

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
WEDNESDAY, AUGUST 26, 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 #11a, #19a and #22 were added.

MOTION by DUNN seconded by KRZEMINSKI to approve the agenda as amended and to move the non-agenda Public Comments to the end of the agenda just prior to the Board Comments.

MOTION carried.

APPROVAL OF THE BILLS

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

MOTION by BUCCI seconded by NEVERS 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 August 12, 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 August 12, 2009 as presented.



MOTION carried.

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. Model Bond Release for Pinnacle Woods Subdivision – Lot # 138.
2. Wall Sign Bond Release for The Baby's Room (Crosswind Corners – Unit 29); Section 31.
3. Ground Sign Bond Release for Kroger at Macomb Park; Sec. 6.
4. Site Bond Release for Cornerstone Village Pool & Recreation Area; Section 27.
5. Site Plan Bond Release for the Garfield Interceptor; Section 30.
6. Wall Sign Bond Release – Ban-Thai Cuisine 50894 Romeo Plank Road); Section 20.
7. Wall Sign Bond Release – One Step Party Shop; 16530 21 Mile Road, Section 31.
8. Demolition Bond Release; Romeo Plank Commons, LLC; Sec. 32.
9. Temporary Builder Ground Sign Bond Release; Castle Mar Subdivision; Section 15.

B. Human Resources

1.  Request for a Personal Leave of Absence
2.  Request for Military Leave of Absence

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** *(Moved down on the agenda to just before the Board Comments)*

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PLANNING

7.  Request to Authorize the Distribution of the Gratiot Avenue Access Management Plan.

Mr. Jerome Schmeiser, Planning Consultant, reviewed this matter and stated his recommendation for approval.

Ms. Sherrin Hood from LSL Planning and Mr. Jon Paul Rea from Macomb County Planning presented an explanation of the Plan and were available to answer any questions the Board might have.

MOTION by KOEHS seconded by KRZEMINSKI to approve the Distribution of the Gratiot Avenue Access Management Plan.


MOTION carried.

NEW BUSINESS

8. Recommendation to the Board from the Senior Citizen Committee in regards to the Senior Center operations.

Trustee DUNN reviewed this matter and introduced Ms. Joyce Fillipi who is the Chairperson of the Macomb Township Senior Citizen Committee. They presented a report on the progress of the organization of the Committee. Several members from the public spoke regarding this matter. The next meeting of this Committee is scheduled for Tuesday, September 2, 2009 at 10:00 a.m. at the Town Hall.

This report was informational only. No Board action was required or taken.

9.  Request Authorization to Defend in the matter of R&S Aspen Land, LLC v Macomb Township.

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

MOTION by BUCCI seconded by NEVERS to approve the authorization to defend Macomb Township in the matter of R&S Aspen Land, LLC v Macomb Township.

MOTION carried.

10. Request to Waive Township Fees for Construction of a Home for a Disabled Veteran.

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Township Attorney Lawrence Dloski reviewed this matter and stated that it is his opinion that expending public tax money for charitable purposes without the authorization of a specific statute would be an illegal expenditure of funds. Supervisor GRABOW indicated that he would contact the charity requesting the waiving of fees and advise them of the situation.

No action of the Board of Trustees was required or taken.

11. Request to Purchase Tax Bill Forms.

Deputy Treasurer Karen Goodhue reviewed this matter and stated her request that this issue be tabled to Board meeting of September 9, 2009.

MOTION by BUCCI seconded by KRZEMINSKI to table this matter to the Board of Trustees meeting of September 9, 2009.

MOTION carried.

11a. Request to Adopt resolution in Support of Libraries.

RESOLUTION

MACOMB TOWNSHIP BOARD OF TRUSTEES

At a regular meeting of the Macomb Township Board of Trustees, held on August 26, 2009 at 7:00 p. m. at 54111 Broughton Road, Macomb, Michigan.

PRESENT: Mark Grabow, Michael Koehs, Marie Malburg, Dino Bucci, Janet Dunn, Roger Krzeminski, Nancy Nevers.

ABSENT: None.

The following preamble and resolution was offered by NEVERS and supported by DUNN;

WHEREAS Michigan's libraries are vital resources for Michigan families seeking jobs online, write resumes, filing for unemployment and disability benefits and accessing the internet, and;

WHEREAS Sixty-four percent of Michigan libraries report they are the only source of free internet access in their communities which is a critical link to technology and training for many who cannot afford it;

WHEREAS the State Library of Michigan holds the second largest collection of materials in a state library, is the third most visited state library in the country and has the fifth highest circulation of state libraries nationally, the

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importance of this state resource is being ignored as both an educational and economic resource;

WHEREAS it is essential for the well-being of the citizens of the State of Michigan that libraries thrive as they are the cornerstones of a literate society and are on the cutting edge of knowledge based economy; and

WHEREAS State of Michigan Governor Jennifer M. Grandholm's Executive Order No. 2009-36 goes much further than abolishing the Department of History, Arts and Libraries by diminishing the position, influence and stature of the library community and the State Library of Michigan; and

WHEREAS the Executive Order fails to recognize statewide library services – Michigan eLibrary online subscriptions, MeLCat interlibrary loan and MeL Tests and Tutorials – all resources used for research, educational purposes, workforce development, job seeking and job preparation – were made possible through the leadership of the Library of Michigan and the collaboration, group purchasing and resource sharing of the entire library community saving the taxpayers \$72 million;

WHEREAS the Executive Order calls for breaking up the Library of Michigan without real cost savings and calls for the creation of the Michigan Center for Innovation and Reinvention Board which is asked to “preserve and maximize the benefits to the public of existing state library and historical resources including collections, buildings and skilled personnel” but does not include any library community representation;

WHEREAS State aid to libraries serve as the maintenance of effort requirement by the federal government to sustain federal funding for the Michigan eLibrary, MeLCat and MeL Tests and Tutorials and the Senate budget threatens the viability of the entire statewide interlibrary loan and resource sharing system which includes every library in the state – academic, public, k-12 and special libraries;

WHEREAS the state Aid to Public Libraries Act 89 of 1977 requires libraries shall receive a total of \$1.50 per capita of approximately \$15.4 million – but are currently receiving 96 cents per capita or \$10 million – and the Senate - passed budget cuts library funding to \$7.5 million – less than half of what is statutorily required by state law;

NOW, THEREFORE, BE IT RESOLVED that the Macomb Township Board of Trustees acting as an advocate of the people of the Township of Macomb, State of Michigan and in support of resources that ensure a high quality of life for all, strongly urges the Michigan Legislature to:

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- Oppose Executive Order No. 2009-36
- Support all legislative efforts to maintain library services and keep their functions whole under the Library of Michigan within state government;
- Maintain state aid to libraries at \$10 million to retain the federal funding required to sustain the Michigan eLibrary online subscription resources, MeLCat interlibrary loan and MeL Tests and Tutorials.
- Retain the position and role of the State Librarian.

Adopted this 26 th day of August, 2009

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

MOTION carried.

HUMAN RESOURCES

12.  Request to Change Defined Contribution Pension Program Investment Platform

Mr. John Brogowicz, Human Resources Director, and Mr. Todd Carless of Nationwide, reviewed this matter and the improvement in choices that it will offer to employees. They both stated their recommendation for approval.

MOTION by DUNN seconded by BUCCI to approve the request to change the Defined Contribution Pension Program Investment Platform as presented.

MOTION carried.

WATER AND SEWER DEPARTMENT

13. Balancing Change Order No. 1; Romeo Plank Road Water Main Replacement
SDA Job No. MA07-008

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

MOTION by KOEHS seconded by MALBURG to approve Change Order No. 1 for the Romeo Plank Road Water Main Replacement, SDA Job No. MA07-

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008 to Stante Excavating, Inc. resulting in a reduction in cost of eighteen thousand twenty seven dollars and forty seven cents (-\$18,027.47).


MOTION carried.

14. Engineer's Payment Certificate No. 5; Romeo Plank Road Water Main Replacement SDA Job No. MA07-008

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

MOTION by BUCCI seconded by KRZEMINSKI to approve Engineer's Payment Certificate No. 5 for the Romeo Plank Road Water Main Replacement; SDA Job No. MA07-008

MOTION carried.

15.  Engineer's Payment Certificate No. 5 - Final; Hayes Road Water Main SDA Job No. MA98-026; Card Road Sanitary Sewer SDA Job No. MA02-009; 25 Mile Road & Hayes Road Water Main SDA Job No. MA06-005.

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

MOTION by KRZEMINSKI seconded by DUNN to approve Engineer's Payment Certificate No. 5, Final Payment for the Hayes Road Water Main SDA Job No. MA98-026; the Card Road Sanitary Sewer, SDA Job No. MA02-009 and the 25 Mile Road & Hayes Road Water Main SDA Job No. MA06-005.

MOTION carried.

PUBLIC COMMENTS

Supervisor GRABOW invited public comments on any non-agenda item with a three minute time limit. The following persons addressed their concerns with the Board of Trustees: William Franchy, Mary Hadj, John Riggi, Lois Evola, Frank Cusamano, Cynthia Willaert, Frank Torre, Brian Winston, Thomas McManus, Jim Gillis and Lauren Tuckfield.

BOARD COMMENTS

16. Supervisor Comments: Supervisor GRABOW thanked the Fire Corps and indicated that he was pleased with the progress of the Senior Citizens Committee.

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17. Clerk Comments: Clerk KOEHS answered a question regarding the distribution of Class C liquor licenses by the Township and thanked those involved in organizing the Senior Citizens Committee.
18. Treasurer Comments: None
19. Trustees Comments: Trustee BUCCI reviewed the Manpower Study that was authored by Human Resources and made the following recommendations regarding personnel: the Broadcast media Department, Fire Department, Human Resources Department and Information Technology Department are all adequately staffed at this time. The Water & Sewer Department is currently interviewing for a Foreperson position and will likely need to start the hiring process for two utility workers within the next six months. Also within six months, the Parks and Recreation Department will need to evaluate its manpower needs as the second phase of Macomb Corners Park should be nearing completion by then. Within the next six months the Clerk's Office should be looking at the possibility of retaining a Purchasing Agent and an Elections Coordinator. He further recommended that the current receptionist position be transferred to the Supervisor's area of the Building and the Secretary working there now be assigned back to the Building Department as provided for in the current budget. Also, that the current Code Enforcement Officer be upgraded to a Building Inspector and that all building inspectors be required to do code enforcement duties in addition to their regular assignments.

MOTION by KOEHS seconded by KRZEMINSKI to approve the recommendation as noted above.

MOTION carried.

EXECUTIVE SESSION

MOTION by BUCCI seconded by KOEHS to adjourn to Executive Session at 9:43 p.m.

MOTION carried.

20. Air and Liquid Systems, Inc. v Macomb Township.

MOTION by KOEHS seconded by DUNN to authorize legal counsel to sign the settlement agreement provided that all signatures are executed by September 14, 2009; if the signatures are not executed by that date, then the Township will reject the settlement agreement and file for case evaluation as discussed.

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MOTION carried.

21. TTCH, Inc. v. Macomb Township.

This matter was informational only. No action was taken.

22. Simonne Grabow et al v. Macomb Township.

MOTION by KOEHS seconded by KRZEMINSKI to authorize the current special counsel to defend this matter in the Appeals Court and to send the letter as discussed.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 10:19 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk