

HOMER TOWNSHIP

STATE OF ILLINOIS

Will County,
Town of Homer,

ss.

MONTHLY BUSINESS/PLANNING
MEETING

Approved as amended October 15, 2007

THE BOARD OF TOWN TRUSTEES met at the Town Hall (16057 S. Cedar Road, Homer Glen IL.) on September 10, 2007.

PRESENT:	Andrew Fazio	Supervisor
	Evelyn K. Walano	Town Clerk
	Stephen J. Balich	Trustee
	Mike Costa	Trustee
	Pam Meyers	Trustee
	Nancy Strack	Trustee arrived 7:10

Township Supervisor Andrew Fazio and Evelyn K. Walano Township Clerk conducted the monthly Township Board meeting where the following official business was transacted: The meeting was called to order at 7:00PM by Supervisor Fazio who asked Trustee Costa to lead the pledge to the flag. Also present was Highway Commissioner Mike DeVivo and Attorney Jerry Sramek.

AMENDMENTS TO THE AGENDA: Supervisor Fazio would like to add a letter from Homer Glen Mayor **MOTION** by Trustee Balich to add letter from Homer Glen Mayor 2nd by Trustee Meyers **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – absent, Supervisor Fazio – yes. **MOTION CARRIED.**

Clerk Walano asked if the I355 trail update from the Clerks report could be moved to after the open forum. **MOTION** by Trustee Meyers to move I355 report to after open forum. Supervisor Fazio suggested they speak during open forum. Trustee Meyers withdrew motion.

OPEN FORUM: Bob Gory 12305 Derby Lane, Homer Glen. The street was raised about 6” and new curbs were put in. He is not sure if there is enough fill, no grass came in just weeds. He showed pictures and asked if this could be rectified. Highway Commissioner hadn’t heard anything about this before. He will take care of it.

Jim Cahill 12149 W. Forest View, Homer Glen gave an update regarding I355 trails. He handed out information and showed a map of I355, and the chart used to put together the Local Advisory Committee and the mileage per town by percentage. There was also a design and project description and street crossing types. The Toll way will be completed

in November and there will be a charity bike ride. The committee has been working with the Toll way and various groups as to where they can get grants.

Karen Fonte from Will County Forest Preserve regarding the Spring Creek Greenway. Two Special Use Permits are in at Will County because of work being done in the flood plane. Along Gouger Rd. and Farrell Road there has been a lot of restoration work and the Toll way has put in a box culvert so we can get under the Toll way with a trail extension to Bruce Rd. Work has also recently been done at the Messenger Marsh which is another multi use trail with separate horse trailer parking and a dog park. She also clarified that the I355 Trails subcommittee is looking into grant funding, preferably an 80%/20%. This is just at the discussion stage.

Grant Spooner 14200 High Rd. Lockport FYI He tapes the meetings of the Local Advisory Committee and they have all been on TV. He is also a member of the Lockport Historical Society which is voting tonight on whether or not to move the Pioneer Village to just east of the Trantina Farm.

Matt Campbell 111 W. Ottawa Joliet, Highway Commissioner's attorney. At the last meeting he was told that he would not be able to make comments. However the statutes state that he can comment.

SUPERVISOR REPORT Read letter from Homer Glen Mayor: It has come to our attention that the Township is purchasing land acquisition adjacent to your facility on 151st St. It is also our understanding that there are plans for construction of an additional building on this property. As the Village continues its long range planning and development of municipal services and staffing, it is apparent that the creation of our own public works department is inevitable. Certainly the one percent sales tax initiative that will be discussed at tomorrow evenings board meeting contemplates this along with other various program and land acquisition proposals. As the Village continues to establish itself as one of the premier communities in the south suburbs it will be imperative for us to begin to provide basic community services to our residents. This will necessarily include public safety, road maintenance, utility services along with the services we already provide. While there is no specific time frame established at this time. We assure you that the Village has every intention to move forward with the planning for the transfer of road responsibilities to Homer Glen. We appreciate all the assistance the Township has provided us in helping to create the Village. We can all be proud of and we look forward to the continued partnership in the future. Respectfully, Mayor James Daley
Trustee Meyers would like a copy of the letter. Supervisor Fazio said he would get a copy to all board members. MOTION by Trustee Balich to deny any large building projects or large equipment purchases. Attorney Sramek pointed out that is the authority of the board to review Highway expenditures in regard as to whether they are in a line item in the budget, whether or not there are sufficient funds and to obtain copies of the bills when not satisfied with the sum. The roll of the board is an auditing roll not a legislative roll. Motion died.

1. Joann to attend General assistance seminar October 4th & 5th, 2007. Overnight stay October 3rd & 4th, 2007. \$130.00 plus hotel, agenda submitted. **MOTION** by Trustee Meyers to pay for the seminar and hotel costs 2nd by Trustee Balich. Discussion: Trustee Meyers asked if Joann will be administering general assistance. Supervisor Fazio yes, he is all over, so they will be doing it together. **ROLL CALL** Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio – yes.

MOTION CARRIED

2. Clerk Walano Attorney fees: **MOTION** by Trustee Balich to deny any payment 2nd by Trustee Costa. Discussion: Trustee Costa thought Attorney Sramek was going to look into this. Attorney Sramek will look into the bills, he stated that there is some authority that exists that states that when there is a conflict between the board and an official that requires independent representation that there is authority to seek outside council. It is preferred that it be brought to the board for approval. **ROLL CALL** Trustee Strack – no, Trustee Balich – yes, Trustee Costa – no, Trustee Meyers – no, Supervisor Fazio – yes.

MOTION FAILED

MOTION by Trustee Costa to have Attorney Sramek examine the bills and determine what the board should consider. 2nd by Trustee Strack. Trustee Costa withdrew the motion because it had already been made last July, 2nd withdrawn.

3. Senior Services of Will County sent a letter asking for financial support. The letter included a break down of services provided. **MOTION** by Trustee Meyers not to support them this year because funds are low and there is no money in the budget for it but to consider it for next years budget. 2nd by Trustee Costa. **ROLL CALL** Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED**

4. FOIA request was made for the Highway Department budget.

5. Request to allow alcohol consumption at Stallions bon fire September 14, 2007.

MOTION by Trustee Balich to allow alcohol consumption at the Stallions bon fire 2nd by Trustee Strack. **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED**

6. Request to allow alcohol consumption at Inferno fund raiser October 20, 2007.

MOTION by Trustee Strack to allow alcohol consumption at the Inferno fund raiser 2nd by Trustee Balich. **ROLL CALL** Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio – yes. **MOTION CARRIED**

7. Illinois Toll way Authority vs. Basham & Homer Township. **MOTION** by Trustee Balich to authorize Attorney Sramek to sign the stipulation of facts regarding the condemnation of land 2nd by Trustee Costa. **ROLL CALL** Trustee Meyers – abstain, Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Supervisor Fazio – yes.

MOTION CARRIED

TRUSTEE REPORTS :

Trustee Balich: 1. Homer Township bills: “If the board will allow it I would like to change a lot of the procedures and the way we do things. We have a lot of problems going over these bills, it takes forever. Most of the time the board has no clue what is going on. We have to go back and forth. So what I’m proposing is a list of things that I would like to see implemented and changed. The first thing is that when we approve the bills, right now Bud reads each different fund, Park fund, Road fund. According to the

statutes he doesn't have to read those funds. You can approve the bills in total in summery or in individuality. I'm proposing we start doing it in individuality, each different bill, so when we receive a bill, in order to give a bill there has to be a receipt attached to the bill. So that there is no question to the board what this is about. All bills accept contractual bills need a receipt with a reason for the purchase, the person authorizing it and the date attached to the bill. If you don't have this stuff, we don't approve the bill. So when it comes time to approve the bills you will have in your packet all the bills with all the receipts. All payroll must have a time card attached to it. Like we have in our packet right now we get IMRF, Social Security. It's pretty obvious those are being paid and we can see on the reports that something was paid from a special fund. But it would be a lot easier and less time consuming for the people that are doing it, to attach a time card, if there is overtime, who authorized the overtime and why were they doing it. So that means that we won't have any problems any more with saying well why did somebody work overtime on this day, who authorized it. The board will know all of this. There won't be any problems what so ever. This would apply to the Highway Department and the Town. Fuel at the Highway Department has numerous codes. Last month you said you would bring me the codes for the trucks. You didn't do it because it wasn't in my packet. So, I wanted to compare for last year all the fuel usage. And you said you'd be able to tell me which trucks you filled up. You said you wouldn't have a problem doing that. And obviously you didn't bring it, cuz I don't have it. I don't want to go thru this any more. This is not the way it should be done. We need to know what each code means and a mileage report should be given with each fill up. All a person has to do is right down the mileage they have. We're not asking for a whole lot." Trustee Meyers asked "I just want to make sure I understand mileage report for each fill up and you want to know what each code means" Trustee Balich, "right, in other words each key has a code and there's all them numbers on there. Well I want to know what that means so I can decipher what that is. Commissioner DeVivo indicated last meeting that each truck has its own key and a master key which he has. If the Commissioner fills up equipment he must use the key assigned to each vehicle so that we hand write the mileage down so that we can see and keep a good inventory of what's going on with the fuel. For small equipment needs they need to be documented as to the specific item that's being fueled. Like if you have a weed whacker and it takes gas and you put a gallon of gas in that weed whacker just put down a gallon of gas on a certain day. We know it doesn't take 20 gallons, it takes one. Township employees who fill any equipment need to adhere to the same rules. So that means people at our parks if they fill up over there, it's not a big deal to them to write down the mileage on their truck. And I think they already, if I'm not mistaken they already do on their time cards indicate who Ok'd the overtime and why it was given. But we need to have that all the time. Conferences and other classes need board approval and will only be paid with the date the board approved it and corresponding agenda for the classes. Like there's one that we'll probably talk about later that Evelyn requested to go to and there's nothing to do with Clerk's duties. So why would the board pay all this money for a seminar which does not concern the Clerk. The Town board in my opinion, should not allow payment if these procedures are not followed. I understand this creates additional labor and use of paper. If we need to hire more people then we must do that. We must be sure the money the people elected us to administer is done properly. The Town board should not become an investigative body.

Which in a lot of cases we're ending up being. When the board feels there is a problem it needs to refuse to allow payment. In the case of the excessive fuel use, missing money, false reports, associated with Commissioner DeVivo the board needs to tell Attorney Sramek to take the matter to the State's Attorney. Right now, to this date, last year we never got the situation with the scrap money straightened out the reports you gave us were false. Cuz I saw the reports, they don't jive, dollar figures are all wrong. You never straightened that out from last year. Fuel reports are screwed up, there's a problem with a tree. I don't want to spend my time trying to be a policeman or a private detective because I'm not, I'm not qualified. So, I'm making a motion that all that information we have right now be turned over to our Attorney Jerry Sramek and he can take that to the State's Attorney and request that the State's Attorney do an investigation its self. And the board no longer, any other time we have a problem I request that the State's Attorney get involved, not us because we are not qualified. My motion is to take all the problems we have been having since 2006 all that information to the State's Attorney's office and request that he investigate it." Trustee Strack asked "All that problem with what?" Trustee Balich said "it started with the scrap metal, that didn't, I don't know the exact date, I'm saying somewhere probably September of last year, was never resolved. The paper work that Commissioner DeVivo gave us did not correspond to the information we had properly. There was money missing. That was never resolved. To this date we only have, this is September there's no scrap done except for one piece that Mike told us about at the last meeting. There is no more scrap picked up? Where did the money from that? They had to have picked up scrap. So, I don't want to come to this meeting anymore and sit here and fight about bills. I'm thinking in my head bad things, that's what I think because the discrepancies are so huge. I'm thinking this is out of our hands; we don't want to come here and spend hours on this. I'm sure nobody likes this. We come here and have arguments back and forth, back and forth. None of us are qualified. The only person qualified for that is the State's Attorney that's his job. I was told by the Attorney General's office to ask our Attorney to bring it to the State's attorney. That's how it's handled. That's the only way it's ever going to be resolved. We're going to come to every meeting we're going to go back and forth and Mike is going to say one thing and everyone is gonna to say well OK. And in the back of your head you're very, very, very insecure about what's going on. And then we have, there's no reason for it. Let the State's Attorney do it. Again I reiterate my motion that we have Attorney Sramek take all the paper work we have, the missing money, the documents for scrap money, the fuel, the tree, let them investigate. Let Jerry take it to the State's Attorney." Commissioner DeVivo asked "You also mentioned all these requirements to get the bills paid, is that going to be part of this?" Trustee Balich "I'll get back to that." Clerk Walano "Could you repeat the motion?" Trustee Balich "That we no longer sit here; I'll make it real clear. That the Town Board no longer sits as an investigative body. And that when there are discrepancies that we don't get answers for, which we haven't for over a year, it's time just to turn everything over to the State's Attorney. So my **MOTION** (by Trustee Balich) is to turn all the information we have, all the items we have problems with, missing money, undocumented reports, the item of the tree, I went there, I looked, the fuel, all these items be turned over to Jerry and Jerry request the State's Attorney investigates it." Trustee Meyers asked "Is this a reasonable request? Ok, let me take the word reasonable, Is this a legal, is this appropriate legally?" Attorney Sramek "If there were circumstances

that would rise to the level where you would question whether or not the expenditure was a proper legal expenditure. Then yeah, that would be appropriate.” Supervisor Fazio “I received a letter from Mr. DeVivo’s attorney threatening me that he was going to take things to the State’s Attorney if I didn’t sign his checks. So evidently it is proper” Trustee Balich asked “Do we have a second?” Supervisor Fazio “I’m sorry, I thought we had a second” Trustee Costa “I will second for the sake of discussion” Trustee Meyers “I’m trying to understand, I’m not sure what we don’t have, I’m not exactly sure what you’re presenting. I understand what you’re saying, I’ve been at these meetings, so I understand what your contention is all about and I’m not disputing that. I guess what I’m asking is what are we turning over to the attorney, don’t we need to have some sort of evidence. I want to know what our evidence is and what we’re having Jerry specifically do.” Trustee Balich said “going back to the scrap metal. The last meeting we talked about the scrap metal Bud said there was about \$1000.00 missing. That was before Christmas, we’re talking 2006” Trustee Meyers “Wait a minute, let’s go back. Your saying in 2006 \$1000.00 was missing?” Trustee Balich “Approximately, I don’t have the paperwork in front of me. The money that he says he got doesn’t correspond with the money that the scrap metal place says that they paid out. There is a discrepancy there. So the report he gave us twice is false. It’s never been resolved; he said he’d resolve it. Months go by and nothing is happening. So the report doesn’t jive with what his report is. He has exact dollar amounts missing on different days, compared to what the scrap yard said they paid. Some of the money that’s missing is an exact dollar amount to what the scrap yard said wasn’t paid.” Trustee Strack clarified “So the scrap yard gave one figure and they gave another” Trustee Balich “All the checks that were paid out to Dale Hostert, for Homer Township and on some of those checks, this report indicates one of them but the other one is missing. The money from that check is missing there is no report on it. And he gave us two reports indicating the same thing. So rather than go on and on about the scrap there’s enough right there that I don’t feel confident to be an investigator but there is a problem so let the State’s Attorney figure it out. But there are exact dollar amounts, to the penny. Not approximate, we’re talking about to the penny. Then we go to the next issue which was the tree, no the tree was first or the gas was first. It was about the same time. I went over by the Commissioners house and looked. It looks like a tree was cut down on his property and across the street. He put a cat statue on top of the one by his house. So now do we have time to go call up Homer Tree, and start doing all this work, that’s the State’s Attorney’s job to find out, was a tree cut down at Mr. DeVivo’s house? Or was it cut down across the street. Because it looks like both of them were cut down.” Trustee Meyers said “I’m not sure if it’s the State’s Attorney’s job but I feel that I should mention that I too went and looked at the two trees that you are discussing. Commissioner DeVivo showed them to me, both of them. And he also showed me a copy of his property survey. Neither one of them, I mean I’m not an expert or a title person. But it didn’t appear either of the trees that had been removed were outside of an easement; they both appeared to be within the easement.” Trustee Balich “The fuel is next, 70 gallons of gas in one hour. That’s just one instance from all that stuff. Now none of us have the time or the knowledge to be a policeman and investigate this stuff. And it’s gonna continue on and on and on and we’re gonna come here and argue about these bills every meeting unless we turn this over to the authorities. And that’s just my opinion, if the board doesn’t agree with me that’s fine. I’m getting a little bit disgusted; we have to sit here for two

hours. And most of the meetings about bills. That there is a problem.” Trustee Meyers “Maybe Steve, maybe you’re on to something, maybe that is the way to go. We are not judges; we’re not capable of holding hearings here. People are getting accused of things back and forth. You know what, if the State’s Attorney will review this stuff, if that’s within their scope, maybe this is the way for justice to prevail. And the truth can come out, instead of people just being accused one way or another maybe this is the way to go. If our attorney feels that this is a proper legal step. That might be the best way to go to resolve the issue.” Commissioner DeVivo “I totally agree.” Supervisor Fazio “OK anything further?” Trustee Costa “Yeah, my question on this, is, no matter what the situation is, no matter if it’s a board member, what ever it is. I think it is our duty to make sure we have all the facts in front of us at one time. And you can determine at that time that there could be a discrepancy. I would not like to have anybody, myself, this Township, the Village, anybody walk into the State’s Attorney office with a pack of paper and say here, trees, gas, and scrap metal. I would like to see all these things brought out one more time and explain it or not explain it and then make a decision if it warrants further investigation.” Attorney Sramek “I would just add this general comment. The State’s Attorney is a very busy office. They, like all offices that are understaffed, they prioritize, so before they would consider something, it would pretty much have to be something with substance. They’re not going to look at whether gasoline went into one truck, two trucks or what ever else. So, I think as public officials who are acting responsibly that before you take it to that level, it’s not just a lateral move. It’s something that is of significance. That it certainly would warrant that kind of review and that kind of action.” Trustee Strack “I agree with what Jerry said. And I think as far as the gasoline goes I don’t think that they are really going to address it. I think what we need to do with the gasoline thing is set up, as I said two months ago, I think we need to set up a system where there is accountability. Like Steve said with mileage, person A puts it in truck C and the mileage at that date is so and so. To go back in time when there was never any system for accountability for the gas, I think is, and take it to the State’s Attorney, in my opinion makes us look foolish. As far as the tree, that’s a he said she said thing which I doubt that the State’s Attorney would want to get involved with and it’s not that much money and so I’m not in favor of that one either. Now the scrap metal where there is an exact amount with checks and not accounting for checks. Now that one I would say more does fall into the realm that maybe the State’s Attorney would look into. Because there should always be a system for accounting for something where you’re getting a check. I mean that should be a well known thing. That when you get a check you keep a count of it. So, that one I think is maybe legitimate to address with the State’s Attorney, but the other two I don’t see those as State’s Attorney matters.” Trustee Balich “Can I ask one question? Let’s just say there’s 200 gallons of gas that were used at \$3.00/gallon.” Trustee Strack “I’m not saying it’s not important Steve. I’m saying we are not proactive.” Trustee Balich “I’m negotiating a way to solve the problem. But I’m also saying that, last month Mike said he would bring the receipts for the gas for the vehicles that he had and for last year so I could see them. He said that at the meeting, if you review the minutes. If you listen to the tape, he said he would bring those, and I don’t have them and the reason I don’t have them is because he had no intention of giving them to me to begin with. Because otherwise I would have had them. Because most of his vehicles are diesel and he puts gas in his car. And I wanted to see what vehicle he put that much gas in

besides his own, and go from there. But we're trying to dismiss things and we can't put stuff under the rug, it stinks. The whole thing stinks, what I'm asking to do with this is change the way we're doing a lot of things and I think we will be more accountable. But the past can't be changed and we're still responsible." Trustee Meyers asked Commissioner DeVivo "Did you bring the receipts?" Commissioner DeVivo "I handed all the receipts to Bud Fazio" Supervisor Fazio "All the gas receipts? With the numbers? No, no you didn't" Commissioner DeVivo "Before we go any further..." Supervisor Fazio "Don't change the subject. This is what your good at. This is exactly what you are good at is changing the subject. Stay on the subject. You shifted it over to me and said you handed it to me. I have receipts on the gas, I don't know who's who or what's what. And that's the thing I've been trying to get from you. I talked to your employee's; I've talked to Frank Dunn to see how this thing has been handled to see how it is being handled. You told us that these numbers go to the trucks and not the individuals. I talked to the individual and they go, Hey wait a minute I drive that truck, nobody drives that truck but me. There's a big discrepancy there." Commissioner DeVivo asked "who did you talk to?" Supervisor Fazio "So you can fire another employee? I'm sorry you fired the last employee I talked to." Commissioner DeVivo "You know you are opening us up to a law suit there because nobody was fired." Supervisor Fazio "It might be" Commissioner DeVivo "Nobody was fired and I think you should be very careful what you say. Because nobody was fired." Supervisor Fazio "She was asked to leave right after she talked to me." Commissioner DeVivo "Her job was abolished that's not being fired. I think you should be very careful about that Trustee, Supervisor Fazio. I would watch your words. Because you're opening this Township to a law suit." Supervisor Fazio "and I just told you. I am watching my words because I don't want to see another, I don't want to see an employee fired." Commissioner DeVivo "You said another one. OK, before we go any further let's take a look at this from where we really are. This board wants me to account for all the fuel and where it goes and then answer all the questions you have about fuel and accounting for ever drop of fuel that the highway department disperses. This board does not have the right to do that. You have no right to ask me that, none. You have no legislative authority to come in and do that. No more than you have to tell me where to drive the trucks, what roads I plow, where the salt goes. Do I have to account for every pound of asphalt? Do I have to account for every, if I don't tell you where the salt goes does that mean I'm selling it to the landscapers? If I don't tell you where all the gravel goes does that mean I'm selling it to the builders? Do I have to tell you where all the rolls of toilet paper go? This board doesn't have that right. This board monitors the commodities as they come in. How the commodities are distributed and used is up to the Highway Commissioner. I don't want to have to be this way. But I'm not going to have this big discussion and be put on trial here. Because it's not necessary. Now he has a big list over there of how the Highway Department is going to account for ever gallon of fuel." Trustee Balich "It's for the Township." Commissioner DeVivo "That's fine but it doesn't apply to the Highway department. I'll give you the records we keep if you so want them. But you're not going to tell this Highway Department how it does that." Trustee Balich "May I ask you a question Mike? How am I supposed to say yes to the gas bill?" Commissioner DeVivo "You account for the gas coming in and if the gas was purchased..." Trustee Balich "So if you fill up everybody's car in the neighborhood, that's OK?" Commissioner DeVivo "Then you know what tell the State's Attorney. If

that's going on, then you know what you're right, I totally agree with you. Get the State's Attorney involved get him in here, I'll answer anything. But as long as after the State's Attorney looks, I get to say I'm vindicated. I'll go along with that 100%. I would rather do it that way." Trustee Balich "The whole point that I have is I don't want to sit here and argue with you." Commissioner DeVivo "I totally agree with you, but your basing your argument on whether or not you think my expenditures are up to your agreement and that's not your duty." Trustee Balich "No it's my duty to judge whether they are legitimate or not and in a lot of cases I don't feel they are legitimate." Commissioner DeVivo "What do you mean by legitimate?" Trustee Balich "I see a problem when you use 70 gallons of gas in an hour. That's just the one." Commissioner DeVivo "Whether or not I use 1000 gallons a day or 1 gallon in a day has no bearing on the purchase of the fuel and that's what you're concerned about. The bill for the purchase of the fuel, not for the use of the fuel. Not for the use of the fuel, not for the keeping the records of the men, time cards, trucks. That's up to the Highway Commissioner it's not up to this board, period." Trustee Balich "What our telling me is that you're allowed to do what ever you want with the fuel, what ever you want with the money from the Township, the people, the taxes paid, without anyone overseeing it at all." Commissioner DeVivo "You over see it at the budget level, and you've already done that. That's where you oversee it and you've already voted on the budget. That's your duty." Trustee Balich "No, Mike, what about the fact that if we don't approve the budget we wouldn't get any money, and then you wouldn't have any money for salt or nothing and the Township would go to the pie? You're holding a gun to our head. We shouldn't be sitting here going over this stuff every single meeting. We should have the bills with receipts and all the information." Commissioner DeVivo said "I give all the receipts to Supervisor Fazio." Trustee Balich "All the Trustee should get bills and instead of Bud reading this stuff, we can say approval of all the bills. Then somebody can motion it and second it and then if there is a discrepancy with any bill we can discuss that bill. Then that's the end of it. We don't have to and we'll already know because we will have a receipt with the bill" Commissioner DeVivo "If you need a receipt you'll get a receipt but the receipt for the bill in no way determines the use of the product. And that's not this board's call." Trustee Balich "I have a fuel report that shows 70 gallons of gas in one hour." Commissioner DeVivo "That didn't happen, but none the less. I'm sorry, you're just exaggerating." Trustee Balich "It was in a report last month." Trustee Strack "It was two months ago." Commissioner DeVivo "That did not happen, but be that as it may. I'm not going to get into yes it was, no it wasn't. The fact of the matter is, you can question it all you want but the use of the product is up to the Highway Commissioner and up to my staff and we determine that and the reason we determine that is to keep you people out of that. You'll be telling me where to put the salt next." Trustee Balich "We're going into the same thing, I have to answer to somebody, Bud is Supervisor he has to answer to somebody. Who do you answer to Mike?" Commissioner DeVivo "I answer to the people who elected me and to this board..." Trustee Balich "If you answer to this board..." Commissioner DeVivo "Excuse me; I answer to the people who elected me and to this board when we determine the budget." Trustee Balich "What happens if we don't approve your budget. Which I didn't want to do." Commissioner DeVivo "Then I guess the Highway Department shuts down." Supervisor Fazio "Let me move this a little bit more. Mike is stating that he owes nothing to this board or any body else. But you know

as treasurer of this body, I have to account for the dollars. You don't have to, if something goes wrong if there's an individual who's misusing or misappropriating funds, it's the treasurer's responsibility. So when you state that you don't owe anything to this board." Commissioner DeVivo "I never said that. I never said that. What I said was..." Supervisor Fazio "Let me tell you Mike. This is the problem we have with you. You do your dance all the time. You deny it was said when it was said three or four times. You constantly do this and you know that's got to stop. There's things that are going wrong here. You deny everything even when it's black and white. You've got people on this board convinced that you're right. It sounds that way to me. I'm going to say as Steve said. The misappropriation of this gas may not seem like a big deal but you know what after four years time that can add up to a lot of money and I'm held responsible and accountable to this board and the people of this Township to answer for their money, because there's nobody else who is going to watch it." Commissioner DeVivo "I welcome the State's Attorney" Supervisor Fazio "I resent the fact you standing here and telling this board and what your actually telling them is it's none of their business." Commissioner DeVivo "Don't put words in my mouth, I've never said those, I've never used that phrase." Supervisor Fazio "well I did OK" Trustee Strack "Can I ask a question? Do you have a problem with us coming up with some kind of a system that's easily accountable for how the gas for everybody who gets it is used?" Commissioner DeVivo "We already have one in place." Trustee Strack "I don't think it's thorough." Commissioner DeVivo "It's as thorough as we're gonna do it. Because we do it to accommodate not only our system but the use for our purposes. You know we have to keep account of what goes in what truck and keep mileage record on the trucks and daily uses on the truck for maintenance purposes." Trustee Strack "How do you know that Joe Smith when he fills up the truck is not filling up his car too? How do you personally know that?" Commissioner DeVivo "Well, I have no way of knowing how ever body that goes out with a load of gravel isn't dumping a pound off here and there. There is no way you could monitor everything." Trustee Strack "Gas is a very expensive commodity right now but every body can use it." Commissioner DeVivo "There is no way you can account for every body for every single minute." Trustee Strack "If you have a system where every body has a number and every vehicle has a number." Commissioner DeVivo "I don't know if we have that many spots on the line. There is only so much information you can put on a key. Do you think you can just keep adding information?" Trustee Strack "What do you mean by key?" Commissioner DeVivo "I mean when a key goes in there's only so many bits of information you can put in on a key." Trustee Balich "You put the mileage in and the code number and if you don't put the mileage in and the code number you can't get gas." Commissioner DeVivo "That's what we do. We put the mileage in and the code" Trustee Balich "Then why can't we get the report, that's all I'm asking for, is a report on the mileage as it gets fueled. I wasn't asking for anything else." Commissioner DeVivo "That report was handed to Supervisor Fazio." Trustee Balich "You told me you'd give it to me." Commissioner DeVivo "I'm sorry, I thought maybe you would get it. I guess I was wrong." Trustee Balich "The point is I'm asking for mileage, you're saying you're already getting mileage. So, explain all the codes like I asked you." Commissioner DeVivo "I don't have a problem getting this to you. And I never said I'm not going to get it. What I did say is you're not going to tell me every thing you need and then direct this Highway Department. And what I also said is you're

not going to use this information to determine whether or not to pay the bills. Because that's not what you do. That's what I said. You know I could say no and then you could FOIA it. I mean I can't really say no, and I'm not. What I'm saying is you guys can't use this in determination of paying the bills that's all." Trustee Meyers "I'm really just trying to put some order back into this and that was that we're discussing some things that Steve through out there but we're not discussing the motion that Steve made and I have some opinions of my own on some of the things that he suggested but I feel like we're talking about every thing except what the motion was." Supervisor Fazio "We're going through Mike's dance here and this is how he functions usually to get us off the original topic. Let's go back to the original motion." Trustee Balich "Take those issues, have Jerry take those issues to the State's Attorney's office for investigation and then we don't have to discuss it any more. It's done, if the State's Attorney doesn't investigate it, it's done" Supervisor Fazio "I think Mike has agreed that that's a good solution. So if he's agreed to it. Let's put it to a vote now." Commissioner DeVivo "Excuse me, this tree thing is so simple, the tree is not on my property. Why would you overburden, just come and take a look at it, I'll show you the plat of survey. You know, I don't mind you bringing things to the State's Attorney Office. Don't you agree that that's pretty silly with the information I have to provide?" Trustee Meyers "What I saw I did not feel that either of the trees were, they were in the easement. They were both in the right of way." Commissioner DeVivo "If you want to bring something to the State's Attorney don't bring down the substantial stuff with something as silly as this tree because it's not on anybodies property." Trustee Meyers "You know what my problem is. My problem with all of this is. I tried to be fare I tried to listen to every body, you know Steve I'm right there with you. I don't want the tax payers to get ripped off. I don't want people to do things that are inappropriate. But there is another part of me; I don't want to be on a witch hunt either. I don't want to accuse people of things with out them totally being checked out. I feel like we owe it to the people to go to that property, to look at that survey and to the State's Attorney's office before we send this to them to investigate things that we are claiming fully, before we push them off." Trustee Balich "Then take the tree off the list and go with the gas and scrap." Trustee Meyers "Again, if you say we have these records that show that \$1000.00 is missing, which I do not have. And see that is a problem that I'm having, it's not that I don't want to believe you or I don't want to believe him. I feel like I'm forced to be a judge with out all the evidence. I don't feel that it is fair for me to push this off on the State's Attorney until I have done what I need to do. Again, I heard the Supervisor and I have no reason not to believe him." Supervisor Fazio "You have those figures, they were given to you, you just don't have them in front of you right now. You have all of them; you have the scrap metal deal that was all given to you." Trustee Meyers "I remember a long time ago the discussions but don't remember ever seeing that \$1000.00 was missing. But going back on the fuel and again, I have no reason not to believe you, as I have no reason not to believe him, as I have no reason not to believe anybody in this room. So I am not insinuating anything I'm just trying to be fair and honest. You've read off about the fuel thing and I understand about the concept and everything. But I don't feel like I can definitively say that I know that all of these things have been done incorrectly. Do I have a problem with it going to the State's Attorney's office, I don't here's where my problem would be, this is exactly what Jerry says, If it goes to the State's Attorney's office and they say, you know what this is crazy we do not have time to be trying to find

out all these keys for gas and then we continue to do this, meeting after meeting after meeting. Because I don't want to do this." Trustee Balich "I think you miss the point. The point is we take these three items and the State's Attorney gets it and then we don't talk about it no more, it's done. If the State's Attorney investigates it and finds something wrong, great. If he doesn't we've done our duty. We're not investigators. So now we give it to the State's Attorney and we let him deal with it. If they don't deal with it, nothing we can do about it. But we don't need to talk about this meeting after meeting after meeting." Supervisor Fazio said "Just let me say one thing, I kind of resent the fact that it's any kind of a witch hunt. It's not a witch hunt. I have to know where the money is going, I have to see the money coming in, I need to see the money going out. I have asked Mr. DeVivo from day one to give me things, to talk to me about some of this stuff. I don't get it. When you say "you know this gas thing is a small thing" Trustee Meyers "I never said that". Supervisor Fazio "This has been going on for a long time, and he refuses to give me things. Now he's saying today, I gave Mr. Fazio all these bills. Yeah he's just starting to give me bills but he's not giving me enough to let me know what it's all about. I can't tell who's who or what's what unless I know these numbers and who they belong to. And his mere refusal to do that creates a problem. The deal with the tree. He wasn't here that night. If I was the road commissioner and my attorney told me what went on at the meeting I would have been in my office the next day explaining the situation. It could have been dropped dead, all over with. But that didn't happen, it never happened." Commissioner DeVivo said "It did happened; I explained it to you in your office. I explained it to you in your office when we were going over the budget." Supervisor Fazio said "Then he claims it does. I've got some more stuff. Tonight he gave me a sheet that doesn't even make sense on some of these figures. The check numbers don't coincide with the check. The money amounts coincide. So how do I know what these checks are? When I've got two different checks for the same thing with different numbers?" Trustee Meyers said, "I believe that as auditors those are the types of things we should be looking at. I didn't say the gas thing was a small thing. I never said any of this stuff isn't serious I do believe it is serious. Here's where my confusion is, I'm not an attorney, but there are some valid points here. We are auditors of the bills there are statutes that do direct what we can and can not do and what the Highway Commissioner can and can not do and what the Assessor can and can not do. The Assessor is more in our Town budget so there's different requirements there; the Commissioner has a separate budget. There's a lot of things but I'm not going to go into all those things. You are the Treasurer and I believe you are the Treasurer for the Highway Commissioner as well. So I believe that you do have even a bigger burden to investigate things than we do as a Town Board for the types of things that you are describing to us. I defiantly believe there is more responsibilities. You are the person who is insured and bonded. None of us are. So I definitely understand and agree with your burden and I don't have a problem with that. Where I'm confused and where I am wondering and where I talked about not so much with what you are doing because you are the Treasurer for the Town Board and the Highway Commissioner but it's my understanding and again I am not an attorney, it's my understanding that we are as a Town Board, supposed to be auditing the bills as presented to us. Yes I agree that as a human being morally if we feel something is inappropriate. We should do our best to do what ever we can to question it. But I don't want to, on the same respect I don't want to

be just accusing people of things back and forth but things don't add up either. Again I'm not sure if as Town Board Trustee that is my role in reviewing bills. I think I should be making sure the invoices match up. I think all those things should be happening. I think we are doing that. I just think that there are some differences here in what we're all supposed to be doing. If it is the Boards pleasure and if they feel it is legally appropriate to pay our attorney to put together a case to present to the Sate's Attorney's office I will accept that, I don't have a problem with that. But again I do feel that I looked at the tree issue I don't feel it is something that is worthy of going further. I think what would be a nice thing to do is to look at the survey that the Highway Commissioner has and explore it a little bit further, we've gone to the ditch we've gone all over. Maybe we should have a meeting out on Janas Drive. And look and see and then we could have our questions answered for us." Commissioner DeVivo said, "The bill has been resubmitted with a different address." Supervisor Fazio "This is how things are taken care of" Trustee Costa "I agree with Steve to a point and I disagree totally with Steve to a point. We've got 6 educated adults here. With these problems coming up month after month after month. None of us have figured a way of solving the problem. You say we are not investigators. OK, we should be looking at that. We should be going to committee on this we should be talking about it; we should be seeing about getting legal advice on it seeing what we can and can't do. You look at our agenda every month we are talking about garbage contract, yellow dot, mileage, parade and Halloween parties. There is nothing on here that says we should be discussing the discrepancies of the bills of the month before. We should be doing that. If next month we come back we don't have the information, you don't have it, I don't have then Jerry as our legal advisor should say I'll look into it. If you can't find anything then we go a step further. We've been talking about the tree and about the gas and the scrap for months and months. And never has it been on the agenda for everybody to look at and say bring your information let's lay it on the table, let's discuss it. But we will talk about everything else that we want to. I think we have an obligation to this community to set up some kind of system, and not just shove this off and say we're tired of arguing. God knows we're tired of arguing its 9:30 and we haven't even gotten past the bills. We're arguing about something we've been arguing back and forth back and forth for six, eight, ten months. Why don't we set a procedure, another line item? Every month we'll agree at the meeting, next month Mike you bring the bill for that what you did at the park or Mike you do this or Nancy or who ever it is. If we do not produce that, if we do not have an explanation for that bill then the board has to take the recourse of what they can do. This is our bible for our meeting and there is nothing on here stating about the tree from last month or months ago, about the scrap. I mean I want to get to the bottom of it too. Month after month after month we come in and argue. My goodness, my self included we should have thought of this months ago and said you know what, Mike Costa next month you make sure you bring an explanation to the board if not, then Jerry is going to take over, period. That's what I think we should be doing. We shouldn't with every problem we have argue about it and bad mouth each other and turn it over to the State's Attorney. What happens if in four years he comes up and says where was the tree at? For Christ sakes we're adults here if we have to call a special meeting to go look at the tree then let's call a special meeting. I mean one more or a half hour to go look at a tree or a half hour let's get this out, let's get it right, let's come up with a procedure this board will follow for discrepancies on bills. And be done with it. Then if we can't solve a

problem, Jerry sees that there is a problem there or thinks that he doesn't see a solution to the problem then go the State's Attorney. That's what I think, that's..." Supervisor Fazio said "I think we've had enough on this tonight. We have a motion and a second on the floor I'm going to call for a roll call." Clerk Walano reviewed the motion: "to give Attorney Sramek all of the paperwork for the missing money, scrap, fuel and tree and have him give it to the Sate's Attorney's office. Is that correct?" Trustee Balich said "yes" **ROLL CALL** Trustee Strack – no, Trustee Balich – yes, Trustee Costa – no, Trustee Meyers – "I tell you what I almost wish we could do it just to get it rectified, but I'm afraid they won't do anything on it and it'll never get rectified. I'm just going to say no. I think we should move forward and do what ever we can to keep something from happening in the future, if we are able legally." Supervisor Fazio – "I'm going to vote yes. Because I think this is a thing that as Mike said has been going on and on and on. And I want the people of this Township to know that I'm looking out for their money. And I know the rest of you are too. There's unanswered questions I don't want anybody coming back to me as treasurer later on and say I didn't do my job. I did what I could do, I did as much as I could do to be sure the money was handled prudently and that this doesn't exist. I'd be the happiest guy in the world to have them come back here and say everything is legit and everything is OK. It's over with but I did my job." **MOTION FAILED** Trustee Meyers asked "Why can you not do this as Treasurer anyway, if you are the Treasurer of the Highway Commissioner" Supervisor Fazio said "I have, I have" Trustee Strack asked "You have what" Supervisor Fazio said, "I mean what she's asking" Trustee Meyers asked "you mean you have forwarded this to the ..." Supervisor Fazio said "yes, yes I have. And I've been told that this has to go thru, you know that it has to go thru attorneys." Trustee Strack said "you mean that Jerry has to be the one to..." Supervisor Fazio said "that's the way it was kind of put to me." Trustee Balich said "That's what the Attorney General's office told me too." Trustee Meyers "I would like to make a motion." Supervisor Fazio "No, we have a motion" Trustee Strack "We already voted on the motion." Supervisor Fazio "We voted on the motion, OK" Trustee Meyers "I would be more than willing to make a motion to allow you to use the Township Attorney to proceed with your role as Treasurer for any improprieties that you feel to bring this forward to the State's Attorney's office. Because I don't want you to get stuck in the same boat as Evelyn where someone doesn't want to pay for your attorneys fees or what ever. I mean as Treasurer if you that feel you don't have the authority to use the Township Attorney without our authority, I'm more than willing to give you that. That I feel the board has the authority to do." Trustee Balich "I will second that motion," Supervisor Fazio "Open for the question now." Trustee Costa "Again, as a board shouldn't we make a set of rules of when that would happen. In other words, the Supervisor gets a bill and it says it is for a dog collar. If he thinks there is a discrepancy, does he call them right away, or does it come to this board. We ask the questions and if we are satisfied that the dog collar was used for their guard dog it's a done deal. It boils down to the whole thing, if we have a board we should have something set down, there should be a line item, every single month. Give the person or the department the opportunity to explain and come up with a reasonable explanation for the expenditure or what ever the case may be. Produce the bill or what ever it is. If that can not be satisfied then Attorney Sramek looks into it and if he can't, then Bud would have the authority to go to the States Attorney." Trustee Meyers "I think that's a perfect motion after this

motion but the reason I'm saying that, I think you will agree with me that we have revisited and visited and discussed these particular issues and these particular issues are the only issues that have brought up that we are authorizing the attorney to, I mean the treasurer, the supervisor, or what ever, Bud, to put forth to our attorney and go ahead and do that. I think as Treasurer he has the authority to do that, I think he is the one who audited those records for..." Supervisor Fazio "Before you go any further we have a motion and a second we're in discussion. The thing here is, first of all Mike I know you were using the dog collar as an example but I want you to understand there is no way I would do any thing like that with out it. Secondly, I had brought everything to this board, this board has had everything, I was at the end of my rope and brought it to the board to let you decide on how you wanted me to handle it. Everything was given to you. You had everything. And so, in my mind, in all honesty I have to say, I did my job and if it was up to you to give me permission to do what I had to do. So, that's all I'm saying and I think I have. I think that, you know I think everybody has, some of you fail to put some of the responsibility where it really lies. The thing is if accusations were made he should have been doing flip flops to prove him self right, I didn't see that, was I some place else? Did you see it? No you didn't see it because I didn't see it either. As long as he can do his dance and things can fade away he's in good shape. I've been frustrated because of this. I can tell you stories that have gone on in other Townships, I can tell you stories that have happened right here in Homer Township, where there was money missing and it came to a lot of money, and the board didn't do anything until later, OK. They let it slide they didn't want to get involved they were afraid of, you know this doesn't look good for any of us but you know what I have to do, what I have to do." Trustee Meyers "As Treasurer that is what you do. I don't know that as Town Board we do that. But again, to authorize you to send the attorney or what ever, as Treasurer as your roll in that I'm OK with that." Trustee Costa "Let me get something straight, so is that motion so he can do it after the board. In other words once the board feels we're not getting resolution to an issue then it would be brought to a vote to..." Trustee Meyers "Let me clarify, I'll clarify my vote. For these three issues. That will answer your question right there." Trustee Costa "We already had that motion." Trustee Meyers "No we had the motion. The motion that we had was that we were, the Board, as a Town Board and my confusion, my concern with that is just what the Commissioner said, I don't believe we really have that type of oversight over the Highway Commissioner but I do believe the Treasurer and the Treasurer of the Highway Commissioner, I do believe that those two can't work it out. I believe that that's the kind of thing. I don't mean that negatively, I'm saying, your saying he's not giving you, you know there's all that going on, so I think that's the kind of stuff that should go before the State's Attorney's office in those capacities. So I'm just saying, what my motion was, I felt that as the Treasurer the Supervisor brought out a good point. He was bringing all these things to the public and to us as a board, explaining that he was not able to get resolution with these bills, he feels something is inappropriate. I feel that he should then use the Township Attorney in the capacity that he says that he needs to do in order to get to the States Attorney, because he says the State's Attorney won't let him with out the Attorney." Trustee Costa "I understand all that but what Steve had said was to take the items about the scrap, the gas and the tree to the State's Attorney, for Jerry to do it. And that was said no, and now your basically making a motion saying that Bud has the authority to tell Jerry to take the scrap, the tree and the gas to the State's Attorney.

Well we just got done ... I want to make sure, is this in general or is it on these three issues?" Trustee Meyers "I know, well the reason I'm putting on the three issues on this is because you bring up the point is that you don't want this to become the kind of thing where, now every time there is some disagreement we're loading this up to our Attorney. So that's why I'm naming these three issues so that it's limited and I'm hoping you'll come back with a motion that will refine this, that says listen we have to have this come before the board first or something like that and then that can be resolved in the future. For right now I'm thinking, just to move forward. I can see as Treasurer there is a different role for the Supervisor. I can understand what he's going thru as Treasurer, there he is auditing those bills it's a little bit beyond our realm and I don't think he should be just using the attorney without, we all agreed we wouldn't use the attorney with out board or Supervisor approval, so I think in that realm he should do it. I don't know that he should do it with every little thing that he questions, what ever. Again I'm hoping that maybe we'll fine tune that for the future but at this point and time I think that might be the way to go." Trustee Costa "So are you naming, it's just again, I'm sorry, are you naming these three things? It's just that the board has given the Supervisor the authority to instruct the Attorney in cases where he sees it fit. Is this the same thing we just voted no for all ready?" Trustee Meyers "Personally I don't feel that the tree issue is an issue. But again, I'm not the Treasurer and the Treasurer feels that they are still an issue regardless of everything that we've said. So as the Treasurer I feel that if he feels the need to pursue these further I most certainly don't want him not to pursue them. I know it's ..." Trustee Costa "It just seems like it's a motion of what we just said before." Supervisor Fazio "Let me just say this. I think what he's saying is it is redundant. I think the motion would make much more sense if you were to give me the authority on anything that I feel. But I will say this even if you gave me the authority, I would still be coming to the board. OK." Trustee Meyers "OK however the board is happy to do this. I just think that that's the way to do it." Supervisor Fazio "I would never, before I did it. If that's what you wanted me to do, I would never go ahead and do it without first letting the board know what I was gonna do." Trustee Costa "We should exhaust all of our, and yes if it takes investigating for one or two months, I think it's our duty to exhaust all of our avenues of getting the answers before we go to them, and than I say go and what ever we have to do." Trustee Meyers "I did this because the Supervisor brought out some information that I did not know before the first vote. And that was, he said, that he wanted to bring it, he couldn't bring it because the States Attorney and he said Amy Madigan the Illinois Attorney General's office said the only way this could be investigated is if an attorney brought it in. I don't know any of this stuff but I don't want to hope that the Supervisor/ Treasurer responsibility...." Supervisor Fazio "OK let's have a roll call. **MOTION** by Trustee Meyers to allow Supervisor Fazio to use the Township Attorney to proceed with your role as treasurer to bring these 3 issues to the State's Attorney's office. 2nd by Trustee Costa, **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED**

Trustee Balich would like to discuss procedures regarding bills at the finance committee. Supervisor Fazio felt this should be brought to a study group he will get a date for a workshop. Trustee Costa asked if the packets could be passed out earlier. Trustee Balich

asked that Attorney Sramek run the finance committee for the levy and that Don Manpresio be on the committee.

2. Garbage Contracts: Attorney Sramek was asked as to the ability of the Township to regulate garbage disposal. In order for the Township to regulate garbage they would have to go to referendum. However, the Village can track both which is a better way to do it. The Township residents would have the option to use the service. It won't make any money for the Township but it should save money for our citizens. The Village would take a slight administrative fee.

3. Yellow dot program: Wal-Mart is purchasing yellow dots. They will send the check to the Township and then the Township will pay for them.

4. Mileage reports: this will be brought up at the workshop.

Trustee Costa: 1. Purdy property; wetland mitigation: V3 went to the property and thought it was a good sight for wetland mitigation. However, it is very hard to sell credits at this time but they are working on some possibilities. They will get a recommendation in writing.

2. Recreation and Development Committee; Park Garage Roof: Tim Werner of McDonough and Associates contacted Supervisor Fazio and will schedule something for this week.

Also, Trustee Costa asked if the Stallions could use the Highway Department parking lot in the back for the bon fire. Commissioner DeVivo said yes as long as they do not block the gas pump and the doors and there must always be someone supervising the parking. There is some sand and rock by the sports groups blue shed that the Highway Department can have.

He asked if the polls for the parking signs could be removed. Commissioner DeVivo said yes.

3. Parade: Total income was \$2268.94 total expenses were \$4211.95. Difference was \$1942.01 Budget was \$3000.00 Homer Glen will split the cost down the middle. Homer Township needs to write a letter stating total due from Homer Glen.

5. Halloween Party: Trustee Costa would like to add Mary Pat and Trustee Strack to the Halloween Committee. The date for the party will be Saturday October 27, at Schilling School.

4. Morris Park drainage: On August 13, he received a call that there is a problem with the drainage at Morris Park that has been going on for a number of years and it could be a health issue. A written report was submitted. A couple of options would be to shoot water at a high pressure and see how it comes out. Or use a camera to look at all the pipes. Or dig it up. Supervisor Fazio thought to have McDonough and Associates; the engineers who originally engineered it, take a look at it. Commissioner DeVivo said the Highway Department has a jetter that could be used.

Trustee Meyers: They are waiting for construction at the Trantina Farm to resume after the storms.

She has been getting calls from residents regarding the water and I355 which was referred to the Highway Department. Commissioner DeVivo said there is a field tile that was found and dug up. Now it is drained.

She has also received calls regarding the cell tower having a very bright strobe light. The Toll way has since placed a red cover on it to mute it.

Joan McGowan is retiring and is moving. She has been very appreciated for all her hard work and will be sorely missed.

Supervisor Fazio forgot to report that the Tot Lots are almost complete. Also, Homer Tree service is donating their services to cut down the Willow tree on the Trantina property.

Trustee Strack: nothing

APPROVAL OF MINUTES:

MOTION by Trustee Meyers to release Executive Session Minutes from December 1, 2003, October 6, 2003, June 2, 2003, January 6, 2003, 2nd by Trustee Balich **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

MOTION by Trustee Meyers to table April 10, 2006 and December 8, 2006 Executive Session minutes 2nd by Trustee Balich **ROLL CALL** Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

MOTION by Trustee Meyers to approve as amended June 4, 2007 Regular Board meeting minutes 2nd by Trustee Costa **ROLL CALL** Trustee Meyers – yes, Trustee Balich – yes, Trustee Strack – yes, Trustee Costa – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

MOTION by Trustee Meyers to approve as amended July 9, 2007 Regular Board meeting minutes 2nd by Trustee Strack **ROLL CALL** Trustee Strack – yes, Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

MOTION by Trustee Meyers to approve August 6, 2007 Regular Board meeting minutes 2nd by Trustee Costa **ROLL CALL** Trustee Balich – yes, Trustee Costa – yes, Trustee Meyers – yes, Trustee Strack – yes, Supervisor Fazio – yes. **MOTION CARRIED.**

Trustee Balich asked if the tapes could be the official minutes. Attorney Sramek said no. The official record is the written minutes.

APPROVAL OF AUGUST BILLS PAYABLE IN SEPTEMBER

Supervisor Fazio told the Board that he does not want to sign the audit checks for Don Manpresio until he actually receives the audit.

CREEK ENHANCEMENT Balance 8/30/07 \$144.99 **No Activity No Action Taken**

EQUIPMENT AND BUILDING Balance 8/30/07 \$796,707.07 **MOTION** to accept by Trustee Costa 2nd by Trustee Meyers **ROLL CALL:** Trustee Costa - yes, Trustee Meyers - yes, Trustee Strack - yes, Trustee Balich – yes, Supervisor Fazio - yes. **MOTION CARRIED**

FOUNDERS CROSSING BOND Balance 8/30/07 \$150,504.79 **No Activity No Action Taken**

FOUNDERS CROSSING OPERATING FUND Balance 8/30/07 \$177,387.50 **MOTION** to accept by Trustee Balich 2nd by Trustee Strack **ROLL CALL:** Trustee Meyers - yes, Trustee Strack - yes, Trustee Balich – yes, Trustee Costa - yes, Supervisor Fazio - yes. **MOTION CARRIED**

GENERAL ASSISTANCE Balance 8/30/07 \$77,336.21 **MOTION** to accept by Trustee Meyers 2nd by Trustee Balich **ROLL CALL:** Trustee Strack - yes, Trustee Balich – yes, Trustee Costa - yes, Trustee Meyers - yes, Supervisor Fazio - yes. **MOTION CARRIED.**

OPEN SPACE Balance 8/30/07 \$569,584.51 **MOTION** to accept by Trustee Costa, 2nd by Trustee Meyers. **ROLL CALL:** Trustee Balich – yes, Trustee Costa - yes, Trustee Meyers - yes, Trustee Strack – yes, Supervisor Fazio - yes. **MOTION CARRIED.**

OPEN SPACE BOND Balance 8/30/07 \$652,458.89 **MOTION** to accept by Trustee Meyers, 2nd by Trustee Balich. **ROLL CALL:** Trustee Costa - yes, Trustee Meyers - yes, Trustee Strack – yes, Trustee Balich – yes, Supervisor Fazio - yes. **MOTION CARRIED.**

PARK Balance 8/30/07 \$19,859.99 **MOTION** to accept by Trustee Meyers 2nd by Trustee Costa discussion: question regarding repair to scoreboard. The line was broken when the paths were put in. The bill for Do All Fence for \$1,290.00 was not covered by TIORMA insurance but was submitted to the Federal Government because of the storms. **ROLL CALL:** Trustee Meyers - yes, Trustee Strack - yes, Trustee Balich – yes, Trustee Costa - yes, Supervisor Fazio - yes. **MOTION CARRIED.**

PARK INVEST Balance 8/30/07 \$192,133.68. **No Activity No Action Taken**

TOWN Balance 8/30/07 \$392,769.31 **MOTION** to accept by Trustee Costa 2nd by Trustee Meyers. Discussion: Trustee Costa asked who some of the employees worked for? He asked about Folgers Flags? He asked about the Nextel bill, Supervisor Fazio will look into it. He asked about Trustee Stracks phone being used by a park employee. Trustee Costa asked if the budget vs. actual report could be included in the future. **ROLL CALL** Trustee Strack - yes, Trustee Balich – yes, Trustee Costa - yes, Trustee Meyers - yes, Supervisor Fazio - yes. **MOTION CARRIED.**

ROAD AND BRIDGE Balance 8/30/07 \$2,155,078.61 **MOTION** to accept by Trustee Meyers 2nd by Trustee Costa discussion: Trustee Costa asked about Wunderlich doors – and a bill for doors under Equipment and Building. That was to replace the door on the salt bin. This bill was for a repair. He also asked about a deposit. The MFT fund payment for 143rd and Parker? This is separate from the regular MFT fund payment. Supervisor Fazio asked about the deposit for scrap, Commissioner DeVivo said that was for the 90 ft long culvert he had talked about earlier and all the other culverts they had scraped. **ROLL CALL:** Trustee Balich – yes, Trustee Costa - yes, Trustee Meyers - yes, Trustee Strack - yes, Supervisor Fazio - no **MOTION CARRIED.**

HIGHWAY COMMISIONERS REPORT: There was a check for \$75.00 for Secretary of State that was approved last month but was not signed. Supervisor Fazio didn't know why it didn't get signed, he will sign it tomorrow.

The turning lanes are done on 151st Street in front of the Township office, the complex and the Library. There are a lot of traffic pattern changes coming up, for example, major improvements will be done at Golden Oak and 143rd and also at Parker and 143rd.

Commissioner DeVivo has asked for them to coordinate their efforts to help with traffic. When I355 opens the traffic on 143rd will probably double.

American Water is putting a new line across 151st St. in front of Bengston's.

The culvert along 167th Street was a major project which was done in house and probably saved the community \$50,000. The paving program is finished.

There are major improvements to 163rd Street and Haas Rd. Haas Rd and RT 6 approach was widened. The Highway Department widened 163rd St. before the pavers came in and saved some money there.

There are two old trucks which may not make it through the winter. We would like to add a plow route but if we are going to have trucks that are going to fail it would be counter productive.

We need to prune trees; we haven't done that yet because of the last two storms the two chippers have been out constantly. We figure the last two storms cost us about \$10,000. Salt bids went out. This year we can send our own trucks to pick up salt if we need to. Supervisor Fazio asked about TIORMA insurance claims. Commissioner DeVivo will bring a list of all claims from the last 6 months to the next meeting.

ASSESSOR REPORT: It's a quadrennial year and assessments went up so there have been a lot of calls. People are asking about market value going down but it is not in our area. If the market starts dropping assessments will be dropped. On September 13, Rene Kosel is having a discussion regarding assessments at Cross of Glory Church.

CLERKS REPORT: 1. I355 report was done earlier.

2. The open meetings act section 120/2.02 regarding agenda's and section 120/2.06 regarding minutes being posted on the website was read aloud. Attorney Sramek stated that it sounds like if you have a person who works full time and has the ability do it, go in there and do this on a regular basis, if you have this you should do it. Clerk Walano would be happy to do it if Mary Pat is too busy. As far as Supervisor Fazio felt this is an interpretation he needs to see some other interpretations from Attorney Sramek who will look into it.

Old Business: Trustee Balich said the 911 ceremony was very nice.

New Business: Trustee Costa asked if there can be a permanent item added to the agenda; “Bill Resolution” to discuss discrepancies of the previous month’s bills. Items would need to be listed on the agenda. He would like to see it put after the list of bills.

Executive Session: none

MOTION to adjourn by Trustee Costa 2nd by Trustee Balich **VIOCE VOTE All in favor**
MOTION CARRIED. 12:10 PM

Respectfully submitted

Evelyn K. Walano
Homer Township Clerk