



Montrose Charter Township
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Montrose Township Regular Board Meeting
April 21, 2009

The meeting was called to order by Supervisor Mark Emmendorfer at 7:00pm.

The meeting began with the Pledge of Allegiance to the Flag.

Roll Call: Present- Fred Domine, Mark Emmendorfer, Donald Sullivan, Dan Hill, Linda Miller, Tom Tithof, and Gary Keeler.

Citizens Comments: None

Minutes: Dan Hill made a **Motion** to approve the minutes of the March 17th, 2009 Regular Board Meeting as written. Support for the motion by Gary Keeler. Vote- All yes. Motion passed.

Treasurers Report:

Treasurer, D. Sullivan gave the treasurers report.

Revenue/Expenditure Report:

Supervisor M. Emmendorfer presented the Revenue/Expenditure report which is on file with these minutes.

Presentation of Bills: Dan Hill made a **Motion** to pay the bills as presented. Support for the motion by Tom Tithof. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes), Mark Emmendorfer (yes).

Reports:

Fire- On file with minutes.

Police- On file with minutes.

Chief Ellis said that DPP has been bought out by a company named Crime Cog. Crime Cog has designated Montrose Township as a test site for their new police software.

Building/ Assessing Department- Report on file with minutes.

Building and Grounds- Report on file with minutes.

Senior Center- Report on file with minutes.

C M Ambulance- Report on file with minutes. Mark Emmendorfer said that there was no money owed for the month of March 2009.

Business:

Supervisor Emmendorfer asked to add an item concerning John Newcomer to the Agenda. Trustee Hill asked to add web site discussion to the Agenda.

Tom Tithof made a **Motion** to add these two items to the agenda. Support for the motion by Linda Miller. Vote- All yes. Motion passed.

Resignation of police officer, Dennis Smalley;

Police Officer Dennis Smalley has submitted a letter of resignation effective April 3, 2009. Dan Hill made a **Motion** to accept Dennis Smalley's resignation. Support for the motion by Gary Keeler. Vote- All yes. Motion passed.

Board Approval of the hiring of police officer, Bruce Andres;

Supervisor Emmendorfer explained that this opening was not advertised because as soon as word filtered down that we had an opening in our department, we received twelve resumes for the opening. The resumes all were from qualified individuals. Chief Ellis and Sergeant Cochrane interviewed the applicants and made their recommendation to the Police Committee. The police Committee concurred and have recommended that the township hire Bruce Andres to fill the vacancy created by the resignation of Dennis Smalley.

Tom Tithof made a **Motion** to hire Bruce Andres as a police officer on the Montrose Township Police Department. Support for the motion by Don Sullivan. Vote- All yes. Motion passed.

Resignation of Firefighter Andrew Marks;

Supervisor Emmendorfer read the resignation of Andrew Marks from the Montrose Township Fire Department. The resignation is to take effect April 1st, 2009.

Gary Keeler made a **Motion** to accept the resignation of Andrew Marks from the Montrose Township Fire Department. Support for the motion from Dan Hill. Motion passed.

C M Contract Renewal and or Upgrade;

Supervisor Emmendorfer explained that C M Ambulance Co. has approached him about upgrading our ambulance base from Basic Life Support to Advanced Life Support. They currently have an Advanced Life Support Base located in the City of Mt. Morris and would like to add another in Montrose.

Jeff Clark of C M explained that with Advanced Life Support we would have a Paramedic and an EMT on the ambulance. They would be prepared and trained to handle trauma, give cardiac support and use advanced surgical techniques. Costs are higher for the ALS because of the complexity and requirements of the equipment used and the wages paid to the paramedics. Charlotte Cooksey explained that the break even dollar amount generated by calls would be \$24,000.00 per month but the township would be liable for no more than \$4,000.00 - \$4,500.00 per month. She also explained that the amounts charged to insurance companies for the ALS services are higher and C M would be generating more income per call.

Don Sullivan made a **Motion** to enter into a six month trial agreement with C M Ambulance Co for ALS Ambulance Service beginning June 1, 2009. Montrose Townships cost for the contract during the trial period is not to exceed \$4,000.00 per month. The motion was supported by Dan Hill. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes), Mark Emmendorfer (yes). Motion passed.

Because our new ALS contract with C M Ambulance does not begin until June 1st, 2009, Gary Keeler made a **Motion** to extend our present BLS contract to May 31st, 2009. Support for the motion by Linda Miller. Vote- All yes. Motion passed.

Policy and Procedure Manual review;

Emmendorfer explained that the Policy and Procedure Committee had one meeting to discuss changes to the manual. We have spent quite a bit of time trying to put together the changes recommended by them. We have adopted new language in some places and have made changes in the order and manner that information is presented. We have just received this final draft of the manual but have not had time to review the changes and the new additions to the manual. Dan Hill has suggested that we table approving the manual this month to give the Policy and Procedure Committee adequate time to review it. Mark also explained the new Longevity payment program is included in the manual.

Gary Keeler made a **Motion** to table approval of the Policy and Procedure Manual. Support for the motion given by Dan Hill. Vote- All yes. Motion passed.

Performance Appraisal Resolution;

Mark presented the new Montrose Township Evaluation Form. The previous form considered by the Township was cumbersome and did not fit our needs. The Executive Committee of the township (Supervisor, Clerk, and Treasurer) will evaluate the Department heads. Department Heads will then evaluate their own employees. Board members may, if they desire, submit comments in writing about any employee being evaluated. Employees

will have the opportunity to meet with the Township Board and discuss their evaluation. They may also request this meeting be in a closed session.

Tom Tithof made a **Motion** to adopt Resolution 09-08. This Resolution adopts the Montrose Township Policy for employee and department head performance appraisals dated April 21, 2009, and authorizes the township Supervisor to sign and date said policy effective immediately. Support for the Resolution given by Linda Miller. Vote- All yes. Resolution passed.

Cost Recovery Ordinance;

Supervisor Emmendorfer explained the purpose of the Ordinance was to protect the township from extraordinary expenses resulting from the utilization of township resources in response to certain public safety or emergency incidents. The Ordinance gives the township the ability to recover actual costs incurred by the township or any of its departments in responding to such incidents. Adoption of the Ordinance has been recommended by Attorney, Otis Stout, Montrose Township Fire Committee, and the Police and Fire Departments.

Board discussion followed and there was concern about the frequency of false alarms. The Township Board recommended the following changes to the Ordinance *“Page three item two, to read as follows (False alarms; over 3 in 30 days). Page Three item four, replace the word responsibility with responsible. Page five, change amount of time to pay an invoice under section 33.02 from 30 days to 45 days.*

Motion by Dan Hill supported by Gary Keeler to adopt Ordinance 09-178 with revisions. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes), Mark Emmendorfer (yes). Ordinance Adopted.

Resolutions for Water & Waste Well Meter Policy & Abandoned/Condemned On/Off Winterization policy;

Supervisor Emmendorfer explained that if a sewer customer in the township installs a water meter on his well he will realize a savings on his sewer bill because he will be charged on a basis of water that flows through the meter rather than a flat rate. These Resolutions will adopt the Genesee County Drain Commission Policies PPC09-001 & PPC09-002, Non-Single Family Residential Well Meter Policy and Single Family Residential Well Meter Policy

Dan Hill made a Motion to adopt Montrose Township Resolution 09-10, Private Single Family Residential Well Meter Policy PPC-09-001. Support for the resolution by Gary Keeler. Vote- All yes. Resolution passed.

Dan Hill made a Motion to adopt Montrose Township Resolution 09-09, Non Single Family Residential Well Meters Policy PPC-09-002. Support for the motion by Tom Tithof. Vote- All Yes. Resolution passed.

Dan Hill made a **Motion** to Table the Resolution for Abandoned and Condemned Structure Policy PPC-09-003.

Dan's **Motion** died for lack of support.

Tom Tithof made a **Motion** to adopt Montrose Township Resolution 09-11. Abandoned and Condemned Structure Policy, Turn-On /Turn-Off / Winterization Policy PPC-09-003. Support for the resolution by Don Sullivan. Vote- (6) Yes, (1) No (Hill). Resolution passed.

DR Brush cutter Mower Bids;

Fred Domine explained the rationale for buying a brush cutter. We can use it in the cemetery, Park and for cutting lots and yards of properties that are in violation of the township Ordinance.

We received three bids for the DR Brush cutter. Tri- County Equipment, Burton, Mi \$2,950.00, Wolfeil Hardware Saginaw, Mi \$2,799.00, and Brady Lawn Equipment, Mason, Mi \$2,785.00.

The Board packets contained a letter from Building and Grounds Supervisor, Maynard Reed, asking that the township consider the bid from Tri-County Equipment because of the excellent service that he receives from them. Tri-County's bid was \$165.00 more than the low bid of \$2,785.00. The distance from Montrose to the dealership to purchase parts and receive service was also taken into consideration by the Board. It was noted that the Township reserves the right to accept or reject any or all bids in their request for bids.

Tom Tithof made a **Motion** to purchase the DR Brush cutter from Tri-County Equipment Company of Burton, Mi. for the price of \$2,950.00. Support for the Motion by Don Sullivan. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes), Mark Emmendorfer (yes). Motion passed.

Generator Back-up Systems Installation Bids and Generator Cost Quotes;

The Board discussed back-up generators at our March Board meeting and requested Supervisor Emmendorfer to obtain bids for the Police Department, Fire Department and Senior Center.

Mark explained, to cut costs, we obtained separate quotes for the installation and the purchase of the generators. The Bids for installation of the generators are as follows: Sather Electrical- \$7,200.00, Newkirk Electric- \$9,941.00, Metcalf Electric- \$9,518.00, Genesee Electric \$12,139.00, and Weinstein Electric \$23,510.00.

Sather's bid did not include moving an electrical box at the Senior Center nor did it include Start up costs in the amount of \$1,000.00 for the generator at the Senior Center.

Newkirk Electric's bid did not include the \$1,000.00 start up costs for the generator at the Senior Center.

Metcalf Electric's bid included both the relocation of the electrical box and the start up costs for the generator at the Senior Center.

Bids for the generators are as follows:

McNaughton-McKay- \$25,367.06 *Included Start-Up
 Kendall Electric- \$21,929.51 *Did not include Batteries +\$480.00
 B & B Electrical- \$22,600.06
 Michigan Electric Supply- \$26,792.00

Motion made by Gary Keeler to purchase and install back up generators for the Fire Department, Police Department, and Senior Center. Contract for installation and set up to be awarded to Metcalf Electric for \$9,518.00. The Generators to be purchased from B & B Electrical for \$22,600.06. Total expenditure \$32,118.06. Support for the motion by Fred Domine. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes). Mark Emmendorfer (abstained). Motion passed.

Funding for these generators as follows:

Senior Center, money has been appropriated from 2008 budget carry over.

Fire Department, money will come from Fire Equipment Fund.

Police Department, budget will be amended and money is to come from the General Fund.

Gary Keeler made a **Motion** to adjust the Police Department Budget in the amount of \$7,242.68. Support for the motion by Don Sullivan. Vote- Dan Hill (yes), Fred Domine (yes), Gary Keeler (yes), Linda Miller (yes), Tom Tithof (yes), Don Sullivan (yes). Mark Emmendorfer (yes). Motion passed.

Township Hall Furnace Bids;

Fred Domine explained the need to install two new furnaces in the township hall. One our present furnaces has a defective heat exchanger. We also want to move the Clerks office to the present furnace room and we hope to achieve more even and uniform heating and cooling for the township hall and offices. It was suggested that we relocate the furnaces to the crawl space underneath the township hall. Specifications were drawn up and bids solicited for two new furnaces.

The bids for the Furnaces are as follows:

Genesee Refrigeration- \$14,200.00- No alternate bids. Bid per specification.

Custom Engineering- \$11,850.00- Bid per specification. Alternate Bids follow.

- a. Two air conditioning units; (1) three ton, (1) two and one half ton with R410a gas.
- b. April –Aire flow through power humidifier; \$350.00
- c. General Media Filter Cabinets Merv 10 Filters W/ 97% Pollen; \$240.00

Burns Brothers Heating and Cooling- \$11,468.00- Per Specification. Alternate Bids follow.

- a. Two air conditioning units; (2) three ton with R410a gas \$\$3,317.00.
- b. Insulated ductwork using ½ inch duct liner and using R6 Flex duct \$1,560.00.
- c. Two Totalline Mechanical Air Cleaners \$440.00.

- d. *Add three return air grilles to each furnace \$1,700.00.
*They will quiet the system

Dan Hill made a **Motion** to award the furnace contract to Custom Engineering for a total bid of \$14,540.00. The Contract includes the installation of two furnaces, two air conditioners, and two General Media Filter cabinets as per their proposal. Support for the motion by Gary Keeler. Vote- Mark Emmendorfer (No), Don Sullivan (yes), Dan Hill (yes), Tom Tithof (yes), Linda Miller (yes), Gary Keeler (yes), Fred Domine (yes). Motion passed.

Ordinance Code Book Updates;

Supervisor Emmendorfer presented the estimate from American Legal Publishing Corporation to compile the supplement of the Montrose Charter Township Code of Ordinances. We will receive a supplement to update and cross reference our Ordinance book. This keeps us up to date with all of our new ordinances. The quote is \$3009.75 but contained a disclaimer explaining that the we should plan on a price range of from \$2,800.00 to \$3,500.00 based on replacing chapter 31 with the provisions of ordinance 163 an replacing chapter 151 with the provisions of ordinance 175.

Gary Keeler made a **Motion** to have our Ordinance Book updated by American Legal Publishing for an amount not to exceed \$3,500.00. Support for the motion given by Dan Hill. Vote- Dan Hill (yes), Fred Domine (yes), Don Sullivan (yes), Linda Miller (yes), Tom Tithof (yes), Gary Keeler (yes), Mark Emmendorfer (yes). Motion passed.

Water and Waste Committee Recommendations;

Supervisor Emmendorfer related the dilemma created by Genesee County Water and Waste with their new billing process. The County billing process has caused many customers to receive billings that have increased as much as 300%. Riverside Markets billing went from \$300.00 per month to \$900.00 per month. Mark explained that we could reduce the rate that the township imposes by paying off our \$243,000.00 loan to National City Bank. We would pay off this loan using \$68,000.00 that we presently have in our Sewer Fund and borrowing \$200,000.00 from our Impact Fund. We are currently paying 3.62% to National City and we are only receiving 1% interest on our money in the bank. The Township would then extend the repayment term for the loan to the Sewer customers to a ten year repayment at 2.5% interest. This would greatly reduce the monthly amount that we have to charge customers in order to service our current loan.

Tom Tithof made a **Motion** to accept the recommendation of the Water and Waste Committee to lend the Sewer Fund \$200,000.00 from the Impact Fund. This money would be used to pay off the Township's Loan at National City Bank. The \$200,000.00 would be paid back to the Impact Fund over a ten year period at an interest rate of 2.5%. Support for the motion by Dan Hill. Vote- Fred Domine (yes), Don Sullivan (yes), Tom Tithof (yes), Gary Keeler (yes), Linda Miller (yes), Dan Hill (yes), Mark Emmendorfer (yes). Motion passed.

John Newcomer Resignation and Civil Rights Complaint;

John Newcomer has filed a Civil Rights Complaint against Montrose Township alleging age discrimination. Mark called the Civil Rights commission and they recommended that we try to mediate this claim. A meeting of the Fire Committee was scheduled for April 20th, 2009. Mr. Newcomer was asked what he was looking for in terms of a settlement. Mr. Newcomer said that he wanted the back pay he had lost during the time he was suspended. He also said that he was not notified of his reduction in pay under the reorganization of the Fire Department and that he would like to be paid at his former rate from January through April of 2009.

The Fire Committee recommends that the township agree to Mr. Newcomer's requests provided that Mr. Newcomer agrees to retire as of April 21, 2009 and release Montrose Township from any wrong doings and or bad feelings that Mr. Newcomer has had for the 45 years that he was employed by the Township.

John Newcomer agreed to and signed a Settlement Statement Resolving the Formal Complaint on April 21, 2009. A copy of this settlement is on file with these Minutes.

Tom Tithof made a **Motion** to adopt Resolution 09-11 approving the Settlement Statement and resolving the Formal Complaint filed by John Newcomer with the Michigan Department of Civil Rights and to also accept the retirement of Mr. Newcomer effective April 21st, 2009. Support for the resolution by Gary Keeler. Vote- Fred Domine (yes), Tom Tithof (yes), Gary Keeler (yes), Linda Miller (yes), Dan Hill (no), Mark Emmendorfer (yes), Don Sullivan (yes). Resolution passed.

Web Site Discussion;

Dan Hill asked if we knew that the township Web Site was down. Tom Tithof said that he was able to access the Web Site this afternoon. Dennis Miller explained that the Web Site had been down for 10 – 12 days but he had been in contact with Confusion Design and they had assured him it would be up and running.

Other Business: None

Citizens Comments: None.

Adjournment:

Dan Hill made a **Motion** to adjourn the meeting. Support for the meeting by Gary Keeler. Meeting adjourned at 10:40 PM.

Submitted by
Fred Domine, Township Clerk

Fred Domine, Clerk

Mark Emmendorfer, Supervisor