

Minutes of the Clay Township Board Meeting held on Monday, December 15, 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 Dr. L. Kasperowicz, Trustee Beth Engel.

ABSENT: None.

Citizens present: Twenty-five.

AMENDMENTS TO THE AGENDA: None.

APPROVE THE DECEMBER 1, 2003 MINUTES AND SYNOPSIS:

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the December 1, 2003 Board Meeting Minutes and Synopsis as submitted. AYES: All. NAYS: None. ABSENT: None.

BILLS PAYABLE:

Moved by Turner, supported by Engel, to approve the Bills Payable in the amount of \$115,418.35.

Discussion: Trustee Dr. Kasperowicz request to review Attorney Dalton's bill.

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

MOTION CARRIED.

PETITIONS: None.

COMMUNICATIONS:

MTA St. Clair County Chapter Dinner Meeting on 1-08-04, if attending call Ms. Turner.
Notice to Township citizens re: Christmas and New Year's Holiday Office Closed.
St. Clair County Discount Prescription Drug Program for citizens 19-59 years old.

OLD BUSINESS:

Contract Update for Command and Front Office negotiations.

Attorney Review: Supervisor McKoan IV explained the situation re: Attorney McNamee and Attorney Dan Dalton; suggest everything stay status quo: Attorney Dalton handle the zoning and Attorney McNamee continue handling the other issues i.e. litigation prosecution, etc. until a time the Board can decide the attorney outcome for the Township.

Board discussion followed concerning legal costs soaring, need to save money for the community, State Revenue Cost cuts, request for a proposal, timeliness on legal cases, etc.

Trustee Dr. Kasperowicz: Supporting staying with Attorney McNamee.

Trustee Sharrow: Importance is save money for the community, legal costs very high, confused issue, stated comparisons between the two attorneys and costs for legal services, only answer to our legal bills is go back to one attorney John McNamee. Legal cases have been moving along rapidly, legal fees are high, not unusual for the 1st year.

Township does not always need legal opinions, can obtain answers through other means.

Moved by Sharrow, supported by Dr. Kasperowicz, to appoint John McNamee as the Township Attorney in it's entirety and all cases and files be transferred to him unless he feels it would be dangerous for the Township to do so and he will give us that advise.

Discussion:

Supervisor McKoan IV: Like to see the Attorneys and Board comes to an agreement re: cases to be cost effective.

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VOTE ON THE MOTION: AYES: Sharrow, Turner, Pellerito, Engel, Dr. Kasperowicz, McKoan IV. NAYS: Kirkpatrick. ABSENT: None.

MOTION CARRIED.

Moved by Dr. Kasperowicz, supported by Turner, **MOTION CARRIED**, to approve the Supervisor's recommendation to reappoint Chuck Michel to serve on the Planning Commission and as the Planning Commission representative to the Zoning Board of Appeals for a 3-year term expiring 11-15-2006. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the Supervisor's recommendation to reappoint Dorothy DeBoyer to serve on the Planning Commission for a 3-year term expiring 11-15-2006. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, to approve the recommendation from Supervisor Joseph McKoan IV to appoint Michael Watson as the new appointment to the Planning Commission for a 3-year term expiring on 11-15-2006.

Discussion:

Trustee Sharrow: Against an appointment when a person wants to stay on.

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

MOTION CARRIED.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the recommendation from Supervisor Joseph McKoan IV to reappoint Mark Getman to serve on the Planning Commission for the term expiring on 11-15-2004. AYES: Sharrow, Kirkpatrick Engel, Dr. Kasperowicz, Pellerito, McKoan IV. NAYS: Turner. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to approve the purchase as requested from the Building Department for a Xerox Copier/Printer for the cost of \$1,474. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the quote for the new building renovation costs for a screen and camera in the amount of \$3,411.15 as quoted from Data Image Systems. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the final payment for the new building addition in the amount of \$4,654.34. AYES: All. NAYS: None. ABSENT: None.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Patrol Officer Deborah Humphrey presented to the Board an update concerning the NEW REVISED D.A.R.E. PROGRAM, certified in teaching D.A.R.E. to the middle school and high school levels, purpose of the program is to inspire and motivate students to acquire good decision making skills regarding drugs; fund raisers help defer the costs of the workbooks and other costs, look forward to working with the middle school and high school students, thank you for your support.

Moved by Kirkpatrick, supported by Dr. Kasperowicz, **MOTION CARRIED**, to refund \$500.00 to Mr. and Mrs. Eric Stanczak for Re-Zoning 123-4, 222 Williams that was denied by the Planning Commission. AYES: Kirkpatrick, Turner, Pellerito, Engel, Dr. Kasperowicz, McKoan IV. NAYS: Sharrow. ABSENT: None.

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Moved by Dr. Kasperowicz, supported by Kirkpatrick, **MOTION CARRIED**, to accept the engineering proposal from Project Control Engineering, Inc. to provide engineering services Site Engineering Review – Wendy's Restaurant. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to accept and file the Department Reports for Assessing, Building, Planning, Zoning & Code Enforcement and County Road Commission Minutes. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the cost from SBC proposal to install a CISCO firewall for the Township Office computer system for \$1,902.77 and the SBC T-1 Integrated Access Service Agreement in the amount of \$594.00, total cost to install is \$2,496.77. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the sum of \$3,000 to construct the sidewalk on the north side from Clay Township/Algonac border to the DDA District boundary, approximately 811 feet. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Engel, **MOTION CARRIED**, to have the Treasurer draft a letter to Jorgensen Ford Dealership, Detroit for the purchase of two 2004 Ford Crown Victoria vehicles for the Clay Township Police Department at a cost of each vehicle to be approximately \$21,000.00. AYES: All. NAYS: None. ABSENT: None.

Clerk Michael Pellerito update of the World Waste Services, Inc. situation re: United States Bankruptcy Court: Auction December 17th Sale of Assets of the Estate will take place; Great Lakes Waste will be available if needed; will keep the Board informed what is the latest development, garbage will not be piling up.

Motion by Sharrow, supported by Pellerito, **MOTION CARRIED**, to approve any Board Members who want to attend the Annual MTA Educational Conference from January 27-30, 2004 to contact Connie Turner. AYES: All. NAYS: None. ABSENT: None.

Motion by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to approve Clay Township Mainland Fire Department FEMA grant requests to purchase one ISI Surveyor thermal imaging camera at a cost of \$12,000.00 from Douglass Safety Systems and three (3) Akron turbo jet nozzles at a cost of \$9,920.00 from Apollo Fire Equipment. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to approve Clay Township Mainland Fire Department FEMA grant requests to purchase 12 structural fire fighting Helmets for a total cost of \$1,920.00 and 12 pairs of fire fighting boots for a total cost of \$2,640.00 from Apollo Fire Equipment. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve Clay Township Mainland Fire Department FEMA grant requests to purchase 23 structural fire fighting hoods for a total cost of \$506.00 and 23 pairs of structural fire fighting gloves for a total cost of \$805.00 from Apollo Fire Equipment. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Kirkpatrick, **MOTION CARRIED**, to adopt the Resolution the Township of Clay desires to make public improvements, operate & maintain water & sewer lines along and upon the right-of-way of certain highways in the Township of Clay. Township of Clay shall hold harmless and indemnify the County of St. Clair and Board of County Road Commissioners against all liability which arises or might arise either during operation or maintenance of the water & sewer lines along St. Clair County Highway. R/C VOTE: AYES: Sharrow, Kirkpatrick, Turner, Pellerito, Engel, Dr. Kasperowicz, McKoan IV. NAYS: None. ABSENT: None.

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BOARD MEMBER COMMENTS:

Trustee Sharrow: Happy Holidays to everyone here.

Trustee Dr. Kasperowicz: Questioned fire hydrant on Zobl Court.

Fire Chief Rick Edler: Water Department maintains the hydrants.

PUBLIC COMMENTS:

Rocco Prinzivalli, Sr., 9938 N. River Road: Questioned Attorney bills in excess. Why doesn't the Township follow procedure, why go directly to Circuit Court? Business sign grandfathered, unnecessary cost to have Attorney send letters, Township needs to comply with their own rules.

Supervisor Joseph McKoan IV: Rely on our Department heads.

Rocco Prinzivalli: Drainage complaints about neighbor does not have a permit to strip the land, complaint against the Zoning Enforcement Officer, DDA sidewalk comments.

Arlene Cranston, 3812 Pte. Tremble: Court Bryson where is case at, ordinance not followed four years ago, what stage is the case at, delayed by Attorney Dalton, why.

ADJOURNMENT:

Moved by Kirkpatrick, supported Sharrow, **MOTION CARRIED**, to adjourn at 9:09 p.m. AYES: All. NAY: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk