

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES AND PUBLIC HEARING
TUESDAY, NOVEMBER 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 items 11a, 14a and 22 were added.

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 DUNN to approve both bill runs as presented.

MOTION carried.

APPROVAL OF THE PREVIOUS MEETING MINUTES

4. The minutes of the previous meeting held on October 28, 2009 were reviewed and any additions, corrections or deletions were discussed and made.

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MOTION by DUNN seconded by NEVERS to approve the minutes of the meeting of October 28, 2009 as presented.

MOTION carried.

5.  **Consent Agenda Items:**

A. Clerk's Department:

1. **Site Plan Bond Release; Regency Commerce Center Unit 5;** Section 17; Arthurs Michigan Group, LLC, Petitioner.
2. **Model Bond Release; Westwood Pointe Lot 88 a.k.a 51091 Battanwood Drive;** Section 16; Pegasus Homes, LLC, Petitioner.
3. **Model Bond Release; Westwood Pointe Lot 90 a.k.a 51035 Battanwood Drive;** Section 16; Pegasus Homes, LLC, Petitioner.
4. **Site Plan Bond Release; Burning Tree Golf Course;** Section 26; Dale Bauer, Petitioner.
5. **Site Plan Bond Release; Credit Union One;** Section 31; Credit Union One, Petitioner.
6. **Site Plan Bond Release; 7-Eleven Store;** Section 36; The Southland Corporation, Petitioner;
7. **Site Plan Bond Release; Burger King;** Section 36; Hyler Construction, Petitioner.
8. **Site Plan Bond Release; Nextel Communications Co-location;** Section 32; Nextel West Corp., Petitioner.
9. **Site Plan Bond Release; T-Mobile Co-location;** Section 32; Omnipoint Holdings. Inc., Petitioner.
10. **Site Plan Bond Release; Childtime Preschool (Previously Rainbow Rascals);** Section 18; Rainbow Rascals Macomb, LLC, Petitioner.

B. Water/Sewer Dept.

1. Monthly Report
2. Sanitary, Storm Sewer & Water Main Bond Release: Portofino Estates
3. Sewer, Water Main, Paving, Grading & Landscaping Bond Release: Lone Oak Estates
4. Underground Improvements Bond Release: Portofino Villas Subdivision
5. Miller Drain Crossing Bond Release: Golden Gate Subdivision
6. Sanitary Sewers & Water Main Bond Release: Sycamore Estates Subdivision
7. Maintenance Bond, Sanitary Sewer & Water Main Bond Release: Twin Rivers Subdivision # 1
8. Sanitary Sewer & Water Bond Release: Regency Commerce Center Unit 11
9. Purchase Requisition Request: SLC Meter Service Inc: New Haven Water Main Extension MA07-019

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C. Department Monthly Reports:

1. Building Department
2. Fire Department
3. Macomb County Sheriffs Department
4. Parks and Recreation Department
5. Water/Sewer 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, Agenda Items Only - (3 minute time limit)**

None

7. **PUBLIC HEARING** – Retention Basin; Buckingham Village I & II and Wingate Subdivisions; near Vesper Drive & Heydenreich Road.

Several residents spoke and thanked the Board for initiating litigation in an effort to resolve this matter and fix the basin. It was suggested that this hearing be tabled to a meeting in January in order to allow for the case to proceed through the courts.

MOTION by KOEHS seconded by KRZEMINSKI to table this item to the January 25, 2010 meeting.

MOTION carried.

ASSESSING

8. **PUBLIC HEARING** – Land Division/Combination Request; Lot Numbers 48, 49 and 50, Elan Estates Subdivision; Anthony Lombardo and Vito Daniele, Petitioners.

Ms. Phyllis Sharbo, Township Assessor, reviewed this matter and stated her recommendation for approval. There was no public comment.

MOTION by DUNN seconded by BUCCI to approve the Land Division/Combination Request; Lot Numbers 48, 49 and 50, Elan Estates Subdivision as presented.

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MOTION carried.

9. Request to Purchase New Computers.

Ms. Phyllis Sharbo, Township Assessor, reviewed this matter for the Board members and indicated that three bids had been received for this project.

MOTION by DUNN seconded by NEVERS to approve the request to purchase six new computers for the Assessing Department from Computer Design & Service at a cost of eight hundred sixty four dollars (\$864.00) each for a total of five thousand one hundred eighty four dollars (\$5,184.00).

MOTION carried.

NEW BUSINESS

10. Request to Approve an Agency Specific Record Retention Schedule.

Clerk Michael Koehs and Charles Pierce, Macomb Township Records Supervisor, reviewed this matter and explained the need for a retention schedule specific to Macomb Township. They further stated their recommendation for approval.

MOTION by KRZEMINSKI seconded by MALBURG to adopt the Macomb Township Agency Specific Schedule MT-1 which covers vehicle logs, expired commissions, committees, corporations and proof of Liability Insurance.

MOTION carried.

11. Request to Approve Selection of Document Imaging Software.

Clerk Michael Koehs and Township Records Supervisor Chuck Pierce reviewed this matter and stated their recommendation for approval.

MOTION by BUCCI seconded by KRZEMINSKI to approve the purchase of the Laserfiche software at a cost of seventeen thousand three hundred sixty five dollars (\$17,365.00) from DSS, Inc.

MOTION carried.

- 11a. Request Training for Electrical Inspector.

Mr. Dan Fairless, Building Official, advised the Board he would like to send his Electrical Inspector to an out of town Code Update class.

MOTION by KOEHS seconded by DUNN to approve this request for training at a cost of two hundred fifty four dollars (\$254.00), not including mileage.

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MOTION carried.

PARKS AND RECREATION

12. REACH Catalog Printing and Typesetting Request.

Mr. Salvatore DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendations for approval of the programs, the printing of the catalog and the mailing of the catalog.

MOTION by KRZEMINSKI seconded by NEVERS to approve the 2010 programs offered in the REACH catalog at a cost not to exceed \$30,000, most of which will be recouped in charged fees.

MOTION carried.

MOTION by DUNN seconded by NEVERS to approve the printing for the REACH 2010 catalog for six thousand two hundred eleven dollars (\$6,211.00) and postage for mailing the catalog for three thousand nine hundred forty one dollars and ninety two cents (\$3,941.92) for a total cost of ten thousand one hundred fifty two dollars and ninety two cents (\$10,152.92).

MOTION carried.

WATER AND SEWER DEPARTMENT

13. MDEQ Community Public Water Supply Annual Fee.

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

MOTION by BUCCI seconded by KOEHS to approve the MDEQ Community Public Water Supply Annual Fee in the amount of thirteen thousand four hundred fifty six dollars and fifty six cents. (\$13,456.56)

MOTION carried.

14. Purchase Requisition: SLC Meter Service Inc. (Meters & Water Main Maintenance)

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

MOTION by DUNN seconded by MALBURG to approve the Purchase Requisition: SLC Meter Service Inc. (Meters & Water Main Maintenance) in the amount of eleven thousand one hundred forty dollars (\$11,140.00).

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MOTION carried.

14a. New Haven Water Main Extension SDA Job No. MA07019

Mr. Jim VanTiflin, from Spalding DeDecker, reviewed this item for the Board members, indicating the low bidder for this project was T.R. Pieprzak, in the amount of \$783,279.80. He further stated this project will be fully funded by New Haven School District and that Macomb Township will not provide any funds.

MOTION by KRZEMINSKI seconded by KOEHS to approve awarding the New Haven Water Main Extension, SDA Job No. MA07019, to T.R. Pieprzak in the amount of seven hundred eighty three thousand two hundred seventy nine dollars and eighty cents (\$783,279.80), to be fully funded by the New Haven School District.

MOTION carried.

Public Comments, Non-Agenda Items Only - (3 minute time limit)

None

BOARD COMMENTS

15. Supervisor Comments:

Supervisor Grabow thanked the Clerk and Records Supervisor for their great work on the Document Imaging project. He also mentioned November 17, 2009 at the Township Senior Center for the dedication for new SMART vans and congratulated Trustee DUNN on her fifty years of marriage.

16. Clerk Comments:

Clerk Koehs advised the Board the Purchasing Policy is being worked on and soon will be presented to the Board for approval.

a. Request to authorize Clerk and HR Director to attend the MTA Education Conference.

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

MOTION by DUNN seconded by NEVERS to approve the Request to authorize Clerk and HR Director to attend the MTA Education Conference as presented.

MOTION carried.

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17. Treasurer Comments:

Treasurer Marie Malburg stated that tax bills will be going out after Thanksgiving and that partial payments are now accepted, though it's the homeowner's responsibility to keep track of the amount of the partial payments.

18. Trustees Comments:

Trustee KRZEMINSKI thanked all the Veterans for their service to their country this Veteran's day.

MOTION by BUCCI seconded by KRZEMINSKI to adjourn to Executive Session at 7:47 p.m.

MOTION carried.

The Board returned from Executive Session at 8:24 p.m.

EXECUTIVE SESSION

19. Meyer vs. Macomb Township.

MOTION by KOEHS seconded by BUCCI to approve the proposed settlement as presented.

MOTION carried.

20. Administrative Settlement Recommendation: Sanitary Pump Station #9 Replacement.

MOTION by KOEHS seconded by KRZEMINSKI to approve the Settlement Agreement as proposed.

MOTION carried.

21. Macomb Township vs. Landa.

MOTION by KOEHS seconded by DUNN to proceed with this case as discussed.

MOTION carried.

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22. Safiedine Oil Tax Tribunal Matter; Proposed Settlement.

MOTION by KOEHS seconded by DUNN to accept Settlement as proposed.

MOTION carried.

ADJOURNMENT

MOTION by BUCCI seconded by KRZEMINSKI to adjourn the Board of Trustees meeting at 8:27 p.m.

MOTION carried.

Respectfully submitted,

Mark H. Grabow
Macomb Township Supervisor

Michael D. Koehs, CMC
Macomb Township Clerk