

WHAT YOU NEED TO KNOW

OCTOBER 2010

OUR CHOICES TODAY WILL BE OUR LEGACY

Thank you for reading this information, it is our intention to help you make the best decision you can for all of us.

We are a small group of Salem residents that love our homes, quality of life, and being surrounded with nature, wildlife and the history of Salem. We hope you do, too.

We can't afford glossy flyers and postcards. As part of our search for truth we looked at the campaign finance records for the last 5 elections in Salem and found that virtually all candidates spent \$1000 or less in their campaigns, until 2008.

In 2008, [\\$23,000 was spent to win the office of Treasurer](#), [\\$4300 to win the Supervisor's office](#). Judging from the barrage of full-color missiles hitting our mailboxes, it seems that much more than that will be spent on this recall election.

We hope that you carefully read and [mark your ballot](#) when considering the Salem Recall questions. We hope that you recognize that this election is about what we want to preserve for our children and grandchildren.

Our research was originally just for ourselves. We felt we had to share with our neighbors what we learned - as we were shocked at what we found. We didn't know much about small-town fire departments so we contacted some of the firemen whose names were on a postcard we received. They have provided a letter with information that they would like you to know.

We put together a "report card" to research various issues, and we provide it as a guide for you also. Our sources were township minutes, reports, and agendas, newspaper stories, county election records, the candidates websites and materials, Political Action Committees (PAC) materials and websites, and personal conversations with the people involved.



OR



Please view www.salem-township.info to review our sources—we went right to the "horse's mouth" for our information. Each statement is documented; source material and more information is provided online. More is available there than we could possibly have printed here.

Thank you for your time. Due to the climate of retribution, we wish to remain simply—

Your Salem Neighbors

MIDTERM REPORT CARD OF			
ROBERT HEYL PAUL UHEREK WAYNE WALLAZY			
		Midterm	Final
LEGACY	See Page 1-3	"F"	
CITIZENSHIP & LEADERSHIP	See Page 3	"F"	
MAINTAIN RURAL CHARACTER	See Page 3	"F"	
EMERGENCY SERVICES	See Page 4-5	"F"	
LEGAL EXPENSES	See Page 6	"F"	
SPENDING AND HONESTY	See Page 3, 6	"F"	

P.S. We believed everything we were told without verification in 2008; not this time.

SALEM BOARDS OF THE PAST—PRESERVING OUR LEGACY

We present this very condensed history in hopes it adds to your understanding.

1988—Host Community Agreement is negotiated by Salem Township Board, which provides over \$1 million in yearly revenue—meaning no local taxes in Salem.

1992—Created solution to decades long problem of raw sewage in the Johnson Creek by building a wastewater treatment plant and obtaining a \$400,000 grant for funding. The Hamlet begins revitalization.

1996—Creation of the Urban Services District (USD), designed to control development in the township to one area around the freeway interchange, to preserve the rural character in the rest of the township.

2000-2008 These early years had severe development pressure on all sides of Township due to a very good economy; prospective growth was contained in the USD through negotiation and successful legal action. Salem funds (war chest for defense of open space) grew from \$2.5 million in the bank to over \$7 million by 2008. Expanded the Hamlet Sewer District so that it could pay its own bills without borrowing from general fund, and without expanding development. Created the zoning for and put the “teeth” into the Urban Services District to maintain the intent of containing all development in the area surrounding the M-14 interchange. When the new owners of the Landfill cut off all gas revenue and negotiations failed, this board successfully took their case to court, restoring all gas revenues for the future (estimated to be over \$30 million, and the reason we still pay no local taxes) as well as [\\$2.1 million in lost revenue and attorney fees](#).

Created the Salem Village Green through private donations, creating the first space in the township that fosters community.

In 2008 this board was composed of Supervisor Fred Roperti, Treasurer Linda Hamilton, Clerk David Trent, Trustees Brien Witkowski, Marcia Van Fossen, Jim Quigley and Paula Hornback.

We mention all these names because so much of the current campaign literature is directed against them, although only Brien Witkowski and David Trent are in office, and facing recall.

See next page for current board accomplishments →

ACCUSATIONS OF UNJUST ENRICHMENT

This accusation is made in campaign literature produced by the “Salem Citizens for Truth” political action committee (saalemwatchdog.com) registered by [Jane Griffith](#). [Ms. Griffith also filed the recall](#) (see entry May 25) for David Trent and Brien Witkowski . The overall tone of the website is pro-Heyl, Uherek and Wallazy, although most articles are anti-Fred Roperti and Linda Hamilton, and complaints about what they did (or didn’t do) in office. Neither Roperti or Hamilton are in office or on the ballot. Here is one such statement from a mailed flyer and also appearing on saalemwatchdog.com:

“Supervisor Heyl, Treasurer Uherek and Trustee Wallazy **have been working hard to end the practice of the previous administrative officers whose sole purpose was to unjustly enrich themselves at Salem Residents’ expense.** Their efforts have been met with hostility, lies, personal attacks and threats. Trustee Witkowski and Clerk Trent are carry overs from the previous board. You voted Fred Roperti and Linda Hamilton out of office in 2008. Don’t let them take control again.”

There is no further information (proof) provided regarding any “unjust enrichment.” Looking into the “hostility, lies, personal attacks and threats” allegation we find there is evidence of such, however it is coming [FROM Heyl, Uherek, and Wallazy](#) to Salem Citizens. In prior literature, which also can be viewed at saalemwatchdog.com, a distorted photo of Bonnie Cook’s appears along with the this statement in bold, **“Bonnie Cook has given shame a new meaning in Salem Township politics.”** Her crime? Disagreeing with Heyl, Uherek and Wallazy’s conduct, and exercising her right to file a recall. [UPDATE: the “cockroach” and “shame” comments were removed from “Salem Watch Dog,” but the flyers are [available here](#).]

We are concerned that citizens that don’t agree with Heyl, Uherek and Wallazy are subject to retribution, and are not afforded representation by their elected officials.

ACCOMPLISHMENTS OF THE 2008 BOARD: HEYL, UHEREK, WALLAZY

In 2008 [Salem voters](#) re-elected Clerk David Trent, Trustees Brien Witkowski, and Marcia Van Fossen, and elected Supervisor Robert Heyl, Treasurer Paul Uherek, and Trustees Wayne Wallazy and Susan Bejin.

This board has been a solidly 4-to-3 board with Heyl, Uherek, Van Fossen and Wallazy voting as a pact against Bejin, Trent, and Witkowski. From newspaper reports, and statements made from the board table, the 4 majority of the board has information available to them in a timely fashion to prepare for meetings and votes, [and the minority 3 of the board does not](#). We find this alarming—the people of Salem elected 7 members to represent them, not four who withhold information from the other three.

Further, we found ample evidence that controversial votes, such as [appointing new township attorneys](#) (see ¶ 4), and evicting the Salem Post office are kept under “lock and key” and then sprung on the minority 3 (and the public) at the last minute, often during special meetings, with minimal notice. This means that [key actions are being taken without the knowledge or input from 40% of the board](#). We find this troubling.

The campaign literature of [Heyl](#), Uherek and Wallazy, the [PAC supporting](#) them and their associated websites claim the [following accomplishments](#): that they have been cleaning out the “cockroaches” on the prior board, disbanded the fire department’s advisory board which was created in the early 90’s, brought a fire-fighter’s union into the township for the first time in Salem history, [evicted the post office](#) from township property known as the Rider House—ironically the property is a home built in 1901 by the son of the [1850’s Salem postmaster](#) and pony express rider, ended “nepotism” and locked Trustee Brien Witkowski out of the building and website (Mr. Witkowski having maintained the Salem website without charge to the township for over 8 years).

We are concerned that we don’t find any sense of community listed among the accomplishments that they claim, and in fact they seem to relish in throwing out accusations without providing proof, and using power injudiciously.

Preservation of Rural Character

.....
• **Late Breaking News—Heyl** •
• **has had more secret** •
• [negotiations for developers](#) •
.....

This is foremost on Salem residents mind. We received [Brien Witkowski’s letter](#) and were shocked at the things he reported regarding the Urban Services District (the area surrounding M-14 where growth is to be contained), as well as the lack of public or township board knowledge regarding this.

To recap this information: [After Salem’s win at Arbitration with Salem Springs \(developers of the USD\)](#) where \$50.5 million of our money was at stake, the [4 to 3 board dismissed the attorney that successfully](#) handled the [arbitration for us](#). The Arbitrators did make a provision that some items should be renegotiated and resubmitted, in light of the current economic climate.

Then we get the really shocking information: The Ypsilanti Community Utilities Authority (a wastewater treatment plant) [minutes from a June 22, 2010 p5](#) meeting states, “YCUA has received an inquiry from Salem Township regarding 1 million gallons per day of capacity in the Authority’s wastewater sewer system.” The minutes go on to state that “community officials were not involved in the

meeting but that the developer indicated that **Salem Township would be behind whatever decision they made.**”

What?? Somehow Salem Township has authorized developers to speak for us, and we’ll just go along? Further, this is obligating us, the People of Salem Township-not the developer who benefits- to PAY for this expansion. EVERY ordinance and negotiation has ALWAYS required the developer to pay for their improvements. Do you want to pay for this (as yet) unknown amount? The last [YCUA expansion](#) cost \$110 million. If nothing else, you must look at these [documents](#)!

NONE of this is public, Mr. Witkowski found out by accident, and he’s an elected Trustee! NO ONE is authorized to make those kinds of deals on their own, yet they are happening, and apparently by the developer! **That’s an “F” – a complete failure in Leadership, Legacy, Maintaining our Rural Character, Spending and Honesty!**

YOUR SALEM FIREFIGHTERS SET THE RECORD STRAIGHT!

Dear Fellow Salem Resident -

You may have heard that the Salem Township Fire Department (or the dissolved Fire Administrative Board) wanted to “red flag” homes in Salem for “*any resident who filed a complaint about a member of the fire department. So that the police would appear first at their door . . . By this new policy the fire department would sit on the road while the house burned.*”

This statement is absolutely untrue!

Each year firefighters and medics are injured or killed due to violence at response scenes. In an attempt to minimize violence and protect firefighters from injuries the “unsecured scene” designation is used. This designation has been used in Salem Township and Washtenaw County for over 20 years. Typically an “unsecured scene” is an emergency response which involves a suicide attempt, assault, mental illness, drug overdose, or any other volatile situation where there is an increased risk to the first responders. It may also be an address where there has been a previous incidence of violence. This designation is used by Washtenaw Central Dispatch across the county to help protect unarmed firefighters, Emergency Medical Technicians (EMTs) and police officers.

Michigan law allows the responding Fire Chief, who upon arriving at the scene of a fire or emergency, finds a condition dangerous to persons or property, to take all necessary steps to protect persons and property until the dangerous condition is abated. The law does not require the Fire Chief to wait for the police before he can take action in an unsecured area. A designation of an “unsecured scene” simply means that law enforcement are also dispatched to the incident. It allows the Chief, firefighters, and other responding agencies to know that there could be a risk at the location. The Chief uses his best judgment supplemented by his knowledge and experience, to protect the responders and possible patients to help ensure that everyone remains safe while on-scene.

Please be assured that the Salem Township Fire Department is a group of highly trained and licensed professionals who serve our community. Service is not based on likes and dislikes, but is provided when a 9-1-1 call is generated.

Salem Township firefighters are dedicated to providing the highest quality patient and fire response.

Much has been made of the Fire Department’s “Brush” and “Command” response trucks (similar to pickup truck sized) not being kept at the fire station. The false claim is the fire trucks somehow provide a benefit to the firefighters who operate them.

“Trustee Witkowski and Clerk Trent have shown their support of the firefighters.

Supervisor Heyl, Treasurer Uherek and Trustee Wallazy actually voted NOT to support the firefighters in a resolution brought forth on April 13, 2010.”


Where to go for more information:

Salem Township Minutes April 13, 2010 available at <http://tiny.cc/os7g1> (see item “J”)

Washtenaw County Police Report available at <http://tiny.cc/7uygd>

See Michigan Compiled Law, Act 207 of 1941, 29.7a(1) available at <http://tiny.cc/bz6he>

Township Accountant Michael Swartz of [Plante Moran](#) at Fire Administration Board Meeting, March 2010.

 **View these links and more at www.salem-township.info**

...AND ASK FOR YOUR SUPPORT

The township auditor explained that the fire trucks assigned to the Chief and other firefighters are driven for the benefit of the community and comply with IRS guidelines which have not changed since the issue was originally raised by Trustee Van Fossen in 1996. The Chief's truck is to be with him when he is within a responding distance, and that has been defined as the communities which make up the Washtenaw Area Mutual Aid Association. The truck may also be taken further if he is on official business. The trucks assigned to other firefighters are to be within 3 miles of Salem Township's borders unless on official business.

Many times the small trucks are the first vehicles on a scene and can manage the response appropriately thereby allowing the larger engines and tankers to be cancelled. These vehicles are equipped with life-saving equipment, as well as fire extinguishers to allow firefighters to directly respond to a variety of emergencies. As an example of the effectiveness of a direct response by using the small trucks, a firefighter was able to restore an airway, provide life sustaining oxygen and call for a medical helicopter at a severe accident scene at N. Territorial and Curtis before the larger vehicles were able to respond to the incident. Additionally, these trucks have been used to pull a vehicle on fire out of a garage on Beacon Lane thereby saving a \$500,000 home from further damage. The larger fire department vehicles were unable to get to the home because of snow and ice.

Supervisor Heyl, Treasurer Uherek and Trustee Wallazy want to park these trucks at the township hall, rather than have them readily available for a quick emergency response which helps you and me!

Lastly, the firefighters unionized to ensure an effective and sustainable fire department that protects our township.

**SHOULD THESE TRUSTEES
BE RECALLED?**

VOTE "NO" to
Retain Clerk David Trent
Trustee Brien Witkowski

VOTE "YES" to
Recall Supervisor Heyl
Treasurer Uherek
Trustee Wallazy

Please vote November 2nd and help your Salem Firefighters keep our community safe.

To maintain quick, effective and quality emergency response in Salem Township, Voting "**NO**" to retain Clerk David **Trent** and Trustee Brien **Witkowski** and

Voting "**YES**" to recall Supervisor **Heyl**, Treasurer **Uherek** and Trustee **Wallazy** is imperative and critical if you want to continue to have an effective fire department that cares about the community they live in.

Thank you for your continued support!

Chief Mark Hamilton
Asst. Chief Ed Rohraff
Lt Richard Cort
Eng Don Roberts
FF Ken Ascher
FF Kirk Ferris
FF Brett Hupenbauer
FF Dan Kahl

FF Mark Kimler
FF Steven Kimler
FF Eric Labadie
FF Casey McCreedy
FF Shawn McCreedy
FF Jim Rachwal
FF Laura Roberts
FF Ricke Rosselle

FF Ryan Rosellee
FF Dan Seedott
FF Max Siegel
FF Ed Siegner
FF Mark Waterhouse
FF Simon Wilkinson



Please feel free to talk to us about our community's safety.



LEGAL EXPENSES

We read Mr. Heyl’s claim that the prior attorney was dismissed due to costs. Heyl stated \$1.4 million was spent in legal bills over the prior 9 years (or \$156K per year).

Upon further examination, we found this statement misleading in the following ways: Heyl included \$500,000 in litigation expenses recovered by the township as part of the successful lawsuit to restore our income of over \$1 million per year for the next 30 years.

Further, Heyl included \$500,000 in billings that were incurred under his watch in defending a \$50 Million arbitration award. Would he have rather we lost the \$50 Million to developers than pay \$500,000 to our attorney to protect the Township? It is a point of contention that Mr. Heyl caused the arbitration to be filed by his failure to schedule meetings he had promised developers. There is not enough information available to the public to make this determination with certainty, so we do not.

The information we obtained shows the following attorney billings charged to Salem Township:

FY ¹ 2005-06— \$59,600	}	Roperti Board – McLain&Winters attorneys
FY 2006-07— \$33,200		
FY 2007-08— \$64,400		

Nov 24-Dec 2009 \$21,000	}	Heyl Board - Johnson Rosati attorneys
Jan to Aug 2010- \$230,000		

In 9 months \$251,000 was spent by the attorney firm Mr. Heyl selected to reduce attorney fees — nearly \$1000 per day—without any litigation.

Heyl’s claims that Winters was fired for high attorney bills do not hold up. Further, there are billings from Johnson Rosati for meetings close to \$1000 attended by Mr. Heyl which he doesn’t remember what was discussed. Who knows what we are being billed for if he doesn’t?

¹Salem Township’s fiscal year is April 1 to March 31

SALEM POST OFFICE

The vote to evict (or not evict) the Salem Post Office is given as a reason for [all the recalls](#) filed.

[Witkowski](#) and [Trent](#) could be recalled for voting NOT TO EVICT the Salem post office;

[Heyl](#), [Uherek](#) and [Wallazy](#) could be recalled FOR EVICTING the Salem Post Office.

[Heyl](#), [Uherek](#), and [Wallazy](#) have claimed that the Salem post office is a for-profit business. Our research into [community post offices](#) finds that the USPS utilizes them in [small towns where the Postal Service](#) could not feasibly build, maintain and staff a separate building, such as in Salem. Postal contract holders are paid to service USPS customers.

The actions taken by Mr. Heyl’s board might shed some light. This board has changed the [Salem Township address](#) (to a [PO Box in Plymouth](#) (see p 6). Further, they have not purchased postage from the Salem Post office in over a year, despite the post office being a few steps away. If the eviction was for the reasons that Heyl, Uherek and Wallazy give, why stop getting your mail and stamps there [correction: with exception of Clerk’s office]? Why send someone miles away to get the mail and buy stamps? Are we paying salaries and mileage for this too?

Trent and Witkowski filed their reasons for their votes, which will also be on your ballots. We hope you read them carefully, and note that they are the only two which mention building and strengthening our community.

We believe that decisions made by elected officials should be made for the best interests of all the people of Salem, not for personal biases and motivations.

IS OUR MONEY SAFE?

Treasurer Uherek states he *“increased the Township’s return on investments to 5% in a time when average interest paid is 0% to .4%. The Township Investment portfolio is backed by the full faith and credit of the United States.”* www.salemwatchdog.com, last bullet point

Knowing that **greater return mean greater risk**, we were concerned at such a statement. We looked where Treasurer Uherek has invested our money, **and found that 79% of all our funds (\$5.7 MILLION) was invested in [Freddie Mac and Fannie Mae](#)**, with an additional \$1.5 Million invested in Ginnie Mae. [View Salem Township audit report—page 38, “Concentration of Credit Risk”](#)

In other words, 94% of all Township money is invested in mortgages.

We reviewed the [2010 Audit of the Township conducted by Plante Moran](#) to verify these numbers, and they are shockingly correct! This review also showed return on investments was 3%, not 5% as claimed.

Fannie and Freddie are the programs that were so poorly managed that in 2008 they required a \$150 Billion bail out by the taxpayers. The Ginnie Mae investment of an additional \$1.5 Million township dollars into has a maturity date of [2040 \(or in 29.13 years\)](#). **Only 6% of our money is not invested in mortgages and none of it meets the Diversity or Liquidity requirement of the adopted Salem Township Investment Policy in 1998.**

[The Salem Township Investment Policy](#) has the following objectives: **Safety, Liquidity** (defined as one year or less), and **Return on Investment**. In “subsection 10. Safety” it states: **“diversification** is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.” It is a mathematical impossibility for 6 percent of our money to cover the loss of 94%.

Testifying before Congress in 2003, Senator Barney Frank (Fannie’s and Freddie’s step-father) stated that these private mortgage companies were “fiscally strong” and [“that it didn’t matter if there were problems, because the federal government doesn’t bail them out.”](#) Does that sound like the “full faith and credit of the United States” to you? **New estimates show [\\$1 TRILLION](#) required to keep these corporations afloat—and the feds are getting ready to say “no more.”**

The bailout of 2008 was a “favor,” not a right - a favor which could end any moment. The Congressional Budget Office [suggested cutting off continued government funding](#) for Freddie and Fannie in a letter to Sen. Frank, as a way to minimize these two corporations continued drag on the US economy. Sen. Frank also stated on CNBC that he’s [ready to “say goodbye” to Freddie and Fannie by next year!](#)

The investment policy adopted by Salem Township states that investments should be the **same that a “prudent person” would take.** **What prudent person risks \$7.1 MILLION DOLLARS by putting 94% of ALL their money into one very troubled industry to make \$235,000? What if you had 94% of all your money invested in the automobile industry in February 2009? “[Diversity](#)” doesn’t mean investing in different companies in the same industry, it means the exact opposite! Splitting investments between Chrysler, GM and Ford would have provided no protection when the entire industry crashed. [GM bondholders got 10 cents on the dollar](#)—would a prudent person be satisfied if he only lost 90% of his money?**

And the problems are not even close to being over for Fannie and Freddie, [a Reuters article](#) published a few days ago states, “Both Fannie Mae and Freddie Mac have a history of profound corporate mismanagement,” it said. “Further, both companies have fallen short in aspects of their performance, as Fannie Mae recently made a significant data error in reporting on mortgage redefaults and Freddie Mac has had difficulty meeting its assigned deadlines.”

We are concerned that our money is not safe. Perhaps we should consider spending it on land or other durables—or give it away!—rather than see it evaporate before our eyes.

SALEM TOWNSHIP NEIGHBORS

We hope the enclosed information helps you make an informed decision, and to mark your ballot with confidence.

Paid for by your Salem Township Neighbors Salem, Michigan 48175

Mark & clip for use in Voting Booth

“Should [candidate] be recalled?” (front and back of ballot)

Yes No

- Robert Heyl, Paul Uherek, Wayne Wallazy, David Trent, Brien Witkowski

REMEMBER there are 2-pages and 4-sides to ballot

VIEW SAMPLE

SALEM TOWNSHIP

BALLOT HERE

WHO CAN YOU BELIEVE IN SALEM TOWNSHIP?

We didn't know either until we took a closer look.

After receiving mailings supporting Heyl, Uherek, and Wallazy that called Salem residents "cockroaches," we were concerned about the civility of our elected officials.

After a mailing calling a Salem resident

a "disgrace" for filing a lawful recall, we wondered about the ability of this board to serve all its citizens, not just those who agreed with them.

After more mailings supporting Heyl, Uherek and Wallazy that contained pictures of citizens taken without their permission and deliberately distorted, we were concerned about the honesty and integrity of our elected officials. Then we began to look at all the content on each website, review the township's minutes online, and verify each statement. We've re-

ported what we found here and hope that you will read and learn all that you need to know to answer the question,

Who Can You Believe in Salem Township?



Your Salem Neighbors