

CHARTER TOWNSHIP OF MONITOR
REGULAR TOWNSHIP BOARD MEETING
JULY 9, 2012

The Supervisor called the meeting to order at 7:00 p.m.

Members present: Brandt, Kowalski, Pike, Kochany, Malkin, Miller
Members absent: Arnold
Also present: R. Austin, Township Attorney

The Pledge of Allegiance was recited by all present.

Public Input opened at 7:01 p.m. No public present wished to speak and public input was closed.

Motion by Kowalski supported by Malkin to adopt the agenda as presented.
Motion carried.

Motion by Miller supported by Kochany to approve the minutes of the June 25, 2012 regular meeting as presented.
Motion carried.

Motion by Malkin supported by Kowalski to pay the bills in the amount of \$49,857.95 from General Fund.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Kochany, Malkin, Miller

No: None

Absent: Arnold

Motion carried.

Consideration and Possible First Reading of Fireworks Ordinance No. 61

Austin prepared two versions of Fireworks Ordinance No. 61 for the board's consideration.

Version 1 would make the penalty a criminal offence, allowing the sheriff deputy to issue a ticket to the offender and would be effective 31 days after publication.

Version 2 would make the penalty a municipal civil infraction that would allow the sheriff deputy, supervisor, building inspector or fire department to issue a citation to the offender and would be effective immediately upon publication.

Kochany would like to see a provision added to the ordinance specifying the person discharging the fireworks has to do so on their own property.

Austin responded the township cannot add stipulations for the days provided for by state statute.

Miller asked which penalty would be easier to enforce.

Austin replied a civil infraction is easier to enforce and we can get it adopted faster because it is not a criminal penalty.

Motion by Malkin supported by Miller to have this meeting serve as First Reading of Monitor Township Fireworks Ordinance No. 61; designating the penalty for enforcement of the ordinance

as a municipal civil infraction, and the ordinance to take effect immediately upon publication and to set Second Reading of this ordinance to the next regular meeting of July 23, 2012.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Kochany, Malkin, Miller

No: None

Absent: Arnold

Motion carried.

Municipal Consent Right of Entry ó Office of Surface Mining

Motion by Malkin supported by Kowalski to approve the agreement to allow the Office of Surface Mining access to the township water tower property on Midland Road.

Roll call vote:

Yes: Brandt, Kowalski, Pike, Kochany, Malkin, Miller

No: None

Absent: Arnold

Motion carried.

Supervisorø Report

Brandt reported the deputies would like to work twelve hour shifts. It was reported to the board this would not add additional expense for police services.

Attorney Report

Austin reported the judgeø ruling to the board pertaining to the townshipø suit against Kawkawlin Metro.

The meeting adjourned at 8:05 p.m.

Cindy L. Kowalski, Clerk

Gary A. Brandt, Supervisor