

# Farmington Observer

Volume 88 Number 14 Monday, December 5, 1977 Farmington, Michigan 36 Pages Twenty-Five Cents

©1977 Suburban Communications Corporation. All Rights Reserved

## Cops forge ahead in back pay battle

By LYNN ORR

Although a recent court decision in a five-year old legal battle with Teamster represented patrolmen has Farmington Hills city officials looking towards the steepening of about \$100,000, union officials have a different idea.

"We're not backing off this case; this is going to go as far up as it can go," said Joe Valenti, president of Teamsters Local 214, to which P.J. Jerry Mackenzie, shop steward, says "Amen."

About \$100,000 of back pay concerning an unusual, and the city says, mistaken, cost of living allowance (COLA) clause is riding on the final court decision.

However, if the patrolmen ultimately win the back pay, they'll have further court fuel for another battle concerning their arbitration award granted last spring, which may see the city starting at an additional \$25,000 in back pay.

THE MICHIGAN Court of Appeals overturned Oakland County Circuit Court Judge Robert Temple's decision governing the attorney-client privilege of Walter Nussbaum, the police officers' negotiator back in 1972, when the disputed contract was ratified.

Now the case returns to Temple, and the Teamsters will have to either withdraw some of their claims or put Nussbaum on the stand. It's also likely that police officers will have to testify on what they heard at the ratification meeting.

The battle revolves around a COLA clause that has a doubling up effect—interpretations of the contract suggest that the COLA can be compounded on base pay. When now deceased City Atty. Terry Brennan discovered his error, he went to the patrolmen and the command officers asking for a contract clarification 20 months after the contract was ratified.

Although the command officers complied, the patrolmen who had since voted to be represented by the Team-

sters local, refused to sign the agreement.

"The police officers agreed to it orally and then wanted the city to pay some of the legal expenses, but the council felt that was inappropriate and that's when the patrolmen refused to sign the agreement," says City Mgr. George Majors.

"In retrospect, we probably could have saved some money by paying the fees, but the council felt it wasn't the money, it was the principal."

VALENTI CLAIMS the city has spent more fighting the case than the patrolmen are entitled to in back pay. Majors denies the charge. According to city records, the city has paid

\$30,556 thus far to attorney J. Bruce Donaldson, the city's lawyer in the case. Some "minor" expenses have been incurred for a few hours of consultation with the city attorney and labor attorney Charles Keller, Majors adds.

Valenti also claims that Brennan and Nussbaum were aware of the

implications of the COLA clause when the contract was ratified.

"This is speculation on my part, but they probably thought 'we're under the wage and price freeze (federal wage and price controls which were in effect in 1972, so the patrolmen got something they can never get.'" Valenti suggests.

He added that the patrolmen accepted a lower raise, four per cent

rather than the going rate of seven per cent, because of the COLA clause.

"That's what said the contract," he maintains.

However, Nussbaum, who presented the contract to the patrolmen, denied in court that he was aware of the "flaw" or doubling up effect of the COLA clause until Brennan pointed it out 20 months after the contract was signed.



### Threading through the bead story

The new exhibit at Cranbrook Academy of Art Museum on Indian beadwork began in the mind of a young Troy Lewis. Ms. Lewis, a graduate of the academy, began studying Indian beadwork several years ago. She was eventually asked, while researching at the Grand Rapids

Public Museum, to help compile an exhibit that would be presented throughout the Midwest. The result is 21 display cases of Indian beadwork from all stages in the Indian's history. The display, will continue at the museum through Jan. 22. The museum is at 500 Lone Pine, Bloomfield Hills.

## Here's some helpful hints for beating winter driving

Slipping and sliding along the highways and byways of the Farmington area is part of winter most drivers would rather forget.

Since winter has descended for the next few months, drivers may as well resign themselves to changing road conditions and adopt a different style of piloting their cars through the snow.

That's the advice of Farmington Public Safety Lt. John Santamoro. Winter driving is a state of mind rather than trust in snow tires and posted speed limits.

"There is a tendency to drive too fast according to the speed limit. People don't drive according to weather conditions. If a sign says you can do 45, that means 45 in good weather," Santamoro said.

Snow tires are useful during winter

but can become useless on ice. Drivers who find themselves in a skid in spite of snow tires, should avoid hitting the brakes.

"It's a normal reaction to brake in a skid," Santamoro said. "But the brakes can lock then. Drivers should pump their brakes and turn into the skid."

IF AN ACCIDENT does occur, it's best to be wearing seat belts, according to Santamoro.

"If it's an accident which is minor and is a bump on the head type of an accident, a seat belt helps," he advised.

After an accident, it's best to call the police. In the Farmington area, the departments do respond to accident calls.

"Make a report immediately. It's

assumed that since there's no fault insurance, the insurance company has to pay. Some company's won't settle without a report," Santamoro said.

Accidents in which property damage of more than \$200 has resulted must be reported. Reports must be made if there are any injuries involved or if fixtures adjacent to a highway have been damaged, according to Santamoro.

While police departments urge that accidents be reported as soon as possible there isn't a time limit for the procedure.

"All accidents should be reported," he said. "If the report is a day after the accident, then we can't investigate. We can't properly investigate an accident unless we are at the scene," he said.

## ...experts advocate seat belts

By GREG TAVALLIRE

For years, the American public has been prodded to "buckle up for safety," but surveys reveal that the majority does not.

Although precise figures are difficult to obtain, statistics show that seat belt usage in the United States is approaching 40 per cent.

The significance of this lies not in the 40 per cent that do, but in the 60 per cent that don't. Of this 60 per cent, most never wear them.

The figure is surprising since numerous tests have shown that seat belts are indeed life savers.

Seat belts have been required safety features in U.S. manufactured cars since the 1962 models.

Presently, the government is toying with the idea of making seat belt usage mandatory. In Canada and many countries in Europe, use of seat

belts is already law.

Will Bowles, general manager of the American Safety Corp. (ASC) of Troy, believes a seat belt law would be a good one. "Saving a life is the responsibility of all society," Bowles said.

"An individual who voluntarily avoids life saving devices poses a risk to the people around him. Canada has such a law and it has proven effective."

"Clearly, enforcing the law could be difficult, but there are a certain percentage of the people who are law abiding and would follow the law."

While many may not be ready to accept a mandatory seat belt law, Bowles believes campaigns such as the series of radio commercials sponsored by the National Safety Council may convince the public of the need for a law.

"I feel any conversation on the use of seat belts is important," he said.

"We feel as the public gets better educated as to what seat belts can do, the more they will use them and the more they will support a mandatory seat belt law."

BOWLES DIRECTS a company that develops and sells safety materials. While the bulk of ASC's business is related to seat belts, the firm also deals in eye and hearing protection materials, commercial aircraft escape devices, life rafts, military aircraft survival gear and precision medical instruments used in neurosurgery.

In recent years, the thrust of ASC has been to provide seat belts which are easy and comfortable to use.

Since the lap belt was made standard front-seat equipment in 1962, it has evolved into an intricate three-point system. Today, the seat belt includes an integrated lap belt and torso restraint.

At one point, the torso strap (its

(Continued on page 2A)

## State delays road verdict

The Michigan State Highway Commission probably won't decide until January whether to proceed with the M-25 alternatives study proposed by the Department of State Highways and Transportation.

That was the word recently from highway commission chairman Peter Fletcher, who also admitted that the \$1,918,000 estimated price of the study is "higher than we (the commission) expected."

Jim Reinstra, M-25 alternatives study coordinator, submitted the cost estimates to Charles Uray, Jr., chief deputy director of the highway department, on Nov. 14, but the highway commission didn't act on the matter at its Nov. 16 meeting.

Because of the holiday season, the commission has scheduled only one meeting this month—Dec. 21, at the Executive Plaza in Detroit.

"We probably won't discuss it until January," Fletcher said, "when we receive the total report."

The two-page memo prepared by Reinstra calls for two items in phase one to be performed by highway department personnel. Those items are an origin and destination survey and aerial photographs.

"This study is proposed to go to consultant contract in order that department personnel may continue studies on other critical projects," Reinstra said in the memo.

THE M-25 COORDINATOR has estimated that it may take two years to complete the studies—six to 12 months for preparation of the data and at least another six months for the consultant to review the alternatives and make a recommendation.

Fletcher said in late November he wasn't sure what the department was proposing in terms of the length of the study, but said he expects the department to follow the timetable set by the commission.

"I would expect to have the information within a year," Fletcher said.

Reinstra said the department is considering a study area bounded by Telegraph, I-96 and I-696, Duck Lake Road and I-75.

"We'll be looking at the whole transportation system in West Oakland County," Reinstra adds, saying that some of the specific options under study include the widening of I-96 to US-23, and intersection improvements on Northwestern Highway at Twelve Mile, and Fourteen Mile and Orchard Lake roads.

Under the M-25 alternative study outline prepared by Reinstra, phase one calls for preparation of a detailed work program; a study area reconnaissance; establishment of final study area boundaries; development of base maps; identification of issues; and a host of other studies and surveys.

Phase two calls for alternative evaluation and projections as well as impact analysis and cost preparations. Public hearings also would be scheduled.

THE THIRD PHASE of the study would include final recommendations, engineering reports, impact statements and publication of final documents.

Reinstra's memo estimates the phase one cost at \$1,228,000; phase two at \$572,000; and \$120,000 for phase three.

## Wolfgram to chair bar

Farmington Hills attorney William Wolfgram has been named chairperson of the State Bar of Michigan's Court of Appeals committee.

A partner in the law firm of Fainthuck, Shwedel, Roether, Wolfgram, McDonald, and Zipser, Wolfgram's term of office will run through Sept. 30, 1978.

He is a member of the Oakland County Bar Association and Michigan State University graduate. He earned his law degree from the University of Michigan.

Wolfgram lives with his wife, Susan, and son, Steven, in Birmingham.

## Hills meeting schedule set

Farmington Hills city business meetings will be conducted at City Hall, 2555 Eleven Mile, at Orchard Lake Road this month as follows:

•Board of Appeals: 8 p.m., Dec. 6, in court chambers.

•Historic Commission: 7:30 p.m., Dec. 7, City Clerk's office.

•Housing Commission: 8 p.m., Dec. 7, in court chambers.

•Planning Commission: 8 p.m., Dec. 8, in court chambers for preliminary hearings.

•City Council: 8 p.m., Dec. 12, in court chambers.

•Arts Commission: Dec. 13 in the conference room.

•AFSCME Union election meeting: 4:30 p.m., Dec. 14, in court chambers.

•Planning Commission: 8 p.m., Dec. 15, in court chambers for public hearings.

•City Council: 8 p.m., Dec. 19, in court chambers.

•Board of Appeals: 8 p.m., Dec. 20, in court chambers.

•Industrial and Economic Development Commission: 8 p.m., Dec. 27, in court chambers.

•Commission on Aging: 7:30 p.m., Dec. 27, in City Hall.

Some meetings are subject to change or rescheduling.

## inside

HAPPY BIRTHDAY, STROLLER

W.W. "Eddie" Edgar, Observer & Eccentric columnist and writer has touched many lives and causes in his 80 years. Some of the persons who know and like him best were on hand recently to wish him a happy birthday. For an informal glimpse of one of the state's natural resources turn to page 8A.

Community Calendar 2B  
Editorial Opinion 8A  
Obituaries 2A  
Sports Section C  
Suburban Life Section B