

**REGULAR MEETING  
LENOX TOWNSHIP BOARD OF TRUSTEES  
MONDAY, APRIL 2, 2018**

- 1. CALL TO ORDER:** 6:30 PM  
**MEMBERS PRESENT:** Trombly, Kandell, Honold, Clifford, Gurley  
**ATTORNEY PRESENT:** Gary Dovre  
**RESIDENTS AND GUESTS PRESENT:** 10  
**2. PLEDGE OF ALLEGIANCE**

**3. APPROVAL OF MEETING AGENDA**

Supervisor Trombly reported that there would be two changes to the Agenda, being an addition under New Business, i., 2018 Limestone Project, as well as a deletion, being 12. Closed Session, A.

Motion by Kandell supported by Gurley to approve the meeting Agenda as amended. All Ayes. Motion passes.

**4. APPROVAL OF MINUTES**

Motion by Clifford supported by Gurley to approve the Minutes of March 5, 2018 and March 22, 2018 as written. All Ayes. Motion passes.

**5. PUBLIC ANNOUNCEMENTS**

There were no Public Announcements at this meeting.

**6. PUBLIC COMMENT**

*State Representative Jeff Yaroch updated everyone present on his local Board/Council Visits, as well as what he is currently working on.*

**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. Sheriff Report, b. Fire Department Report, c. EMS Report, d. DPW Report, e. Code Enforcement Report, f. Assessing Department Report, g. Engineer Report, h. Planner Report, i. Library Report, j. Senior Center Report, k. Supervisor's Report, l. Treasurer's Report, m. Orders and Bills, n. Trustees Report, o. Clerk's Report.

Clerk Kandell reported that Invoices paid total \$1,702,202.95, Invoices presented for payment total \$137,533.71, bringing the total of the Bills List to \$1,839,736.66.

Motion by Honold supported by Clifford to accept the Consent Agenda as written with the Orders and Bills totaling \$1,839,736.66.

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

## **8. ITEMS REMOVED FROM CONSENT AGENDA**

There were no items removed from the Consent Agenda at this meeting.

## **9. UNFINISHED BUSINESS**

There was no Unfinished Business at this meeting.

## **10. NEW BUSINESS**

### **a. FIRE DEPARTMENT CEILING REPLACEMENT PROJECT**

Fire Chief Denny Fouchia explained that the ceiling tile at Station 1 needs to be removed and replaced. This project has been included in the current budget; Fouchia requested that Clinton Interiors be awarded the contract for the total cost of \$5,250.

Motion by Kandell supported by Gurley to approve the replacement of the ceiling tiles at Station 1 and grant the bid to Clinton Interiors in the amount of \$5250.00. All Aye. Motion passes.

### **b. FIRE DEPARTMENT JUMPSUIT REPLACEMENT PROJECT**

Fire Chief Den Fouchia detailed that the Department's Jumpsuits are 15 years old and must be replaced. According to the National Fire Protection Association (NFPA) they have a lifespan of 10 years. The only supplier that carries this exact brand and style of coverall that will match remaining equipment is Apollo Fire Equipment in Romeo, Michigan. Fouchia budgeted \$6,300 as a Capital Item Purchase; the total replacement cost is \$5,319.86, and he recommends formal approval for this purchase.

Motion by Clifford supported by Gurley to authorize the Fire Chief to purchase 14 Nomex Jumpsuits from Apollo Fire Equipment for a total cost of \$5,319.86. All Ayes. Motion passes.

### **c. DPW SEASONAL PERSONNEL HIRE REQUEST**

DPW Superintendent Cam Trombly stated that the proposal for a Seasonal Employee is the same as it has been in the past. This person would be employed from late April until late October, compensation would be \$10.00 per hour, and approximately 30 hours a week.

Motion by Kandell supported by Honold to approve the proposal for advertising and filling the position of Seasonal Employee at the amount of \$10.00 per hour as requested. All Ayes. Motion passes.

### **d. LENOX TOWNSHIP LIBRARY LAWN CARE SERVICE REQUEST**

DPW Superintendent Cam Trombly detailed that he received a lawn maintenance request from the Library Director. As the DPW has been taking care of the lawn as well as the snow removal for the past several years, it was agreed that the Director would prepare one proposal for the entire year for both services. The perimeters of both proposals would remain the same as past years.

Motion by Honold supported by Gurley to approve the DPW to take care of snow plowing and lawn maintenance at the Lenox Township Library for the total of \$650.00 for 2018. All Ayes. Motion passes.

### **e. AT&T VIDEO SERVICE FRANCHISE AGREEMENT RENEWAL**

Attorney Gary Dovre reported that there is a Michigan Law that gives local governments little choice in agreements such as AT&T's Franchise Agreement before the Board. The statute reads that within 30 days of a request for a Video Franchise being made, the Board must approve it, and if the Board does not approve it, the Agreement would automatically be approved. The recommendation is that the Board adopt the Resolution as presented; Dovre favors affirmatively approving the Agreement rather than going with the automatic approval. In the Resolution, the Township reserves its rights to challenge the law, which is part of the act. There is no ability to negotiate terms or conditions, as there used to be under Cable Franchising, which reserves the Township's ability to take the benefit if some municipality were able to challenge this successfully. He recommends the Resolution Adoption as presented, which would provide for a Public Educational and Governmental Access Fee based on two percent of gross revenues, the AT&T Original submittal stated that they had been paying fifty cents per subscriber, now agreeing to go with two percent of gross revenues, which is the maximum that a community may charge for that type of fee. The Video Franchise Fee is set at 5% maximum under the State Law.

*Comment: J. Schulte 34940 32 Mile Road, Lenox, explained that she has lived in Lenox Township two and a half years, and would like the Bill number or the Law that put this Agreement into action.*

Dovre detailed that this was done as PA 480 of 2006, which took effect on January 1, 2017.

Motion by Kandell supported by Honold to adopt Resolution 2018-6, which is approving the renewed Uniform Video Service Local Franchise Agreement with Michigan Bell Telephone Company, doing business as AT&T Michigan, as presented by the Township Attorney.

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

**g. ELECTION LAPTOP COMPUTER LAPTOP COMPUTER REPLACEMENT PROPOSAL**

Clerk Kandell explained that the Electronic Pollbook laptops used during elections have reached the end of their useful life and the State of Michigan requires that replacements are purchased. The original laptops were gifted to the Township as part of a grant; the purchase of new laptops would be the responsibility of each municipality. She received three quotes ranging from \$517 to \$739, and would like to continue price negotiations, however, the Clerk's Office must run an Election in May. Kandell requested an expenditure approval of up to \$2,800 to replace the state issued laptops. There is \$6,500 set aside in the Election Budget for equipment.

Motion by Honold supported by Clifford to approve the expenditure for the Clerk's Office to purchase laptop computers for elections, not to exceed \$2,800.

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

**h. MICHIGAN CHAMBER LABOR LAW POSTER SERVICE**

Deputy Supervisor Jeanette Ventimiglia reported she was contacted by Michigan Chamber Services regarding Labor Law Posters. It would be a convenience to utilize this service, as she would receive email automatic updates in order to stay compliant with state and federal posting requirements. Each set costs \$39.00, and two sets would be needed, one for the Township Building and one for the DPW Building.

Motion by Clifford supported by Gurley to purchase two sets of Labor Law Posters, one for the Township Hall and one for the DPW, at the cost of \$39.00 per set. All Ayes. Motion passes.

**i. 2018 LIMESTONE PROJECT**

Deputy Supervisor Jeanette Ventimiglia stated that she did not receive any information, however an email was located on the Supervisor's computer from Macomb County regarding the limestone application, that they required a response from Lenox by last week. The shared cost program remains the same as previous years, Macomb County pays 90%, Lenox Township pays 10%, with three miles available per municipality. Lenox Township Emergency Personnel dictate the roads that are in the most need of limestone.

Motion by Clifford supported by Gurley to renew the contract with Macomb County Road Commission on three miles of limestone application as budgeted.

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

**11. PUBLIC COMMENT**

*V. Hofman, 35450 27 Mile Road expressed concern that Lenox Township does not observe the Holiday Season like other municipalities do and offered ideas.*

**13. ADJOURNMENT**

Motion by Gurley supported by Honold to adjourn the meeting at 7:10 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary