

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

- 1. CALL TO ORDER:** 4:00 PM  
**MEMBERS PRESENT:** Trombly, Kandell, Honold, Clifford, Gurley  
**ATTORNEY PRESENT:** Albert Addis  
**RESIDENTS AND GUESTS PRESENT:** 20
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVAL OF MEETING AGENDA**

Motion: Kandell Support: Clifford

Motion to approve the Meeting Agenda as presented. All Ayes. Motion passes.

**4. APPROVAL OF MINUTES**

Motion: Kandell Support: Gurley

Motion to approve the Minutes of June 1, 2020, June 8, 2020, June 18, 2020, June 23, 2020 and June 24, 2020 as presented. 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 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.

Clerk Kandell explained that invoices have been prepared totaling \$383,265.24 to present to the Board for payment.

Motion: Honold Support: Gurley

Motion to accept the Consent Agenda with the Orders and Bills in the amount of \$383,265.24.

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

**8. ITEMS REMOVED FROM CONSENT AGENDA**

a. PUBLIC SAFETY REPORT

1. INTRODUCTION OF NEW FIRE DEPARTMENT OFFICERS

Public Safety Director Jeff White proudly announced the appointment of Martin Hartway as Chief of the Lenox Township Fire Department and Cameron Trombly as Assistant Fire Chief. Both men have served the Lenox Township Fire Department for over 30 years, many of which in

department leadership roles. Chief Hartway will be available to conduct Fire Department business from 9:00 AM until 3:00 PM Monday through Thursday with other days and times as needed; Assistant Chief Trombly will be continuing his full time role as Lenox Township DPW Director, while assisting Chief Hartway with day to day fire operations. A round of applause was held for the promotion of both men.

## **9. UNFINISHED BUSINESS**

There was no Unfinished Business to complete at this meeting.

## **10. NEW BUSINESS**

### **a. MEDICAL MARIHUANA CERTIFICATE TRANSFER REQUEST – EVO PHARMS, LLC.**

Township Attorney Albert Addis explained that there is no process in effect that would allow the transfer of a Medical Marihuana Certificate at this period in time. He suggested the Board explore the idea of a policy at a later date.

Motion: Kandell Support: Honold

Motion to table the Medical Marihuana Certificate Transfer Request for Evo Pharms, LLC. All Ayes. Motion passes.

### **b. FIRE DEPARTMENT TURNOUT GEAR REPLACEMENT REQUEST**

Public Safety Director Jeff White stated that this item is for five sets of turnout gear; a price increase has been scheduled to go into effect in October 2020, and Douglass Safety Systems has held their price of \$10,570 for Lenox. The Fire Department budgets for five sets of turnout gear replacement every year, to replace the gear that has reached the end of their useful life.

Motion: Clifford Support: Kandell

Motion to approve the purchase of five sets of turnout gear from Douglass Safety Systems at the cost of \$10,570.00.

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

### **c. GWLA INDUSTRIAL PRETREATMENT PROGRAM (IPP) APPROVAL REQUEST**

Clerk Kandell reported that the Great Lakes Water Authority (GLWA) has requested a Township Resolution for the Regulation of Wastes and Wastewaters Discharged in the Collection System for all Participating Municipalities.

DPW Superintendent Cam Trombly stated that the EPA has required that GLWA set rules and regulations for the pretreatment of industrial contaminants into the collection system.

Motion: Clifford Support: Honold

Motion to approve Resolution 2020-5 regarding the GLWA Industrial Pretreatment Program. All Ayes. Motion passes.

### **d. FROST ROAD WATER EXTENSION PROJECT**

DPW Superintendent Cam Trombly explained that the water main was extended last year along Frost Road behind Meijer across I-94 to the north. Presently, there is one-half mile to 27 Mile Road where the two systems could be tied together to create redundancy and reliability. The request is to begin designing and engineering this extension in order to be shovel ready by Spring 2021.

Motion: Kandell Support: Honold

Motion to approve the Frost Road Water Main Extension Project as presented with a Probable Construction Cost Estimate supplied by the Township Engineer in the amount of \$491,000.

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

### **e. PARKING LOT IMPROVEMENT PROJECT**

Township Engineer Sermed Saif was asked to calculate a probable construction cost estimate for replacing the north and west parking lots, the basketball court, tennis court, and hockey rink. Although the tennis courts have two to four years of lifespan left, he recommended replacement at this time for cost advantage and economies of scale. Board approval is necessary for the authorization to proceed with the survey, engineering, and inspection of this project.

Motion: Clifford Support: Honold

Motion to approve the parking lot project with the probable construction cost of \$957,000 to go ahead.

Clerk Kandell asked for clarification that this approval is simply to go ahead with the design, survey, and construction cost estimates.

Supervisor Trombly confirmed that this is correct.

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

**f. PARK IMPROVEMENT PROJECT ENGINEERING COST ESTIMATE**

Township Engineer Sermed Saif reported that this item addresses the water splash pad and dog park.

Clerk Kandell inquired if this request is just for the design, survey, and construction estimate.

Supervisor Trombly verified that this is accurate.

Motion: Kandell Support: Clifford

Motion to approve moving forward with the design, survey, and construction cost estimates on the water splash pad.

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

**g. PARK EXPANSION ASBESTOS SURVEY REQUEST**

Township Engineer Sermed Saif recalled a July communication to the Board requesting an environmental engineer to move forward with the asbestos survey for the demolition of the house and the barn on 63479 Gratiot Avenue.

Motion: Honold Support: Clifford

Motion to approve the Park Expansion Asbestos Survey Request at the cost of \$3,900.00.

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

**h. EXERCISE WALL PROJECT REQUEST**

Township Planner Stephen Cassin explained that this request is for an exercise court approximately 38 feet by 38 feet outdoor pad and wall that allows people of all ages to partake in various levels of activity. The Township was awarded a \$30,000 grant to offset the \$130,000 cost of construction; other costs include approximately \$18,000 for installation, \$10,000 for concrete and \$5,000 to remove the playscapes.

Motion: Kandell Support: Honold

Motion to approve the purchase and installation of the exercise wall in the amount of \$133,000.

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

**i. MEDICAL MARIHUANA ZONING ORDINANCE SECTION 329 AMENDMENT**

**j. MEDICAL MARIHUANA ZONING ORDINANCE SECTION 337 AMENDMENT**

Planner Cassin explained that the Amendments to the Zoning Ordinance deal with home occupations, allowing the Township to regulate Medical Marihuana caregivers. An approval from the Board would authorize the two Amendments to go back to the Planning Commission.

Motion: Kandell Support: Clifford

Motion to send the Zoning Ordinance Amendments Section 329 and Section 337 dealing with Medical Marihuana Home Occupation and Medical Marihuana Uses to the Planning Commission for approval. All Ayes. Motion passes.

**k. ROSSEEL FARM EQUIPMENT REQUEST**

Gary Gendernalik, Attorney, and John Monte, Engineer, were present on behalf of the Rosseel Farm Implement Store. Site Plan Approval was obtained for this project. This request is to allow a portion of the property to be surfaced in recycled asphalt, recycled concrete, and gravel; the driveway and customer parking would be hard surfaced with curb and gutter. He pointed out several areas within the Township as well as outside of the County where asphalt millings are used and believes that Lenox Township should not preclude the use of millings.

Attorney Addis stated that because the request includes asphalt millings which have not been approved by the Township Engineer, the Board could consider giving him the opportunity to render a written, legal opinion, as there is some concern regarding the environmental impact of utilizing asphalt millings.

Motion: Kandell Support: Honold

Motion to give Mr. Addis the opportunity to research and provide a written opinion regarding the best course of action with Rosseel Farms and their request to utilize asphalt millings and other suitable material to be used in their driveway, parking lot, and storage area.

All Ayes. Motion passes.

**I. JOINT FIREWORK DISPLAY REQUEST**

Supervisor Trombly reported that the New Haven High School parking lot would not be ready for this year, therefore the firework display has been postponed.

Motion: Kandell Support: Honold

Motion to remove the Joint Firework Display Request and revisit it again next year. All Ayes. Motion passes.

**m. ADDITIONAL INTERIOR SIGNAGE**

Deputy Supervisor Jeanette Ventimiglia stated that there is no wall sign for the Planning Department where other departments are labeled over the front counter. Two companies were contacted, one being the company that created the original signs when the building was built.

Motion: Clifford Support: Gurley

Motion to purchase the cast aluminum letters and installation from Foresight Supersign in the amount of \$1099.30. All Ayes. Motion passes.

**n. DEPUTY TREASURER PAY ADJUSTMENT**

Clerk Kandell reported that the Deputy Treasurer pay increase was not included in the 2020-2021 Budget when it was approved.

Motion: Kandell Support: Gurley

Motion to approve an additional 25 cents per hour in additional pay to the Deputy Treasurer retroactive to July 1, 2020 due to a Budget error.

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

**o. OUTLOOK 365 RENEWAL REQUEST**

The Township email provider, Outlook 365 is up for annual renewal, which covers two plans, one for employees to get their email directly and one that goes through a department. There are currently 21 licenses at \$152.00 each for a year and the subscription license for seven users amounts to \$347.20.

Motion: Kandell Support: Clifford

Motion to approve the renewal of the Outlook 365 licenses, 21 licenses at \$152.00 each, and seven licenses at \$49.60 each.

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

**p. TOUGH BOOK PURCHASE REQUEST**

In response to COVID-19 restrictions, there were Building Department Inspectors that could not work outside of the building as they did not have the proper equipment to get the information back to the Township. Three quotes were received for five Tough books, for the Building, Electrical, and Mechanical Inspectors, the DPW Superintendent, and the Code Enforcement Officer.

CDW-G	\$4,047.95 each plus shipping and handling
Tower Computer	\$3,739.00 each plus shipping and handling
Hi-Tech	\$3,702.69 each plus shipping and handling

The cost of the devices can be covered under COVID Cares Act.

Motion: Kandell Support: Honold

Motion to approve the low bid purchase of five Tough books from Hi-Tech at the cost of \$3,702.69 each.

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

**11. PUBLIC COMMENT**

Township Engineer Sermed Saif asked for clarification on moving forward with the park improvement items.

**12. CALL FROM THE BOARD**

Clerk Kandell commented that Tuesday, August 4, 2020 would be a big election day. If you are not one of the 1,500 residents that voted by Absentee ballot already, please come in and vote. Curbside voting is going to be available for the first time for this election.

Supervisor Trombly remarked that the improvements that are in the works are due to the Board of Trustees acting frugally and spending less than two million of revenue taken in, almost a savings of two million less than revenue. Just like was done with the Park Restrooms, they are open to the public during daylight hours. He thanked everyone for working together on these projects. Feedback is welcomed.

Trustee Clifford stated that there are things coming in the future with the expansion of the park, with thanks to Mr. Esper for clearing the property so well, it is looking better out there.

**q. LENOX VS. BEEDLE – SETTLEMENT AGREEMENT**

Attorney Addis explained that a copy of the Settlement Agreement was provided to the Board for their review. Unless a Board Member has a specific question, the Board could vote to approve or disapprove. If there were specific questions, Closed Session would be necessary.

Motion: Kandell Support: Honold

Motion to approve the Settlement Agreement, Lenox Township vs. Beedle, as presented by the Township Attorney's Office.

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

**13. ADJOURNMENT**

Motion: Honold Support: Gurley

Motion to adjourn the Meeting at 5:02 PM. All Ayes. Motion passes.

Respectfully submitted,

Respectfully submitted,

LuAnne Kandell, Clerk

Carol A. Swantek, Recording Secretary