

**CHARTER TOWNSHIP OF PLYMOUTH
BOARD OF TRUSTEES – REGULAR MEETING
TUESDAY, JULY 22, 2008**

Supervisor Reaume called the meeting to order at 7:02 p.m. and led in the Pledge of Allegiance to the Flag.

MEMBERS PRESENT: Richard Reaume, Supervisor
Ron Edwards, Treasurer
Marilyn Massengill, Clerk
Kay Arnold, Trustee
Charles Curmi, Trustee
Robert Doroshewitz, Trustee
Steven Mann, Trustee

ABSENT: None

OTHERS PRESENT: James Anulewicz, Director of Public Service

Mark Lewis, Chief Building Official
Thomas Tiderington, Police Chief
Mark Wendel, Acting Fire Chief
Timothy Cronin, Township Attorney, arrived at 7:15 p.m.
Stephanie Harbour, Dietrich Bailey Associates
Joseph Bridgman, Deputy Clerk
Joann Coobatis, Human Resources
Patrick Fellrath, Township Civil Engineer
Alice Geletzke, Recording Secretary
15 Members of the Public

D. APPROVAL OF AGENDA

Regular Meeting – Tuesday, July 22, 2008

Mrs. Massengill moved to approve the agenda for the Board of Trustees Regular Meeting of July 22, 2008, as presented. Seconded by Ms. Arnold. Ayes all.

E. CONSENT AGENDA

E.1 Approval of Minutes
Regular Meeting – Tuesday, June 24, 2008

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E.2 Approval of Township Bills

		Year 2008
General Fund	(101)	\$785,816.21
General Fund Loan to Downtown Development Authority	(101)	-
Water/Sewer	(592)	611,424.33
Improvement Revolving	(246)	47,481.08
Solid Waste Disposal	(226)	103,740.23
Trust and Agency	(701)	12,500.00
Tax Pool	(703)	200.00
Drug Forfeiture	(265)	-
Special Assessment Capital Project Fund	(805)	414.10
Total:		\$1,561,575.95

E.3 Approval of Easements – N/A

E.4 Communications-Resolutions-Reports

- a. Communications
Thank you note to the Fire Department from Pat Knox
Thank you letter to the Board of Trustees from Eric Bacyinski
- b. Resolutions – N/A
- c. Reports
Building Department, June 2008
Fire Department, June 2008
Police Department, June 2008
2nd Quarter Financial Report

Mr. Curmi had questions as to whether the bills had been checked by one of the Trustees. The bills were not checked by the Trustee assigned to do so.

Mrs. Massengill moved to approve the consent agenda for the Board of Trustees regular Meeting of July 22, 2008, as presented. Seconded by Ms. Arnold.

AYES: Massengill, Arnold, Doroshewitz, Edwards, Mann, Reaume

NAYS: Curmi

Motion carried.

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F. PUBLIC COMMENT AND QUESTIONS

Ms. Diane Gonzalez, school board member and candidate for Plymouth Township Supervisor in the August 5 primary election, presented each member of the Board with a packet containing correspondence regarding her Freedom of Information Act (FOIA) request for copies of legal fees for the past two years, some in conjunction with Fire Department binding arbitration and some regarding the settlement for the lawsuit, Felts vs. Plymouth Township. She also requested the fees be waived in conjunction with having highly-qualified attorneys and elected officials filling these requests. It has been 18 days since her first FOIA request.

Mr. Doroshewitz questioned Ms. Gonzalez about her sources of obtaining information on matters which took place in closed session, citing possible criminality if those matters are discussed. She referred to having heard rumors around town.

Mr. Cronin was not present at the meeting at this point. He arrived at 7:15 p.m.

Mr. Peter Bukis of the Fire Department union questioned the Board on when two additional fire fighters will be hired as was understood at the time of the millage request.

Mr. Reaume assured him of the Board's concern for public safety and said the minimum staffing has been exceeded at all times.

G. PUBLIC HEARING – N/A

H. COMMUNITY DEVELOPMENT – N/A

I. UNFINISHED BUSINESS – N/A

J. NEW BUSINESS

- J.1** Request from Dhake Industries to create an Industrial Development District for property located at 15169 Northville Road
Set Date for Public Hearing

Mr. Mann moved that August 19, 2008, be established for public hearing on the request from Dhake Industries to declare an Industrial Development District for property located at 15169 Northville Road, Plymouth Township, Wayne County, Michigan. Seconded by Ms. Arnold. Ayes all.

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- J.2** Request for an Industrial Facilities Exemption from Dhake Industries covering a proposed expansion to an existing facility located at 15169 Northville Road, including new personal property to be purchased and installed within the new addition
Set Date for Public Hearing

Mrs. Massengill moved that August 19, 2008, be established for public hearing on the request from Dhake Industries for an Industrial Facilities Exemption Certificate on a proposed expansion to their existing facility, including personal property located at 15169 Northville Road, Plymouth Township, Wayne County, Michigan. Seconded by Ms. Arnold. Ayes all.

- J.3** 2007 Comprehensive Annual Financial Report

Joe Heffernan, Martin Olejnik, and Keri Shea of Plante & Moran, PLLC, reviewed the Comprehensive Annual Financial Report for the Charter Township of Plymouth and answered questions from Board members.

Mr. Heffernan reviewed future financial concerns for the Township such as declines in property taxes and state-shared revenue, and funding retiree health care. He also indicated he felt machinery and equipment should be included when a six-year capital plan is required.

Mr. Mann moved to receive and file the 2007 Comprehensive Annual Financial Report for the Charter Township of Plymouth. Seconded by Ms. Arnold. Ayes all.

K. DEPARTMENT REVIEW AND COMMENTS – N/A

L. SUPERVISOR AND TRUSTEE COMMENTS

Mr. Reaume introduced Kelly Demiryman, Account Director of the Rains Group, a Division of Gallagher Benefit Services, Inc., who explained the possibility of employee insurance cost savings being investigated through buying cooperatively through the Conference of Western Wayne.

Mr. Reaume also indicating a resolution would be forthcoming, allowing the Conference of Western Wayne to apply for a grant to conduct this study.

Mr. Curmi had questions regarding collections for false alarms. He also asked that someone from the Township monitor whether the Detroit Water Board has proper emergency plans in place.

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Mr. Anulewicz noted the requirement for updating the Master Plan every five years and reviewed with the Board what has transpired in that regard in the past few years.

Mr. Edwards thanked everyone for their help with the successful fireworks display and for participation at the picnic, where 5600 hot dogs were served.

Ms. Arnold mentioned she and Mrs. Massengill attended the successful anniversary fireworks event of the Wayne County Conservation Club.

M. PUBLIC COMMENT

Ms. Diane Gonzales continued her discussion regarding her FOIA request for information regarding legal fees of the Township.

Mr. Cronin indicated he attempted to narrow the scope of legal fees requested out of all the legal fees of the Township. He also cited being bound by attorney/client privilege in many instances and the need for confidentiality.

Mr. Cronin indicated he was not convinced that the Supervisor relied on any document or record when quoted in the paper about the legal fees for the Fire Department arbitration.

He quoted Ms. Gonzales request for “all legal fees and settlement payments pertaining to the discharge of Jeff Felts.” In his conversation with Ms. Gonzales, she made a comment to him that, for reasons he cannot tell her right now, gave him pause when she said there was a check or payment that was made to Mr. Felts and his attorney. He said it can be noted that he never offered any explanation at all about that, no editorial comments—he just reacted to her request. He wants that to be clear on the record because it’s significant for reasons he cannot explain.

He indicated when these issues are all put together in the same e-mail, it is apparent there are issues that have confidentiality and possible exemption. If the Board were polled right now, they would agree that it should be him, as Township Attorney, that he should be the one handling this because he would be the one careful enough to avoid creating problems for the Board.

N. CLOSED SESSION

At 8:40 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold that a closed session be called for the purpose of discussing: Attorney Opinion regarding the Fire Chief’s position and Attorney Opinion regarding the IAFF Act 312 Arbitration Ruling; and Michigan Tax Tribunal Lawsuit – Robert Bosch, LLC; and Attorney Opinion regarding Social Security and Medicaid tax payments from MERS eligible employees.

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This is a permissible purpose under the Michigan's Open Meeting Act, Public Act No. 267, Article 15.268, Section 8, Paragraph (c), (e), and (h).

Ayes all on a roll call vote.

At 10:29 p.m., it was moved by Mrs. Massengill and seconded by Ms. Arnold to return to open session

Ayes all on a roll call vote.

Mrs. Arnold moved to contract appraisal services to Gerald Alcott Appraisal Company as discussed in closed session for the Bosch appeal. Seconded by Mr. Mann. Ayes all.

Mr. Edwards brought up the bill from ADP for their Enterprise System (timekeeping), approximately \$20,890 owed, which the Board discussed.

Mr. Mann moved to approve payment of the bill from ADT for their Enterprise System not to exceed \$21,890. Seconded by Mr. Edwards.

AYES: Mann, Edwards, Doroshewitz, Massengill, Reaume

NAYS: Arnold, Curmi

Motion carried.

Mr. Edwards questioned the use of the Town Hall for the Chamber of Commerce forum on Wednesday, July 23. With regard to the finance laws, he knows they can use the room but other resources should be paid for, such as the use of the recording equipment. This type of use would be considered campaigning and the campaign financing law would consider this as an in-kind donation.

Mr. Cronin indicated the reality is you can't use Township resources, etc., for campaign purposes under the Campaign Finance Act. If some organization wanted to come in and rent a room or a portion of Township Hall, they can always do that. However, if you allow someone to use the resources for free, that would allow others to use the resources for free, also. He recommended a written policy.

Mr. Edwards and Mr. Mann asked that they be on record as not being part of any campaign law violation.

Mr. Mann moved that the Township policy for use of the meeting room spaces within Township Hall not be permitted for campaign purposes. Supported by Mr. Edwards. Ayes all.

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O. ADJOURN

Mrs. Massengill moved that the meeting be adjourned. Seconded by Ms. Arnold. Ayes all.

Mr. Reaume adjourned the meeting at 10:47 p.m.

Marilyn Massengill, Clerk
Charter Township of Plymouth

The Charter Township of Plymouth will provide necessary reasonable aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon two weeks notice to the Charter Township of Plymouth. Individuals with disabilities requiring auxiliary aids or services should contact the Charter Township of Plymouth by writing or calling the Human Resource Office, Charter Township of Plymouth, 9955 N. Haggerty Road, Plymouth, Michigan, 48170, (734) 453-3202, TDD users: 1-800-649-3777 (Michigan Relay Service)-