

(clerkmins121009)

**GRAFTON TOWNSHIP REGULAR BOARD MEETING  
AND BUDGET AMENDMENT HEARING  
MINUTES  
December 10, 2009  
Final**

Budget Amendment Hearing:

The meeting was called to order by Supervisor Moore at 7:35 pm. Supervisor Moore stated that there was no motion and closed the hearing.

Regular Board Meeting:

1. Call to Order

The meeting was called to order at 7:36 pm by Supervisor Moore.

2. Roll Call

Present were as follows: Supervisor Moore, Highway Commissioner Freund, Assessor Ottley, Clerk Frigo, Trustees LaPorta, McMahon, Murphy and Zirk. Present was Township Attorney Krafthefer.

3. Pledge of Allegiance

The Pledge of Allegiance was administered at this time.

4. Regular Business

Trustee LaPorta made a motion to move agenda item t to beginning of regular business. Trustee LaPorta called for a motion to appeal the decision of the chair. The motion was seconded by Trustee Zirk. Supervisor Moore read "point of order" into the record. Township Attorney Krafthefer explained procedure.

Trustee LaPorta made a motion to move agenda item t (censure Township Supervisor) to #4 Regular Business. Motion seconded by Trustee Zirk.

There was a discussion on censure motion.

Trustee LaPorta called for a question five times.

There was a motion made previously to move agenda item t to #4 Regular Business.

There was a roll vote: Ayes: 4 Trustees Naye: 1 Supervisor

The motion passed.

Supervisor Moore stated that it was more important to pay bills not out of order, tax levy and audit.

Supervisor Moore called for a Point of Order and inquired of the Township Attorney if censure is a wise thing to do. Township Attorney Krafthefer stated no legal opinion of such and that she would not opine on such.

There was a motion made by Trustee LaPorta to read and pass agenda item t (censure Township Supervisor) and seconded by Trustee McMahon.

Supervisor Moore suggested the possibility of opening the Township to further litigation.

Trustee LaPorta read censure of Township Supervisor Resolution #121009-01. Supervisor Moore called to question. Township Attorney Krafthefer made corrections to page 8 HH.

There was a roll vote: Ayes: 4 Trustees Naye: 1 Supervisor

The motion passed.

4.

a. Audit and payment of bills

Supervisor Moore suggested changing of the method of paying bills.

There was a discussion on payment of bills.

There was a motion to pay Town bills with the exception of: two chamber bills and Ketchmark bill.

The motion made by Trustee Murphy and seconded by Trustee Zirk. Trustee LaPorta added that all bills shall be contained in board packets in order to verify.

There was a roll vote: Ayes: 4 Trustees Naye: 1 Supervisor

The motion passed.

There was a motion made by Trustee Murphy to pay Road District bills and seconded by Trustee Zirk.

There was a discussion on payment of bills.

There was a roll vote: Ayes: 5 Trustees and Supervisor.

The motion passed.

b. Approval of Minutes

September 3, 2009-previously approved

There was a motion made by Trustee Murphy and seconded by Trustee Zirk to table the following approval of minutes to January 14, 2010 Board meeting.

October 8, 2009; October 29, 2009; November 12, 2009; November 18, 2009(2);  
November 24, 2009(2)

The motion passed.

5. Public Participation

Tammy Lueth participated in public comments.

6. Old Business

- a. Update from Supervisor on two general assistance items questioned during special board meeting for payment of bills.

Supervisor Moore stated that she is taking concerns under advisement. Trustee Murphy inquired further and Township Attorney Krafthefer commented and concurred with Trustee Murphy's inquiry. Supervisor Moore to follow-up at January 14, 2010 Board meeting.

There was a motion made by Trustee LaPorta for Supervisor Moore to provide answers to agenda item (a) at January 14, 2010 Board meeting. The motion was seconded by Trustee Murphy.

There was a roll vote: Ayes: 4 Trustees

Naye: 1 Supervisor-stated that response to question could violate confidentiality.

Trustee Murphy rebutted Supervisor Moore's statement.

The following items taken together: 6b, 6d and 7r.

- b. Status of unwind of road district purchase of property; discussion and potential action on same.
- d. Action regarding sale of Township property to road district.

7r. Discussion and potential action to approve payment of \$700,000 road ordinance plus interest to date for loan.

Road District Attorney Pat Coen explained the unwind and procedure of electoral approval for aforementioned agenda items.

All concurred that Attorney's Coen and Krafthefer communicate with the Supervisor, Highway Commissioner and one Trustee in reference to aforementioned agenda items.

Agenda items 6b, 6d and 7r tabled to January 14, 2010 Board meeting.

6c. Discussion and potential action on Resolution Adopting Grafton Township Board Rules

There was a discussion on Board Rules previously approved on September 3, 2009. Township Attorney Krafthefer commented on such.

Trustee LaPorta called for a question. Township Attorney Krafthefer commented.

Trustee LaPorta made a motion to strike Robert's Rules of Order in regards to Board Rules. Trustee McMahon made a second to the motion.

There was a discussion on the matter.

Trustee Murphy made a motion to adopt/accept amended Board Rules removing Robert's Rules of Order, adding proposed language, supervisor to email township attorney 60 hours before meeting, township attorney to email clerk to post, clerk to notify NW Herald newspaper, supervisor to provide board with packet 48 hours prior to meeting which will include background materials to the Trustees. Trustee Zirk seconded the motion.

Trustee Murphy made a motion to amend the Board Rules. Motion seconded by Trustee LaPorta.

There was a roll vote: Ayes: 4 Trustees  
Abstain: 1 Supervisor

The motion passed.

7. New Business

- a. Correct and Adjust Financial Reports-credit #1533 Legal \$12,687.25 attorney James Kelly bill, debt #1829 Capital assets \$12,687.25; same with payment to attorney Kelly bill of \$5,724.88.

There was a discussion on bills.

There was a motion made by Trustee Zirk to correct and adjust financial reports. Motion seconded by Trustee LaPorta.

There was a roll vote: 5 ayes-Trustees and Supervisor

The motion passed.

- b. Discussion of and potential action on audit report

There was a discussion on audit report. John Albanese and Tom Longo were present. John Albanese explained procedure and asked for questions/comments. He suggested purchase orders, second signatures and a resolution to adopt policy.

There was a motion made by Trustee Murphy to approve audit as written. Motion seconded by Trustee Zirk.

There was a roll vote: Ayes: 4 Trustees. Trustee LaPorta stated all accounting done per recommendation of existing auditor/attorney at the time.

Naye: 1 Supervisor. Supervisor Moore stated audit is incomplete does not include all township funds per code requirements. Salaries of township officials not verified with the salaries struck by board four years ago.

The motion passed.

- m. Discussion and possible action to approve town fund and road district tax levy

Discussion-action taken. Special meeting to take place per levy ordinance changes.

There was a motion made by Trustee Murphy to approve town fund and road district tax levy warrants. Motion seconded by Trustee Zirk.

There was a roll vote: Ayes: 3-Trustees Murphy and McMahon; Supervisor Moore. Passes: 2-Trustees Zirk and LaPorta.

The motion passed.

- c. Discussion and potential action on motion for purchase orders per auditors' suggestions.

There was a discussion on purchase orders in all departments.

Trustee Murphy made a motion to establish using purchase orders in all departments beginning January 1, 2010. Motion seconded by Trustee LaPorta.

There was a roll vote: Ayes-5-Trustees and Supervisor

The motion passed.

- d. Discussion of and potential action on second signatures for checks per auditor's suggestions.

There was a discussion regarding second signatures for checks.

Trustee Murphy made a motion to add procedure to add second signature to all township checks. Motion seconded by Trustee Zirk.

Township Attorney to prepare resolution and direct banks to comply.

There was a roll vote: Ayes: 4 Trustees Naye: 1 Supervisor

The motion passed.

There was a motion made by Trustee Murphy to table agenda items 7e, f, i, j, k, l, n, o, p, q and s. Motion seconded by Trustee Zirk.

There was a roll vote: All ayes.

The motion passed.

- g. Discussion of status of current Township Attorney/potential action on Appointment of new Township Attorney.

There was a discussion on appointment of new Township Attorney.

There was a motion made by Trustee Zirk that there is no change with current Township Attorney. The motion was seconded by Trustee LaPorta.

Roll vote: Ayes-4 Trustees  
Naye: 1 Supervisor.

Supervisor Moore stated her withdrawal of appointment of Township Attorney Krafthefer. Trustee Murphy rebutted by stating that Supervisor Moore was highly impressed and recommended Township Attorney Krafthefer on three prior occasions at board meetings.

The motion passed.

#### 10. Adjournment

Motion made by Trustee Zirk to adjourn the meeting. Motion seconded by Trustee LaPorta.

The meeting was adjourned at 12:15 am.

Respectfully submitted by,

Dina M. Frigo  
Township Clerk