

Minutes of the Clay Township Board Meeting held on Monday March 17, 2003 at 7:30 p.m. in the Clay Township Board Room, 4710 Pointe Tremble Road, Clay Township, Michigan 48001.

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

Citizens present: Approximately forty-five (45).

AMENDMENTS TO THE AGENDA:

Moved by Pellerito, supported by Kirkpatrick, to amend the agenda under New Business item #5; include request for two (2) Motorola Pagers for Harsens Island Fire Department, for a total of five (5). AYES: All. NAYES: None. ABSENT: Engel

MOTION CARRIED

APPROVAL OF THE MINUTES & SYNOPSIS OF THE MARCH 3, 2003 BOARD MEETING:

Moved by Sharrow, supported by Turner, to approve the Minutes and Synopsis of the March 3, 2003 Board Meeting with the following corrections:

Page 3, 5th paragraph, pay for the classes unless a Scholarship is received.

Page 4, 7th paragraph, requested copy of Roberts Rules of Order for each Planning Commissioner.

AYES: All. NAYS: None. ABSENT: Engel

MOTION CARRIED

BILLS PAYABLE:

Moved by Turner, supported by Kirkpatrick, to approve the Bills Payable in the amount of \$67,241.56 as submitted.

Discussion: Kasperowicz questioned \$2,600; Plante & Moran audit fees for Water & General, \$1111.94; Credit card bill for computer and holding rooms for MTA conference; \$2,600.00 & \$1,315.00; Arbitration split; Voyager? \$1,281.00 for gasoline; Bortec?, Directional Bore on Harsens Island.

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: Engel

MOTION CARRIED

PETITIONS:

None

COMMUNICATIONS:

Clay Township offices will close at 12 Noon on April 18, 2003 in observance of Good Friday.

Notice to all Oaklawn Cemetery lot owners: all decorations, artificial flowers, grave blankets, etc. will be removed beginning the week of April 1, 2003.

MTA newsletter dated March 10, 2003; revenue sharing 3% less for next year proposed by Governor Granholm. Suggest the Supervisor write a letter of support to the MTA regarding this cut.

McKoan: Happy St. Patrick's Day on this first meeting in our new Board Room.

OLD BUSINESS:

CONTRACT NEGOTIATIONS: To begin April 1, 2003, 8:00 a.m. through 4:00 p.m. for Police, Office, Command and Dispatch.

GRIEVANCE #00-190/Montville/Discipline. Letter from Attorney John McNamee regarding Judge Deegan, even though indicating personal disagreement, upheld Arbitrator. Do we want to appeal? Should put our trust in our Police Chief & Deputy Chief and our Attorney.

Motion by Dr. Kasperowicz, supported by Sharrow, to appeal Judge Deegan's decision. Sharrow: Should contact MTA – they have indicated an interest in cases that show harm of binding arbitration.

VOTE ON MOTION: AYES: Sharrow, Kasperowicz, Pellerito, McKoan. NAYS: Kirkpatrick. ABSENT: Engel

MOTION CARRIED.

PUBLIC COMMENTS:

Norman Rhodes, 3206 South Channel, Harsens Island.

Comment on #10; my personal opinion, this is not required, businesses are licensed by the state. It is discrimination against our businesses and causes an undue burden. There has been no contact with the businesses for their input. Look hard before passing.

NEW BUSINESS:

Motion by Kirkpatrick, supported by Turner, to accept status report from Assessing; Building; Planning, Zoning & Code Enforcement; Water; Harsens Island Fire Dept.; Downriver Recreation, St. Clair County Road Commission; Algonac/Clay Library and the Police Dept. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

SEMCOG: Would anyone like to be an alternate on the committee? Motion by Kirkpatrick, supported by Pellerito, for Connie Turner to be alternate. AYES: All. Nays: None. ABSENT: Engel.

MOTION CARRIED

SEMCOG Spring Workshop: If anyone would like to go let the Clerk know.

Moved by Kirkpatrick, supported by Kasperowicz, to purchase two (2) Scott Air-Paks from West Shore Fire, Inc. for \$9162.00 plus shipping. These are not to include the eyeglass kit or the lightweight police kit. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

Motion by Kasperowicz, supported by Turner, to purchase five (5) Motorola Minitor IV receivers, three (3) for Mainland Fire Dept. and two (2) for Harsens Island Fire Dept. at a cost of \$490.00 each plus shipping. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

Board requested a list from Don DeSnyder re road maintenance for 2003. Priority not numerical, 5 asterisks, #9 Greenwood asphalt, #12 Ford drain, #16 Circuit drain, #19 Slater Seawall, #22 Mackinac ditching, #26 crack fill for various roads. \$120,000.00 in the 2003/2004 budget for Phelps Road paving. Two highlights on the map, resurfacing of Fruit Road from Nook to Cemetery and Nook Road from M-29 to Field. Have requested a 50/50 split with Algonac for Fruit and a 25% match for Nook.

Sharrow: Don recommended asphalt lift from Pointe Tremble School to beginning of Phelps, Taft Road is bad too.

Pellerito: Taft next year. Getting prices for Phelps by the school.

Sharrow: Should have prices in next two weeks. Perhaps there will be monies left so we can do some additional things. Received citizens complaint about Zens Court & M-29, like a swimming pool.

Pellerito: Think if we work with Don he may be able to pull out some MDOT monies for that corner.

Sharrow: Any asphaltting for Harsens Island?

Pellerito: Not looking good MDOT will not be working on any state roads in 2003 on Harsens Island. Will come back under Old Business with some prices if the Board concurs with Don's recommendations.

Kasperowicz: Do something about the swale that goes to Pte Tremble drain?

Pellerito: Phase I on Phelps Road was re-ditching and engineering and it is completed.

Motion by Sharrow, supported by Kasperowicz, to accept Don DeSnyder's priority list and wait for price. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

Pellerito: Traffic will increase with the paving of Phelps Road and the corner of Holland and Folkert is very dark. For \$838.76, which is calculated with 3years usage and installation, a light can be installed.

Motion by Sharrow, supported by Kasperowicz, to approve a light at Holland and Folkert Roads at a cost of \$838.76. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

Pellerito: The use of our recording machine is expanding and because it is being used as a transcriber, it has caused several service calls. Additionally, with a transcriber two could be working on minutes. The suggested Transcriber is expensive but will save the wear on the Recorder.

Motion by Pellerito, supported by Kasperowicz, to purchase a 4-channel transcriber from Dictation Sales & Service at a cost of \$759.00. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

MTA 2003 Capitol Conference April 8, 2003:

Motion by Pellerito, supported by Turner, to approve any Board Member who wants to attend. AYES: All. NAYES: None. ABSENT: Engel.

MOTION CARRIED

Ordinance for Licensing of Businesses:

Kasperowicz: Concur with citizen, think it is redundant.

Kirkpatrick: Don't see a problem with it; help Assessor get information as to where businesses are.

Sharrow: Supportive, contractors register. Whether called license or registration, a lot of illegal business work out of a residence who are not paying taxes as they should be. Fire department does not have report of any materials being used. There does not have to be a large cost. We should check with our attorney to make sure it does not disagree with anything in our ordinance. Should ask, when was your site plan or special land use approved or are you non-conforming? Do we want Dan Dalton or John McNamee to review?

Kasperowicz: Should be across the board, charitable organization, churches, etc.

Pellerito: With no charge first or second year it's not an undue burden.

Sharrow: It should be published so they know why we are doing it.

Pellerito: With no fee it levels the playing field between legit and illegitimate businesses.

McKoan: Cons?

Kirkpatrick: Have attorney review.

McKoan: Which attorney?

Kirkpatrick: Dalton is familiar with our zoning and McNamee seems overbooked.

McKoan: We have an attorney that was hired for a specific duty.

Sharrow: John will be the one to enforce it in court, should forward to McNamee.

Motion by Sharrow, supported by Turner, to send this to the attorney. AYES: All.
NAYS: None. ABSENT: Engel.

MOTION CARRIED

REPLACEMENT POLICE OFFICER: Motion by Kasperowicz, supported by Turner, to hire Officer Deborah Humphrey. AYES: All. NAYS: None. ABSENT: Engel.

MOTION CARRIED

McKoan: We have one heck of an officer with her experience and professionalism.

RESOLUTION #1, STARK DRIVE ROAD REPAIR AND MAINTENANCE SPECIAL ASSESSMENT DISTRICT. Motion by Pellerito, supported by Turner, to approve and set the hearing of intent. April 7, 2003, 7:00 p.m. AYES: All. NAYES: None.

ABSENT: Engel

MOTION CARRIED

GARBAGE CONTRACT: Contract is ending July 1st.

Clerk Pellerito: Been in contact with World Waste and Waste Management. Waste Management cannot get in the parameters as hoped; they have been a good team.

Explained our out-island situation and compost center to World Waste and told them we would present their offer to Waste Management because we are not dissatisfied with them. Closest Waste Management could come was \$7.80.

World Waste will pick up Freon products such as refrigerators, which is extra now. Homeowner has to give advance notice. Our recent survey indicated residents would like curbside recycling and composting. World Waste will provide a la carte for our residents who would like it. Talked about Tire day, the cost has gone up, World Waste proposed a program similar to our old program at \$1.25/1.50. At \$7.24 do not have enough money under the Special Assessment district, can do one of two things: Move forward with the Special Assessment District and recreate it and increase the price or the General Fund can subsidize it. World Waste is offering \$7.24 a year for 2 years, \$7.47 for years 3 and 4 and \$7.69 for year 5, no fuel surcharge built in. Waste Management has been very satisfactory but we have a job to find the best price with the best service.

Motion by Pellerito, supported by Kasperowicz, to recommend World Waste effective July 1st with a five-year contract. ROLL CALL: AYES: Kirkpatrick, Turner, Pellerito, Kasperowicz, Sharrow, McKoan. NAYES: None. ABSENT: Engel

MOTION CARRIED

McKoan: World Waste has Algonac and Ira and they are competitive with more services. It makes sense they have Clay also.

Sharrow: Doesn't sound like much difference between \$7.24 and \$7.80 but amounts to \$40,000 a year the taxpayers would have to pay. What does our special assessment district generate?

Pellerito: \$75.00 per year per residential pickup.

Sharrow: Also like the idea that for \$80.00 a season residents can have curbside grass and leaf pickup and for \$66.00 a year a container for plastic, glass etc.

Pellerito: At this rate we are one month short not inclusive of composting facilities or any other cleanup programs that are currently underway.

BOARD MEMBER COMMENTS:

McKoan: The letter received from Marta Bates will be addressed at the next meeting.

Pellerito: Met with Grady Holmes; talked about doing dispatch for Algonac, the Library Board who will be coming before this Board to ask for a budgetary increase, the Water Plant gallonage we're not getting. Looks like DEQ will mandated a 5th skid be put in at Algonac and Clay's expense. Tetratex. MPS and U. S. Filter are paying for the 4th. We have no prices yet. Supervisor, Algonac Manager and I met to discuss Russell Island parking; talked to Ken Setara at Fifth Third Bank about leasing some of their parking area to Russell Island residents.

McKoan: Spoke with President of Russell Island Association, not adverse to paying for parking, wanted Township help securing some parking.

Pellerito: Algonac, Ira and Clay, sludge tank complete and in operation. County putting out to bid next sledge haul. Skyline Construction on site, waiting for DEQ permit to arrive. Frost laws go into effect tomorrow.

DRC building; proposals on status of clubhouse to come and talked about the pool.

Most important – FEMA. It is their proposal to raise the Flood Plain 1 ½ feet. This would have a devastating impact on our community financially. Important to get out to our community that there will be a meeting April 22nd City and Township officials meet at 2:00 p.m. and the public at 7:30 p.m.

Kirkpatrick: When are the scheduled showings of this meeting on channel 6?

Pellerito: Tuesday and Thursday at 6:00 p.m., tentatively.

PUBLIC COMMENTS:

Marda Bates, 7525 Colony Drive. Thanks to Supervisor McKoan for acknowledging my letter and working towards a resolution.

Benjamin Schulke, 8141 Marsh Road. Runs a business on Marsh Road, regulating businesses through the township is a good idea. Discussed problems he has encountered with the Township.

ADJOURNMENT:

Moved by Kirkpatrick, supported by Turner, to adjourn the meeting at 8:38 p.m. AYES: All. NAYES: None. ABSENT: Engel

MOTION CARRIED.

