

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES AND PUBLIC HEARING  
WEDNESDAY, SEPTEMBER 28, 2016

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

PRESENT: JANET DUNN, SUPERVISOR  
EDWARD A. CAREY, CLERK  
KAREN GOODHUE, TREASURER  
DINO F. BUCCI, JR, TRUSTEE  
CLIFFORD W. FREITAS, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Lawrence Scott, Legal Counsel  
Thomas Esordi, Legal Counsel  
Patrick Meagher, Planning Consultant  
James VanTiflin, Township Engineer  
*(Additional attendance on file at the Clerk's Office)*

Supervisor DUNN called the meeting to order at 7:00 p.m. Dawson DiMaria of Troop 149, from Seneca Middle School lead everyone in the Pledge of Allegiance.

**ROLL CALL**

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

**APPROVAL OF THE AGENDA**

2. The agenda was reviewed and item C2, Request authorization to advance Employee #2041, was added to the consent agenda. Items 10a., Request for a Temporary Certificate of Occupancy for Noodles Company, and 10b., Request authorization to for legal counsel to proceed with condemnation proceedings, were added to the regular agenda.

**MOTION by Bucci seconded by Freitas to approve the agenda as amended.**

**MOTION carried.**

**APPROVAL OF THE BILLS**

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

**MOTION by Nevers seconded by Goodhue to approve all bill runs in the amount of \$445,647.27, \$11,809.66 and \$118,359.65 as presented.**

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**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on September 14, 2016 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by Carey seconded by Krzeminski to approve the minutes of the meeting of September 14, 2016 as presented.**

**MOTION carried.**

5. **Consent Agenda Items:**

Supervisor DUNN 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.

A. Engineering Department

1. Request to approve Easement Agreement: 2015 Pathway Gap Closure Program (Parcel No. 08-33-226-004)

B. Clerk's Office

1. Request to change December meeting dates to 12/7 and 12/21/16

C. Human Resources Department

1. Request for a Family & Medical Leave of Absence for Employee #188
2. Request authorization to advance Employee #2041

D. Building Department

1. Indemnity & Hold Harmless Agreement, 54136 Verona Park Dr., Verona Park Sub., Lot 150 (Parcel No. 08-07-283-020)

E. Planning Section

1. Request to release Special Events Bond; St. Isidore Strawberry Festival

F. Water & Sewer Department

1. Easement Encroachment Agreement: Westchester Farms Subdivision No. 2 (Parcel No. 08-33-454-024)
2. Request authorization to pay Salvatore and Susan DiMercurio \$1.00 for an easement 26 Mile Road & Hayes Road SAD (Parcel No. 08-06-100-005)
3. Request authorization to pay Salvatore D. DiMercurio \$1.00 for an easement 26 Mile & Hayes Road SAD (Parcel No. 08-06-100-029)
4. Request approval of \$440.00 for four employees to attend conference; 2016 Fall Regional Meetings

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5. Request approval of \$130.00 for one employee to attend a Cross Connection Workshop

**MOTION by Freitas seconded by Goodhue to approve the Consent Agenda as earlier amended.**

**MOTION carried.**

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

There were no public comments on agenda items only.

**OLD BUSINESS**

7. AT&T Agreement

Mr. Esordi updated the Township Board on this matter.

**MOTION by Goodhue seconded by Freitas to authorize the Supervisor to sign the Uniform Video Service Local Franchise Agreement with AT&T.**

**MOTION carried.**

**NEW BUSINESS**

8. Request approval to pay Estimate No. 1; Sanitary Sewer CCTV Inspection

Mr. Wangelin updated the Board on this matter and informed them that these funds are reimbursable through the SAW grant program.

**MOTION by Bucci seconded by Freitas to approve pay Estimate No. 1; Sanitary Sewer CCTV Inspection in the amount of \$68,354.88 to Terra Contracting Services, LLC.**

**MOTION carried.**

9. Request to adopt the resolution for refunding of Macomb Interceptor Drain Drainage District Bonds

**Resolution**

**Resolution to Authorize Official Statement and Continuing Disclosure Undertaking**

Minutes of a meeting of the Board of Trustees of the Township of Macomb, Macomb County, Michigan, held in the Macomb Township Meeting Chambers at 54111

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Broughton Road, Macomb, Michigan 48042, on September 28, 2016 at 7:00 p.m., local time.

PRESENT: Members Dunn, Carey, Goodhue, Bucci, Freitas, Krzeminski and Nevers

ABSENT: None

The following resolution was offered by Member Krzeminski and supported by Member Nevers:

WHEREAS, the Macomb Interceptor Drain Drainage District, Macomb County, Michigan (the "Macomb Interceptor Drainage District"), issued its Drainage District Drain Bonds, Series 2010A (Limited Tax General Obligation) (Federally Taxable – Build America Bonds – Direct Payment) (the "Prior Bonds") for the general purpose of acquiring the sewer interceptor system from the City of Detroit (the "2010 Project"); and

WHEREAS, the Macomb Interceptor Drainage District has received a savings report from Bendzinski & Co., the shows that refunding all of a portion of the Prior Bonds may provide a net present value savings with respect to the debt service on the Prior Bonds; and

WHEREAS, the Macomb Interceptor Drainage District intends to issue a series of refunding bonds in order to refund all or a portion of the Prior Bonds (the "Refunding Bonds"); and

WHEREAS, the Township of Macomb (the "Township") has been assessed a share of the cost of the 2010 Project and the remaining balance of such assessment is at least 10% of the outstanding amount of assessments for the 2010 Project; and

WHEREAS, in connection therewith, the Township has been asked to participate in the preparation of preliminary and final official statements for the Refunding Bonds and enter into continuing disclosure undertakings for the Refunding Bonds.

NOW, THEREFORE BE IT RESOLVED as follows:

1. The Supervisor, the Clerk and the Treasurer of the Township, or any one or more of them (each an "Authorized Officer"), are authorized to participate in the preparation of preliminary official statements and final official statements for the Refunding Bonds and to sign such documents and give any approvals necessary therefor.

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2. The Authorized Officer is hereby authorized to execute a certificate of the Township to comply with the continuing disclosure undertakings of the Township with respect to the Refunding Bonds pursuant to paragraph (b)(5) of SEC Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, and amendments to such certificate from time to time in accordance with the terms of such certificate in such form as the Authorized Officer shall approve, and the Authorized Officer is hereby authorized and directed to sign the disclosure certificate.
3. The Authorized Officer is authorized and directed to take all actions necessary or desirable for the issuance of the Refunding Bonds and to execute any documents or certificates necessary to complete the issuance of the Refunding Bonds.
4. All resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded to the extent of the conflict.

**Roll Call: Ayes: Krzeminski, Nevers, Bucci, Freitas, Goodhue, Carey, Dunn  
Nays: None  
RESOLUTION declared adopted.**

10. Water & Sewer Rates for Fiscal Year 2016/2017

The Township Engineer updated the Board on the current rates and the recommended adjustments. The average monthly increase for water per month will be \$4.58 a month and \$1.38 per month for sewer. Much of these increases are just pass through type of costs without the Township adding onto those fees. The Township currently keeps \$.12 for water and \$.08 for sewer for every dollar received in payment. The fees are used by the Great Lakes Water Authority to pay off debt, build infrastructure, transport water, etc.

**MOTION by Krzeminski seconded by Freitas to adopt the Water & Sewer Rates for Fiscal Year 2016/2017. The per unit cost for water will be \$3.90 and the per unit cost for sewer will be \$3.88**

**MOTION carried.**

10a. Request for a Temporary Certificate of Occupancy for Noodles & Company, located at 15575 Hall Road.

Mr. Scott informed the Board on this matter.

**MOTION by Krzeminski seconded by Carey to approve the request for a Temporary Certificate of Occupancy for Noodles & Company located at 15575 Hall Road. This request is only good for sixty (60) days.**

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**MOTION carried.**

- 10b. Request authorization for legal counsel to proceed with condemnation of a municipal utility easement located at 56400 Hayes Road (Parcel No. 08-06-100-021).

**MOTION by Krzeminski seconded by Goodhue to authorize legal counsel to proceed with the condemnation of a municipal utility easement of not less than 13 feet and not more than 27 feet pertaining to a parcel located at 56400 Hayes Road (Parcel No. 08-06-100-021), currently owned by Robert Botalotto and Gloria Botalotto.**

**Roll Call: Ayes: Krzeminski, Goodhue, Bucci, Freitas, Nevers, Carey, Dunn  
Nays: None  
RESOLUTION declared adopted.**

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

Resident Neil Kaffenberger

**BOARD COMMENTS**

11. The Supervisor reminded everyone that 10/1/16 is Fun & Fitness Day at Macomb Corners Park from 11:00 a.m. to 1:00 p.m with an old time baseball game following the event. Also on that day is Hazardous Waste Day at the Senior Center from 9:00 a.m. to 1:00 p.m. Please check the website to see what will be accepted. Advancing Macomb is sponsoring a county wide bike drive. They will be collecting them all through the Fall and give them away in the Spring. A drop off point will be in the lobby.
12. The Clerk stated that 10,650 absentee ballots are ready to be mailed and they will be going out by Friday. Testing of equipment will be completed by early next week.
13. The Treasurer stated in October we will be transferring delinquent water bills to the tax bill. If you have a delinquent bill please make arrangements with the Water & Sewer Department or get them up to date because it may cause complications for the homeowner. Additionally she commented on a flier that was sent out and that she felt it was inappropriate and incorrect.
14. Trustee Nevers stated that the mailer in question was disgraceful and that she wasn't involved in it.

Trustee Krzeminski agreed with Trustee Nevers and stated that he had nothing to do with the flier as well.

**CLOSED SESSION**

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**MOTION by Bucci seconded by Freitas to adjourn to closed session at 7:30 to discuss IAFF Local 5023 Grievance No. 16-002, Update regarding MAFF negotiations and update regarding IAFF Firefighter position negotiations.**

**MOTION carried.**

The Board reconvened into open session at 8:50.

15. IAFF Local 5023 Grievance No. 16-002

**MOTION by Carey seconded by Freitas to deny the grievance and authorize legal counsel and the Fire Chief to proceed as discussed.**

**MOTION carried.**

16. Update regarding MAFF Negotiations

**MOTION by Carey seconded by Bucci to authorize legal counsel and the Fire Chief to proceed as discussed.**

**MOTION carried.**

17. Update regarding IAFF Firefighter position Negotiations

This item was for informational purposes only

**ADJOURNMENT**

**MOTION by Bucci seconded by Freitas to adjourn the Board meeting at 8:57 p.m.**

**MOTION carried.**

Respectfully submitted,

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Janet I. Dunn  
Macomb Township Supervisor

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Edward A. Carey, Jr.  
Macomb Township Clerk