

Minutes of the Clay Township Board Meeting held on Monday, December 6, 2004 at 7:30 P.M. in the Clay Township Meeting Hall, 4710 Pte. Tremble Road, Clay Township, Michigan 48001.

PRESENT: Supervisor Jon E. Manos, Clerk Michael Pellerito, Treasurer Connie S. Turner, Trustee Pat Sharrow, Trustee John Makuch, Trustee Jay DeBoyer, Trustee David Dare.
ABSENT: None.

Citizens present: Approximately twenty-five (25) people.

AMENDMENTS TO THE AGENDA: None.

MINUTES AND SYNOPSIS – NOVEMBER 15, 2004

Moved by Sharrow, supported by Turner to approve the November 15, 2004 Clay Township Board Meeting Minutes and synopsis with a correction on page 3, 5th paragraph down, vote on the motion in the 5th paragraph should be removed, 7th paragraph vote on the motion is correct.

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

BILLS PAYABLE

Moved by Turner, supported by Makuch to approve the Bills Payable in the amount of \$34,984.88.

Discussion: Trustee Sharrow questioned Lustre-Cal and Goretski Excavating, Inc. bills.
Clerk Pellerito: Clarified these bills.

R/C VOTE ON THE BILLS PAYABLE: AYES: Sharrow, Makuch, Turner, DeBoyer, Dare, Pellerito, Manos. NAYS: None. ABSENT: None.

PETITIONS: None.

COMMUNICATIONS:

11-29-04 Fred Fuller, Drain Commissioner, Notice to Landowners: Maintenance work on the Dana County Drain in Clay and City of Algonac.

11-07-04 Millside Elementary Principal Martha Szymanski thank you to Police Chief Eder for the excellent job done by the Police Officers at the time of the school break-in on October 25.

Ltr. to Chief Eder from John & Debbie Dalton for the support and concern regarding the speed limit problem on North Channel Drive.

Ltr. to Fire Chief Edler from the Jeczen Family thank you for the excellent support from your department when Leo fell from the ladder on Anchor Bay Drive.

Holiday Notices of Office closing for the Christmas and New Year's Holidays.

11-29-04 Emerald Ash Borer – Free Informational Sessions and handout or a display through the St. Clair County, MSU Extension Office.

Supervisor Jon Manos' Communications:

Com Cast rates will be increasing from basic cost of \$34.00 to \$37.00, 2.76% increase.
Fred Fuller, Drain Commissioner memo re: Upcoming Work Estimate for Brush Control Program for the Cartwright Drain.

Communication from the State in regard to payments in lieu of taxes paid by the DNR on State property, "Swamp tax", freezing the "in lieu of taxes", State owns or controls 50-60% of Clay Township property, provide services by our Police/Fire, important to not let there be any more cuts.

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OLD BUSINESS:

Contract negotiation update of Building Inspector Administrator Michael Kras' contract. Clerk Pellerito: Nothing to report at this time, will be discussing with him the 3% increase proposal and bring it back at the next meeting.

Moved by Sharrow, supported by Makuch to approve the sum of \$3,000 for the traffic engineering company of Goodell-Grivas, Inc. to conduct a Traffic Study for a signal at the Intersection of M-29 and Ainsworth Road and possible additional charges if the traffic study shows optimism; will probably have to meet in Lansing with MDOT.

Discussion:

Trustee Sharrow: Serious accidents at intersection, letters have been written to MDOT with no results, traffic study conducted and a light was approved at the shopping center, DDA has been working hard at it, advantages if there were a traffic light.

Trustee Makuch: Completion of the study will know the success and if there will be meetings with MDOT.

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

MOTION CARRIED.

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

NEW BUSINESS:

Assessing Department request to buy a printer: Lengthy discussion.

Clerk Pellerito eight (8) printers, two network printers are for the Assessing Dept., not crucial a printer is bought.

Trustee Makuch: Inquiry as to how is equipment budgeted, something we can do to help them get the job done and consider it as a line item for next year.

Clerk Pellerito: Agree 2-3 should be replaced annually, six months left of this budget and bring it back in May 2005.

NO ACTION ON THE REQUEST TO PURCHASE A PRINTER.

Bond refund request for 6348 High Road, bond is expired, six years old.

Board discussion:

Trustee Sharrow: Bonds were refunded to homeowner, never to a builder/business, would be setting a precedent.

Look at establishing a policy.

Bond time is two-years.

Trustee DeBoyer: Reason house was not finished?

Building Official M. Kras: Explained the situation regarding the home and why it has been several years.

Motion by Sharrow, supported by Turner, **MOTION CARRIED**, to DENY the request from Mary Agnes and Wesley Y. Simons, Sr. for the refund of bond from permit #PB98-0054 for the house built at 6348 High Road. AYES: Sharrow, Turner, Makuch, Manos. NAYS: Dare, DeBoyer, Pellerito.

Motion by Turner, supported by Makuch, **MOTION CARRIED**, to approve Lot Split 04-08, 8408 Starville Road, owned by Anton and Lydia Bucher.

R/C VOTE: AYES: Sharrow, Makuch, Turner, DeBoyer, Dare, Pellerito, Manos. NAYS: None. ABSENT: None.

Motion by Sharrow, supported by Makuch, **MOTION CARRIED**, to approve Lot Split 04-10, 200 Beauregard, Harsens Island owned by Scott Smith.

R/C VOTE: AYES: Sharrow, Makuch, Turner DeBoyer, Dare, Pellerito, Manos. NAYS: None. ABSENT: None.

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Motion by Makuch, supported by Turner, **MOTION CARRIED**, to approve Lot split 04-11, 1753 Mill Street, owned by James Schudlich.

R/C VOTE: AYES: Sharrow, Makuch, Turner, DeBoyer, Dare, Pellerito, Manos.

NAYS: None. ABSENT: None.

Motion by Pellerito, supported by Sharrow, **MOTION CARRIED**, to approve the St. Clair County Road Commission Agreement work order for Swartout Road between Marsh and McKinley to remove the existing structure at the Swartout crossing of Swartout Drain approximately 2,750 feet west of Marsh Road at a cost of \$15,000.

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

Motion by Pellerito, supported by Sharrow, **MOTION CARRIED**, to approve the St. Clair County Road Commission Agreement for the work order to Swartout Road replacing the 6-ton bridge with two (2) corrugated steel pipe arch culverts at a cost of \$25,000.

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

Motion by Pellerito, supported by Makuch, **MOTION CARRIED**, to allow any of the Clay Township Planning Commissioners to attend the Citizen Planner Program sessions through the Michigan State University Extension held in St. Clair County February 3 through March 17, 2005 for a cost of \$175.00 for four (4) or more registrants from the same municipality or \$50.00 per session.

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

Motion by Makuch, supported by DeBoyer, **MOTION CARRIED**, to reappoint Trustee Pat Sharrow to be the Board Representative for the Planning Commission to November 15, 2005.

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

Motion by Pellerito, supported by Turner, **MOTION CARRIED**, to appoint Trustee John Makuch to serve on the Zoning Board of Appeals as the Board Representative to November 15, 2005.

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

Motion by Sharrow, supported by DeBoyer, **MOTION CARRIED**, to appoint Treasurer Connie Turner to serve on the Downriver Recreation Commission for one year to November 15, 2005.

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

Motion by Turner, supported by Makuch, **MOTION CARRIED**, to reappoint Richard Wagner, Jr. to serve on the Downtown Development Authority for a four (4) year term to December 31, 2008.

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

DDA Member Chuck Michel's term will end 12-31-2004, per Supervisor Jon Manos will leave this position open at this time.

Motion by Turner, supported by Sharrow, **MOTION CARRIED**, to reappoint Diann Pellerito to serve on the Algonac-Clay Library Board for 5-years, term to expire on December 12-31-2009.

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

Building Authority – Open term ends 12-31-04.

Motion by Pellerito, supported by Turner, **MOTION CARRIED**, to reappoint the following to the Construction Board of Appeals for a two-year term ending 11-15-06:

Joseph Stephenson

Thomas Perkowski

Alternates:

John Monte

Gary White

Jim Stiltner

New appointment is John E. Cornish to the C.B.A. for a two-year term.

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

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Harsens Island Transportation Authority – Supervisor Jon Manos resigned, committee member cannot serve on the Board if a Township Supervisor. Position will remain open for now.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to re-appoint Jim Miller, Mary Kot and Georgia Williams to the Board of Review for a two-year term expiring 12-31-2006. AYES: All. NAYS: None. ABSENT: None.

Supervisor Jon Manos recommended Trustee John Makuch and Trustee David Dare to serve on the Harsens Island and Mainland Fire Department Liaison Committee in place of Treasurer Turner and former Trustee Beth Engel.
No motion is needed for these appointments.

Motion by Sharrow, supported by Turner, **MOTION CARRIED**, to authorize the Elected Officials to attend the 52nd Annual MTA Educational Conference & Trade Exposition on January 25-28, 2005 include registration fee, transportation, hotel and meals be approved. AYES: All. NAYS: None. ABSENT: None.

Motion by Makuch, supported by Dare, **MOTION CARRIED**, to accept the new Winter hours of 10:00 a.m. to 4:00 p.m., Saturday and Sunday only for the recycling yard located at 9625 Ainsworth Road, Cay Township, hours of operation are set from December 4, 2004 through April 15, 2005. AYES: All. NAYS: None. ABSENT: None.

Clerk Michael Pellerito update re: St. Clair County Central Dispatch Authority – County is moving forward with Central Dispatch, Clay Township will continue to maintain our own dispatch system, an additional surcharge will be used for the backbone of the megahertz system, resolution setting the collection of an additional surcharge will be adopted by St. Clair County Commissioners at a later meeting,

Moved by Turner, supported by Makuch, **MOTION CARRIED**, to appoint Clerk Michael Pellerito as the Township's Representative to the Central Dispatch Advisory Board. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Dare, **MOTION CARRIED**, to designate Clerk Michael Pellerito to serve on the Algonac/Clay Community Fund Board. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by DeBoyer, **MOTION CARRIED**, to grant approval to the Mainland Fire Department to purchase a fireboat from Sea Ark Marine, Inc. for \$163,914 and a Mercury motor from Mercury direct for up to \$18,000.
R/C VOTE: AYES: Sharrow, Makuch, Turner, DeBoyer, Dare, Pellerito, Manos. NAYS: None. ABSENT: None.

Moved by Pellerito, supported by Turner, **MOTION CARRIED**, to allow Police Chief Thomas Eder to attend the Tactical Encounters for Patrol Officers training sessions sponsored by the Michigan Municipal Risk Management Authority to be given Monday, May 2 through Wednesday, May 4, 2005 at Camp Grayling, Michigan for \$130.00 plus millage. AYES: All. NAYS: None. ABSENT: None.

Moved by Sharrow, supported by Turner, **MOTION CARRIED**, to allow Algonac Fire Department Goodfellows Organization permission to sell the annual Goodfellow papers within the confines of Clay Township on Saturday, December 11th and Sunday, December 12th, 2004. AYES: All. NAYS: None. ABSENT: None.

Moved by Turner, supported by Makuch, **MOTION CARRIED**, to receive and file the Mainland Fire Department Reports for August, September and October, 2004. AYES: All. NAYS: None. ABSENT: None.

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BOARD MEMBER COMMENTS:

Treasurer Connie Turner: St. Clair County Chapter of MTA will be holding their annual business/dinner meeting on January 6th, 2005, if interested in attending, please let Connie know.

Clerk Michael P. Pellerito: Orientation for newly elected officials at the St. Clair County Road Commission is scheduled for Thursday, December 16, 2004 at 9:00 a.m., excellent opportunity to see how local government interfaces with the Road Commission.

Clerk Pellerito: Restate the policy for expenditures: allowed Department heads an emergency expenditures of up to \$200 for our Fire Departments and a \$1,000 for our Police Chief and DPW since the Board meets only twice a month. If there is an emergency expenditure, either Connie, Jon or myself are made aware.

Contractual payments i.e. B/C, bonds, etc. are considered routine contractual payments.

PUBLIC COMMENTS:

Paul Bridgman, 7985 Colony Drive: Disappointed in some of the appointments made this evening to Boards; ten buildings built on Colony Drive, approved by the ZBA based on a hardship, lawsuit against the Township now, won't discuss it here, ten homes violates the laws of Clay Township and yet you people don't say anything.

Theresa Patrias, 9211 Peters Road: Last meeting Chief Eder said he would have a report this meeting regarding the attempted abduction of my daughter in September on Peters Road, Chief is not here.

Deputy Police Chief Don Drake: Chief took ill today, investigation is still continuing, cannot reveal any info, we are interviewing people, putting everything together.

Supervisor Jon Manos: Chief looking into some administrative steps to allow better communication.

Deputy Chief Drake: Believe the report will be done for the next meeting.

Richard Baker, Stone Road: Elementary School broken into, any advancement by the Police? Would like to see a report from each Department monthly, all of us are interested in this, what is going on in each department.

Deputy Chief Don Drake: School B & E, have three (3) suspects, coming to a closure; will issue a report what has been done so far.

Supervisor Jon E. Manos: Thank you to the citizens for coming out and a welcome to the new members on the Township Board.

AYES: All. NAYS: Nays. ABSENT: None

ADJOURNMENT:

Moved by Sharrow, supported by Makuch, **MOTION CARRIED**, to adjourn the meeting at 8:40 p.m. AYES: All. NAYS: None. ABSENT: None.

Michael P. Pellerito
Clay Township Clerk

