

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 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 item 18 was tabled indefinitely and item 16 was moved to Executive session.

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

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

4. The minutes of the previous meeting held on May 27, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by DUNN seconded by MALBURG to approve the minutes of the meeting of May 27, 2009 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

- A. Clerk's Department:

1. Wall Sign Bond Release; Bailey's Restaurant.
    2. Wall Sign Bond Release; King Pita.
    3. Site Plan Bond Release; Verizon Wireless #889.
    4. Wall Sign Bond Release; Rite Aid Pharmacy; Allied Signs, Inc.
    5. Site Plan Bond Release; Sargent Home Center.
    6. Site Plan Bond Release; Shell Service Station.
    7. Site Plan Bond Release; Carroll Tool and Die.
    8. Site Plan Bond Release; TRI-59 II, LLC Out lot for Chase Bank.

- B. Human Resources

1. Request for a Medical Leave of Absence

- C. Department Monthly Reports:

1. Building Department
    2. Fire Department
    3. Macomb County Sheriffs Department
    4. Parks and Recreation Department

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.

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

**MOTION carried.**

6. **Public Comments**

**George Vanloon claimed he was edited in the televised version of last Board meeting. Tom McManus asked about who is responsible for the legal fees for the latest enforcement action for the consent judgment at Brentwood Limousines.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

**PLANNING**

7. **EXTENSION OF TIME for Pinnacle Farms Subdivision** – Located ½ mile south of 23 Mile Road, and ¾ mile east of North Avenue; Landtec of Macomb, Petitioner. Permanent Parcel No. 08-24-276-003.

Mr. Jim VanTiflin, Spalding DeDecker, reviewed this matter and stated his recommendation for approval.

**MOTION by DUNN seconded by KOEHS to approve the extension of time for the Pinnacle Farms Subdivision located ½ mile south of 23 Mile Road, and ¾ mile east of North Avenue, Permanent Parcel No. 08-24-276-003 for (1) one year to April 26, 2010.**

**MOTION carried.**

8. **EXTENSION OF TIME for Battaglia Subdivision** – Located on the east side of North Avenue, ¼ mile north of Hall Road; Dominic Battaglia, Petitioner. Permanent Parcel No. 08-36-303-024.

Mr. Jim VanTiflin, Spalding DeDecker, reviewed this matter and stated his recommendation for approval.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the extension of time for the Battaglia Subdivision located on the east side of North Avenue, ¼ mile north of Hall Road, Permanent Parcel No. 08-36-303-024 for (1) one year to June 23, 2010.**

**MOTION carried.**

9. **Land Division Variance; Castle Mar Subdivision;** Permanent Parcel 08-15-446-001 and 08-15-445-00; Stoney Park Place, LLC, Petitioner, Located on the west side of Card Road, north of 23 Mile Road

Mr. Jim VanTiflin, Spalding DeDecker, reviewed this matter and stated that there needs to be a copy of the easement delivered to the Township and that they need to secure an easement encroachment from the Water and Sewer Department. He further stated his recommendation for approval.

**MOTION by BUCCI seconded by DUNN to approve the Land Division Variance for the Castle Mar Subdivision, Permanent Parcel 08-15-446-001 and 08-15-445-00, located on the west side of Card Road, north of 23 Mile Road conditioned upon the Township receiving a landscape easement and the petitioner securing an encroachment agreement from the Water & Sewer Department.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

**NEW BUSINESS**

10. MTA Principal of Governance Certificate Resolution.

Clerk KOEHS reviewed this matter and stated his recommendation for approval.

**MOTION by NEVERS seconded by KOEHS to adopt the MTA Principal of Governance Certificate Resolution as follows:**

Macomb Township

Principles of Governance

To maintain the highest standards and traditions of Michigan Townships, we embrace these principles to guide our stewardship, deliberations, and constituent services as we commit to safeguard our community's health, safety and general welfare. We pledge to:

- Insist on the highest standards of ethical conduct by all who act on behalf of this township
- Bring credit, honor, and dignity to our public offices through collegial board deliberations and diligent appropriate responses to constituent concerns
- Actively pursue education and knowledge and embrace best practices
- Treat all persons with dignity, respect and impartiality, without prejudice or discrimination
- Practice openness and transparency in our decisions and actions
- Cooperate in all reasonable ways with other governmental entities and consider the impact our decisions may have outside our township's borders
- Communicate to the public on township issues, challenges and successes, and welcome the active involvement of stakeholders to further the township's well-being
- Strive for compliance with all state and federal statutory requirements
- Refuse to participate in any decisions or activities for personal gain, at the expense of the best interest of the township
- Further the understanding of the obligations and responsibilities of American citizenship, democratic government and freedom

These principles we pledge to our township, our state and our country.

**YEAS: NEVERS, KOEHS, KRZEMINSKI, DUNN, BUCCI, MALBURG, GRABOW**  
**NAYS: NONE**  
**ABSENT: NONE**

**MOTION carried.**

11. Building Authority Reappointment.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

Supervisor GRABOW reviewed this matter and stated his recommendation to reappoint Stacy VanReyendam to the Building Authority for a term expiring on June 30, 2012.

**MOTION by KOEHS seconded by KRZEMINSKI to approve the reappointment of Stacy VanReyendam to the Building Authority for a term expiring on June 30, 2012.**

**MOTION carried.**

12. Macomb Township/Chippewa Valley Liaison Officer.

Clerk KOEHS reviewed this matter and stated that this has been a very successful program and further stated his recommendation for approval.

**MOTION by BUCCI seconded by DUNN to approve the expenditure for the Macomb Township portion of a Chippewa Valley School Liaison Officer in the amount of fifty seven thousand eighty nine dollars (\$57,089.00).**

**MOTION carried.**

13. Proposed Macomb County Sheriff Department Contract for 2010-2012.

**MOTION by BUCCI seconded by KRZEMINSKI to table this matter indefinitely and appoint Supervisor GRABOW, Clerk KOEHS and Trustee BUCCI to negotiate this matter with Macomb County and bring back a contract proposal.**

**MOTION carried.**

14. Request Approval of SMART Municipal Credit and Community Credit Contract for Fiscal Year 2009.

Supervisor GRABOW reviewed this matter and stated his recommendation for approval.

**MOTION by DUNN seconded by MALBURG to approve the SMART Municipal Credit and Community Credit Contract for Fiscal Year 2009 with a total of forty seven thousand four hundred thirty nine (\$47,439.00) dollars in Municipal Credit funds and one hundred eighteen thousand eight hundred fifty eight dollars (\$118,858.00) in Community Credit funds.**

**MOTION carried.**

15. Rescind the Paid-on-Call Fire Department Ordinance.

Township Attorney Lawrence Dloski reviewed this matter with Board members and advised them that certain portions of this old ordinance were beginning to conflict

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

with recently negotiated collective bargaining agreements and that the ordinance should be rescinded to avoid problems in the future.

**MOTION by DUNN seconded by NEVERS to rescind the Paid on Call Fire Department Ordinance.**

**YEAS: DUNN, NEVERS, KRZEMINSKI, BUCCI, MALBURG, KOEHS, GRABOW**  
**NAYS: NONE**  
**ABSENT: NONE**

**MOTION carried.**

16. Investigation Information as Requested by Board of Trustees concerning Assessing Dept.

*(This matter was moved to Executive Session at the employee's request)*

17. Request to Adjust the Fixed Asset Threshold.

Clerk KOEHS reviewed this item with Board members and advised them that this was an administrative matter recommended by the auditors..

**MOTION by KRZEMINSKI seconded by DUNN to adjust the Fixed Asset Threshold from five hundred (\$500.00) to one thousand (\$1000.00) dollars.**

**MOTION Carried.**

## **PARKS AND RECREATION**

18. Catering Request for Proposal.

*(This matter was tabled indefinitely at the request of the Parks and Recreation Director).*

## **HUMAN RESOURCES**

19. Request Authorization to Initiate Recruitment Process-Water & Sewer.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation for approval.

**MOTION by KOEHS seconded by DUNN to approve the Authorization to Initiate Recruitment Process for a Water & Sewer Department foreman, as presented.**

**MOTION carried.**

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

**WATER AND SEWER DEPARTMENT**

20. Purchase Requisition – SLC Meter Service, Inc.

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

**MOTION by DUNN seconded by NEVERS to approve the Purchase Requisition for SLC Meter Service, Inc as presented for the amount of one thousand three hundred ninety seven dollars (\$1,397.00).**

**MOTION carried.**

21. Engineer's Payment Certificate No. 1; Emergency Repair Manhole No. 2 Chateau Macomb SDA Job No. MA08-012.

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

**MOTION by MALBURG seconded by KOEHS to approve the Engineer's Payment Certificate No. 1 for the Emergency Repair Manhole No. 2 at Chateau Macomb, SDA Job No. MA08-012, for one hundred seventy five thousand five hundred dollars (\$175,500.00).**

**MOTION carried.**

22. Engineer's Payment Certificate No. 1; Macomb Corners Park, Phase II Sanitary Sewer SDA Job No. MA08-005.

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

**MOTION by DUNN seconded by NEVERS to approve the Engineer's Payment Certificate No. 1 for the Macomb Corners Park Phase II Sanitary Sewer, SDA Job No. MA08-005 for the amount of one hundred forty six thousand ninety one dollars and sixty one cents (\$146,091.61).**

**MOTION carried.**

**BOARD COMMENTS**

23. Supervisor Comments: Supervisor GRABOW commented on the unemployment rate in the County, the Parks & Trails money awarded to Utica and the newest Clinton Township Park. He also reminded everyone of his June 18 seniors event.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

24. Clerk Comments: Clerk KOEHS advised everyone that the Document Imaging vendor demonstrations had started and would continue through tomorrow. The public and all department personnel are welcome to attend.
25. Treasurer Comments: None
26. Trustees Comments: Trustee KRZEMINSKI thanked the Water and Sewer Department for their trucks and he commented on the yellow tape across the front of Pheasant Run subdivision and on the watering times called for in the new ordinance.

**EXECUTIVE SESSION**

**MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 7:39 p.m.**

**MOTION carried.**

**MOTION by BUCCI seconded by KRZEMINSKI to add the following item to the Executive Session agenda: 21 Mile and Romeo Plank Road Pump Station.**

**MOTION carried.**

*The Board returned from executive Session at 9:43 p.m.*

16. Investigation Information as Requested by Board of Trustees concerning Assessing Dept.

**MOTION by KOEHS seconded by DUNN to AUTHORIZE Human Resources to issue a written reprimand to the Deputy Assessor.**

**MOTION carried.**

27. TTCH v Macomb Township

**MOTION by KOEHS seconded by BUCCI to authorize legal counsel to continue to negotiate this matter and to place it on the Board Agenda for June 24, 2009.**

**MOTION carried.**

28. Township of Macomb v. Malone; Circuit Court Case No. 08-5265-CC.

**MOTION by KOEHS seconded by KRZEMINSKI to reject the proposed consent judgment and authorize legal counsel to counter offer.**

**MOTION carried.**

29. 21 Mile and Romeo Plank Road Pump Station.

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 10, 2009

**MOTION by KOEHS seconded by DUNN to authorize Water and Sewer Department to acquire the easement.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by KREZMINSKI seconded by BUCCI to adjourn the Board of Trustees meeting at meeting at 9:47 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