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## MINUTES OF THE ELM RIVER TOWNSHIP BOARD MEETING JUNE 20, 2011

The regular township monthly meeting was called to order at 7:00 p.m. Members present were Jim Saur, Margaret Lindeman, Cheryl Reynolds, Deb Maki, and Bob Sibilsky. Township Attorney Mr. Bill Fahey was also in attendance.

**MINUTES OF MEETING:** The minutes of the May 18, 2011 meeting were read and approved. Motion to approve: Lindeman/ Saur, all voted aye.

**PUBLIC COMMENT:** (Deviation from normal meeting routine)

Joe Romano: Questioned why we have our attorney at the meeting.

(Mr. Fahey explained the lawsuit filed against the Township and the County Road Commission. He explained why we were having comments on the subject at this time.)

Joan Boyer: She felt that all actions of the Board needed to be done at an open meeting. She contended that there wasn't any discussion for a year. She had a number of concerns related to the road lawsuit and why we hired the attorney we did. She requested through the freedom of information act: Our contract with the attorney, payments made to the firm and any communications to the attorney.

Rick Gemignani: Questioned hiring of the township attorney, also contended that the township attorney was supporting the plaintiff.

Paul Masini: Contended that the residents needed to know more of what was going on with the lawsuit.

Fred Raffaelli: Wanted answers to concerns tonight.

Bob Nottoli: Was subpoenaed to court next Monday, wanted to know why.

**CLOSED SESSION:**

Motion to go into closed session with the attorney to discuss the lawsuit: Saur/Lindeman, all voted aye.

**COMMENTS RESPONSE:** Supervisor Maki explained that the attorney Mr. Fahey was recommended by the MTA as he was well versed in township law and he handled as many

as eighty townships. Mr. Tomasi was asked to represent us but couldn't do both the township and the county.

Mr. Fahey explained the lawsuit and the position of the township on behalf of the township.

After considerable discussion relevant to the use or non use of the road in question, the township voted on the following motion: " The township board shall rest on its brief already filed with the court and will not be represented at the court proceedings next week." Motion: Saur/Sibilsky roll call vote Reynolds, Lindeman, Maki, Saur, and Sibilsky, all voted aye.

**TREASURER'S REPORT:** Treasurer, Reynolds presented an invoice register for current township expenditures totaling \$13,381.25 and was accepted as presented. Bank fund analysis will be provided at the next meeting.

**CORRESPONDENCE:** none

**UNFINISHED BUSINESS:**

**CENSUS:** Supervisor Maki was able to get more current data on our township population. We have a 4.7% increase with our new population at 177.

**CITIZEN'S CD:** Board authorized Treasurer Reynolds to cash out the CD at maturity and applied to the fire truck principal. Motion: Sibilsky/Lindeman all voted aye.

**CEMETARY FEES:** Motion to raise grave fee to \$50.00: Saur/Sibilsky, all voted aye

**HALL RENTAL AGREEMENT:** A revised agreement document was approved without fee increase. Motion to approve: Saur/Reynolds, all voted aye

**DEPUTY TREASURER:** Treasurer Reynolds appointed Mary Bourdeau as deputy.

**PLANNING COMMISSION:** The commission is looking for a replacement as Jack Reiss submitted his resignation pending a replacement. Interested individuals should contact Supervisor Maki.

Whitewater Engr. will present testing plan for the lakes at 7:00 p.m. on the 29th.

**ANNOUNCEMENTS:** Fireman's Pancake Breakfast set for July 10 at 7:30-11:30 A.M.

**PAY BILLS:** Motion to pay bills \$13,381.25: Lindeman/ Saur, all voted aye

**ADJOURN:** Motion Saur/Sibilsky, all voted aye

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