

Minutes of the Clay Township Board Meeting held on Tuesday, July 6, 2004 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 twenty-five (25).

AMENDMENTS TO THE AGENDA:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to amend the Agenda under New Business, #12. Downriver Recreation Commission request for 1st installment of the annual contribution to the DRC. AYES: All. NAYS: None.

ABSENT: None.

APPROVAL OF THE MINUTES, SYNOPSIS, PUBLIC HEARING MINS. & SPECIAL BOARD MEETING MINUTES:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the June 21, 2004 Minutes and Synopsis as presented. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the June 21, 2004 Public Hearing Minutes/Fiscal Year Budget and the June 30, 2004 Special Board Minutes/Official Salaries as submitted. AYES: All. NAYS: None. ABSENT: None.

BILLS PAYABLE:

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to approve the Bills Payable in the amount of \$127,146.37. AYES: All. NAYS: None. ABSENT: None.

PETITIONS: None.

COMMUNICATIONS:

Mainland Fire Department received \$3,443.00 from Michigan Department of Natural Resources Volunteer fire assistance grant program for fire fighting gear in 2003.

OLD BUSINESS:

Clerk Pellerito: Board has a copy of the Police Chief's draft contract, review the draft, Chief in the process of reviewing, will bring back to the next meeting.

Clerk Pellerito explained the State of Michigan Court of Appeals Herman Montville case, up to the Board now to pursue this case further or put this to rest.
Board member comments.

Motion by Trustee Dr. Kasperowicz, supported by Engel, **MOTION CARRIED**, to instruct the Township Attorney John McNamee to proceed to the Supreme Court of Appeals with the Township of Clay/Herman Montville Case.

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

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to instruct the Township Clerk to advertise in the local newspaper and a paper within Macomb County/Wayne County area to sell the Harsens Island Fire Department 1979 Fire Truck for a sealed bid and the right to reject any and all bids. AYES: All. NAYS: None. ABSENT: None.

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

Rick Baker, 8645 Starville Road: Explain under New Business, Item 5, Propane Tank Disposal and #11 Unlawful structure.

Clerk Michael Pellerito: Surplus of propane tanks, way to dispose of, eliminate illegally disposing of them.

Dickinson Island structure found a residential house constructed w/o permits.

Mr. Baker questioned if this is deeded property or leased from the State.

Township has authority vested to monitor and regulate all building of residential/commercial within the Township.

NEW BUSINESS:

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to establish the Special Meeting for holding a Public Hearing on the “Truth and Taxation” of the 2004-2005 Special Assessment Levy with NO INCREASE FROM THE 2003 LEVY for the Police Department, Mainland Fire Department, Harsen’s Island Fire Department and Russell Island Fire Protection on Monday, the 2nd day of August, 2004 at 7:00 p.m. in the Clay Township Board Room, 4710 Pte. Tremble Road, Clay Township, MI. AYES: All. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Dr. Kasperowicz to refund up to \$700.00 to Dawn Schulke per a letter from Attorney B. Anthony Jocus, Esq. Stating the engineering plans were not necessary.

Discussion:

Trustee Sharrow: Attorney was not necessary, Consent Judgment in Circuit Court required a site plan, reason as to why should be able to get their money back.

Dawn Schulke: Passed out documentation indicating what was paid 7-7-03.

Trustee Sharrow: Concern was what is being refunded?

Supervisor McKoan IV: Conflicting document what is the exact amount.

Trustee Sharrow: Receipts from the Eng. drawings and the Township.

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

MOTION CARRIED.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to allow the Assessor Barbara Schutt to attend the MAA Continuing Education class on the Equalizer by BS & A for the cost of \$150.00 plus Noon meals and cost of gas to the class in Gaylord, October 13th through October 15th. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to allow the Assistant Assessor Robin Martin to attend the MAA Continuing Education class called HP-12C for the cost of \$225.00, plus Noon meals and the cost of gas to the class in Novi, September 8th through September 10th. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to amend the 2004-05 Budget for the General Fund as follows:

EXPENSES:	<u>FROM</u>	<u>TO</u>	<u>DIFFERENCE</u>
101-700-703-00	\$40,000.00	\$50,000.00	\$10,000.00
101-700-704-00	52,530.00	63,500.00	10,970.00
101-700-705-00	50,470.00	54,000.00	3,530.00

REVENUES:	<u>FROM</u>	<u>TO</u>	<u>DIFFERENCE</u>
101-400-401-00	\$455,372.00	\$479,872.00	\$24,500.00

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

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Moved by Kirkpatrick, supported by Sharrow, **MOTION CARRIED**, to proceed with the disposal of propane tanks through the proposal from Ferrellgas. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to pay the sum of \$40,079.00 for the Michigan Municipal League Workers' Annual Workers' Compensation P Fund to be paid in quarterly payments. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to approve Lot Split 04-04 for the Vacant Lot on Zobl Court, Parcel #74-14-496-0005-000. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to allow Mainland Fire Fighter David Decaussin #57 attend the Firefighter I Course for the cost of \$450.00 and Fire Fighter David Smith #58 attend the Firefighter II course for the cost of \$450.00 starting on September 16, 2004 thru November 11, 2004. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Kirkpatrick, **MOTION CARRIED**, to approve the sum of \$2,400.00 for the double seal coat on the gravel part of Cottage Lane, Harsens Island. AYES: All. NAYS: None. ABSENT: None.

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to receive and file the Algonac-Clay Library June 2004 Board Report. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to allow the Building Inspector to authorize the Township Attorney to apply to a court of equity to abate the nuisance created by the unlawful construction of the structure at 6616 Dickinson Island. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Kirkpatrick, **MOTION CARRIED**, to make the first installment of the annual contribution in the amount of \$14,000.00 to the Downriver Recreation Commission's 2004-2005 Budget. AYES: All. NAYS: None. ABSENT: None.

BOARD MEMBER COMMENTS:

Trustee Cindy Kirkpatrick: Commend the Police and Fire Departments on the good job they did during the past Holiday.

Supervisor Joseph H. McKoan IV: Reiterate the working well together of the two different Police Departments, nice to have the harmony between the two municipalities.

Clerk Michael P. Pellerito: Read a statement to the Board and the public concerning his raise as an elected official and circumstances involving his family, continue to work for this community, etc.

PUBLIC COMMENTS:

Rocco Prinzivalli, 9938 North River Road: Comments concerning elected official's raise, Trustee Dr. Kasperowicz motion to increase salary, Trustee Kirkpatrick's remarks during Special Meeting, etc.

Frank Gitre, 7269 Flamingo: Voiced strong objection to the 25% raise for Clerk.

Clerk Pellerito: Township Board's accomplishments over the last four years.

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Supervisor Joseph McKoan IV: Pay scale for elected officials has been low for a long time, respect your opinion.

Mario Lavinio, 1302 South Channel, Harsens Island: Pay raises are necessary to keep the talent and bring in competition, am for a pay raise.

Rick Baker, 8645 Starville Road: Questioned the \$10,000 amount for a raise.

Trustee Dr. Kasperowicz: Justified reasons raise was necessary.

Rick Baker: Saved for a park for the community instead of giving the raises.

Al Yax, Taft Road: Defended the raise by stating will get more back in potential grant money, good investment for the Twp., approve the raises.

Franklin Schoonover, Harsens Island: Raises long overdue need talented, devoted and good elected officials to run this multi-million dollar corporation.

Ron Mink, Krispin Road, Dickinson Island family: Concerned about Krispin Road dumpster, who will get the road?

Clerk Pellerito: DNR gets 1st shot, Twp. would continue to maintain the dumpsters and the easement.

Tom Krueger, Cottage Lane: Remarks re: Harsen's Island Waterline project, referred to Mill Street Bike Trail grant and State Park to Algonac Grant while in Office; statement made by Trustee Pat Sharrow concerning incidents during tenure as Supervisor.

Trustee Sharrow: Do not think the Board meeting is the proper place to have a meet the candidate night, if going to have a meet the candidate all candidates should be present, admitted did not back you up as a Supervisor.

Richard Baker, Stone Road: Dissatisfied with the new wages for the elected officials, citizens are stockholders, corporation and should be handled like one, want more say so, no public park in the community, like to see this happen, Colony Tower was renovated, but no park.

Arnold Mikolowski, 5472 Middle Channel Drive: Soil Erosion remarks, citation received from the County, pictures of property circulated to the Board, homeowners are not allowed to take care of their property without a permit, this is uncalled for, will go to Court with this, soil erosion issue is out of hand, needs to be stopped, not only my problem, it is the whole community.

Request in the next two weeks, the Board report back on the following:

- Comment from the Board members what you propose and what should be done to correct this issue.
- Letter from the County Commissioners stating what they have done and what they propose.
- Letter from Rep. Hager's Office.
- Update from Senator Gilbert's office what he has done so far.

John Horvath, Golf Course Road: Raises deserved, think should have been 3% over 10 years, not 25%, think more thought should go into how you appropriate your raises. Comments as to a piece of political ad that went out.

Al Kodet, 8945 Marsh Road: Comments in support of the elected official's raises.

Robert L. Merriman III, 8339 Colony Drive, President of the Colony Park Association Board: Expressed gratitude and thanks to the Township Board from the Board and C.P.A. members on the fine job done on the Colony Tower, in particular Michael Pellerito for his hard work; in the future the C.P.A. as a token of our "thanks" would like to hold a Restoration dedication ceremony sometime in August.

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Paul Bridgman, 7985 Colony Drive: Comments re: salaries, personnel, two-story boathouses being built on the Colony.

Arnold Mikolowski: Township Board doing a fine job, good wages bring quality people, fulltime Supervisor, do not want to see a general manager at the Township.

John Horvath: Soil Erosion Department is just looking for the bucks, out of control, need to stop this.

ADJOURNMENT:

Moved by Kirkpatrick, supported by Turner, **MOTION CARRIED**, to adjourn the meeting at 9:10 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk