

**REGULAR MEETING
LENOX TOWNSHIP BOARD OF TRUSTEES
MONDAY, FEBRUARY 3, 2020**

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| 1. CALL TO ORDER: | 6:30 PM |
| MEMBERS PRESENT: | Trombly, Kandell, Honold, Clifford, Gurley |
| ATTORNEY PRESENT: | Albert Addis |
| RESIDENTS AND GUESTS PRESENT: | 29 |
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Clerk Kandell remarked that there were several changes necessary, being to remove **13.** Closed Session, as well as the two items under Unfinished Business, **A.** Community Room Window Covering Proposal and **B.** Cellular Telephone Allowance Increase Request. Under **m.** New Business, Cost Recovery Contract should be added.

Motion: Gurley Support: Honold

Motion to approve the Meeting Agenda with the changes listed. All Ayes. Motion passes.

4. APPROVAL OF MINUTES

Motion: Clifford Support: Gurley

Motion to approve the Minutes of January 6, 2020 and Special Meeting of January 15, 2020. All Ayes. Motion passes.

5. PUBLIC ANNOUNCEMENTS

There were no Public Announcements at this meeting.

6. PUBLIC COMMENT

There were no Public Comments at this time.

7. CONSENT AGENDA

All items listed under this Consent Agenda are considered routine by the Township Board and will be enacted by one motion. According to established Township meeting rules, there will be no separate discussion of these items, unless a member of the Board or public so requests at or prior to the meeting, in which event the chair of the meeting may remove such item(s) from the Consent Agenda for discussion and consideration under Agenda Item No. 8, below. Approval of the Consent Agenda shall be by a majority roll call vote of those present and voting. Under the Consent Agenda are items a. Public Safety Report, b. EMS Report, c. DPW Report, d. Code Enforcement Report, e. Assessing Department Report, f. Engineer Report, g. Planner Report, h. Library Report, i. Senior Center Report, j. Supervisor's Report, k. Treasurer's Report, l. Orders and Bills, m. Trustees Report, n. Clerk's Report.

Motion: Gurley Support: Honold

Motion to accept the Consent Agenda with the approval of Orders and Bills in the amount of \$ 359,698.75.

Roll Call: Gurley- Aye, Honold- Aye, Kandell- Aye, Clifford- Aye, Trombly- Aye. Motion passes.

8. ITEMS REMOVED FROM CONSENT AGENDA

a. PUBLIC SAFETY REPORT

EMS Director Jeff White presented four new EMS employees that successfully completed their probationary period and were prepared to recite the Oath, be sworn in, and pinned with their badges.

Rachel Fox- EMT Zoe Lambson- EMT
Jeremy Drouillard- EMT Scott Grzanka- Paramedic

Director White remarked that the new employees were looking younger every year. He continued that Patrick and Rachel Fox are the second husband/wife team that has joined Richmond Lenox EMS, the first is Marty and Jan Hartway, Lenox residents, who began working at EMS almost 30 years ago. The four members were applauded and congratulated by the Board of Trustees and everyone in attendance.

9. UNFINISHED BUSINESS

- A. COMMUNITY ROOM WINDOW COVERING PROPOSAL**
- B. CELLULAR TELEPHONE ALLOWANCE INCREASE REQUEST**

These two items were removed from the Agenda until further notice.

10. NEW BUSINESS

a. ANNUAL FIREFIGHTER PHYSICALS REQUEST

Motion: Kandell Support: Clifford

Motion to approve the total of \$9,235 to BioCare for the administering of annual Firefighter physicals.

All Ayes. Motion passes.

b. NUISANCE ODOR ORDINANCE PROPOSAL

Township Planner Steve Cassin detailed the Nuisance Odor Draft Ordinance that was prepared by the Township Attorney. The Nuisance Odor Ordinance came out of the Olfactometer purchase, which detects and measures odors, quantifying the data into nuisance categories. Township Attorney Addis explained that his office researched ordinances and state statutes from around the Country. This is a legally untested area; developing science is most certainly going to be challenged in the future.

Motion: Kandell Support: Clifford

Motion to approve the Nuisance Odor Ordinance as presented, the Clerk's Office will assign an Ordinance number and ensure proper newspaper publication.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Trombly- Aye, Honold- Aye, Gurley- Aye. Motion passes.

c. PLANNING COMMISSION SUBCOMMITTEE APPOINTMENTS REQUEST

Supervisor Trombly recommended the following persons to the Subcommittee to research Asphalt Millings for Township use:

Planning Commission Liaison Scott Clifford	Resident Chris Holsbeck
Zoning Board of Appeals Liaison Mike Vennard	Resident Joseph Rosseel
Resident Robert Schroeder	Recording Secretary Karen Kaltz

The members would be paid \$50.00 per meeting attended with a collective decision within three or four meetings. The prospective members have been contacted and have accepted the assignment.

Motion: Clifford Support: Honold

Motion to accept the proposed committee, set a date and start the meetings as presented as long as everyone is in agreement.

Roll Call Vote: Clifford- Aye, Honold- Aye, Kandell- Aye, Gurley- Aye, Trombly- Aye. Motion passes.

d. 2020 LIMESTONE APPLICATION PROGRAM

Macomb County Department of Roads is providing communities with three miles of limestone applied at the shared cost of Macomb County paying 90% and Lenox Township responsible for 10%. DPW Superintendent Cam Trombly has recommended the following roads:

- Forest Avenue from 30 Mile Road to 31 Mile Road
- 30 Mile Road beginning at Haven Ridge going east one mile*
- Omo Road from 30 Mile Road to 31 Mile Road*

*DPW Superintendent Trombly has concerns about ditching and drainage on these roads; Macomb County makes the final decision which roads get limestone.

Motion: Kandell Support: Gurley

Motion to accept the 2020 Limestone Agreement with the 10% that Lenox Township is responsible for the roads as listed by the DPW Superintendent- Forest Avenue, 30 Mile Road and Omo Road, if approved by Macomb County.

Roll Call Vote: Kandell- Aye, Gurley- Aye, Clifford- Aye, Honold- Aye, Trombly- Aye. Motion passes.

e. MACOMB COUNTY DEPARTMENT OF ROADS GENERAL ROAD MAINTENANCE RESOLUTION

Motion: Clifford Support: Honold

Motion to accept the 2020-1 Resolution as presented relating to Macomb County Department of Roads General Road Maintenance.

Roll Call Vote: Clifford- Aye, Honold- Aye, Trombly- Aye, Gurley- Aye, Kandell- Aye. Motion passes.

f. SCANNER PURCHASE REQUEST

Deputy Supervisor Jeanette Ventimiglia detailed a quote that was submitted for a 36-inch scanner for the Building and Planning Departments, so they are able to copy blueprints. The \$495 annual maintenance contract should be added to the purchase cost, which includes parts and labor, but does not include the cost of the ink.

Clerk Kandell added that this would be paid for using Medical Marihuana funds as it would be mostly utilized by the Planner.

Motion: Kandell Support: Gurley

Motion to purchase the HP DesignJet T-2600 36-inch Color Copier, Printer, Scanner at the cost of \$9,995, utilizing Medical Marihuana funds that were received and approve the maintenance contract of \$495 per year.

Roll Call Vote: Kandell- Aye, Gurley- Aye, Clifford- Aye, Trombly- Aye, Honold- Aye. Motion passes.

g. COPIER PURCHASE REQUEST

The Assessing Department has requested a new copier; two options were presented. This would be placed in the copy room, with the current copier moved to the main area near the Assessing Department.

Motion: Clifford Support: Gurley

Motion to purchase the Toshiba E-Studio 4513ac for \$4898, adding the stapling option for \$798.

Deputy Supervisor Jeanette Ventimiglia reported that the Township would be billed quarterly for black and color prints. She did not inquire whether this printer would be maintained if it was leased, but would doublecheck with Premier Business Products, Inc.

Motion to purchase the Toshiba E-Studio 4513ac for \$4898, adding the stapling option for \$798.

Roll Call Vote: Clifford- Aye, Gurley- Aye, Trombly- Aye, Honold- Aye, Kandell- Aye. Motion passes.

h. TIMECLOCK REPLACEMENT REQUEST

Three choices were submitted, with the recommendation being AT5000 Fingerprint and Badge Employee Time Clock with thermal paper printer, at the cost of \$247 each

Motion: Gurley Support: Honold

Motion to approve the purchase of two AT5000 Timeclocks, one for the Township Office and one for the DPW Building, as well as 50 rolls of thermal paper at the cost of \$16.99 to be divided between the two buildings.

Roll Call Vote: Gurley- Aye, Honold- Aye, Kandell- Aye, Clifford- Aye, Trombly- Aye. Motion passes.

i. NORTH EAST MACOMB CABLE (NEMC) PEG FEE REMITTANCE

Clerk Kandell reported that in the past, Comcast has paid Public Education Government Fees (PEG) directly to North East Macomb Cable (NEMC), recently they have changed this, submitting the fees to the Township. By law the fees must be remitted back to the NEMC, and NEMC has requested that a motion be made to remit all PEG Fees from Comcast Cable back to NEMC on a quarterly basis

Motion: Kandell Support: Clifford

Motion to remit all Public Education Government Fees received from Comcast Cable to North East Macomb Cable on a quarterly basis as received from Comcast.

Roll Call Vote: Kandell- Aye, Clifford- Aye, Honold- Aye, Gurley- Aye, Trombly- Aye. Motion passes.

j. NORTH EAST MACOMB CABLE (NEMC) SUBSCRIBER NUMBER INCREASE

Clerk Kandell explained that Lenox Township remits 50 cents per month per subscriber to North East Macomb Cable (NEMC). They rely on Comcast to provide the number of subscribers and bill participating communities accordingly. In the past, Lenox Township has paid for 860 subscribers, Comcast is now reporting that that number has risen to 1,138 subscribers. In 2019, with the new subscriber submission, the Township would be responsible to pay \$6,828. NEMC has requested that Lenox Township agree to the new numbers provided by Comcast

and agree to pay 50 cents per subscriber per month. She has reviewed the Franchise Agreement numbers that Comcast gave NEMC, and it does match the numbers that she received.

Motion: Kandell Support: Clifford

Motion to table this for further information, as she would like more research to be done to ensure that this expenditure is one that Lenox Township should continue making. All Ayes. Motion passes.

k. SET DATE FOR PARKS & RECREATION AND BUDGET WORKSHOP

Motion: Kandell Support: Gurley

Motion to set the date of February 18, 2020 from 3:30 PM to 5:00 PM to discuss the Parks and Recreation Concession Building Usage and to begin work on the 2020-2021 Budget. All Ayes. Motion passes.

I. ELECTION INSPECTOR COMPENSATION PROPOSAL

Clerk Kandell detailed that currently Election Inspectors are paid \$9.50 per hour and Chairpersons are paid \$10.00 per hour. Minimum wage has increased to \$9.65 per hour. After research, it has been discovered that Lenox is currently the lowest paying community to Election Inspectors.

Motion: Clifford Support: Honold

Motion to raise the Election Inspector pay to \$10.00 per hour and the Chairpersons pay to \$10.50 per hour.

Roll Call Vote: Clifford- Aye, Honold- Aye, Gurley- Aye, Kandell- Aye, Trombly- Aye. Motion passes.

m. FIRE DEPARTMENT COST RECOVERY

Public Safety Director Jeff White explained that Township Ordinance permits the Fire Department to bill the parties who caused the Fire Department's response, especially in the event of negligence. There is one firm that does cost recovery work for several neighboring communities in turn for paying them eight percent of what is recovered. He is concerned that Fire Department Personnel may not have the expertise to do cost recovery in a way to ensure that rules are not broken with regard to collection regulations.

Township Attorney Al Addis remarked that this type of contract is not unusual in the collection industry. His office does not endorse or condemn this contract or their approach, the decision should be made based on price and the quality of service.

Motion: Clifford Support: Kandell

Motion to approve the Public Safety Director's recommendation and approve AccuMed Cost Recovery Agreement as stated in his presentation.

Roll Call Vote: Clifford- Aye, Kandell- Aye, Trombly- Aye, Gurley- Aye, Honold- Aye. Motion passes.

11. PUBLIC COMMENT

Jeff Yaroch, State Representative from the 33rd House District thanked the Board for opening the Township building to allow him to conduct his Listening Tour, as he goes to each of his communities in order to have open dialog with the people he represents. He reported that there has been much talk regarding road bonding, he warned residents to refrain from excitement, as there would be no road work coming to Lenox Township. The funding would be for M Roads only, and M-19 is not on the short-term list. He is looking to introduce a bill that would bring additional road funding to local major roads.

12. CALL FROM THE BOARD

There was no additional conversation from the Board at this time.

13. ADJOURNMENT

Motion: Kandell Support: Gurley

Motion to adjourn the Meeting at 7:18 PM. All Ayes. Motion passes.

Respectfully submitted,

LuAnne Kandell, Clerk

Respectfully submitted,

Carol A. Swantek, Recording Secretary