

## WEST BLOOMFIELD TOWN BOARD

### Workshop Meeting

February 24, 2010

Present: Supervisor Champlin, Councilmen Evans, Ferguson, Hagen, Rehberg  
Also Present: Town Clerk Mary Grundman, Code Enforcement Officer Scott Storke, Highway Superintendent Powers, Steve Degraw, Karl Hritz, David Anderson, Peter Zonneville, Rick Hannan

Supervisor Champlin opened the meeting at 7:00 pm.

#### RESOLUTION #41

##### Factors Walk

Supervisor Champlin advised the Board that the Town had been approached by the owners of the Factors Walk subdivision about plowing snow. He stated they wanted to enter into an agreement with the Town to plow even though the road is not complete and asked Attorney Anderson to explain the Town's options. Attorney Anderson said there were three choices. One, do nothing. The owner sold a piece of property and the buyer wants the plowing done. It's similar to the Phase I problem when an agreement was proposed with the subdivisions previous owner. Councilman Hagen stated the Attorney ended that agreement when it was proposed. Attorney Anderson said it outlines some of the issues. The Board at the time was concerned with cost, this Board is concerned with road damage due to construction vehicles and the road not being done. The Phase I section is a wreck. Supervisor Champlin said the Town won't take dedication until the road is done per the requirements of the subdivision approval and as you know Phase I is ours and is now junk. Snow plowing would make it worse. Another thing is the cost of plowing would have to be agreed on because it's not a road yet. Mr. Hannan asked why they were assessed taxes if services were not provided. Supervisor Champlin said the Town could hold to the subdivision regulations that say the road has to be complete first because it's really still a driveway. Mr. Hannan said there is a letter of credit they have to keep for the Town to finish the work. Supervisor Champlin said the terms of the letter of credit are not for that. Mr. Hannan said he wasn't going to argue. Supervisor Champlin agreed stating that the Town went through this with Phase I. Mr. Hannan said you have the money in the letter of credit, we still want to finish, and the buyer's attorney won't approve the purchase with out it. Supervisor Champlin repeated it's not the Town's problem. Mr. Hannan said the buyer's attorney says it's a life safety issue and he's not putting the responsibility on the Town. Supervisor Champlin said it's still not a road, its not Town property. Councilmen Rehberg and Hagen asked why not plow it yourself? Mr. Hannan said he would but the attorney won't accept that. Supervisor Champlin said then you should pay the Town the same way you would have to pay someone else. Mr. Hannan said then you should sign the agreement and I'll still plow the road. Councilman Ferguson asked how much road is it? The Code Enforcement Officer said about 1800 feet. Mr. Hannan asked if that was two runs. Superintendent Powers said it didn't matter, they would have to do the whole road. Mr. Hannan said the lot in question is lot five and he would be happy to compensate for the Town's time. Supervisor Champlin said if it's okay with Attorney Anderson aside from compensation we could work something out but he doesn't want the Town to be liable or have any responsibility for the road until it's done. Councilman Evans asked if the Town has ever agreed to do this in the past. Supervisor Champlin said it hasn't come up except for Factors Walk. She then asked if the Town would be opening itself up for future requests. Supervisor Champlin said Scott Storke asked the same question. What about the mobile home parks wanting plowing done. Attorney Anderson explained the difference is that Mr. Hannan is a contractor with a letter of credit and an ongoing subdivision. Supervisor Champlin asked Attorney Anderson if he would be able to come up with an agreement. Attorney Anderson said yes. Supervisor Champlin said the agreement has nothing to do with road construction just plowing. Attorney Anderson said it has nothing to do with road construction. Councilman Rehberg asked the Highway Superintendent what it would cost. Superintendent Powers said the State Plowing figure is \$5867.00 per mile. Supervisor Champlin asked if that was per trip or per season. Superintendent Powers said per season. Supervisor Champlin said that would be the cost for the plowing. Mr. Hannan asked if that was the total amount. Superintendent

Powers said no, he would have to measure to get the exact cost. Councilman Hagen asked the Attorney to clarify the three issues are compensation, liability and damage. Attorney Anderson agreed. Councilman Hagen asked Mr. Hannan if he was agreeable to the \$5000.00 price range. Supervisor Champlin said it would only be for the 1800 feet. Councilman Hagen said so about \$1200.00 per thousand feet. Mr. Hannan said that seemed a little high but if that's what it would cost. He was not trying to argue but did the Highway Superintendent think that's what it would cost? He could hire someone. Superintendent Powers said go ahead. Supervisor Champlin said it depends on the season. Councilman Evans asked if the cost would be from year to year. Supervisor Champlin said right it would be from the date started to the next year. Councilman Evans asked how long it is going to take to finish. Supervisor Champlin said they don't know. She said then if it goes on for ten years it could be redone. Supervisor Champlin asked Mr. Hannan if he was looking for an answer tonight. Mr. Hannan said the closing is on hold, it would be nice to get it done. Supervisor Champlin asked Attorney Anderson if he could come up with the agreement. Attorney Anderson said yes that he could get started. Mr. Hannan said just so they don't have to come to another meeting. Supervisor Champlin said can we email the agreement around? Attorney Anderson said no. Supervisor Champlin asked if the Board could agree tonight with conditions. Attorney Anderson said yes. Mr. Hritz asked who pays for the Attorney in this. Attorney Anderson said Mr. Hannan does, the costs are pass through fees. Councilman Hagen made the motion to accept the agreement per the conditions discussed: the liability, compensation and road damage, subject to attorney approval.

Adopted: Ayes – Champlin, Evans, Ferguson, Hagen, Rehberg Nays - None

Resolves that the plowing of a portion of Factors Walk is approved per the conditions discussed and Attorney approval.

### Legion Property

Attorney Anderson advised the Board that the offer would not fly because of the right of first refusal at a set price. The property value could increase then the Town would be losing money. He said he would call Attorney Reynolds and explain. Councilman Ferguson said the Legion didn't want to sell the property, the Town asked if they could buy it. Supervisor Champlin agreed and said they wanted the money, but he doesn't think they will sell the property without it because they want the property as a buffer and that's what he agreed to when he talked to them. Attorney Anderson said it doesn't matter, you can't give away Town property. Councilman Hagen asked if the Town could put a time limit on it of say five years. Attorney Anderson said yes. Councilman Hagen said Councilman Ferguson had a good point. Attorney Anderson agreed. Councilman Hagen said how about a five year limit, Councilman Evans said that would work for her if there is a limit. Supervisor Champlin asked the Attorney to contact Attorney Reynolds. He agreed to. Councilman Evans asked if at the end of five years the right of first refusal ends. Supervisor Champlin said yes. Attorney Anderson said it will be moot anyway if you build there before then.

### Town Hall Real Estate Listing

Supervisor Champlin said that since there were questions on what's being done to sell the Town Hall, he asked Mr. Zonneville to give the Board an update. Mr. Zonneville said it's been on the market since August 7, 2009 and so far has been shown to 18 groups of perspective buyers. Some have been back a second time. It was sold once but after meeting with the Zoning Board the purchaser backed out because he might not get the required return on his investment if he could not get a variance. Since then, there have been others interested in putting in antiques, investors, contractors and a construction company. He also showed it to Councilman Evans. She said not as a buyer though. Mr. Zonneville said the situation is that people like the building but the upgrades are the problem. The roof leaks, there is mold, bad beams, the floor is sagging, the insulation is bad and there is no leach field for the septic, at that point upgrades are not feasible. Councilman Hagen asked if anyone had shown interest at a lower cost. Mr. Zonneville said he hadn't discussed it. Supervisor Champlin said we started with the idea to tear it down, but it's going to cost, we have quotes on the value of the lot if it was vacant of \$20,000 to \$50,000, if we have to spend to take it down are we better off selling it for \$20,000.

Councilman Hagen said and we could preserve it. Councilman Ferguson said they won't preserve it. Mr. Zonneville said he was thinking it could be moved but maybe not since the Attorney said the Town can't give away property, but selling the vacant lot might be the most agreeable, it just doesn't make sense to try and upgrade. Councilman Evans asked if there were any cost estimates to fix it. Scott Storke and Councilman Hagen both said we have all of that. Councilman Ferguson said \$500,000. Scott said Flint Burley gave the Board an estimate of \$450,000 for structural repairs only. Councilman Evans said but is that an engineers figure? Mr. Zonneville said that's more than it's worth. Councilman Ferguson said structurally should mean a sound building. Mr. Zonneville asked then on the basis of value are you further ahead. Councilman Hagen said we've been arguing that for five years now. Supervisor Champlin asked if anyone said they would buy it if it was cheaper. Mr. Zonneville said no, he really can't say that unless the Board asks him to. Supervisor Champlin said it's just that it's not uncommon for people to offer what they might pay. The Code Enforcement Officer said the zoning approval has discouraged people. He's had calls from people asking what they can do there. Karl Hritz suggested changing the zoning. Supervisor Champlin said no, the Town can't do that for everyone. Councilman Rehberg said Attorney Anderson said we can't give it away, we should have it appraised. Councilman Evans said the Realtor should be doing that. What have you been doing besides advertising on the internet and the sign? What are your marketing plans? Supervisor Champlin said its funny there haven't been more bites. Mr. Zonneville said no. Councilman Evans said that's not uncommon. She wants more advertising and wants the price taken off the sign to encourage more interest. Mr. Zonneville said we aren't selling a house, we are selling a two hundred year old building, we can't picture it for what it's not. Councilman Evans said you shouldn't. The price should not be there and there should be media coverage besides the internet and the sign. Who looks for property on the internet, has anyone seen it, how easy is it to find. The Clerk said she had seen it. Mr. Zonneville asked if she saw it on more than one site. She said yes several. Mr. Zonneville said he would do what ever the Board wants. Councilman Hagen suggested a sign that says make an offer. Supervisor Champlin said he'd rather see a price. Mr. Zonneville said everyone goes in and sees it and it's a major turn off when they see what's wrong. It was suggested that the building be donated. Mr. Hritz said maybe to a non profit. Supervisor Champlin said I think we tried that some time and they didn't want it. Mr. Zonneville said he could put that in the advertisement. Supervisor Champlin said no. He said he would only do it if the Board gave permission. Mr. Hritz said the market doesn't help, there is a house on 5 & 20 that's been for sale for two years and just sold. Supervisor Champlin asked if there were any more questions and thanked Mr. Zonneville for coming. Mr. Zonneville said he was sorry it hadn't worked out yet. Councilman Hagen asked if the price was being changed. Supervisor Champlin said no the price is coming off the sign. Councilman Evans said and you are advertising. Mr. Zonneville said some. Councilman Evans said Nothnagle pays for it. Mr. Zonneville said no, the agent pays. Councilman Evans said they should pay, we'll see.

### School Consolidation Grant

Supervisor Champlin told the Board about a letter he received from the school asking for support for an application for funding to study high school consolidation. Councilman Evans said no way. She read it. Councilman Rehberg said they want a letter of support. Supervisor Champlin said he could call the school for more information if the Board wanted. Councilman Evans said they want to consolidate some high schools and she doesn't want to consolidate anything. They would lose their whole identity and everything. Councilman Ferguson said you are going to see more and more of it. Supervisor Champlin asked the Board what they wanted to do support it or not. Councilman Hagen said if we don't we look bad, all it is is a study we should support a study. Councilman Evans asked what it costs. Councilman Hagen said nothing. Supervisor Champlin said it usually costs matching funds, what do you want to do? Councilman Rehberg said he didn't have a problem if it doesn't cost anything. Councilman Evans said she didn't have a problem if it doesn't cost anything. Supervisor Champlin said you know it's going to cost something, do you want me to answer this? Councilman Evans asked if the letter said which schools. Supervisor Champlin said only within Ontario County. Councilman Ferguson asked if all the other Supervisors got the request. Supervisor Champlin said yes. Councilman Rehberg suggested he discuss it at the County meeting with the other supervisors. Councilman Hagen said ask around. Superintendent Powers said get the Superintendent of Schools to come in. Mr. Hritz said it's a school issue why bring it to the Town. Supervisor Champlin said he

would check with the other Supervisors to see what they are doing and he will check with the School Superintendent.

### Summer Recreation Program

Supervisor Champlin distributed information about the Richmond recreation program and said they are interested in letting West Bloomfield residents come. The cost is based on the number of kids and the Board could do an intermunicipal agreement. They are willing to do it for \$5500.00 for the right number of kids and we would pay extra for more. We would do a written agreement and they would keep track. Councilman Ferguson and Rehberg said we might even lose some. Supervisor Champlin said I'm just saying if there are more kids than planned, we would pay more. Councilman Evans said she didn't like the unknown dollar figure. Supervisor Champlin said it's a known dollar figure. Councilman Hagen showed him an example of how the cost could be increased based on the number of kids. Councilman Rehberg asked about the cost if there are less. Supervisor Champlin said then you still have to pay. Councilman Evans said you would still pay the base amount. Councilman Ferguson said we already have \$12,000 in the budget. Councilman Evans said she still wants a cost. Supervisor Champlin said they just want a minimum amount, but he could ask for a per person cost. Councilman Rehberg asked what the other kids do during say the swimming program if they don't go. Supervisor Champlin said it's in the brochure they gave you, they have other activities. Supervisor Champlin will ask about the cost and that the program is really nice. They have it year round so if people want to do other things they can. Councilman Evans said it's an excellent program and she's pleased and it's better than the program we had. Supervisor Champlin said he would get the price and get it done before the Community Focus comes out so it could be put in there.

Supervisor Champlin asked if there was anything else anyone wanted to discuss.

Mr. Hritz asked about the agreed price for the generator for the Legion, was it a gift? Supervisor Champlin said yes. Mr. Hritz said does the Town benefit? Supervisor Champlin said yes, the Legion is designated a Red Cross Shelter for emergencies. Mr. Hritz said so does it benefit the whole town? Supervisor Champlin said yes, if there's an emergency, the Town needs an emergency shelter. Superintendent Powers said the ambulance agreement also requires it.

### RESOLUTION #42

#### Garage Doors

Supervisor Champlin said the Board had agreed to purchase two doors per year for the Highway Garage and so far had only purchased two. Last year they didn't buy any. One of the doors needs to be replaced now and he would like to just replace all three and be done with it. The Highway account has enough money.

Superintendent Powers said the cost would be \$2650.00 each. Councilman Hagen made the motion to approve the purchase, seconded by Councilman Rehberg.

Adopted: Ayes – Champlin, Evans, Ferguson, Hagen, Rehberg Nays - None

Resolves that the purchase of three doors, \$2650 each, for the Highway Garage is approved.

At 8:40 Councilman Hagen made the motion to adjourn, seconded by Councilman Rehberg.

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Respectfully submitted,

Mary Grundman, Town Clerk