

**COMMON COUNCIL
NORWALK, CONNECTICUT**

**FEBRUARY 24, 2009
8:00 P.M. EST COUNCIL CHAMBERS**

ALL COMMON COUNCIL ACTIONS TAKEN AT THIS MEETING TO APPROVE EXPENDITURES AND CONTRACTS OR TO ACCEPT BIDS AND OTHER PROPOSALS REQUIRING THE EXPENDITURE OF CITY FUNDS ARE SUBJECT TO THE AVAILABILITY OF FUNDS.

The Mayor called the meeting to order at 8:08 p.m. and led everyone present in reciting the Pledge of Allegiance.

I. ROLL CALL

Ms. Roman called the roll.

PRESENT

Amanda Brown	Anna Duleep
Michael Geake	Richard McQuaid
Richard Bonenfant	Steven Serasis
Rev. Phyllis Bolden	Carvin Hilliard
Nicholas Kydes	Laurel Lindstrom
Douglas Hempstead	Kelly Straniti
Andrew Conroy	William Krummel

ABSENT: Fred Bondi

Ms Roman announced that there were fourteen members present and one absence (Bondi).

II. ACCEPTANCE OF MINUTES

Regular meeting – February 10, 2009

**** MR. GEAKE MOVED THE MINUTES OF FEBRUARY 10, 2009**

The following corrections were noted:

Page 5, under General Council Business, paragraph 1, line 1: please change the following from:

“Mayor Moccia swore in Ana Duleep” to “Mayor Moccia swore in Anna Duleep”

Page 5, under General Council Business, paragraph 4, line 2: please change the following from:

“Mayor Moccia said that Ms. Duleep as appointed to SWRPA and has agreed to serve.”

To “Mayor Moccia said that Ms. Duleep was appointed to SWRPA and has agreed to continue to serve.”

Page 13. under Planning Committee: please change the following motion from:

**** REV. BOLDEN MOVED THE FOLLOWING ITEM**

- 1. Approve the proposed transfer of City owned property located at numbers 16 and 18 Merwin Street with the property to be conveyed to 16-18 Merwin Street, LLC, pursuant to the West Avenue Corridor Redevelopment Plan and to authorize the Mayor, Richard A, Moccia to execute all documents necessary to effect such conveyance.**

Rev. Bolden explained that there is concern about the 16-18 Merwin Street, LLC. She asked why the entity is listed that way and not as Waypointe. Mr. Sheehan explained that the redeveloper established a holding company and the LLC are for each company. The individual LLC will fold into the development. Seligson Properties controls the asset and they are the preferred developer for the property.

Mr. Sheehan explained that the Waypointe project has not yet been approved by the City. At this point it is a concept and not considered a development project.

Mr. Krummel asked what will happen to the LLCs. Mr. Sheehan said that this is a redeveloper issue and how they want to control their assets is not germane to the City. The one City issue is that the City needs to be concerned with is that once the developer is approved that the lands are joined. Mr. Krummel said that he was confused.

**** MOTION PASSED WITH THREE (3) ABSTENTIONS (MR. KRUMMEL; MR. SERASIS AND MR. KYDES)**

TO:

**** REV. BOLDEN MOVED THE FOLLOWING ITEM**

- 2. Approve the proposed transfer of City owned property located at numbers 16 and 18 Merwin Street with the property to be conveyed to 16-18 Merwin Street, LLC, pursuant to the West Avenue Corridor Redevelopment Plan and to authorize the Mayor, Richard A, Moccia to execute all documents necessary to effect such conveyance.**

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**** MOTION PASSED WITH FOUR (4) ABSTENTIONS (MR. KRUMMEL; MR. SERASIS, MS. DULEEP AND MR. KYDES)**

Page 1, under Acceptance of Minutes: please change the following from:

“The following corrections were made to the minutes:

Page 18, second paragraph following the motion – first sentence should read: Ms. Brown had a question about the lost revenues mentioned in the memo which totaled \$387,300.”

To: “Page 18, second paragraph following the motion – first sentence should read: Ms. Brown had a question about the lost revenues mentioned in the memo which totaled \$287,300.”

III. PUBLIC PARTICIPATION

Mr. Scott Vetare came forward and greeted the Council. He said the he was secretary of the Local 2405. He said that one of the main reasons that his union did not sign the retirement agreement was because there was a clause regarding allowing temporary people come in to do the work of those who retire. He added that there was not room for advancement. Another reason was that the stipulation only hurts one local union out of the four and the union felt that it should be negotiated with the union.

Ms. Marny Smith, came forward and said that she was president of the Norwalk Land Trust. She said that she was in favor of keeping the second position in the Conservation Office. She said that the Environmental Officer had been able to acquire an assistant and that with more staff, the Officer was able to expand her duties and help the Land Trust.

Mr. Christopher Potts came forward and greeted the Commission. He said that he had been a resident of Norwalk for 20 years. He said that this year had been an extraordinary year but there are many questions. He wondered if the economic pain should be limited to a few City workers or be shared by all. He pointed out that there were 21 filled positions that would be cut. Neither the Council nor the public has been sufficiently consulted. He said that by cutting all the salaries a little and raising the cap by 1% there would be fewer lay offs.

Mr. Tod Bryant came forward and was congratulated by Ms. Roman on the portrait of Bea Brown. He thanked everyone and said that he was speaking for himself. He then said that he had concerns about the Charter and the Registrars office. He cautioned everyone about interpreting the Charter.

Mr. Bryant said that he also was concerned about the cut to the Environmental Office particularly as there are only two people and cutting one position puts the load on the on the person.

The Mayor then asked if there was anyone else present who wished to speak. There was no one else present who wished to address the Council at this time.

IV. MAYOR

A. RESIGNATIONS AND APPOINTMENTS

Resignations: There were no resignations at this time.

Appointments: There were no appointments at this time.

Reappointments: There were no reappointments at this time.

B. REMARKS

The Mayor said that it appears the stimulus money will go directly to the State and will be reallocated from there. Mayor Moccia said that he was disappointed because he had advocated to the Council of Mayor that it be handled like Block Grants.

As far as layoffs, the Mayor said that he was willing to work with the unions regarding the budget. He then related the number of cities that had serious layoffs. He said that the last thing in the world that he wants to tell anyone is that they don't have a job anymore. He said that he would like to save as many jobs as possible and reminded everyone that every department had experienced budget cuts. The Mayor then informed everyone that the stimulus funding is not for Operating Budget. He then asked the Council Members to concentrate on the budget cap and respect everyone's opinion during the upcoming discussions on the budget.

V. COUNCIL PRESIDENT

Rev. Bolden thanked the Council, the City and those who participated in the dedication of Room 231 as the Bea Brown Memorial Room.

A. GENERAL COUNCIL BUSINESS

There was no General Council Business to conduct at this time.

B. CONSENT CALENDAR

**** REV. BOLDEN MOVED THE FOLLOWING ITEMS AS THE CONSENT CALENDAR:**

A. RECREATION, PARKS & CULTURAL AFFAIRS COMMITTEE

1A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO EXECUTE AN AGREEMENT WITH SHOCK ELECTRIC CONTRACTORS INC. FOR THE CALF PASTURE BEACH ATHLETIC FIELDS LIGHTING PROJECT BID #2750 FOR A SUM NOT TO EXCEED \$192,810.30. ACCOUNT # 09096030-5777-C0365

1B. AUTHORIZE THE DIRECTOR OF RECREATION AND PARKS TO MAKE CHANGES WITH SHOCK ELECTRIC CONTRACTORS INC. FOR THE CALF PASTURE BEACH ATHLETIC FIELDS LIGHTING PROJECT BID #2750 FOR A SUM NOT TO EXCEED \$19,281.00.

2A. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH THE MARCH OF DIMES FOR THEIR ANNUAL MARCH FOR BABIES/WALK EVENT TO BE HELD AT CALF PASTURE BEACH ON SUNDAY, APRIL 26, 2009 FROM 6:00 AM – 3:00 PM. ESTIMATED ATTENDANCE 800.

2B APPROVE THE USE OF THE SHOW MOBILE BY MARCH OF DIMES FOR THEIR ANNUAL MARCH FOR BABIES/WALK EVENT AT CALF PASTURE BEACH ON SUNDAY, APRIL 26, 2009

3. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA TO ENTER INTO AN AGREEMENT WITH THE WATER SPORTS CENTER TO HOSTS 2 INTERSCHOLASTIC ROWING REGATTAS TO BE HELD IN VETERAN'S PARK ON SUNDAY, MAY 10, 2009 AND SUNDAY, NOVEMBER 1, 2009 FROM 7:00 AM – 5:00 PM EACH DAY. AS WELL AS THE USE OF THE PARKING LOT IN HERITAGE PARK FOR SPECTATOR PARKING. ESTIMATED ATTENDANCE 250+

4. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO ENTER INTO AN AGREEMENT WITH NORWALK HOSPITAL TO HOLD THEIR ANNUAL WHITTINGHAM CANCER CENTER BENEFIT WALK AT CALF PASTURE BEACH ON SATURDAY, MAY 30, 2009 FROM 6:00 AM – 5:00 PM. ESTIMATED ATTENDANCE 1,600.

5. AUTHORIZE THE MAYOR, RICHARD A. MOCCIA, TO ENTER INTO AN AGREEMENT WITH THE ROUND HILL HIGHLAND GAMES FOR THE USE OF CRANBURY PARK ON SATURDAY, JUNE 27, 2009 FROM 7:00 AM – 9:00 PM. SET UP TO TAKE PLACE FRIDAY, JUNE 26, 2009 FROM 8:00 AM WITH TEAR DOWN BY SUNDAY, JUNE 28, 2009 AT 10:00 AM. ESTIMATED ATTENDANCE 2,500+

6. AUTHORIZE THE PURCHASING AGENT TO ISSUE A SOLE PURCHASE ORDER TO MUSCO LIGHTING LLC FOR THE PURCHASE OF ATHLETIC LIGHTS FOR CALF PASTURE BEACH FOR THE SUM NOT TO EXCEED \$312,000.00. ACCOUNT # 09096030-5777-C0365.

B. FINANCE COMMITTEE

1. ACCEPT AND APPROVE THE MONTHLY CLAIMS REPORT; REVIEW AND APPROVE CLAIMS AS REQUIRED FOR CLAIMS REPORT DATED FEBRUARY 12, 2009.
2. FOR INFORMATIONAL PURPOSES ONLY: NARRATIVE ON TAX COLLECTION DATED FEBRUARY 12, 2009.
3. RESOLUTION APPROPRIATION \$275,000 FOR THE NEW POLICE FACILITY AND AUTHORIZING THE ISSUANCE OF \$275,000 BONDS OF THE CITY TO MEET SAID APPROPRIATION AND PENDING THE ISSUANCE THEREOF THE MAKING OF TEMPORARY BORROWINGS FOR SUCH PURPOSE.
4. RESOLUTION, REDUCING \$100,000 VETERAN'S PARK PROJECT (ACCOUNT NO. 09076030-5777-C0367)
5. RESOLUTION, APPROPRIATING \$100,000 FOR CALF PASTURE LIGHTING PROJECT (ACCOUNT NO. 09076030-5777-C0365)
6. RECEIVE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE YEAR ENDING JUNE 30, 2008.
7. RECEIVE FEDERAL AND STATE FINANCIAL AND COMPLIANCE REPORT FOR THE YEAR ENDING JUNE 30, 2008.
9. APPROVE RESOLUTION WITH RESPECT TO THE AUTHORIZATION, ISSUANCE AND SALE OF THE CITY OF NORWALK GENERAL OBLIGATION REFUNDING BONDS NOT EXCEEDING \$85,000,000 INCLUDING THE AUTHORIZATION OF \$60,000,000 APPROVED BY THE CITY OF NORWALK COMMON COUNCIL ON JANUARY 13, 2009.

C. ORDINANCE COMMITTEE

1. APPROVE PROPOSED REVISIONS TO CHAPTER 94 – SOLID WASTE DISPOSAL.

D. PERSONNEL COMMITTEE

CONSENT TO MOVE THE ITEM OF APPROVAL OF EARLY RETIREMENT PACKAGE TO THE NEXT ITEM ON THE AGENDA.

**** THE MOTION TO APPROVE THE CONSENT CALENDAR AS PRESENTED PASSED UNANIMOUSLY.**

VI. AGENCIES, BOARDS AND COMMISSIONS

A. CORPORATION COUNCIL

D. PERSONNEL COMMITTEE

APPROVAL OF EARLY RETIREMENT PACKAGE

**** MR. HEMPSTEAD MOVED TO ENTER INTO EXECUTIVE SESSION TO DISCUSS APPROVAL OF EARLY RETIREMENT PACKAGE.**

**** THE MOTION PASSED UNANIMOUSLY.**

The Council Members, Mayor Moccia, Atty. Maslan, and Mr. Haselkamp entered into Executive Session to discuss the Early Retirement package at 8:30 p.m. The Council returned to public session at 9:32 p.m.

**** MR. MCQUAID MOVED TO APPROVE THE EARLY RETIREMENT PACKAGE.**

Mr. McQuaid said that he felt that it was a good, compassionate offer. He asked if there was a way to allow 2405 to continue to work with Mr. Haselkamp to work out the issues. Mr. Haselkamp suggested that it be made contingent upon approval by the union by Friday at 5 p.m. on February 27th.

**** MR. MCQUAID AMENDED HIS MOTION BY ADDING “CONTINGENT UPON FINAL APPROVAL OF LOCAL 3405 BY NO LATER THAN 5 P.M. ON FRIDAY, FEBRUARY 27, 2009”.**

**** THE MOTION TO APPROVE THE EARLY RETIREMENT PACKAGE AS AMENDED PASSED UNANIMOUSLY.**

B. FINANCE COMMITTEE

8. WHEREAS, Section I-289 of the Norwalk Charter requires that a majority of the Common Council vote to establish a specific spending limitation on locally funded expenditures during the process of establishing the next fiscal year’s operating budget.

Now, therefore, be it resolved by the Common Council of the City of Norwalk that:

The maximum limit on total appropriations for the City of Norwalk for Fiscal Year beginning July 1, 2010 shall be no more than \$279,590,249. This appropriation cap represents total expenditure of \$262,548,231 less estimated intergovernmental grants of \$17,042,018.

Be it further resolved that the results of this vote and resolution, together with the attached 2010-11 Budget Guide, be forwarded by the Clerk of the City of Norwalk to the Board of Estimate and Taxation. *ADOPTED BY MAJORITY _____ FOR _____ AGAINST*

**** MR. HILLIARD MOVED THE ITEM.**

Ms. Duleep pointed out that the date of July 1, 2010 in the resolution was incorrect. It should read July 1, 2009.

**** MR. KRUMMEL MOVED TO AMEND THE MOTION BY INCREASING THE CAP FROM \$262,548,231 TO \$264,059,873.**

Mr. Krummel explained that this would be a \$400,000 increase and stated that he was concerned about the positions that were being cut, such as the Youth Service position, the Fair Rent/Human Relations field representative, the Conservation position and the Public Works Civil Engineers along with the Registrars being restored to full time positions.

Discussion then followed about the various positions. It was also pointed out during the discussion that the Council sets the cap, but the BET determines where the funds are allocated.

**** THE MOTION TO AMEND THE RESOLUTION FROM:**

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2010 SHALL BE NO MORE THAN \$279,590,249. THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURE OF \$262,548,231 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$17,042,018.

BE IT FURTHER RESOLVED THAT THE RESULTS OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2010-11 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE BOARD OF ESTIMATE AND TAXATION.

TO:

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF NORWALK THAT:

THE MAXIMUM LIMIT ON TOTAL APPROPRIATIONS FOR THE CITY OF NORWALK FOR FISCAL YEAR BEGINNING JULY 1, 2009 SHALL BE NO MORE THAN \$281,108,891. THIS APPROPRIATION CAP REPRESENTS TOTAL EXPENDITURE OF \$264,059,873 LESS ESTIMATED INTERGOVERNMENTAL GRANTS OF \$17,042,018.

BE IT FURTHER RESOLVED THAT THE RESULTS OF THIS VOTE AND RESOLUTION, TOGETHER WITH THE ATTACHED 2010-11 BUDGET GUIDE, BE FORWARDED BY THE CLERK OF THE CITY OF NORWALK TO THE BOARD OF ESTIMATE AND TAXATION.

PASSED WITH EIGHT IN FAVOR ((BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, LINDSTROM, AND KRUMMEL) AND SIX AGAINST (MCQUAID, BONENFANT, KYDES, HEMPSTEAD, STRANITI, AND CONROY).

**** MR. HEMPSTEAD MOVED TO AMEND THE RESOLUTION BY REDUCING THE CAP FROM \$264,059,873 TO THE ORIGINAL AMOUNT OF \$262,548,231.**

Mr. Hempstead then listed a number of items that the various departments had already reduced such as leave collections, police overtime, and reduced library hours. Mr. Hempstead said that he had difficulty going to the taxpayers who may have lost their jobs or not getting an increase and telling them their property taxes, their car taxes or their businesses are going to be taxed even more. Mr. Hempstead said that he felt that Mr. Hamilton had given an accurate budget and that he would support it.

**** THE MOTION TO AMEND THE RESOLUTION FROM:**

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

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FAILED TO PASS WITH SIX IN FAVOR (MCQUAID, BONENFANT, KYDES, HEMPSTEAD, STRANITI, AND CONROY) AND EIGHT AGAINST (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, LINDSTROM, AND KRUMMEL).

**** THE MOTION TO APPROVE THE RESOLUTION AS AMENDED:**

WHEREAS, SECTION I-289 OF THE NORWALK CHARTER REQUIRES THAT A MAJORITY OF THE COMMON COUNCIL VOTE TO ESTABLISH A SPECIFIC SPENDING LIMITATION ON LOCALLY FUNDED EXPENDITURES DURING THE PROCESS OF ESTABLISHING THE NEXT FISCAL YEAR'S OPERATING BUDGET.

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PASSED WITH EIGHT IN FAVOR (BROWN, GEAKE, DULEEP, SERASIS, BOLDEN, HILLIARD, LINDSTROM, AND KRUMMEL) AND SIX AGAINST (MCQUAID, BONENFANT, KYDES, HEMPSTEAD, STRANITI, AND CONROY).

VIII. RESOLUTIONS FROM COMMON COUNCIL

There were no resolutions from the Council at this time.

IX. MOTIONS POSTPONED TO A SPECIFIC DATE

There were no motions postponed to a specific date at this time.

X. SUSPENSION OF THE RULES

There were no suspensions of the rules at this time.

XI. ADJOURNMENT

**** MR. HEMPSTEAD MOVED TO ADJOURN.**

**** THE MOTION PASSED WITH THIRTEEN IN FAVOR (BROWN, GEAKE, DULEEP, BOLDEN, HILLIARD, LINDSTROM, MCQUAID, BONENFANT, KYDES, HEMPSTEAD, STRANITI, CONROY AND KRUMMEL) AND ONE ABSTENTION (SERASIS).**

The meeting adjourned at 10:30 p.m.

Respectfully submitted,

Sharon L. Soltes
Telesco Secretarial Services

