



# MACOMB TOWNSHIP *Michigan*

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES - APPROVED  
WEDNESDAY, OCTOBER 9, 2019

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

Call Meeting to Order

**Meeting was called to order by Supervisor Dunn at 7:00 p.m.**

Pledge of Allegiance to the Flag of the United States

**Pledge of Allegiance was recited by all in attendance.**

1. Roll Call

**Clerk POZZI called the roll:**

**Present: Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Absent: Tim Bussineau, Karen Goodhue**

2. Approval of Agenda Items (with any corrections)

**MOTION by Kristi Pozzi seconded by Roger Krzeminski to approve the agenda as amended with the addition of Regular Agenda Item 21, Request to Approve Final Plan; Clinton-Macomb Public Library: North Branch; East Side of Broughton Road, South of 25 Mile Road; Section 9; Permanent Parcel 08-29-200-019.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

3. Approval of Bills

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**MOTION by Nancy Nevers seconded by Kathy Smith to approve the bills as presented.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

4. Approval of Previous Meeting Minutes from September 25, 2019

**MOTION by Kristi Pozzi seconded by Roger Krzeminski to approve meeting minutes from September 25, 2019 as presented.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**CONSENT AGENDA ITEMS:**

5. Water and Sewer Department

- a. Easement Encroachment Agreement: Buckingham Village Subdivision II, Lot 262. Parcel No. 20-08-22-153-017
- b. Easement Encroachment Agreement: Wolverine Country Club Estates Site Condominiums, Unit # 150. Parcel No. 20-08-08-451-050
- c. Request Approval to Pay Pipeline Management Company Inc., for joint and manhole grouting of 21 Mile Road. (\$6,184.00)

6. Engineering Department

- a. Request to Approve Partial Site Development Bond Release for The Park at Legacy Estates – Phase III (\$77,486.60)
- b. Request to Approve Partial Site Development Bond Release for Brookridge Estates Site Condominiums (\$40,062.20)

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- c. Request to Approve Final Site Development Bond Release for Seller's Subaru – 2018 Building Addition (\$24,907.20)
  - d. Request to Approve Partial Site Development Bond Release for Stillwater Crossing Site Condominiums – Phase 1 (\$202,540.00)
7. Human Resources Department
- a. Request for Family and Medical Leave of Absence for Employee #1603
8. Fire Department
- a. Request to Attend a Plans Review for Fire and Life Safety Course at the National Fire Academy (\$168)
9. Supervisor's Office
- a. Request to Attend Township Governance Academy Courses (\$606.00)
10. Building Department
- a. Request for Mechanical Inspector to attend the MIMA Fall Conference (\$250.00)
11. Finance Department
- a. Request to Pay Annual Munetrix Subscription (\$6,484.00)

**MOTION by Roger Krzeminski seconded by Kristi Pozzi to approve the Consent Agenda items as presented.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**PUBLIC COMMENTS, AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)**

Frank Cusumano spoke regarding Item 18.

**NEW BUSINESS:**

**WATER AND SEWER DEPARTMENT:**

12. Request to Approve the Contract Modification No. 3 for the 2019 Sanitary Sewer Cleaning & CCTV Investigation. Job No. 0249-0162 (\$14,125.00)

Item presented by Water and Sewer Superintendent Gerry Wangelin.

**MOTION by Roger Krzeminski seconded by Kathy Smith to Request to Approve the Contract Modification No. 3 for the 2019 Sanitary Sewer Cleaning & CCTV Investigation. Job No. 0249-0162 (Subtotal of Contract: \$14,125.00)**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

13. Request to Approve the Replacement of Two (2) Township Water & Sewer Vehicles (\$61,352.00)

Item presented by Water and Sewer Superintendent Gerry Wangelin.

**MOTION by Kristi Pozzi seconded by Nancy Nevers to Request to Approve the Request to replace the 2011 GMC Truck No. 113 and 2010 Ford Truck No. 104 and Purchase Two (2) 2020 GMC Sierra 1500 (TK10903) 4WD Reg Cab 140" from Todd Wenzel Buick/GMC in the amount of Sixty-One Thousand Three Hundred Fifty-Two Dollars (\$61,352.00).**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**ENGINEERING DEPARTMENT:**

14. Request to Approve Pathway Abeyance for 56587 Fairchild Road (Parcel No. 08-01-176-027)

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Item presented by Township Engineer Jim Van Tiflin.

**MOTION by Roger Krzeminski seconded by Nancy Nevers to Request to Approve Pathway Abeyance for 56587 Fairchild Road (Parcel No. 08-01-176-027)**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

15. Request for Authorization for Township Supervisor to sign Warranty Deeds for Future Road Right-of-Way for Macomb Township Owned Properties along Garfield Road (Parcel Nos. 08-18-400-010, 08-20-100-009, and 08-20-100-007) for the Garfield Road Extension Project

Item presented by Township Engineer Jim Van Tiflin.

**MOTION by Roger Krzeminski seconded by Kathy Smith to authorize Township Supervisor to sign Warranty Deeds for Future Road Right-of-Way for Macomb Township Owned Properties along Garfield Road (Parcel Nos. 08-18-400-010, 08-20-100-009, and 08-20-100-007) for the Garfield Road Extension Project**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**HUMAN RESOURCES DEPARTMENT:**

16. Request Approval to Hire Property Appraiser

Item presented by Human Resources Director Thomas Esordi.

**MOTION by Kristi Pozzi seconded by Nancy Nevers to approve Arlene Badgley for hire contingent upon successful completion of a post-offer pre-hire physical examination, drug and alcohol screening, background check and psychological examination. The effective date of hire will be on or after October 21, 2019.**

**Vote Summary: (5 - 0 - 0)**

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**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**  
**Nays - None**  
**Abstain - None**

**THE MOTION Passed.**

**GENERAL COUNSEL:**

17. Consent Judgement Regarding Sidewalk Easement

Item presented by General Counsel Thomas Esordi.

**MOTION by Roger Krzeminski seconded by Kristi Pozzi to authorize Matthew J. Zalewski to execute the attached Consent Judgement on behalf of the Township.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**  
**Nays - None**  
**Abstain - None**

**THE MOTION Passed.**

18. FOIA Appeal 2019-211

Item presented by General Counsel Thomas Esordi.

**MOTION by Roger Krzeminski seconded by Nancy Nevers to uphold the denial of FOIA 2019-211.**

**Vote Summary: (3 - 2 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Janet Dunn**  
**Nays - Kathy Smith, Kristi Pozzi**  
**Abstain - None**

**THE MOTION Passed.**

**SUPERVISOR'S OFFICE:**

19. Resolution Supporting Small Business Saturday

Item presented by Supervisor Dunn.

### **SMALL BUSINESS SATURDAY**

**Whereas**, the Township of Macomb, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 30.2 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 65.9 percent of net new jobs created from 2000 to 2017; and

**Whereas**, small businesses employ 47.5 percent of the employees in the private sector in the United States; and

**Whereas**, 94% of consumers in the United States value the contributions small businesses make in their community; and

**Whereas**, 96% of consumers who plan to shop on Small Business Saturday® said the day inspires them to go to small, independently-owned retailers or restaurants that they have not been to before, or would not have otherwise tried; and

**Whereas**, 92% of companies planning promotions on Small Business Saturday said the day helps their business stand out during the busy holiday shopping season; and

**Whereas**, 59% of small business owners said Small Business Saturday contributes significantly to their holiday sales each year; and

**Whereas**, Macomb Township, Michigan supports our local businesses that create jobs, boost our local economy and preserve our communities; and

**Whereas**, advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.

**Now, Therefore**, The Macomb Township Board of Trustees, do hereby proclaim, November 30, 2019, as:

### ***SMALL BUSINESS SATURDAY***

And urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.  
MOTION by Roger Krzeminski seconded by Kristi Pozzi to adopt the Resolution Supporting Small Business Saturday.

**ROLL CALL Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Kristi Pozzi, Nancy Nevers, Kathy Smith, Janet Dunn**

**Nays - None**

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**Abstain - None**

**THE RESOLUTION is Adopted.**

20. Drain Maintenance Grant for Deer Creek Drain

Item presented by Supervisor Dunn.

**MOTION by Roger Krzeminski seconded by Kristi Pozzi to approve Deer Creek Drain funding to complete the clearing of debris and to clean the channel in the amount of \$10,000.00.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**PLANNING DEPARTMENT:**

21. Request to Approve Final Plan; Clinton-Macomb Public Library: North Branch; East Side of Broughton Road, South of 25 Mile Road; Section 9; Permanent Parcel 08-29-200-019

Item presented by Township Engineer Jim Van Tiflin.

**MOTION by Roger Krzeminski seconded by Nancy Nevers to approve Final Plan; Clinton-Macomb Public Library: North Branch; East Side of Broughton Road, South of 25 Mile Road; Section 9; Permanent Parcel 08-29-200-019.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**



**PUBLIC COMMENTS, NON-AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)**

Julianne Cusumano spoke about locked doors at Town Hall during Board meeting.

Kenneth Brotz spoke regarding his water bill.

John Parkinson spoke about public comments on meeting agendas and the appeal of FOIA 2019-211.

Frank Cusumano spoke about water rates, the Township's RFP process and recovery of Township funds identified in USA v Bucci.

**BOARD COMMENTS:**

**TRUSTEES COMMENTS**

Trustee Nevers spoke about fixed costs contained in water bills.

Trustee Krzeminski asked Clerk Pozzi for an update regarding resident requests to be placed on the permanent vote-by-mail application list.

**TREASURER COMMENTS**

Deputy Treasurer Carl D'Andrea reminded residents they have until October 31 to pay overdue water bills. After that date, they will be added to the Winter tax bill with additional penalties.

He thanked the Treasurer's Office and Finance Department staff for their assistance with the audit and the Assessing Department for the excellent customer service they provide residents.

**CLERK COMMENTS**

Clerk Pozzi spoke regarding the appeal of FOIA 2019-211 and the uncompleted performance evaluation of the Human Resources Director/General Counsel.

**SUPERVISOR COMMENTS**

Supervisor Dunn gave an update on the performance evaluation of the Human Resources Director/General Counsel.

**CLOSED SESSION:**

**MOTION by Roger Krzeminski seconded by Kristi Pozzi to adjourn to Closed Session at 7:41 PM.**

**ROLL CALL Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Kristi Pozzi, Nancy Nevers, Kathy Smith, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**The Board reconvened into Open Session at 7:48 PM.**

22. Legal Opinion Regarding Condemnation Proceeding with Property Identified in 2017 Pathway Gap Closure Program. Closed session per MCL 15.268(e)

**MOTION by Kristi Pozzi seconded by Roger Krzeminski to authorize the Supervisor to sign the settlement agreement as discussed.**

**Vote Summary: (5 - 0 - 0)**

**Ayes - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nays - None**

**Abstain - None**

**THE MOTION Passed.**

**ADJOURNMENT**

**MOTION by Kristi Pozzi seconded by Kathy Smith to adjourn the October 9, 2019 Board meeting at 07:49 PM.**

**THE MOTION Passed.**

**Vote Summary: (5 - 0 - 0)**

**Aye - Roger Krzeminski, Nancy Nevers, Kathy Smith, Kristi Pozzi, Janet Dunn**

**Nay - None**

**Abstain - None**