

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES  
WEDNESDAY, JULY 10, 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 VanTifflin, 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 Goodhue seconded by Pozzi to approve the agenda as amended with the following changes; Postpone Item 7, Request to Review, Discuss and Update Anti-Discrimination Policy dated 3/1/2004 (Postponed from June 12, 2019 and June 26, 2019 Meetings) until the August 14, 2019 meeting and Postpone Item 19, Plante Moran Engagement letter for the 2019 Financial Audit until the July 24, 2019 meeting.**  
**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 remove for discussion the Nemeth Law PC invoice and to approve the bill runs in the amounts of \$270,167.25, \$2,193,783.01 and June commercial card purchases in the amount of \$238,073.12 for a total amount of \$2,702,023.38**

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

**APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on June 26, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by Pozzi seconded by Goodhue to approve the Minutes of 6/26/19 as presented.**

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

**MOTION by Krzeminski seconded by Pozzi to approve the Closed Session Minutes of 6/26/19 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. Human Resources Department:

1. Request to Attend Municipal Employees' Retirement System Conference October 3-4, 2019

B. Water and Sewer Department:

1. Easement Encroachment Agreement: Westminster Subdivision No. 2 Lot # 319. Parcel No. 20-08-19-252-016
2. Easement Encroachment Agreement: Pinecrest Subdivision III, Lot #152 Parcel No. 20-08-28-199-001
3. Request Approval to Pay for the Renewal of the GIS Licensing Invoice # 93656739
4. Request Approval to Pay for Water Meters, Gaskets, Cable Wire, R900' Invoice # 76928 & 76915

5. Easement Encroachment Agreement: Golfview Estates Subdivision, Lot #4 Parcel No. 20-08-25-301-025
6. Easement Encroachment Agreement: Pinecrest Subdivision No. 3, Lot #178 Parcel No. 20-08-28-197-032

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

**Ayes: All**

**Nays: None**

**MOTION carried.**

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

Denis Martin spoke regarding Item 15.  
Paul Ruggeri spoke on Item 8 and 15.  
Kathy Western spoke regarding Item 15.  
Frank Cusumano spoke regarding Item 8 and 15.

**UNFINISHED BUSINESS**

7. Request to Review, Discuss and Update Anti-Discrimination Policy dated 3/1/2004 (Postponed from June 12, 2019 and June 26, 2019 Meetings)

Postponed until the August 14, 2019 Meeting. No action taken.

8. Request to Approve or Deny the Clinton-Macomb Public Library Board of Trustees Request for Macomb Township to Pay for the Broughton Road Right-of-Way Improvements (Postponed from June 26, 2019 Meeting)

Clerk Pozzi read portions of a letter she received from the Macomb County Department of Roads and indicated they are not in a position to enter into any type of cost sharing agreement for Broughton Road improvements.

Michael Lotito, Amy Wille, Camille Silda and Larry Neal from the Clinton-Macomb Public Library were present and answered questions from several Board members.

**MOTION by Krzeminski seconded by Nevers to Approve the Clinton-Macomb Public Library Board of Trustees Request for Macomb Township to Pay for the Broughton Road Right-of-Way Improvements.**

**Roll Call:**

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

**Nays: Bussineau, Smith, Pozzi**

**MOTION carried.**

**NEW BUSINESS**

**ASSESSING DEPARTMENT:**

9. Request to Adopt Resolution to Waive Penalties for Non-Filing of Property Transfer Affidavits under MCL 211.27b

Township Assessor Dan Hickey reviewed this matter with the Board and recommended approval.

**Macomb Township, Michigan**

**Resolution to Waive Penalties for Non-Filing of  
Property Transfer Affidavits under MCL 211.27b**

Minutes of a regular meeting of the Township Board of the Township of Macomb, County of Macomb, Michigan, held in the Township Hall in said Township on July 10, 2019, at 7:00 P.M., Eastern Standard Time.

PRESENT: Dunn, Pozzi, Goodhue, Bussineau, Krzeminski, Nevers, Smith  
ABSENT: None

The following preamble and resolution were offered by Krzeminski and supported by Goodhue.

WHEREAS, MCL 211.27a(10) requires the buyer, grantee, or other transferee of the property shall notify the appropriate assessing office in the local unit of government in which the property is located of the transfer of ownership of the property within 45 days of the transfer of ownership, on a form prescribed by the state tax commission that states the parties to the transfer, the date of the transfer, the actual consideration for the transfer, and the property's parcel identification number or legal description and

WHEREAS, MCL 211.27b(1) requires that if the buyer, grantee, or other transferee in the immediately preceding transfer of ownership of property do not notify the appropriate assessing office of the transfer, then penalties as described in MCL 211.27b(1)(c) or (d) are levied and

WHEREAS, MCL 211.27b (5) provides that the governing body of a local tax collecting unit may waive, by resolution, the penalty levied under MCL 211.27b(1)(c) or (d).

NOW THEREFORE BE IT RESOLVED that the Township of Macomb waives the penalty for failure to file the Property Transfer Affidavit following a transfer of ownership pursuant to the local unit's authority contained in MCL 211.27b.

**Roll Call:**

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

**Nays:** None

**Absent:** None

**RESOLUTION** declared adopted this 10<sup>th</sup> day of July, 2019.

**ENGINEERING DEPARTMENT:**

10. Request to Approve Pathway Abeyance for 56675 Fairchild Road (Parcel No. 08-01-176-002)

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

**MOTION by Pozzi seconded by Goodhue to Approve Pathway Abeyance for 56675 Fairchild Road (Parcel No. 08-01-176-002).**

**Ayes:** All

**Nays:** None

**MOTION** carried.

11. Request to Approve Pay Estimate #5 (Final) for the 21 Mile Road Pedestrian Bridges (part of the 2016 Pathway Gap Closure Program)

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

**MOTION by Krzeminski seconded by Pozzi to Approve Pay Estimate #5 (Final) for the 21 Mile Road Pedestrian Bridges (part of the 2016 Pathway Gap Closure Program) in the amount of \$36,419.44 to Z Contractors, Inc.**

**Ayes:** All

**Nays:** None

**MOTION** carried.

**TREASURER'S OFFICE:**

12. Request to Purchase Property Obtained through the Tax Reversion Process

Treasurer Goodhue indicated the Macomb County Treasurer's office is rendering assistance to the owner of the property.

**MOTION by Goodhue seconded by Krzeminski to remove this item from the agenda.**

**Ayes:** All

**Nays:** None

**MOTION** carried.

**FIRE DEPARTMENT:**

13. Request to Approve Extension of Time and Additional Compensation for General Contractor on New Public Safety Building

Fire Chief Robert Phillips reviewed this matter with the Board and recommended approval. Several questions were asked by Board members and answered by Bernie Cattivera from Bernco, Inc. and Chief Phillips.

**MOTION by Krzeminski seconded by Goodhue to Approve Extension of Time for General Contractor Bernco, Inc. from March 30, 2020 to October 1, 2020.**

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

**Nays: Bussineau**

**MOTION carried.**

**MOTION by Krzeminski seconded by Nevers to Approve Additional Compensation for General Contractor Bernco, Inc. in the Amount of \$387,445.00 for the New Public Safety Building.**

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

**Nays: Bussineau**

**MOTION carried.**

14. Request to Approve Authorization of Additional Services Agreement with Anderson, Eckstein and Westrick for New Public Safety Building

Fire Chief Robert Phillips reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Approve Authorization of Additional Services Agreement with Anderson, Eckstein and Westrick for New Public Safety Building in the Amount of \$34,320.00.**

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

**Nays: Bussineau**

**MOTION carried.**

**TRUSTEES:**

15. Request to Approve the Job Description as Presented and Proceed with Recruiting for a Candidate to Fill Position of Human Resources Manager

Trustee Krzeminski reviewed this matter with the Board and recommended approval. Questions were asked by Board members Pozzi, Bussineau and

Goodhue and answered by Human Resources Director Thomas Esordi and Trustee Krzeminski.

**MOTION by Bussineau seconded by Pozzi to postpone this item until July 24, 2019.**

**Roll Call:**

**Ayes: Bussineau, Smith, Pozzi**

**Nays: Krzeminski, Nevers, Goodhue, Dunn**

**MOTION failed.**

**MOTION by Krzeminski seconded by Nevers to Approve the Human Resources Manager Job Description as Presented.**

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

**Nays: Bussineau, Smith, Pozzi**

**MOTION carried.**

- 15a. Discussion regarding Nemeth Law PC invoice in the amount of \$6,041.40

**MOTION by Goodhue seconded by Krzeminski to postpone until July 24, 2019 to allow the Supervisor, Clerk and Treasurer to discuss the invoice with General Counsel Thomas Esordi.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**WATER & SEWER DEPARTMENT:**

16. Request to Approve the Reimbursement Requests: Sanitary Sewer Back-ups: 24760 Arrowhead Drive, 50457 Pinnacle Woods Lane & 50472 Pinnacle Woods Lane

Water and Sewer Superintendent Gerry Wangelin reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Approve the Reimbursement Requests: Sanitary Sewer Back-up at 24760 Arrowhead Drive in the amount of \$7,068.13 and require the homeowner to sign a Release of Claim.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**MOTION by Krzeminski seconded by Goodhue to Approve the Reimbursement Requests: Sanitary Sewer Back-up at 50457 Pinnacle**

**Woods Lane in the amount of \$29,114.80 and require the homeowner to sign a Release of Claim.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**MOTION by Krzeminski seconded by Goodhue to Approve the Reimbursement Requests: Sanitary Sewer Back-up at 50472 Pinnacle Woods Lane in the amount of \$103.08 and require the homeowner to sign a Release of Claim.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

17. Request Approval to Pay Construction Pay Estimate No. 1; 2019 Sanitary Sewer Rehabilitation by FCIPP and SCIPP Lining AEW Project No. 0249-0163

Water and Sewer Superintendent Gerry Wangelin reviewed this matter with the Board and recommended approval.

**MOTION by Goodhue seconded by Pozzi to Approve Pay Construction Pay Estimate No. 1; 2019 Sanitary Sewer Rehabilitation by FCIPP and SCIPP Lining AEW Project No. 0249-0163 in the Amount of \$45,546.84 to Insituform Technologies USA, LLC.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

18. Request Approval to Pay Construction Pay Estimate No. 2; 2019 Sanitary Sewer Cleaning, CCTV Investigation AEW Project No. 0249-0162

Water and Sewer Superintendent Gerry Wangelin reviewed this matter with the Board and recommended approval.

**MOTION by Pozzi seconded by Nevers to Approve Pay Construction Pay Estimate No. 2; 2019 Sanitary Sewer Cleaning, CCTV Investigation AEW Project No. 0249-0162 in the Amount of \$63,082.45 to Pipetek Infrastructure Services.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**SUPERVISOR'S OFFICE:**

19. Plante Moran Engagement letter for the 2019 Financial Audit



Item postponed until July 24, 2019 meeting. No action taken.

**GENERAL COUNSEL:**

20. Request to Authorize Supervisor to Execute Metro Act Right-of-Way Permit Extension on Behalf of the Township

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

**MOTION by Krzeminski seconded by Goodhue to Authorize Supervisor to Execute Metro Act Right-of-Way Permit Extension on Behalf of the Township.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

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

Denis Martin spoke about a lack of progress to resolve Grievance 19-001, Board Members speaking with AFSCME employees and his belief the positions of HR Director and General Counsel should be separated.

Supervisor Dunn indicated the Township has retained legal counsel to investigate Grievance 19-001 and the investigation has commenced.

Paul Ruggeri spoke about social media reports that a former trustee has a concrete driveway installed without proper permitting.

Frank Cusumano questioned why Item 12 was not removed during approval of the agenda at the beginning of the meeting.

Kathy Western spoke about the creation of the new Human Resources Manager position and board members speaking to the media on behalf of the Board.

Marilyn Holloway thanked several Board members for questioning actions taken by the Board and the ability of the new Human Resources Manager to investigate grievances by the HR Director.

Building Official Joe Maples informed the Board and residents that permits were filed and fees paid by a former trustee for a new concrete driveway at his home. He also indicated that an inspection was also completed by the Building Department.

## BOARD COMMENTS

### Trustees Comments

Trustee Bussineau thanked those residents that spoke during public comments.

Trustee Nevers indicated she will continue meet with AFSCME members and has been busy with the proposed Ethics Ordinance.

Trustee Krzeminski suggested that the Supervisor convene a committee to look at the possibility of constructing a community center next to the library. He believes a community center would be a catalyst for further development of the Town Center.

### Treasurer Comments

Treasurer Goodhue detailed her reason for requesting Item 12 be removed from the agenda. She reiterated her belief that additional staff is necessary in the Human Resources Department. She also spoke about the proposed ethics ordinance and recent meetings to review the draft ordinance.

### Clerk Comments

Reminded residents the Macomb County Clerk's Mobile Office will be at Town Hall on July 11<sup>th</sup> from 10:00 a.m. – 2:00 p.m. and her office will provide voter outreach services at the Music in the Park series at Macomb Corners Park. Residents may register to vote, sign up to vote by mail and obtain election worker applications and information.

### Supervisor Comments

Supervisor Dunn spoke about the Water Sprinkling Ordinance and the large number of water accounts are violating the ordinance. The Water and Sewer Department will step up enforcement and the Board will consider amending the penalties section of the ordinance at the July 24, 2019 meeting.

## ADJOURNMENT

**MOTION by Pozzi seconded by Krzeminski to adjourn the Board meeting at 9:01 p.m.  
MOTION carried.**

Respectfully submitted,

---

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES  
WEDNESDAY, JULY 10, 2019

APPROVED

Janet I. Dunn  
Macomb Township Supervisor

---

Kristi Pozzi  
Macomb Township Clerk