

MACOMB TOWNSHIP BOARD OF TRUSTEES  
MEETING MINUTES  
WEDNESDAY, MAY 22, 2019

APPROVED

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

PRESENT: JANET DUNN, SUPERVISOR  
KRISTI POZZI, CLERK  
KAREN GOODHUE, TREASURER  
TIMOTHY BUSSINEAU, TRUSTEE  
ROGER KRZEMINSKI, TRUSTEE  
NANCY NEVERS, TRUSTEE  
KATHY SMITH, TRUSTEE

ABSENT: NONE

ALSO PRESENT: Thomas Esordi, Legal Counsel  
James VanTiflin, Township Engineer  
*(Additional attendance on file at the Clerk's Office)*

Supervisor DUNN called the meeting to order at 7:00 p.m. and introduced Lucas Sanderson, Carter Schury, Drew Verellen and Sean Becker from Scout Troop 242 who led the Pledge of Allegiance.

**ROLL CALL**

1. Clerk POZZI called the roll and the Board of Trustees was present.

**APPROVAL OF THE AGENDA**

2. **MOTION by Pozzi seconded by Bussineau to approve the agenda as amended with the addition of Consent Agenda Item 5C1, Request to Attend 2019 Municipal Safety Day Conference and 5D1, Request for a Medical Leave of Absence for Employee #1113 beginning May 15, 2019; Regular Agenda Items 12a, Request to Approve Contract Modification for Storm Water Detention, Item 18, Request Authorization to Extend Offer of Employment – Water & Sewer Department and Item 19, Request to Approve Resolution Regarding the Purchase of 51540 and 51660 Romeo Plank Road, Clerk Pozzi proposed adding Items 19a, Request outside legal counsel to conduct an employee investigation regarding the conduct of Employee #2205. Item 19 was removed from the agenda.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**APPROVAL OF THE BILLS**

3. All bill runs were reviewed and Clerk Pozzi requested the Nemeth Law PC invoice be removed for discussion as Item 19b on the agenda..

**MOTION by Nevers seconded by Goodhue to remove for discussion the Nemeth Law PC invoice and approve the bill runs in the amounts of \$531,664.54, 61,470.36 and checks cut between meetings in the amount of \$7,355.22 for a total amount of \$600,490.12**

**Ayes: All**

**Nays: None**

**MOTION carried.**

#### **APPROVAL OF THE PREVIOUS MEETING MINUTES**

4. The minutes of the previous meeting held on May 8, 2019 were reviewed and any additions, corrections or deletions were discussed and made.

**MOTION by Goodhue seconded by Pozzi to approve the Minutes of 5/8/19 as presented.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**MOTION by Goodhue seconded by Nevers to approve the Closed Session Minutes of 5/8/19 as presented.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

5. **Consent Agenda Items:**

Supervisor DUNN reviewed this matter and asked if any of the Board members wanted to remove any item from the Consent Agenda and place it for discussion on the regular agenda.

A. Fire Department:

1. Request to Attend Certified Fire Investigator Training

B. Assessing Department:

1. Request to Attend Continuing Education Class

C. Water & Sewer Department:

1. Request to Attend 2019 Municipal Safety Day Conference

D. Human Resources Department:

1. Request to Approve Medical Leave of Absence for Employee #1113

**MOTION by Pozzi seconded by Smith to approve the Consent Agenda as earlier amended.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

6. **Public Comments, Agenda Items Only**

Frank Cusumano spoke regarding Item 19b.

Kathy Western spoke regarding Item 19a and 19b.

## **PRESENTATION**

7. Michigan Recreation and Park Association Community Service Award

Linda Walter from the Michigan Department of Natural Resources presented the Michigan Recreation and Park Association Community Service Award to the Macomb County Sheriff's Department. Lt. Briney accepted the award on behalf of the Sheriff's Department.

## **PUBLIC HEARING**

8. 2018 Community Development Grant Amended Application Public Hearing

The Public Hearing was opened by Supervisor Dunn at 7:16 p.m. and closed at 7:16 p.m.

**MOTION by Krzeminski seconded by Nevers to approve the revised 2018 Community Development Block Grant application to facilitate removal of architectural barriers from Macomb Township sidewalk ramp locations in Section 30.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

## **NEW BUSINESS**

### **SUPERVISOR'S OFFICE:**

9. Request to Schedule the 2019-2020 Macomb Township Budget Public Hearings for June 12, 2019 and June 26, 2019

Supervisor Dunn reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Bussineau to Schedule the 2019-2020 Macomb Township Budget Public Hearings for June 12, 2019 and June 26, 2019.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

10. Request Authorization to Pay Appraisal Fees for 22200 26 Mile Road Property

Supervisor Dunn reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Pay Appraisal Fees for 22200 26 Mile Road Property.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

#### **INFORMATION TECHNOLOGY DEPARTMENT:**

11. Request to Purchase Computer Hardware, Software and Licenses for Building, Fire and Parks and Recreation Departments

**MOTION by Krzeminski seconded by Pozzi to Purchase Computer Hardware, Software and Licenses for Building, Fire and Parks and Recreation Departments.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

#### **FIRE DEPARTMENT:**

12. Request to Promote Probationary Firefighter

Deputy Fire Chief Adam Munro reviewed this matter with the Board and recommended approval. Deputy Chief Munro then presented Paid-On Call Firefighter David Bucholtz with his badge.

**MOTION by Krzeminski seconded by Smith to Approve the Promotion of Probationary Firefighter David Bucholtz to the Position of Paid-On-Call-Firefighter.**

**Ayes: All**

**Nays: None**  
**MOTION carried.**

- 12a. Request to Approve Contract Modification for Storm Water Detention Work

Jim VanTiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Smith to Approve Contract Modification for Storm Water Detention Work.**

**Roll Call:**

**Ayes: Krzeminski, Smith, Nevers, Goodhue, Pozzi, Dunn**

**Nays: Bussineau**

**MOTION carried.**

**ENGINEERING DEPARTMENT:**

13. Request to Approve Pathway Abeyance for 23330 24 Mile Road (Parcel Nos. 08-13-100-040 & 08-13-100-041)

Jim VanTiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Approve Pathway Abeyance for 23330 24 Mile Road (Parcel Nos. 08-13-100-040 & 08-13-100-041).**

**Ayes: All**

**Nays: None**

**MOTION carried.**

14. Request to Approve the Consumers Energy Easement Agreement for the 2019 Pathway Gap Closure Program (Parcel No. 08-19-300-014)

Jim VanTiflin, Township Engineer, reviewed this matter with the Board and recommended approval.

**MOTION by Pozzi seconded by Goodhue to Approve the Consumers Energy Easement Agreement for the 2019 Pathway Gap Closure Program (Parcel No. 08-19-300-014).**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**PARKS & RECREATION DEPARTMENT:**

15. Request to Purchase Replacement Cardiovascular Equipment

Sal DiCaro, Parks and Recreation Director, reviewed this matter with the Board and recommended approval.

**MOTION by Krzeminski seconded by Goodhue to Purchase Replacement Cardiovascular Equipment.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**HUMAN RESOURCES DEPARTMENT:**

16. Request to Approve Advancement of Employee #2493 from Probationary Status Effective May 25, 2019 Upon Successful Completion of the Probationary Period

**MOTION by Krzeminski seconded by Goodhue to Approve Advancement of Employee #2493 from Probationary Status Effective May 25, 2019 Upon Successful Completion of the Probationary Period.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

17. Request to Approve Personal Leave of Absence beginning June 3, 2019 through June 7, 2019 for Employee #2211

Thomas Esordi, Human Resources Director, reviewed this matter with the Board and recommended approval.

**MOTION by Goodhue seconded by Krzeminski to Approve Personal Leave of Absence beginning June 3, 2019 through June 7, 2019 for Employee #2211 and credit employee with 8 hours of PTO.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

18. Request Authorization to Extend Offer of Employment – Water & Sewer Department

Thomas Esordi, Human Resources Director, reviewed this matter with the Board and recommended approval.

**MOTION by Pozzi seconded by Goodhue to Approve Alexander Kroll for hire contingent upon successful completion of a post offer pre-hire**

**physical examination, drug and alcohol screening, background check and psychological examination.**

**Ayes: All**

**Nays: None**

**MOTION carried.**

**GENERAL COUNSEL:**

19. Request to Approve Resolution Regarding the Purchase of 51540 and 51660 Romeo Plank Road

Item 19 was removed from the agenda.

**CLERK'S OFFICE:**

- 19a. Request outside legal counsel to conduct an employee investigation regarding the conduct of Employee #2205

**MOTION by Pozzi seconded by Bussineau to hire Greg Meihn from Foley and Mansfield Law Firm to conduct an employee investigation on Employee #2205.**

**Roll Call:**

**Ayes: Pozzi, Bussineau, Smith**

**Nays: Krzeminski, Nevers, Goodhue, Dunn**

**MOTION failed.**

- 19b. Discussion regarding Nemeth Law PC invoice

**MOTION by Krzeminski seconded by Goodhue to pay the bill as presented.**

**Roll Call:**

**Ayes: Krzeminski, Goodhue, Nevers Smith, Dunn**

**Nays: Pozzi, Bussineau,**

**MOTION carried.**

**Public Comments, Non-Agenda Items Only**

Denis Martin spoke regarding comments made by a Board Member at the May 8 meeting.

Jim Gelios spoke regarding the combining of Human Resources Director and Legal Counsel positions. He also spoke about rules governing public comments at meetings.

Pam Leidlein spoke regarding gun violence and informed the Board that June 7, 2019 Gun Violence Awareness Day.

Frank Cusumano spoke regarding change orders on construction projects and the contract between the Township and Legal Counsel.

Kathy Western spoke regarding the upcoming evaluation of the HR Director/Legal Counsel and issues with the online job application interface.

## **BOARD COMMENTS**

### Trustees Comments

Trustee Bussineau acknowledged Romeo High School Students who attend the meeting for extra credit and application of rules for public comments.

Trustee Nevers informed residents the Friends of Macomb Township will present 6 1,000 scholarships to graduating high school seniors on June 7 at the Recreation Center and spoke regarding her effort to speak with all members of AFSCME Local 1917.

Trustee Krzeminski spoke regarding fundraising efforts of the Friends of Macomb and proper disposal of old American flags at VVA Chapter 154.

### Treasurer Comments

Treasurer Goodhue spoke regarding the Treasurer's Institute and her thoughts on discussing employees at meetings.

### Clerk Comments

Clerk Pozzi congratulated the Sherriff's Department on receiving the Michigan Recreation and Park Association Community Service Award and spoke regarding her request to retain outside legal counsel to conduct an employee investigation.

### Supervisor Comments

Supervisor Dunn commented that discussions regarding employees should be conducted in Closed Session.

## **CLOSED SESSION**

20. Discussion of written legal opinion regarding Township rights relative to paid medical leave including compliance with Public Act 369 of 2018. Closed session per MCL 15.268(h)

**MOTION by Bussineau seconded by Smith to adjourn to Closed Session.  
Roll Call:**

**Ayes: Bussineau, Smith, Krzeminski, Nevers, Goodhue, Pozzi, Dunn**  
**Nays: None**  
**MOTION carried.**

Informational only, no motions.

The Board entered Closed Session at 8:23 p.m. and reconvened into Open Session at 8:37 p.m.

## **ADJOURNMENT**

**MOTION by Goodhue seconded by Smith to adjourn the Board meeting at 8:40 p.m.**  
**Ayes: All**  
**Nays: None**  
**MOTION carried.**

Respectfully submitted,

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Janet I. Dunn  
Macomb Township Supervisor

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Kristi Pozzi  
Macomb Township Clerk