

BEDFORD TOWNSHIP BOARD MINUTES
8100 JACKMAN ROAD, TEMPERANCE, MI 48182
March 5, 2019 - 7:00 p.m.

PRESENT:	TC Clements, Trustee
Paul Pirrone, Supervisor	Craig Montri, Trustee
Trudy Hershberger, Clerk	Rick Steiner, Trustee
Paul Francis, Treasurer	Nancy Tienvieri, Trustee

ALSO PRESENT: Phil Goldsmith, Township Attorney

The Regular Meeting of the Bedford Township Board was called to order by Pirrone at 7:00 p.m. followed by the Pledge of Allegiance and Prayer led by Pastor Scott Isham, Shelton Park Church of God.

APPROVAL OF AGENDA – Motion was made by Steiner, seconded by Clements to approve the agenda as submitted. Motion carried on a roll call vote as follows: Ayes: Steiner, Clements, Montri, Tienvieri, Francis, Hershberger & Pirrone. Nays: none. Absent: none.

CONSENT AGENDA

The Consent Agenda contained the following items for approval:

The February 19, 2019 Township Board Minutes;

Appointment of Tom Zdybek as the Planning Commission representative to the Board of Zoning Appeals;

Motion was made by Tienvieri, seconded by Montri to approve the consent agenda as presented. Motion carried on a roll call vote as follows: Ayes: Tienvieri, Montri, Clements, Steiner, Francis, Hershberger & Pirrone. Nays: none. Absent: none.

PRESENTATIONS

UPDATE ON THE VAPOR INTRUSION IN DOWNTOWN TEMPERANCE AREA – SHERYL DOXTADER, MICHIGAN DEQ AND CHRISTOPHER WESTOVER, MONROE COUNTY ENVIRONMENTAL HEALTH – Doxtader and Westover explained that after conducting air quality and ground water testing near the former Sparkling Brite Laundromat at 8744 Lewis Avenue it was determined some of the levels exceeded recommended levels as there had been a release of chemicals used in dry-cleaning operations. The MDEQ plans to install vapor mitigation systems and will continue to monitor the issue.

LARRY LULICH, KNOX COMPANY – He explained that Knox boxes are currently utilized by approximately 25,000 of the 26,000 Firefighting Departments across the United States and there has never been a reported incident of anybody physically breaking into a box when it has been installed per specifications. They are recognized by Homeland Security, used at every US military base and are installed on large retail pharmaceutical buildings, banks and jewelry stores. Bedford's Fire Department also has a key retention system which provides true key accountability.

PUBLIC COMMENT

Logan Tisdale, 1308 Brandywine – spoke to the issue of traffic fines.

Bill Decker, Jr. 2798 W. Dean – spoke in favor of the Knox boxes, in fact he has them on his buildings and they have proved to be beneficial. He is the current owner of the property at 8744 Lewis who alerted DEQ to the problem and commented that both the Health Department and the DEQ have been a tremendous support.

Tim Janney, 3818 Consear – agrees the Knox box is a fine product, but he is against the Township forcing businesses to purchase one.

Larry Ackerman, 8834 Secor – owns a home-based business and asked if he would be required to install a Knox box. Pirrone responded, no it does not include any building in which a resident resides.

Tim Fitzgerald, 9195 Lewis – spoke against the Knox boxes because of principle.

Dale Track, 2842 Sanibel – feels businesses should be able to decide if they would like to accept the risk associated with not installing a Knox box and spoke in favor of the recording of budget meetings.

OLD BUSINESS

DISCUSSION ON KEY BOX ALTERNATIVES – Goldsmith explained a possible alternative for business owners to Section 506 of the 2018 International Fire Code (IFC) which deals with key boxes would be to establish a Board of Appeals. A business owner that does not want to comply with the installation of a key box could then file an appeal and be issued a waiver if they could propose an equivalent method of protection or safety. A proposed equivalent method could possibly be placing current contact information designating individuals who would respond to an emergency within five minutes into the box rather than a key. However, this alternative would not be permitted for certain structures that may present a high hazard and increased risk to firefighters and the general public or a high probability of impacting neighboring structures. Massingill, along with the Fire Advisory Board and Fire Department leadership recommend adopting the 2018 IFC without any changes. He stated the lock box is the best and safest way to get into a building. He went on to explain different scenarios and how the Fire Department would respond, along with how important it is to control the air flow when fighting a fire. Lengthy discussion followed. Pirrone would only support allowing the business owners to choose between putting a key or a card with contact information into the box without having to go through an appeals process. Clements agrees with this option as he fundamentally thinks people have a right to make a choice as long as it doesn't subject the firefighters to additional risk. Hershberger asked what the liability on the Township would be for each method. Goldsmith stated there is no liability if the Board adopts the IFC as is, but if there is a change to it, the Township would have to require a waiver to be signed by anyone opting out of a key in the box. Steiner questioned whether a central notification system could be implemented to notify business owners rather than just contact information in the box. At this time, there is no system. Tienvieri believes the requirement needs to be enforced equally throughout the Township to include all Government buildings, schools and churches, as safety is the important issue. Montri would like to amend the IFC so if business owners accept full liability, they could opt out of having a lock box, as Montri does not like the idea of a Government agency requiring a key to a business. Tienvieri voiced that a Board of Appeals need to be appointed. Goldsmith will come back to the Board with the 2018 IFC and a draft of Section 506 for the Board to adopt.

REQUEST FOR APPROVAL TO MOVE FORWARD WITH THE ROUNDABOUT PROJECT

AT JACKMAN AND SMITH ROADS – Motion was made by Francis, seconded by Montri to acknowledge and accept with gratitude the Congestion Mitigation Air Quality (CMAQ) Grant awarded in the amount of \$597,000.00 for partial funding of construction costs for the roundabout road improvement project located at the intersection of Jackman and Smith Roads. In addition, Bedford Township is authorized to move forward on the roundabout project contingent on the purchase and demolition of property needed for the project and sharing the remaining project costs, excluding the water line relocation costs, with the Monroe County Road Commission on a 50/50 percent basis, not to exceed \$175,000.00 each. The water line relocation costs, estimated to be \$45,000.00 would be paid by the Bedford Township Water Fund. Tienvieri objected to the phrase

“not to exceed \$175,000.00” because it does not include the water line cost and is therefore misleading. Motion carried on a roll call vote as follows: Ayes: Francis, Montri, Clements, Steiner, Hershberger & Pirrone. Nays: Tienvieri. Absent: none.

REQUEST FOR APPROVAL FOR VOSS LIGHTING TO INSTALL LIGHTS AT THE BEDFORD LIBRARY – Pirrone explained this would finish the LED project at the Library by replacing the center pendant lighting. Motion was made by Clements, seconded by Steiner to approve the Voss Lighting quote to remove 27 existing plug-in lamps in nine fixtures and replace them with 27 new Philips plug-in LED lamps and to remove nine existing ballasts and replace them with nine new Philips Advance ballasts for a total project cost of \$1,913.82. Motion carried on a roll call vote as follows: Ayes: Clements, Steiner, Tienvieri, Montri, Francis, Hershberger & Pirrone. Nays: none. Absent: none.

NEW BUSINESS

REQUEST FOR APPROVAL OF OUTSTANDING INVOICES- Motion was made by Hershberger, seconded by Francis to approve the following vouchers for payment: General Fund-\$28,036.05, Fire District-\$17,185.73, Police Fund-\$847.59, Park Fund-\$13,296.40, Transit System Fund-\$19,323.00, Library Operating Fund-\$4,538.89, Water Revenue Fund-\$2,600.00, Indian Acres SAD-\$2,250.73, Mohawk Trail SAD-\$83,924.15, Mildred Ave. SAD-\$112,335.20, Downtown Dev. Authority-\$36,800.00, Sewer Operation & Main. Fund-\$1,412,805.72, & Trust and Agency Fund-\$4,027.00 for a total of \$1,737,970.46. Motion carried on a roll call vote as follows: Ayes: Hershberger, Francis, Montri, Clements, Steiner, Tienvieri, & Pirrone. Nays: none. Absent: none.

DISCUSSION ON BIDDING OUT VARIOUS BEDFORD TOWNSHIP CONTRACTS – Tienvieri would like the Board to look at various contracts and consider bidding some out. Discussion followed on which contracts to bid out and the time frame to do this.

REQUEST TO ADOPT NINE DEFICIT ELIMINATION PLANS – Hershberger explained this is money the Township has loaned out to Special Assessment Districts and each year the State requires the Township to submit a plan of repayment. This year it also includes the Library as they ended the year with a deficit, but it will be eliminated by the recently passed millage. Motion was made by Hershberger, seconded by Francis to approve the Resolution for Chapel Creek subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Francis, Tienvieri, Steiner, Clements, Montri & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Wild Haven Park subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Montri, Steiner, Tienvieri, Francis and Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Indian Acres subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Francis, Tienvieri, Steiner, Montri & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Sandywell subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Steiner, Montri, Tienvieri, Francis & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Mohawk Trail subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as

follows: Ayes: Hershberger, Clements, Francis, Tienvieri, Montri, Steiner & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for the Bedford Library deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Montri, Tienvieri, Francis, Steiner & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Giant Oaks subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Francis, Steiner, Tienvieri, Montri & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Clements to approve the Resolution for Springbrook subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Clements, Steiner, Francis, Tienvieri, Montri & Pirrone. Nays: none. Absent: none.

Motion was made by Hershberger, seconded by Francis to approve the Resolution for Mildred Drive subdivision deficit elimination plan, as presented. Motion carried on a roll call vote as follows: Ayes: Hershberger, Francis, Tienvieri, Steiner, Clements, Montri & Pirrone. Nays: none. Absent: none.

REQUEST FOR APPROVAL TO CONTRACT GEORGE WELLING TO VIDEO RECORD THE 2019 BUDGET MEETINGS – After board discussion, no motion was made as the consensus was to just have Pirrone continue to Facebook live the meetings.

COMMENTS FROM THE PUBLIC

Logan Tisdale, 1308 Brandywine – spoke to traffic citations and traffic fines.

Paul Trinka, IT Right – addressed concerns Tienvieri had regarding her email and requested the opportunity to bid on the Township IT contract if it were to be bid out again.

Jewel Patton, 1612 Huntcliffe – asked about a situation at the Township Hall.

Dale Track, 2842 Sanibel – asked questions about the Knox boxes and mentioned he would like the reports the Board are discussing be put on a screen during the meetings.

MOTION TO EXTEND MEETING - Motion was made by Steiner, seconded by Clements to extend the meeting for an additional ten minutes. Motion carried on a roll call vote as follows: Ayes: Steiner, Clements, Montri, Hershberger & Pirrone. Nays: Tienvieri & Francis. Absent: none.

REPORT FROM TOWNSHIP BOARD MEMBERS

Francis – believes the issue of the Fire Code and the Knox boxes is a difficult issue, but it needs to get resolved. He feels it is appropriate for the Township to utilize the code as long as there is a provision, as discussed, and an appeal process.

Clements – praised Pirrone on the job he has done working to save the Township money by reducing on some of the contracts.

Montri – he has spoken to Sergeant Pauli and Pauli has agreed to come to the next Board meeting, mentioned the Bedford contracted officers did write 56 citations in the month of January and asked to have Phil Nantz re-present the Fire Policy Manual to the Board.

Hershberger – addressed Patton's questions letting Patton know that she does allow residents to come into the Clerk's area to speak to her. She has chosen to have her office in this area to be more assessible to the public. Sometimes she will use the conference room for privacy, but Patton's group was using it at the time in question. Hershberger also mentioned the equipment Track asked about is something the Communication/Media committee is working on, let everyone

know she will be gone next week for her final year of Clerk Institute and thanked everyone for their thoughts and prayers for her father.

Pirrone – wished his wife a happy birthday, mentioned he attended a meeting with the BDC pillar team, the EDC had their first meeting which was very positive, has been working with the County Streamlining Committee along with builders and the Township Planning department to figure out where the holdups are, informed the Board there is a company which may looking to leave the Industrial Park area because they would like to expand and Bedford has run out of Industrial Space, therefore, he is trying to work on this problem, and thanked Clements for his comment because he does look at many little contracts very closely to try and save the Township money.

ADJOURNMENT

The meeting was adjourned at 10:06 p.m.

Trudy L. Hershberger
Bedford Township Clerk

Nancy Gin
Deputy Clerk/Recording Secretary