

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES
MAY 13, 2014 – REGULAR MEETING
APPROVED MINUTES

CALL TO ORDER

The May 13, 2014 Regular Meeting of the Charter Township of Oakland Board of Trustees was called to order by Supervisor Gonser at 6:05 PM in the Township Hall, 4393 Collins Road, Rochester, MI.

ROLL CALL

Clerk Reilly called the Roll.

PRESENT: Terry R. Gonser, Supervisor
Jeanne Langlois, Treasurer
Karen Reilly, Clerk
Robin Buxar, Trustee
Michael Bailey, Trustee
Maureen Thalmann, Trustee
John Giannangeli, Trustee

Ann Capela, Township Manager
Daniel Kelly, Township Attorney

ABSENT: NONE

A quorum was present.

CLOSED SESSION

MOVED BY BAILEY, SECONDED BY LANGLOIS to approve going into closed session at 6:09 PM for the purpose of (1) MCL 15.268 (e) review three (3) written legal opinions which are attorney/client privilege and (2) MCL 15.268 (a) consider a periodic personnel evaluation of an employee.

Clerk Reilly took a roll call vote:

AYES: GONSER, LANGLOIS, REILLY, BUXAR, BAILEY,
THALMANN, GIANNANGELI

NAYS: NONE

MOTION PASSES: UNANIMOUS

MEETING RECONVENED

MOVED BY BAILEY, SECONDED BY BUXAR to reconvene into open session at 7:04 PM.

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES
MAY 13, 2014 – REGULAR MEETING
APPROVED MINUTES

MOTION PASSES: UNANIMOUS

CALL TO ORDER

Supervisor Gonser reconvened the Regular meeting at 7:15 PM in the Township Hall.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Supervisor Gonser led the Pledge of Allegiance.

Clerk Reilly call the Roll.

PRESENT: Terry R. Gonser, Supervisor
Jeanne Langlois, Treasurer
Karen Reilly, Clerk
Robin Buxar, Trustee
Michael Bailey, Trustee
Maureen Thalmann, Trustee
John Giannangeli, Trustee

Ann Capela, Township Manager
Daniel Kelly, Township Attorney
Mary Purcell, Recording Secretary

ABSENT: NONE

A quorum was present.

CITIZENS COMMENTS

The Board heard public comment from:

Judy Keyes, OT

AMENDMENTS/APPROVAL OF THE AGENDA

Supervisor Gonser proposed adding item #7 to the agenda to consider canceling the second BOT meeting of the month in May, June, July, and August. He also proposed adding item #8 to the agenda and suggested the Board request the Planning Commission to provide the Board a review of the sign ordinance, which includes electronic signage. The Chair also suggested removing items #3 and #4 under Pending Business.

MOVED BY THALMANN, SECONDED BY BUXAR to approve the agenda as amended.

MOTION PASSES: UNANIMOUS

CONSENT AGENDA

Trustee Bailey suggested removing item #4, Sewer Tap Allocation, from the consent agenda and making it a regular item for discussion.

The Board considered approval of the following items on the consent agenda containing:

- #1. Approval of minutes for the April 22, 2014 Regular and Special (Closed Session) meetings. There were no changes to the Closed Session minutes of the Special meeting and the Board accepted those minutes as presented.
- #2. Approval of the bills from May 13, 2014 in the amounts of \$6,395.08, \$9,032.59, and \$466,669.91. A copy of the lists of invoices is attached as part of these minutes.
- #3 Request to support the proposed Oakland County Solid Waste Plan Amendment as required by State Law.

MOVED BY BAILEY, SECONDED BY BUXAR to approve items #1, #2, and #3 on the consent agenda.

MOTION PASSES: UNANIMOUS

ROCHESTER CIDER MILL

Attorney Eric Lipson spoke on behalf of owners of the Rochester Cider Mill. He discussed specific changes in the proposed amendments to the cider mill consent judgment. They narrowed broad language and added that the cider mill will use guidance for farm markets which is provided by Michigan GAAMP standards. Attorney Michael Sugameli spoke on behalf of citizens against proposed amendments to the consent judgment.

MOVED BY THALMANN, SECONDED BY REILLY to approve paragraph #1 of the proposed consent judgment amending referencing Special Land Use and open every day (for business).

MOTION PASSES: UNANIMOUS

MOVED BY THALMANN, SECONDED BY REILLY to approve paragraph #2 of the proposed consent judgment.

AYES: THALMANN, REILLY, GONSER
NAYS: BUXAR, BAILEY, LANGLOIS, GIANNANGELI

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES
MAY 13, 2014 – REGULAR MEETING
APPROVED MINUTES

MOTION FAILS: 4 – 3

MOVED BY LANGLOIS, SECONDED BY BUXAR to state the previous motion does not preclude the Rochester Cider Mill applicant from coming to this Board in the future with requests for change.

MOTION PASSES: UNANIMOUS

MOVED BY BAILEY, SECONDED BY BUXAR to authorize the attorney to proceed with filing a motion to the court based upon the amendment of paragraph #1 of the proposed consent judgment.

MOTION PASSES: UNANIMOUS

ECT PRESENTATION

John O’Meara, PE and Marty Boot, Stream and Aquatic biologist, both from Environmental Consulting Technology, INC. made a presentation to the Board about the Paint Creek and Mill Race Restoration projects.

MOVED BY LANGLOIS, SECONDED BY THALMANN to have the attorney review the original MDEQ application for the Paint Creek and Mill Race restoration projects before proceeding with a new one.

AYES: LANGLOIS, GONSER, REILLY, THALMANN,
GIANNANGELI

NAYS: BAILEY, BUXAR

MOTION PASSES: 5 – 2

MOVED BY BAILEY, SECONDED BY BUXAR to receive a report within 30 days from the attorney for the BOT regarding the original MDEQ application for the Paint Creek and Mill Race restoration projects.

MOTION PASSES: UNANIMOUS

The Board heard public comment from:
Dick Michalski, 3070 Wains Way, OT
Frank Ferriolo, 5600 Kirkridge Tr., OT
Bob Sirna, 5823 Wellwood Dr., OT
Greg Olson, 4190 Orion Rd., OT
Jan Olson, 4190 Orion Rd., OT
Robert Yager, 1146 Bear Creek Ct., OT
Judy Keyes, OT

SEWER TAP REALLOCATION

MOVED BY BUXAR, SECONDED BY LANGLOIS to study the sewer tap reallocation issue further and bring it back to the next BOT meeting in June.

MOTION PASSES: UNANIMOUS

SHERIFF'S DEPUTY

MOVED BY BAILEY, SECONDED BY BUXAR to approve the request to amend the Oakland County Sheriff's Office 2013 to 2015 Law Enforcement Services Agreement with the Charter Township of Oakland to add one full-time Deputy II (no-fill) position and including the authorization for any necessary actions to execute this agreement.

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT

MOTION PASSES: UNANIMOUS

SAFETY PATHS AND TRAILS COMMITTEE (SPTC)

Alice Tomboulian, Chairman of the Safety Paths and Trails Committee (SPTC), thanked the BOT for recently approving Resolution No. 14-04 that approved adding four (4) seats to the committee. Four (4) nominees for appointment to SPTC were announced.

MOVED BY LANGLOIS, SECONDED BY BAILEY to appoint Libby Dwyer, George Ingram, Craig Blust, and Denise Franz-Wulbrecht to the Safety Paths and Trails Committee.

MOTION PASSES: UNANIMOUS

CONCESSION AGREEMENT

MOVED BY THALMANN, SECONDED BY LANGLOIS to approve the continuation of the existing concession agreement between the Charter Township of Oakland and the Paint Creek Cider Mill LLC for two (2) years and authorize execution of necessary documents.

MOTION PASSES: UNANIMOUS

WATER FEE SETTLEMENT AND RELEASE

MOVED BY BUXAR, SECONDED BY LANGLOIS to approve water fee settlement agreement and mutual limited release to resolve pending litigation between Mocer Development Corp., and their related companies, and the Charter Township of Oakland for an amount of \$1,266,500.00 and authorize Township Supervisor to execute the same.

The Board heard public comment from:
Bob Sirna, 5823 Wellwood Dr., OT

MOTION PASSES: UNANIMOUS

MOVED BY BUXAR, SECONDED BY BAILEY to approve water fee settlement agreement and mutual limited release to resolve pending litigation between Pulte Homes of MI and the Charter Township of Oakland for an amount of \$777,500 and authorize Township Supervisor to execute the same.

MOTION PASSES: UNANIMOUS

BOARD RECESSED at 9:20 PM for a break.

MEETING RECONVENED at 9:30 PM

CANCEL MEETINGS

MOVED BY THALMANN, SECONDED BY BAILEY to cancel the second regular monthly meetings of May, June, July, and August of this year.

Clerk Reilly took a roll call vote:

AYES: BAILEY, GONSER, REILLY, THALMANN, GIANNANGELI
NAYS: LANGLOIS, BUXAR

MOTION PASSES: 5 – 2

SIGN ORDINANCE

MOVED BY LANGLOIS, SECONDED BY REILLY to request the Planning Commission to provide the BOT a review of the Township's sign ordinance which includes electronic signage.

AYES: GONSER, BAILEY, BUXAR, LANGLOIS, THALMANN,
GIANNANGELI
NAYS: BAILEY

MOTION PASSES: 6 – 1

CITIZENS COMMENTS

The Board heard public comment from:
Frank Ferriolo, 5600 Kirkridge Tr., OT
Judy Keyes, OT
Dick Michalski, 3070 Wains Way, OT

TOWNSHIP MANAGER’S REPORT

Manager Capela gave her report to the Board in writing. She offered to answer any questions they had.

BOARD REPORTS

TREASURER LANGLOIS

Treasurer Langlois reported that the new Deputy Treasurer will begin on Monday, May 19. She also asked if the Board could have a discussion of the purchasing guidelines put on the next agenda.

CLERK REILLY

Clerk Reilly reported that several people are available to help or answer questions in the Clerk’s department while Jamie Moore is out of the office for a few weeks.

TRUSTEE BAILEY

Trustee Bailey said he is disappointed that no action is being taken on the Mill Race.

TRUSTEE THALMANN

Trustee Thalmann reported that Clean Scene was a great success. Seventy-eight volunteers came out to help. She thanked the many individuals and businesses that donated food and their assistance for the event. She is now looking for volunteers to help with NO HAZ on May 31, 8 – 2 PM at the Oxford Middle School. The Trustee also announced her resignation from Rochester Area Youth Assistance (RAYA).

TRUSTEE BUXAR

Trustee Buxar asked the Board if they plan to appoint someone to oversee the Phragmites program.

CHARTER TOWNSHIP OF OAKLAND BOARD OF TRUSTEES
MAY 13, 2014 – REGULAR MEETING
APPROVED MINUTES

TRUSTEE GIANNANGELI

Trustee Giannangeli reported that the Goodison Sub Area Plan has been revised and will be available to the Board before the next Board meeting. The Trustee also reported that the Planning Commission is also looking at revising the Master Plan. They would like to gather residents input by using a community survey.

SUPERVISOR GONSER

Supervisor Gonser reported that the Township continues to solicit e-mail addresses for the purpose of notifying residents for emergencies, road closures, or other important developments. He thanked Trustee Thalmann, Elaine Leven, and the many volunteers for a well planned and very successful Clean Scene. The Supervisor also reported there have been many meetings with Oakland County on a water master plan and a sewer master plan. The EPA and DEQ have said the Township needs to install water storage in the SE and SW parts of the Township, and possibly a water treatment plant. The WRC is proposing this is a 3 year project.

ADJOURNMENT

MOVED BY BAILEY, SECONDED BY BUXAR to adjourn the meeting at
10:05 PM

MOTION PASSES: UNANIMOUS

NEXT SCHEDULED MEETING

**Tuesday, June 10, 2014 at 7PM
Oakland Township Hall – 1st Floor Meeting Room**

Respectfully submitted,

Karen Reilly, Clerk
OT Board of Trustees

Approved,

Terry R. Gonser, Supervisor
OT Board of Trustees