

Minutes of the Clay Township Board Meeting held on Monday, April 1, 2002 at 7:30 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Supervisor Joseph H. McKoan IV, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Dr. L. Kasperowicz, Trustee Beth Engel.

ABSENT: None.

Citizens present approximately eleven (11).

AMENDMENTS TO THE AGENDA:

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to amend the Agenda under New Business, add Item #13. M.A.P. Grievance No. 02-056. AYES: All. NAYS: None. ABSENT: None.

APPROVAL OF MINUTES AND SYNOPSIS:

Moved by Turner, supported by Engel to approve the March 18, 2002 Minutes and Synopsis and the Special Meeting Minutes held on March 27, 2002.

Discussion of any changes, deletions, amendments:

Per Trustee Sharrow noted the following amendments:

? Page 1, 2nd paragraph from bottom should indicate "that is a refund of money the Township has spent";

? 3rd page, motion to purchase a trailer for ML Fire Dept., add the cost of \$325.00 to the motion.

? Page 3, Lot Split 02-01 motion, add to motion "property line adjustment".

AYES: All. NAYS: None. ABSENT: None.

AMENDED MOTION APPROVED.

BILLS PAYABLE:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Bills Payable in the amount of \$48,269.87 as submitted. AYES: All. NAYS: None. ABSENT: None.

PETITIONS: None.

COMMUNICATIONS:

Next Township Board meeting on April 15, 2002 will be held at the Harsens Island Lion's Hall, 263 LaCroix Road, Harsens Island, MI 48028.

Ltr. from Clay Twp. Fire Chief George Rose to Police Chief Eder informing him of Dispatcher Kathy Gracki's expediency, resourcefulness and composure on February 26, 2002 when there was a minor bus accident.

March 26, 2002 letter to Supervisor Joseph McKoan IV from Brian Potter resigning DDA position because of health problems.

OLD BUSINESS:

Contract Negotiations: Met with Dispatch, hoping to have a Dispatch Contract to the Board on April 15th.

Ordinance No. 121 – International Fire Code discussion; Section 5. Not necessary to have the last sentence, redundant statement regarding unconstitutional.

Mike Kras, Building Administrator: Ordinance would coordinate with our new building code and Michigan residential code, building and fire department on the same code.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to adopt ORDINANCE NO. 121 INTERNATIONAL FIRE CODE with the elimination of sentence two (2) in Section 5. The Ordinance shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption.

R/C VOTE: AYES: Sharrow, Sharrow, Turner, Pellerito, Dr. Kasperowicz, Engel, McKoan IV. NAYS: None. ABSENT: None.

PUBLIC COMMENTS: Relating to any New Business on the Agenda:

Al Kodet, Algonac: Comments concerning the Chamber Promotional Maps, would like to see a name change to include Clay or change it to Downriver Chamber of Commerce, majority of the businesses are in Clay Township.

Trustee Pat Sharrow: Township Board requested a name change a year ago, told it would require a change to all the legal documents, letterhead, cost involved to change; map rectified on the promotional map will show Clay Township on the front.

Supervisor Joseph H. McKoan IV introduced Eagle Scout Ricky Fisher who has completed three (3) benches for the bikepath as an Eagle Scot project. Ricky needs permission to drive a truck on the bike trail and place the benches on the path.

Per Clerk Pellerito, can arrange on Saturday for ML Fire Chief Rick Edler to open up the gates to the bikepath; Water Department Supervisor will go with Ricky and instruct him where the benches should be placed.

The Township Board gave Ricky Fisher a thank you for the work he did on building the benches. The Board would like a Certificate of Appreciation presented to Ricky Fisher for his project.

NEW BUSINESS:

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to award a proclamation declaring National Library Week April 14 through April 20 to the St. Clair County Library System in our community. AYES: All. NAYS: None. ABSENT: None.

Representative Ray Jackson from U.S. Chamber Maps was present to introduce a promotional map the Greater Algonac Chamber of Commerce is planning to have done in order to promote the Algonac/Clay area, 5,000 maps printed and distributed throughout the community; reason here is to solicit the support of the Township Board to purchase a ½ panel for the ad in the amount of \$600.00.

Trustee Dr. Kasperowicz: Very adamant that the Greater Algonac Chamber of Commerce should change the name to Clay/Algonac, not in favor.

Trustee Sharrow: Greater Algonac does indicate a larger area, majority of the map will be paid for by subscribers.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve paying \$600.00 for ½ panel space to be used for information in re to Clay Township on the promotional maps produced by the U.S. Chamber Maps.

AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Engel, McKoan. NAYS: Dr. Kasperowicz. ABSENT: None.

Moved by Turner, supported by Kirkpatrick to approve amending the budget for Harsens Island Fire and Water Department to adjust the Hydrant Maintenance and Fund Balance for these Departments:

Fire Department Expense from \$7,525.00 to Hydrant Maintenance -\$7,490.00, a \$35.00 difference; lower the Fire Department Revenues from \$24,951.00 to \$17,461.00, a difference of -\$7,490.00.

Water Department Revenue from \$22,365.00 to Hydrant Maintenance to \$14,875.00, a difference of -\$7,490.00; increase the Revenue from \$328,546.00 to \$336,036.00, a difference of +\$7,490.00.

AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Board discussion as to AT & T Broadband and Comcast in a process that would merge two of the nation's largest cable providers into one big company. Supervisor Joseph McKoan IV expressed opinion, potential problems with a merger, laws to prevent a monopoly forming.

Moved by Kirkpatrick, supported by Sharrow to direct Supervisor Joseph H. McKoan IV to write a letter to Comcast expressing the Township Board's concerns regarding a merge of AT & T Broadband and Comcast into one big company.

Discussion: Trustee Sharrow would like Comcast advised that the Township does not collect the full franchise fee and the full amount should not be charged to the customers.

AYES: All. NAYS: None.

ABSENT: None.

MOTION CARRIED.

Ordinance No. 123 – Clay Township Property Maintenance Code discussed: Trustee Sharrow: do not like the idea of a sidewalk maintenance requirement to the homeowners. Mike Kras, Building Administrator: Explained would give the Township a legal assist with getting landlords to repair sidewalks that are in poor shape where the elderly may trip or fall who rent, would not order any snow cleaning of the sidewalk.

Trustee Sharrow: Homeowner should not have to repair, some areas there are no homes by a sidewalk.

Trustee Kirkpatrick: Ordinance would give you the right to work on someone's property, think this is a little questionable.

Like to table and have a little more time to go through the Ordinance.

Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to table Ordinance No. 123, Clay Township Property Maintenance Code in order to give the Township Board more time to review the legal aspects of the Ordinance. AYES: All. NAYS: None. ABSENT: None.

Ordinance No. 124 – O.U.I.L. Reimbursement discussion: Supervisor Joseph H. McKoan IV opinion: need to review the cost to the Township to obtain the reimbursement, would have to have the individual there who did the work as the witness, not worth it if would cost too much money as opposed to the income or revenue, if the Judge orders it then fine, civil matter if have to garnish the wages, too many avenues and hoops to go through to make it feasible, not worth it if it is going to cost the Department.

Trustee Sharrow: Do a little research to see how it is working in other municipalities.

Police Chief Tom Eder: Establish some ground rules, will follow through with that, will get a few more details what the cost would be.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to postpone the adoption of Ordinance No. 124 – O.U.I.L. Reimbursement for more information from the Police Chief Thomas Eder. AYES: All. NAYS: None. ABSENT: None.

Corporal Patrick Foster and K-9 partner Dingo were present. Cpl. Foster explained to the Board a request to seek approval to attend a training/K-9 re-certification program to be held in Yates County, New York from April 29 to May 3, 2002.

Board members questioned Cpl. Foster's statistics compiled since the inception of the program for the years of 1999, 2000 and 2001.

Forfeitures are these the result of the dog?

Cpl. Foster: Definitely 85 – 95% is because of the dog.

Supervisor Joseph McKoan IV: If Dingo is used in other municipalities, do they reimburse the Township?

Cpl. Foster: Mutual aid comes into plan, asking for reimbursement could open up a can of worms, there are times, Clay Police must ask for help; K-9 Unit does not assist other jurisdictions unless on duty, or if not on duty, it is a life and death situation.

The tracking done by Dingo is a benefit to the Department.

Chief Eder: School sweeps a major issue, U.S. Customs have called and asked for assistance, if a pick-up is made through a Federal Agency, Twp. Police receive 100% back in forfeiture money.

Supervisor McKoan IV: Approached by Clay citizens regarding the use of the police car to transport the K-9 Unit back and forth to work, like to address this issue.

Cpl. Foster: The K-9 Unit container is not practical in personal vehicle, when Dingo is in the police car he knows he is on duty and going to work.

Trustee Kirkpatrick: Questioned the original proposal to transport the K-9 dog; police calls to your home from other municipalities.

Cpl. Foster: Fleet car became available, a car going out of service; only once went to another jurisdiction last year, only if approved by Chief and of a dire necessity.

Clerk Pellerito: Questioned gas paid for through Township to travel from work to home.

Cpl. Foster: Federal Law Enforcement has a Federal Exemption, will find the Federal Law stating this.

Moved by Dr. Kasperowicz, supported by Sharrow to approve Corporal Patrick Foster and his K-9 partner Dingo request to attend a training/K-9 re-certification program in Yates County, New York from April 29 to May 3, 2002 for a cost of \$425.00. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Cpl. Foster added after the National Certification class for K-9 Dingo will set up a demonstration for the Board Members to observe him at work.

Moved by Kirkpatrick, supported by Engel to receive and file the Mainland Fire Department Report for February, 2002 and River District Ambulance Authority December, 2001 Minutes. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Dr. Kasperowicz to approve the purchase of a Polaroid Camera Spectra Close Up Kit in the amount of \$205.95 for the Police Department. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Kirkpatrick, supported by Sharrow, to approve the request from The Old Club, Harsens Island to hold its annual fireworks display on Saturday, July 6, 2002 over Muscamoot Bay. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Turner, supported by Engel to approve the Clay Township Fire Department request to purchase two Scott air packs from West Shore Fire Inc. for a total cost of \$8,010.00. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Sharrow, supported by Dr. Kasperowicz to support the request to send Herman Montville to COPS in Schools Training to be held in Kansas City, MO April 8-10, 2002.

Discussion: Supervisor Joseph H. McKoan IV stated there will be a class held in Detroit, August 21, 2002, what is the reason to go to Missouri as opposed to Detroit.

MOTION BY SHARROW, SUPPORTED BY DR. KASPEROWICZ TO WITHDRAW THE ORIGINAL MOTION.

Moved by Sharrow, supported by Dr. Kasperowicz to approve sending Officer Herman Montville to a COPS in Schools Training course in Detroit in August, providing the training course fully meets the requirements of the COPS Grant. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Moved by Pellerito, supported by Sharrow to deny MAP Grievance #02-056 concurring with Police Chief Thomas Eder's opinion. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

BOARD MEMBER COMMENTS:

Supervisor Joseph H. McKoan IV updates:

Office Building expansion: Waiting on some specs for the building expansion, hopefully have them by the next meeting.

New sound system for the Board Room: contacted by Mr. Schaeffer from the Algonac High School and individuals from Comcast, may have something at the next board meeting to set up the meetings for television.

Trustee Sharrow: Questioned if there has been a Court Hearing for Colony Road to become public? Also the meeting with Troy Feltman re: St. Clair County Dispatch, what has occurred.

BOARD MEMBER COMMENTS: (Continued)

Supervisor Joseph H. McKoan IV: Hearing not finalized yet for Colony Road. Shall have a report at the next Board meeting on the meeting with the County re: Dispatch. Meeting on April 12th with Huron Environmental re: engineering.

Trustee Sharrow: Soil Removal Permits have expired, should set up the public hearing meeting. Also when will the budget workshop meetings begin, can we set up some dates?
Clerk Pellerito: Sure, three Mondays in May.

Trustee Kirkpatrick: Like to commend our Water Department for the work they have been doing on Harsens Island to install the water meters and connect homeowners to the water lines, have been working through some very cold weather.

Treasurer Connie Turner: DPW short one employee, will be hiring anyone?

Trustee Dr. Kasperowicz: Questioned proposed miniature golf course behind the Colony Bowling Alley.

Clerk Pellerito: Clay Connection Newsletter is almost ready for distribution. Work release Community Service people cleaned over the weekend the Dyke Road, Morrow, Phelps and High Roads. Marsh Clean-up workers will also clean the bike path on May 11th after the Marsh Cleanup.

Trustee Sharrow: Stone Rd. sidewalk from Cemetery toward Sam's covered with stones.

Clerk Pellerito: It was cleaned Friday

Trustee Dr. Kasperowicz: Brought up issue of community service workers working on a private piece of property. Nothing can be done, not in Clay's jurisdiction.

PUBLIC COMMENTS:

Richard Baker, Stone Road: Township permits franchises within the Township, the whole Township should be included not just the lucrative areas.

Police Chief Tom Eder: Met with Central Dispatch and will supply the Board a memo with information you will be concerned with.

Harsens Fire Dept. Sec./Treasurer Daryl DuPage for the H.I. Fire Department: Asked Treasurer Turner to clarify the amendment to the budget for Harsens Island Fire.

Trustee Sharrow: Asked if it was true that municipalities cannot hold off paying bonds any longer?

ADJOURNMENT:

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to adjourn the meeting at 9:08 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk