



MACOMB TOWNSHIP

MACOMB TOWNSHIP BOARD OF TRUSTEES
MEETING MINUTES
WEDNESDAY, JANUARY 12, 2022

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
54111 BROUGHTON ROAD, MACOMB MI 48042

Call Meeting to Order

Meeting was called to order by Supervisor Viviano at 6:30 p.m.

Pledge of Allegiance to the Flag of the United States

Pledge of Allegiance was recited by all in attendance.

1. Roll Call

Clerk Pcalled the roll:

Present: Kristi Pozzi, Charles Oliver, Leon Drolet, Peter J. Lucido III, Nancy Nevers, Frank A. Cusumano Jr., Frank Viviano

Absent:

2. Approval of Agenda Items (with any corrections)

MOTION by Leon Drolet seconded by Kristi Pozzi to approve the agenda as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

3. Approval of Bills

MOTION by Leon Drolet seconded by Charles Oliver to approve the bills as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

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Abstain - None

THE MOTION Passed.

4. Approval of Previous Meeting Minutes from December 21, 2021

MOTION by Kristi Pozzi seconded by Leon Drolet to approve meeting minutes from December 21, 2021 as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

PUBLIC COMMENTS, AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)

There were no public comments.

CONSENT AGENDA ITEMS:

MOTION by Leon Drolet seconded by Peter J. Lucido III to approve the Consent Agenda items as presented.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

5. Water and Sewer Department

- a. Request to Approve the Revised Invoice; Lakeview Contracting, Inc., for the work to lower the watermain in conjunction with the Macomb County Department of Roads Culvert Replacement Work, 24 Mile Road & Romeo Plank Road. Macomb Ditch. Section 17 (\$24,980.00)

6. Engineering Department

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- a. Request to Approve Pathway Abeyance for 21790 23 Mile Road, 21660 23 Mile Road, and 50875 Card Road (Parcel Nos. 08-22-200-015, 08-22-200-005, and 08-22-200-014)
 - b. Request to Approve Pathway Abeyance for 23680 26 Mile Road, 56750 Fairchild Road, and 56730 Fairchild Road (Parcel Nos. 08-01-126-005, 08-01-126-020, and 08-01-126-021)
7. Human Resources Department
- a. Request for a Medical Leave of Absence - Fire Department EE # 1106
 - b. Request for Family & Medical Leave of Absence - EE # 188
 - c. Request for Family & Medical Leave of Absence - EE# 2416
 - d. Request for Family & Medical Leave of Absence - EE# 2410
8. Clerk's Office
- a. Request to Attend 2022 Michigan Association of Municipal Clerks Institute

NEW BUSINESS:

ENGINEERING DEPARTMENT:

9. Request to Schedule Public Hearing for Street Lighting SAD Amended Resolution for Villas of Villagio Condominium for February 9, 2022

MOTION by Kristi Pozzi seconded by Charles Oliver to Schedule Public Hearing for

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Street Lighting SAD Amended Resolution for Villas of Villagio Condominium for February 9, 2022.

Roll Call Vote Summary: (7 - 0 - 0)

Ayes – Kristi Pozzi, Charles Oliver, Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Leon Drolet, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

HUMAN RESOURCES DEPARTMENT:

10. Request to approve amended Employment Agreement

MOTION by Leon Drolet seconded by Peter J. Lucido III to Approve the amended Employment Agreement for the position of Confidential Assistant to the Township Supervisor.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

PLANNING AND ZONING DEPARTMENT:

11. Request to approve the General Design Plan; Freemont PUD - Permanent Parcel #08-35-100-004; Located on the southeast corner of 21 Mile Road and Card Road; Section 35; MM 21 Card, LLC, Petitioner

MOTION by Charles Oliver seconded by Leon Drolet to accept the Planning Commission's recommendation of approval for the General Design Plan and PUD agreement for; Freemont PUD - Permanent Parcel #08-35-100-004; Located on the southeast corner of 21 Mile Road and Card Road; Section 35.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

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THE MOTION Passed.

12. Request to approve the Revised Final Plan; Wellington Estates - Permanent Parcel #08-16-100-024; Located on the south side of 24 Mile Road, 1/4 mile east of Romeo Plank; Section 16; TRE Development, Petitioner

MOTION by Leon Drolet seconded by Nancy Nevers to accept the Planning Commission's recommendation of approval for the revised Final plan; Wellington Estates Permanent Parcel #08-16-100-024; Located on the south side of 24 Mile Road, 1/4 mile east of Romeo Plank; Section 16.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

13. Request to approve the Final Plan for Pheasant Run Phase I; Located on the south side of 25 Mile, west of Broughton Road; Permanent Parcel #08-09-126-002

MOTION by Kristi Pozzi seconded by Leon Drolet to approve the Final Plan for Pheasant Run Phase I; Located on the south side of 25 Mile, west of Broughton Road; Permanent Parcel #08-09-126-002.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

THE MOTION Passed.

CLERK'S OFFICE:

14. Request to Schedule a Public Hearing for the establishment of an Industrial Development District for Unit 27 of the Regency Commerce Center

MOTION by Kristi Pozzi seconded by Charles Oliver to set a public hearing date for February 9, 2022 to review the establishment of an Industrial Development District application submitted by the HOCO Group, LLC, for 17201 Leone Drive, Parcel ID No. 08-17-344-027.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver,

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Leon Drolet, Kristi Pozzi, Frank Viviano
Nays - None
Abstain - Non

THE MOTION Passed.

ASSESSING DEPARTMENT:

15. Resolution to Adopt 2022 Real Property Tax Poverty Exemption Guidelines

TOWNSHIP OF MACOMB
COUNTY OF MACOMB, STATE OF MICHIGAN
REAL PROPERTY TAX POVERTY EXEMPTION RESOLUTION

Memorandum of Resolution made and adopted at a Regular Meeting of the Board of Trustees of Macomb Township, Macomb County, Michigan, held in the Macomb Township offices on Wednesday the 12th of January, 2022.

MEMBERS PRESENT: Viviano, Pozzi, Drolet, Cusumano, Lucido, Nevers, Oliver
MEMBERS ABSENT: None

The following preamble and resolution were offered by Member Drolet and supported by Member Lucido:

Whereas, Section 211.7u of Act No. 206 of the Public Acts of 1893, as amended, provides that the homestead of a person who, in the judgment of the Board of Review, by reason of poverty, is unable to contribute toward the public charges are eligible for exemption in whole or in part from taxation under the Act; and,

Whereas, said section provides certain eligibility requirements for exemption under said section; and,

Whereas, said section requires that an applicant meet the prior tax year federal poverty income standards as defined and determined annually by the United States Office of Management and Budget or alternative guidelines adopted by the governing body of the local assessing unit; provided, however, such alternative guidelines do not provide income eligibility requirements less than the federal guidelines; and,

Whereas, the Board of Trustees of the Township of Macomb is the governing body of the local assessing unit; and,

NOW, THEREFORE, BE IT RESOVED that the following standards be adopted in relation to applications for the Real Property Poverty Exemptions:

In order to qualify for the Poverty Exemption, the claimant MUST meet all of the following requirements. It may be possible that a claimant meets the income standard for the

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Poverty Exemption but not meet the asset standard or other standards as set forth in these guidelines. In this instance the claimant would NOT qualify for the exemption even though the income standard was met.

The Board of Review shall follow these guidelines when granting or denying a Poverty Exemption. The same standards shall apply to each claimant in the Township for the assessment year. If a person meets all eligibility requirements in statute, the Board of Review must grant a full exemption equal to a 100% reduction in taxable value OR a partial exemption equal to a 25% or 50% reduction in taxable value OR any other percentage of reduction in taxable value approved by the State Tax Commission.

In granting Poverty Exemptions, the Board of Review realizes that this represents a shift of those property taxes exempted to the other taxpayers of the Township. Poverty exemptions are intended to assist those who are in temporary financial straits and are NOT intended as a permanent subsidy. Poverty exemptions shall apply only to the applicant's qualified homestead and the property must be classified RESIDENTIAL for property tax purposes. Under no circumstances shall a poverty exemption be granted or apply to the property of a business, partnership or corporation.

The amount of relief due to hardship that will be granted by the Board of Review for any qualifying applicant shall not exceed the amount as determined by the TOWNSHIP OF MACOMB HARDSHIP EXEMPTION INCOME LEVEL CALCULATION REPORT.

To be eligible for exemption by reason of poverty, a person shall do all of the following on an annual basis:

Applicants MUST be an owner of and occupy as a homestead (as defined by MCL 211.7dd) the property for which an exemption is being requested. Vacant, unplatted, contiguous land shall not qualify as homestead property for purposes of these guidelines.

1. Applicants MUST complete in its entirety a "Hardship Exemption Application" with the Board of Review on a form provided by the Assessing Department. Applications are to be filed after January 1st and before the day prior to the last day of the March, July or December Board of Review meetings for that assessment year. Incomplete applications and/or applications of taxpayers not meeting the eligibility requirements will be returned to the Applicant and will not be considered by the Board of Review. Qualified Applicants, or their authorized Representative, must appear in person before the Board of Review in order to be considered for relief due to financial hardship. Applicants who wish to send a Representative to appear on their behalf must provide them with a Notarized Letter of Authorization. The Representative will be required to present photo identification along with the letter. Applicants meeting all eligibility requirements will be scheduled for an appointment to appear before the Board of Review.
2. Applicants MUST provide copies of the following forms, including all supporting documents and schedules, for ALL PERSONS RESIDING IN THE HOUSEHOLD, filed in the immediately preceding year or in the current year:

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- Federal Income Tax Returns (1040 or 1040A)
(Applicants MUST file this tax return even if they owe no income tax or are not required to file a Federal Income Tax Return if they meet the requirements for receiving an Earned Income Tax Credit).
- Signed Federal Form 4506-T: Request for Transcript of Tax Return
- State of Michigan Income Tax Returns (MI-1040)
(Applicants MUST file this tax return even if they owe no income tax or are not required to file a Michigan Income Tax Return if they were granted a Federal Earned Income Tax Credit. The State will provide a 6% supplemental EITC when the Applicant files his/her State Income Tax Return).
- If applicant did not file a Federal or State Income Tax return, they MUST complete and file an Income Tax Exemption Affidavit (Treasury Form 4988) for all persons residing in the residence who were not required to file in the current year or in the immediately preceding year, and who did not meet the qualifications for receiving an EITC.
- Michigan Homestead Property Tax Credit Claim (MI-1040CR)
- W-2 Forms
- Social Security Benefit Statement (form SSA-1099) for ALL PERSONS RESIDING IN THE HOUSEHOLD, who receive Social Security benefits.
- Proof of all sources of income if not included on the W-2 Forms, including any check stubs or receipts from contributions by relatives or other persons living in the household, or from State or Federal Government checks.
- Current year mortgage verification showing loan balance plus principal and interest payment amounts.
- Bank and/or credit union statements, for the current and immediately preceding six months, of ALL checking and savings accounts.
- Current credit reports for all persons residing in the household. (Credit reports are available at no cost to the applicant once per year from all 3 of the following credit reporting bureaus: Equifax, Experian and TransUnion. Free credit reports are available at myfreecreditreport.com)
- Statements for all household expenses and debt payments for the immediately preceding six months.
- A valid Michigan driver's license or other legal form of photo-identification, which indicates residing property address for all persons in the household.
- Copy of State of Michigan Registration for all vehicles.
- Copy of a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

The Township requires all Applicants to provide copies of their originally-filed tax returns and will not accept summary information reports or reproduced tax returns. Federal and State tax returns must be signed unless "e-filed" documents are included. The Township retains the right to request a copy of any household occupant's federal

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income tax returns from the Internal Revenue Service or Michigan Income Tax Returns from the Department of Treasury pursuant to MCL 205.28, and all vehicle or titled asset registration information from the Secretary of State.

3. Applicants MUST meet poverty income standards determined by the Township of Macomb. These income standards shall be posted annually in the Department of Assessment and made available upon request at no charge. These income standards will be based upon the current year Federal Poverty Thresholds multiplied by a rate of 135% (1.35).

The Board of Review shall consider income from all sources and from all occupants of the homestead when determining whether an Applicant meets Township poverty income standards as established by the Township Board of Trustees. Income includes:

- Money, wages, and salaries before deductions.
- Regular payments for social security, railroad retirement, unemployment and worker's compensation, veteran's payments and public assistance.
- Gifts, loans and contributions by all persons, whether living in the household or not.
- Alimony, child support, and military family allotments.
- Non-cash benefits, such as Medicaid, WIC, food stamps and school lunches.
- Private pensions, governmental pensions, regular insurance or annuity payments, and inheritance payments.
- College or university scholarships, grants, fellowships, educational trust disbursements and financial aid.

In addition to meeting the income level requirements as noted above, applicants must also meet requirements based on asset level.

ASSET GUIDELINES USED IN THE DETERMINATION OF POVERTY EXEMPTIONS

As required by PA 390 of 1994, all guidelines for poverty exemptions are established by the governing body of the local assessing unit SHALL also include an asset level test. The following asset test shall apply to all applications for poverty exemption.

- The applicant shall not have "liquid" assets (excluding the value of the principal residence subject to the exemption requested) in excess of two (2) times the amount of the estimated tax obligation of the current assessment.
- The applicant shall not have total assets (excluding the value of the principal residence subject to the exemption request) in excess of ten (10) times the amount of estimated tax obligation of the current assessment.

All asset information, as requested in the Application for Poverty Exemption must be completed in total. The Board of Review may request additional information and verification of assets if they determine it to be necessary and may reject any application if the assets

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are not properly identified.

Liquid Assets may include but are not limited to:

- Bank accounts
- Stocks and Bonds
- IRA's and other investment accounts
- Pension
- Life Insurance Policies
- Inheritance
- Money received from the sale of property such as stocks, bonds, a house or car unless a person is in the specific business of selling such property.
-

In addition, total assets may also include but are not limited to:

- A second home
- Excess or vacant land
- Rental property
- Buildings other than the residence
- Equipment
- Other personal property of value
- Extraordinary vehicles
- Recreational vehicles - shall not exceed the amount of the current annual property tax obligation. Recreational vehicles include snowmobiles, boats, jet skis, camping trailers, travel trailers, motorcycles, motor homes, off-road vehicles, or anything else which may be considered a recreational vehicle.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.

It is not the intent of the Township to adopt a policy of an individual being “automatically entitled” to exemption.

MOTION by Leon Drolet seconded by Peter J. Lucido III to Adopt the 2022 Real Property Tax Poverty Exemption Guidelines and Resolution

Roll Call Vote Summary: (7 - 0 - 0)

Ayes – Leon Drolet, Peter J. Lucido III, Frank A. Cusumano Jr., Nancy Nevers, Charles Oliver, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

RESOLUTION DECLARED ADOPTED this 12th day of January, 2022.

SUPERVISOR’S OFFICE:

16. Request to Approve a Resolution to Amend Tax Abatement Standards for Plant Rehabilitation in Industrial Districts

**TOWNSHIP OF MACOMB
MACOMB COUNTY, MICHIGAN**

**RESOLUTION TO AMEND TAX ABATEMENT STANDARDS
FOR PLANT REHABILITATION IN INDUSTRIAL DISTRICTS**

At the regular meeting of the Township Board of Macomb Township, Macomb County, Michigan, held at the Township Hall at 54111 Broughton, Macomb Township, MI 48042, on the 12th day of January, 2022, commencing at 6:30 p.m.

Present: Viviano, Pozzi, Drolet, Cusumano, Lucido, Nevers, Oliver

Absent: None

The following Resolution was offered by Oliver and seconded by Drolet.

WHEREAS, Macomb Township currently has in place Tax Abatement Standards adopted February 27, 1991, pursuant to Public Act 198 of 1974; and

WHEREAS, the Township Board has determined that it is necessary to establish revised standards for review of applications for Industrial Facility Exemption Certificates; and

WHEREAS, the primary goal of Macomb Township is to provide an atmosphere which will encourage capital formation and investment in the Township; and

WHEREAS, a major goal of the Township is the creation and retention of jobs for Township residents as a result of this capital formation and investment in the Township;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Macomb Township, hereby adopts the following:

The guidelines involving the term of an Industrial Facility Exemption Certificate which may be granted pursuant to Public Act 198 of 1974, are adopted effective immediately as follows:

1. The project will expand the Township's tax base.
2. The project will create employment opportunities for Macomb Township residents.
3. The project will promote the diversification of the Township's present industrial and manufacturing base.
4. The applicant must be in compliance with all applicable State statues and Township ordinances, and has no pending or current litigation against the Township, including property assessment appeals to the Michigan Tax Tribunal.
5. The criteria set forth above is not intended to be all inclusive, and the

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Township reserves the discretion to consider such additional goals and criteria as may be relevant.

6. Applications requesting abatement pursuant to Public Act 198 of 1974 shall be entitled an abatement up to nine (9) years, if the goals and criteria set forth above are established by the applicant.
7. The applicant will provide documentation and other information as required by the Township to verify the amount of capital improvement and employment of Township residents, if so requested.
8. Failure to comply with the terms of the tax abatement will result in the Township Board requesting the State Tax Commission to revoke the Facility's Exemption Certificate.
9. The Township may deny the issuance of an Industrial Facility Exemption Certificate if the applicant has received a prior tax abatement.
10. These guidelines are advisory only, and are not intended to, and do not restrict the discretion of the Township Board to vary or depart from the guidelines for reasons that the Township Board may determine as in the best interest of the Township.

11.

Any and all resolutions in conflict herewith are repealed only to the extent necessary to give full force and effect to the foregoing provisions.

This Resolution is deemed severable. Should any provision, clause, word or sentence be deemed unenforceable, the remainder shall remain in full force and effect.

MOTION by Charles Oliver seconded by Leon Drolet to approve the Resolution to Amend Tax Abatement Standards for Plant Rehabilitation in Industrial Districts

Roll Call Vote Summary: (7 - 0 - 0)

Ayes – Charles Oliver, Leon Drolet, Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

RESOLUTION DECLARED ADOPTED this 12th day of January, 2022.

17. Request to Extend the Grant Writing Agreement for Team Roe

MOTION by Leon Drolet seconded by Kristi Pozzi to Extend the existing Grant Writing Agreement for Team Roe for six months to include an update to the Board in three months.

Vote Summary: (7 - 0 - 0)

Ayes - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nays - None

Abstain - None

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THE MOTION Passed.

PUBLIC COMMENTS, NON-AGENDA ITEMS ONLY - (3 MINUTE TIME LIMIT)

There were no public comments.

BOARD COMMENTS:

Trustees Comments

Trustee Oliver commented on the new Industrial District Tax Abatement policy and thanked Liz Roe for her grant-writing efforts.

Trustee Cusumano spoke regarding third-party contracts and accepting the results of free and fair elections.

Treasurer Comments

Treasurer Drolet had no comments.

Clerk Comments

Clerk Pozzi spoke about the Macomb County election server audit report that found no security breaches.

Supervisor Comments

Supervisor Viviano reminded residents that Town Hall will be closed January 17, 2022 in observance of Martin Luther King, Jr. Day and encouraged interested parties to apply for open positions in Macomb Township government.

ADJOURNMENT

MOTION by Kristi Pozzi seconded by Frank A. Cusumano Jr. to adjourn the January 12, 2022 Board meeting at 07:34 PM.

Vote Summary: (7 - 0 - 0)

Aye - Frank A. Cusumano Jr., Peter J. Lucido III, Nancy Nevers, Charles Oliver, Leon Drolet, Kristi Pozzi, Frank Viviano

Nay - None

Abstain - None

THE MOTION Passed.