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Transcript of the Testimony of
Green, Donald

Date: May 17, 2019

Volume:

Case: Hack v. Charter Township of Milford, et al

Printed On: May 29, 2019

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1 officer in that; Michigan Township Association,
 2 Oakland County Chapter. I'm on the executive
 3 committee for SEMCOG, Southeast Michigan Council
 4 of Governments. Things like that.
 5 Q. Okay. But you're not employed for any other
 6 organization or community or entity? At least --
 7 A. No.
 8 Q. -- not during those --
 9 A. No.
 10 Q. The 18-year period?
 11 A. No.
 12 Q. And let me ask, have you been deposed before?
 13 Deposed, have you been --
 14 A. Yes.
 15 Q. -- deposed before? Okay. So you understand the
 16 general format. I'm going to ask questions,
 17 you're going to give --
 18 A. Yes.
 19 Q. -- answers. You're going to let me finish my
 20 question so that we have a clear record.
 21 A. Okay.
 22 Q. If you don't understand a question I ask, which
 23 might happen, let me know. I'll rephrase it or
 24 ask a different one. And if you do answer my
 25 question, I'm going to assume that you understand

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1 the question; is that fair?
 2 A. Yes.
 3 Q. Okay. What did you do before you became a
 4 supervisor in terms of employment?
 5 A. I'm a plumber. A licensed plumber.
 6 Q. Okay. And is that -- was that your profession
 7 before becoming supervisor?
 8 A. Yes.
 9 Q. Did you have any other professions?
 10 A. I was a laborer. I was a salesman. I was a
 11 carpenter. I was an electrician. And I'm a
 12 licensed plumber to date.
 13 Q. Okay. You're not an engineer, correct?
 14 A. No.
 15 Q. Okay. You have no engineering training, correct?
 16 A. No.
 17 Q. Correct?
 18 A. Correct.
 19 Q. Okay. Tell me about David Mamo. How did you come
 20 to first meet David Mamo?
 21 A. I met David Mamo in 1989. The township was
 22 getting ready to put in a closure of hunting in
 23 the community and a lot of us people had bought
 24 property and there was a lot of vacant property.
 25 So we formed a group to oppose the township on

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1 this ordinance.
 2 Q. David Mamo served with you on that committee?
 3 A. Well, we were just a group of guys. Nobody was an
 4 officer or anything, but . . .
 5 Q. The committee was through the township?
 6 A. No.
 7 Q. It was like --
 8 A. Citizens.
 9 Q. Citizens. Okay. So it was --
 10 A. That's what --
 11 Q. -- like a voluntary association?
 12 A. Yes, sir.
 13 Q. All right. You said that was in '89?
 14 A. '89, I believe.
 15 Q. And have you more or less come into contact with
 16 Mr. Mamo throughout the years since '89?
 17 A. On and off. Nothing regular.
 18 Q. Mr. Mamo's been a long time resident of Milford
 19 Township, correct?
 20 A. Yes.
 21 Q. Okay. How long have you lived in Milford
 22 Township?
 23 A. Since 1981.
 24 Q. And what was the year you were elected supervisor?
 25 A. 2000.

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1 Q. Did David Mamo contribute to your campaign?
 2 A. No, not that I can remember.
 3 Q. Did Mr. Mamo help you out in your campaign in any
 4 way?
 5 A. No.
 6 Q. What's the population right now of Milford
 7 Township approximately?
 8 A. The township is 65 under 10,000 and there's 6,700
 9 in the village.
 10 Q. So 6,700 in the village, which is Milford Village?
 11 A. Correct.
 12 Q. And then there would be 33 or fewer in the
 13 township itself, if I understood you correctly?
 14 A. No, there's --
 15 Q. You said 10,000 --
 16 A. 65 less than 10,000.
 17 Q. 65 less than 10,000. Okay.
 18 A. Yes.
 19 Q. So you've got just a little under 10,000 in
 20 Milford Township.
 21 A. Correct.
 22 Q. And then you've got the 6,700 or so in Milford
 23 Village?
 24 A. Yes, sir.
 25 Q. When you were elected supervisor back in 2000 or

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1 so, what was Milford Township's population then,
2 do you recall?
3 A. I don't even know.
4 Q. Has it more or less stayed approximately around
5 the 10,000 mark since you've been supervisor?
6 A. We grow about 150 a year I'd say.
7 Q. Okay. So for a decade there might be 1,000 or
8 1,100 or so additions give or take?
9 A. Yes.
10 Q. Okay. How many -- so Milford Township has a
11 board, correct?
12 A. Yes.
13 Q. Has the board's composition in terms of number of
14 individuals at any given time sitting on the board
15 remained the same since you were elected
16 supervisor?
17 A. Yes.
18 Q. How many individuals are on Milford's board?
19 A. Seven.
20 Q. And that includes yourself?
21 A. Yes.
22 Q. Has the composition in terms of the individuals
23 themselves who sit on Milford's board remained the
24 same since you were elected supervisor in 2000?
25 A. No.

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1 Q. Are you aware of whether any board members from
2 2000 to present have been Jewish?
3 MR. STOKAN: Object to foundation.
4 THE WITNESS: Not that I know of, no.
5 BY MR. CRONKHITE:
6 Q. You're not Jewish, correct?
7 A. No, I'm a practicing Catholic.
8 Q. David Mamo is Catholic, correct, isn't he?
9 A. Yes.
10 Q. Bill Mazzara, what's his religious nomination?
11 MR. STOKAN: Object to foundation.
12 THE WITNESS: I believe he's Catholic.
13 I've never seen him at any of my masses, so . . .
14 But I believe he is.
15 BY MR. CRONKHITE:
16 Q. Do you attend the same church as Mr. Mamo?
17 A. Yes.
18 Q. Any other board members currently sitting on
19 Milford's board attend the same church as you and
20 Mr. Mamo?
21 A. Do you mean on a regular basis?
22 Q. No, whether they're -- maybe I'm not using the
23 right term. Parishioners of your church. They
24 might not come --
25 A. No.

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1 Q. -- regularly.
2 A. No.
3 Q. Okay. Is the Milford's board right now in terms
4 of composition, the individuals who make it up,
5 are they the same as they were during the summer
6 of 2018?
7 A. Yes.
8 Q. Who was the last board member who left the board?
9 In terms of no longer is -- lost their position as
10 a board member.
11 A. That would have been Colleen Schwartz, the clerk.
12 Q. When was that? Which year?
13 A. Let's see . . .
14 Q. Was it before --
15 A. 12 years ago I think.
16 Q. 12 years ago. Okay. So the Milford Township's
17 board has remained relatively consistent for the
18 past -- it's been completely consistent for the
19 past decade as far as you know?
20 A. Yes.
21 Q. Okay. Did a Holly Brandt take her position?
22 A. Yes.
23 Q. Okay. That's also an elected position?
24 A. Yes.
25 Q. Let's talk about the demographics in Milford

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1 Township.
2 What are the percentage of Christians
3 that make up the 10,000 or so population of
4 Milford Township?
5 A. I have no --
6 MR. STOKAN: Object -- hang on. I just
7 want to object to A, relevance. And B, to
8 foundation.
9 MR. CRONKHITE: We have in this case
10 allegations that Milford's board, Mr. Green and
11 Mr. Brandt, discriminated against my clients who
12 are Jewish. And I'm certainly entitled to inquire
13 into Mr. Green's knowledge regarding the
14 composition of Milford Township who elects the
15 board who made the decisions that effected my
16 clients. It's directly relevant to the claim of
17 the case.
18 MR. STOKAN: Purposefully and I'm -- I am
19 entitled to voice my objection for the record and
20 I would -- if you'll give me a standing objection
21 to any questions regarding the line of -- these
22 line of questioning, I won't continue to interrupt
23 with a relevance objection.
24 MR. CRONKHITE: When you say line of
25 questioning, what do you mean?

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1 MR. STOKAN: Anything to do with
2 religious discrimination, those lines of
3 questions. But if you want, I --
4 MR. CRONKHITE: No, no, you can have a
5 standing objection to that.
6 MR. STOKAN: Okay.
7 MR. CRONKHITE: I appreciate that. I'm
8 still going to ask the questions though.
9 BY MR. CRONKHITE:
10 Q. So you do not know as the supervisor of Milford
11 Township who your constituents are in terms of
12 what -- who are the groups by race, by religion,
13 by age that make up Milford Township?
14 A. That's not my concern.
15 Q. Your position's elected, correct?
16 A. Correct.
17 Q. And you don't pay attention to demographics at
18 all?
19 A. I don't discriminate against race, religion, age,
20 color. Everyone's treated the same.
21 Q. Not my question. My question, sir, is whether you
22 are aware of who your constituents are by race,
23 religion, age, et cetera?
24 A. No.
25 Q. Does Milford Township maintain any statistics that

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1 are publicly available that would help someone
2 ascertain what percentage of Milford Township is,
3 for instance, Jewish?
4 A. No.
5 Q. Milford Township does not maintain any Census
6 records regarding the religious denomination of
7 their citizens?
8 A. We would -- we would not have any records of that.
9 We might have the Census records but they're not
10 our records.
11 Q. Okay. So you, Milford Township, would have census
12 records that would enable Milford Township to
13 determine what percentage of its Milford Township
14 residents are Caucasian, for instance?
15 A. If that's one of the questions on the Census.
16 Q. Okay. When you're talking about the Census, are
17 you talking about, like, the US Census? Michigan
18 Census? Which Census?
19 A. US every ten years.
20 Q. Okay. Every ten years. When was the last Census
21 conducted, do you know?
22 A. 2010.
23 Q. Where would Milford Township keep those Census
24 records?
25 A. That would be up to the clerk.

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1 Q. Are they physically stored, do you know?
2 A. I don't know.
3 Q. Can you identify any Jewish owned businesses in
4 Milford Township?
5 A. I -- I don't know. It doesn't matter to me
6 whether they're Catholic or Jewish or Episcopalian
7 or what.
8 Q. You can identify businesses in Milford Township,
9 correct?
10 A. Businesses, yes.
11 Q. Okay. And you know the owners of those
12 businesses, at least some of them, right?
13 A. Yes.
14 Q. Okay. And you know the religious denominations of
15 at least some of those business owners don't you?
16 A. No.
17 Q. You don't know a single business owner's
18 affiliation with a church?
19 A. Well, a couple of landscapers, they're Catholic.
20 Q. David Mamo has a business, right?
21 A. Oh, yeah. Mattic Electric.
22 Q. He's Catholic?
23 A. Yes, we already said that.
24 Q. Right. Any other businesses? What about downtown
25 Milford Township, I mean, there -- name some

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1 businesses there.
2 A. Name some businesses there?
3 Q. Yeah. Yeah, name one or two businesses that you
4 know the owner of?
5 A. Main Street.
6 Q. Main Street, sure.
7 A. Smoke Street. Hector & Jimmy's. The Bar.
8 Gravity. Rottermonds. That's about it.
9 Q. As far as you know, none of those businesses are
10 owned by people of the Jewish faith, correct?
11 A. I have no idea.
12 Q. Based on your experience supervising Milford
13 Township for the past nearly two decades, what
14 percentage of Milford Township would you say is of
15 the Jewish faith?
16 MR. STOKAN: Object to foundation.
17 THE WITNESS: I have no idea.
18 BY MR. CRONKHITE:
19 Q. It's fair to say Milford Township is
20 overwhelmingly Christian, correct?
21 MR. STOKAN: Object to foundation.
22 THE WITNESS: I have no idea.
23 BY MR. CRONKHITE:
24 Q. If the Census records were to show that Milford
25 Township is overwhelmingly Christian, that would

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1 not come as a surprise to you would it?
 2 A. I have no idea.
 3 Q. Are you aware of any Jews who live in Milford
 4 Township?
 5 A. I don't -- I don't check people by their religion.
 6 I don't know if they're Jewish or Christian.
 7 Q. I understand what you're saying. But you are
 8 aware of Catholics, for instance, who live in
 9 Milford Township, right? You already testified to
 10 that.
 11 A. Yes.
 12 Q. Are you aware of -- do you know any Protestants
 13 who live in Milford Township?
 14 A. I don't follow peoples religions. The Catholics I
 15 know because I -- I go to the church.
 16 Q. There are multiple institutions -- I don't know,
 17 religious institutions in Milford Township,
 18 correct?
 19 A. Yes.
 20 Q. Okay. There's at least one Catholic church?
 21 A. Yes.
 22 Q. That's your church. What's it called?
 23 A. St. Mary.
 24 Q. St. Mary. Is there any other Catholic churches?
 25 A. In the township?

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1 Q. In the township.
 2 A. No.
 3 Q. Are there other churches at all?
 4 A. Yes.
 5 Q. What are they?
 6 A. Milford Methodist. Milford Presbyterian. St.
 7 George's Episcopalian. Oak Pointe. I believe
 8 they're nondenominational.
 9 Q. Any others you can think of?
 10 A. No.
 11 Q. Of all those religious institutions you mentioned,
 12 none of them are Jewish, correct?
 13 A. Not that I'm aware of.
 14 Q. Okay. In fact, they sound like they're -- well,
 15 with the exception of Oak Pointe, which you think
 16 is nondenominational, it sounds like they're
 17 Protestant or Episcopalian, right?
 18 A. Yes. Yes.
 19 Q. You know people who visit those churches?
 20 A. Yes.
 21 Q. Okay. And they reside in Milford Township, right?
 22 At least some of them?
 23 A. Yes.
 24 Q. Okay. So you're aware that some Protestants
 25 reside in Milford Township?

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1 A. Yes.
 2 Q. You're aware that some Catholics reside in Milford
 3 Township, yes?
 4 A. Yes.
 5 Q. Are you aware of any Jewish people aside from the
 6 Hacks who reside in Milford Township?
 7 A. I have no idea, no.
 8 Q. We've talked about the board's composition in
 9 terms of religious affiliation.
 10 Do you appoint people to various
 11 governmental positions as part of your role as
 12 Milford Township supervisor?
 13 A. The board appoints. I can recommend or they can
 14 recommend.
 15 Q. And can you name me some positions that the board
 16 appoints individuals to?
 17 A. Planning commission. Zoning board of appeals.
 18 Cemetery committee. Parks and rec. Road board of
 19 appeals. Construction board of appeals. Board of
 20 review.
 21 Q. Those are all bodies that have multiple
 22 individuals on them?
 23 A. Yes.
 24 Q. Okay. In terms of particular positions, like I'm
 25 thinking do you have a fire chief?

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1 A. Yes.
 2 Q. You got a police chief?
 3 A. The Village does. It's the Village Police
 4 Department.
 5 Q. Okay. And I only want to -- you guys, I mean the
 6 Milford board, has no say in who gets appointed to
 7 the Village, correct?
 8 A. No.
 9 Q. Okay. So I don't want to talk about the Village,
 10 only Milford Township. So you got -- so Milford
 11 Township has a police chief. What are some
 12 other --
 13 A. We have a fire chief.
 14 Q. A fire chief. Excuse me. You got a fire chief.
 15 What are some other positions other than on these
 16 bodies that Milford Township's board appoints
 17 people to?
 18 A. That's all I can think of right now.
 19 Q. Fire chief. Milford Township also has code
 20 enforcement officers, correct?
 21 A. Yes, one.
 22 Q. And that's Mr. Bill Bozynski?
 23 A. Yes.
 24 Q. Okay. Tim Brandt is also responsible, or at least
 25 he testified to this, for code enforcement,

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1 correct?
 2 A. Building and zoning administrator.
 3 Q. So Tim Brandt as the building and zoning
 4 administrator is responsible for enforcing
 5 codes -- enforcing ordinances involving buildings
 6 and zoning?
 7 A. Yes.
 8 Q. Okay. Any other individuals who are responsible
 9 on behalf of Milford Township for enforcing
 10 ordinances?
 11 A. The fire department.
 12 Q. Anyone else or any other body?
 13 A. Not that I'm aware of.
 14 Q. Are you aware of the board ever having appointed a
 15 Jewish individual to any of the bodies that you
 16 just mentioned such as the planning commission,
 17 the road board of appeals, the zoning board of
 18 appeals?
 19 MR. STOKAN: Object to foundation.
 20 THE WITNESS: No.
 21 BY MR. CRONKHITE:
 22 Q. You're aware that Milford Township's board has
 23 appointed some Catholics to those boards?
 24 A. Yes.
 25 Q. And some Protestants, correct?

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1 MR. STOKAN: Object to foundation.
 2 THE WITNESS: Best guess, yes.
 3 BY MR. CRONKHITE:
 4 Q. The fire chief. Who's the current fire chief?
 5 A. Thomas Moore.
 6 Q. Thomas Moore. Let me guess, not Jewish?
 7 MR. STOKAN: Object to the form of the
 8 question.
 9 THE WITNESS: I have no idea.
 10 BY MR. CRONKHITE:
 11 Q. Who is the predecessor of Mr. Moore?
 12 A. I can't remember his last name.
 13 Q. How long ago was it?
 14 A. Three or four years.
 15 Q. Okay. He wasn't Jewish either?
 16 MR. STOKAN: Object to foundation.
 17 THE WITNESS: I don't know.
 18 BY MR. CRONKHITE:
 19 Q. Okay. Milford's board from time to time makes
 20 certain allocations of monies to various
 21 organizations or charities, correct?
 22 A. By contract, yes.
 23 Q. Okay. And can you name some of those charities or
 24 organizations that Milford board -- Milford
 25 Township's board has approved the payment of money

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1 to?
 2 A. Community Sharing. Huron Valley Council for the
 3 Arts. The SHAC, which is Suzie Haskew Art Class
 4 on Milford -- Main Street. Milford Athletic Club.
 5 American Legion.
 6 Q. Is Milford Township involved in funding any
 7 educational programs that take place within any of
 8 the religious institutions that you previously
 9 testified to?
 10 A. No.
 11 Q. What about something like Catechism?
 12 A. No.
 13 Q. Okay. You're not aware any of the various
 14 religious institutions in Milford Township that
 15 you testified to running programs for children or
 16 adults?
 17 MR. STOKAN: Object to the form.
 18 THE WITNESS: I know St. Mary does things
 19 for children and adults. I don't know what the
 20 other churches do.
 21 BY MR. CRONKHITE:
 22 Q. Okay. And St. Mary's receives no facilitation or
 23 support whatsoever from Milford Township in terms
 24 of helping attract kids to those programs?
 25 MR. STOKAN: Object to form.

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1 THE WITNESS: You mean money?
 2 BY MR. CRONKHITE:
 3 Q. No, not just money. Any support. Like
 4 distributing knowledge of the fact that it exists.
 5 A. No.
 6 Q. Okay. Nothing at all that you can think of? I
 7 mean, besides the fact that you, as supervisor,
 8 are a parishioner of St. Mary's?
 9 A. Correct.
 10 Q. Nothing else?
 11 A. No.
 12 Q. Okay. Tim and Holly Brandt, do they attend church
 13 with you?
 14 A. No.
 15 Q. Do you know which church they attend?
 16 A. No.
 17 Q. Do you know whether they attend church?
 18 MR. STOKAN: Object to foundation.
 19 THE WITNESS: I know they do but I don't
 20 know where.
 21 BY MR. CRONKHITE:
 22 Q. It's not a synagogue, correct?
 23 A. I don't know.
 24 Q. So how do you know they attend?
 25 A. They talk about church --

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1 Q. Okay.
 2 A. -- once in a while.
 3 Q. They don't talk about temple or synagogue,
 4 correct? They talk --
 5 A. No.
 6 Q. -- about church, right?
 7 A. Yes.
 8 Q. You understand them to be Christian, correct?
 9 A. Pardon?
 10 Q. You understand them to be Christian, correct?
 11 A. Yes.
 12 Q. You understand all the board members of Milford
 13 Township to be Christian, right?
 14 MR. STOKAN: Object to foundation.
 15 BY MR. CRONKHITE:
 16 Q. Based on your personal conversations with them
 17 over a 12-year period you understand all the
 18 various Milford Township board members are
 19 Christian of some kind, correct?
 20 A. I don't know that for sure, no.
 21 Q. Which one aren't you sure about?
 22 A. Mr. Busick and Mr. Wiltse.
 23 Q. Okay. The others you know are Christian?
 24 A. I don't know. Maybe Ms. Dagenhardt, I don't know
 25 if she's Christian or what church she goes to.

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1 Q. But she goes to a church?
 2 A. I saw her at St. Mary's twice and then she said
 3 she went somewhere else. And I don't know where
 4 that is. And I don't know if she attends
 5 regularly, so . . .
 6 Q. Okay. And you just have no idea what the
 7 religious affiliations of Mr. -- I think you said
 8 Busick and was it Wiltse?
 9 A. Yes.
 10 Q. You don't know whether they attend church at all
 11 or ever have?
 12 A. No.
 13 Q. You just don't talk about it?
 14 A. Right.
 15 Q. Have you talked to the board members about this
 16 lawsuit?
 17 A. We give an update at every board meeting.
 18 Q. Okay. And have you spoken privately with any of
 19 the board members about this lawsuit?
 20 A. Yes.
 21 Q. Who have you spoken with?
 22 A. Mr. Mazzara, Treasurer Dagenhardt, and Clerk
 23 Brandt.
 24 Q. Okay. And did you talk about the specific
 25 allegations that have been raised in the complaint

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1 by the Hacks?
 2 A. Not specifically, no.
 3 Q. Well, what was discussed with each of these three
 4 individuals?
 5 Were they joint meetings? Were they
 6 separate meetings?
 7 A. Any of the meetings would be three or less. That
 8 would be the clerk, treasurer, and myself.
 9 Q. Why that composition? Coincidental or --
 10 A. Because you can't have four. Otherwise it's a
 11 violation of the Open Meetings Act.
 12 Q. Oh, I see.
 13 So what was discussed specifically about
 14 the Hacks complaint at those various meetings with
 15 those three individuals?
 16 MR. STOKAN: Object to form.
 17 THE WITNESS: We discussed the case and
 18 how ridiculous it is, in our opinion.
 19 BY MR. CRONKHITE:
 20 Q. Okay. Did you talk about the fact that claims of
 21 discrimination have been raised in the complaint?
 22 A. Yes.
 23 Q. Okay. And what was raised to rebut that in the
 24 conversations?
 25 MR. STOKAN: Object to form.

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1 BY MR. CRONKHITE:
 2 Q. For instance, is it Dagenhardt?
 3 A. Yes.
 4 Q. Very cool name.
 5 Dagenhardt, did she say, "I'm Jewish.
 6 That's absurd."
 7 I mean, did you -- what -- why was it
 8 ridiculous for the Hacks to be purporting they
 9 were discriminated against?
 10 A. Because we don't discriminate against people.
 11 Q. Okay. So you have nothing factually specific in
 12 terms of Jewish people being welcomed and embraced
 13 in Milford Township as reflected in its religious
 14 institutions, its business ownership that would
 15 actually be something you could point to to say,
 16 "Of course we don't discriminate against Jewish
 17 people, look around us."
 18 You have nothing specific like that,
 19 correct?
 20 MR. STOKAN: Object to form and
 21 argumentative.
 22 BY MR. CRONKHITE:
 23 Q. You can answer.
 24 A. I don't know if anybody in the town's Jewish or
 25 anybody in the township's Jewish. It doesn't

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1 matter to me.
 2 Q. The Hacks property, you're familiar with that
 3 piece of land, correct?
 4 A. Yes.
 5 Q. You had driven past that parcel of land before the
 6 Hacks started developing on it, correct?
 7 A. Many times.
 8 Q. You had seen water sitting on that property?
 9 A. No.
 10 Q. Okay. When did Mr. Mamo first complain to you
 11 about construction on the Hacks property?
 12 A. I couldn't tell you the date but it's in the
 13 emails that I supplied.
 14 Q. Do you remember how Mr. Mamo first contacted you
 15 regarding this issue? Was it by a phone call
 16 or --
 17 A. Email I believe.
 18 Q. Did Mr. Mamo reach out to you directly via email
 19 to bring this issue to your attention?
 20 A. It would have been emailed to me but I don't know
 21 who he copied on it.
 22 Q. What was your understanding of what Mr. Mamo was
 23 complaining about when he emailed you regarding
 24 the Hacks construction?
 25 A. The water coming onto his property.

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1 Q. From the Hacks property?
 2 A. Yes.
 3 Q. As a result of the construction activity that was
 4 occurring on the Hacks property?
 5 A. That would be my guess but I don't know for sure.
 6 Q. You spoke with Mr. Mamo?
 7 A. Right.
 8 Q. Okay. And through your discussions with him was
 9 it your understanding that it was the construction
 10 activities that were taking place on the Hacks
 11 property that were causing water to come onto his
 12 property?
 13 A. That I can say, yes.
 14 Q. If I told you that Mr. Mamo first reached out to
 15 you regarding this issue on -- this alleged issue
 16 on the Hacks property in February of 2018, would
 17 that sound roughly accurate?
 18 A. Yes, roughly accurate.
 19 Q. Do you recall what Mr. Mamo was specifically
 20 claiming was causing the water to come onto his
 21 property during this time?
 22 A. It was the alignment of the building in regards to
 23 the property and where the water went -- used to
 24 go to.
 25 Q. Based on Mr. Mamo's complaints to you, you

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1 understood this could be a code violation,
 2 correct?
 3 A. Yes.
 4 Q. And because of that potential code violation, you
 5 contacted Bill Bozynski to investigate, correct?
 6 A. I asked Mr. Brandt what's going on.
 7 Q. And then you eventually reached out to Mr.
 8 Bozynski?
 9 A. Tim would have done that.
 10 Q. Tim would have done that because ultimately as the
 11 building and zoning administrator, a code
 12 violation -- an ordinance violation of this sort
 13 would fall under his purview, correct?
 14 A. Yes.
 15 Q. Not yours?
 16 A. Correct.
 17 Q. So Mr. Brandt contacting Mr. Bozynski, and as far
 18 as you understand, Mr. Bozynski went out to the
 19 Mamo's property to investigate the complaint and
 20 see whether there was an ordinance violation,
 21 correct?
 22 A. Yes.
 23 Q. You were made aware, were you not, that Mr.
 24 Bozynski did not find a code or ordinance
 25 violation at the time he visited, correct?

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1 A. I don't know.
 2 Q. What is your understanding of documentation that
 3 Milford Township's code enforcement officers
 4 create when they investigate an alleged code or
 5 ordinance violation?
 6 A. They probably write what they found on paper and
 7 put it in their file.
 8 Q. Who was the code enforcement officer before Mr.
 9 Bozynski for Milford Township?
 10 A. I can't remember his name.
 11 Q. Had you worked with Mr. Bozynski's predecessor
 12 before in determining whether there was a code or
 13 ordinance violation?
 14 A. No.
 15 Q. Okay. So this was a new situation for you in
 16 terms of you even being made aware that a code
 17 enforcement officer was investigating a complaint
 18 that had been lodged to you, correct?
 19 MR. STOKAN: Object to form.
 20 THE WITNESS: You want to repeat that?
 21 MR. CRONKHITE: Can you repeat that?
 22 Don't worry about it. I want to set this a little
 23 different.
 24 BY MR. CRONKHITE:
 25 Q. You understood that Mr. Brandt was attempting to

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1 find out whether there was an ordinance violation
 2 occurring based on Mr. Mamo's complaints about
 3 what was occurring on the Hacks property, correct?
 4 A. Yes.
 5 Q. That's why Mr. Bozynski was involved, yes?
 6 A. Yes.
 7 Q. And you were involved in this process as well,
 8 correct?
 9 MR. STOKAN: Object to form.
 10 THE WITNESS: No.
 11 BY MR. CRONKHITE:
 12 Q. You were copied on the emails, correct?
 13 A. No, not all of them, no.
 14 Q. Mr. Mamo is making -- he sent you a number of
 15 emails --
 16 A. Yes.
 17 Q. -- regarding this issue, correct?
 18 A. Yes.
 19 Q. You were involved in terms of ultimately getting
 20 HRC involved, correct?
 21 A. Yes.
 22 Q. Okay. You communicated with Tim Brandt about
 23 whether there was a code violation, correct?
 24 A. Yes.
 25 Q. I'm not trying to be difficult but you were

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1 involved in the process --
 2 A. In the process, yes.
 3 Q. Okay. And I just want to complete the question.
 4 You were involved in the process of
 5 determining whether there was a code or ordinance
 6 violation occurring as a result of Mr. Mamo's
 7 complaints about the Hacks property, correct?
 8 MR. STOKAN: Object to form.
 9 THE WITNESS: I would say yes.
 10 BY MR. CRONKHITE:
 11 Q. Okay. You were generally kept informed of what
 12 was going on to investigate that, correct?
 13 A. No.
 14 Q. You didn't inquire?
 15 A. No, if there was something out of line, they would
 16 have come and told me specifically. But if it's
 17 something they could handle, they'd handle it.
 18 Q. You're not aware of any -- you know that Mr.
 19 Bozynski visited the property around February of
 20 2018, correct?
 21 A. Took pictures.
 22 Q. Yeah. So that's a yes?
 23 A. Yes.
 24 Q. Okay. And you're not aware of any ordinance
 25 violation that was declared by the building

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1 department, Mr. Brandt, or Mr. Bozynski as a
 2 result of that visit are you?
 3 A. I don't know about the date, but no.
 4 Q. Are you aware of what Mr. Bozynski concluded after
 5 he visited Mr. Mamo's property to determine
 6 whether there was a code and ordinance violation
 7 going on?
 8 A. Yes.
 9 Q. And Mr. Bozynski concluded that the Hacks weren't
 10 doing anything to cause water to flow onto Mr.
 11 Mamo's property. Rather, it was a result of heavy
 12 rainfall, right?
 13 MR. STOKAN: Object to form and
 14 foundation. Mischaracterizes --
 15 THE WITNESS: I wouldn't know that for
 16 sure.
 17 MR. STOKAN: -- evidence.
 18 BY MR. CRONKHITE:
 19 Q. That's your --
 20 MR. STOKAN: Let me finish my objection
 21 before you -- form and foundation and
 22 mischaracterizes evidence.
 23 MR. CRONKHITE: Okay.
 24 BY MR. CRONKHITE:
 25 Q. And that was your general understanding of Mr.

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1 Bozynski's conclusions, correct?
 2 MR. STOKAN: Same objection.
 3 THE WITNESS: Correct, at that time.
 4 BY MR. CRONKHITE:
 5 Q. Indeed it had been a very rainy, precipitous, wet
 6 winter, right?
 7 A. What year are we talking?
 8 Q. 2018.
 9 A. '18-'19 or '17-'18?
 10 Q. '17-'18. Winter of '18.
 11 A. Yes.
 12 Q. Would you be surprised if I told you that it was
 13 actually the fourth wettest year on record in
 14 Detroit's record books dating back to the 1870s?
 15 The fourth wettest. Rhetorical, don't
 16 worry.
 17 How were you made aware of Mr. Bozynski's
 18 conclusions regarding his visit to the Mamo's
 19 property in assessment of Mr. Mamo's complaint?
 20 Did Mr. Bozynski tell you? Did Tim
 21 Brandt tell you? Did you receive the
 22 investigative report? All of the above?
 23 A. I believe Mr. Bozynski told me at that time.
 24 Q. You mean at the time of his visit and --
 25 A. That visit.

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1 Q. And conclusions?
 2 A. I'm sure there was more than one visit.
 3 Q. By Mr. Bozynski?
 4 A. I -- I know there was a complaint about fill dirt
 5 being brought there with garbage in it. So --
 6 Q. That happened --
 7 A. -- that would have a violation.
 8 Q. -- later? That happened later?
 9 A. Yes.
 10 Q. Okay. We'll get to that.
 11 Did you ask Mr. Bozynski about how he
 12 came to his conclusion back in February when he
 13 made his initial visit to the Mamo's property?
 14 A. Yes.
 15 Q. And what did he tell you?
 16 A. He didn't find anything back then.
 17 Q. Did you request to review his findings?
 18 A. No.
 19 Q. Okay. So you're aware that he did take some -- he
 20 did -- he did handwrite, I'm calling it an
 21 investigative report for lack of a better phrase,
 22 regarding his visit to the Hacks property? Or I'm
 23 sorry, the Mamo's property, correct?
 24 A. Yes.
 25 Q. Okay. And in it he wrote next to the date,

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1 February 27th, 2018, "The area recently suffered a
 2 four-inch rain storm, which in part led to the
 3 flooding. TB plus DG advised."
 4 Is that consistent with what you recall
 5 Mr. Bozynski informing you after his visit?
 6 A. Four inch rain, yes.
 7 Q. He also wrote here, "This water doesn't appear to
 8 be spilling onto complainants property."
 9 Complainants property being the Mamo's,
 10 right?
 11 MR. STOKAN: Object to foundation.
 12 BY MR. CRONKHITE:
 13 Q. The complainant that led to Mr. Bozynski going out
 14 there was David Mamo, right?
 15 A. Correct.
 16 Q. Okay. And so when Mr. Bozynski writes, "This
 17 water doesn't appear to be spilling onto
 18 complainants property," he's talking about water
 19 spilling onto Mr. Mamo's property, correct?
 20 A. That day, yes.
 21 Q. Okay. And he's talking about water spilling from
 22 the Hacks property specifically onto Mr. Mamo's
 23 property, correct?
 24 A. Correct. Yes.
 25 Q. And you understood that he didn't see that?

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1 A. Yes.
 2 Q. And you knew this more or less contemporaneously
 3 with Mr. Bozynski's visit there, correct?
 4 He informed you shortly after his visit
 5 regarding his conclusions?
 6 A. Yes.
 7 Q. Okay. Mr. Mamo continued to complain about water
 8 coming onto his property from the Hacks, right?
 9 A. Yes.
 10 Q. Did you conclude based on, in part at least, Mr.
 11 Bozynski's assessment that, "Look, we're getting a
 12 lot of rain. Probably a recurrence of rain going
 13 onto your property from the Hacks property based
 14 on heavy rainfall?"
 15 A. Yes.
 16 Q. That didn't result in Milford Township declaring a
 17 code or ordinance violation, correct? As far as
 18 you're aware?
 19 A. Correct.
 20 Q. Because heavy rainfall, as far as you know, going
 21 from one property to another property is not in
 22 and of itself a code or ordinance violation,
 23 correct?
 24 A. It depends on if the topography's been altered or
 25 not.

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1 Q. You're aware that construction had been going on
 2 at the Hacks property during the time in which Mr.
 3 Mamo complained, were you not?
 4 A. Yes.
 5 Q. Certainly the topography was being altered to the
 6 extent necessary to build the home, right?
 7 I mean, you're aware that the ground was
 8 being disturbed to build a home?
 9 A. Correct.
 10 Q. Okay. The land wasn't the same as it was during
 11 the time in which the Hacks constructed the home
 12 on the property, right?
 13 A. Correct.
 14 Q. Okay. So there had some alterations made on the
 15 Hacks property and there was still water -- there
 16 was water going onto the Hacks -- from the Hacks
 17 property onto the Mamo's property during periods
 18 of heavy rain, right? That was your
 19 understanding?
 20 A. Yes.
 21 Q. And Milford Township did not declare that to be a
 22 code or ordinance violation as far as you're
 23 aware; is that correct?
 24 A. At that time, correct.
 25 Q. It never declared that to be a code or ordinance

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1 violation?
 2 A. Correct.
 3 Q. To date it has not declared that to be the issue,
 4 correct?
 5 MR. STOKAN: Object to the form of the
 6 question.
 7 BY MR. CRONKHITE:
 8 Q. As far as you're aware?
 9 A. Correct.
 10 Q. So when Mr. Mamo continued to email you complaints
 11 of a similar nature regarding flooding onto --
 12 alleged flooding onto his property from the Hacks
 13 property, you more or less concluded -- and I'm
 14 generalizing here -- same issue, we already looked
 15 into it, not an issue, not a code violation, not
 16 an ordinance violation?
 17 A. At that time, --
 18 MR. STOKAN: Object to foundation.
 19 THE WITNESS: -- yes.
 20 BY MR. CRONKHITE:
 21 Q. At some point in time -- and I'm going to tell
 22 you, I'm going to give you the answer -- in June
 23 of 2018 you were made aware that some dirt had
 24 been brought onto the Hacks property, correct?
 25 A. Yes.

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1 Q. And that was dirt that was recently added in June
 2 of 2018, correct?
 3 A. Yes.
 4 Q. Mr. Mamo complained again to you, correct?
 5 A. Yes.
 6 Q. Okay. And it's your understanding that it was the
 7 dirt that had been brought to the Hacks driveway
 8 area that led to Milford Township, specifically
 9 through Timothy Brandt, issuing a cease and desist
 10 letter, correct?
 11 A. Yes.
 12 Q. There was no other issue that you're aware of that
 13 led to Mr. Brandt issuing the cease and desist
 14 letter other than this -- these new dirt piles
 15 being brought onto the driveway area, correct?
 16 A. Correct, yes.
 17 Q. Okay. You collaborated with Hubbell, Roth & Clark
 18 regarding the Hacks property, correct?
 19 MR. STOKAN: Object to the form of the
 20 question.
 21 THE WITNESS: Over water issues, yes.
 22 BY MR. CRONKHITE:
 23 Q. Okay. Specifically, it was Alix Roland and Mike
 24 Darga who were involved from HRC's side to assess
 25 the water problems related to the Hacks property,

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1 correct?
 2 A. Yes.
 3 Q. Okay. No one else at HRC?
 4 A. I have no idea.
 5 Q. Okay. You personally. It was just -- you
 6 communicated with both Mr. Roland and Mr. Darga
 7 from HRC regarding water issues --
 8 A. Mr. Darga I believe.
 9 Q. Just Mr. Darga?
 10 A. Roland is his boss. So his boss got involved in
 11 it.
 12 Q. You did email -- do you recall emailing Mr. Roland
 13 and asking him about what's going on with the
 14 water issue on --
 15 A. I believe so, yes.
 16 Q. Okay. Why did you email him specifically?
 17 A. I hadn't heard anything back.
 18 Q. Okay. So you were kind of going above Mr. Darga's
 19 head to see what's going on --
 20 A. Which I don't like to do but I did.
 21 Q. Yeah, I understand. What did Mr. Roland tell you?
 22 A. Nothing.
 23 Q. He never responded to you?
 24 A. Not that I'm aware of. I heard they went out
 25 there.

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1 Q. Mr. Darga -- strike that.
 2 HRC, including Mr. Darga, never informed
 3 you that the dirt piles specifically were causing
 4 water to go onto the Mamo's property, correct?
 5 A. Correct.
 6 Q. Okay. You have no information or data whatsoever
 7 that the dirt piles that were brought to the Hacks
 8 property in June of 2018 led to water going onto
 9 the Mamo's property, correct?
 10 A. Correct.
 11 Q. And in fact, Mr. Mamo had been complaining about
 12 water spilling onto his property from the Hacks
 13 property months before those dirt piles were
 14 brought, correct?
 15 A. Best guess, yes.
 16 Q. Right. And so if Mr. Bozynski visited in February
 17 of 2018 to investigate Mr. Mamo's complaints
 18 regarding water spilling from the Hacks property
 19 onto the Mamo's property and it wasn't until June
 20 of 2018 that the dirt piles were brought to the
 21 driveway area, it stands to reason that Mr. Mamo
 22 was complaining months before the dirt piles were
 23 brought about water allegedly coming onto his
 24 property from the Hacks property, right?
 25 A. Yes.

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1 Q. Okay. At some point Mr. Mamo claimed that the
2 elevation of the Hacks home had been raised six
3 feet; do you recall that?
4 A. I recall that, yes.
5 Q. Do you recall ultimately concluding that that
6 wasn't accurate?
7 A. Correct, yes.
8 Q. Milford or its agents came to that conclusion
9 after careful assessment?
10 Meaning Milford Township building
11 department, you, HRC, you didn't just ignore what
12 Mr. Mamo was saying regarding, for instance, the
13 Hacks home allegedly being raised six feet.
14 Milford Township and its agents actually looked
15 into the situation and concluded that that was not
16 accurate, correct?
17 A. Correct, yes.
18 Q. In fact, as far as you know, the Hacks home was
19 elevated, if at all, consistent with any normal
20 single family detached residence, correct?
21 A. I don't know, no.
22 Q. You don't know one way or the other, correct?
23 A. Right.
24 Q. HRC never informed you that the home had been
25 elevated in such a way as to violate a court

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1 ordinance, correct?
2 A. Correct.
3 Q. And Tim Brandt never informed you of that either,
4 correct?
5 A. Correct.
6 Q. Okay. You were aware that Mr. Mamo -- before the
7 dirt piles were brought to the Hacks property for
8 the driveway area in June of 2018, you were made
9 aware by Mr. Mamo that he was claiming that the
10 Hacks construction was diverting water north of
11 their home onto his property, correct?
12 A. He made that statement, yes.
13 Q. And similar to the visit by Mr. Bozynski and the
14 assessment of Mr. Mamo's claim that the home had
15 been raised six feet, Milford Township never
16 found, as far as you know, evidence to corroborate
17 Mr. Mamo's claim that water was being diverted
18 north of the Hacks home onto his property,
19 correct?
20 A. Correct.
21 Q. The sole issue, as far as you're concerned, is
22 that there were dirt piles that were brought and
23 put on the driveway area?
24 A. Yes.
25 Q. You're not aware of any other issue that the Hacks

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1 caused or their construction activities on the
2 property that led to Milford Township intervening,
3 correct? Stopping the project?
4 A. There was nothing else, no.
5 Q. And you acknowledge that Milford Township stopped
6 the construction, at least at the driveway?
7 A. Yes.
8 Q. And that was specifically in response to the dirt
9 piles that were brought there in June of 2018?
10 A. Yes.
11 Q. Okay. Mr. Mamo claimed that there was
12 contamination within the dirt piles.
13 Did Milford Township assess that claim?
14 MR. STOKAN: Object to foundation.
15 THE WITNESS: We did not have the soil
16 tested, no.
17 BY MR. CRONKHITE:
18 Q. You didn't take that as a serious credible
19 complaint by Mr. Mamo did you? That the soil was
20 contaminated?
21 A. No.
22 Q. If you had, you probably would have had the soil
23 tested, correct?
24 A. We would have had -- we'd have had Mr. Hack test
25 the soil, or his agent.

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1 Q. Did you get the impression -- I mean, at this
2 point you have been corresponding and on the
3 telephone with Mr. Mamo for, geez, half a year
4 more or less about the Hacks construction
5 activities and what it was allegedly causing on
6 his property.
7 Did you get the feeling at a certain
8 point that Mr. Mamo was simply interfering with
9 the Hacks construction?
10 A. No.
11 Q. So despite multiple issues raised by Mr. Mamo
12 regarding the Hacks construction being disproven
13 or found not to be credible, you didn't start to
14 question Mr. Mamo's motives in what he was doing?
15 A. No.
16 Q. Is that because you trust Mr. Mamo?
17 A. No. Why do I question people?
18 Q. Well, sir, you, I assume, must be a judge of
19 character to some extent to lead people as you do.
20 Part of what you do as a supervisor and as a
21 leader is to assess trustworthiness and
22 credibility in people who bring complaints to you,
23 right?
24 A. Yes.
25 Q. I mean, you get tons of complaints from citizens

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1 in Milford Township don't you?
 2 A. Yes.
 3 Q. You don't just take them all to be accurate and
 4 truthful?
 5 A. I investigate them.
 6 Q. You investigate them. And Mr. Mamo's complaints
 7 had been investigated thoroughly well before the
 8 dirt piles were brought in June of 2018; isn't
 9 that fair to say?
 10 MR. STOKAN: Object to foundation, form.
 11 THE WITNESS: Best guess, yes.
 12 BY MR. CRONKHITE:
 13 Q. Okay. Well, you knew that Mr. Bozynski had
 14 visited the property at least once, correct?
 15 Correct?
 16 A. Yes.
 17 Q. You knew that Mr. Bozynski hadn't found a code or
 18 ordinance violation, correct?
 19 A. Yes.
 20 Q. You know that Tim Brandt didn't find a code or
 21 ordinance violation before the dirt piles were
 22 brought in June of 2018, correct?
 23 A. Yes.
 24 Q. So Mr. Mamo's complaints were found not to be
 25 accurate or credible up until June of 2018,

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1 correct?
 2 MR. STOKAN: Object to form.
 3 THE WITNESS: They did not find
 4 violations on the day that they showed up.
 5 BY MR. CRONKHITE:
 6 Q. Well --
 7 A. Things occur and we don't immediately run out
 8 there, so . . .
 9 Q. You and Mr. Brandt were not so concerned that you
 10 were simply missing violations on the day that
 11 they occurred such that you had Mr. Bozynski
 12 continue to investigate, correct?
 13 A. I don't know what Tim had him do.
 14 Q. When you spoke with Mr. Bozynski and he told you
 15 what he told you, you didn't say, "Well, you've
 16 got to go back there. This might be happening
 17 tomorrow, or the next week, or when it rains. You
 18 got to go out there and look at it again."
 19 You never told him to do that did you?
 20 A. No, and I wouldn't.
 21 Q. Yet he reported to you directly what he had found?
 22 A. On that day, yes.
 23 Q. Because you were to be kept informed?
 24 MR. STOKAN: Object to the form of the
 25 question.

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1 BY MR. CRONKHITE:
 2 Q. You were directly involved in the process of
 3 investigating and assessing whether Mr. Mamo's
 4 complaints were accurate. And that is why Mr.
 5 Bozynski informed you almost immediately after he
 6 visited that he did not find water spilling onto
 7 the Mamo's property from the Hacks property,
 8 right?
 9 MR. STOKAN: Object to form and
 10 foundation. Mischaracterizes evidence -- the
 11 testimony.
 12 BY MR. CRONKHITE:
 13 Q. You can answer the question.
 14 A. On that day.
 15 Q. My point, sir, is that Mr. Bozynski was informing
 16 you because you were involved in assessing whether
 17 the complaints made by Mr. Mamo were valid?
 18 MR. STOKAN: Object to form.
 19 BY MR. CRONKHITE:
 20 Q. Correct?
 21 MR. STOKAN: Form and foundation.
 22 BY MR. CRONKHITE:
 23 Q. You had a citizen coming to you making complaints
 24 that would be code and ordinance violations, and
 25 because of that, you were personally involved in

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1 assessing whether that was occurring?
 2 MR. STOKAN: Form and foundation.
 3 BY MR. CRONKHITE:
 4 Q. Including by being informed by boots on the ground
 5 by Mr. Bozynski?
 6 MR. STOKAN: Same objection.
 7 BY MR. CRONKHITE:
 8 Q. That's fair, correct?
 9 A. Yes.
 10 Q. So I'm going to circle back to what I was saying.
 11 Mr. Mamo involved you in February of 2018 by
 12 emailing you his complaints and concerns about
 13 water spilling onto his property from the Hacks
 14 property. It was investigated by Mr. Brandt and
 15 Mr. Bozynski.
 16 You were informed by Mr. Bozynski that
 17 water was not spilling onto the Mamo's property
 18 from the Hacks. And if it had been, it was due to
 19 a four inch storm that had recently happened. All
 20 fair so far?
 21 A. Yes.
 22 Q. After that point in time Mr. Mamo is still making
 23 complaints about water spilling onto his property
 24 from the Hacks construction, including in March
 25 and April, correct?

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1 A. Yes.
 2 Q. Milford Township still is not issuing any code or
 3 ordinance violations based on Mr. Mamo's
 4 complaints regarding water spilling onto his
 5 property from the Hacks, correct?
 6 A. Not that I'm aware of, no.
 7 Q. You acknowledge that some of the specific issues
 8 that Mr. Mamo is raising before the dirt piles
 9 ever come onto the Hacks property, such as the
 10 home being elevated six feet, were found to be
 11 inaccurate by Milford Township, correct?
 12 A. Yes.
 13 Q. You acknowledge that when the dirt piles were
 14 brought onto the Hacks property in June of 2018,
 15 you found it to be inaccurate that the soil was
 16 contaminated, or at least not worthy of requiring
 17 the Hacks or their agent to assess and test the
 18 soil, correct?
 19 A. Correct.
 20 Q. So I'm going to ask again just as sort of a common
 21 sense question.
 22 Mr. Mamo at no point in time from the
 23 beginning of his complaints up until June of 2018
 24 never brought a legitimate issue to Milford
 25 Township that had resulted in a violation, right?

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1 MR. STOKAN: Object to the form.
 2 THE WITNESS: Yes.
 3 BY MR. CRONKHITE:
 4 Q. So why aren't you at this point questioning Mr.
 5 Mamo's credibility and motives?
 6 Because it confuses the heck out of me.
 7 The guy has never out of all these emails and all
 8 the photographs that were investigated by Tim
 9 Brandt, by Bill Bozynski, by you through being
 10 informed, never resulted in any code or ordinance
 11 violations or even any factual corroboration. And
 12 you're not by June of 2018 questioning this guy's
 13 credibility?
 14 A. On the --
 15 MR. STOKAN: Object to form --
 16 THE WITNESS: On the --
 17 MR. STOKAN: -- and mischaracterizes
 18 evidence.
 19 I'm sorry, go ahead.
 20 THE WITNESS: On the day of the
 21 investigation.
 22 BY MR. CRONKHITE:
 23 Q. You mean back in February of 2018?
 24 I don't know what you mean by the day of
 25 the investigation.

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1 A. Whenever they went there, if they didn't find
 2 anything. But there could have been two weeks
 3 between the photographs and when they got there.
 4 This I don't know.
 5 Q. Well, Mr. Bozynski brought to your attention that
 6 that's probably exactly what happened. I mean,
 7 back in February of 2018 when he visited the
 8 Mamo's property, he wrote and claims he advised
 9 you that, "Yeah, there was a heavy rainfall.
 10 Water maybe spilled from the Hacks property onto
 11 the Mamo's property as a result of that heavy
 12 rainfall."
 13 You were aware through Mr. Bozynski that
 14 there was probably water coming from the Hacks to
 15 the Mamo's during periods of heavy rainfall at
 16 least, correct? Yes?
 17 A. Yes.
 18 Q. That was not a violation of an ordinance or code,
 19 as far as you understood, correct?
 20 MR. STOKAN: Object to foundation.
 21 BY MR. CRONKHITE:
 22 Q. Let me put it this way --
 23 A. I'm trying to figure out how to answer this one.
 24 Q. I'll withdrawal the question. Let me put it this
 25 way.

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1 Despite your own code enforcement officer
 2 knowing based on his investigative report that
 3 there very well may have been water coming from
 4 the Hacks property onto the Mamo's property based
 5 on heavy rainfall and based on Mr. Bozynski
 6 concluding that wasn't a code or ordinance
 7 violation, there was no cease and desist letter
 8 ever issued to the Hacks, correct, for that issue?
 9 A. For that, no.
 10 Q. Because as far as you know, the building
 11 department, including Mr. Brandt, doesn't consider
 12 that to be a code or ordinance violation?
 13 MR. STOKAN: Object to form and
 14 foundation.
 15 THE WITNESS: I was told by Mr. Mamo that
 16 water never came onto his property before.
 17 BY MR. CRONKHITE:
 18 Q. And yet no cease and desist letter was ever issued
 19 regarding that complaint after Mr. Bozynski
 20 investigated the issue?
 21 MR. STOKAN: Asked --
 22 BY MR. CRONKHITE:
 23 Q. Correct?
 24 MR. STOKAN: Asked and answered.
 25 BY MR. CRONKHITE:

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1 Q. Correct?
 2 A. Yes.
 3 Q. And Mr. Mamo's making the same complaints in March
 4 and April saying, "Hey, it's happening, it's
 5 happening, it's happening." There's no cease and
 6 desist issued because Milford Township had
 7 concluded after its investigation that there was
 8 no violation occurring from what the Hacks were
 9 doing.
 10 MR. STOKAN: Object to form, mis --
 11 BY MR. CRONKHITE:
 12 Q. Isn't that fair?
 13 MR. STOKAN: Object to form and
 14 foundation. Mischaracterizes testimony.
 15 THE WITNESS: "Water never came on my
 16 property before he built his house." And I'm sure
 17 we've had heavier rains and freezing thaws and all
 18 that stuff.
 19 BY MR. CRONKHITE:
 20 Q. And yet --
 21 A. But the water went on his property after the
 22 construction of the house.
 23 Q. And he was saying that in February, in March, in
 24 April. And Mr. Bozynski didn't say, "Oh, that's
 25 an ordinance violation. Better stop it."

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1 A. Can't prove it never hit Mr. Mamo's property
 2 before. That's the issue.
 3 Q. Right, we have no idea what was happening on
 4 Mr. Mamo's property before construction, correct?
 5 A. Correct.
 6 Q. Water could have been flowing there before -- I
 7 mean, when I say there, water could have been
 8 flowing from the parcel that is currently the
 9 Hacks property to the Mamo's property before
 10 construction on the Hacks property ever began,
 11 right?
 12 A. Yeah. Don't know that.
 13 Q. This is why credibility becomes such a crucial
 14 issue when Mr. Mamo's claiming that this is a
 15 first time event. "I've never had this happen
 16 before and only after the Hacks started
 17 construction did water start coming onto my
 18 property whatsoever."
 19 Are you aware that Ms. Mamo testified two
 20 weeks ago that the water conditions in terms of
 21 sitting water on her property are comparable to
 22 what the water conditions were before the Hacks
 23 ever built their home?
 24 MR. STOKAN: Object to --
 25 BY MR. CRONKHITE:

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1 Q. Have you been made aware of that?
 2 A. No, sir.
 3 MR. STOKAN: Object to form and
 4 foundation.
 5 BY MR. CRONKHITE:
 6 Q. I'm sure you haven't.
 7 MR. STOKAN: Mischaracterizes her
 8 testimony.
 9 MR. CRONKHITE: No, it doesn't.
 10 BY MR. CRONKHITE:
 11 Q. It's a he said, she said, right? I mean, Mr.
 12 Mamo's claiming that something is happening that
 13 never happened before. And you've got the Hacks
 14 engineer saying, "No, we're not causing this."
 15 Isn't that a fair generalization?
 16 A. Yes.
 17 Q. And so this is why I'm asking you based on all the
 18 investigation that Milford Township had done into
 19 Mr. Mamo's allegations; the elevation issue, the
 20 water diversion issue, the contamination of the
 21 soil claim, that's why credibility starts to come
 22 into play to -- when it's a he said, she said.
 23 You got an engineer of the Hacks saying, "We're
 24 not doing anything like this."
 25 And you've got Mr. Mamo who's been

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1 discredited a number of times on his own claims
 2 after Milford's investigation and you don't say,
 3 "Hmm, maybe Mr. Mamo's wrong again regarding water
 4 coming onto his property based on the Hacks
 5 construction."
 6 That didn't enter your mind?
 7 A. After seeing the photograph of the debris that was
 8 dumped on the property for the driveway with
 9 cinder blocks and roots and whatnot, that could be
 10 considered contaminated soil.
 11 Q. You guys never issued a cease and desist regarding
 12 contaminated soil, correct?
 13 MR. STOKAN: Asked and answered.
 14 MR. CRONKHITE: It was not asked and
 15 answered.
 16 BY MR. CRONKHITE:
 17 Q. You never requested it to be tested, correct?
 18 A. Correct.
 19 Q. You don't view that -- if you view that as -- you
 20 just testified if you view that as a credible
 21 risk, you'd have the Hacks or their agent test it,
 22 right?
 23 A. If it was chemical contamination but brick and
 24 block and stumps and twigs and whatnot are
 25 considered contaminated soil and you can't bring

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1 that onto your property, period.
 2 Q. What does that have to do with all of Mr. Mamo's
 3 other allegations?
 4 A. Maybe that's what he called contaminated soil.
 5 Q. I'm not talking about the contaminated soil. What
 6 about the elevation issue, claiming the home had
 7 been raised six feet, the water diversion issue.
 8 I mean, all these other issues saying that, "Oh,
 9 there's water spilling onto my property." And
 10 your own agent, Mr. Bozynski concluded, "Oh,
 11 that's because there was a heavy rainfall."
 12 That's what I'm talking about.
 13 MR. STOKAN: Object to form.
 14 Argumentative. Is there a question?
 15 BY MR. CRONKHITE:
 16 Q. I think the question is this: Were you giving
 17 Mr. Mamo's allegations equal weight to the
 18 explanations and responses provided by Mr. Hacks
 19 engineer, Bill Rogers?
 20 A. I never got --
 21 MR. STOKAN: Object to form. Mr. Rogers
 22 is not an engineer.
 23 BY MR. CRONKHITE:
 24 Q. Mr. Rogers, the construction manager. And you did
 25 get a response. You don't recall Mr. Mamo raising

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1 four issues and emailing them to you and then you
 2 reaching out to Mr. Rogers regarding those four
 3 issues and Mr. Rogers responding to you?
 4 You remember that now don't you?
 5 A. Yeah, the water on the telephone pole. The water
 6 on the Porta-John.
 7 Q. I don't think it was -- I don't think you're
 8 thinking of the same thing I am. Let me show it
 9 to you.
 10 This is from emails that your counsel
 11 produced marked as Exhibit 2. This is an email
 12 from Bill Rogers to you specifically, no one
 13 copied, dated August 14th, 2018. Take a look at
 14 that, sir. Let me know if you recognize it.
 15 A. Yes, I remember this email.
 16 Q. This was Mr. Rogers, who you understand to be the
 17 Hacks construction manager, correct?
 18 A. Yes.
 19 Q. This is Mr. Rogers responding point by point to
 20 Mr. Mamo's allegations regarding alleged water
 21 issues caused by the Hacks construction, right?
 22 A. Repeat that.
 23 Q. This email that I just showed you dated
 24 August 14th is Mr. Rogers providing point by point
 25 refutations of concerns raised by Mr. Mamo

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1 regarding the Hacks construction, correct?
 2 A. Yes.
 3 Q. Okay. I'm going to show you another email that's
 4 been marked as part of Exhibit 2. And this is an
 5 email dated August 7th, 2018 and it's from David
 6 Mamo to you.
 7 Do you recognize that email?
 8 A. Yes.
 9 Q. Okay. And this August 7th email of Mr. Mamo with
 10 the four points that he raises in it are responded
 11 to by Mr. Rogers' August 14th email that we just
 12 were discussing, correct?
 13 A. Yes.
 14 Q. Okay. After this back and forth with Mr. Mamo
 15 raising yet more objections to what's going on on
 16 the Hacks property and Mr. Rogers' point by point
 17 refuting what Mr. Mamo is claiming, HRC approved
 18 the Boss Engineering site plan regarding
 19 construction of the driveway, correct?
 20 MR. STOKAN: Object to the form.
 21 THE WITNESS: Construction of the
 22 driveway?
 23 BY MR. CRONKHITE:
 24 Q. So let me lay some foundation because I kind of
 25 jumped there.

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1 At some point Boss Engineering on behalf
 2 of the Hacks submits what they would call a site
 3 plan for the driveway. Are you familiar with
 4 that?
 5 To construct a driveway and to excavate
 6 certain material so that water can accumulate
 7 there. Are you familiar with --
 8 A. Yeah. Yes.
 9 Q. Okay. You're familiar with what that Boss
 10 Engineering plan was designed to accomplish,
 11 correct?
 12 A. I'd have to say which one?
 13 Q. Well, they only submitted --
 14 A. You mean the hand-drawn one?
 15 Q. No, that wasn't Boss Engineering. That was a --
 16 you're talking about something back from 2017.
 17 Boss Engineering's plan is the actual stamped big
 18 plan regarding construction of the driveway --
 19 A. I didn't see that, no.
 20 Q. You don't recall receiving something to the effect
 21 of Exhibit 4-1?
 22 A. This I saw.
 23 Q. Okay. This is what --
 24 A. This I can't read.
 25 Q. Because it's so small?

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1 A. Yes.
 2 Q. Yeah. This is what I've been referring to as the
 3 Boss Engineering site plan for the driveway. You
 4 say you can't read it, but you were able to read
 5 it somehow at the time it was submitted because
 6 you recommended it for approval, correct? Do you
 7 remember that?
 8 A. I wouldn't recommend that for approval. That's
 9 not my position.
 10 Q. I'm going to show you an email that's part of
 11 Exhibit 2 dated August 22nd, 2018 from you to Mike
 12 Darga.
 13 That's you approving the Boss site
 14 plan --
 15 A. No, it says as -- as you stated, it looks good.
 16 It doesn't say I approved it.
 17 Q. You're acknowledging -- you're agreeing with
 18 Mr. Darga's conclusion that the Boss Engineering
 19 site plan was -- should be approved, correct?
 20 MR. STOKAN: Object --
 21 BY MR. CRONKHITE:
 22 Q. In this email?
 23 MR. STOKAN: -- to form.
 24 THE WITNESS: If I stated it looked good,
 25 it looked good to Tim and I. It would be up to

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1 Mr. Darga to say it would work or not.
 2 BY MR. CRONKHITE:
 3 Q. I understand. I thought you just testified that
 4 this was you responding to Mike Darga's conclusion
 5 that it was okay?
 6 A. I said it looked good.
 7 Q. In response to Mike Darga saying it looked good.
 8 Or you were just telling Mike Darga this site plan
 9 looks good to me, now it's your call?
 10 A. Correct.
 11 Q. Okay. And Mr. Darga made that call, did he not,
 12 by approving the site plan initially?
 13 A. Is that the picture where they showed the culvert
 14 underneath the driveway?
 15 Q. Correct.
 16 A. That's all we asked Mr. Hack to do. Dig the
 17 detention pond, put in the fill, and then the
 18 culverts under the driveway.
 19 Q. That's what Boss' Engineering site plan proposed.
 20 And you're aware that Mr. Darga recommended that
 21 Boss Engineering site plan to be approved by
 22 Milford's board, correct?
 23 Well, let's get there. It's taking a
 24 while to -- let me help you out with some
 25 documents.

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1 A. Well, this is what we discussed at the board
 2 meeting.
 3 Q. Right. In September?
 4 A. Yeah.
 5 Q. Okay. But --
 6 A. And we said these three things had to be done and
 7 then it would be a done deal.
 8 Q. So let's back up. You're talking about the
 9 October board meeting. Let's go to the September
 10 board meeting.
 11 So you're aware that as noted in this
 12 email marked as Exhibit 6 that Don -- Mike Darga
 13 emailed you and wrote, "Don, I don't have any
 14 objections to the proposed grading. It looks like
 15 they are providing more volume than what was there
 16 prior to construction of the house and driveway
 17 based on the information provided. This site is a
 18 low spot and it does not appear that an outlet
 19 exists. Please let me know if you have any
 20 questions."
 21 That's dated August 7th, 2018. Do you
 22 remember this email?
 23 A. This is in response to the Boss Engineering thing.
 24 Q. That's your understanding, correct?
 25 A. Yes.

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1 Q. Okay.
 2 A. Yeah.
 3 Q. So Mike Darga thought that Boss Engineering's site
 4 plan for the driveway should be approved, correct?
 5 MR. STOKAN: Object to form.
 6 THE WITNESS: Yes. Filling grades is
 7 another issue.
 8 BY MR. CRONKHITE:
 9 Q. Sir, the boss -- you're aware that the Boss
 10 Engineering site plan was submitted in conjunction
 11 with the grade and fill permit that was requested
 12 by Milford Township, specifically Mr. Brandt,
 13 right?
 14 So Mr. Brandt, after he issued a cease
 15 and desist letter, required Mr. Rogers to fill out
 16 a fill and grade permit. The Boss Engineering
 17 site plan is what was submitted in response to
 18 that. So when you say that the grade and fill
 19 permit is a different issue from the Boss
 20 Engineering site plan, no, it's -- actually it's
 21 the same issue.
 22 A. The township board has to approve the fill and
 23 grade permit.
 24 Q. Okay. We'll get there. But my question simply is
 25 this, there was a cease and desist issue -- a

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1 cease and desist letter issued by Tim Brandt
 2 because of dirt piles brought to the driveway area
 3 of the Hacks home, correct?
 4 A. Yes.
 5 Q. You agree that a grade and fill permit was then
 6 requested by the building department of Milford
 7 Township, correct?
 8 A. Yes.
 9 Q. You understand that the Boss Engineering site plan
 10 was submitted in response to that request,
 11 correct?
 12 A. That would be my assumption.
 13 Q. Okay. And you understand that Mr. Darga initially
 14 approved Boss Engineering's site plan that was
 15 submitted in connection with the fill and grade
 16 permit, correct?
 17 A. Yes.
 18 Q. Okay. And so you were formally made aware of that
 19 from Mr. Darga or HRC through a review letter that
 20 Mr. Darga wrote, correct?
 21 A. Yes.
 22 Q. Okay. And I'm going to show it to you as it was
 23 previously marked as Exhibit 5. And there's an
 24 email -- the first page of Exhibit 5 is an email
 25 from Mike Darga to Tim Brandt dated August 24th,

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1 2018 and it copies you and a few other people.
 2 And Page 2 of Exhibit 5 is the review letter. I'm
 3 going to show you just the review letter.
 4 Do you recognize that, sir?
 5 A. Yes.
 6 Q. Okay. And do you understand -- you can take a
 7 minute to look at that. That's just the email
 8 that was attached to this.
 9 A. Yeah.
 10 Q. You understood based on the August 24th, 2018
 11 review letter of Mr. Darga that he was formally
 12 recommending to the Milford board that they
 13 approve the drive -- the fill and grading permit
 14 including the Boss Engineering site plan for the
 15 driveway, correct?
 16 A. Yes.
 17 Q. And you agreed with that initially?
 18 A. Yes.
 19 Q. At the September 2018 board meeting of Milford
 20 Township, the Milford board as part of its meeting
 21 was to assess the grade and fill permit of the
 22 Hacks, correct?
 23 A. I believe so.
 24 Q. Okay. And do you recall that instead of making a
 25 decision at the September 2018 Milford Township

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1 board meeting, Milford's board shelved a
 2 determination on whether to approve or disapprove
 3 the grade and fill permit of the Hacks?
 4 A. That was when Mr. Mamo showed everything to the
 5 board, yes.
 6 Q. Correct. Mr. Mamo had showed you many photographs
 7 well before he showed you photographs at the time
 8 of the September 2018 board meeting, correct?
 9 A. Yes.
 10 Q. He's actually showing you at the September 2018
 11 board meeting some of the same photographs that
 12 you had seen dating back all the way to February,
 13 correct?
 14 A. Yes.
 15 Q. Okay. He didn't show you any engineering plans,
 16 correct? At this time --
 17 A. Mr. Mamo?
 18 Q. Mr. Mamo.
 19 A. No.
 20 Q. In his presentation that he made in September of
 21 2018 to the Milford board, all he submitted in
 22 terms of documentation were just photographs,
 23 right?
 24 A. Yes.
 25 Q. And Mr. Mamo was alleging the same type of

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1 complaint that he had been making since February
 2 of 2018, correct?
 3 A. Yes.
 4 Q. And that is the Hacks construction is causing
 5 water to spill over onto my property basically,
 6 right?
 7 A. Yes.
 8 Q. Okay. As far as you know, Mr. Mamo didn't show
 9 you any photographs of water that was coming onto
 10 his property as a result of the dirt piles,
 11 correct?
 12 A. I wouldn't know that.
 13 Q. You're not aware of anyone knowing that; HRC, Mr.
 14 Brandt, you've never seen any photographic
 15 evidence that the dirt piles that were brought in
 16 June of 2018 caused water to come onto the --
 17 A. Correct.
 18 Q. In fact, the photographs that you saw that were
 19 provided by Mr. Mamo were months in advance of
 20 those dirt piles being brought, correct?
 21 A. Yes.
 22 Q. Well, did you -- the board in response to Mr.
 23 Mamo's presentation and photographic evidence that
 24 had been previously submitted a half a year ago or
 25 more to you, and to Mr. Brandt, and to Mr.

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1 Bozynski decided not to make a determination,
 2 correct?
 3 A. The board decided not to take a determination.
 4 Q. How did you vote? There was a vote taken,
 5 correct?
 6 A. Yep.
 7 Q. How did you vote?
 8 A. To table it basically.
 9 Q. Did anyone vote not to table it?
 10 A. No.
 11 Q. These are issues that Mr. Mamo had raised eight
 12 months before the September 2018 board meeting,
 13 right?
 14 MR. STOKAN: Object to form.
 15 THE WITNESS: Yes.
 16 BY MR. CRONKHITE:
 17 Q. They had been investigated by the building
 18 department, including Tim Brandt and Mr. Bozynski
 19 as a code enforcement officer, correct?
 20 A. Yes.
 21 Q. And Milford Township never found a code or
 22 ordinance violation relating to water allegedly
 23 spilling over from the Hacks property onto the
 24 Mamos property, correct?
 25 A. Correct.

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1 Q. In fact, the in-person on-the-ground investigation
 2 of Mr. Bozynski indicated that any water that was
 3 coming over from the Hacks property onto the Mamos
 4 property was a result of heavy rainfall, right?
 5 MR. STOKAN: Object to foundation.
 6 Mischaracterizes evidence.
 7 THE WITNESS: That was his assumption.
 8 BY MR. CRONKHITE:
 9 Q. And you, and Mr. Brandt, and Mr. Bozynski never
 10 found evidence to rebut that assumption?
 11 A. Correct.
 12 Q. So I guess I'm forced to ask, at the
 13 September 2018 board meeting, there was nothing
 14 left for you to assess. You had assessed his
 15 claims for the preceding nine months and found
 16 them as it related to water spilling onto the
 17 Hacks -- the Mamos property to be unworthy of a
 18 code or ordinance violation?
 19 MR. STOKAN: Object to the form of the
 20 question.
 21 THE WITNESS: Correct.
 22 BY MR. CRONKHITE:
 23 Q. Is it your position that -- let me back up.
 24 Did Mr. Mamo raise at his presentation
 25 the claim that the Hacks had unduly raised their

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1 home such as by six feet?
 2 A. I wouldn't remember that. I don't believe so.
 3 Q. He didn't raise the allegation that the Hacks were
 4 diverting water from the north of their home onto
 5 his property, correct?
 6 A. Yes.
 7 Q. This is an allegation that had previously been
 8 made and investigated by Milford Township,
 9 correct?
 10 A. Yes.
 11 Q. Okay. Did you inform any of the board members
 12 that you had already had, or Tim Brandt had
 13 already had Mr. Bozynski look into these issues?
 14 A. No.
 15 Q. Why didn't you inform Milford's board that, one,
 16 Mr. Mamo had been making these virtually identical
 17 complaints for nine months? And two, we had our
 18 code enforcement officer go out there and
 19 investigate Mr. Mamo's claims. And three, neither
 20 Tim Brandt, nor Mr. Bozynski found evidence
 21 sufficient to issue any sort of code or ordinance
 22 violation. Why didn't you bring that to the
 23 Milford board attention?
 24 A. That wasn't the issue. The issue was the driveway
 25 and the fill and grade permit.

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1 Q. Sir --
 2 A. And if you put 800 yards of dirt where the water
 3 used to be, where is the water going to go? That
 4 was the question that was brought up by the board.
 5 Q. Sir, you just testified that Mr. Mamo was raising
 6 the same complaints that he had been making dating
 7 back to February of 2018 at the date and time of
 8 the September 2018 board meeting.
 9 He was claiming that water was being
 10 diverted from the Hacks property and spilling onto
 11 his property, correct?
 12 A. Correct.
 13 Q. He was bringing it up in the context of the fill
 14 and grade permit. But he was still bringing up
 15 the same issues that had been thoroughly
 16 investigated specifically by the building
 17 department and its -- and Milford's code
 18 enforcement officer dating back to February
 19 of 2018, right?
 20 MR. STOKAN: Asked and answered.
 21 BY MR. CRONKHITE:
 22 Q. You can answer.
 23 A. Correct.
 24 Q. So you decided, I'm not going to inform my fellow
 25 board members that I've -- we've had Tim Brandt

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1 and Bill Bozynski look at these same allegations
 2 nine months ago and through that date. And Mr.
 3 Bozynski and Mr. Brandt never found any evidence
 4 or information sufficient to warrant a code or
 5 ordinance violation relating to water spilling
 6 over onto Mamo's property, correct?
 7 MR. STOKAN: Object to form.
 8 Mischaracterizes --
 9 THE WITNESS: Correct.
 10 MR. STOKAN: -- evidence and the
 11 testimony.
 12 MR. CRONKHITE: Did you get the
 13 "correct?"
 14 BY MR. CRONKHITE:
 15 Q. Did you bring to the board's attention the fact
 16 that Mr. Rogers had responded to the specific
 17 claims that Mr. Mamo was raising in response to
 18 the Boss Engineering site plan?
 19 A. No.
 20 Q. Mr. Brandt wasn't even at that board meeting in
 21 September of 2018 was he?
 22 A. No.
 23 Q. So, I mean, and Mr. Bozynski wasn't there either
 24 was he?
 25 A. No.

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1 Q. I mean, if anyone would have been equipped with
 2 the information to advise and inform the Milford
 3 board in September of 2018 regarding the
 4 investigation into Mr. Mamo's complaints dating
 5 back to February 2018, it would have been you,
 6 correct?
 7 A. No, Mr. Rogers.
 8 Q. So if Mr. Rogers didn't say it, you were just
 9 going to swallow the facts that we've been going
 10 over for the past two hours regarding your
 11 knowledge of investigation and discreditation of
 12 Mr. Mamo's complaints?
 13 A. No.
 14 Q. But you didn't volunteer that information to the
 15 board members did you?
 16 A. No.
 17 Q. Okay.
 18 A. They were there for the fill and grade permit.
 19 Q. And yet Mr. Mamo's presentation focused on water
 20 spilling onto his property from the Hacks
 21 property, correct?
 22 A. Correct.
 23 Q. That is not a fill and grade issue, sir. That has
 24 specifically to do with complaints of Mr. Mamo
 25 that pre-dated the fill and grade issue by five

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1 months, right? We just went over that.
 2 MR. STOKAN: Object to form.
 3 THE WITNESS: Yes. And as I said, if you
 4 put 800 yards of dirt where the water used to be,
 5 the water's going to go somewhere else. That's
 6 why the board tabled it.
 7 BY MR. CRONKHITE:
 8 Q. Sir, Boss Engineering's site plan accounted for
 9 that yardage of dirt.
 10 You're aware of that, correct?
 11 A. Right.
 12 Q. That's why Mike Darga approved it. Mike Darga
 13 looked at the amount of dirt that was to be
 14 brought onto the property or was on the property
 15 currently and assessed Boss Engineering's site
 16 plan to determine whether there would be
 17 sufficient volume created by excavation to make
 18 room for water caused by the displacement of that
 19 material, right?
 20 A. Correct.
 21 Q. And you understood that Boss Engineering's plan
 22 was approved because it sufficiently accounted
 23 through creating extra volume for that
 24 displacement, right?
 25 A. Yes.

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1 Q. Mr. Mamo in September of 2018 didn't bring any
 2 calculations with him, correct?
 3 A. Correct.
 4 Q. All he brought were photos showing what had
 5 occurred in terms of water conditions on the Hacks
 6 property and his property before the dirt piles
 7 were brought in June of 2018, correct?
 8 A. Correct.
 9 Q. My point is, sir, Mr. Mamo didn't bring any new
 10 information to you in September of 2018 at that
 11 board meeting, correct?
 12 A. Correct.
 13 Q. And you didn't -- now maybe it was new information
 14 to your fellow board members because they hadn't
 15 been involved in the process of investigating Mr.
 16 Mamo's complaints, correct?
 17 A. Correct.
 18 Q. And you didn't tell the other board members, "Hey,
 19 guys, he's been making these complaints since
 20 February of 2018. We've looked into them, along
 21 with a lot of the specifics of his complaints,
 22 including the claim that the home had been raised
 23 six feet. We just didn't find anything to warrant
 24 issuing a cease and desist or a fine or a notice
 25 of an ordinance or code violation."

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1 You never said anything like that?
 2 A. No.
 3 Q. Issue gets shelved. And then in between the
 4 September of 2018 Milford Township board meeting
 5 and the October 2018 Milford board meeting,
 6 there's a meeting with you, Mike Darga, Jennifer
 7 Elowsky, and Bill Mazzara to discuss the fill and
 8 grade permit of the Hacks, correct?
 9 A. Yes.
 10 Q. Okay. And after that meeting Mr. Darga issues a
 11 revised review letter regarding the fill and grade
 12 permit of the Hacks recommending that certain
 13 things be done as part of Milford Township
 14 approving the grade and fill permit of the Hacks,
 15 correct?
 16 A. Yes.
 17 Q. You have been involved personally as a Milford
 18 Township board member with the review and approval
 19 of many grade and fill permits --
 20 A. No.
 21 Q. So the process for a grade and fill permit once
 22 it's submitted by the applicant, is it standard
 23 for it to go before the Milford board for
 24 approval?
 25 A. It's required by ordinance.

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1 Q. Okay. And my question is, you've been through
 2 that process as required by ordinance many times,
 3 correct?
 4 A. I don't remember any other fill and grade permits.
 5 Off the top of my head, I just don't.
 6 Q. Okay. So if I understand you correctly, you can't
 7 remember Milford Township's board ever having to
 8 assess, let alone make a determination regarding
 9 fill and grade permits such as that issued or
 10 required of the Hacks in this instance, correct?
 11 A. Prior to being supervisor we did a couple of fill
 12 and grade permits for the industrial area. I was
 13 a trustee on the board back then.
 14 Q. Okay. During the last 18 years?
 15 A. I don't remember any.
 16 Q. Okay. And then the ones that you do remember
 17 involve industrial projects?
 18 A. Yes.
 19 Q. Well, that really takes the air out of my question
 20 here but I'm going to ask it anyway.
 21 Are you aware -- the grade and fill
 22 permits that you do recall, are you aware of
 23 Milford Township's board ever redirecting their
 24 engineer to revise an initial approval letter such
 25 as happened in this case?

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1 A. I wouldn't remember that, no.
 2 Q. Okay. You are aware that Mr. Darga in his second
 3 review letter in October of 2018 wrote that he was
 4 directed by Milford Township to re-review his
 5 initial recommendation, correct?
 6 A. Make a site visit and review it, yes.
 7 Q. So Mr. Darga in his October 8th, 2018 re-review
 8 letter wrote, "Our office was directed by Milford
 9 Township to review the proposed fill and grading
 10 plans submitted to the township board on
 11 September 19th, 2018 in support of a permit
 12 application for the property located at 2610
 13 Pearson Road."
 14 Mr. Darga is not making a
 15 misrepresentation there is he?
 16 A. No.
 17 Q. Okay. So my question is, do you recall Milford
 18 Township's board ever directing their engineer,
 19 HRC or otherwise, to re-review a proposed fill and
 20 grading plan submitted to the township board?
 21 A. I would have to read the minutes for that. I
 22 can't remember if they did or not.
 23 Q. Sitting here today you can't think of a single
 24 other situation in which Milford Township directed
 25 HRC or any other engineer to re-review an initial

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1 recommendation, correct?
 2 A. Correct.
 3 Q. Okay. And that's not just for fill and grading
 4 plans, I'm talking about for anything. Can you
 5 recall --
 6 A. We've had -- had re-reviews on a couple of things.
 7 Q. Such as what?
 8 A. I couldn't remember but I do remember saying they
 9 want something more specific on a couple other
 10 items over the years.
 11 Q. Are those in connection with commercial
 12 properties?
 13 A. I wouldn't remember that.
 14 Q. So you don't remember -- what do you remember of
 15 those projects, if anything?
 16 But you know that Milford Township's
 17 engineer, which would be HRC, recommended
 18 unconditional full approval of a permit and the
 19 board said no?
 20 MR. STOKAN: Object to form.
 21 Mischaracterizes --
 22 BY MR. CRONKHITE:
 23 Q. Go back, redo it; is that your testimony? Or you
 24 just don't know?
 25 A. I believe that to be true, yes.

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1 Q. Okay. But you can't think of a single instance?
 2 A. No.
 3 Q. Okay.
 4 A. We have our planning consultants re-review things
 5 often too.
 6 Q. I know. I'm asking about your own expert, your
 7 own engineer.
 8 A. Right.
 9 Q. Who said, "I've looked at this, I've concluded
 10 it's good. I'm approving it." You can't think of
 11 another specific instance in which Milford
 12 Township directed them to reconsider their
 13 recommendation?
 14 A. I can't remember which ones particularly, no.
 15 Q. Okay. I want to ask you, were you aware that Mr.
 16 Mamo had conducted what I would describe as a
 17 significant project effecting his property behind
 18 his home in 2016?
 19 A. I'm not aware, no.
 20 Q. So given the nature of Mr. Mamo's complaints
 21 regarding water allegedly spilling over from the
 22 Hacks property onto his property due to the
 23 construction specifically, you would agree with me
 24 that water displacement is sort of a critical
 25 issue to determine whether that's true, correct?

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1 A. Yes.
 2 Q. Just to be clear, the photos that you saw of water
 3 sitting on Mr. Mamo's property, you were never
 4 able to conclude that that water came from the
 5 Hacks property, correct?
 6 A. I didn't see any water on Mr. Mamo's property. I
 7 saw the water pictures of Mr. Hack's property with
 8 the telephone pole and the -- the Porta-John and
 9 whatnot.
 10 Q. Oh. I'm going to show you what's been marked as
 11 Exhibit 79.
 12 A. Okay.
 13 Q. It's -- it's a picture of I think you'll agree a
 14 substantial amount of water with what looks to be
 15 a shed and kind of a covered boat and a gate in
 16 it.
 17 You've never seen this photograph before?
 18 A. I don't remember seeing it, no.
 19 Q. Okay. So you weren't even aware of any water
 20 actually being on the Hacks property -- I'm sorry,
 21 on the Mamo's property?
 22 A. I wasn't aware of it, no.
 23 Q. Mr. Mamo emailed you photograph -- these
 24 photographs to you in February of 2018, right?
 25 A. I don't remember those I said.

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1 Q. Okay. You don't remember them but it wouldn't
 2 surprise you if emails show that Mr. Mamo had sent
 3 you photographs showing flooding on his property?
 4 I mean, he was complaining to you about
 5 flooding on his property?
 6 A. Right, and I think I forwarded them right to Tim.
 7 Q. Right. Right. You never looked at them?
 8 A. Some of them I did, some of them I didn't. I
 9 don't remember seeing that one.
 10 Q. Okay. But my point is, you wouldn't be surprised
 11 if you had seen water -- photos of water on the
 12 Mamo's property that Mr. Mamo was claiming was
 13 caused by the Hacks, correct?
 14 A. No. Correct, yes.
 15 Q. Mr. Mamo didn't show at the September 2018 meeting
 16 photographs of water on his property?
 17 A. I don't remember that.
 18 Q. You just remember him showing photographs of water
 19 on the Hacks property?
 20 A. I don't remember what the properties were.
 21 Q. Okay. You just don't recall.
 22 Did you ever ask Mr. Mamo for photographs
 23 of his property before the Hacks construction
 24 began?
 25 A. No.

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1 Q. Did you ever have Tim Brandt ask Mr. Mamo for such
 2 pictures?
 3 A. No.
 4 Q. Did you ever ask Mr. Bozynski to request such
 5 photographs from Mr. Mamo?
 6 A. No.
 7 Q. Do you agree it would be helpful to have
 8 photographs of Mr. Mamo's property pre-Hacks
 9 construction in order to determine whether the
 10 water conditions had even been changed after the
 11 Hacks construction?
 12 A. That I don't know.
 13 Q. From common sense, you don't have to be an
 14 engineer. If someone's claiming that somebody's
 15 construction is causing water to come on their
 16 property and create flooding situations, wouldn't
 17 it be helpful to have photographs of that persons
 18 property, the complainants property --
 19 A. Prior to?
 20 Q. Prior to the construction --
 21 A. Yes.
 22 Q. -- beginning.
 23 A. Yes.
 24 Q. And you're not aware of anyone at Milford Township
 25 ever requesting let alone requiring Mr. Mamo --

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1 A. No.
 2 Q. -- to submit photographs of his property in the
 3 state it existed before the Hacks began
 4 construction, correct?
 5 A. Correct.
 6 Q. Okay. So I want to show you what Mr. Mamo
 7 provided to me pursuant to a subpoena. This is
 8 part what he provided. This was previously marked
 9 Exhibit 77.
 10 These are photographs of Mr. Mamo's
 11 backyard. And Mr. Mamo testified that these
 12 photographs relate to a construction project that
 13 he had commissioned and which was started and
 14 completed in 2016. You see here some elevation
 15 going on.
 16 I'll get you some of the -- oh, here's
 17 another juicy one; you see he's putting --
 18 building stairs and elevating the ground
 19 artificially there. And then he's pouring what we
 20 would call an impervious material onto the raised
 21 land. And it's actually a really -- I really like
 22 what he did here. He's got a beautiful rather
 23 large asphalt or concrete and brick back patio
 24 that he constructed.
 25 Is that fair? Is that what you see in --

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1 A. If that's his house, yes.
 2 Q. And this shows how it was raised relative to the
 3 ground next to it. If water were to go on that
 4 back patio, it wouldn't soak into it, it would be
 5 displaced, correct?
 6 A. Yes.
 7 Q. I think I'm nearly done.
 8 Oh, I did want to ask you something.
 9 You're aware that Mr. Brandt required the Hacks to
 10 pay a bond amount in order for them to move into
 11 their home on Pearson Road, correct?
 12 A. No.
 13 Q. Are you aware of any other projects in which a
 14 bond has been required of an individual to move
 15 into a residential home in Milford Township?
 16 A. I don't get involved in the bonds, no.
 17 Q. Okay. But you're not aware of any such situation?
 18 A. I can attest to the fact that we get letters from
 19 the engineer, what it would cost to complete a
 20 job. And then the engineer would say this is what
 21 we request for the bond. I don't know if they
 22 ever pay it or not because I don't get involved in
 23 the money.
 24 Q. Okay. And that's for single family detached
 25 residential --

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1 A. It could be anything.
 2 Q. Oh, but you don't --
 3 A. No.
 4 Q. But you don't remember a bond situation like what
 5 you just described in connection with a single
 6 family detached residence?
 7 A. No.
 8 Q. Okay. It very well could be like for a commercial
 9 or industrial project?
 10 A. It could be a residential project, too.
 11 Q. You just don't know?
 12 A. I don't know.
 13 Q. Okay. So you're not aware that -- actually I want
 14 to back up.
 15 The conditions that were set forth in
 16 HRC's re-review letter of October 8th, 2018, some
 17 of those conditions require the Hacks to provide
 18 certain calculations to HRC, correct?
 19 A. Yes.
 20 Q. It's your understanding, is it not, through your
 21 discussions with Mike Darga of HRC that depending
 22 on what those calculations show, further
 23 excavation may be necessary in order to approve
 24 the grade and fill permit, correct?
 25 A. Yes. Yes.

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1 Q. Would it be fair to say that the conditions that
 2 are put forth in the October 8, 2018 re-review
 3 letter of HRC are just like first steps in
 4 determining what else HRC and Milford Township may
 5 require based on what those calculations show?
 6 MR. STOKAN: Object to the form and
 7 foundation.
 8 BY MR. CRONKHITE:
 9 Q. Let me put it another way.
 10 Milford Township and HRC may impose
 11 additional requirements based on what the Hacks or
 12 their agents submit in response to the conditions
 13 set forth in the October 8th, 2018 re-review
 14 letter?
 15 A. If I read that re-review letter correctly, they
 16 had to do the fill and grade permit -- and this
 17 was one of the things for the approval of the fill
 18 and grade permit, was to calculate the amount of
 19 water. That would determine the size of the
 20 detention basin with determining the size of the
 21 culverts underneath the road to allow the water
 22 from the one side to get to the detention basin.
 23 That's what that was for. The only other
 24 calculation would be how big to make the detention
 25 basin.

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1 Q. Well, so let's -- I'll just read through the
2 letter real quick.
3 It says, "The applicant must submit to
4 the township a drainage area map showing the
5 entire tributary area to 2610 Pearson Road.
6 Determine the retention volume created by a
7 ten-year storm and calculate the pre-construction
8 area of the low spot that contained this volume.
9 This information can be used to determine if
10 additional retention volume needs to be provided
11 with the proposed grading plans and if additional
12 topographical information needs to be shown on the
13 adjacent properties."
14 So let me break that down in layman terms
15 as I understand it.
16 What HRC is recommending be required of
17 the Hacks here is that you've got to show all the
18 water that would be put onto your land from a
19 ten-year storm. And then you need to show that
20 whatever excavation you're doing to -- can
21 actually accommodate that ten-year storm amount of
22 water, correct?
23 A. Yes.
24 Q. Okay. So my question is, and you're basing that,
25 your understanding based on conversations with HRC

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1 and the other Milford board members, correct?
2 A. Yes.
3 Q. Okay. And you have no information from HRC, from
4 another board member, from Mr. Mamo, from any
5 other source that actually leads you to believe
6 that the Hacks property could ever accommodate the
7 amount of water created by a ten-year storm
8 pre-construction, correct?
9 MR. STOKAN: Object to the form.
10 Mischaracterizes --
11 THE WITNESS: I have no idea.
12 BY MR. CRONKHITE:
13 Q. So based on this, what I just read from the
14 re-review letter, depending on what that amount of
15 water created by a ten-year storm is and depending
16 on what the volume being proposed in the fill and
17 grading plan, HRC and Milford Township very well
18 may require additional volume to be created
19 through excavation, correct?
20 A. Correct.
21 Q. And you have no idea how vast or how small that
22 area of extra excavation is?
23 A. No.
24 Q. Depends on the calculations?
25 A. Correct.

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1 Q. It could cost tens of thousands of dollars as far
2 as you know?
3 MR. STOKAN: Object to foundation.
4 THE WITNESS: I don't know.
5 BY MR. CRONKHITE:
6 Q. Do you know how much water is created by a
7 ten-year storm?
8 A. No.
9 Q. Do you know what a ten-year storm is?
10 A. No.
11 Q. You didn't ask Mike Darga or anyone at HRC, "Well,
12 what do you mean we're going to make them
13 accommodate a ten-year storm? What does that
14 mean?"
15 You never asked or you were never told?
16 A. No.
17 Q. Sir, if the Hacks property could not accommodate a
18 ten-year storm before they ever began construction
19 on that parcel, you wouldn't recommend that they
20 be able to accommodate a ten-year storm as a part
21 of getting a grade and fill permit would you?
22 A. That's up to the board.
23 Q. You're on the board. You're a voting member of
24 the board.
25 A. I'm one vote.

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1 Q. You're one vote. You're supervisor. You've got
2 some say and some leeway and I'm curious to know
3 whether you in your capacity as a board member
4 would require the Hacks to accommodate a ten-year
5 storm if their parcel never accommodated a
6 ten-year storm in the past?
7 MR. STOKAN: Object to foundation.
8 THE WITNESS: That's a guessing game and
9 I'm not answering a guess.
10 BY MR. CRONKHITE:
11 Q. You're refusing to let us and the court know
12 whether if you knew that the Hacks property never
13 accommodated a ten-year storm, you're refusing to
14 let us know whether you would require the Hacks to
15 accommodate a ten-year storm as part of their
16 construction?
17 MR. STOKAN: Object to form and
18 foundation.
19 BY MR. CRONKHITE:
20 Q. Is that your testimony?
21 A. I would ask the engineer.
22 Q. What does that have to do -- what does the
23 engineer's opinion have to do with whether Milford
24 Township requires a single family detached
25 residential home and project to accommodate a

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1 ten-year storm that it never accommodated before
 2 in the past? Can you shed some light on why the
 3 engineer would be the person to make that call?
 4 MR. STOKAN: Object to foundation.
 5 THE WITNESS: I would have to find out
 6 whether or not it would accommodate it.
 7 BY MR. CRONKHITE:
 8 Q. Fair enough.
 9 A. That's what the --
 10 Q. That's what the engineer's for.
 11 A. That's what would happen, right.
 12 Q. What I'm asking --
 13 A. And if it didn't, we'd have to come up with
 14 another solution.
 15 Q. You mean if it didn't -- if it never had
 16 accommodated a ten-year storm, you'd have to come
 17 up with another solution?
 18 A. Right.
 19 Q. Is it your -- did you ask HRC before -- well, the
 20 before recommended for approval -- the board
 21 approved Mike Darga's and HRC's October 8, 2018
 22 recommendations, correct?
 23 A. Yes.
 24 Q. In fact, you and Mr. Mazzara were part of coming
 25 up with the requirements that were set forth in

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1 the October 8th letter, correct?
 2 MR. STOKAN: Object to foundation, form.
 3 THE WITNESS: We asked the engineer what
 4 -- what needed to be done to accommodate what we
 5 were trying to do. And he came up with three
 6 things, which fell in line with what Mr. -- what's
 7 his name from the Boss Engineering.
 8 BY MR. CRONKHITE:
 9 Q. LaVanway?
 10 A. Yeah.
 11 Q. What were you trying to do?
 12 A. What do you mean what was I trying to do?
 13 Q. Well, you said you and Mr. Mazzara asked Mr. Darga
 14 to come up with, I guess, requirements or a list
 15 to accomplish what we were trying to do.
 16 And what was that? What were you trying
 17 to do?
 18 A. To make sure that the water didn't go onto anybody
 19 else's property and the detention basin was big
 20 enough to accommodate the rain. And the culverts
 21 were sized enough to let the water go through from
 22 one side of the road to the detention basin. And
 23 that's what the letter said.
 24 Q. Not quite. The letter said that the plan would
 25 have to accommodate a ten-year storm, not rain. A

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1 ten-year storm.
 2 MR. STOKAN: Object to the form of the
 3 question. Mischaracterizes the letter.
 4 MR. CRONKHITE: It's consistent with
 5 Mr. Green's own testimony.
 6 BY MR. CRONKHITE:
 7 Q. So let me understand this. You understood that
 8 the critical issue for assessing the water
 9 situation on the Hacks property and approval or
 10 denial of their grading and filling permit
 11 involved the amount of water that their property
 12 could retain?
 13 A. Basically, yes.
 14 Q. Without going onto someone else's property?
 15 A. Yes.
 16 Q. And so wouldn't you want to know what kind of
 17 volume of water the board and you were requiring
 18 the Hacks property to accommodate as part of the
 19 approval process for their grade and fill permit?
 20 I mean, the issue is, "is your property"
 21 -- you know, "Mr. and Mrs. Hack, is your property
 22 going to be able to accommodate water so that it
 23 doesn't spill over onto the neighboring
 24 properties?"
 25 Isn't the issue, "Well, how much water

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1 are we asking you to store?"
 2 A. Yes, that's the issue.
 3 Q. But you didn't even know what a ten-year storm,
 4 what kind of volume that was?
 5 A. The engineers make other community -- or
 6 developments put in 100-year rains.
 7 Q. For industrial, commercial, and --
 8 A. Or subdivisions.
 9 Q. And multi-residential --
 10 A. Right.
 11 Q. Not for --
 12 A. Well, ten years is pretty good.
 13 Q. Are you aware of any requirement for a single
 14 family detached residential project in Milford
 15 Township requiring that land to accommodate a
 16 ten-year storm?
 17 A. This is a site specific issue. It's never come up
 18 before.
 19 Q. And you have no idea whether the Hacks property
 20 could ever accommodate a ten-year storm
 21 pre-construction?
 22 A. No.
 23 MR. CRONKHITE: I have no further
 24 questions.
 25 EXAMINATION

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1 BY MR. STOKAN:
 2 Q. Mr. Green, you were asked several questions
 3 earlier about religious affiliations. Do you
 4 remember those questions?
 5 A. Yes.
 6 Q. When you recommend individuals to the township
 7 board, do you ever inquire into the individuals
 8 religious affiliations?
 9 A. No.
 10 Q. As far as you know, has the board ever inquired
 11 into any individuals religious affiliations?
 12 A. No.
 13 Q. Did you know the Hacks religious affiliation prior
 14 to the filing of this lawsuit?
 15 A. No.
 16 Q. Mr. Darga's September letter recommending approval
 17 of the fill and grade permit, do you recall that
 18 letter?
 19 A. Yes.
 20 Q. In that letter Mr. Darga cited several
 21 assumptions, correct?
 22 A. Assumptions, yes.
 23 Q. Is it your understanding that Mr. Mamo's
 24 presentation rebutted some of those assumptions?
 25 A. Yes.

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1 Q. And that's one of the reasons the board voted to
 2 have the -- it re-examined by the engineer?
 3 A. Yes.
 4 Q. And this is a question if you know the answer.
 5 Do you know if Mr. Darga's October letter
 6 is requiring the Hacks to accommodate more water
 7 than it did prior to the construction or the same
 8 amount of water that it did prior to the
 9 construction?
 10 A. My guess is the same amount of water prior to
 11 construction.
 12 Q. It's your understanding, we're not asking the
 13 Hacks to have more of a burden than prior to
 14 construction, correct?
 15 A. Correct.
 16 Q. We're just asking to make sure that it doesn't
 17 cause flooding on neighboring properties, correct?
 18 A. Correct.
 19 Q. And that was the township's concern?
 20 A. Yes.
 21 Q. To do no harm to the neighbors, correct?
 22 A. Yes.
 23 Q. And yet -- and you're asking plaintiffs, through
 24 their agents, to show that their construction
 25 wasn't going to cause any damage to the neighbors,

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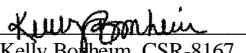
1 correct?
 2 A. Yes.
 3 MR. STOKAN: I have no other questions.
 4 RE-EXAMINATION
 5 BY MR. CRONKHITE:
 6 Q. You just testified, sir, that -- if I heard
 7 correctly, that Mr. Mamo at the September 2018
 8 Milford Township board meeting rebutted the
 9 assumptions of HRC and their initial review letter
 10 and recommendation? Didn't you just testify to
 11 that?
 12 A. Yes.
 13 Q. How did he rebut them?
 14 It was a leading question and he
 15 really -- you know, he really T-balled it for you
 16 but I'm very curious. How did -- you answered
 17 under oath that Mr. Mamo rebutted the assumptions
 18 in HRC's August 2018 review and approval letter.
 19 How did he rebut those assumptions, sir?
 20 A. Because they were just assumptions.
 21 Q. And how did he rebut them?
 22 You don't know do you?
 23 A. No.
 24 Q. And similarly, you have no idea whether a ten-year
 25 storm falling on the Hacks property before they

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1 ever set foot there, let alone began construction,
 2 would have led to water going onto the Mamo's
 3 property do you?
 4 A. No.
 5 Q. And you have never been informed by HRC that they
 6 have information that a ten-year storm falling
 7 onto the Hacks property pre-construction would
 8 have never come onto the Mamo's property do you?
 9 A. No.
 10 Q. Okay. From any source, you have no source of
 11 information, from a person, from a document that
 12 would actually demonstrate that a ten-year storm
 13 falling on the Hacks property pre-construction
 14 would be fully self-contained on the Hacks
 15 property do you?
 16 A. No.
 17 Q. I'm done. I appreciate your time.
 18 MR. STOKAN: We're all set.
 19 (Deposition concluded at 3:37 p.m.)
 20 * * *
 21
 22
 23
 24
 25

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1 STATE OF MICHIGAN)
2) ss
3 COUNTY OF OAKLAND)
4 I, Kelly Bonheim, a CSR and Notary
5 Public acting in the County of Oakland, State of
6 Michigan, do hereby certify that this transcript,
7 consisting of 105 pages was taken before me in the
8 above-entitled matter, was by me duly sworn at the
9 aforementioned time and place; that the testimony
10 given by said witness was stenographically taken
11 in the presence of said witness and that the said
12 deposition is a full, true, and correct transcript
13 of the testimony given by the witness. I further
14 certify that I am not connected by blood or
15 marriage with any of the parties or their
16 attorneys, and that I am not an employee of either
17 of them, nor financially interested in the action.
18 I agree that neither I nor any person, attorney,
19 paralegal, or expert witness may make, copy,
20 and/or distribute to others a transcript without
21 paying Tri-County Court Reporters the ordinary and
22 customary charges for any and all additional
23 transcripts.
24 
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My commission expires: 11/1/2020
25



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