

MINUTES

**CHARTER TOWNSHIP OF BRIGHTON
BOARD OF TRUSTEES
4363 BUNO ROAD
BRIGHTON, MI 48114**

**FEBRUARY 26, 2018
REGULAR MEETING
6:30 P.M.
(810) 229.0560**

Supervisor Michel called the meeting to order at 6:30 P.M. The Pledge of Allegiance was said.

Present: P. Michel, Supervisor; A. Bollin, Clerk; R. Drouillard, Treasurer; M. Slaton, Trustee; S. Theis, Trustee; S. Combs, Trustee

Absent: L. Weaire, Trustee

CALL TO THE PUBLIC

Jim Sarna, Woodland Shore Drive – Distributed handout and referenced comments he made at last meeting regarding the electrical connections to the grinder pumps and proper electrical hook up for generators; cited highlighted references in his handout about the construction code.

Dennis Shoner, Woodland Shore Drive – Allotted 3 minutes to Jim Sarna.

Jim Sarna, Woodland Shore Drive – Referenced a DTE letter; continued to read from his handout.

Ron Peterson, Woodland Shore Drive – Allotted 3 minutes to Jim Sarna.

Jim Sarna, Woodland Shore Drive – Continued to read from handout; Livingston County Drain Commissioner sent a representative to look at electrical installation; Livingston County Building Department and Infrastructure Alternatives representative also spoke to him about grinder pump wiring. Ordinance 258 is in conflict with the construction code; referenced an email noting exception to the code; requested verification of this allowable exception; Township should bring his grinder pump up to code.

Carol Peterson, Woodland Shore Drive – Allotted 3 minutes to Jim Sarna.

Jim Sarna, Woodland Shore Drive – Requested minutes from the last meeting be amended; requesting a reasonable solution to hooking up grinder pump to home; resign.

Bob Potocki, Woodland Shore Drive – Quoted language in 2005 lawsuit against the engineer; nothing has changed; read the complaints; supports Board resigning; same engineering company the Township sued is now signing agreement with Township for new roads.

Michael Smith, Cranmoore – International Brotherhood of Electrical Workers (IBEW) Local 58, 12 year member; 20 years doing residential electrical; nothing should be coming off the meter that isn't breakered. Does not believe in taking the easy way out; this is not properly done.

Mike Palmer, East Grand River – Thanked the IBEW member for his input on the grinder pump wiring; we are back to square one with the sewer; this is a safety concern; go back and fix the problem out of General Fund; Manager changed the ordinance; minutes do not reflect supervisor's comments to the public; never muzzle First Amendment Rights.

Barb Potocki, Woodland Shore Drive – Allotted 3 minutes to Mike Palmer.

Mike Palmer, East Grand River – Must follow the Electrical Code of the State of Michigan, not the Township Ordinance; Township rescinded authority; do not continue to install grinder pumps improperly. Fix the problem, pay the low bidder, pay from General Fund, and get it done the right way. BTBT members should resign.

Suzanne Sarna, Woodland Shore Drive – Allotted 3 minutes to Jim Sarna.

Jim Sarna, Woodland Shore Drive – Seller disclosure; where am I if I sell my house? Installing a generator seemed simple; only one BTBT member is on the sewer and deals with this; exposed live wires are safety hazard; township will foot the bill.

Doug Taylor, Oak Knoll – One Board member on the sewer; how will I be able to sell my home with this new issue? This is going to cost the Township, correct the mistake, do your job, and take responsibility.

AGENDA

A. Bollin moved and R. Drouillard seconded **to approve the agenda upon adding Item I.2., Attorney Client Communication, from Chuck Barbieri dated February 22, 2018.**

Motion carried.

APPROVAL OF CONTRACT EXTENSION – Building Cleaning Services, ServicePro

Z. Dyba, Assistant to the Manager, provided responses to Board's questions and outstanding items from previous meeting regarding reference checks, bonding, and security.

R. Drouillard moved A. Bollin seconded **to authorize the Supervisor and the Clerk to sign the contract extension commencing April 1, 2018 and terminating March 31, 2019 with ServicePro for Building Cleaning Services.**

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, M. Slaton, P. Michel

Nays: None.

Motion carried.

APPROVAL OF AGREEMENTS – 2018 Summer School Tax Collection for LESA, Howell Public Schools, Hartland Consolidated Schools, Brighton Area Schools and Huron Valley Schools

Treasurer Drouillard presented this as a housekeeping item.

A. Bollin moved and S. Combs seconded **to authorize the Clerk and Supervisor to sign agreements for 2018 summer tax collection with the school districts including Livingston Educational Service Agency (LESA), Howell Public Schools, Hartland Consolidated Schools, Brighton Area Schools and Huron Valley Schools.**

Ayes: A. Bollin, R. Drouillard, S. Combs, S. Theis, P. Michel

Nays: M. Slaton

Motion carried.

ACCEPTANCE OF PROPOSAL FOR DUST CONTROL – Chloride Solutions, LLC

Z. Dyba, Assistant to the Manager, provided an overview and confirmed that this was the low bidder and there has been no change in pricing for salt brine from last year. Discussion included where the chloride is applied and Manager summarized the in-house tracking system for quality assurance and quality control and confirmed that these numbers will be incorporated into the proposed FY' 2018-19 budget.

A. Bollin moved and S. Combs seconded **to accept the proposal from Chloride Solutions dated January 26, 2018 for the supply and application of mineral well brine for 2018.**

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, M. Slaton, P. Michel

Nays: None.

Motion carried.

AUTHORIZATION OF CONTRACT RENEWAL – OTIS Elevator Company

Assistant to the Manager, Z. Dyba, gave a brief overview of the contract for elevator services and the past practices. Discussion included the contract automatically renewing, term is for ten years, typical service costs, termination clause, did we pursue additional quotes, and projected rates with the automatic increase included.

A. Bollin moved and S. Combs seconded **to table the authorization of a contract renewal for elevator services through Otis Elevator to allow staff to get additional price quotes for comparison.**

Motion carried.

ACCEPTANCE OF BID AND AWARD OF CONTRACT – Lawn and Grounds Maintenance RFP #18-01, B & N Lawn and Snow, Inc.

Z. Dyba, Assistant to the Manager, summarized the RFP responses. Discussion included bid notification and RFP responses, confirmation by Z. Dyba that the weeding will be done as needed and is included in the monthly pricing and not charged hourly; reference to language on Page 2, 1. Routine Facility Maintenance and its possible misinterpretation related to weeding with consensus that this sentence would be deleted.

A. Bollin moved and S. Combs seconded to **approve the bid from B&N Lawn and Snow Inc. dated January 26, 2018 and award the two-year contract to B&N Lawn and Snow Inc. for lawn and grounds maintenance for the period ending March 31, 2020 upon making the change specifically removing the language on Page 2, under 1. Routine Facility Maintenance as discussed.**

Ayes: M. Slaton, A. Bollin, R. Drouillard, S. Combs, S. Theis, P. Michel

Nays: None.

Motion carried.

LETS Transportation Survey

Manager Vick provided background on the materials provided stating the Transportation Coalition was looking for input from suburban townships. Discussion included reference to the data/information gathered by staff including adopted plans and recent traffic studies submitted with recent site plan approvals, specifically Encore Development, Kroger and Deerfield Preserve; WALLY; LETS operating costs and overall budget, ridership, efficiency, other transportation options not mentioned in the materials, private provider options, impact that the Ascension Health Center and U of M short term stay facility have on traffic since they are/will be local with local transportation options available, autonomous vehicles, and need to put monies towards roads and existing systems.

P. Michel moved and R. Drouillard seconded to **direct the Manager to provide a response to the Transportation Coalition based on the Board's discussion and to submit the referenced documents.**

Motion carried.

REPORTS AND CORRESPONDENCE

REPORTS

SELCRA Meeting Minutes – November 8, 2017

SELCRA Meeting Minutes – January 2018

Livingston Community Water Authority Regular Meeting Minutes – December 20, 2017

Brighton Area Fire Authority Regular Meeting Minutes – December 14, 2017

S. Theis – Upcoming SELCRA Daddy/Daughter Dance; Master Plan submitted to State.

R. Drouillard – Treasury busy with Tax collection; LCWA update including updating design standards, upcoming meeting. Utilities Committee elected new officers.

A. Bollin - Election training update, new equipment trainings.

P. Michel – BAFA update; upcoming special meeting on March 27, 2017 with Fire Chief.

Dan Cabbage, Township Engineer (F&V) – provided input on the reference to illegal electrical hookups referenced in call to the public. Manager Vick also explained the standards adopted in 2007 confirmed that other jurisdictions have connections to the meter through alternative options allowed under the code.

DEPARTMENTS

SELCRA Director's Reports – January 10, 2018 and February 14, 2018

Brighton Area Fire Authority Firestat Report – December 2017

Infrastructure Alternatives, Inc. Monthly Operating Report – December 2017

MANAGER

B. Vick summarized a recent incident at Pump Station #3 due to rain and thawing, F & V is evaluating conditions and will report back to the Township.

CORRESPONDENCE

None.

CALL TO THE PUBLIC

Mike Palmer, East Grand River – Referenced FOIA No. 18-011; April 23, 2013 letter from Attorney Harris which discussed a review of the sewer ordinance and the ordinance was amended four months later knowing that it didn't meet the code. BTBT didn't do their homework, false information, not wired to code; amended ordinance to allow an illegal hookup.

Jim Sarna, Woodland Shore Drive – Went to Hamburg Township utilities and spoke with them regarding wiring. Engineering Standards don't trump Code; Mary Barra, General Motors, didn't run or hide, she corrected the problem. Provide the documentation where you have the right to do this.

Dennis Shoner, Woodland Shore Drive – Health and safety risk; allotted remaining minutes to Mike Palmer.

Mike Palmer, East Grand River – You can't smell or taste electricity, assume the liability, you work for the people. Township went the cheapest route, we want to be made whole, the General Fund is responsible for this.

Rick Miles, Hilton Road – Allotted 3 minutes to Jim Sarna.

Jim Sarna, Woodland Shore Drive – Spoke with Jim Rowell, LCBD, requested a dated and signed letter; he refused. Wants home brought up to code. Expects response per Policy 209.

CLOSED EXECUTIVE SESSION

Trial or Settlement Strategy in Connection with Litigation and to Review Confidential Attorney Client Communication, specifically Stephen Rushak and Kimberlee Rushak v. Brighton Township, dated February 20, 2018.

A. Bollin moved and R. Drouillard seconded to go into closed session for the purpose of discussing trial or settlement strategy in connection with litigation and to review confidential attorney client communication from Attorney Barbieri dated 02-22-18 and attorney client communication dated 02-20-18, specifically, Stephen Rushak and Kimberlee Rushak.

Ayes: S. Theis, S. Combs, R. Drouillard, A. Bollin, M. Slaton, P. Michel

Nays: None.

Motion carried.

The Board went into closed executive session at 8:20 P.M.

The Board returned to open session at 9:08 P.M.

P. Michel moved and A. Bollin seconded to approve the settlement agreement with the Rushak's and authorize Attorney John Harris to sign it on the Township's behalf.

Ayes: M. Slaton, A. Bollin, R. Drouillard, S. Combs, S. Theis, P. Michel

Nays: None.

Motion carried.

ADJOURNMENT

S. Theis moved and R. Drouillard seconded **to adjourn**. Motion carried.

The meeting adjourned at 9:10 P.M.

Respectfully submitted,

Ann M. Bollin, CMC, CMMC, Clerk

Patrick Michel, Supervisor