

CALL TO ORDER

The December 13, 2016 Regular Meeting of the Charter Township of Oakland Board of Trustees was called to order by Supervisor Bailey at 7:00 PM in the Township Hall, 4393 Collins Rd., Rochester, MI.

PLEDGE OF ALLEGIANCE AND ROLL CALL

Supervisor Bailey led the reciting of The Pledge of Allegiance.

Clerk Reilly called the Roll.

Members Present: Michael Bailey, Supervisor
Karen Reilly, Clerk
Jeanne Langlois, Treasurer
Robin Buxar, Trustee
Frank Ferriolo, Trustee
John Giannangeli, Trustee

Absent: Lana Mangiapane, Trustee

Also Present: Dale Stuart, Township Manager
Dan Kelly, Township Attorney
Cari Neubeck, Deputy Clerk

A quorum was present.

ANNOUNCEMENTS AND PROCLAMATIONS

Supervisor Bailey commented that Trustee Mangiapane is absent this evening due to the recent death of her mother.

He further mentioned that former Supervisor, Joan Fogler's son passed away as well as Township Manager, Dale Stuart with the loss of his mother-in-law.

He extended his sincere condolences to all.

AMENDMENTS/APPROVAL OF THE AGENDA

The Board agreed to add under Pending Business Item #6 – Appointment of the citizen representative to the Safety Paths and Trails Committee.

MOTION by Langlois, supported by Buxar to approve the agenda as amended.

Motion carried 6/0.

PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

The Board heard public comment from:
John Markel – 245 Birch Hill Dr.

CONSENT AGENDA

MOTION by Ferriolo, supported by Langlois to approve the Consent Agenda as submitted.

1. Approval of Minutes
 - November 9, 2016 Regular
 - November 9, 2016 Closed Session
2. Approval of Bills
 - November 22, 2016 in the amount of \$151,726.74
 - November 29, 2016 in the amount of \$34,512.95
 - December 13, 2016 in the amount of \$380,572.78
3. Oakland County Sheriff's 2017-2018 Contract
4. Firefighter Training Contract

Motion carried 6/0.

OLD BUSINESS

There was no Old Business to discuss.

PENDING BUSINESS

1. **Public Hearing – Rochester Cider Mill Request for Special Land Use Approval to Expand the Permitted Uses**

The Board heard comment from:
Trevor Barkham – 717 Letts Rd.

Supervisor Bailey opened the public hearing at 7:17 PM.

The Board heard public comment from:
J. Paul Sugameli, Attorney
Eric Lipson, Attorney
Irene Speck – 5165 Glengate Rd.
Richard Corteville – 5151 Darby Cir.
Scott Miller – 5170 Glengate Rd.
John Markel – 245 Birch Hill Dr.

Supervisor Bailey closed the public hearing at 7:42 PM.

MOTION by Buxar, supported by Ferriolo to deny the Rochester Cider Mill's Application for Special Land Use approval for the purpose of adding a use set forth under the Michigan Liquor Control Commission's Small Wine Makers' License for the reasons that the Applicant has failed to provide sufficient information and data which would allow this Board to determine that the requested Special Land Use is consistent with the September 24, 2014 Second Stipulated Amendment to Order, in that, the Application does not establish the proposed use is considered to be normal retail sales and related operations of a cider mill. Further, the Applicant's Special Land Use request does not meet the standards of the Township Zoning Ordinance Section 24.04.01, which requires a Special Land Use applicant to establish no adverse effects or injury to our residents, the users of adjoining property, or the Township as a whole. Specifically, based on the information provided and review of the Special Land Use Application would permit a use that would significantly change and expand the current Cider Mill's operation, its vehicular and pedestrian traffic, clientele, peak customer demand times, facility service and delivery needs, and the impact on the environment, which would result in the following: a use that is not in harmony with the appropriate and orderly development of the surrounding residential neighborhood and the regulations of its residential zoning district; a use that is of a nature that will increase and due to the consumption of alcohol make vehicular and pedestrian traffic more hazardous than is normal for the district; a use that does not significantly eliminate possible nuisances to the nearby permitted residential uses; a use does not relate harmoniously with the physical and economic aspects of the adjacent residential land uses; a use that is not necessary for the public convenience at the Rochester Cider Mill's location; a use in an existing facility that does not adequately protect the public health, safety and welfare; a use that based upon the record would cause substantial injury to the value of other property in the neighborhood. Finally, upon this motion passing, I direct the Township Administration to notify the Michigan Liquor Control Commission, in writing, that the applicant's Small Wine Make license request does not meet the requirements of the Charter Township of Oakland's Zoning Ordinances.

Vote on the motion: Ayes: Ferriolo, Buxar, Langlois, Bailey, Reilly

Nays: Giannangeli

Absent: Mangiapane

Motion passed 5/1.

2. Draft 2017/2018 Budget

MOTION by Langlois, supported by Giannangeli to approve the preliminary budgets for the next three fiscal years be accepted for study.

Motion carried 6/0.

3. Planning Commission Appointments

The Board heard comment from:
John Markel – 245 Birch Hill Dr.

MOTION by Ferriolo, supported by Langlois to approve the appointment of Joseph Peruzzi to the Planning Commission for a term expiring on September 1, 2019.

Vote on the motion: Ayes: Ferriolo, Buxar, Langlois, Bailey, Reilly
Nays: Giannangeli
Absent: Mangiapane

Motion passed 5/1.

MOTION by Buxar, supported by Ferriolo to approve the appointment of George Platz to the Planning Commission for a term expiring on September 1, 2019.

Vote on the motion: Ayes: Ferriolo, Buxar, Langlois, Bailey, Reilly
Nays: Giannangeli
Absent: Mangiapane

Motion passed 5/1.

4. ZBA Appointments

MOTION by Langlois, supported by Buxar to approve the appointment of John Boville to the Zoning Board of Appeals for a term expiring on September 1, 2018.

Motion carried 6/0.

MOTION by Ferriolo, supported by Langlois to approve Joe Peruzzi to remain on the Zoning Board of Appeals and to appoint him as the representative to the Planning Commission.

Motion carried 6/0.

5. Board of Review Appointments

MOTION by Langlois, supported by Buxar to reappoint Judy Workings and John Casadei to the Board of Review with both terms expiring January 1, 2019. To also appoint Gary Putz to the Board of Review with a term expiring January 1, 2019.

Motion carried 6/0.

6. Appointment of the Citizen Representative for the Safety Paths and Trails Committee.

MOTION by Langlois, supported by Buxar to appoint Alice Tomboulian as citizen representative on the Safety Paths and Trails Committee with a term expiring May 1, 2018.

The Board heard comment from:
John Markel – 245 Birch Hill Dr.
Motion carried 6/0.

7. Subcommittee Appointments

MOTION by Buxar, supported by Langlois to approve the following board representative to the various groups:

Paint Creek Trailways: Frank Ferriolo, Board of Trustee representative; Robin Buxar, Board of Trustee alternate
Planning Commission: John Giannangeli, Board of Trustee representative
Safety Paths and Trails: Jeanne Langlois, Board of Trustee representative
OPC: Mike Bailey, Board of Trustee representative
SEMCOG Delegate: Mike Bailey, Board of Trustee representative
SEMCOG Alternate: Dale Stuart

Motion carried 6/0.

8. CDBG PY 2017 Approval

MOTION by Buxar, supported by Langlois, to approve allocation of PY 2017 Community Development Block Grant funds in the approximate amount of \$23,918 as follows and authorize the Supervisor to sign the application and the conflict of interest certification, and submit the documents to Oakland County:

Public Service #1 Battered and Abused Spouses	\$3,000
Public Service #2 Transportation Services	\$3,000
Mobile Home Repair Program	\$17,918

Motion carried 6/0.

9. PRC Recommendations for Appointments to Paint Creek Trailways Commission, Cranberry Lake Improvement Board, and Safety Paths and Trails Committee

MOTION by Buxar, supported by Ferriolo to approve the recommendation of appointees presented by the Parks and Recreation Committee as follows:

Paint Creek Trailways Commission Citizen Representative:
Voting citizen representative – Hank VanAgen

Alternate citizen representative – Martha Olijnyk

Cranberry Lake Improvement Board:

Oakland Township representative – Cathy Rooney

Safety Paths and Trails Committee:

Parks and Recreation Commission representative – Craig Blust

Motion carried 6/0.

10. Paint Creek Cider Mill Rail Approval

MOTION by Buxar, supported by Langlois to award the proposal submitted by Complete Fence in the amount of \$6,000 for the Paint Creek Cider Mill Rail and for the Township Manager to work with Complete Fence for an installation date.

The Board heard comment from:

John Markel – 245 Birch Hill Dr.

Motion carried 6/0.

PUBLIC COMMENT

There was no public comment.

TOWNSHIP MANAGER'S REPORT

Manager Stuart had nothing to report.

BOARD REPORTS & CORRESPONDENCE

Trustee Ferriolo – Reported that Oakland Township was recommended by the Michigan Natural Resource Trust Fund for a 2.2 million dollar grant to purchase 209 acres of property as well as a 300,000 dollar grant for bridge replacement. He thanked Mindy Milos-Dale, Kristin Myers and Chris Gray for all of their work.

Trustee Buxar – Wished everyone a Merry Christmas and a happy and safe holiday.

Treasurer Langlois – Advised that winter property tax bills were mailed on December 1st.

She further provided an update with visuals on the Eagle Creek boardwalk that is nearing completion.

She recently attended the Rochester Hills parade and provided visuals.

Clerk Reilly – Reported that the clerk’s department was involved in the presidential recount that it has now ended.

She also wished everyone a Merry Christmas.

Trustee Giannangeli - Wished residents a safe and happy holiday and reminded everyone to drive safely.

Supervisor Bailey – Stated that it is a pleasure to work with all of the board members.

CLOSED SESSION

MOTION by Giannangeli, supported by Buxar to approve going into closed session at 9:26 PM for the purpose of considering a periodic personnel evaluation of a public employee.

Roll Call: Ayes: Ferriolo, Buxar, Langlois, Bailey, Reilly, Giannangeli
Nays: None
Absent: Mangiapane

Motion carried 6/0.

MEETING RECONVENED

MOTION by Buxar, supported by Langlois to reconvene into open session at 9:34 PM.

Motion carried 6/0.

ADJOURNMENT

MOTION by Buxar, supported by Langlois to adjourn the meeting at 9:35 PM.

Motion carried 6/0.

NEXT SCHEDULED MEETING

Tuesday, January 10, 2017 at 7:00 P.M.
Oakland Township Hall – 1st Floor Meeting Room

Respectfully submitted,

Approved,

Karen Reilly, Clerk
Board of Trustees

Michael Bailey, Supervisor
Board of Trustees