

MINUTES OF THE CLAY TOWNSHIP REGULAR BOARD MEETING HELD JUNE 6, 2005 IN THE CLAY TOWNSHIP MEETING HALL, 4710 POINTE TREMBLE ROAD, CLAY TOWNSHIP, MICHIGAN 48001.

PRESENT: Supervisor Jon Manos, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Patricia Sharrow, Trustee John Makuch, Trustee Jay DeBoyer, Trustee David Dare.

ABSENT:

None

AMENDMENTS TO THE AGENDA:

None

APPROVAL OF CLAY TOWNSHIP MAY 16, 2005 REGULAR BOARD MEETING MINUTES/SYNOPSIS AND MAY 23, 2005 BUDGET WORKSHOP MINUTES:

Motion by Turner, supported by Makuch, to approve the May 16, 2005 Regular Board Meeting minutes/Synopsis and the May 23, 2005 Budget workshop minutes.

AYES: All

NAYES: None

MOTION CARRIED

APPROVAL OF BILLS PAYABLE:

Motion by Makuch, supported by Turner, to pay the bills in the amount of \$25,385.92.

Dare: Who is Larry's Discount?

Pellerito: Office cleaning

Sharrow: Adamson Industries?

Pellerito: Equipment for the new Police car.

ROLL CALL VOTE:

AYES: Sharrow, Makuch, Turner, Pellerito, DeBoyer, Dare, Manos

NAYES: None

MOTION CARRIED

PETITIONS:

None

COMMUNICATIONS:

05/16/2005 letter from Michigan Municipal Management Authority re Police in-car camera grant approval.

6/11/2005 River Day in St. Clair County.

Township Cleanup June 17, 18 & 19, 2005 at Clay Township DPW, 9620 Ainsworth and Brown's Field on Harsens Island. Will receive tires, trash, refrigeration products and metal.

OLD BUSINESS

1. Parks & Recreation millage request

Motion by Pellerito, supported by Makuch, to request the full amount of \$37,245.02.

AYES: All

NAYES: None

MOTION CARRIED

2. Resolution to change MERS benefit for Command

Pellerito: On July 1, 2005 employee contribution goes from 4.8% to 6.8%.

Motion by Pellerito, supported by Dare, to approve the MERS upgrade from B2 to B4 with an employee contribution of 6.8%, all other items stay the same.

ROLL CALL VOTE

AYES: Makuch, Turner, Pellerito, DeBoyer, Dare, Sharrow, Manos.

NAYES: None

MOTION CARRIED

3. Traffic signal M-29 & Ainsworth

Pellerito: Wrote to Dr. Datta, did reply to all warrants, copy to be forwarded to Larry Young at MDOT, will be done in the morning.

Sharrow: Can we verify if Dr. Datta meets with MDOT this will be paid by the DDA?

Pellerito: Note from Dr. Datta that this is included in our original payment.

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4. Planning Commission Vacancy

Motion by Pellerito, supported by Sharrow, to appoint Earl Lines to fill position on the Planning Commission, term ends November 15, 2006.

AYES: All

NAYES: None

MOTION CARRIED

PUBLIC COMMENTS relating to any new business on the agenda.

None

NEW BUSINESS

1. Resolution to Discontinuance of Canal

Motion by Sharrow, supported by Makuch, to approve discontinuing the publicly dedicated property from a subdivision of 1888, which shows canals, which do not exist.

ROLL CALL VOTE

AYES: Turner, Pellerito, DeBoyer, Dare, Sharrow, Makuch, Manos.

NAYES: None

MOTION CARRIED

2. Resolution #2 Genaw Road to Prepare the Roll

Motion by Makuch, supported by DeBoyer, to adopt resolution #2 for the Genaw Road special assessment to prepare the roll.

ROLL CALL VOTE

AYES: Pellerito, DeBoyer, Dare, Sharrow, Makuch, Turner, Manos

NAYES: None

MOTION CARRIED

3. Resolution #3 Genaw Road to Set Public Hearing

Motion by Sharrow, supported by Turner, to adopt resolution #3 to set the public hearing at 7:00 p.m. on Tuesday, July 5th, prior to the Regular Board Meeting, to protest mistakes in the roll.

ROLL CALL VOTE

AYES: DeBoyer, Dare, Sharrow, Makuch, Turner, Pellerito, Manos

NAYES: None

MOTION CARRIED

4. Resolution Gull Island Use

Manos: Joint meeting on May 26, 2005, U.S. Army Corps of Engineers agreeable to shut down Gull Island for a short period and look for someone to take over. Jobbie Nooner has become uncontrollable and is not family oriented. Can't continue at that magnitude and we shouldn't be sending police personal out there to protect these people.

Makuch: Resolution states Gull Island is federal property; U.S. Army Corps of Engineers controls. If Corps says it is off limits believe this will draw more attention and our emergency people will respond and it will get nasty.

Manos: Four agencies agree need to stop, ignoring will not stop it, have to take some action.

Makuch: Who will be responsible to close off?

Manos: Sheriff has ability to enforce the federal no trespass.

DeBoyer: Got to this because we didn't crack down on it hard and charge people with crimes committed; now reaction to make crimes bigger, doesn't fix. Need to go after people breaking the law and prosecute the people who break the law.

Manos: As a no trespass federal zone, if website continues promoting going there, could be some problems with Attorney Generals office.

Sharrow: Had MADD working with the Corps, Corps ignored and it just grew bigger. Can't take Township tax dollars to enforce. How do four or five officers arrest hundreds? But have to do something, can't make it legal.

Manos: 80s problem at Algonac Harbor resulted in lawsuit against Clay Township. Need to put pressure on Corps.

Motion by Sharrow, supported by Turner, to adopt resolution requesting the U.S. Army Corps of Engineers assume jurisdiction over their own federal property and declare Gull Island off limits.

ROLL CALL VOTE

AYES: Dare, Sharrow, Makuch, Turner, Pellerito, DeBoyer, Manos

NAYES: None

MOTION CARRIED

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5. Various Road Work in Township

Motion by Pellerito, supported by Sharrow, to seal cracks on Stier Road, Merrill Drive and Marina from Merrill to dead end in the amount of \$5,200.00; Patch gravel shoulder along asphalt roads on Stier, Starville, Phelps, Lee, S. Parkway and Maple in the amount of \$3,500.00; Repair cross road pipe on Little Street on Harsens Island in the amount of \$1,200.00; Remove Berm on Swartout between Marsh and McKinley where have ditches to do away with water spots and potholes in the amount of \$2,000.00; Repair 2 catch basins and 20 feet of curb and gutter damage at 10101 and 10215 St. John Drive in the amount of \$3,000.00; 90 tons of limestone on North Channel, Harsens Island and 36 tons on Peters Road in the amount of \$1,613.00; Place a single seal on Greenwood, Nelly Court, Ester green, St. Pierre with county doing prep work, in the amount of \$9,346.00; 300 feet of ditching and 3 driveway replacement between 9484 and 9474 Maynard in the amount of \$3,220.00; Replace 20 feet of G.M.P. pipe and lower grade pipe if possible to drain area better on Island Drive in the amount of \$1,400.00; 640 feet of ditching and tree or brush removal, install new cross road pipe and new driveway pipe on south side of Greenwood Road in the amount of \$4,600.00.

ROLL CALL VOTE

AYES: Sharrow, Makuch, Turner, Pellerito, DeBoyer, Dare, Manos

NAYES: None

MOTION CARRIED

6. Request to Hire Part Time Dispatcher

Motion by Pellerito, supported by Dare, to hire Frank Zdankiewicz as a part time dispatcher for the Clay Township Police Department.

AYES: All

NAYES: None

MOTION CARRIED

7. Harsens Island Transportation Authority Appointment

Motion by Pellerito, supported by Turner, to appoint Mel Alexander to fill the vacancy on the Harsens Island Transportation Authority.

AYES: All

NAYES: None

MOTION CARRIED

8. Soil Removal 47-6 Jon McLane

Motion by DeBoyer, supported by Turner, to approve the Soil Removal permit 47-6 for Jon McLane.

AYES: All

NAYES: None

MOTION CARRIED

9. Soil Removal 47-11 Donald Dumars

Motion by Turner, supported by Dare, to approve the Soil Removal permit 47-11 for Donald Dumars.

AYES: All

NAYES: None

MOTION CARRIED

10. Soil Removal 47-12 Vermeulen Enterprises

Motion by DeBoyer, supported by Dare, to approve the Soil Removal permit 47-12 for Vermeulen Enterprises.

AYES: All

NAYES: None

MOTION CARRIED

11. Soil Removal 47-13 Robert Bryson

Motion by Dare, supported by Turner, to approve the Soil Removal permit 47-13 for Robert Bryson.

AYES: All

NAYES: None

MOTION CARRIED

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12. Soil Removal 47-16 Wesley Simons

Motion by Turner, supported by Dare, to approve the Soil Removal permit 47-16 for Wesley Simons.

AYES: All

NAYES: None

MOTION CARRIED

13. Soil Removal 47-17 Silent Acres Farm

Motion by Makuch, supported by Turner, to approve Soil Removal permit 47-17 for Silent Acres Farm.

AYES: All

NAYES: None

MOTION CARRIED

14. Soil Removal 47-18 Thomas Volkman

Motion by Sharrow, supported by Dare, to approve Soil Removal permit 47-18 for Thomas Volkman.

AYES: All

NAYES: None

MOTION CARRIED

15. Reports: Library, Wastewater Treatment Plant, May 2005

Motion by Pellerito, supported by Dare, to accept and file May 2005 reports for Algonac/Clay Library and the Wastewater Treatment Plant.

AYES: All

NAYES: None

MOTION CARRIED

16. Set Public Hearing to adopt 2005-2006 Budget

Motion by Turner, supported by Pellerito, to set the Public Hearing to hear comments on the 2005-2006 Budget on June 20, 2005 at 7:00 p.m.

AYES: All

NAYES: None

MOTION CARRIED

17. Medical Dispatch Training Request

Manos: This is under a Grant.

Motion by Turner, supported by Dare, to allow the Dispatchers to go to Emergency Medical Dispatch Training at Oakland Police Academy.

AYES: All

NAYES: None

MOTION CARRIED

18. Request to refund John Horvath Performance Bond

Manos: There is a report from the Building Department regarding the history. Board previously has not gone back and refunded. I can't recommend this Bond be returned, long history in court.

NO ACTION: REQUEST DENIED

BOARD MEMBERS COMMENTS

Dare: Are our Departments going to respond if called to Gull Island?

Manos: Sheriff makes request.

Makuch: In past Sheriff Marine Division request an entryway in case of medical problem.

Manos: If medical emergency will respond, will not patrol.

Dare: In short term, what is plan?

Manos: Finalizing agreement for a 30 to 45 day moratorium.

Eder: Met with the Corps, wanted something done, it is a nightmare. If we're asked it would be incumbent to respond. All agencies acting as deterrents. Need to be there for safety of fellow officers.

Makuch: Email from Odams re liquor license for Anchor Bay Offshore/ Sandbars, has not been transferred, why still selling liquor?

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Eder: Aware of situation, met with Michigan Liquor Control and looking into it.

PUBLIC COMMENTS

Whitey Simons, 4722 Green Drive, Harsens Island: Comments on Noxious weed ordinance needed that would force property owner to keep property in order. Look at roadsides of M-154.

Manos: Have ordinance, have to prove noxious. Grass cutting ordinance is difficult to make even for all of Township.

Michael Kras, Building Administrator: Comments on computers in offices going down daily. Consider looking into before July 1st.

Earl Lines: 8128 Anchor Bay Drive: Thank you fir appointment to Planning Commission.

John Masters, 2900 South Channel Drive, Harsens Island: Comments on weeds cutting off vision of signs at curves. Small stones in lawns after road projects.

Chief Eder: Received \$2,000.00 Grant from State of Michigan and \$2,000.00 from Michigan Municipal Management Authority, will reduce amount we have to spend on digital camera system, will present request to Board in the future.

John Horvath, 2040 Golf Course Road, Harsens Island: Comments on Emerald Ash Borer Grant money, Bond refund.

Howard Beindit, 6431 Genaw Road, Questioned why stopping paving at corner, and was it put out for bids? Gull Island also used by families, force people to pay.

Pellerito: Road length Cottrellville's decision. Re Gull Island, non-profit leases and collects, Township tax dollars to respond to emergencies.

Manos: Bids are for all County asphalt.

ADJOURNMENT

Motion by Pellerito, supported by Makuch, to adjourn the meeting at 8:45 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Michael P. Pellerito
Clay Township Clerk

CERTIFICATION

I hereby certify that the foregoing constitutes a true and complete copy of the minutes of the Clay Township Board Meeting held on June 6, 2005 in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, St. Clair County, Michigan and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan 1976.

Michael P. Pellerito
Clay Township Clerk