

GRAFTON TOWNSHIP REGULAR BOARD MEETING
MONDAY, OCTOBER 17, 2016 7:30 P.M.
GRAFTON TOWNSHIP OFFICES 10109 VINE STREET, HUNTLEY, IL 60142

1. **Supervisor Kearns called the meeting to order at 7:30 P.M.**
2. **Roll Call**
Present: Trustees Holtorf, Wagner, Ziller and Zirk; Supervisor Kearns; Road Commissioner Poznanski; Assessor Zielinski; Clerk Hurley
Absent: None
- 3 **Pledge of Allegiance** was said.
4. **Approval of Agenda as posted**
Motion by Trustee Zirk, second by Trustee Holtorf to approve the agenda as posted.
Ayes: Trustees Zirk, Holtorf, Wagner, Ziller; Supervisor Kearns
Nays: None. Motion Carries.
5. **Regular Business**
 - A. Approval of Minutes of September 19, 2016 Township Regular Meeting
Trustee Ziller pointed out that the salary for the road commissioner should be \$62,500. Also the 25% contributed by the Road District budget would then be \$15,625. Motion by Trustee Ziller, second by Trustee Zirk to approve the minutes as amended.
Ayes: Trustees Ziller, Zirk, Holtorf, Wagner; Supervisor Kearns
Nays: None. Motion Carries.
 - B. Audit and payment of unpaid bills/Warrant check detail for Town Fund. **(Exhibit I)**
Motion by Trustee Ziller, second by Trustee Holtorf to approve unpaid bills.
Ayes: Trustees Ziller, Holtorf, Wagner, Zirk; Supervisor Kearns
Nays: None. Motion Carries.
 - C. Review Road and Bridge Warrant check detail. **(Exhibit II & III)**
Road Commissioner Poznanski provided Trustees with a revised warrant list which includes PO #11441 for \$270.00 for drug testing. Also included is a bill from the September warrant list making the revised warrant list amount \$76,103.60. Motion by Trustee Wagner, second by Trustee Zirk to approve the Road and Bridge Warrant Detail.
Ayes: Trustees Wagner, Zirk, Holtorf; Supervisor Kearns
Nays: Trustee Ziller. Motion Carries.
6. **Public Comment/Board Members Response to Public Comment (Exhibit IV & V)**
Road Commissioner Poznanski signed up to address The Board on behalf of Tom Kelly. He said it was about The Board voting against the approval of a bill on the warrant list in September. He said that since that bill has now been approved for payment, he does not need to discuss it further.
7. **Executive Session**
Motion to convene an Executive Session to discuss pending legal actions pursuant to 5ILCS 120/2(c)(11).
None.
8. **Discussion and potential action of items discussed during Executive Session.**
None.
9. **New Business**
 - A. Discussion and potential action on the recording of township regular meetings.
The Trustees discuss that there is a discrepancy between the audio recording policies and video recording policies. Trustee Wagner proposes adding that the person who wants to audio record the meetings should notify the board first. The trustees discuss where the device should be located.
Motion by Trustee Wagner to adopt proposed revisions as set forth in the board packet. Supervisor Kearns asks Assessor Zielinski if he'll put his recording device on top of the refrigerator, which he did. Motion seconded by Trustee Zirk.

Ayes: Trustees Wagner, Zirk, Holtorf, Ziller; Supervisor Kearns
Nays: None. Motion Carries.

Trustee Wagner asks Assessor Zielinski if he is now announcing to The Board that he is recording the meeting. Assessor Zielinski said that he was.

B. Discussion and potential action on McRide Intergovernmental Agreement.
Motion by Trustee Wagner, second by Trustee Zirk to enter into an Intergovernmental Agreement with McHenry County to continue the McRide Dial-A-Ride.

Ayes: Trustees Wagner, Zirk, Holtorf, Ziller; Supervisor Kearns
Nays: None. Motion Carries.

10. Old Business

A. Discussion and possible action for facility update and repair
The last two pages of the board packet list the status of the projects for the Township and for the Road District. They discussed the hook-up to city water. Only the Township side will be hooked up to city water. The pipes run to the Road and Bridge side but so far there is no service because they use a lot more water. If the well malfunctions, they only need to switch a valve and they will have city water. Also, they talked about how the weather may cause them to wait for the roof and siding projects. Additionally, they may have to open the siding project to a public bid process.

11. Committee and Officer Reports

Supervisor

Trustees

Trustee Wagner reminded the board that there is now a law that requires the township to have a policy on the reimbursement of travel expenses. He said Townships of Illinois has a proposed model ordinance which he will edit and propose as a draft at the next meeting.

Facilities Update Committee

Assessor

Trustee Holtorf notified The Board that the Assessor's power supply went out and that it needs to be updated. Supervisor Kearns said that he could take the funds from his miscellaneous budget and Assessor Zielinski agreed.

Road District

Clerk

12. Adjournment

Motion by Trustee Wagner, second by Trustee Ziller to adjourn at 8:13 pm.

All Ayes. No Nays.

Meeting adjourned at 8:13 pm

Submitted,
Clerk Kathryn Hurley

Exhibit I

GRAFTON TOWNSHIP TOWN FUND WARRANT LIST FOR OCTOBER 17, 2016 MEETING

With my signature below, I hereby approve of the invoices listed on the following pages being submitted for payment.


Betty Zirk - Grafton Township Trustee


Joe Holtorf - Grafton Township Trustee


Dan Ziller Jr. - Grafton Township Trustee


Bob Wagner - Grafton Township Trustee


Kathryn Hurley - Grafton Township Clerk


Jim Kearns - Grafton Township Supervisor

Exhibit II

GRAFTON TOWNSHIP ROAD DISTRICT VOUCHER LIST FOR OCTOBER 17, 2016 MEETING

With my signature below, I hereby approve of the invoices listed on the following pages being submitted for payment.



Betty Zirk - Grafton Township Trustee

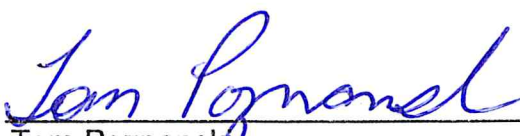

Joe Holtorf - Grafton Township Trustee


Dan Ziller Jr. - Grafton Township Trustee


Bob Wagner - Grafton Township Trustee

Kathryn Hurley - Grafton Township Clerk


Jim Kearns - Grafton Township Supervisor


Tom Poznanski
Grafton Township Highway Commissioner

Meeting Date 10/17/2016 Grafton Township Road District		Vouchers for September	
Vendor	Budget Line Item	\$ Amount	Due Date
Ace Hardware / Ziegler's	6123 - R&B Small Tools	\$ 14.99	10/31/2016
Ace Hardware / Ziegler's	6122 - R&B Operating Supplies	\$ 4.59	10/31/2016
Bott's Welding & Truck Service Inc	6112 - R&B Maint Supply - Equipment	\$ 13.68	10/15/2016
Bott's Welding & Truck Service Inc	6113 - R&B Maint Supply - Vehicles	\$ 1,315.06	10/15/2016
C&L Rentals, Sales & Service Inc.	9594 - PHR Rentals	\$ 88.78	10/23/2016
Cardmember Service / Visa	6122 - R&B Operating Supplies	\$ 3.59	11/3/2016
Cardmember Service / Visa	6562 - R&B Travel & Meeting Expense	\$ 165.00	11/3/2016
Cardmember Service / Visa	9929 - PHR Miscellaneous	\$ 42.07	11/3/2016
Com Ed - Street Lights	9519 - PHR Street Lights	\$ 273.51	11/22/2016
Fire & Safety Equip of Rockford	6311 - R&B Maint Service - Building	\$ 134.00	10/20/2016
Illowa Culvert and Supply	9614 - PHR Maint Supplies - Road	\$ 310.50	10/29/2016
Lowe Enterprises, Inc.	9614 - PHR Maint Supplies - Road	\$ 86.52	10/10/2016
McHenry County Council of Government	6562 - R&B Travel & Meeting Expense	\$ 42.00	10/29/2016
MDC Environmental Services	6373 - R&B Garbage Disposal	\$ 126.91	10/20/2016
Midwest Paving Equipment, Inc.	6820 - R&B Capital Asset Outlay	\$ 17,000.00	9/23/2016
Nicor Gas	6371 - R&B Utilities	\$ 38.28	11/21/2016
The I.T. Connection Inc.	6512 - R&B Maint Equipment	\$ 42.50	10/30/2016
Think Ink, Inc.	9472 - PHR Uniforms	\$ 61.80	10/20/2016
Vermeer Illinois, Inc.	6820 - R&B Capital Asset Outlay	\$ 53,233.91	9/21/2016
Woodstock Hicksgas, Inc.	6112 - R&B Maint Supply - Equipment	\$ 21.03	10/30/2016
Total		\$73,018.72	
<u>Additional Voucher Brought to Meeting</u>			
Township Officials of Illinois	9929 - PHR Miscellaneous	\$270.00	12/2/2016
New Total		\$73,288.72	
<u>Vouchers Paid before Meeting</u>			
BlueCross BlueShield of IL	9451 - PHR Health / Life Insurance	\$ 2,268.89	10/1/2016
Comcast	6552 - R&B Telephone	\$ 158.63	10/20/2016
Humana Dental Insurance	9451 - PHR Health / Life Insurance	\$ 270.45	10/1/2016
Verizon Wireless	6552 - R&B Telephone	\$ 116.91	10/3/2016
		\$ 2,814.88	
Final Total		\$76,103.60	

ROAD & BRIDGE WARRANT LIST - SEPTEMBER 2016

Exhibit 111

<u>FUND</u>	<u>VENDOR</u>	<u>PO #</u>				<u>DUE DATE</u>
6123	ACE HARDWARE	11423	1 Gallon garden sprayer	\$	9.99	10/31/2016
6123	ACE HARDWARE	11424	1 Gallon garden sprayer	\$	5.00	10/31/2016
6122	ACE HARDWARE	11425	Hose mender	\$	4.59	10/31/2016
6112	BOTT'S WELDING & TRUCK SERVICE INC	11422	Repaired hyd hose - Loader	\$	13.68	10/15/2016
6113	BOTT'S WELDING & TRUCK SERVICE INC	11437	2 Rear springs - #1	\$	1,315.06	11/5/2016
9594	C&L RENTALS, SALES & SERVICE INC	11427	Rented asphalt saw - Hensel	\$	88.78	10/23/2016
6122	CARDMEMBER SERVICE / VISA (F&F)	11429	Bottled water	\$	3.59	11/3/2016
9929	CARDMEMBER SERVICE / VISA (LOU MALNATIS)	11430	Lunch with Dorr Twp.	\$	42.07	11/3/2016
9652	CARDMEMBER SERVICE / VISA (TOI)	11433	Annual TOI Conference	\$	165.00	11/3/2016
9519	COM ED - STREET LIGHTS	11428		\$	273.51	11/22/2016
6311	FIRE & SAFETY EQUIP OF ROCKFORD	11426	Annual maint.-Fire extinguishers	\$	60.00	10/20/2016
6311	FIRE & SAFETY EQUIP OF ROCKFORD	11435	Annual maint.-Fire extinguishers	\$	74.00	10/30/2016
9614	ILLOWA CULVERTS & SUPPLY	11432	5-Arched aprons, 1-Band	\$	310.50	10/29/2016
9614	LOWE ENTERPRISES, INC.	11421	Asphalt chips - 13.31 tons	\$	86.52	10/10/2016
6562	McHENRY COUNTY COUNCIL OF GOV.	11434	September meeting	\$	42.00	10/29/2016
6373	MDC ENVIRONMENTAL SERVICES	11439	Garbage service	\$	126.91	10/20/2016
6820	MIDWEST PAVING EQUIPMENT, INC.	11405	2016 2-ton Falcon Hot Box Trailer	\$	17,000.00	9/23/2016
6371	NICOR GAS	11436		\$	38.28	11/21/2016
6512	THE I.T. CONNECTION INC	11438	Worked on Tom's computer	\$	42.50	10/30/2016
9472	THINK INK, INC.	11440	Embroidering on jackets	\$	61.80	10/20/2016
6820	VERMEER - ILLINOIS, INC.	11406	2015 Vermeer Chipper-BC1800XL	\$	53,233.91	9/21/2016
6112	WOODSTOCK HICKSGAS, INC.	11431	Propane - Forklift	\$	21.03	10/30/2016
				\$	73,018.72	

ADDITIONAL BILL ADDED ON 10/17/2016

9929	TOWNSHIP OFFICIALS OF IL	11441	2017 Drug testing	\$	270.00	12/2/2016
				\$	73,288.72	

BILLS PAID BEFORE MEETING

9451	BLUECROSS BLUESHIELD OF IL	11418	Health insurance - Sept	\$	2,268.89	10/1/2016
6552	COMCAST	11420	Phone & Internet	\$	158.63	10/20/2016
9451	HUMANA DENTAL INSURANCE	11419	Health insurance - Sept	\$	270.45	10/1/2016
6552	VERIZON WIRELESS	11417	Cell phone service	\$	116.91	10/3/2016
				\$	2,814.88	
				Total	\$	76,103.60

Road Commissioner:

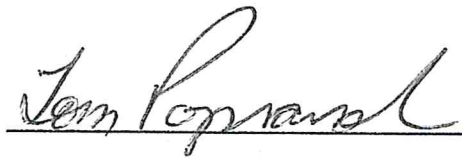


Exhibit IV

**GRAFTON TOWNSHIP
PUBLIC REQUEST TO ADDRESS BOARD**

Date: October 17, 2016

NAME

ADDRESS

1. *Tom P For Jim Kelly*
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Board of Trustees

- Betty Zirk
- Bob Wagner
- Dan Ziller Jr.
- Joe Holtorf

The township Board of Trustees is the legislative branch of the township government. Each single township has four Trustees and a Supervisor, which comprise the board. Each board member is elected at large within the township, has one vote on all issues before the Township Board.

The policies enacted by the Township Board are executed by the Supervisor and the Clerk. The Trustees may not establish policy for either the Township Assessor or Highway Commissioner.

Trustees do, however, certify tax levies for the Township and Road District. For the Road District, the amount of the levy is determined by the Highway Commissioner.

In their capacity as Legislative Officers, Trustees, adopt the Annual Town Budget and Appropriation Ordinance, the General Assistance budget and the Road District budget. Trustees also are responsible for approving all township expenses and auditing bills submitted for payment by the Highway Commissioner.

The Trustees are obligated to approve all legally incurred bills, that is, those appropriated for expenditure. Trustees also must reject for payment all requests that are not debts which have been legally incurred by the township. With few exceptions, the Supervisor may make no payments without approval of the Board of Trustees.

There are exceptions: payments for General Assistance claims, and Township and Highway Department employees' salaries.

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LAW OFFICES OF
MATUSZEWICH & KELLY, LLP

101 N. Virginia St., Suite 150
Crystal Lake, Illinois 60014
(815) 459-3120 Telephone
(815) 459-3123 Facsimile

September 26, 2016

Mr. James Kearns
Grafton Township Supervisor
10109 Vine St. Unit D
Huntley, IL 60142

RE: Non-Payment of Highway Commissioner's Bills

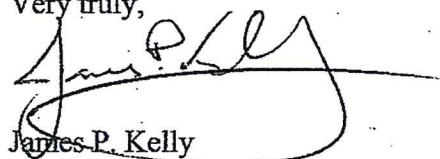
Dear Mr. Kearns:

The Township Highway Commissioner has asked that I contact you regarding the payment of Road District bills. At the September 19th Township Board Meeting the Board refused to pay certain Road District bills. The Township Board has acted outside of its authority in denying the payment of a lawfully incurred bill of the Road District. A township board is to audit the bills of the road district and has no authority to approve or disapprove of a lawful purchase. The Grafton Township Road District has funds budgeted and appropriated for its purchases. Further, the Road District has sufficient funds to make payment of the vehicle which was purchased.

When a warrant list is presented to the board and audited by the board, that amount is due and payable to the individual requesting payment. Town of Kankakee v. McGrew, 178 Ill. 74, 82, 52 N.E. 893, 894-95 (1899). By not paying the bills that were audited, the Township Board is not properly discharging its duties. Failure of the supervisor to pay the audited accounts when the necessary funds are available shall constitute grounds for forfeiture of his bond. 60 ILCS 1/80-50(c).

We are demanding that the Township Board properly discharge their duties by auditing, approving any paying the bills presented in the warrant list by the highway commissioner at the next Township meeting. In addition, the Township is responsible from its own funds for any late payments and penalties incurred resulting from the late payment of the Road District's bills. If the bills are not audited, and paid at the next Township meeting, we will proceed with legal action if necessary.

Very truly,



James P. Kelly