

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES  
WEDNESDAY, MAY 8, 2019

APPROVED

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

PRESENT: JANET DUNN, SUPERVISOR  
KRISTI POZZI, CLERK  
KAREN GOODHUE, TREASURER  
TIMOTHY BUSSINEAU, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE  
KATHY SMITH, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Thomas Esordi, Legal Counsel  
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. and the Pledge of Allegiance was recited.

**ROLL CALL**

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

**APPROVAL OF THE AGENDA**

2. **MOTION by Pozzi seconded by Bussineau to approve the agenda as amended with the addition of Consent Agenda Item 5D1, Request Authorization for a Building Inspector to Attend Conference and Regular Agenda Items 11a, Request to Authorize Supervisor to Execute Authorization to Release Confidential Data on Behalf of the Township; 11b Request to Extend Offer of Employment – Building Inspector; Item 14 Request to Authorize General Counsel to Execute Hummel Acres Consent Judgement and Item 15, Request to Authorize Supervisor to Execute Purchase Agreement with Six Rivers Land Conservancy; move Item 13, Request for Annual Employee Performance and Compensation Review pursuant to Section 5 of the Employment Agreement between the Township of Macomb and Thomas D. Esordi and Item 14, Request to Authorize General Counsel to Execute Hummel Acres Consent to Closed Session.**

**Ayes: All**

**Nays: None**

**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 the bill runs in the amounts of \$202,260.45, additional bill list in the amount of \$2,159,662.40 and commercial card expenditures for the month of April in the amount of \$184,211.56 for a total of \$2,546,134.41**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on April 24, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by Goodhue seconded by Pozzi to approve the Minutes of 4/24/19 as presented.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**MOTION by Goodhue seconded by Krzeminski to approve the Closed Session Minutes of 4/24/19 as presented.**

**Ayes: All**

**Nays: None**

**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. Water and Sewer Department:

1. Easement Encroachment Agreement; Lot 95, Bridgewater Estates Site Condominiums. Parcel No. 20-08-17-202-095
2. Easement Encroachment Agreement; Lot 1, Chelsea Court Subdivision. Parcel No. 20-08-28-204-013
3. Easement Encroachment Agreement; Lot 411, Westminster Subdivision No. 2 Parcel No. 20-08-19-176-026

4. Easement Encroachment Agreement; Lot 180, Sumpter Forest Subdivision. Parcel No. 20-08-08-228-044
  5. Easement Encroachment Agreement; Lot 176, Wolverine Country Club Subdivision. Parcel No. 20-08-05-476-026
  6. Request to Approve the Parcel Transmittal; 23 Mile Road Water & Sewer Replacement, 21564 23 Mile Road, Parcel No. 20-08-15-476-003 in the amount of \$5,000.00
  7. Easement Encroachment Agreement; Lot 37, Becher Estates Site Condominiums. Parcel No. 20-08-21-331-037
- B. Supervisor's Office:
1. Request to Approve Invoice for Midwest Sculpture Initiative
- C. Fire Department:
1. Request to Attend Firehouse Expo Conference
- D. Building Department:
1. Request Authorization for a Building Inspector to Attend Conference

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

**Ayes: All**

**Nays: None**

**MOTION carried.**

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

James Gelios spoke regarding Agenda Items 12 & 13  
Meggan Young spoke regarding Agenda Item 16  
Kathy Western spoke regarding Agenda Items 12 & 13  
Tom Sokol spoke regarding Agenda Items 12 & 13  
Denise Aquino spoke regarding Agenda Item 12 & 13  
Joseph O'Connor spoke regarding Agenda Item 13  
Denis Martin spoke regarding Agenda Item 13  
Ted Nicodemus spoke regarding Agenda Item 13

**NEW BUSINESS**

**ENGINEERING DEPARTMENT:**

7. Request to Schedule a Public Hearing for June 12, 2019 for Stillwater Crossing Estates Site Condominiums Phase II Street Lighting

Jim Van Tiflin, Township Engineer, reviewed this matter with the Board and recommended scheduling the public hearing for June 12, 2019.

**MOTION by Krzeminski seconded by Bussineau to Schedule a Public Hearing for June 12, 2019 for Stillwater Crossing Estates Site Condominiums Phase II Street Lighting.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

8. Request to Approve Pathway Abeyance for 21195 25 Mile Road (Parcel No. 08-03-300-021)

Jim Van Tiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Smith to Approve Pathway Abeyance for 21195 25 Mile Road (Parcel No. 08-03-300-021).**

**Ayes: All**

**Nays: None**

**MOTION carried.**

9. Request Authorization for Anderson, Eckstein and Westrick, Inc. to Provide Design Engineering and Surveying Services for the Future Phases of Wolverine Country Club Estates

Jim Van Tiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Authorize Anderson, Eckstein and Westrick, Inc. to Provide Design Engineering and Surveying Services for the Future Phases of Wolverine Country Club Estates.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

10. Request for Authorization to Proceed with Sanitary Sewer Trunkline Design along 22 Mile Road and Fairchild Road

Jim Van Tiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Pozzi to Proceed with Sanitary Sewer Trunkline Design along 22 Mile Road and Fairchild Road.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**HUMAN RESOURCES DEPARTMENT:**

11. Request to Authorize Human Resources to Initiate the Recruitment Process for Deputy Assessor

Thomas Esordi, Human Resources Director, reviewed this matter with the Board and recommended approval.

**MOTION by Goodhue seconded by Krzeminski to Authorize Human Resources to Initiate the Recruitment Process for Deputy Assessor.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

- 11a. Request to Authorize Supervisor to Execute Authorization to Release Confidential Data on Behalf of the Township

Thomas Esordi, Human Resources Director, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Nevers to Authorize Supervisor to Execute Authorization to Release Confidential Data on Behalf of the Township.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

- 11b. Request Authorization to Extend Offer of Employment – Building Inspector

Thomas Esordi, Human Resources Director, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Approve Adam Byrnes for Hire Contingent Upon Successful Completion of a Post-Offer Pre-Hire Physical Examination, Drug and Alcohol Screening, Background Check and Psychological Examination.**

**Ayes: All**  
**Nays: None**  
**MOTION carried.**

**TRUSTEES:**

12. Discussion and vote to set June 26, 2019 as the meeting that the Board will vote on a proposed Ethics Ordinance

**MOTION by Pozzi seconded by Bussineau to set June 26, 2019 as the meeting at which the Board will vote on the proposed ethics ordinance.**

**Ayes: All**  
**Nays: None**  
**MOTION carried.**

**MOTION by Pozzi seconded by Nevers to set June 12, 2019 as the date by which legal counsel will distribute Ethics Ordinance enforcement policies and procedures.**

**Ayes: All**  
**Nays: None**  
**MOTION carried.**

**GENERAL COUNSEL:**

15. Request to Authorize Supervisor to Execute Purchase Agreement with Six Rivers Land Conservancy

Thomas Esordi, General Counsel, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Authorize Supervisor to Execute Purchase Agreement with Six Rivers Land Conservancy.**

**Ayes: All**  
**Nays: None**  
**MOTION carried.**

**Public Comments, Non-Agenda Items Only**

Jim Gelios spoke regarding the combination of the Human Resources Director and Legal Counsel positions.

Denis Martin spoke about the resignation letter submitted by former Planning Director Patrick Meagher and recent contract negotiations.  
Ryan Gierman also spoke regarding the contents of Patrick Meagher's letter of resignation.

Emily and Michael Broadbridge spoke about Lemonade Day on June 1<sup>st</sup>. They asked all to help support the MISD Homeless Education Project by making a contribution or stopping by 45619 Thorn Tree Lane between 1-4 to buy some lemonade.

Denise Aquino spoke regarding the combination of Human Resources Director and Legal Counsel positions and the proposed Ethics Ordinance.

Tom Sokol spoke about change orders on construction projects and best practices to resolve resident concerns.

Kathy Western spoke regarding the resignation of Patrick Meagher and interactions she and another resident had with the HR Director/Legal Counsel.

Frank Cusumano spoke regarding the Open Meetings Act and closed sessions.

## **BOARD COMMENTS**

### Trustees Comments

Trustee Nevers spoke regarding her thoughts on Patrick Meagher's resignation letter and her observations regarding recent contract negotiations.

Trustee Bussineau thanked those who spoke during public comments. He also spoke regarding the HR Director/Legal Counsel performance review and thanked township employees for everything they do for the Township.

### Treasurer Comments

Treasurer Goodhue spoke regarding Patrick Meagher's resignation and the HR Director/Legal Counsel performance review.

### Clerk Comments

Clerk Pozzi spoke about the May 7 New Haven Community Schools Special Bond Election that was approved by 10 votes. She encouraged residents to take advantage of no-reason mail-in voting and thanked the election inspectors for their service. She also spoke about Mr. Meagher's resignation letter and Tom Esordi's response letter sent to the Board.

### Supervisor Comments

Supervisor Dunn thanked those who attended the May 4<sup>th</sup> Clinton-Macomb Public Library North Branch groundbreaking ceremony. She reminded residents

about Ordinance 242 which prohibits outdoor water usage (lawn irrigation) between 5:00 a.m. and 11:00 p.m., with some exceptions for newly seeded/sodded properties.

**CLOSED SESSION**

**MOTION by Krzeminski seconded by Bussineau to adjourn to Closed Session.**

**Roll Call:**

**Ayes: Krzeminski, Bussineau, Nevers, Smith, Goodhue, Dunn**

**Nays: Pozzi**

**MOTION carried.**

13. Request for Annual Employee Performance and Compensation Review pursuant to Section 5 of the Employment Agreement between the Township of Macomb and Thomas D. Esordi

**MOTION by Pozzi seconded by Krzeminski to execute the performance review of Human Resources Director/Legal Counsel as discussed.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

14. Request to Authorize General Counsel to Execute Hummel Acres Consent Judgement. Closed session per MCL 15.268(e)

**MOTION by Pozzi seconded by Krzeminski to authorize Legal Counsel to sign consent judgement with modifications recommended by Engineer.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

16. Discussion of written legal opinion regarding Township rights relative to employment application and investigation. Closed session per MCL 15.268(h)

**MOTION by Pozzi seconded by Krzeminski to accept the recommendation of Legal Counsel.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

The Board entered Closed Session at 8:32 p.m. and reconvened into Open Session at 10:47 p.m.

**ADJOURNMENT**



**MOTION by Pozzi seconded by Krzeminski to adjourn the Board meeting at 10:50 p.m.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

Respectfully submitted,

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Janet I. Dunn  
Macomb Township Supervisor

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Kristi Pozzi  
Macomb Township Clerk