

Minutes of the Clay Township Board Meeting held on Monday, October 4, 2004 at 7:30 p.m. in the Clay Township Meeting Hall, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Pat Sharrow, Trustee Cindy Kirkpatrick, Trustee Dr. L. Kasperowicz, Trustee Beth Engel.

ABSENT: Supervisor Joseph H. McKoan IV (excused), Trustee Cindy Kirkpatrick (excused).

Citizens Present: Twenty.

Motion by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to appoint Clerk Pellerito to Chair the meeting in the Supervisor's absence. **AYES:** All. **NAYS:** None. **ABSENT:** McKoan IV, Kirkpatrick.

AMENDMENTS TO THE AGENDA:

Moved by Turner, supported by Dr. Kasperowicz, **MOTION CARRIED**, to amend the Agenda under New Business, Item #11. Russell Island Raffle. **AYES:** All. **NAYS:** None. **ABSENT:** McKoan IV, Kirkpatrick.

APPROVAL OF THE 09-20-04 MINS. & SYNOPSIS, SPECIAL MEETING MINS. & PUBLIC HEARING MINUTES OF 09-21-04 & 09-28-04:

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the September 20, 2004 Minutes and Synopsis as submitted. **AYES:** All. **NAYS:** None. **ABSENT:** McKoan IV, Kirkpatrick.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the September 21, 2004 Public Hearing Minutes and the Special Minutes on the Harsens Island Waterline District #7E and #7F. **AYES:** All. **NAYS:** None. **ABSENT:** McKoan IV, Kirkpatrick.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve the September 28, 2004 Special Meeting Minutes as submitted. **AYES:** All. **NAYS:** None. **ABSENT:** McKoan IV, Kirkpatrick.

BILLS PAYABLE:

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to approve the Bills Payable in the amount of \$19,621.82.

AYES: All. **NAYS:** None. **ABSENT:** McKoan IV & Kirkpatrick.

PETITIONS: None.

COMMUNICATIONS:

Notice to the Qualified Electors of the Township of Clay: General Election, November 2, 2004, absent ballots available in the Township Clerk's office. Clerk's office will be open, Saturday, October 30th, 9:00 a.m. to 2:00 p.m.

9/26/04 Letter from Sergeant-Reserve Coordinator Joe Doan to the Twp. Board thank you for the salary/wage increase for the Reserve Police Officers.

09/22/04 Ltr. from DDA Chair Wagner to MDOT Manager Larry Young re: traffic signal at the Ainswort/M-29 intersection.

Clay ML Fire Department Open House – 10-10-04, 10:00 a.m. to 4:00 p.m.

9/30/04 Letter from ML Fire Chief Rick Edler: Grant application sent to the Department of Homeland Security, request for Fire Prevention equipment.

CLAY TOWNSHIP BOARD MEETING – OCTOBER 4, 2004

Page 2

Thank you card from 2670 N. Channel to the Harsens Island Fire Rescue assistance.

OLD BUSINESS:

Contract negotiation update: All contract settled, revisited Building Official Michael Kras, present to Board next Board Meeting.

Moved by Sharrow, supported by Engel, **MOTION CARRIED**, to amend the Reserve Salaries in the Police Budget as follows:

Expenses: Reserve Salaries1 207-700-708-00

\$17,000.00 CHANGE TO \$23,440.00 DIFF. \$6,440.00

Revenues: Fund Balance 207-400-401-00

\$ 111,431.00 CHANGE TO \$117,871.00 DIFF. \$6,440.00

VOTE ON THE MOTION: AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick.

MOTION CARRIED.

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

NEW BUSINESS:

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to adopt Resolution No. 1 Road Repair and Maintenance for Dandron Highway Private Road, Harsens Island Special Assessment District and hold a special meeting on October 18, 2004 at 7:15 p.m. prior to the regular Township Board Meeting for the purpose to hear objections to the petitions, to the public improvements and to the Special Assessment District.

R/C VOTE: AYES: Sharrow, Turner, Engel, Dr. Kasperowicz, Pellerito, McKoan IV.

NAYS: None. ABSENT: McKoan IV, Kirkpatrick.

MOTION CARRIED.

Moved by Sharrow, supported by Dr. Kasperowicz, **MOTION CARRIED**, to approve the Rezoning Amendment No. 123-10 to the Township Ordinance No. 123 to correct an error for properties within the corporate limits of the Township of Clay from C-2 – Small Business District to I-1 Industrial District, 6060 & 6052 Pte. Tremble Road as described:

LAND:

PARCEL 74-14-262-0001-000 BEING LOTS 1, 2, 3 & WEST 10 FEET OF LOT 4 BLK 1 FORDS FIRST ADDITION TO PEARL BEACH PC'S 311 AND 198.

AND 74-14-262-0002-000 BEING LOT 5 AND THE EAST 20' FEET OF LOT 4 BLK 1 FORDS FIRST ADDITION TO PEARL BEACH PC'S 311 AND 198.

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

MOTION CARRIED.

Moved by Turner, supported by Sharrow, **MOTIN CARRIED**, to receive and file the Department Reports for the Waste Water Treatment Plant Monthly Operation and Maintenance, St. Clair County Road Commission Meeting Minutes and DRC Reports. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick.

Trustee Dr. L. Kasperowicz left the meeting at 7:45 p.m.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to accept the lowest bid of \$975.00 from J & M Asphalt to do the driveway apron replacement at 3288 South Channel Drive, Harsens Island. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

CLAY TOWNSHIP BOARD MEETING – OCTOBER 4, 2004

Page 3

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to set the Halloween “Trick or Treating” hours in Clay Township from 5:00 p.m. to 7:00 p.m. on Sunday, October 31, 2004. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Moved by Turner, supported by Engel, **MOTION CARRIED**, to approve the Annual Membership Dues for 2004 with the Southeast Michigan Council of Governments in the amount of \$1,310.00. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to approve the members of the Township Board of Trustees, Planning Commission and Zoning Board of Appeals are allowed to attend the 2004 Fall Workshop sponsored by St. Clair County Metropolitan Planning Commission on Thursday, October 28, 2004. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Discussion of vacating fire lane between Peters Road and Lee Street:

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to leave the property between Peters Road and Lee Street as is. AYES: Sharrow, Engel, Pellerito. NAYS: Turner. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Derald Norman, 9790 Lee Street comments: Dead property laid 33 years, see no value to the Township, deeded easement long time ago, did not give property to Township, therefore only one has 15’ to Twp. Ditch in the 33’ couldn’t be used for fire lane. Interested in purchasing for extra footage for lot split, need 150’ or 300’ to split.

Moved by Engel, supported by Sharrow, **MOTION CARRIED**, to approve the purchase of three (3) Dell Computers for the Treasurer’s Office for the cost of \$499.00 each. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick.

Moved by Engel, supported by Turner, **MOTION CARRIED**, to approve the purchase of a HP Laser Jet Printer 1300 for the cost of \$599.00. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to approve the Training request from ML Fire Chief for Trainee Denise Marinkoske to attend The Medical First Responder class starting on 10-04-04 at a cost of \$230.00. AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to adopt the Resolution for Charitable Gaming Licenses for Russell Island Property Owners Association of Clay Township, County of St. Clair requesting they be recognized as a nonprofit organization operating in the community for the purpose of obtaining a charitable gaming license. R/C VOTE: AYES: Sharrow, Engel, Turner, Pellerito. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

BOARD MEMBER COMMENTS: None.

PUBLIC COMMENTS:

Gary Patrias, 9215 Peters Road, Incident of September 25th, daughter tried to contact Police re: attempted abduction, no response, called Detective Rummel, nothing had been done, real problem here, starts at the top held accountable, very angry with the Police Department how the incident was handled, want a response back.

Deputy Chief Drake: Responses to the gentleman’s comments, incident is definitely being looked into, will sit down and discuss after the meeting.

CLAY TOWNSHIP BOARD MEETING – OCTOBER 4, 2004

Page 4

Clerk Michael Pellerito: Case will be deferred to a Police investigation.

Diann Pellerito, 7279 Dyke Road: Questioned who were the responsible parties in the distribution of the fliers, read Deputy Clerk's statement, questioned who is not telling the truth, legality of the flier, believe they are above the law; believe in free speech, right to disagree, disruptive citizens out of order and rude; comments have been made as to the conference room used by the MS support group, members are citizens and tax payers in this community.

Rich Baker, 9212 Stone Road: Resident over 60 years, never seen as much trouble as this Board, investigation done on the whole Board not just the one incident, thank you for your retirement for my son, still my community and believe in the truth.

ADJOURNMENT

Moved by Turner, supported by Sharrow, **MOTION CARRIED**, to adjourn at 8:17 p.m.
AYES: All. NAYS: None. ABSENT: McKoan IV, Kirkpatrick, Dr. Kasperowicz.

Michael P. Pellerito
Clay Township Clerk