

Minutes of the Clay Township Board Meeting held on Monday, February 3, 2003 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 Beth Engel, Trustee Dr. L. Kasperowicz.

ABSENT: None.

Citizens Present: Approximately thirty (30).

A MOMENT OF SILENCE FOR THE SEVEN ASTRONAUTS THAT PERISHED IN THE COLUMBIA TRAGEDY ON FEBRUARY 1, 2003.

**AMENDMENTS TO THE AGENDA:**

Trustee Dr. Kasperowicz: Discuss the Elected Official receiving advance on payroll and also the reasoning behind choosing Seaway Bank as the Township's depository institute.

Supervisor Joseph H. McKoan IV: Not a proper amendment can address those items under Board Member Comments.

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to amend the Agenda under Old Business: Item No. 1. Building Expansion Bid Awards – Add Syntex Security System and Deputy Police Chief Don Drake will address the Board under Communications. AYES: All. NAYS: None. ABSENT: None.

**APPROVAL OF THE JANUARY 20, 2003 MINUTES AND SYNOPSIS:**

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the January 20, 2003 Minutes and Synopsis as presented. AYES: All. NAYS: None. ABSENT: None.

**BILLS PAYABLE:**

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to pay the Bills payable in the amount of \$43,276.90. AYES: All. NAYS: None. ABSENT: None.

**PETITIONS:** None.

**COMMUNICATIONS:**

Clerk Pellerito: Reminder the February 17, 2003 Township Board meeting will take place on Harsens Island at the Lion's Hall, 263 LaCroix Road. Preceding the regular meeting at 7:00 p.m. will be a public hearing for North Channel Road Maintenance Special Assessment District.

01-22-2003 Letter from Holy Cross Catholic School Principal Dianne Lovett to Chief of Police in appreciation for the informative class on Internet Safety presented by Officer Dennis Schaible to the 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grade classes.

01-15-2003 Letter from St. Clair Conservation District offering new updated "Warning Deep Water" signs are now on sale.

Trustee Dr. Kasperowicz requested a February 3, 2003 opinion from Attorney John McNamee to be read into the record.

Supervisor Joseph H. McKoan IV: Attorney Client Privilege will not have it read into the record.

Deputy Police Chief Don Drake verbally reported to the Board, public and the media the incident of a homicide/suicide on McKinley Road on Sunday at approximately 6:30 p.m. of Paul and Tracy Bissell. The following professional people were called in on the case and would like to recognize their efforts: Police Officers on duty for Clay Township acted with dignity and professionalism, Dispatching Department performed an excellent job, appreciate Dispatcher Pokorny who was on duty for his efforts and dedication; thank you to the SWAT team for their help and assistance; wish to Commend the Clay Township Fire Chief and his crew their help and proficient assistance in this critical situation and finally Tri Hospital EMS stood ready for hours ready to assist. Hope and prayers go out to both individuals' families for the pain and suffering they are going through.

Trustee Cindy Kirkpatrick excused from the meeting temporarily at 7:40 p.m.

**OLD BUSINESS:**

Trustee Cindy Kirkpatrick returned back to the meeting at 7:44 p.m.

Wall Signage: Lettering for the outside sign, sailboat symbol, public comment regarding area known as "motor boat capital" for years.

Motion by Turner, supported by Engel, to accept the bid from Phillips Sign & Lighting Inc. in the amount of \$3,746.55 for the building addition outside wall signs and logo.

Discussion: Building is in the DDA District, logo on their letterhead displays the Colony Tower, artist could do some different concepts of a logo.

AMEND THE MOTION BY TURNER, SUPPORTED BY ENGEL TO APPROVE THE LETTERING COST OF \$3,746.55 BY PHILLIPS SIGN & LIGHTING, INC. AND TO BRING BACK SOME DIFFERENT OPTIONS FOR THE ARTWORK. AYES: ALL. NAYS: NONE. ABSENT: NONE.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the cost of \$830.00 from Syntex Security Systems for the labor and materials to install the locks to the new Township building expansion. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve the cost of \$420.00 submitted by Creative Caseworks Inc. to build the oak fascia for the Boardroom desk. AYES: All. NAYS: None. ABSENT: None.

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

Rocco Prinzivalli, 9938 N. River Road: Hiring a video operator, why is this needed?  
Supervisor Joseph McKoan IV: For the benefits of the citizens and the community.  
Rocco Prinzivalli: Economy is rough, spending money recklessly, talking about cutting office hours and yet hiring to do the video taping of the meetings.

**NEW BUSINESS:**

SUPERVISOR JOSEPH H. MCKOAN IV PRESENTED A PROCLAMATION AND CERTIFICATE OF APPRECIATION TO DONALD E. DODGE FOR FORTY-ONE (41) YEARS OF SERVICE IN ST. CLAIR COUNTY IN GOVERNMENTAL SERVICE.

Mainland Fire Department Firefighter John Papiez #39 has been with the Department for fifteen (15) years and is requesting a retirement as a regular member with the department and be considered a retired member per Article IV-section 5 of the by-laws.

Supervisor Joseph H. McKoan IV: Appreciate and commend you for the dedication and service to the department over the past fifteen years.

Moved by Sharrow, supported by Pellerito, **MOTION CARRIED**, to accept the request from John Papiez to retire as the Clay Township Mainland Fire Department Secretary/Treasurer and stay on as a retire. The Board extends their gratitude and appreciation to John Papiez for his years of service as a Mainland Firefighter and Officer. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve Paul J. Noack Jr. as a new trainee with the Clay Township Mainland Fire Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the fee of \$1,500 from Huron Environmental, LLC to prepare a Phase II Watershed-based Storm Water Permit for Clay Township, St. Clair County. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to approve Shannon Wilson and Krystal Dawn Sobanski as the Clay Township Video Operators. They are to be trained in the sharing of the operational rotation of video taping the Township Board Meetings and therefore there will always be someone available to run the video equipment properly, a work schedule will be set-up between the two operators; the pay will be \$45.00 per meeting hour and include the editing, taping and final copy for the community to view on cable. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the cost of \$50.00 for the SEMBOIA 2003 Membership and approve \$45.00 for a SEMBIA Seminar on April 16, 2003 to be attended by Michael Kras, Building Official and the authority to use the Township vehicle. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the St. Clair County Road Commission Minutes, Police Department Reports and the Mainland Fire Reports for October through December 2002. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to allow Planning Commission and ZBA members to attend the 11<sup>th</sup> Annual Winter Workshop sponsored by St. Clair County Metropolitan Planning Commission on Thursday, February 27, 2003 for the cost of \$7.00. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to support the St. Clair County Road Commission application for Surface Transportation Program (STP) Safety Funds for Fiscal Year 2004 to improve a portion of Marine City Highway from Indian Trail to Mayer Road. AYES: All. NAYS: None. ABSENT: None.

St. Clair County Road Commission Annual Township Meeting will be held on Monday, February 24, 2003; Board's consensus is to attend the General Session at 4:00 p.m. – 5:00 p.m. and the 5:30 p.m. to 9:00 p.m. Township & Staff Meeting.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to accept the Attorney's opinion to not grieve the arbitrator's decision re: James Casler/Discipline/Grievance No. 00217. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to allow the Spare Parts Car Club to use the Boardroom on Saturday, April 12, 2003 at 7:00 p.m. for a meeting. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Harsens Island Fire Department purchasing the used Hurst rescue equipment from the Flatville Volunteer Fire Department in the amount of \$5,000.00. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the purchase of 4 Super pass motion alarm units from Fire Safe, Inc. at the cost of \$179.00

each for a total of \$716.00 for the Harsens Island Fire Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, to approve sending Dispatcher Kathy Shew to the LERMA meeting on February 14, 2003 for the expense of \$100.00 plus the use of the Township vehicle.

Discussion: Clerk Pellerito: Request approval of the LERMA membership that was denied at the last meeting.

AMEND THE MOTION BY KIRKPATRICK, SUPPORTED BY DR. KASPEROWICZ, **MOTION CARRIED**, TO APPROVE THE 2003 MEMBERSHIP FEE OF \$25.00 TO LAW ENFORCEMENT RECORDS MANAGEMENT ASSOCIATION (LERMA) AND ALLOW DISPATCHER KATHY SHEW TO ATTEND THE FEBRUARY 14, 2003 LERMA MEETING FOR THE COST OF \$100.00 PLUS THE USE OF THE TOWNSHIP VEHICLE FOR THE TRANSPORTATION. AYES: ALL. NAYS: NONE. ABSENT: NONE.

### **BOARD MEMBER COMMENTS:**

Trustee Sharrow: Re: Attorney McNamee's opinion on salary advance for Supervisor Joseph McKoan anyone can have a copy, it is public record.

Lengthy discussion by the Board regarding a legal opinion requested from Attorney McNamee.

Clerk Pellerito: Explained to Trustee Dr. Kasperowicz why the document was not available immediately when he requested it at the Office on Monday.

Supervisor Joseph McKoan IV: Explained in detail to the Board and the public the salary advance he requested from the Clerk.

Clerk Pellerito: Resolution for elected officials needs to state clearly a pay period.

Opinions expressed by Board members.

Supervisor Joseph McKoan IV: It has been rectified, resolution in the future, not hiding anything, explained personal reasons for the advance.

Trustee Dr. Kasperowicz: Questioned Treasurer Turner's criteria of judgement for using Seaway Community Bank.

Treasurer Turner: Board authorized her the right to obtain the bank with the best interest for the benefit of the Township and Seaway Community Bank had the highest interest rate.

### **PUBLIC COMMENTS:**

Richard Baker, 6645 Holland Road: Clay Township borders on the Lake, canals and Rivers, it would be nice to tell the people how nice this Township is, a sign that could be seen on the outside of the Township could let the public know this, news worth items could be changed from the inside and the words could stroll across the marquee.

Chris Craft plant was in Clay Township, still don't understand how 44 acres the City of Algonac could have annexed.

Like to see impact fees on buildings and houses built charged to the developer.

Rocco Prinzivalli: Disagree with video taping of the meetings, citizens want to see should attend.

Krystal Sobanski: Video will be a better quality then City of Algonac.

Rocco Prinzivalli: Concerns for the clerical staff, hour cut and yet hiring.

Gil Konkel, 4804 Middle Channel Drive: Remarks regarding advance on checks, as a taxpayer not the right thing to do.

John Fannon III, 5446 Green Drive: As an attorney you should have known.

Supervisor Joseph McKoan IV: Checked the State Statute, etc.

Trustee Sharrow: Were advances given in the past?

Clerk Pellerito: At the most two weeks advance.

Gil Konkel: As a Board you need to set down and make a resolution, use discretion, remember playing with the taxpayers money.

John Makuch, 7769 Farnsworth: Remarks pertaining to the Township logo, need some new ideas: Treasurer's job to decide which bank depository is the best, trust her judgement; establish a set of rules re: Attorney opinions, should be the same for everyone; video comments; salary advance for Supervisor: upset by it, think it was wrong, integrity was good, no shady deals or fraud intended, as a Board should establish a policy, don't get paid for the work until it is done.

Chuck Michel, Pte. Tremble Road: Questioned if the advance was a loan? Why didn't you name the other community bank? Standard Federal.

Dorothy DeBoyer, Office Manager: Regarding statement cutting an hour of the employee's time, have been working with the Staff to come up with ways we can possibly increase income without it having to go to the employee.

Mary Jane Hardy, 5244 Pte. Tremble Road: Library cleaning issue, still no settlement. Clerk Pellerito: Grady Homes, City Manager is out of town.

Supervisor Joseph McKoan IV: Heard it was approved by the City Council, will call them tomorrow and see what is going on.

Clerk Pellerito: Re: amending the annual Resolution adopted setting the elected official's salary, add the sentence "..... to be paid per week"; after negotiations this year, pay everyone bi-weekly. Important to move forward with the co-pay.

Trustee Sharrow: Some communities have paid elected officials in 2-parts: annual pay as that elected official and then pay for beyond statutory duties, i.e. clerical part of the job.

Richard Baker: Disbursing money from the various departments by deducting your time you spend doing work say for the Water or Building Department.

Gil Konkel: Comment regarding budgeting.

Clerk Pellerito: Clarified the finances of the different departments within a Township; i.e. Building Department is always in the red, Water/Sewer Department does make a profit, Police Department is a service to the citizens; legal is the Township's largest expense.

## **ADJOURNMENT**

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to adjourn the regular meeting at 9:20 p.m.

Michael P. Pellerito  
Clay Township Clerk