

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, JUNE 23, 2010

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

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

ABSENT: MARIE MALBURG, TREASURER

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.

Clerk KOEHS welcomed Boy Scouts Joe Budzynowski and Chris Sinelli from Troop 149. The scouts were in attendance to work on their Citizenship in the Community Merit Badge.

### **ROLL CALL**

1. Clerk KOEHS called the roll and the Board of Trustees was present except for Treasurer MALBURG.

### **APPROVAL OF THE AGENDA**

2. The agenda was reviewed and items 9A, and 14A were added, and item 15 was tabled indefinitely at the request of the Department Head.

**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.

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

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on June 9, 2010 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by DUNN seconded by BUCCI to approve the minutes of the meeting of June 9, 2010 as presented.**

**MOTION carried.**

**5. Consent Agenda Items:**

A. Water/Sewer Dept.

1. Easement Encroachment, Lot 81, Golden Gate Estates Subdivision, Sidwell # 08-22-404-001
2. Easement Encroachment, Lot 22, Brentwood Farms Subdivision No. 1, Sidwell # 08- 29-208-009
3. Easement Encroachment, Lot 115, Macomb Hills Subdivision No. 3, Sidwell # 08-07-427-022
4. Request Approval of Payment for Subterranean Inc. for Storm Maintenance

B. Human Resources Dept.

1. Request approval to attend MPELRA Meeting.

C. I.T. Department

1. Request to Purchase Internet Firewall Redundancy Equipment.

D. Parks & Recreation Dept.

1. Request to Obtain Bids for Pool Chemicals

E. Supervisor's Office

1. Vehicle Policy

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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 KOEHS to approve the Consent Agenda as presented.**

**MOTION carried.**

**6. Public Comments, Agenda Items Only**

Juliana Plastiras spoke regarding item number 10, the Twin Rivers Access road, asking the Board to continue to pursue the construction of this roadway for the safety of the local residents.

**PLANNING**

7. Extension of Time, Preliminary Plan - Wingfield Estates Condominiums; Permanent Parcel No. 08-20-300-002 GTR Companies, Petitioner. Located on North side of 22 Mile Road east of Garfield Road.

Mr. James VanTiflin, Engineering Consultant, reviewed this matter and stated his recommendation for approval of an extension for one (1) year pursuant to the recommendation of the Planning Commission.

**MOTION by KRZEMINSKI seconded by BUCCI to approve the extension of time for the Preliminary Plan of the Wingfield Estates Condominiums; Permanent Parcel No. 08-20-300-002; located on North side of 22 Mile Road east of Garfield Road for one (1) year pursuant to the recommendations of the Planning Commission.**

**MOTION carried.**

8. Extension of Time-Preliminary Plan-Monarch Estates Condominiums; Permanent Parcel No, 08-20-300-013, GTR Companies, Petitioner. Located on North side of 22 Mile Road east of Garfield

Mr. James VanTiflin, Engineering Consultant, reviewed this matter and stated his recommendation for approval of an extension for one (1) year pursuant to the recommendation of the Planning Commission.

**MOTION by DUNN seconded by NEVERS to approve the extension of time for the Preliminary Plan of the Monarch Estates Condominiums; Permanent Parcel No, 08-20-300-013, located on North side of 22 Mile Road east of**

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**Garfield for one (1) year pursuant to the recommendations of the Planning Commission.**

**MOTION carried.**

9. Extension of Time, Battaglia Subdivision; Permanent Parcel No. 08-36-303-024 GTR Companies, Petitioner. Located on East side of North Avenue ¼ mile North of Hall Road.

Mr. James VanTiflin, Engineering Consultant, reviewed this matter and stated his recommendation for approval of an extension for one (1) year pursuant to the recommendation of the Planning Commission.

**MOTION by BUCCI seconded by DUNN to approve the extension of time for the Battaglia Subdivision; Permanent Parcel No. 08-36-303-024 located on East side of North Avenue ¼ mile North of Hall Road for one (1) year pursuant to the recommendations of the Planning Commission.**

**MOTION carried.**

## **NEW BUSINESS**

- 9A. 2010-2011 Township Budget

Supervisor GRABOW reviewed the proposed General Appropriations Act and the figures for the proposed budget for Fiscal Year 2010-2011. He explained the issues that were discussed at the Budget Hearing held on June 16, 2010 and the millage rates that will apply for the upcoming year.

**MOTION by KRZEMINSKI seconded by NEVERS to approve the General Appropriations Act as follows:**

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<b>GENERAL APPROPRIATIONS ACT</b>	
<p>An Act to provide for the adoption of a budget proposed by the Macomb Township Supervisor containing estimates of proposed revenues and expenditures, and to provide for the levy of taxes for the fiscal year beginning July 1, 2010 and ending June 30, 2011 in accordance with Michigan Public Act 621 of 1978.</p>	
<p><i>Be it resolved</i> by the Board of Trustees, Township of Macomb, County of Macomb, State of Michigan.</p>	
Section 1.	That for the expenses of Township Government and its activities for the fiscal year beginning July 1, 2010 and ending June 30, 2011 the following sections are hereby appropriated:
Section 2.	That for the said fiscal year there is hereby appropriated out of the General Fund on an activity basis, the following:
<b>REVENUES</b>	
Property Tax	\$ 1,898,560
License and Permits	1,514,000
Federal Grants	550,000
State Shared Revenues and Grants	3,291,304
Charges for Services	154,262
Fines and Forfeitures	80,000
Special Assessment	784,700
Interest Income	251,000
Other	309,500
Operating Transfer In	30,000
<b>Total General Fund Revenues</b>	<b>\$ 8,863,326</b>
<b>EXPENDITURES</b>	
Legislative	\$ 63,250
Supervisor	245,383
Information Technology	218,445
Broadcast Media	261,120
Building and Grounds	445,075
Legal Fees	150,000
Human Resource	367,875
Maintenance	113,015
Roads and Streets	996,175
Debt Service	495,050
Other Functions	1,161,450
Employee Benefits	1,114,549
Contingencies	500,000
Finance	322,875
Records	280,400
Elections	287,475
Planning and Zoning	525,200
Treasury	398,050
Board of Review	9,536
Assessing	628,950
Building	1,266,700
Operating Transfer Out	808,625
<b>Total General Fund</b>	<b>\$ 10,659,198</b>
Appropriated Surplus	(1,795,872)
<b>Total Revenues and Appropriated Surplus</b>	<b>\$ 10,659,198</b>

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Section 3.	That for the said fiscal year there is hereby appropriated out of the Fire Operations Fund on an activity basis, the following:					
	<b>Fire Operating Revenue</b>				<b>\$ 2,991,000</b>	
	<b>Fire Operating Exenditures</b>				<b>3,443,275</b>	
	Appropriated Surplus				(452,275)	
	<b>Total Revenues and Appropriated Surplus</b>				<b>\$ 3,443,275</b>	
Section 4.	That for the said fiscal year there is hereby appropriated out of the Park and Recreation Fund on an activity basis, the following:					
	<b>Park and Recreation Revenue</b>				<b>\$ 3,910,768</b>	
	<b>Park and Recreation Expenditure</b>				<b>4,915,464</b>	
	Appropriated Surplus				\$ (1,004,696)	
	<b>Total Revenues and Appropriated Surplus</b>				<b>\$ 4,915,464</b>	
Section 5.	That for the said fiscal year there is hereby appropriated out of the Parks & Recreation Revolving Fund on an activity basis, the following:					
	<b>Park and Recreation Revolving Revenue</b>				<b>\$ 4,000</b>	
	<b>Park and Recreation Revolving Expenditure</b>				<b>-</b>	
Section 6.	That for the said fiscal year there is hereby appropriated out of the Law Enforcement Fund on an activity basis, the following:					
	<b>Law Enforcement Revenue</b>				<b>\$ 3,491,850</b>	
	<b>Law Enforcement Expenditure</b>				<b>3,113,050</b>	
Section 7.	That for the said fiscal year there is hereby appropriated out of the Fire Improvement Fund on an activity basis, the following:					
	<b>Fire Improvement Revenue</b>				<b>\$ 220,000</b>	
	<b>Fire Improvement Expenditure</b>				<b>1,320,000</b>	
	Appropriated Surplus				\$ (1,100,000)	
	<b>Total Revenues and Appropriated Surplus</b>				<b>\$ 1,320,000</b>	
Section 8.	That for the said fiscal year there is hereby appropriated out of the Municipal Street Fund on an activity basis, the following:					
	<b>Municipal Street Revenue</b>				<b>\$ 30,850</b>	
	<b>Municipal Street Expenditure</b>				<b>200,500</b>	
	Appropriated Surplus				\$ (169,650)	
	<b>Total Revenues and Appropriated Surplus</b>				<b>\$ 200,500</b>	

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Section 9.	That for the said fiscal year there is hereby appropriated out of the Building Authority Fund on an activity basis, the following:					
		<b>Building Authority Revenue</b>			<b>\$ 5,100</b>	
		<b>Building Authority Expenditure</b>			<b>800,400</b>	
		Appropriated Surplus			\$ (795,300)	
		<b>Total Revenues and Appropriated Surplus</b>			<b>\$ 800,400</b>	
Section 10.	That for the said fiscal year there is hereby appropriated out of the Fire Pension Fund on an					
		<b>Fire Pension Revenue</b>			<b>\$ 312,800</b>	
		<b>Fire Pension Expenditure</b>			<b>169,000</b>	
Section 11.	That for the said fiscal year there is hereby appropriated out of the Retiree Health Care Fund on an activity basis, the following:					
		<b>Retiree Healthcare Revenue</b>			<b>\$ 761,144</b>	
		<b>Retiree Healthcare Expenditure</b>			<b>5,600</b>	
Section 12.	That for the said fiscal year there is hereby appropriated out of the Water and Sewer Fund on an activity basis, the following:					
		<b>Water and Sewer Revenue</b>			<b>\$ 15,984,600</b>	
		<b>Water and Sewer Expenditure</b>			<b>22,225,519</b>	
		Appropriated Surplus			\$ (6,240,919)	
		<b>Total Revenues and Appropriated Surplus</b>			<b>\$ 22,225,519</b>	
Section 13.	That those amounts budgeted for specific items or purchases and not required to be utilized for such items and purposes may be rebudgeted by the Township Supervisor for other items and purposes within the same funds for which such allocation was originally made with the consent of the Board of Trustees.					
Section 14.	Millage Levy-The Macomb Township Board shall cause the be levied and collected the general property tax on all real and personal property within the Township upon the current tax roll an allocated millage of:					
		<b>General Operating</b>			<b>0.6757</b>	
		<b>Fire Operating</b>			<b>1.0588</b>	
		<b>Fire Pension</b>			<b>0.0747</b>	
		<b>Police</b>			<b>1.0601</b>	
		<b>Park and Recreation</b>			<b>0.8232</b>	
Section 15.	That the Capital Improvement Plan listed in Appendix A and attached hereto is hereby approved for this fiscal year.					

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Section 16. That the finance policies listed in Appendix B and attached hereto are hereby approved for this fiscal year.

Section 17. That the Fee and Charges Schedules listed in Appendix C and attached hereto are hereby approved for this fiscal year.

Appendix A - Capital Improvement Plan

- A-1 Assessing
- A-2 Building
- A-3 Broadcast Media
- A-4 Clerk
- A-5 Human Resources
- A-6 Information Technology
- A-7 Parks and Recreation
- A-8 Supervisor
- A-9 Treasurer
- A-10 Water and Sewer

Appendix B - Macomb Township Financial Policies

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- B-1 Purchasing Policy
- B-2 Accounts Payable Policy
- B-3 Payroll Policy
- B-4 Investment Policy

Appendix C - Chart of Fees and Charges

**NO CHANGE AT THIS TIME**

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

**Be It Resolved that; the Macomb Township Board of Trustees hereby sets the Millage rate for Fire Pension for Fiscal Year 2010-2011 at 0.0747 mills.**

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

**NAYS: NONE**

**ABSENT: MALBURG,**

**MOTION carried. Resolution declared adopted.**

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

**Be It Resolved that; the Macomb Township Board of Trustees hereby sets the Millage rate for Fire Department Operations and Equipment for Fiscal Year 2010-2011 at 1.0588 mills.**

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

**MOTION carried. Resolution declared adopted.**

**MOTION by KRZEMINSKI seconded by KOEHS to adopt the following resolution:**

**Be It Resolved that; the Macomb Township Board of Trustees hereby sets the Millage rate for Police Protection for Fiscal Year 2010-2011 at 1.0601 mills.**

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

**MOTION carried. Resolution declared adopted.**

Supervisor GRABOW further stated that due to the Headlee Amendment requirements, the rate for the Township Operating Millage is set at 0.6757 mills, and the rate for the Parks and Recreation Millage is set at 0.8232 mills, both for the 2010-2011 Fiscal Year.

10. Review of Twin Rivers Public Access Road.

Lawrence Dloski, Township Attorney, reviewed the information that has been confirmed since the last meeting. He indicated that he has confirmed that the bond posted with Greco title is still valid and available for this project. He also stated that a search of the county property records indicates that Twin Rivers Development is the owner of the property. In addition to this, the property has not had the taxes paid on it since 2006 and the County is moving to remedy this. Supervisor GRABOW has also received verbal assurance from the Michigan Department of Transportation that they will permit access to Hall Road once the Township provides the necessary paperwork.

No action was taken by the Board, as this was informational only.

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11. Request to Establish Town Center Review Fee Structure.

Clerk KOEHS reviewed this matter and explained the need for the fee to be set.

**MOTION by DUNN seconded by BUCCI to approve the establishment of a Town Center Review Fee at one thousand three hundred fifty dollars (\$1,350.00) per single unit.**

**MOTION carried.**

12. Request to Authorize Legal Counsel to File Suit Against Discrete Wireless, Inc.

Supervisor GRABOW reviewed this matter and asked for permission to initiate litigation regarding the service provided for GPS positioning for township vehicles.

**MOTION by BUCCI seconded by KRZEMINSKI to authorize legal counsel to initiate litigation against Discrete Wireless, Inc.**

**MOTION carried.**

13. American Tower Site No. 305680/Bello Woods; Letter of Offer to Purchase Property

Attorney Lawrence Dloski reviewed this matter and recommended that the Board reject this offer as it is not in the best interest of the township.

**MOTION by KRZEMINSKI seconded by DUNN to reject the offer regarding American Tower Site No. 305680/Bello Woods.**

**MOTION carried.**

14. Baker Machining TDRZ Extension

Clerk KOEHS reviewed this matter and recommended that the Board adopt this resolution and grant the extension of time.

**MOTION by KRZEMINSKI seconded by KOEHS to adopt the following resolution:**

**Township of Macomb  
Macomb County, Michigan**

**A RESOLUTION TO EXTEND THE DURATION OF A TOOL AND DIE RENAISSANCE RECOVERY ZONE FOR BAKER MACHINING AND MOLD TECHNOLOGIES, INC.**

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**WHEREAS, the Township of Macomb desires to promote economic activity and maintain/increase the number of jobs available to residents of the area, and;**

**WHEREAS, certain industries in the state are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity;**

**WHEREAS, the designation of a Recovery Zone will temporarily reduce the tax burden paid by the business enabling it to reposition itself to compete globally, and;**

**WHEREAS, the business has entered into a collaborative agreement with other business entities having the appropriate North American Industrial classification, and;**

**WHEREAS, the qualified tool and die business property is property leased or owned by a tool and die business and used primarily for tool and die operations;**

**WHEREAS, should the area be designated a Recovery Zone, property within that zone will be exempt from taxes levied by the township, county, and other units of government as provided under this Act, and;**

**WHEREAS, we estimate that the tax revenue lost would be a small fraction of the benefits the designation of a Recovery Zone will bring the community.**

**WHEREAS the Township of Macomb had previously supported a Recovery Zone for this property for a period of up to five (5) years in a previous resolution adopted on July 22, 2009;**

**WHEREAS, the Michigan Strategic Fund designated the company as a Recovery Zone for a period of five (5) years;**

**WHEREAS, recent legislation has allowed individual businesses in a Recovery Zone to have differing time periods for the abatement.**

**THEREFORE BE IT RESOLVED, that the Township of Macomb requests that the State of Michigan extend the duration of the Recovery Zone of Baker Machining and Mold Technologies, inc. for an additional ten (10) years.**

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

**MOTION carried, resolution declared adopted.**

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14a. Request to withdraw the Bid for a Ladder Truck.

Chief Phillips provided additional recent information on the ladder truck purchase that had been approved and was recommending to the Board that they withdraw their offer to purchase from Clinton Township Fire Department.

**MOTION by KOEHS seconded by NEVERS to reconsider the motion to approve the bid offer on a ladder truck from Clinton Township Fire Department.**

**MOTION carried.**

**MOTION by KOEHS seconded by DUNN to withdraw the offer for purchase of the ladder truck from Clinton Township Fire Department.**

**MOTION carried.**

## **PARKS AND RECREATION**

15. Request to Hire Program Leader Position

This matter was tabled at the request of Mr. Salvatore DiCaro, Parks and Recreation Director.

16. Request to Purchase Commercial Spreader/Sprayer

Mr. Salvatore DiCaro, Parks and Recreation Director, reviewed this matter and stated his recommendation to purchase this spreader/sprayer from John Deere Landscapes for six thousand seven hundred fifty dollars (\$6,750.00).

**MOTION by BUCCI seconded by DUNN to approve the purchase of the spreader/sprayer from John Deere Landscapes for six thousand seven hundred fifty dollars (\$6,750.00).**

**MOTION carried.**

## **HUMAN RESOURCES**

17. Request Authorization to Extend Offers of Employment for Appraiser.

Mr. John Brogowicz, Human Resources Director, reviewed this matter and stated his recommendation to extend an offer of employment as Appraisers to Ronald Lupi and Kerry Beauvais.

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**MOTION by KRZEMINSKI seconded by KOEHS to extend an offer of employment as Appraisers to Ronald Lupi and Kerry Beauvais to commence on or after July 6, 2010.**

**MOTION carried.**

**WATER AND SEWER DEPARTMENT**

18. Request approval for Change Order No. 1 New Haven Water Main (25 Mile Road, Card Road, 26 Mile Road) SDA Job No. MA07-019. *(Tabled from May 26, 2010 AND FROM June 9, 2010)*

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation to approve Change Order No. 1 in the amount of one hundred seventy nine thousand two hundred fifty seven dollars forty three cents (\$179,257.43).

**MOTION by KRZEMINSKI seconded by DUNN to approve the Change Order No. 1 for the New Haven Water Main, SDA Job No. MA07-019, in the amount of one hundred seventy nine thousand two hundred fifty seven dollars forty three cents (\$179,257.43).**

**MOTION carried.**

19. Request for payment for Pay Certificate No. 5 New Haven Water Main (25 Mile Road, Card Road, 26 Mile Road) SDA Job No. MA07-019

Mr. Gerry Wangelin, Water & Sewer Superintendent, reviewed this matter and stated his recommendation to approve Pay Certificate No. 5 in the amount of one hundred seventy nine thousand two hundred fifty seven dollars forty three cents (\$179,257.43).

**MOTION by BUCCI seconded by KOEHS to approve Pay Certificate No. 5 for the New Haven Water Main, SDA Job No. MA07-019, in the amount of one hundred seventy nine thousand two hundred fifty seven dollars forty three cents (\$179,257.43).**

**MOTION carried.**

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

Ron Gerald spoke regarding Supervisor GRABOW's comments on veterans defending their country. Don Brown spoke regarding his candidacy for the County Commission District 13. Brian Winston spoke regarding the Brentwood

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Limousine matter. Matt Mazurco and John Schmidt spoke regarding the Buckingham Village retention basin.

**BOARD COMMENTS**

20. Supervisor Comments:

Supervisor GRABOW reviewed a revised letter of resignation from Treasurer Marie Malburg.

**MOTION by KRZEMINSKI seconded by BUCCI to reconsider the letter of resignation from the Treasurer.**

**MOTION carried.**

**MOTION by KRZEMINSKI seconded by BUCCI to accept the revised letter of resignation from Treasurer Marie Malburg making her resignation effective as of July 29, 2010.**

**MOTION carried.**

Supervisor GRABOW reminded everyone that Hazard Material Disposal Day is scheduled for Saturday, September 18, 2010 at the Senior Center on 23 Mile Road.

Supervisor GRABOW nominated James Gelios to serve an additional three year term on the Macomb Township Building Authority commencing from July 1, 2010 to June 30, 2013.

**MOTION by KOEHS seconded by BUCCI to appoint James Gelios to serve an additional three year term on the Macomb Township Building Authority commencing from July 1, 2010 to June 30, 2013.**

**MOTION carried.**

21. Clerk Comments:

Clerk KOEHS stated that the Board needs to take action regarding the vacancy in the office of the Treasurer. He suggested that a notice be published announcing the vacancy and a special meeting be held to interview any applicants. After some discussion he suggested Monday, July 12, 2010 at 7:00 p.m. for this meeting.

**MOTION by KOEHS seconded by BUCCI to publish a notice and set the date for a Special Meeting of the Board of Trustees for Monday, July 12, 2010 at 7:00 p.m. for the purpose of interviewing any applicants for the position of Township Treasurer.**

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**MOTION carried.**

22. Treasurer Comments: None

23. Trustees Comments:

Trustee BUCCI informed everyone that the Road Commission will be installing a guard rail along Twenty Five Mile Road between Broughton and Luchtman Roads.

**MOTION by BUCCI seconded by DUNN to adjourn the Board Meeting to Executive Session at 8:21 p.m.**

**MOTION carried.**

The Board returned at 8:27 p.m.

**EXECUTIVE SESSION**

24. Macomb Township v. Battaglia, et al

**MOTION by KOEHS seconded by DUNN to accept the case evaluation as presented.**

**MOTION carried.**

**ADJOURNMENT**

**MOTION by BUCCI seconded by KOEHS to adjourn the Board of Trustees meeting at 8:29 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