

**CHARTER TOWNSHIP OF SUPERIOR BOARD
SPECIAL MEETING
OCTOBER 20, 2022
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1. CALL TO ORDER

The special meeting of the Charter Township of Superior Board was called to order by the Supervisor Ken Schwartz at 4:00 p.m. on October 20, 2022, at the Superior Township Hall, 3040 North Prospect, Superior Township, Michigan.

2. ROLL CALL

The members present were Supervisor Ken Schwartz, Clerk Lynette Findley, Trustee Nancy Caviston, Trustee Bill Secrest, Bernice Lindke, and Trustee Rhonda McGill.

Absent: Treasurer Lisa Lewis

3. ADOPTION OF AGENDA

It was moved by Trustee Lindke supported by Trustee Caviston, to adopt the agenda. The motion carried by unanimous vote.

4. CITIZEN PARTICIPATION

A. CITIZEN COMMENTS

None

5. NEW BUSINESS

A. DISCUSSION OF THE GFL TRASH AND RECYCLING CONTRACT

- Trustee Lindke stated the following points:
 - During the bidding and approval process of the contract with GFL there were several issues including oral responses given to vendors instead of written responses, insufficient information being provided to the Board prior to the Board meeting, and the misunderstanding around the cost of the bins.
 - Her husband made the following point: “at the expense of the residents a company, Republic Waste, who no longer wants to do business with the township, is charging the residents to not collect their bins.”
 - Trustee Lindke addressed Supervisor Schwartz stating the Board will no longer be handling things the way they were run in the past. That in the future the Board would be making decisions as a group through votes.
 - Priority Services were not going to charge the residents for bins.
 - Acknowledged Brenda Baker for taking the time to read all the proposals and regrets not taking into consideration her opinion.
 - She does not believe the GFL proposal included the \$95 fee per bin and that Supervisor Schwartz negotiated that after the Board voted to accept their proposal.

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- She attended a meeting earlier that day (October 20) with three GFL representatives and left with the impression the initial bins would be free. And that the details for the bins are not in the contract.
- Clerk Findley stated she was not invited to the meeting with GFL, and that her name is on the contract.
- Supervisor Schwartz stated that it would have been much more expensive to have Republic remove their bins and GFL bring in new ones. He also pointed out that the process would most likely not be done in a timely manner.
- Clerk Findley and Trustee Lindke pointed out that many residents are complaining about the change in service.
- Supervisor Schwartz stated the contract will save the residents money over the next five years and they will receive better service.
- Trustee Lindke stated she spoke with several area townships and that none were required to pay for new bins.
- Supervisor Schwartz stated that some are not required to pay, but there are some that the residents are charged a yearly bin fee.
- Trustee Lindke stated she would like to have at least one Board member at all contract negotiations.
- Supervisor Schwartz stated in August he informed the Board of the bid, no one asked for a copy of the bid, a month later they had two bids, and one that was too expensive. He added there was time for review of the bids. He acknowledges the contract did not arrive with enough time for review. He was expecting it Tuesday, did not receive it until the following Monday and gave it directly to Fred Lucas for review. Fred Lucas drafted the contract with a stipulation for clarifications. He agreed that the timing of when the contract came in was quick, but the bids were available for review and that Brenda Baker had come in.
- Trustee Lindke reminded the Supervisor that she recommended Priority.
- Supervisor Schwartz stated Brenda Baker was one person.
- Clerk Findley stated there were others who wanted Priority.
- Supervisor Schwartz stated he believed Priority was going to charge \$65 per bin.
- Both Trustees Lindke and McGill stated in the bid Priority stated bins would be provided free of charge.
- Trustee Lindke stated GFL is not meeting all the specifications in the RFP.
- Supervisor Schwartz stated alternate bids are allowed and rarely do bids follow all the specifications. He added the contractors provide bids with what they can offer, and he felt GFL offered the best bid.
- Trustee Lindke asked who drafted the summary of the bids and stated they were incomplete, that Supervisor Schwartz was responsible for providing more comprehensive information.
- Supervisor Schwartz stated the Board could have read the bids in August.
- Clerk Lynette stated her further concern that she was not invited the meeting that took place on the morning of October 20, 2022.
- Fred Lucas stated he was called after the meeting. He advised the Board pass resolutions on how they make decisions and who has power to make those decisions, and that an

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ordinance can be passed on the bidding process is to work. He stated at this time there is nothing in place on the bid process.

- Trustee Seacrest thanked Fred Lucas for the clarification and feels these actions need to be taken in order to serve the community.
- Fred Lucas stated again what statutory rules are in place and what steps can be taken by the Board moving forward. He stated he feels instead of two meetings a month they should add a study session.
- Clerk Findley stated another aspect of why the Board is not getting information in a timely manner is that information about what will be on the agenda is not provided to the Clerk's office in a timely manner.
- Fred Lucas stated a policy on the timing can be passed.
- Trustee McGill stated that she agrees that a policy needs to be in place.
- Fred Lucas suggested the Board use a program like iCompass and that the Board put in place his earlier suggestions to provide accountability, transparency, and make it easier to serve the community.
- Clerk Findley stated she would like a resolution that states Fred Lucas attends all Board meetings.
- Trustee McGill stated she agrees with Fred Lucas's suggestions, she has become frustrated with how things have been handled. She added this will help things run more smoothly, avoiding the anger of the residents she is seeing, and protect the Board.
- Supervisor Schwartz stated his frustration with the lack of experience in dealing with the bidding process and the limited time because Republic did not inform the Township, they would no longer be servicing them until the last minute. He also stated the contracts were late coming in, and the contract was approved pending clarification.
- Trustee McGill pointed out the bulk pick-up is not in the contract.
- Clerk Findley and Trustee Caviston stated it should be in the contract.
- Fred Lucas explained unless expressly invalidated the by the contract, everything in the proposal is part of the contract.
- Trustee Lindke asked why the fee for the bins is in the contract but was not part of the bid.
- Both Trustee Lindke and Clerk Findley expressed they felt this was not appropriate.
- Fred Lucas explained again how the terms of the contract supersede the bid.
- Supervisor Schwartz reminded the Board of what happened with bins when the Township changed trash pick-up providers in the past.
- Trustee Lindke stated she felt Republic should pick up their bins and Supervisor Schwartz agreed.
- Trustee McGill stated there still needs to be clarification around the bids and bulk pick-up before the contract is signed.
- Trustee Lindke asked if the residents who paid the \$25 fee per bin to Republic would be getting reimbursed.
- Supervisor Schwartz explained how the billing process works and that the Township doesn't have the staffing to handle this.
- Fred Lucas read the part of the contract about cart repair and replacement and stated he will add clarification on bulk pick-up.
- Supervisor Schwartz explained why bulk pick-up was not in the contract.

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- Fred Lucas stated he will add the wording bulk pick-up at the request of Clerk Findley, Trustees McGill, and Lindke.
- There was a discussion about if a resident has bagged trash in addition to the bin.
- Fred Lucas stated the Board is required to notify GFL of new residents.
- Clerk Findley asked who would be paying for the mailer to residents about the new service, and Fred Lucas replied he was not given a direct answer.
- Supervisor Schwartz talked about what the mailer would include and the process for residents to sign up for service.
- Fred Lucas clarified the Townships obligation in notifying GFL of new residents and that GFL would contact new resident within 24 hours. He added he does not have an answer to who would pay for flyers to current residents.
- Supervisor Schwartz stated he would be getting a sample flyer for the Township the following day.
- Trustee McGill expressed concern residents may disregard a flyer as junk mail.
- Supervisor Schwartz explained the pick-up schedule.
- Clerk Findley and Trustee Caviston asked clarifying questions about the days of pick-up.
- Supervisor Schwartz stated he was glad the meeting was called and would be taking all calls from residents with concerns or questions regarding the service change. He added the day changes would be posted.
- Trustee Secrest asked if large bulk items would be picked up.
- Fred Lucas had taken a call with GFL during the meeting about bulk items. He stated he will be adding language that GFL will pick-up bulk items, and that GFL will not pick-up large amounts of bulk items, i.e.: a resident clears an entire household. He added they will not pick-up bags outside the bins without tags.
- Supervisor Schwartz stated the bag and tag day would be changing.
- The issue of who and how resident concerns are managed was discussed.
- Supervisor Schwartz made the following comments:
 - Fred Lucas will adjust contract, forward it to the Board, the Board will confer, and sign if in agreement.
 - He will be the one fielding calls from concerned residents.
 - His concern is Republic would not have picked up the bins.
- Fred Lucas stated he will address the bulk items and the cost of carts.
- Trustee McGill asked if the reimbursement will be added.
- Clerk Findley asked how GFL would monitor who has a third bin.
- Trustee McGill stated there is no additional cost for collection, she also asked if the flyer would have information about setting up an account with GFL and would like to notify residents to look for flyer.
- Supervisor Schwartz stated service would not stop, the resident would just receive a bill with the information, and when the bills will be coming out.
- Clerk Findley asked about the reimbursement.
- Supervisor Schwartz stated the residents would need to contact Republic and return their bins. At that point GFL would provide them with a bin.
- Trustee Lindke stated she understood that residents would have to pay \$95 per bin and that if she is paying for the bin the GFL name should not be on it.

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- Trustee McGill stated there needs to be more clarity on the bins, and therefore there needs to be more than one Board member present at meetings with contractors.
- Clerk Findley stated she is involved in all major contracts, yet was not told about the meeting, and this would have addressed Trustee McGill's concern.
- Fred Lucas stated there should be a committee to manage large contracts and that Clerk Findley is simply authorized to sign contracts on behalf of the Board, not as Lynette Findley personally.
- Trustee McGill agreed that committees need to be commissioned to handle these things.
- Supervisor Schwartz stated at next Board meeting a committee should be formed and he will add it to agenda.
- Fred Lucas stated the modified contract needs to get to GFL by end of the week, GFL asked if this is delayed, can the Township extend contract with Republic. He said he did not think extending the contract with Republic is ~~not~~ possible and he will have contract to GFL the next day.
- Clerk Findley asked if Fred Lucas could add Lisa Lewis's personal email to communications.

ADJOURNMENT

It was moved by Trustee Caviston supported by Trustee McGill, that the meeting be adjourned. The motion carried and the meeting adjourned at 5:25 p.m.

Respectfully submitted,

Lynette Findley, Clerk

Kenneth Schwartz, Supervisor

