

SPRINGFIELD TOWNSHIP BOARD MEETING
September 8th, 2005
SYNOPSIS

CALL TO ORDER: 7:30 p.m. by Supervisor Walls

PUBLIC COMMENT: None

CONSENT AGENDA:

- a) Approved Minutes: August 11, 2005 Regular Meeting with bills and additional disbursements of \$272,803.05
- b) Approved of Show Cause Hearing Dangerous Buildings Minutes: August 11, 2005
- c) Accepted August 2005 Treasurer's Report
- d) Received August 2005 Reports: Building, Electrical, Plumbing, Mechanical; Litigation; Fire & Ordinance
- e) Authorized payment of bills as presented, total \$219,062.42
- f) Authorized revision to Fire Department Policy # 19, Incident Command System Policy per Chief Oaks 8-23-05 memo and attached to minutes.
- g) Authorized delinquent Cost Recovery to be placed on December Tax Roll in the amount of \$1,327.75 on 07-29-200-019.
- h) Authorized purchase and installation of Pervasive SQL V8 Server Engine, network and pc upgrade at a cost of \$2,040.00 for software and an estimate of up to \$1,000.00 for installation
- i) Approved members to the Board of Clarkston Area Youth Assistance, as submitted in 8-16-05 letter.
- j) Authorized purchase of computer from RSDC, not to exceed \$3,000.00 to comply with Federal & State HAVA election equipment requirements.
- k) Authorized release of West Wood Hills \$15,000.00 letter of credit for Traffic Light at E. Holly/Dixie Highway.
- l) First Reading: Amend Zoning Ordinance No. 26 Section 2, delete definitions as published for Public Hearing August 4th & 25th, 2005; Authorized Second Reading.
- m) Received communications and placed on file.

OLD BUSINESS:

- 1. Dangerous Building Bids
 - a) 10101 Andersonville Road: Tabled consideration of bid award to November Regular Meeting and extended Appeal period.
 - b) 10270 Andersonville Road: Tabled consideration of bid award to October Regular Meeting and extended Appeal period.
- 2. Cost Recovery Ordinance Amendment: Authorized Second Reading
- 3. Amendment to Section 16.13; Fences, Walls & Screening Structures: Authorized Second Reading

NEW BUSINESS:

- 1. Conditionally approved Sunset Bluffs Final Site Plan
- 2. Authorized software purchase and training for Treasurer's Office, not to exceed \$13,000.00
- 3. Soil Erosion & Sedimentation Enforcement: Authorized exploration of Ordinance/Procedures
- 4. Zoning Ordinance Sec. 16.22; Animals: Declined to pursue amendment requested by Robert & Pamela Langdon
- 5. Discussed reprogramming CDBG funds for hurricane relief
- 6. Authorized temporary change of employee from part-time to full-time position
- 7. Tabled consideration of Parks and Shiawassee Funds budget amendments to September 20, 2005 Special meeting
- 8. Adopted Social Security Number privacy policy

PUBLIC COMMENT: None

ADJOURNED: 10:30 p.m.

NANCY STROLE, Clerk

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PUBLIC COMMENT: None

ADJOURNED: 10:30 p.m.

NANCY STROLE, Clerk

Call to Order: Supervisor Collin Walls called the September 8, 2005 Regular Meeting of the Springfield Township Board to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Roll Call:

Board Members Present

Collin W. Walls	Township Supervisor
Nancy Strole	Township Clerk
Dennis Vallad	Township Trustee
David Hopper	Township Trustee
Roger Lamont	Township Trustee
Marc Cooper	Township Trustee

Board Members Not Present

Jamie Dubre	Township Treasurer
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Others Present

Greg Need	Township Attorney
Charlie Oaks	Township Fire Chief

Agenda Additions & Changes:

Supervisor Walls asked to add under New Business, CDBG Reprogramming as item #5, Building Department Temporary staff as item #6 and Park Commission Budget Amendment as item #7.

Clerk Strole asked to remove item H, Employee Handbook, from the Consent Agenda and add it as item #8, New Business.

There were no objections to the proposed changes.

Public Comment: None

Consent Agenda:

- **Trustee Hopper moved to approve the Consent Agenda as amended. Trustee Cooper supported the motion.**

Trustee Cooper asked to abstain from the bills portion of voting on the Consent Agenda as he has a conflict of interest. There were no objections to the abstention.

➤ **Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre.**

- a) Approval of Minutes: August 11, 2005, Regular Meeting with bills and additional disbursements of \$272,803.05.
- b) Approval of Show Cause Hearing Dangerous Buildings Minutes: August 11, 2005.
- c) Acceptance of August 2005 Treasurer's Report.
- d) Receipt of August 2005 Reports: Building, Electrical, Plumbing, Mechanical, Litigation, Fire, Ordinance.
- e) Authorize payment of bills as presented, totaling \$219,062.42.
- f) Authorize revision to Fire Department Policy #19, Incident Command System Policy per Chief Oaks 8-23-05 memo and attach to minutes.
- g) Authorize delinquent Cost Recovery to be placed on December Tax Roll in the amount of \$1,327.75 on 07-29-200-019.
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- k) Authorize release of Westwood Hills \$15,000.00 letter of credit for traffic light at E. Holly/Dixie Highway.
- l) First Reading: Amend Zoning Ordinance No. 26, Section 2, delete definitions as published for Public Hearing August 4th, and 25th, 2005; Authorize Second Reading.
- m) Receipt of Communications
 - Letter from Comcast dated 8-10-05
 - Letter Re: Radio System Agreement between Oakland County and Springfield dated 8-30-05.

Old Business:

- 1. Dangerous Building Bids
 - a) 10101 Andersonville Road
 - b) 10270 Andersonville Road

10101 Andersonville Road

Supervisor Walls said this building has been ordered to be demolished however, there is a request from the property owner for reconsideration. The applicant has 21 days to appeal the Township Board's ruling to Circuit Court; the 21 days would begin this evening.

- **Trustee Vallad moved to reconsider demolition. Clerk Strole supported the motion.**

Mr. Joe Kopietz said the former owner deeded this property to him in 1997 and it appears that the ownership was never properly transferred in the Township. Therefore, the correspondence continued to go to the former owner. Mr. Kopietz said he was aware of the deteriorating condition and has had problems finding competent individuals to do the reconstruction of the barn. He has found someone now but that individual is not in this area and there is a delay in him being able to start. He anticipates being able to provide an assessment of the barn in late September or early October.

Clerk Strole asked Mr. Kopietz what he is willing to spend to reconstruct this barn? Mr. Kopietz said he is willing to invest as much as \$80,000 for total reconstruction. Trustee Cooper asked if there is an intended purpose for the barn after reconstruction? Mr. Kopietz said, no, not at this time.

Supervisor Walls stated taxes are current and asked who gets the tax bill? Mr. Kopietz said he pays the taxes but does not know where the bills are going. Supervisor Walls said the assessing file has a request to change the address in 2004 but no request to change the name and asked why? Mr. Kopietz said his office made a mistake by not requesting the name change.

- **Vote on the motion. Yes: Vallad, Hopper, Lamont and Cooper; No: Walls and Strole; Absent: Dubre. The motion carried by a 4 to 2 vote.**
- **Trustee Vallad moved to defer awarding of the demolition bid and table for 60 days, or until the November Board meeting and obtain a review at the November meeting of progress towards the work outlined with a condition that the building be secured within 7 days of today. Trustee Hopper supported the motion.**

Trustee Lamont asked, by giving the applicant 60 days to bring back plans, does the Board thereby give him until December when the minutes are approved to file an appeal if the demolition is then carried out? Supervisor Walls said the 21 days to file an appeal would start at the November meeting.

- **Trustee Vallad amended his motion to include that the appeal period to Circuit Court would be extended 21 days after the November meeting. Trustee Hopper supported the amended motion. Vote on the amended motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

10270 Andersonville Road

- **Trustee Cooper moved to reconsider the demolition order. Clerk Strole supported the motion.**

Mr. Critcher, owner of 10270 Andersonville Road provided a computer generated copy of elevation drawings and a proposed reconstruction plan. Supervisor Walls asked Mr. Critcher when he anticipates beginning construction? Mr. Critcher said Mr. Sullivan would be purchasing the property and he will be moving forward with the construction. Mr. Sullivan confirmed that that is correct and he would like to start this week or next week.

Supervisor Walls said the proposed plan is not architecturally compatible and something should be done to raise the elevation but that is a decision the Building Department will have to make.

- **Vote on the motion. Yes: Strole, Vallad, Hopper and Lamont; No: Walls and Cooper; Absent: Dubre. The motion carried by a 4 to 2 vote.**
- **Clerk Strole moved to table awarding demolition bids until the October meeting and defer the 21 day period for appeal to commence beginning with the October meeting to give the property owner time to apply for permits by October 4, 2005 with plans that will be approved by the Building Director and to supply information for review and approval by the Building Director to demonstrate that the proposed building can be constructed within required setbacks. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

2. Cost Recovery Ordinance & Cost Recovery Schedule Amendment

Supervisor Walls explained that the ordinance has been revised to make clearer the ability to charge for emergency ambulance service and some non-substantive structural changes.

Supervisor Walls noted that Chief Oaks has requested on page 4, paragraph D, Billing, to allow billing to be done within “30 days” not “10 days,” allowing time for administrative reasons.

- **Supervisor Walls moved to authorize the Clerk to publish the Amendment to Ordinance 66 for Second Reading with the change in Article 5 (D) from 10 days to 30 days. Trustee Vallad supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

3. Amendment to Section 16.13; Fences, Walls and Screening Structures

Supervisor Walls said this item came back from the Planning Commission with a suggestion that we change the location of the word “other” in Section 16.13.3.

- **Supervisor Walls moved to authorize the Clerk to publish for Second Reading with the correction in 16.13.3 requested by the Planning Commission. Trustee Lamont supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper,**

Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.

New Business:

1. Site Plan – Special Land Use: Sunset Bluffs

Supervisor Walls said there is a question whether this should be considered this evening because we still have not received a permit, permit denial or anything from MDEQ. However, we did receive a response from MDEQ which was their request for additional information.

- **Trustee Lamont moved to review the plan. The plan has been before the Board a lot, the MDEQ application has been made, there has been correspondence between MDEQ and the applicant several times, the 90 day timeframe has or is close to expiring and he believes the applicant is ready to proceed. Trustee Cooper supported the motion.**

Clerk Strole commented that she would concur with Trustee Lamont regarding MDEQ. However, in going to this site, what is shown on the plan is not what has occurred on the site. There has been significant clearing throughout the site and it is not reflected on this plan. The clearing completely renders moot the reason why the Board was considering a private road. Clerk Strole said we are being asked to review a plan showing vegetation that does not exist and that is completely contradictory to our concept approval. She said she believes we should require the developer to show what is actually now existing on the site and said this is the most flagrant disregard for the Board's review and approval process that she has ever seen. Clerk Strole said we should require the developer to change the plans to reflect the site accurately.

Trustee Hopper said he was at the site and concurred with Clerk Strole's comments regarding the site. Mr. Scharl said the developer approached the Township Supervisor and Planning Director and asked for permission to clear the site in accordance with the plans. Clerk Strole said the Supervisor and Planning Director had no right to give that permission. Supervisor Walls said he understands that and there was a major communication gap. By the time it was discovered it was clear cut, it was too late.

- **Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**
- **Clerk Strole moved to table consideration of Sunset Bluffs and direct the applicant to revise the plans to reflect the natural features and existing conditions that currently exist on the site. Trustee Hopper supported the motion. Vote on the motion. Yes: Strole and Hopper; No: Walls, Lamont, Vallad and Cooper; Absent: Dubre. The motion failed by a 4 to 2 vote.**

Mr. Scharl commented that right or wrong, the developer's contractor received enough approval to commence the clearing operation and he staked it in accordance with the plans approved by the Township engineer and the Planning Commission. Mr. Scharl said he has every reason to believe the site was staked and cleared properly. Clerk Strole reiterated that the Supervisor and Building Director had no right to give that authorization.

Mr. Scharl said it is his request that the Board consider final approval of these plans along with the Exhibit B plans and the Master Deed and By Laws subject to the issuance of the MDEQ permits. There will be no activity within any state regulated wetland and no activities in regard to anything regarding the wastewater system until the permits are obtained.

Supervisor Walls asked if the legal documents are in order? Attorney Greg Need said there are still some issues but most of the comments are regarding the community sewer system agreement and community sewer escrow fund agreement.

Trustee Hopper said he likes how the road is laid out and he likes the T-turnaround. He asked the applicant if they are going to put a sign at the end where the private driveway is? Mr. Scharl said that is not a problem. Trustee Hopper asked if there could be a gate at the boat ramp to keep unauthorized users out? Mr. Scharl said that is a good suggestion. Regarding the landscape plan and the area around the community septic, the trees shown on the plans are not there and the 17 spruce shown could be relocated and spread around. Mr. Scharl agreed. Trustee Hopper asked that the natural vegetation buffer areas be marked with 4 x 4's at the corners. Mr. Scharl said that is fine.

Clerk Strole complimented the applicant on the Master Deed and By Laws language and guidelines. She thinks this is a much better plan than previously submitted and agreed that the vegetation buffer areas must be staked. Clerk Strole said a sign showing "no outlet" is a good idea.

- **Trustee Lamont moved to approve final plans for Sunset Bluffs date stamped August 2, 2005 by Springfield Township for final site plan approval with the following conditions: the wetland permit is obtained and received by the Township and the related Act 41 permit for the transport to the community septic system; the Township attorney administratively handle the final details with the ability to enforce the feature discussed tonight as well as the final details in the approval of the Master Deed, By Laws and Exhibit B's presented and all related legal documents; the sewer escrow be set at \$54,625.00 per Randy Ford's latest review; as discussed tonight the "no outlet" sign be posted to the southeast corner of the cul-de-sac; that a gate be placed at the boat ramp; that administratively at the top of the double boulder wall section that trees be placed within 20 feet of the wall to make it look natural and spaced no greater than 20 feet; that markers delineate the natural features as spelled out in the comments made by the Board and to be placed by Kieft Engineering as agreed to; and until the wetland permit and the Act 41 permits are received, there will be no construction activity whatsoever within**

regulated wetlands and no activity related to wastewater transport. Trustee Hopper supported the motion.

Supervisor Walls asked if it is implied in the motion that construction can begin on all activities outside the wetlands and not associated with the Part 41 permit. Trustee Lamont said that is correct.

- **Trustee Lamont amended his motion to include administratively as agreed to by the Planning Director and the developer to relocate the 17 spruce trees around the community septic to provide the best possible screening utilizing those proposed trees. Trustee Hopper supported the amended motion. Vote on the amended motion. Yes: Lamont, Vallad and Hopper; No: Walls, Strole and Cooper; Absent: Dubre. The motion failed with a 3 to 3 vote.**

- **Trustee Lamont moved to approve final plans for Sunset Bluffs date stamped August 2, 2005 by Springfield Township for final site plan approval with the following conditions: the wetland permit is obtained and received by the Township and the related Act 41 permit for the transport to the community septic system; the Township attorney administratively handle the final details with the ability to enforce the feature discussed tonight as well as the final details in the approval of the Master Deed, By Laws and Exhibit B's presented and all related legal documents; the sewer escrow be set at \$54,625.00 per Randy Ford's latest review; as discussed tonight the "no outlet" sign be posted to the southeast corner of the cul-de-sac; that a gate be placed at the boat ramp; that administratively at the top of the double boulder wall section that trees be placed within 20 feet of the wall to make it look natural and spaced no greater than 20 feet; that markers delineate the natural features as spelled out in the comments made by the Board and to be placed by Kieft Engineering as agreed to; and until the wetland permit and the Act 41 permits are received, there will be no construction activity whatsoever within regulated wetlands and no activity related to wastewater transport; to include administratively as agreed to by the Planning Director and the developer to relocate the 17 spruce trees around the community septic to provide the best possible screening utilizing those proposed trees. No construction activity to begin until the Township has received the wetland permits and the Act 41 permit. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Vallad, Hopper, Lamont and Cooper; No: Strole; Absent: Dubre. The motion carried by a 5 to 1 vote.**

2. Treasurer's Software – Complete conversion from Versyss to BS & A

Clerk Strole commented that she disagrees with Treasurer Dubre's recommendation. She believes there is information lacking that the Board should have. Clerk Strole said she thinks that Treasurer Dubre's request and her analysis is not logical and is not fiscally responsible. The software being requested is dealing with interacting with the Clerk's office and we already have

a general ledger. Clerk Strole said there is an alternative and that is to use the resource cash receipting program which would then tie into the existing general ledger. By doing this, we would not need to purchase a second general ledger and the only reason the Treasurer is proposing to purchase a general ledger is because she wants to use a different system, that being BS & A. Clerk Strole said rather than spending \$12,000, the cost for the Resource program was quoted at \$3,170 and that includes three users, 8 hours of on site training and then \$575 for annual support. That is a difference of \$8,000. If the Board approves going with the BS & A cash receipting, every year we will have to pay the support fee for another general ledger at \$1,750 per year.

Supervisor Walls asked, regarding the Resource cash receipting, if that would integrate with tax and special assessments from BS & A? Clerk Strole said it is her understanding, it does not do that. The cash receipting is separate from that. Supervisor Walls said it is his understanding that, through the BS & A compatible cash receipting, that can automatically make the entry into the tax and special assessment. Trustee Vallad and Trustee Lamont said, Treasurer Dubre's review letter states it can do that.

Supervisor Walls said the Board previously made a decision to go with BS & A and try to coordinate software and he believes this is a continuation of that decision. He believes we should proceed. He does not see any logic at all to getting cash receipting for the Treasurer to use that is not compatible with the balance of the Treasurer's software. Clerk Strole said it is compatible with what it needs to be compatible with, for cash receipting. Supervisor Walls said it is compatible for cash receipting and the general ledger in the clerk's office. It is not compatible at all, according to the information we have, with the balance of the treasurer's office. Clerk Strole asked how the Treasurer would need the cash receipting with the balance of the treasurers office. Supervisor Walls said, when the receipt comes in they use that program to record the payment in the tax and special assessment.

- **Supervisor Walls moved that the Township Board authorize the purchase of BS & A's Fund Accounting which includes the Equalizer General Ledger and Budgeting system and the Equalizer Cash Receipting system with the conversion option to be determined, on site training and implementation at a cost not to exceed \$13,000.00 and we approve the Budget Amendments as recommended by the Treasurer with the change of decreasing contingency by \$5,000.00 to a new contingency of \$5,000.00 to accommodate the difference in the conversion. Trustee Cooper supported the motion. Vote on the motion. Yes: Walls, Vallad, Hopper, Lamont and Cooper; No: Strole; Absent: Dubre. The motion carried by a 5 to 1 vote.**

3. Soil Erosion & Sedimentation Ordinance/Procedures: Discussion

Supervisor Walls said this is a request from Leon Genre for permission to research establishing our own soil erosion ordinance.

The Board unanimously agreed to pursue this research.

4. Zoning Ordinance Section 16.22: Request for amendment: Robert & Pamela Langdon dated 8-17-05

Supervisor Walls said this is a request from Mr. and Mrs. Langdon to have the Board consider capping the number of domestic animals a household could keep.

There was no interest from Board members to pursue this request.

5. CDBG Funds

Supervisor Walls explained that HUD is changing guidelines in the wake of Hurricane Katrina and the seriousness of the problems. The public service limit of 20% has been waived. If communities wish to reprogram funds that are not committed already, they would have to be verified to be used for the victims of the flooding from the hurricane and we would have to have a contract with a public service agency similar to what we have now.

The Board agreed to review this possibility and discuss it at the October Board meeting.

6. Building Department Temporary Help

- **Trustee Lamont moved to release the flexible part-time status of Susan Weaver to allow her to assume a full-time position until our regular Board meeting held in October. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

7. Park Commission Budget Amendment

- **Trustee Vallad moved to reconsider the Park Commission Budget Amendment. Clerk Strole supported the motion. Vote on the motion. Yes: Strole, Hopper and Cooper; No: Walls, Lamont and Vallad; Absent: Dubre. The motion failed with a 3 to 3 vote.**
- **Supervisor Walls moved to reconsider the Park Commission Budget Amendment. Trustee Hopper supported the motion. Vote on the motion. Yes: Walls, Strole, Hopper and Vallad; No: Lamont and Cooper; Absent: Dubre. The motion carried by a 4 to 2 vote.**
- **Supervisor Walls moved to table discussion on the budget amendment and facility and ask the Park Commission to present a revised budget amendment and building program exploring the cost reductions they have and present that to the Board at the September 20, 2005 Budget Hearing. Trustee Vallad supported the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

8. Social Security Policy

Clerk Strole explained that there are many documents with social security numbers on them that are regularly generated within the Clerk's office, and they are now routinely shredded by the Clerk's office. It would be cumbersome to have to forward those documents to the Supervisor for him to dispense of. Clerk Strole is asking for an amendment to the Supervisor's proposed policy to allow the Clerk's department to dispose of that information.

- **Trustee Lamont moved to adopt the Social Security Privacy Policy as amended by deleting "or" and adding "clerk" to paragraph 3. Trustee Vallad supported the motion. Yes: Walls, Strole, Vallad, Hopper, Lamont and Cooper; No: none; Absent: Dubre. The motion carried by a 6 to 0 vote.**

Public Comment: None

Adjournment:

Hearing no other business, Supervisor Walls adjourned the meeting at 10:30 p.m.

Collin W. Walls, Township Supervisor

Nancy Strole, Township Clerk