

CHARTER TOWNSHIP OF OXFORD BOARD OF TRUSTEES SPECIAL MEETING,
WEDNESDAY, FEBRUARY 24, 2010

A Special Meeting of the Charter Township of Oxford Board of Trustees was held February 24, 2010 at the Oxford Fire Department Meeting Hall.

Members Present: Bellairs, Bunting, Cryderman, Dunn, Ferrari, Spisz, Wright

Members Absent: None

Also Present: Attorney Rentrop, Fire Chief Scholz, Administrative Assistant Payne, and Recording Secretary Harrison

Supervisor Dunn called the meeting to order at 6:30 pm.

APPROVAL OF THE AGENDA

Trustee Spisz moved, Treasurer Ferrari seconded, to approve the agenda as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA - None

BUSINESS

OPEN SESSION: To meet in Open Session to entertain a motion and take a roll call vote regarding calling a Closed Session for the purpose of:

Discussion regarding pending litigation, Oxford Township v Village of Oxford, Oakland County Circuit Court Case No. 03-051381-CZ.

CLOSED SESSION: If approved by requisite vote, to meet in Closed Session for the above stated purpose.

OPEN SESSION: To return to Open Session for the purpose of possible Board action with regard to the above Closed Session items.

Trustee Bunting moved, Trustee Spisz seconded, to meet in Closed Session for the purpose of:

Discussion with the Township attorney regarding pending litigation, Oxford Township v Village of Oxford, Oakland County Circuit Court Case No. 03-051381-CZ,

attendance to include Attorney Gary Rentrop, Fire Chief Scholz, Administrative Assistant Payne, and Recording Secretary Harrison.

Roll Call:

Ayes: Bunting, Dunn, Wright, Spisz, Cryderman

Nays: Bellairs, Ferrari

Absent: None

Motion Carried

Treasurer Ferrari moved, Trustee Cryderman seconded, to go out of Closed Session.

Ayes: 5 Nays: 2 Absent: 0 Motion Carried

Trustee Cryderman moved, Trustee Spisz seconded, that the document dated 2/24/2010, 1:21 pm, be submitted as the Township's understanding of what the Arbitrator awarded as his Final Arbitration Award; that the Township reserves all rights of appeal and rights to challenge the Final Arbitration Award; that the amount of money that is determined to be owed by the Township to the Village (again subject to right of appeal and challenge) be paid by the

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conveyance of the Burdick Street property and the balance to be paid in cash over a term of five (5) years or less.

Roll Call:

Ayes: Cryderman, Dunn, Spisz
Nays: Ferrari, Bunting, Bellairs, Wright
Absent: None
Motion Failed

Treasurer Ferrari moved to authorize Attorney Rentrop to make the following proposal to settle the OPFEC litigation: 1) agree to offer the Village the old OPFEC assets which constitutes an ambulance, 7 years old, for \$30,000.00; Engine #1 which is a fire truck, 23 years old, for \$22,000.00; Engine #3 which is a fire truck, 14 years old, for \$90,000.00; Tanker #2, a fire tanker, for \$95,000.00; 2) an asset of cash of \$50,00.00; 3) 22 West Burdick Street, the old fire hall, at \$110,000.00 appraised value; for a total assets of \$397,000.00; 4) to agree to give the Village 17.77% or \$70,546.90; to also agree the Township would be willing to factor in 18 West Burdick if the Village so chooses; and the Township is willing to include any capitalized interest extended from the date of the judgment.

Failed, no support

Trustee Spisz moved, Trustee Cryderman seconded, to allow himself, Trustee Bunting, and Trustee Cryderman to review the numbers on the February 24, 2010, 1:21 pm, draft provided by Attorney Rentrop with the Village tomorrow (February 25, 2010) to see whether an agreement on numbers can be reached.

Ayes: 3 Nays: 4 Absent: 0 Motion Failed

Clerk Wright moved, Trustee Cryderman seconded, that the document dated 2/24/2010, 1:21 pm, be submitted as the Township's understanding of what the Arbitrator awarded in his Final Arbitration Award; that the Township reserves all rights of appeal and rights to challenge the Final Arbitration Award; that the amount of money that is determined to be owed by the Township to the Village (again subject to right of appeal and challenge) be paid by the conveyance of the Burdick Street property with the balance to be paid in cash over a term of five (5) years or less and/or by a reduction in charge for Township service to the Village.

Ayes: 3 Nays: 4 Absent: 0 Motion Failed

Trustee Bellairs moved to allow Trustee Spisz, Trustee Bunting, and Trustee Cryderman (the committee) to sit down with the Village to reach an agreement on numbers as the Village requested.

Failed, no support

Treasurer Ferrari moved, Trustee Bellairs seconded, that the Township preserves its right to appeal the OPFEC arbitration ruling based on the fact the Arbitrator has no legal jurisdiction to divide up Township-owned assets voted on by Oxford Township taxpayers in December of 2000.

Ayes: 5 Nays: 2 Absent: 0 Motion Carried

Trustee Cryderman moved, Trustee Bunting seconded, that the numbers on the document dated 2/24/2010 be the numbers submitted to the Arbitrator by 3/01/2010, as the calculations that are consistent with the Final Arbitration Award, and Attorney Rentrop to confirm the interest calculation Clerk Wright raised is correct.

Ayes: 5 Nays: 2 Absent: 0 Motion Carried

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Trustee Cryderman moved, Trustee Bunting seconded, that it be Resolved: The Township Attorney is to advise Arbitrator Hampton by 03/01/10 that the numbers as set forth on the document dated 02/24/10, which document is part of this motion, is the calculation the Township has determined to be consistent with the Final Arbitration Award. (Consensus 5-2)

Further Resolved: That payment of the amount determined to be due to the Village from the Township is to be paid in part by a credit for an amount agreed to by the Village and Township to the Township for the conveyance of the Township's old Township Office and its associated properties on Burdick Street, with the balance of any amount due to be paid by the Township to the Village within five years. (Consensus 4-3)

Further Resolved: That Trustees Cryderman, Spisz, and Bunting meet with Village representatives prior to the 03/01/10 deadline to see if an agreement can be reached on the amount determined by the arbitration award to be due from the Township to the Village. (Consensus 6-1)

This Motion is made with the express condition that nothing in the Motion shall be construed to prevent the Township from appealing or cross-appealing the awards of the Arbitrator if the Township Board determines such appeal should be taken. (Consensus 5-2)

Motion Carried

Supervisor Dunn moved, Trustee Spisz seconded, to authorize the committee consisting of Trustees Spisz, Cryderman, and Bunting to offer the Village the old Township Hall and property for \$250,000.00.

Ayes: 1 Nays: 6 Absent: 0 Motion Failed

Treasurer Ferrari moved, to authorize the committee consisting of Trustees Spisz, Cryderman, and Bunting to offer the property known as 18 West Burdick to the Village for \$262,500.00.

Failed, no support

CONSENT AGENDA

TREASURER'S REPORT THROUGH DECEMBER 2009

CLERK'S REPORT THROUGH DECEMBER 2009

Treasurer Ferrari moved, Trustee Cryderman seconded, to approve the Consent Agenda as presented.

Ayes: 7 Nays: 0 Absent: 0 Motion Carried

BOARD OF TRUSTEES COMMENTS

Treasurer Ferrari commented the subcommittee finished interviewing potential Fire Department labor attorneys and two will be coming to the March Board meeting for review by the Board.

Trustee Bunting commented the Oxford/Addison Youth Assistance dinner is tomorrow night at the High School at 6:00 pm. He requested prayers for our police officers, firefighters, and American soldiers.

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ADJOURNMENT

Treasurer Ferrari moved, Trustee Bellairs seconded, to adjourn the Special Meeting at 9:08 p.m.

Ayes: 4 Nays: 3 Absent: 0 Motion Carried

William Dunn, Supervisor

Curtis Wright, Clerk

Date Approved

/lmh