

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, APRIL 22, 2009

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
54111 BROUGHTON ROAD  
MACOMB, MI 48042

PRESENT: MARK H. GRABOW, SUPERVISOR  
MICHAEL D. KOEHS, CLERK  
MARIE MALBURG, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
JANET DUNN, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Dloski, Legal Counsel  
Jerome Schmeiser, Planning Consultant  
James VanTiflin, Engineering Consultant  
*(Additional attendance on file at the Clerk's Office)*

Supervisor GRABOW called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**ROLL CALL**

1. Clerk KOEHS called the roll and the Board of Trustees was present.

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 6a, 8a and 14a were added and item 18 was tabled to the meeting of May 13, 2009.

**MOTION by DUNN seconded by MALBURG to approve the agenda as amended.**

**MOTION carried.**

**APPROVAL OF THE BILLS**

3. Both bill runs were reviewed and there were no additions, deletions or corrections.

**MOTION by NEVERS seconded by BUCCI to approve both bill runs as presented.**

**MOTION carried.**

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**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on April 8, 2009, were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by DUNN seconded by KRZEMINSKI to approve the minutes of the meeting of April 8, 2009 as presented.**

**MOTION carried.**

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. Request for Interior Landscaping Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
2. Request for 24 Mile Road Entrance Landscaping Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
3. Request for 25 Mile Road Entrance Landscaping Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
4. Request for Utilities Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
5. Request for Wetland Improvements Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
6. Request for On-Site Paving Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
7. Request for Paving-25 Mile Road Bond Release; Macomb Town Center Phase I; MLA Properties, LLC, Petitioner.
8. Request for Interior 8' Wide Sidewalks Bond Release; Macomb Town Center Phase I; MLA Properties, Petitioner.
9. Request for Interior 5' Wide Sidewalks Bond Release; Macomb Town Center Phase I; MLA Properties, Petitioner.
10. Request for 8' Wide Sidewalks along 24 Mile Road; Macomb Town Center Phase I; MLA Properties, Petitioner.
11. Request for 8' Wide Sidewalks along 25 Mile Road; Macomb Town Center Phase I; MLA Properties, Petitioner.
12. Request for Pedestrian Foot Bridge Bond Release; Macomb Town Center Phase I; MLA Properties, Petitioner.
13. Request for Interior Landscaping Bond Release; Macomb Town Center Phase II; MLA Properties, Petitioner.
14. Request for Utilities Bond Release; Macomb Town Center Phase II; MLA Properties, LLC, Petitioner.
15. Request for On-Site Paving Bond Release; Macomb Town Center Phase II; MLA Properties, Petitioner.
16. Request for Interior 8' Wide Sidewalks Bond Release; Macomb Town Center Phase II; MLA Properties, LLC, Petitioner.
17. Request for Interior 5' Wide Sidewalks Bond Release; Macomb Town Center Phase II; MLA Properties, LLC, Petitioner.
18. Request for 8' Wide Sidewalks along 24 Mile Road Bond Release; Macomb Town Center Phase II; MLA Properties, LLC, Petitioner.

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19. Request for Utilities Bond Release; Macomb Town Center Phase III; MLA Properties, LLC, Petitioner.
20. Request for On-Site Paving Bond Release; Macomb Town Center Phase III; MLA Properties, LLC, Petitioner.
21. Request for Interior 8' Wide Sidewalks Bond Release; Macomb Town Center Phase III; MLA Properties, LLC, Petitioner.
22. Request for Interior 5' Wide Sidewalks Bond Release; Macomb Town Center Phase III; MLA Properties, LLC, Petitioner.
23. Wall Sign Bond Release; BB's Liquor ; 1A Wine Shop Inc., Petitioner.
24. Ground Sign Bond Release (21 Square Feet); Kroger at Macomb Park; Earl Daup Signs, Petitioner.
25. Ground Sign Bond Release (64 Square Feet); Kroger at Macomb Park; Earl Daup Signs, Petitioner.

B. Water/Sewer Dept.

1. Easement Encroachment: John G. See & Kelly T. See, 18913 Blackberry Drive, Macomb, MI, 48042, Lot 7, Wolverine Trace Subdivision No. 1, Deck Encroachment, Sidwell # 08-04-304-007
2. Easement Encroachment: Keith A. Moore & Paula A. Moore, 54298 Acadia Drive, Macomb, MI, 48042, Lot 139, Sumpter Forest Subdivision, Above Ground Pool, Sidwell # 08-08-277-001

Supervisor GRABOW reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda. No item was requested to be removed.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the Consent Agenda as presented.**

**MOTION carried.**

6. **Public Comments**

Thomas McMahan spoke regarding the lack of openness relating to the Brentwood Limousine assessment inspections. Robert Barsotti spoke regarding the way he feels Macomb Township treats small businesses. Thomas Habel spoke regarding the Townships' treatment of small businesses. Judy Roberts questioned the current township purchasing policy. Robyn Patrykus questioned the Townships' procedure for purchasing fuel for the township vehicles. Catherine Imbronone questioned what she called the townships' vendetta against her business, Tina's Country House. Marvin Wiegand raised issues regarding the assessor's office and the staffing level there. Simone Grabow stated that the Township took her farm fourteen years ago and she wants it back. Kevin Karwicz talked about the Board working together and quoted a Chinese proverb. Chrysillos Hadjisofroniou spoke regarding the Townships treatment of small businesses. Renee Michaels asked the Board to work with small business owners.

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**OLD BUSINESS**

- 6A. Request for Extension of Contract; Law Enforcement Services Agreement with Macomb County; Sheriff Mark Hackel, Petitioner.

Supervisor GRABOW asked Sheriff Hackel to step to the podium and review this request for a contract extension.

Sheriff Hackel stated that Macomb County was trying to line up all of its municipal contracts to expire at the same time and to correspond with the calendar year. He assured the Board that this six month extension would not result in an increase in the cost of service.

**MOTION by BUCCI seconded by KRZEMINSKI to approve the Extension of the Contract for Law Enforcement Services with Macomb County for a period ending December 31, 2009 with the understanding that the monthly rate for all of 2009 will be the same amount as has been paid in the first three months of this year.**

**MOTION carried.**

**NEW BUSINESS**

7. Water Use Ordinance Proposal

Mr. James VanTiflin, Consulting Engineer, and Mr. Gerald Wangelin, Water and Sewer Superintendent, reviewed this matter and explained that the purpose of the proposed Water Use Ordinance was to control the time when water consumption was high and thereby lower the average cost of water to the residents and businesses in the township. They both further stated their recommendation for two actions. First to authorize legal counsel to review and recommend a new contract with the Detroit Water and Sewer Department, and secondly, to authorize legal counsel to draft a mandatory water use ordinance.

**MOTION by KOEHS seconded by DUNN to authorize legal counsel to review and recommend a new contract with the Detroit Water and Sewer Department.**

**MOTION carried.**

**MOTION by KOEHS seconded by KRZEMINSKI to authorize legal counsel to draft and present to the Board of Trustees for review a mandatory water use ordinance.**

**MOTION carried.**

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8. Brine Proposal for Road Maintenance –Road Commission vs. Eishehardt Road Maintenance

Supervisor GRABOW reviewed this matter and indicated that he was proposing five (5) applications on the unpaved roads in the township. Two applications will be provided by the Road Commission at no cost to the Township, and the other three applications will be provided by Road Maintenance Corporation for a total cost of eleven thousand nine hundred eighty two dollars and sixty cents (\$11,982.60). He further stated his recommendation for approval.

**MOTION by KRZEMINSKI seconded by NEVERS to approve the five (5) applications on the unpaved roads in the township as follows: two applications will be provided by the Road Commission at no cost to the Township, and the other three applications will be provided by Road Maintenance Corporation for a total cost of eleven thousand nine hundred eighty two dollars and sixty cents (\$11,982.60).**

**MOTION carried.**

8A. Request to purchase Broadcast Media Equipment.

Mr. James Gills, Broadcast Media Director, reviewed this proposal to exchange our current bulletin board playback system and upgrade to the newest versions of the MediaXtreme hardware and software from Keywest Technology. The total cost of the upgrade will be two thousand three hundred forty six dollars (\$2,346.00), including shipping.

**MOTION by DUNN seconded by MALBURG to approve the purchase of the MediaXtreme hardware and software from Keywest Technology for a total cost of two thousand three hundred forty six dollars (\$2,346.00), including shipping.**

**MOTION carried.**

**HUMAN RESOURCE**

9. Request to Extend Offers of Employment to paid-on-Call Firefighter Candidates

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation to extend an offer of employment to seven (7) Paid on Call Recruit Fire Fighters and two (2) Paid on Call Probationary Fire Fighters. They are Bradley Bartz, Andrew Beach, Ian Griffin, Brandon Lewandowski, Cameron Miller, Patrick Quinn, Joshua Ringstad, Ronald Tremonti and Kent Woolson.

**MOTION by BUCCI seconded by KRZEMINSKI to extend an offer of employment seven (7) Paid on Call Recruit Fire Fighters, Bradley Bartz,**

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**Andrew Beach, Brandon Lewandowski, Cameron Miller, Patrick Quinn, Ronald Tremonti and Kent Wollson and two (2) Paid on Call Probationary Fire Fighters, Ian Griffin, Joshua Ringstad.**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT**

10. Engineers Payment Certificate No. 17 - Final; Pump Station No. 7 Replacement MA05-026 & Romeo Plank Water Main Replacement MA06-010

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated that this was the final payment for this job. He further stated his recommendation for approval.

**MOTION by DUNN seconded by NEVERS to approve the final payment for jobs MA05-026 and MA06-010 to Dan's excavating, Inc. in the amount of ten thousand dollars (\$10,000.00).**

**MOTION carried.**

11. Engineers Payment Certificate No. 8 - Final; 21 Mile & Fairchild Road Water Meter and PRV Phase 2 MA01-024, 24 Mile Road and Romeo Plank Road PRV Replacement MA06-017 & 24 Mile Road and Card Road PRV Replacement MA06-018.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated that this was also a final payment and he further stated his recommendation for approval.

**MOTION by DUNN seconded by NEVERS to approve the final payment for jobs MA01-024, MA06-017 and MA06-018 to L. D'Agostini & Sons, Inc. in the amount of five thousand dollars (\$5,000.00).**

**MOTION carried.**

12. Engineers Payment Certificate No. 2; Romeo Plank Water Main Replacement MA07-008

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

**MOTION by NEVERS seconded by DUNN to approve the payment of Certificate Number Two for job MA07-008 to Stante Excavating Co., Inc. in the amount of five hundred seventy one thousand two hundred twenty nine dollars and thirty two cents (\$571,229.32).**

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**MOTION carried.**

13. Request to officially resolve to adopt the SRF Program.

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation for approval.

**MOTION by DUNN seconded by NEVERS to adopt the following resolution:**

**TOWNSHIP OF MACOMB  
A RESOLUTION ADOPTING A FINAL PROJECT PLAN  
FOR WATER AND WASTEWATER SYSTEM IMPROVEMENTS AND  
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

**WHEREAS**, the Township of Macomb recognizes the need to make improvements to its existing water and wastewater systems; and

**WHEREAS**, the Township of Macomb authorized Spalding DeDecker Associates, Inc. to prepare a Drinking Water and Clean Water State Revolving Fund Project Plan, which recommends the construction of the following:

Drinking Water State Revolving Fund:

- Romeo Plank Road Water Main Replacement (from South of 22 Mile Road to 23 Mile Road)
- Garfield Road, South of 25 Mile Road Water Main Extension
- 12" Water Main Loop Connections
- 6" Water Main Replacement Project – Open Cut

Clean Water State Revolving Fund

- Replacement of Pump Station #2 and Force Main
- Replacement of Pump Station #9 and Force Main
- 23 Mile Road Sanitary Sewer Replacement - Open Cut
- Broughton Road Sanitary Sewer Extension

**WHEREAS**, said Project Plan was presented at a Public Hearing held on Wednesday, April 15, 2009, and all public comments have been considered and addressed;

**NOW THEREFORE BE IT RESOLVED**, that the Township of Macomb formally adopts said Project Plan and agrees to implement the selected alternatives.

**BE IT FURTHER RESOLVED**, that the Township Supervisor, a position currently held by Mr. Mark Grabow, is designated as the authorized representative for all activities associated with the projects referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a Drinking Water and Clean Water Revolving Fund Loan to assist in the implementation of the selected alternatives.

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**AYES: DUNN, NEVERS, KRZEMINSKI, BUCCI, MALBURG, KOEHS,  
GRABOW.**

**NAYS: None**

**MOTION carried, resolution declared adopted.**

**BOARD COMMENTS**

14. Supervisor Comments:

a. **Request to reassign a Clerical Position**

Supervisor GRABOW introduced this item and a motion was made to table it to allow for further information to be reviewed.

**MOTION by BUCCI seconded by KRZEMINSKI to table the request to reassign a clerical position to the meeting of May 13, 2009.**

**MOTION carried.**

b. Supervisor GRABOW informed the Board that he had received at least three estimates for the cost of laptop computers for the Board members. No further action was taken on this item.

15. Clerk Comments: None

16. Treasurer Comments: None

17. Trustees Comments:

a. Request for an investigation.

Trustee BUCCI informed the Board that he had received information concerning a potential conflict of interest regarding the Deputy Assessor.

**MOTION by BUCCI seconded by NEVERS to authorize the Human Resources Director and legal counsel to conduct an investigation into any potential conflict of interest issues regarding the Deputy Assessor representing property owners on their appeal of their assessments by the Township.**

**Motion carried.**

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**EXECUTIVE SESSION**

18. Rite Aid Proposed Settlement

*(This item was tabled to the meeting of May 13, 2009)*

**ADJOURNMENT**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 8:37 p.m.**

**MOTION carried.**

Respectfully submitted,

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Mark H. Grabow  
Macomb Township Supervisor

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Michael D. Koehs, CMC  
Macomb Township Clerk