

MALABAR TOWN COUNCIL REGULAR MEETING

September 20, 2010

7:00 PM

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road.

A. CALL TO ORDER, PRAYER AND PLEDGE

The meeting was called back to order at 7:30 pm by Chair Thomas Eschenberg. The prayer and pledge were led by District 3 Steve Rivet.

B. ROLL CALL

Town Attorney:	Karl W. Bohne, Jr.
Town Administrator:	Bonilyn Wilbanks
Mayor/Chair:	Thomas M. Eschenberg
Council Vice-Chair:	Jeffrey McKnight
Council Member:	Nancy Borton
Council Member:	Brian Vail
Council Member:	Steven Rivet
Council Member:	Marisa Acquaviva
Certified Court Reporter:	King Reporting Service

C. RECESS FOR CLOSED ATTORNEY-CLIENT SESSION

Pursuant to Florida Statute 286.011(8), the Town Council will hold a private attorney-client session, **which was not open to the public**, with the Town Attorney, Karl W. Bohne to discuss pending litigation in Town of Malabar v. City of Palm Bay, Case No. 05-2009-CA-049231, filed in the Circuit Court of the Eighteenth Judicial Circuit, in and for Brevard County, Florida. The above listed persons were present at the meeting: Town Clerk/Treasurer Debby Franklin took roll call of attendees and then left the meeting.

A verbatim transcript of this meeting shall be transcribed by King Reporting. The transcript will be filed with the Town Clerk and open to the public for inspection **after** the conclusion of the litigation.

Reopen and announce termination of Closed Session

The meeting was called back to order at 7:30 pm by Chair Thomas Eschenberg. The prayer and pledge were led by Mayor.

ADDITIONS/DELETIONS/CHANGES: Franklin stated that the reso in Agenda item 9 was listed incorrectly on agenda face sheet as 66 and is properly numbered 67 on the document. Other language missing from ord and resos providing for repeal and providing for an effective date has been added and the file copies corrected on the website.

E. PRESENTATION:

F. PROCLAMATIONS:

G. CONSENT AGENDA:

1. Approval of Minutes

Regular Town Council Meeting – 9/07/2010

Exhibit: Agenda Report No. 1

Recommendation: Motion to Approve

MOTION: Rivet / Borton to approve the Consent Agenda as corrected:

Acquaviva stated on pg 3 in atty section Acquaviva said it said dates and should be venues.

Mayor – pg 4 J. 2nd line recommendation 11.69 add %; pg 6 6th para last sentence, fence was added later and it is 4 feet high. Delete “not” pg 7 Council asked Morris...Code should be a guide; pg 8 3rd para, 2nd line discussed deceleration lane not decal.

VOTE: All Ayes

H. PUBLIC COMMENTS: General Items not related to agenda items; Speaker Card Required

I. STAFF REPORTS:

ATTORNEY: nothing

ADMINISTRATOR:

- Fire Dept Report on August by Interim Fire Chief Dan Welton. Report attached to minutes. Dan said there are contractors parking on the local road and many are 10 feet wide and a fire truck could not get through, if there were an emergency. Dan went through report. Aug and Sept things tend to slow down. Training night will be on Saturdays, twice a month based on survey results he did with volunteers. He used Survey Monkey which he plugged. At this reporting, all vehicles were working. Ladder truck is now out on brakes and fuel leak. E299 also is getting gauges. Volunteer ideas have gone out and he is looking for input. CPR classes are taking off. Celebration has requested classes. Also one in Vero and one in Palm Bay. Acquaviva asked about the missing saw. Dan said it is probably no longer in Brevard County. It is a magnum rescue saw with diamond drill bits. It is over \$1000.00 retail. Can't lock the compartments for obvious reasons – don't want to be fumbling for keys during a response to a fire. She asked if they looked at the surveillance tape. It could have been anybody, even when they took the ladder truck to vendor for service. Now they take all the power tools of it before it goes in for service. Borton asked TA about Chief gone and Dan being full time at Harris is there any way that we can compensate him. TA says he should be receiving the same stipend Chief Joe got. Dan told council he gets about 5 weeks of vacation a year. He chooses to use his vacation time to be at fire dept. He has a very supportive employer. Chair asked how the fire chief search is going. The applications period ended this date and they have about five applications.

CLERK:

- Announced that Denine Sherear has lost a close family member and will be out of the office for a few days.
- There will be an Institute for Elected Officials in St. Augustine Oct 1-3. The Advanced Institute will be in Lake Mary on October 15-16.

J. PUBLIC HEARINGS:

Are legally advertised for 7:30 PM *or as soon thereafter as possible.*

ORDINANCES: (2)

Without objection, the Mayor read by title only:

2. Ordinance Regarding Millage (Ord 2010-34)

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, ADOPTING THE MILLAGE RATE OF 1.6630 FOR THE TOWN OF MALABAR FOR THE PERIOD FROM OCTOBER 1, 2010 THROUGH AND INCLUDING SEPTEMBER 30, 2011; PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2

Recommendation: Request Action

Chair also read from the information sheet stating that by setting the millage at 1.6630 it would result in an 11.69% reduction of the rolled back rate of 1.8832.

Public Hearing opened:

None

Public Hearing closed.

MOTION: Rivet / Vail to approve Ord 2010-34.

Discussion: Borton commends staff. Thinks we are only municipality not raising their millage.

VOTE: 1) Borton, Aye; Vail, Aye; Rivet, Aye; McKnight, Aye; Acquaviva, Aye.

Motion carried 5 to 0.

Without objection, the Mayor read by title only:

3. Ordinance Regarding Budget 2010/2011 (Ord 2010-35)

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ADOPTING THE BUDGET FOR THE TOWN OF MALABAR FOR THE PERIOD FROM

OCTOBER 1, 2010 THROUGH AND INCLUDING SEPTEMBER 30, 2011; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 3

Recommendation: Request Action

Chair also read Section 1 from the ordinance: The budget of \$2,007,419.00 for the proposed expenditures from October 1, 2010 through and including September 30, 2010, reflecting the general operating millage of 1.6630. The budget includes \$1,582,761.00 in the General Fund, \$228,601.00 in the Stormwater Fund and \$196,057.00 in the Utility Fund.

Public Hearing opened:

None

Public Hearing closed.

MOTION: Vail / Borton to approve Ord 2010-35.

Discussion: none.

VOTE: Borton, Aye; 1) Vail, Aye; Rivet, Aye; McKnight, Aye; Acquaviva, Aye.

Motion carried 5 to 0.

K. PUBLIC: ITEMS DIRECTLY RELATED TO RESIDENTS AND RECOMMENDATIONS FROM TOWN BOARDS/COMMITTEES PRESENT AT MEETING

4. Agenda Request Form: from Resident Charles "Bud" Ryan – MFD/EMS

Exhibit: Agenda Report No. 4

Recommendation: Request Action

Bud Ryan, 1923 Howell Lane, talked about Fire Dept. Micco disbanded FD and it is time for Council to take a serious look at the cost of joining Brevard County. He spoke with a person that said some of the cost increases are due to

Goes back to TBRB meeting on a week night evening and no one could get in. They called the Fire Dept and no one was there. They were able to get through to the chief later and he ultimately let them in. He understands that the interim chief is trying to get staffing in there. He said with Chief Joe leaving there is no certified instructors for training. He said if you have chest pains you want someone to respond there. He thinks the County is the answer for consistency in timely responses. Make a deal with the County. It might be the way to go. Set up a committee to look into this.

Chair asked Council if there is interest in setting up a committee. Borton said this was set to bring back to a Council meeting for discussion after she and Franklin got more specific cost comparisons. Chair requested it for the next meeting. Franklin and Wilbanks said there is no way. We just finished with the budget. Chair wanted it on the 2nd meeting in October. If we can't get all data it may be over several meetings. Mayor said if you have the cost data for the October meeting then if you want to have a committee you can do it at the following meeting. Acquaviva said there is the safety element that must be considered. Interim Fire Chief Dan Welton asked to respond to the comments. He said Mr. Ryan said we have no fire instructors and that is not true. Shane Downs is a certified instructor and Mike Sansome is finishing up his fire officer training and will be certified. And we have hired two more persons started October 1, 2010.

L. ACTIONS ITEMS:

ORDINANCE: First Reading – 0

RESOLUTIONS: 5

Without objection, the Chair read by title only.

5. Budget Adjustment (Reso 61-2010)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PERTAINING TO A BUDGET ADJUSTMENT IN THE FISCAL YEAR 2009-2010; PROVIDING FOR REPEAL OF RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5

Recommendation: Request Action

MOTION: Borton / Vail to approve Reso 61-2010.

Discussion: Franklin made her statement she was going to make under her report but decided to put it here after speaking with Borton. Franklin requested that staff be allowed to review the accountant's data before it is sent to the Mayor. The Accountant sends the initial GL based on our raw data and has been instructed to send it also to Mayor.

We send the raw data to him on the 2nd of the month and he gets us back the GL by the 10th and if we would be allowed to correct any typos, transpositions and incorrect account numbers before it is formally sent out, the number of Journal Entries would be reduced and the end product would look more professional. The Auditors review and comment on the number of JE we have to make. If the Accountant has to change a number after he has sent it to the Mayor, then a JE has to be done. Mayor stated he likes to track the number of JE made every month. He stated sometimes there have been 40 changes per month. If we get it down to 4 or 5 it would be different. That is why he wants to look at it.

VOTE: Borton, Aye; Vail, Aye; 1) Rivet, Aye; McKnight, Aye; Acquaviva, Aye.

Motion carried 5 to 0.

Without objection, the Chair read by title only.

6. Approve Utility Rates for 2010/2011 (Reso 64-2010)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, RELATING TO WATER AND SEWER UTILITY RATES; PROVIDING FOR AN INCREASE IN WATER AND SEWER UTILITIES RATE IN THE TOWN; PROVIDING FOR REPEAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6

Recommendation: Request Action

MOTION: Borton / Vail to approve Reso 64-2010.

Discussion:

VOTE: Borton, Aye; Vail, Aye; Rivet, Aye; 1) McKnight, Aye; Acquaviva, Aye.

Motion carried 5 to 0.

Without objection, the Chair read by title only.

7. Approve TD Bank as primary Depository for Operating Accounts (Reso 65-2010)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA ESTABLISHING A DEPOSITORY AT TD BANK, N. A. FOR FUNDS COLLECTED BY THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR REPEAL AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7

Recommendation: Request Action

MOTION: Borton / Rivet to approve Reso 65-2010.

Discussion: Acquaviva had problem with it being a Canadian bank and also in making a swift knee jerk action. It is not the same company as Riverside, even though they may have the same staff. We are a municipality and there is a problem with the American economy. We can get good customer service at an American bank. Suggested they check local banks for rates and services. Mayor said he would have brought this up. Borton said it is the customer service. Rivet believes in free trade. Mayor wasn't in favor of Riverside because of the charges for the line of credit. McKnight said that that should not disqualify a bank. Rivet said if this wasn't a Canadian bank, would we be having this conversation? Mayor has basic problem with bank service charge. Franklin said we don't pay a service charge at Riverside. They are a solid bank. Franklin said for the record the bank we would be dealing with the American bank headquartered in Pleasantville, New Jersey. It is listed as #14 in the world's 50 safest banks. Rivet said California is more foreign. Vail said he understands Marisa, but also has kept the relationship with same bank while they changed ownership three times. Rivet asked Franklin if she was comfortable with TD Bank. Yes. The auditor also stated the bank is a very strong and well

capitalized bank. Borton said Riverside does a lot in the community and TD Bank will also and is keeping Brevard people employed. Mayor said he takes positions on what is better for Malabar residents. McKnight said he is inclined to agree with Acquaviva. Thinks we should shop around. The line of credit fee is the reason he is not in favor of Riverside. TA asked do they want a formal RFP done. No, just check around on rates and services.

VOTE: Borton, Aye; Vail, Nay; Rivet, Aye; McKnight, Nay; 1) Acquaviva, Nay;

Motion failed 3 to 2.

Chair asked Acquaviva to work with staff on getting rates on local banks that provide good service.

Without objection, the Chair read by title only.

8. Approve one-year Extension to Interlocal Agreement with Brevard County Dept of Natural Resources – Stormwater (Reso 66-2010)

A RESOLUTION OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, PROVIDING FOR COUNCIL APPROVAL OF THE ONE-YEAR EXTENSION OF THE INTERLOCAL AGREEMENT WITH BREVARD COUNTY FOR STORMWATER PROGRAM ADMINISTRATION AND MANAGEMENT; PROVIDING AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8

Recommendation: Request Action

MOTION: Borton / Rivet to approve Reso 66-2010.

Discussion: McKnight said he knows TA has stated we have been getting our moneys worth. He asked if we can hire someone to do this work. TA said in her other city, they had more staff and she didn't have so many hats to wear. They would have to hire an engineer to do this and there is the learning curve; it would cost more. McKnight said they have a monopoly. Franklin said they get 10% of the collections and bill over that for other projects. The 10% covers their handling of the assessment role, determining credits, answering questions, doing inspections, working on NPDES permit requirements. TA doesn't have time to handle this. Mayor asked if they getting 6600 dollars worth of work. The analogy is to a life insurance policy.

VOTE: 1) Borton, Aye; Vail, Aye; Rivet, Aye; McKnight, Aye; Acquaviva, Aye.

Motion carried 5 to 0.

Without objection, the Chair read by title only.

9. Approve Dual Vote Resolution (Reso. 67-2010)

A RESOLUTION OF THE TOWN OF MALABAR, FLORIDA SUPPORTING THE ADOPTION OF THE BREVARD COUNTY MUNICIPAL VOTER CHARTER AMENDMENT ON THE NOVEMBER 2010 GENERAL BALLOT; ENDORSING THE PRINCIPLES OF HOME RULE AND ADOPTING THE POLICIES SET FORTH BELOW TO SUPPORT THE PREMISE THAT THE TOWN OF MALABAR SHOULD HAVE THE AUTHORITY TO GOVERN WITHIN ITS JURISDICTION; PROVIDING THAT SUCH AUTHORITY SHOULD NOT BE ERODED; PROVIDING AN EFFECTIVE DATE

Exhibit: Agenda Report No. 9

Recommendation: Request Action

MOTION: Borton / Vail to approve Reso 67-2010.

Discussion: This is a reinforcement of home rule. Acquaviva said at the SCLC dinner they talked about this. Rivet felt by voting to adopt this we are suggesting or advocating to the residents on how they should vote. We would be using our position to tell constituents we are supporting the adoption of the amendment. Attorney said Rivet is correct and elected officials are not to use their political position to urge citizens on how to vote on an item. Attorney stated again Rivet is correct. Chair suggested tabling. McKnight said no, he doesn't support this. Rivet said they should vote on it tonight and not table. McKnight said his idea of a no vote is different from Rivet. McKnight felt a no vote would still convey to constituents that elected officials are using their position to say no, don't vote to support this. MOTION: Vail / McKnight to table. Vote: 3 Nays; 2 Ayes.

VOTE: Borton, nay; 1) Vail, nay; Rivet, nay; McKnight, asked atty his options – no grounds to recuse himself – he is putting himself in harms way if he votes – Attorney said legally there is only one way to

abstain – one by law and one by case law and neither apply. Mayor said can he abstain. Attorney said yes he could abstain and incur no penalty, just fill out the conflict form. McKnight abstained.

Acquaviva, nay.

Motion failed 4 with one abstention.

MISCELLANEOUS:

10. Gradall Rebuild Bids

Exhibit: Agenda Report No. 10

Recommendation: Request Action

Chair has two speakers' cards.

Bill Arnauckas said the quotes are out of bounds. Suggests Council table and do more research on what can be done. One of the areas to save is the guarantee. One of them is \$5500.00 for a three year on the power train only. His research shows that we haven't used the equipment 400 hours per year. In the 13 years we have owned it we haven't done the repairs to it. Great Southern quoted \$7800.00 to sandblast it and paint it then \$850 to re-decal the machine and there is a labor charge with that. Going over the list he found duplicates and triplicates on the parts. Or someone made a mistake. His point is between the two companies, you could do it for half of what Great Southern says. They want to strip the machine of wiring and lights and just to do the electrical, it is \$20,707.00. The areas should be in the harnesses. The suggestions Tom had and add a few items and he is willing to volunteer with Tom and Brian and they are the only ones that can go thru the books and tell them what needs to be done. Most of it doesn't have to be addressed. He will volunteer to go over the quotes with Tom and Brian. The history of the machine, 13 years old and have 5000 hours or 3 years. His research shows this machine has only gotten used 8 hours per week. It is still brand new and doesn't need the major overhaul. They gave us what Council asked for – a bumper to bumper rebuild not a quote on what needs to be rebuilt. He has reviewed and knocked Ringpower's estimate down to 79K and Great Southern's down to 100K.

TA Wilbanks as a point of information stated the rented machine is used five (5) days a week. The machine couldn't stay running. If it was running, it would have been used. It is not fair to say that it only works 8 hours a week. TA said Council was adamant you wanted a complete rebuild with a warranty. The three (3) year warranty covers the hydraulics also – not just the powertrain. The hydraulics is what broke with the centerpin assembly. Bill Arnauckas said there is no record of repairs except what Tom could remember and some of the work Brian did.

Chair said you can go with either one of them or table it. Rivet said TA Wilbanks did what we asked her to do. Acquaviva said we did not want to do a band aid repair. That was stated clearly. McKnight said he did not want a 20K paint job either. Mayor said he thought the motion was for a refurb not a rebuild. McKnight said he does not fault staff – they did what Council directed. Borton said the third option was the lease. TA referred to that in her FYI memo to council and said Clerk provided the lease documents. TA said the rental of the Gradall is almost up. Vail said we are paying 6800.00 to rent it by the month. Rivet said we don't want to micro manage this. We need to give high level direction to staff and if Bill Arnauckas is interested they would welcome his input. Vail also would want to offer input. Vail would like to get with Tom and go over what needs to be repaired. We have to choose if this is the best bang for the buck. This is the most cost effective. Get the hydraulics fixed and not have them break in the next 5 years. Borton said the Gradall is used everyday. We are doing a disservice to our constituents. We did that with the other administration. She wants that on the record. Acquaviva said if we asked for a warranty and a good solid machine and this is getting hard to make a decision, we need to make a high level decision. McKnight said it is prudent to get estimates on the repairs.

Mayor said the cost to buy a new one is 300K and if we can repair it for 100K then we save 200K. McKnight said get the hydraulics on this fixed. It is a necessary tool. If we can get the cost down to 75K. Rivet said maybe we should allow for more money. Also, how long would the rebuild take on just

the hydraulics? Three months or less. So add two months rent. TA said the 6850.00 times 3 would go away if we went with the lease.

MOTION: Rivet / Borton to approve expense up to 100K to do the work necessary to get another five years out of the Gradall we own at the discretion of staff.

Discussion. Attorney said with whom are the repairs being done? Borton said if we spend 100K and if something else breaks, are we not back to this again?

VOTE: All Ayes. Bill could rework the quote using the parts book and the manual. He would need help from Tom and Brian.

11. Approve Cost of Dirt

Exhibit: Agenda Report No. 11

Recommendation: Request Action

TA Wilbanks reported that a vendor she checked with charges \$3 yard for unclean dirt if you pick up and \$115 for the delivery of 18yards. CDM charges \$60 to deliver and \$10 for the dirty fill. He charges what it costs him for driver operator. Rivet said you can get clean fill for \$200 for a complete 20 yard delivery. What would a trucking company charge if you want to use a trucking firm to load and deliver. TA has not asked CDM. Find out how many residents want dirt. Advertise for them on website and newsletter. Rivet said is he suggesting using a loading and delivery charge and just not charge for the dirt. Acquaviva said then staff would take orders. What about the people who want to bring their own truck and fill it up. What about liability?

Mayor said you have staff set up 20 sales, and then get them to come on certain days for pick up. Rivet said we have dirt we need to get rid of it and we have many residents that want the fill so let's come up with something. Vail said set up a turnkey operation with the trucking firm. McKnight said we have Malabar businesses. TA will put out call on website. We have newsletter and website. Acquaviva said also on the marquee in front of fire station.

12. Approve Transfer of Right-of-Way to FDOT

Exhibit: Agenda Report No. 12

Recommendation: Request Action

Mayor said we are going to give it to them. Mayor read the warranty and the right-of-way was given in exchange for a dollar. He asked Attorney if there was more given. Attorney said based on the doc stamps that were paid, it was 1.00.

Attorney said they want the right-of-way for the stormwater project they are working. Mayor asked Attorney what if we said no. Attorney said they would have to take it. Mayor read Constitution, and they could do eminent domain. Attorney said Art X Sec 6 doesn't say this. This is the FDOT policy. The goal is to get the donation and the use will be for public utility. In Section 7.10.1.2, they will use eminent domain. Rivet said we should offer it to them. Negotiate a price. Attorney said they are going to get it one way or another. We really would like a traffic light at Corey Lane or a flashing light at the fire department.

MOTION: Vail / Borton to approve transfer of property to FDOT.

VOTE: Aye, McKnight; Nays 4.

Motion failed 4 to 1

M. DISCUSSION ITEMS:

13. Enforcing Malabar Code Related to Mowing and Maintenance of Rights-of-Way

Exhibit: Agenda Report No. 13

Recommendation: Discussion

McKnight stated this was his item. He felt we should have property owners maintain the area in front of their house. Mayor said there is no specific requirement to mow in the Code. Attorney said the way the Code is written, and the way the Mayor is asking the question, then the answer is no, it is not specifically in the Code.

Vail said that if the property is improved, then you have it in Code to keep it mowed to less than 16 inches. Acquaviva said there was the resident in Brook Hollow complaining about the infrequent mowing and the area he was referring to was someone's back yard area and the Town's right-of-way. The Town has been mowing it for quite a while. It is not something we should be cutting as their covenants state it is the HOA responsibility. Country Cove is asking why the Town mows in front of Stillwater and not Country Cove. She has told them if they don't want to mow it, then Town will, but it won't be the groomed mowing it will be brush mowing.

Mayor said get back to agenda item. Mayor asked the cutting does not come from under the agenda item. Vail said staff spends too much time mowing developed areas. We don't have anything that specifically requires them to mow. Mayor said pass an ordinance and then we enforce it only if there is a complaint.

Vail said most of the residents on Smith would mow the portion of the adjoining vacant lots. Mayor said it is a whole different issue on the big ditches. On the unimproved lots, look at the other municipalities and they mow the unimproved properties. Mow it is they can get to it. McKnight said the people who don't live here but pay taxes, they get the mowing. The owners that live here get services. TA said we had a mess with Fay and if we stop mowing then we will be going backwards. If you don't get a complaint, and then don't mow. McKnight said it is not anything against PW; this should reduce the work for them. Rivet said do you want more regulations on residents?

They discussed the issue with Brook Hollow. Vail said as a resident getting service from PW he would get more from PW on ditch work and do less mowing. The people should cut the grass. The more we mow the more they will expect it. If anyone has a better idea than keeping up with what they are doing. McKnight said they should cut back unless they are unimproved lots. Agree to continue to do what they are doing.

N. MAYOR AND COUNCIL REPORTS:

- 1) Borton – nothing
- 2) Vail – rotating beacon in back yard – called TA and the next day it was gone.
- 3) Rivet – He invited everyone (saracasm) to a Canadian flag bonfire (he requested this be included in the record.)
- 4) McKnight – nothing
- 5) Acquaviva – nothing
- 6) Mayor – nothing

O. PUBLIC – speaker card required


P. ADJOURNMENT

There being no further business to discuss, **MOTION:** Rivet / Borton to adjourn this meeting. **VOTE:** All Ayes. The meeting adjourned at 9:55 PM.

BY:


Mayor Thomas M. Eschenberg, Chair

ATTEST BY:


Debby K. Franklin, Town Clerk/Treasurer

Date Approved: 10/4/2010