

Minutes of the Clay Township Regular Board Meeting Held Monday August 4, 2008 in the Clay Township Meeting Hall, 4710 Pointe Tremble Road, Clay Township, Michigan

Supervisor Manos called the meeting to order at 7:30 p.m.

ROLL CALL

PRESENT: Supervisor Jon Manos, Clerk Michael Pellerito, Treasurer Connie Turner, Trustee Thomas Krueger, Trustee John Makuch, Trustee Jay DeBoyer, Trustee David Dare

ABSENT: None

Citizens: 25

BILLS PAYABLE

Motion by Turner, supported by Makuch, to pay the bills in the amount of \$27,888.69

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

CONSENT AGENDA

Motion by Makuch, supported by Pellerito, to approve the Consent Agenda as submitted

AYES: All

NAYES: None

MOTION CARRIED

Pellerito: Primary election tomorrow, August 5th, polls open at 7:00 a.m., close at 8:00 p.m. Precincts 1,2,3 and 5 are at the Algonac High School and precinct 4 is at the Harsens Island Lions Club. It is a Republican/Democrat primary election, you may not split your ballot however there are some judgeship that are running independent as well a St. Clair County Drug Taskforce millage renewal.

OLD BUSINESS

1. Harsens Island Fire Department Request for Painting

Motion by Dare, supported by Makuch, to approve Royalty Painting to paint the Harsens Island Fire Department building at a cost of \$2,695.00

Motion Amended by Dare with support by Makuch to approve Royalty Painting to paint Harsens Island Fire Department building at a cost of \$2,695.00 if all proper insurances are in place

AYES: All

NAYES: None

MOTION CARRIED

PUBLIC COMMENTS RELATING TO ANY NEW BUSINESS

Sharon Hilton, 409 N. Russell Dr: Regarding road easement and bench on Russell Island

Kate Jakovac, Russell Island Property Owners Association President: Bench and Maintenance

Krueger: How many residents does the association represent?

Jakovac: Approximately 116 cottages on the island and 99% are represented.

Makuch: Is the bench permanently mounted in the ground?

Jakovac: Yes

DeBoyer: If that is an easement to get to the bench but you have no intention to maintain it and they don't maintain it, what kind of condition will it end up in?

Jakovac: We maintain the seawall and we will eliminate the grass and gravel it.

DeBoyer: Is that something you intend to do in the near future?

Jakovac: If we have to unless they want to continue mowing without payment

Makuch: if the piece is 20 feet wide why put it where it is, why not in the middle

Jakovac: We did measure it, there is also a deck that is on part of that easement, so we thought rather than infringe on him we put it as close to the other side because there is no one on the other side. It is something we can rectify.

Bill Machakin: VP of Russell Island Property Owners Association: Board has not discussed the gravel.

Peter Sloan: Adjacent property owner, property has never been maintained, believe the intention to put the bench where it is was out of spite.

Karen Jackson: Comments on park bench

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Pellerito: This was a road easement owned by St. Clair County Road Commission, it was 60' wide, there is a clause that if anything done on that or anything placed on it requires the Township approval.

Jakovac: The road ending in question is at the end of Walpole Road; the road ending that was just discussed has nothing to do with the Walpole Road ending. In June of 2002 my predecessor ordered a survey and the Board was considering gravel on the property and creating a permanent border.

NEW BUSINESS

1. Russell Island Property Owners Concerns

Manos: We have a copy of the court order that the Association agreed to it. The Township, if there is not maintenance can hire maintenance and bill the Association. We have the authority to leave the bench where it is or have them remove the bench or correct the encroachment.

Dare: How many benches were put on without authorization from this Board?

Turner: If I were going to set on a bench I would prefer grass rather than gravel

DeBoyer: Ultimately if the association wants the bench that's fine but I think the easement needs to be maintained, and the Association doesn't want the Township maintaining because it wouldn't be cost effective. Should address the encroachment and maintenance, need to talk and work it out.

Makuch: Don't understand why the bench was put there without permission, should have had permission.

Manos: The court order gives us the authority to say we don't want the bench or you can have the bench but you have to maintain the area.

Krueger: Mike Kras, if we approve the bench in the easement are there any set backs required?

Kras: No

DeBoyer: Any room for parties to talk?

Manos: Request has come to Township for decision

Motion by Dare, supported by DeBoyer, to have the area in question maintained once a month or the Township will take care of it and bill the Association with permission for the bench less any encroachment.

Makuch: Reconsider in your motion to maintain every 2 weeks?

DeBoyer: I am comfortable with the motion

ROLL CALL VOTE

AYES: Manos, Pellerito, DeBoyer, Dare, Krueger

NAYES: Makuch, Turner

MOTION CARRIED

2. Water Department Request to Purchase Vehicle

Makuch: Contacted Jon, the vehicle they are now using has over 200,000 miles on it, they have it in the budget to purchase a vehicle

Motion by Makuch, supported by Dare, to allow the Water Department to purchase a 2009 GMC Sierra 1500 4 wheel drive crew cab pickup truck through Oakland County at a cost of \$24,193.00

Krueger: Replacing a Chevrolet Caprice with a 4-wheel drive pickup. Does this vehicle have extended usages?

Jon DeBoyer: Yes, actually a car does not work for us anymore, we used to drive former police vehicles which we did away with about 10 years ago because they really do not work for us in our line of work. The reason we went with a crew cab is we will use it not only as a work vehicle but also it is set up with our electronic meter reading equipment, our locating devices, so if we can keep that equipment in the vehicle we could use this truck exclusively for those things.

Dare: Used to work for the Water Department and drove one of those vehicles around and had to pull grass cutting equipment out of there, it was used like a truck and it was a pain.

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

3. Water Department Request for Painting

Motion by DeBoyer, supported by Makuch, to approve Royalty Painting at a cost of \$3,185.00 to paint the Water Department building with proper insurance in place

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Dare: Jon did you check into the insurances, etc?

Jon DeBoyer: Yes, he has been a Township resident for 30 years or more and been in business for that long and does a lot of commercial business in the City. Everything I could find on him and his company is good.

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

4. Building Department Request to Purchase Vehicle

Krueger: I wonder do we really need a trailblazer; a 4wheel drive with all the doodads. What about a little pickup truck?

Manos: I would think we could get something that is adequate at a lesser price and I don't believe the gas mileage is that good either.

Krueger: It says 14 miles per gallon around town

Manos: does the Board want Michael to get us some prices on something that is a little more reasonable and still do the job?

Motion by Dare, supported by DeBoyer, to postpone until next meeting to get different quotes on other vehicles.

Turner: Mike is there a reason you choose this type of vehicle.

Kras: Most other communities are going to this type of vehicle so they don't get stuck on construction sites. Also a vehicle to go to meetings

AYES: All

NAYES: None

MOTION CARRIED

5. Police Department Request for 2 In-Car Video Systems

Motion by Krueger, supported by Makuch, to approve the purchase two digital eyewitness NXT in-car video systems for a total of \$10,497.00

Pellerito: \$5,250.00 will be paid for by Drug Forfeiture money

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

6. Police Department Request for Two Vehicles

Motion by DeBoyer, supported by Makuch, to approve the purchase of two 2009 Ford vehicles for a total price of \$41,316.00

Krueger: Ever consider Malibu or Taurus?

Chief Drake: Have done research, they are not what they are cracked up to be, have a lot of equipment go into them and our Reserves also ride with them, it is about size.

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

7. Police Department Request for Maintenance Agreement

Chief Drake: When Digital Audio Logging System equipment purchased paid \$26,000 and we are required by State law to have a recording system, if that system goes out we need to have it back up and running right away. With a maintenance agreement we get the updates and first come service.

Motion by DeBoyer, supported by Turner, to approve the request to purchase support agreement for \$2,359.20 from Van Belkum

AYES: All

NAYES: None

MOTION CARRIED

8. Police Department Request for Part-time Dispatcher

Chief Drake: Received notice that Obidzinski is going into full retirement and Joe Doan has asked for a year's leave of absence. Phil Abate is a retired Detroit Police Officer and his background check turned out well. He was a certified lien operator.

Motion by Krueger, supported by Makuch, to hire Philip Abate as a part-time dispatcher

AYES: All

NAYES: None

MOTION CARRIED

9. Water Department Superintendent Contract

Manos: This contract follows the guidelines of the other contracts and Jon has agreed to contribute to the Health Care Savings plan and we recommend this contract be approved
Motion by Makuch, supported by Dare, to approve the contract between Jon DeBoyer and the Township as presented

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

10. Resolution #4 – Lake Drive Special Assessment

Motion by Makuch, supported by Dare, to adopt Resolution # 4 approving the roll for the Lake Drive Road repair and maintenance renewal

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

11. Resolution #4 – Dandron Highway Special Assessment

Motion by Makuch, supported by Dare, to adopt Resolution #4 approving the roll for private road Dandron Highway road repair and maintenance renewal

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

12. Resolution #1 – Morris Sax Drive Special Assessment to Set the Public Hearing

Motion by Makuch, supported by DeBoyer, to adopt Resolution #1 for the Morris Sax Drive Special Assessment and set the public hearing on September 2, 2008 at 7:15 p.m.

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

13. Resolution to Establish Water Rates

Manos: The city when their costs go up they pass that along to us and we have to pass it along to our customers and when operating costs go up in order to keep current the water per thousand gallons has to keep in conjunction with what's around it. Connie and Jon went through the rates and we are looking at \$1.70 per thousand gallons.

Motion by Turner, supported by DeBoyer, to adopt the resolution to establish the water rate at \$1.70 per thousand gallons

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

14. Resolution to Adjust Sewer Rates

Motion by Turner, supported by Dare, to adopt the resolution to adjust sewer rates to \$40.38 per quarter

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Dare: What was the increase?

Turner: Thirty-eight cents per quarter

ROLL CALL VOTE

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

NAYES: None

MOTION CARRIED

15. Resolution to Amend Water Debt Service Charge

Manos: Not quite at the point of changing the debt service charge, still dealing with Mr. McNamee and Plante and Moran

PUBLIC COMMENTS

H. Mikolowski, 5472 Middle Channel Drive: Seawall problems and garages with lofts and ferry landing

BOARD MEMBER COMMENTS

Turner: Library Board meets in the Clay Township Meeting Hall on Thursday at 7:00 p.m.

ADJOURNMENT

Motion by Makuch, supported by DeBoyer to adjourn the meeting at 8:35 p.m.

AYES: All

NAYES: None

MOTION CARRIED

Michael P. Pellerito
Clay Township Clerk