

**MALABAR TOWN COUNCIL REGULAR MEETING  
JUNE 19, 2006                      7:30 PM**

This meeting of the Malabar Town Council was held at Town Hall at 2725 Malabar Road. The meeting was called to order at 7:30 pm by Mayor Thomas Eschenberg. The prayer and pledge were led by Council Member Frank Hickson.

<b><u>ROLL CALL:</u></b>	MAYOR/CHAIR	TOM ESCHENBERG
	VICE-CHAIR:	STEVE RIVET
	COUNCIL MEMBERS:	FRANK HICKSON
		BRIAN VAIL
		BOBBI MOCCIA
		PAT DEZMAN
	ADMINISTRATOR:	ED BOOTH
	ATTORNEY:	KARL BOHNE
	TOWN CLERK/TREASURER:	SUSAN KABANA

**ADDITIONS AND DELETIONS TO AGENDA**

None.

**CONSENT AGENDA:**

**A) COUNCIL MINUTES 06/05/2006.**

**MOTION: Hickson/Vail to approve (as amended).**

Mayor – page 6, toward the bottom, he did not recall asking the questions. Cindi Kelley (in audience) states that Ed Booth asked the questions, she will correct.

**VOTE: All aye.**

**REPORTS:**

**ATTORNEY**

Bohne – his item is on the agenda.

**ADMINISTRATOR**

- Booth – we were notified last week that Malabar Road will be closed June 25<sup>th</sup> to June 28<sup>th</sup> to repair the railroad crossing due to an un-coupling about a month ago.
- Booth – we are finally at the top of the list to be paved and Atz will be next, then we will do repairs on Benjamin and Corey. The work will be done in the next 30 days.
- Booth – has a meeting with Paladin regarding the waterline along US1. Rick Torpy wants to take over the waterline and so he can begin building his condo unit. Booth is meeting with Paladin to see where they are at. Moccia – heard that Paladin would have to sell half of the units before beginning the waterline.
- Booth – the Eagle Corp sees some code enforcement issues when out patrolling and would like to begin the enforcement process on some of them. Moccia and Vail do not like that idea. Mayor – in the beginning the Eagle Corp was opposed due to the fear of them ‘spying’ and we do not want to mar their good name with this type of action. Booth – then this will not happen.

**- ROADS & DITCHES**

- Booth – shows a picture of what is supposed to be a ditch but it is completely overgrown and this is what is keeping Country Cove from draining well. There have been drainage complaints. We will grind it out in the next 30 days.

- Booth – the Country Cove Homeowners Association wants the Town to cut swales where there are none, most would be through beautiful lawns. He would not consider cutting the swales without an affidavit from each homeowner.
- Booth – shows a picture of a home that has junk and large trash in the front yard. This home and a few others will be going to the Special Master.
- Booth – there is an individual that is asking for help with a vacant lot that is overgrowing his fence and knocking it over, Booth plans to enforce the code and have the 25' required area cleaned.
- Moccia – she is impressed with the cleaning of the ditches before the hurricanes.

#### **- EAGLE CORP CITIZEN PATROL COORDINATOR**

Nancy Conklin, Eagle Corp Coordinator – introduces Eagle Corp Members Bill Moroney and Carl Conklin. The Eagle Corp began in 2002 and currently has eight active members who patrol in pairs every week giving the Town approximately twelve hours of patrol each week. They have three new candidates and are looking for a new teacher. She feels it is time to recognize them and show our appreciation. She would like to present them with gift certificates and plaques. Council agrees.

Nancy Conklin – the Eagle Corp sees all types of yards, some are in terrible shape, with abandoned cars, trash, and large weeds. She is asking to allow the Eagle Corp to start code enforcement with two or three homes that are in just terrible, terrible shape. Booth – we could write a letter from the Eagle Corp. Vail – that is too proactive. Mayor – suggests Conklin file this as a private citizen. Bohne – agrees.

#### **CLERK**

- Kabana – has three submittals for the Name that Park contest.
- Kabana – candidate qualifying begins August 18, District 3 has been held by Steve Rivet and he is termed out. The District 2 seat is held by Brian Vail. Vail – states that he will run. Kabana – and anyone else who wants to run in District 2 can run. The District 1 seat is held by Frank Hickson. Hickson – he will not be running because he is moving.
- Kabana – the next Council meeting is the DR-420, Certificate of Taxable Value.

#### **ACTION ITEMS:**

##### **1. PROPOSED BANK SWEEP ACCOUNT**

Kabana – currently there is a larger balance in the checking account and her goal, if Council so chooses, is to invest this money in a sweep account, which generates interest, making the Town 100% invested. Introduces Dave Smith, Senior Vice President of Business Financial Services at Riverside National Bank who will discuss the sweep account.

Smith – the sweep account was created so that Riverside could offer a way to invest all of a business' money all the time. A sweep account is a separate account that is linked to your checking account. At the end of the day your account is swept and the balance is either added or subtracted from your sweep account. He is offering Malabar a higher percentage rate than what we currently get with the State Board, encouraging the Town to move some of the funds invested with the State Board over to Riverside. All public assets must be collateralized per Florida Statute 280. Riverside is offering safety and security while optimizing the funds on hand.

Kabana – staff is asking for two actions tonight, one to approve the sweep account and the other is to allow the Clerk/Treasurer to move the monies back and forth.

**MOTION: Hickson/Dezman to approve the sweep account.**

**AMENDED MOTION: Hickson/Vail to approve the sweep account and permit the Clerk/Treasurer to move large amounts of money between the SBA and Riverside.**

Bohne – we need to define large amounts. Dezman – thinks we need to deal with these items individually, Council is responsible here. Rivet – sees no problem with moving money between two accounts. Moccia – feels that we just need to know when the money is moved, Vail agrees.

Smith – two signatures can be used, thinks the money will not be moved more than once a month.

**AMENDED MOTION: Moccia/Vail to amend the last motion and approve the bank sweep account, however, allow for a first signature and a secondary signature to be required to move the money.**

**VOTE ON AMENDED MOTION: All aye.**

**VOTE ON MAIN MOTION: All aye.**

Council adds agenda item under Action Items: 8. Signatures for Sweep Account.

## **2. ALLEGED SUNSHINE LAW VIOLATION**

Mayor – there has been an alleged Sunshine violation between some members of the Park Board. In this quasi-judicial proceeding Council will look at evidence, hear testimony and make a decision. Two things need to be determined for a Sunshine violation: 1) two or more members of the same board had a discussion outside of a publicly announced meeting; 2) was the subject of that discussion something that was foreseeable to come before that board in the future?

The Mayor announced what order the proceedings would take place. First Mr. Withers will speak, then any members of the Park Board that would like to speak, then the Council will discuss and have the ability to call on members as desired.

Bill Withers – he wrote a letter to the Mayor and the Administrator with the subject being the Sunshine law and read this into the record (attached to the original minutes). To summarize: after the Park Board meeting on April 19, he was standing outside the Council Chamber door and witnessed Mr. Kemmler, Mr. Korn, and Mr. Rhodes discussing a public address system that was discussed previously at a Park Board meeting and was to be voted on in the future. He would like to make another statement later.

Hans Kemmler – reads a statement (attached to the original minutes) as to the events as he saw them (summarized): he has been the chairman of the Park and Rec Board since October 2003. A newspaper article was published and in it Bill Withers sought to discredit members of the Park Board. Withers accusations were malicious and made without any investigation of the circumstances, incorrect assumptions were made. If Withers had read the minutes of the Springfest Committee he would have known about the issue. After Withers wrote his letter to the Mayor and Administrator, the Park Board received a request by the Mayor to attend the next Council meeting for a refresher on the Sunshine law. The Park Board had no indication as to why they were there to have this refresher. At the June 5<sup>th</sup> Council meeting Kemmler learned of the alleged violation which he feels gives a presumption of guilt.

Kemmler went on to state the events as he saw them: He states that Withers is not on the Springfest Committee but he (Kemmler) is and during one of their meetings Brian Vail (who is also on the Springfest Committee) said he'd ask Dick Korn to borrow his (Korn's) PA system for the event. The idea of a PA for future events came up and was discussed and Cindi Kelley asked if Kemmler could ask the Park Board, during their next meeting, if they'd be interested in splitting the cost of a PA system with the Springfest Committee. And at that meeting (Park Board) Booth stated that the Town should own its own PA system. This item was discussed and left open, it was not tabled nor was it set as a future agenda item.

We tried to use Dick Korn's PA during the Springfest but could not, something was wrong and the sound was bad. Kemmler talked to the entertainment and the announcer

at Springfest and they said the Town should rent a system for events as opposed to installing a weather-proof system.

Kemmler did not include the PA system on the April 19<sup>th</sup> Park Board agenda due to having a reasonable solution (renting) for the Springfest Committee regarding a PA. At the beginning of the April 19<sup>th</sup> Park Board meeting Korn stated that he had the PA equipment prices he promised Kemmler but since it was not an agenda item it was not discussed during the meeting. When the meeting adjourned Korn said he had the prices. And since Kemmler did not want Korn to think his efforts were in vain, Kemmler listened to Korn in the parking lot. Since this was Gary Rhodes first meeting Rhodes stop to listen, he did not say one word.

Kemmler listened to Korn knowing that he (Kemmler) had already identified a better solution to the PA issue. There was no collaboration. If Bill Withers had doubts about something he could have said something on the spot, he did not. Instead he assumed that the system would be discussed again and accusations were made. In the newspaper article Withers says that they were discussing a PA system that would be voted on, Kemmler states that this is not true. Kemmler does not act out of the Sunshine.

Kemmler feels that since Council did not act the way Withers wanted Withers went to the newspaper and his negative views were published. The newspaper article said that Kemmler could not be reached. Kemmler states that he was on vacation in Tennessee. He thought this comment in the paper looked very bad.

One of the results of Withers article is the resignation of Gary Rhodes at a time when the Park Board was looking for new members. If the Council does not act the way Withers wants them to, Withers has said he will contact the State Attorney's office. Kemmler is concerned that the State Attorney will want information regarding this such as, was a quorum present, did collaboration take place? Was an agreement reached? Kemmler states that none of those things happened. Feels that if the Council does act the way Withers wants then a few more people will be leaving the Park Board.

Dick Korn – Weber Road, he did not like to see his name in the paper. When he lost his son a few years ago he was very humbled by the response of the Town, so much so that he wanted to do what he could for the Town. He has a background in recreation and he felt he could make a difference. He also has equipment that has been used for the Springfest like tents and the PA system. He just wanted to help out, anything he has the Town can use and he is sure that goes for other long-time volunteers in the Town. Korn is very upset because we have lost some very good volunteers when someone does not get his way. No one gets paid for volunteering from Board Members to the Eagle Corp. He is afraid of Withers, which is why he put an electronic lock on his gate.

In the newspaper article it says that Withers heard every word Korn said. If that is true then Withers should have heard Korn and then Withers would have concurred with what Kemmler has said tonight. No decisions were made; he just investigated some source and found some prices. When he began bringing it up during the Park Board meeting Withers made a motion for adjournment, it was seconded and the meeting was adjourned just when Korn had started to do what he had promised he would do (which was get pricing). No value judgments were put to the prices.

Korn feels that everyone does what Withers wants. He feels there is a shadow government in this Town and that Withers is part of it. Korn wants the Attorney General called and told about it. He insists that the State ethics commission investigate the Town. Korn feels he is being accused of a criminal activity in the newspaper article; the Council has no right to judge him.

Bill Withers – on June 18<sup>th</sup> he received a phone call at his residence and the caller threatened his property and himself. The term 'we' was constantly used. There exists

here a single question: did three members of the Park Board violate the Sunshine law? Did a gathering of two or members take place outside an unannounced meeting? That is the issue here; it is not that Council is afraid of him. The incident has nothing to do with an agenda or personal vendetta. If we don't follow the law then there is chaos. He is not sure what a shadow government is. This is Council's choice; he reported what he thought he heard. He is not over concerned with the threatening phone call.

Mayor – we will now have Council discussion.

Moccia – asks Deputy Clerk Cindi Kelley her opinion of what happened. Kelley – that the money for the PA would come 50% out of each budget, the Springfest and the Park Board. Then it was discussed that if half of the cost comes out of their budget that the Park Board may want input on the issue. Then at the April 21<sup>st</sup> meeting Kabana stated that it would be paid for out of the General Fund so after that date it would be a General Fund issue, not a Springfest or a Park Board issue.

Rivet – it sounds like a key point about the discussion of the pricing does not seem to be in dispute. He asks Bohne what he thinks.

Bohne – in response to Kemmler's statement Bohne states that a quorum does not have to be present for a Sunshine violation to take place. The issue is whether or not the PA system would come back before the Park Board for foreseeable action. Looking at the minutes he feels that since the general fund was going to pay for the PA that is probably can't come back before the Park Board.

Vail – he is also to blame because he left the Springfest committee with the idea that they were to make the decision.

Bohne – in his opinion there is only one action the Council has to determine: whether or not this would have come back before the Park Board for foreseeable action. The rest has been established. Vail – the impression he gave Kemmler and Korn was no, it would not. Vail was the one who asked Korn to get this info to Kemmler as an assistance to the Springfest committee, this was in January.

Dick Korn – prior to the April 19<sup>th</sup> meeting Korn was told to find out what he could about PA pricing but he was to give the info to the Springfest committee. Prior to the discussion he was told by Kemmler that the PA was a Springfest issue.

Dezman – she feels this makes us look like idiots. This is all, he said, she said. She is not a criminologist. Bohne – we are not here to determine if a crime has been committed. Only to determine if there was a violation of the Sunshine law. If there was the members should probably be dismissed. What we do here today will probably not affect what the State Attorney's office will or will not do. Discussion of Sunshine violations.

Moccia – does not want to be judge and jury on this issue. She did not intend to resolve this at the Council level. Discussion of who is responsible for this decision.

Eschenberg – feels this is part of the Council responsibility. Your only decision is whether or not to remove the members from the Park Board.

Hickson – he does not see this as a problem, there is not clear-cut evidence to state that this is positively a violation.

Rivet – he has reported a Sunshine violation and it came to naught. He does not feel the District Attorney has a real interest in pursuing Sunshine law violations.

Mayor – feels that there is a situation in Town that has to be resolved. Vail – agrees that a determination needs to be made.

Dezman – asks Korn why he feels the Town should be reported to the Attorney General. Korn – feels the State Ethics Commission should look at this entire Town, that there is something rotten here. Dezman – why? Korn – look at the fire department, look at the past two year's minutes, look at the Greenways Board. This problem goes beyond Dezman's term and he is not prepared to discuss this tonight.

**MOTION: Hickson/Vail this is ended here and no Sunshine law violation occurred.**

Rivet – it is obvious to him that at the very least some very poor judgment was exercised here, at the most there was a crime. But he feels that stating that nothing untoward happened is the incorrect thing to do. He is not sure a crime occurred but we should not say that nothing happened.

**RESTATED MOTION: Hickson/Vail no further action is to be pursued.**

Vail – were the board members given Sunshine information? Korn – it has not been given to us. It was promised to us two Council meetings ago. Hickson – they should be given that info when they are appointed.

Dezman – she does not feel a crime occurred but feels it should not be ignored. The punishment should fit the crime. She does not feel the Attorney General will prosecute this but she does not think it should be in Council's hands. Moccia – agrees.

Vail – feels that no further action should be taken and Sunshine should be reviewed again. He does not feel what they did was wrong. Dezman – but they have free will.

**VOTE: Aye – Hickson, Vail. Nay – Moccia, Rivet, Dezman.**

Mayor – this issue is not resolved.

**MOTION: Rivet/Moccia to refer this to the State Attorney's office.**

Rivet – wants someone who knows how to handle this to handle it.

Moccia – feels this should be handled by a trained professional who would know if there was a violation.

Mayor – asks Bohne how to proceed if going to the State Attorney's office. Bohne – someone has to file a sworn complaint with the Sheriff's office who will forward it to the State Attorney's office.

Rivet – he does not think that any of Council is ready to make a sworn statement, what we need is a legal determination.

Bohne – he can write and ask for an attorney general's opinion, but they may not answer it because there still is a factual dispute here: would this come back before the Park Board for foreseeable action?

In Bohne's opinion he does not think a violation occurred. It is as clear as mud as to whether or not this would come back before the board for foreseeable action. And in that situation how can you fault someone? His conservative advice is they should not have discussed this but based upon what he sees this is not a violation.

Rivet – **MOTION WITHDRAWN.**

**MOTION: Hickson/Vail that no Sunshine law violation existed in this case.**

**VOTE: Aye: Hickson, Vail, Rivet. Nay – Dezman, Moccia.**

Mayor – in the newspaper it stated that the Mayor asked the Attorney to admonish the Park Board, Eschenberg states that this is absolutely untrue. He asked the Attorney to review the Sunshine law. He feels the worst thing that happened in this situation was the article in the newspaper. He tried to handle this in such a way that this would progress the way it was handled tonight so that the paper could accurately report what the Council decision was. It is very unfortunate that this got into the paper and he hated to see that.

Vail – would like to know if Council would like Mr. Rhodes to return.

Moccia – feels every Board Member should receive a Sunshine pamphlet when they begin.

Vail – we should get a signature as receipt. Bohne – has a two page Sunshine memo that he will forward to the Town.

Richard Cameron – he was also accused of violating the Sunshine law. He suggests verbal instruction would be better than just handing out paperwork.

**3. SCHEDULE JULY COUNCIL MEETING**

The July 3<sup>rd</sup> meeting is cancelled. The only Council meeting in July will be on July 17<sup>th</sup>.

**4. VOTING DELEGATE FOR AUGUST LEAGUE CONVENTION**

Dezman is not attending. Moccia is not going. Rivet is not going.

**MOTION: Hickson/Rivet the Mayor is the voting delegate.**

**5. ORDINANCE 2006-09, FIRST READING BOARD MEMBER SEATS**

**MOTION: Hickson/Rivet to read by title only. VOTE: All aye.** Mayor read:

ORDINANCE NO. 2006-09

AN ORDINANCE OF THE TOWN OF MALABAR, BREVARD COUNTY, FLORIDA, AMENDING ARTICLE XII OF THE MALABAR LAND DEVELOPMENT CODE; AMENDING SECTION 1.12.2 RELATING TO THE ESTABLISHMENT, COMPOSITION AND TERMS OF THE BOARD OF ADJUSTMENT; AMENDING SECTION 1.12.3 RELATING TO THE ESTABLISHMENT, COMPOSITION AND TERMS OF THE PLANNING AND ZONING BOARD; AMENDING CHAPTER TWO ARTICLE VIII DIVISION 2 OF THE MALABAR CODE OF ORDINANCES RELATING TO THE PARKS AND RECREATION BOARD; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

**MOTION: Moccia/Rivet to approve.**

Mayor – this was reviewed at the last meeting.

Dezman – why are there not term limits for Boards? Mayor – they are limited every time they come up for reappointment. Vail – the Council chooses to keep someone or not. Mayor – term limits for Council Members are in the Charter.

**VOTE: Aye - Hickson, Vail, Rivet, Moccia, Dezman.**

**6. SELECTION OF THE AUDITOR REVIEW SELECTION COMMITTEE MEMBERS**

Kabana – when she was doing research for the request for proposal she came across a new Florida Statute requiring an Audit Selection Committee for local governments. We are required to follow the Statute but this is a moot point for Malabar because we are a Strong Council form of government and Council would be working from a recommendation anyway. Kabana suggests appointing the Mayor, the Administrator and herself to the committee.

Moccia – asks if this is similar to what we did last time? Kabana – yes.

Hickson – is this a sunshine committee? Bohne – yes.

Dezman – is a letter being sent to the committee members? Hickson – they are all here now.

Hickson – asks if any other Council member wants to be on the committee

**MOTION: Hickson/Dezman to appoint Town Administrator, the Clerk/Treasurer and the Mayor to the Audit Selection Committee. VOTE: All aye.**

**7. LAW ENFORCEMENT PROTECTION STRAW VOTE ITEM(S) FOR NOVEMBER BALLOT**

Booth – this should be done with a non-binding referendum. States that if one of the questions refers to 'keeping it as it is' then Council needs to realize they are still responsible for the security and safety of the community. He does not believe the Sheriff will give Malabar the same police protection as a police department. The Sheriff himself said that even if the MSTU is paid there will be no additional police protection.

Mayor – asks if Booth could give a reasonable cost-per-homeowner dollar amount based on valuation of property? Booth – he can do that for the Sheriff's Department but he does not know how to raise the funds for a police department. Eschenberg – can you bond a police department? Bohne – he does not think so. Booth – feels the start-up

costs are pretty small, he can lease equipment. Mayor – he feels that people really have to understand what it costs before making an intelligent decision. Dezman – she does not know if giving a specific dollar value makes them understand exactly what the cost is. If it ends up costing more, then the public would be asking why we gave them a lower dollar amount. Vail – we could give an estimated cost. Discussion. Vail – we are going to pay one way or another.

Dezman – we need to ask one question with a yes or no answer.

Moccia – this was voted down four years ago, feels Council will have to be creative on this one.

Rivet – there are two realistic options. Our own police department or the Sheriff. We need to look at the cost over the next ten years. Vail – startup costs will only increase over the next ten years.

Rivet – his question would be: Would you rather pay the MSTU or would you rather have our own police department? Those are our viable options. Eschenberg – we know that but it may not hold true for the rest of the citizens. Dezman – the Council is on the hook here, a decision must be made and those are our only two options, she agrees with Rivet. Rivet – until they are a victim of crime, most people here think that police protection is fine. If we are going to wait until a majority of people are victims of crime then that is too late to make a decision.

**MOTION: Rivet/Dezman that the non-binding resolution will be: Will you choose A or B, A is Malabar funds its own police department or B pay the MSTU.**

Mayor – what about a cost summary? Rivet – he would like to see a 10 year cost summary: how much for a MSTU and how much for a police department. We have to make this simple and make the calculations available for anyone who would want to see them before the vote, but the ballot will have to be something very simple that they can read in less than a minute.

Booth – at the July 17<sup>th</sup> Council meeting there will be a briefing from the West Melbourne police chief and the information will be in that briefing as well as the last briefing.

Vail – wants something preceding it like ‘due to expanded growth’.

Moccia – wants an article in the Mailboat. Kabana – we will have an issue before the election. Mayor – wants a long article for the Mailboat and he stated that any Council member can write an article for the Mailboat.

**VOTE: All aye.**

## **8. SIGNATURES FOR SWEEP ACCOUNT**

Moccia – wants the Treasurer to be one signature. Mayor – suggests using two signatures, the Clerk/Treasurer and either of two other people. Discussion of who should be the signers.

**MOTION: Hickson/Dezman Treasurer and the Mayor or any other Council member in order of Mayor, Vice-Chair and then the remaining Council members by order of ascending district order. VOTE: All aye.**

## **REPORTS: MAYOR, COUNCIL**

- Vail – would like to see the support of Council when calling Gary Rhodes. Mayor – feels Vail has Council's support.

- Vail – Wither's claims that he (Vail) stacks the boards, you can call it what you want but Vail will continue to ask people support the community.

- Moccia – a lifelong member of this community recently died. Her family has pictures of this Town from conception. She would like to hang a picture of that first church here in Town Hall. She would like to grab a piece of the church which is being remodeled and possibly frame the picture with a window frame. Eschenberg – Anna Jassa was 99



years old, she would have been 100 in July. She moved here when she was 7. Booth – will contact the Mayor's wife to get info.

- Hickson – appreciated Dr. McClure's email regarding the Valkaria Airport Board and wants a thank you sent to him.

- Rivet – a creek is being filled in that crosses Hall Road at Duncil. There is a problem at 2024 Duncil Lane.

- Rivet – has not received a Form 1. Kabana – will send him one.

- Dezman – Chris O'Hara from the EEL's has asked her to be on an EEL's advisory committee. She cannot do it. Rivet – he can. Dezman – will send out emails.

- Dezman – needs a letter from the Town.

- Booth – Gentile has not answered any code enforcement letters.

- Mayor – there was another death in Town last week. Jim O'Neil lived across the street from Mayor Eschenberg; Mr. O'Neil was 49 years old.

#### **PUBLIC COMMENTS: GENERAL ITEMS**

- Withers – on March 20<sup>th</sup> Dezman brought up the issue of the guy who parks trucks just south of Malabar Road. He'd like to know why he is still there. Booth – it needs to go to the Special Master.

- Mrs. Julianna Hirsch – asks where the ditch is filled in and will it affect her. Rivet – behind the house on the west side of Duncil Lane.

Hirsch – the people who have the cars in their lots, maybe they cannot afford to move the cars. Feels we may need to address the approach of our Town.

Hirsch – wonders if the Town really needs the police, she does not feel more police will make for less crime.

#### **ADJOURNMENT**

**MOTION: Dezman/Rivet to adjourn. VOTE: All aye.**

The meeting adjourned at 9:58 p.m.

BY:

Thomas Eschenberg

Mayor Thomas Eschenberg, Chairman

ATTEST:

Susan Kabana

Susan Kabana, MMC  
Town Clerk/Treasurer

DATE: 07/17/06