

Minutes of the Clay Township Board Meeting held on Tuesday, February 18, 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.

The Board Meeting for Monday, February 17, 2003 was to be held at the Harsens Island Lion's Hall, 263 LaCroix Road, Harsens Island, ice in the North Channel was creating Ferry crossing problems.

Citizens present: Approximately twelve (12).

AMENDMENTS TO THE AGENDA:

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to amend the agenda under New Business, add Items:

#13. Resignation of DPW Employee Michael Richardson.

#14. Resignation from Police Officer James Casler.

#15. Request to use the Township Board Room.

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

APPROVAL OF THE FEBRUARY 3, 2003 MINUTES AND SYNOPSIS:

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Minutes and Synopsis of the February 3, 2003 Board Meeting as presented. AYES: All. NAYS: None. ABSENT: None.

BILLS PAYABLE:

Moved by Turner, supported by Kirkpatrick, to approve the Bills Payable in the amount of \$113,691.17 as submitted.

Discussion re: Attorney Dalton legal fees and United Directory charge.

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

MOTION CARRIED.

PETITIONS: None.

COMMUNICATIONS:

Annual Township Meeting with the Board of St. Clair County Road Commissioners, February 24, 2003.

Thank you card to Clay Township for all you do to take care of Harsens Island. Debbie Ruboyianes-Demunnik.

Clay Township Board of Review Hearing Procedure re: in person appeals and mail-in protests and dates and times of the hearings.

State Representative Lauren Hager for the 81st District: Starting in March the 1st Monday of each month will be holding constituent hours at various locations in the District, will meet in the Clay Township Hall beginning with March 3 from 1:00 p.m. to 2:00 p.m.

OLD BUSINESS:

Building Expansion Bid Awards:

CHAIRS: Discussion as to padded chair, color, strength, etc.

Motion by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the purchase of 112 chairs for the new Township Board Room from Kerr Albert Office Supplies & Equipment, Model 410 in Grey at \$34.49 per chair for a total of \$3,862.88 with a 5-year warranty. AYES: All. NAYS: None. ABSENT: None.

REVISED HANDICAPPED RAMP & WAINSCOTING PANEL:

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the cost of \$216.00 for the change order in the wainscoting panel to accommodate the handicap ramp. AYES: All. NAYS: None. ABSENT: None.

ADD PANEL AND TRIM TO EXTERIOR STEEL DOOR, BOARD'S CONSENSUS, SAVE THE MONEY – **NO ACTION**.

FIRE PREVENTION SYSTEM FOR STORAGE ROOM:

Discussion concerning fire suppression system water vs. dry chemical system, value of records, don't want them destroyed; can come back and revisit this issue, once see how the budget is going.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, to approve the quote from Fire Control, Inc. to supply two ABC dry chemical systems to cover the storage room, 10' x 18' at the cost of \$2,775.00.

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

MOTION DIED.

SIGNAGE:

DDA symbol depicting lighthouse, sunset with a sailboat would be ideal for the outside of the two building entrances.

Trustee Dr. Kasperowicz: Object to using the lighthouse symbol.

Motion by Turner, supported by Engel, to proceed with the wall signage for the two outside entrances utilizing the lighthouse/sunset symbol for the cost of \$4,940.91 from Phillips Sign & Lighting. AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Engel, McKoan IV. NAYS: Dr. Kasperowicz. ABSENT: None.

ASSISTANT ASSESSOR POSITION:

Supervisor Joseph McKoan IV explained Office Union Rep did not understand Management's offer for the Assistant Assessor position, requesting it be put back on the table again; January 20, 2003 Board Meeting a motion was made to postpone Assistant Assessor position until Union negotiations in June, cannot discuss this issue unless a motion is made to rescind the motion originally presented by the person who made the motion or by a Board Member supporting, requires a 2/3 vote.

MOTION WAS NOT PRESENTED BY THE BOARD TO RESCIND THE ORIGINAL MOTION. ISSUE OF ASSISTANT ASSESSOR WILL BE DISCUSSED AT CONTRACT NEGOTIATION.

PUBLIC COMMENTS: Relating to any New Business on the Agenda. None.

NEW BUSINESS:

Moved by Turner, supported by Pellerito, **MOTION CARRIED**, to adopt Resolution No. 2 for the North Channel Section-Road Maintenance Harsens Island Special Assessment District to instruct the Supervisor and Assessing Officer to prepare a Special Assessment Roll. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Engel, Dr. Kasperowicz, McKoan IV. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to adopt Resolution No. 3 for the North Channel Section-Road Maintenance Harsens Island

Special Assessment District to set the Public Hearing date for the purpose of reviewing the roll on Monday, April 21, 2003 at 7:00 p.m. as part of the Special Meeting to be held at the Harsens Island Lion's Hall, 263 LaCroix Road, Harsens Island, MI 48028.

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

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to approve the 2003 Annual Application and Permit from the Board of County Road Commissions of St. Clair County, Michigan to construct, operate maintain use and/or remove within a county road right-of-way of Clay in the County of St. Clair, Michigan and to adopt the Resolution declaring the Township of Clay hold save harmless and indemnify the County of St. Clair and Board of County Road Commissioners and their successors against all liability during operation or maintenance of the water & sewer lines along St. Clair County Highways.

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

Moved by Pellerito, supported by Sharrow, **MOTION CARRIED**, to adopt the Performance and Indemnification Resolution designating the officer and the name of the person who is authorized to sign permits beginning January 2003 for the State Highway work to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities over/under state trunkline right of way at various locations within and adjacent to its corporate limits.

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

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Attorney Dalton update report, Water, Assessing, Building, Zoning, Downriver Recreation and Police Reports for January 2003. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Sharrow, **MOTION CARRIED**, to approve the 2003 Road Funding for local road maintenance for the following:

\$34,000.00 2 applications of 38% calcium chloride at \$1,500 per mile (25 miles of local roads)

\$5,400.00 Swath mowing for about 26 miles of local roads.

\$9,000.00 Seal patching for various locations in Clay Township

\$100,000.00 Phelps and Holland from end of pavement west of Ainsworth to Starville. Ditching, grading and prepare for paving in 2003. Place 22' x 4' hot mix asphalt surface with 4' limestone shoulders in 2003.

\$22,938.00 (Clay Share - \$11,469.00) Berm removal and drainage work on Clay Township Local Roads.

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

Moved by Kirkpatrick, supported by Engel, to postpone the consideration to continue Wade-Trim Planning Services until the Board has an opportunity to compare the Wade-Trim proposal with Community Planning & Management.

Discussion:

Clerk Pellerito: amend motion to be more definitive in requesting Community Planning to come back with a proposal.

Motion by Kirkpatrick, supported by Engel, to amend the motion postponing a decision re: Wade-Trim Continuing Services Agreement Proposal until Community Planning & Management presents a proposal for services. AYES: All. NAYS: None. ABSENT: None.

MOTION CARRIED.

Motion by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Moslem Shriners conducting their 25th Annual Hospital Fund Drive within Clay Township on Friday, Saturday and Sunday, June 20, 21 and 22, 2003 and to waive the Peddler's Fee for this organization. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the purchase from Network Connections, Inc. of three (3) Compaq computers for the cost of \$953.00 each with a 3-Year Limited Warranty and the purchase a free standing Dell Computer for a cost not to exceed \$1,000.00. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to deny the request to install a message on hold unit within Clay Township's telephone system from RN Communications. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to pay the \$25.00 to Michigan Association of Medial Examiners for Joe Doan as the Medical Examiner Special Investigator for the Clay Township Police Department. AYES: All. NAYS: None. ABSENT: None.

Moved by Dr. Kasperowicz, supported by Kirkpatrick, **MOTION CARRIED**, to approve the cost of \$5,579.87 from the Water Department Budget to have the 1984 John Deere backhoe hydraulic repaired by AIS Construction Equipment Corporation. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to accept the resignation of Michael Richardson from the Department of Public Works. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to accept the resignation of Sergeant James Casler to retire from the Police Department effective 02-23-03. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to allow the Township Board Room to be used for the meetings of a Multiple Sclerosis support group on the 3rd Wednesday at 6:30 PM of each month. AYES: All. NAYS: None. ABSENT: None.

BOARD MEMBER COMMENTS:

Trustee Dr. L. Kasperowicz: Referred to a communication from Township Attorney John McNamee re: elected officials getting advances in their pay.

Clerk Michael P. Pellerito: Prior to June 30, 2003, make a motion to set a Board Policy re: pay advances for Elected Officials.

Trustee Sharrow: Board policy set anytime.

Trustee Dr. Kasperowicz: Signage: problems can be resolved an easier way

Clerk Pellerito: Ordinance 123 portable signs not allowed, everyone sent a letter.

Trustee Sharrow: Portable signs not allowed any longer, never been allowed in a residential area.

Zoning Enforcement Officer Tim Wiggle: All sent letters, not comply will go to Court.

Supervisor McKoan: Majority of the people have been cooperative.

Trustee Dr. Kasperowicz: Referred to Attorney Dalton update, cases that have gone to Court, do we get any of that money back?

Michael Kras: If proceed to Court that is a possibility.

Trustee Sharrow: Cleaning the area up within the community, brings property value up, convey more revenue to the Township.

Trustee Dr. Kasperowicz: Times are slow now, how can these business operate?

Tim Wiggle: Will assist these businesses as long as it complies, willing to work with them.

Trustee Cindy Kirkpatrick: Expressed disappointment regarding the Board's action on Robin Martin re: assistant assessor position; no consideration for Dorothy DeBoyer's report as Office Manager, employee has been here for a long time, works hard, disappointed this was just tossed aside this evening.

Trustee Sharrow: Other day there was a four hour wait for the Ferry crossing, Police should be notified and pass the word; any plans if there is a water break and can't send any assistance if there is an ice jam?

Clerk Pellerito: procedure in place.

Re: Colony Tower can the Board in the next two meetings arrange for someone to write for grant information?

Supervisor Joseph McKoan IV: Will start pursuing that.

Trustee Sharrow: Lawsuit filed against the Township, Planning Commission Chairman was not made aware of it being filed.

Trustee Kirkpatrick: Like to have a synopsis of current legal developments within the Township.

Clerk Pellerito: Can prepare a report for the Board; lawsuit was received forwarded it to Attorney John McNamee.

Trustee Sharrow: Proper people should be made aware, wrong things can be said if not aware of a lawsuit.

Trustee Dr. Kasperowicz: Questioned bank interest.

Treasurer Turner: Depends on the account.

PUBLIC COMMENT: None.

ADJOURNMENT

Moved by Kirkpatrick, supported by Engel, **MOTION CARRIED**, to adjourn the regular meeting at 8:45 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk