hardesty-yes, Majoros-yes, Dillman-absent
RESOLUTION ADOPTED.

08041.004E5 Grossman Violation

Motion by Hohl, supported by Hardesty, to direct the Zoning Administrator to authorize the Code Enforcement Officer to photograph the vehicles on the Grossman site at a minimum on a weekly basis to confirm if additional cars are coming on the property.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

08041.005 Employee Relations/Compensation Survey

Motion by Balon-Vaughn, supported by Hohl, to direct the Deputy Supervisor to prepare a detailed list of the schools contacted, the proposed outline of the process, their experiences with this type of project and cost to provide to the Township Board.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

Motion by Balon-Vaughn, supported by Hohl, to appoint two employee representatives and Cindy Pine to the Compensation Committee.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

08041.013 Savedes, Inc. Liquor License Request

Motion by Balon-Vaughn, supported by Hardesty, to approve the Savedes, Inc./Liquor License Request as submitted.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

9. **Current Business**

09041.004A Woodlands Open Space P.U.D. Preliminary Site Plan

Motion by Menzies, supported by Hohl, to approve the Woodlands Open Space P.U.D. Preliminary Site Plan as submitted per the drawings dated September 3, 2004.

Voice Vote: AYES: 4 Nays: 2 (Balon-Vaughn, Hardesty) Absent: 1 (Dillman) **MOTION CARRIED.**

09041.004B Lot Separation Request/Strawberry Point Bluffs

Motion by Hohl, supported by Hardesty, to authorize Township Attorney Drury to perform a title search.
MOTION WITHDRAWN.

Motion by Hohl, supported by Menzies, to require a title policy be provided by the property owner to the Township Clerk which is to be forwarded to the Township attorney for review and interpretation and direct the Assessor to review and interpret the legal descriptions provided and report back to the Board and table the proposed lot separations until the reviews and reports from the attorney and Assessor are complete.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.004C Reeves Violation/Enforcement Action

Motion by Hohl, supported by Hardesty, to direct the Zoning Administrator to proceed immediately with enforcement action against Mr. Reeves and authorize legal counsel to proceed with legal action if necessary with a full report at the October meeting.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.005A Appointment of Probationary Firefighters

Motion by Hardesty, supported by Hohl, to approve the Appointment of Probationary Firefighters as submitted by the Fire Chief.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.006A Janitorial/Maintenance Position Replacement

Motion by Hohl, supported by Menzies, to approve the employment of George Tompkins as part-time janitorial/maintenance at a rate of \$10.50 per hour with a \$.30 increase per hour after successfully completing a 90-day probationary period contingent upon successful completion of a physical and drug screening.

Voice Vote: AYES: 5 Nays: 1 (Balon-Vaughn) Absent: 1 (Dillman) **MOTION CARRIED.**

09041.006B Server Purchases

Motion by Hardesty, supported by Hohl, to approve the Server Purchases as requested by Tony Randazzo.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.006C Cable Equipment Upgrades

Motion by Hardesty, supported by Balon-Vaughn, to approve to purchase the Cable Equipment Upgrades as requested by Tony Randazzo.

Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.007A Taser Purchase Request

Motion by Hohl, supported by Menzies, to approve the Taser Purchase request and direct the proposed use policy be forwarded to Attorney DuBay and the Michigan Municipal League for their review and approval prior to issuing the tasers for use.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.007B Reserve Officers Appointment

Motion by Hohl, supported by Wiley, to appoint Dan O'Sullivan and Doug Roberts as reserve officers as requested subject to successful completion of the academy and all employee new hire requirements including physical and drug screening.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.008A Employee Promotion

Motion by Balon-Vaughn, supported by Hardesty, to receive and order to the file the D.P.W. Administrator's report on the promotion of Don Miller.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.008B New Hire Request

Motion by Menzies, supported by Hohl, to approve the request of the D.P.W. Administrator to hire full-time DPW Technician II, Chris Leland at a rate of \$18.00 per hour subject to successful completion of a physical and drug screen.

Voice Vote: AYES: 4 Nays: 2 (Hardesty, Balon-Vaughn) Absent: 1 (Dillman) **MOTION CARRIED.**

09041.009 Hamburg Township Library Request/REU Reduction

Motion by Hohl, supported by Wiley, to direct the Utilities Coordinator to perform an analysis of the data and verify the meter readings for the Library and provide a report to the Board on the actual REUs used and request the Library provide any additional data they may have and this be an agenda item for the October 2004 meeting.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.010 Haskin Sewer Extension Agreement Payment/Interest

Motion by Hardesty, supported by Menzies, to waive the interest charge assessed to Mr. Haskins prior to August 2004 in the amount of \$394.83 due to his desire to pay in full since making application..

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

Motion by Balon-Vaughn, supported by Hardesty, to direct the Utilities Committee to prepare a draft policy amendment addressing the issue of notice of pay-off grace periods for contract S.A.D.s for presentation to the Township Board at the October meeting.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

Motion by Hardesty, supported by Menzies, to direct the Attorney to draft the appropriate contract language to address overcharges in contract S.A.D.s.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.011 Rush Lake Sewer S.A.D. Amendment/Lot Combination

Motion by Hardesty, supported by Hohl, to table the Rush Lake Sewer S.A.D. Amendment/Lot Combination pending the preparation of the appropriate resolution.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.012 Election Day Office Closure Request

Motion by Hardesty, supported by Menzies, to approve the Clerk's request to close the Township office and Senior Center on Election Day and that the Clerk's Department employees and any D.P.W. staff required to work on election day be compensated at their regular rate of pay, plus comp time at time and a half with the Police and Fire department staff operating as a normal business day.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.013 P/L/H Chamber Request/Candidate Forum

Motion by Balon-Vaughn, supported by Wiley, to approve the request of the Pinckney/Lakeland/Hamburg Chamber of Commerce to host a candidate Forum on Monday, October 18, 2004.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.014 Workplace Violence Policy

Motion by Hohl, supported by Balon-Vaughn, to amend the Administrative Policy & Procedure Manual to include the Workplace Violence Policy as prepared and recommended by Attorney DuBay.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.015 Century Drive Road Repair

Motion by Balon-Vaughn, supported by Wiley, to approve the repair of Century Drive Road at a cost not-to-exceed the contingency fund balance and direct the Clerk to clarify the details of Young's proposal prior to acceptance.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.016 Appletree Lane Road Maintenance S.A.D.

Motion by Hardesty, supported by Menzies, to award a two year contract to Young Building & Excavating for Appletree Lane Road Maintenance S.A.D. as provided and recommended by the Utilities Coordinator.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.017 Collection of Special Assessments Resolution/Series 2004 Bonds

Motion by Hardesty, supported by Balon-Vaughn, to move the resolution establishing a 19-year collection schedule for the 2004 Bond Series.

Roll Call Vote: Wiley=yes, Hohl=yes, Majoros=yes, Hardesty=yes, Balon-Vaughn=yes, Menzies=yes, Dillman-absent

RESOLUTION ADOPTED.

09041.018 2004 Tax Levy Resolution

Motion by Hardesty, supported by Balon-Vaughn, to move to resolution for the 2004 Tax Levy as presented.

Roll Call Vote: Wiley=yes, Hohl=yes, Hardesty=yes, Majoros=yes, Dillman-absent, Balon-Vaughn=yes, Menzies- yes

RESOLUTION ADOPTED.

09041.019 Sewer Extension Refund and Invoicing Request

Motion by Hardesty, supported by Hohl, to approve the Sewer Extension Refund and Invoicing Request as prepared by the Accounting Department.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.020 Liquor License Request/Glaser and Plante, Inc.

Motion by Balon-Vaughn, supported by Hardesty, to approve the Liquor License Request/Glaser and Plante, Inc. for Zukey Lake Tavern as submitted.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.021 Unisom Site Management Request/Nextel Tower

Motion by Hardesty, supported by Wiley, to table the Unisom Site Management Request/Nextel Tower.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022A Oster Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Oster Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022B Katz Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Katz Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022C Shack Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Shack Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022D Earles Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Earles Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022E BLDG, LLC Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the BLDG, LLC Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022F Brownlee Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Brownlee Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022G Carr Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Carr Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022H Doolittle Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Doolittle Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022I Powell Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Powell Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022J Burk Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Burk Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022K Olivier Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Olivier Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022L Vincent/Austin Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Vincent/Austin Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022M Roslinski Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Roslinski Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022N Henry Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Henry Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022O Wessel Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Wessel Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022P Lange Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Lange Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022Q Hrsuszczyk Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Hrsuszczyk Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022R Bendena Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Bendena Sewer Connection Agreement as presented.
Voice Vote: AYES: 6 Absent: 1 (Dillman) **MOTION CARRIED.**

09041.022S Shootko Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Shootko Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022T Huffman Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Huffman Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022U Marshall Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Marshall Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022V Kelley Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Kelley Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022W Alber Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Alber Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022X Sabuda Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Sabuda Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022Y Nemes Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Nemes Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022Z Phibbs Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Phibbs Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.022AA Vreeman Sewer Connection Agreement

Motion by Hardesty, supported by Hohl, to approve the Vreeman Sewer Connection Agreement as presented.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.023 Grinder Pump Agreements/Utilities Committee Representative

Motion by Hardesty, supported by Balon-Vaughn, to authorize the Supervisor and Clerk to sign and execute all Grinder Pump Agreements upon payment in full.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.024 ZBA Appointment

Motion by Balon-Vaughn, supported by Hardesty, to appoint Jonathon Kramar to the Zoning Board of Appeals to fill the current vacancy and direct the Clerk to advertise for the two alternate vacancies and bring back a recommendation at the October meeting.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

09041.025 Road Improvement Contract/Livingston County Road Commission

Motion by Hardesty, to table the Road Improvement Contract/Livingston County Road Commission and refer to the Road Committee and bring back to the Board at the October meeting.

MOTION WITHDRAWN.

Motion by Hardesty, supported by Menzies, to approve the participation in the gravel road improvement program subject to review and recommendation by the Road Committee and approval by the Supervisor, Clerk and Treasurer.

Voice Vote: AYES: 6 Absent: 1 (Dillman)

MOTION CARRIED.

10. Call to the Public

Hearing no response, the call to the public was closed.

11. Board Comments

Clerk Hardesty informed the Board that Ron Neice, Zoning Board of Appeals Chairman had passed away.

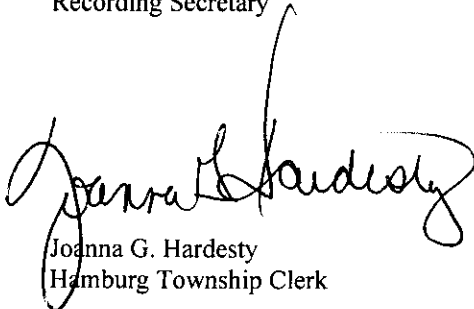
Patricia Timassey stated the shared revenue as of September 9, 2004 went down by \$11,000.

12. Adjournment

The meeting adjourned at 10:24 p.m.

Respectfully Submitted,

Catt Brandenburg
Recording Secretary



Joanna G. Hardesty
Hamburg Township Clerk

Howard Dillman
Hamburg Township Supervisor