

NEW BUFFALO TOWNSHIP BOARD
BUDGET HEARING/REGULAR MEETING
JUNE 20, 2011
17425 RED ARROW HIGHWAY
NEW BUFFALO, MICHIGAN

Supervisor Dudiak called the meeting to order at 6:45 p.m. Call to Order

Board Members Present: Dudiak, Heit, Oselka, Rahm, and Rogers

Dudiak led the Pledge of Allegiance

Heit moved, Dudiak seconded to open the public hearing on the 2011-2012 budget. Public
Hearing
Budget

Public Comments were heard on the budget.

Rahm moved, Dudiak seconded to close the public hearing on the 2011-2012 budget and convene the regular meeting of the board. Close Public
Hearing

Dudiak moved, Rahm seconded to amend the budget for the water, sewer, and general fund budgets from 2010-2011. Budget
Amendments

Monthly departmental reports were received. Reports

NEW BUSINESS:

Heit resolved, Dudiak seconded to adopt the general operations millage of .4125 Mills. General
Operations
Millage

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Dudiak resolved, Oselka seconded to adopt the public safety millage of .4000 Mills. Public
Safety

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Millage

Motion Carried

Rogers resolved, Oselka seconded to adopt the park millage of .2430 Mills

Park
Millage

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Heit resolved, Rahm seconded to adopt the Budget Resolution 2011-06-20 as presented for the 2011-2012 fiscal year.

Budget
Resolution

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Rahm moved, Heit seconded to set the Supervisor's annual salary to be \$32,000.

Supervisor's
Salary

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers No

Motion Carried

Rahm moved, Dudiak seconded to set the Deputy Supervisor's annual salary to be \$1,500.00.

Deputy
Supervisor's
Salary

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Heit moved, Rahm seconded to set the Clerk's annual salary to be \$32,000.

Clerk's
Salary

Dudiak Yes
Heit Yes
Oselka Abstain
Rahm Yes
Rogers No

Motion Carried

Heit moved, Rahm seconded to set the Treasurer's annual salary to be \$32,000.

Treasurer's
Salary
Salary

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers No

Motion Carried

Dudiak moved, Rogers seconded to set the Trustee wages to be \$106.09 per month and \$79.57 per meeting.

Trustees
Wages

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Dudiak moved, Oselka seconded to increase the wages of the Water/Sewer Department Manager to be \$57,067.50.

Water/Sewer
Manager
Salary

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Rogers moved, Heit seconded to increase the hourly wages of the Administrative Assistant, Clerk Assistant/Deputy Clerk/Water & Sewer Billing Clerk, Treasurer's Assistant, Building Department Secretary, Building/Zoning Administrator, Water Department Worker, and Township/Building Department Maintenance Worker by 3%.

Employee
Wage
Increase

Dudiak	Yes
Heit	Yes
Oselka	Yes
Rahm	Yes
Rogers	Yes

Motion Carried

Heit moved, Rogers seconded to approve items on the consent agenda:

Consent
Agenda

Minutes of the May 16, 2011, June 2, 2011, and June 10, 2011 Meetings
Treasurer's Report
Bills

1. General \$67,269.29
2. Building \$22,905.96
3. Sewer \$30,990.26
4. Water \$60,417.43
5. Liquor \$395.61
6. Ambulance \$8,869.67
7. Park Millage \$34,513.00

Pay Postage to SBF for Tax Bills, upon receipt of invoice
Berrien County Police Payment - \$46,083.71 for May, 2011

Motion Carried

Rogers moved, Dudiak seconded to approve payment to Wightman & Associates for \$4,070.00 for pavement borings on Maudlin Road.

Wightman
Payment

Dudiak	Yes
Heit	Yes
Oselka	Yes
Rahm	Yes
Rogers	Yes

Motion Carried

Dudiak moved, Oseka seconded to approve the Draw Request for \$90,059.58 for the USDA water and sewer improvements which includes the following:

Draw
Request
USDA

Concord Excavating & Grading Inc. – Contract B, Sewer Bond	\$ 79,048.33
Wightman & Associates, Inc. - Water	\$ 743.75
- Sewer	<u>\$ 10,267.50</u>
Subject to receiving the funds from the USDA.	\$ 90,059.58

Dudiak	Yes
Heit	Yes
Oselka	Yes
Rahm	Yes
Rogers	Yes

Motion Carried

Rogers moved, Heit seconded to approve \$11,000.00 be transferred from the General Fund (LRSB Discretionary Funds) to the water fund for a payment on the remote read communication system (purchase approved at the 1-18-11 Board meeting).

Transfer to Water Fund

Motion Carried

Rogers moved, Heit seconded to approve the Police Protection Agreement with the Berrien County Sheriff's Department.

Police Protection Agreement

Dudiak	No
Heit	Yes
Oselka	Yes
Rahm	No
Rogers	Yes

Motion Carried

Heit moved, Dudiak seconded to approve, upon recommendation of The Planning Commission, a Special Land Use for The Getaway Group LLC for an open air business at 9300 Union Pier Road, Union Pier, Michigan, 49129, parcel #11-13-0231-0042-15-9 in that all applicable review standards of Section 15.4A 1-6 and of 15.7U of the New Buffalo Township Zoning Ordinance are met and as follows:

SLU for 9300 U.P. Rd.

Findings of Fact:

1. The Township Clerk has given proper notice as required by Sections 11.6 and 17.6 of the Zoning Ordinance.
2. Standard 15.4A.1 is met because the property previously was used for an antique mall and continues to have on it the structures used for that business, is located in a commercial district and the proposed use is compatible with neighboring uses and will not change the essential character of the area in which it is proposed.
3. Standard 15.4A.2 is met because essential public facilities and services, as well as those being provided by the applicant will adequately serve the Special Land Use. The proposed use will not place demands on public services and facilities in excess of available capacity.

4. Standard 15.4A.3 is met because the proposed Special Land Use will not be hazardous to adjacent property or involve uses, activities, materials or equipment which will be detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.
5. Standard 15.4A.4 is met because the operation of the proposed use as described by the applicant represents an improvement to the character of the property and the surrounding area in general and, subject to condition 5 below, will be in keeping with the natural environment of the site.
6. Standard 15.4A.5 is met because the site plan proposed for the use complies with the design standards contained in Section 15.7U.

Conditions:

1. The appearance and operation of the Special Land Use shall conform to all present and future federal, state and local laws, rules and regulations.
2. The Special Land Use shall not become effective until the Special Land Use Permit has been recorded with the Berrien County Register of Deeds as required by 15.6 of the Ordinance and proof of such recording delivered to the Zoning Administrator.
3. The landscaped buffer required by Section 13.2(e) of the Zoning Ordinance shall be raised at least 3 feet above grade.
4. The number of parking spaces provided for the Special Land Use shall at all times be at least 10 percent more than the number of vendors participating in the Special Land Use activities.
5. Removal of natural features such as trees shall be limited to underbrush and dead or dying trees except as required for parking. Applicant will consult with the Zoning Administrator on its parking plan prior to implementation.
6. Based on concerns expressed by neighbors, Applicant agrees that any auctions, concerts, weddings and similar activities shall be held inside the buildings on the site.
7. The hours of operation of the open-air activities comprising the Special Land Use shall be from 9 a.m. until 8 p.m.
8. Drainage on the site shall conform to all the requirements of the Berrien Country Drain Commission.

Dudiak	Yes
Heit	Yes
Oselka	Yes
Rahm	Yes
Rogers	Yes

Motion	Carried
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Dudiak moved, Oselka seconded to approve the Employment Agreement with William Montgomery, Parks Program Director.

William
Montgomery
Employment
Agreement

Motion Carried

Rogers moved, Dudiak seconded to approve, upon recommendation of The Park Committee:

Park
Benches,
Programming,
Purchase
Policy,
Internet

Purchase of (3) more matching benches for the park to be placed in the splash pad area at a cost of \$3,235.00.

Authorize up to \$16,200 for park programming and needs per the attached budget.

Above purchases to come from the Park Millage Fund.

Authorize Bill Montgomery, Parks Program Director, to make purchases up to \$150 out of the park millage fund with a prepaid credit card as needed for ongoing park events and maintenance.

Authorize New Buffalo Area Schools to install wireless internet access for the Township Hall/Memorial Park site.

Motion Carried

Heit moved, Rahm seconded to approve the METRO Act Right of Way Permit Extension.

METRO
Act
Permit

Motion Carried

Rahm moved, Rogers seconded to approve grants be written to The Pokagon Fund for sealcoating the roads in the Michigan Shores area for \$44,311, three additional fire/weather warning sirens for \$59,700, and new office software from BS & A for \$34,385.

The Pokagon
Fund Grant
Requests

Dudiak Yes
Heit Yes
Oselka Yes
Rahm Yes
Rogers Yes

Motion Carried

Dudiak moved, Oselka seconded to thank Diane Pyschos for her many donated hours of work coordinating the grand opening for Memorial Park.

Pyschos
Thank You

Motion Carried

Rogers moved, Heit seconded to accept, with regret, Brad Bartelmay's resignation from the Park Committee and thank him for his years of service.

Bartelmay
Park
Resignation

Motion Carried

The Board discussed landfill passes for residents, sewer connections for the Hoder/Maudlin Road residents, joint meetings with the City Council once a month, a possible bike trail on Maudlin Road, job reviews for employees, and a firefighter workshop.

Discussion
Items

Public Comments were heard.

Rahm moved, Dudiak seconded to adjourn at 9:04 p.m.

Adjournment

Motion Carried

Submitted,

Paul Oselka
Clerk