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APPROVED
TOWN OF PELHAM
BOARD OF SELECTMEN - MEETING MINUTES
September 3, 2019
APPROVED – September 10, 2019

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CALL TO ORDER - approximately 6:30PM

PRESENT: Mr. William McDevitt, Mr. Doug Viger, Mr. Hal Lynde, Ms. Heather Forde,
Mr. Kevin Cote, Town Administrator Brian McCarthy

ABSENT: None

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PLEDGE OF ALLEGIANCE

MINUTES REVIEW:

August 27, 2019:

MOTION: (Cote/Forde) To approve the August 27, 2019 meeting minutes as amended.

VOTE: (5-0-0) The motion carried.

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OPEN FORUM:

No one came forward.

APPOINTMENT(S):

Staci DiRocco – regarding an accessible neighborhood for kids with mobility or sensory challenges for trick-or-treat during Halloween

Ms. Forde invited Ms. DiRocco to the meeting because they were going to re-approach the community at large to see if there was anyone that would volunteer their neighborhood to have a modified Halloween evening. Ms. DiRocco discussed her experience last Halloween. She explained her son has Muscular Dystrophy and was unable to walk up and down stairs; some of the people handing out candy didn't want to walk down their stairs to him. She said she came up with the idea of having one neighborhood sit at the end of their driveways to make Halloween accessible for those children unable to climb stairs.

Ms. Forde stated shortly after discussing the topic (during a Selectmen's meeting last fall) a woman contacted her to inform her neighborhood (Blueberry Circle) would be ideal. She brought the idea forward during the Pelham Economic Development Council meeting and stated they were 'on board' and willing to donate candy, host a table etc. She wanted to put a request out to the community at large for donated candy, resources, time or anything else. She noted the need may be greater than the supply; so, it may be a good idea to find additional neighborhoods in Town. She will be reaching out to the person who runs the support group for parents with children that have special needs. Ms. Forde told the Board that she and Ms. DiRocco were working on getting information out to the public.

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Mr. Viger asked if they had reached out to Pelham Terrace or other senior community living facilities. Ms. Forde replied she would do so. Mr. Cote commented that the Crossroads Church held an annual event called Trunk or Treat and suggested coordinating with the senior development next to Rite Aid. Ms. Forde stated they wanted to stress that the children deserved to have a Halloween that participated with their peers.

Interested citizens should contact Ms. Forde at: hforde@pelhamweb.com

Ms. Forde informed the Muscular Dystrophy Muscle Walk is coming up on September 22, 2019. She would love to see more participation from the community.

Road Agent Frank Ferreira – plowing private roads

Mr. Ferreira came forward to follow up with a previously discussion regarding plowing private roads. There are 20 roads within developments (not yet accepted by the Town) and 15 private roads near ponds. He said plowing these roads ties the departments up which results in people complaining that the department is lagging. He said they had increased the price (to \$6,000) for sand/salt/plowing; however, that price covered the work performed during a storm and didn't include the multiple times they returned to the neighborhood for such things as sanding, salting, removing snow drifts etc. He commented it was difficult to charge for the extra work they were doing. He said the Town was paying for the extra work to be done out of the Highway Department's budget even though the money they received for the initial plowing etc. went back into the General Fund. He stated there were a few neighborhoods that they returned to multiple times (sometimes three times per day) because of snow drifts. Mr. Ferreira recommended the Town stop plowing both the pond and development roads.

Mr. Lynde felt the roads within a development should be taken care of by the developer. He commented that the other roads (pond roads) should meet a certain standard before the Town takes care of them. He said the Town shouldn't jeopardize their trucks if the roads couldn't meet the standard.

Mr. Viger believed at the very least a budget line item should be created for the cost of the roads that included a note indicating it was offset by revenues. This way people would understand the roads had an associated cost within the department's budget.

Mr. McDevitt recalled years ago the Town stopped plowing the pond roads, but they had started again. At that time, they received feedback informing it was too late in the season to tell people the Town wasn't going to plow the roads because a lot of residents left the area for the winter. He heard what was being said about the impact to the community but felt the timing was wrong. He questioned if the Planning Board would submit roads to be considered as Town roads. Planning Director Jeff Gowan came forward. He informed there would be a couple roads submitted for consideration. Mr. McDevitt pointed out that an additional employee had been added to the highway staff. He added if a developer was responsible for plowing, they would pay someone to return multiple times to maintain the road. He questioned if the Town was charging the right amount of money. Mr. Ferreira stated the amount was previously \$4,300 per mile and within the last 2-3 years that amount was increased to \$6,000 per mile. He told the Board he could review numbers from the whole winter (this year) and see if the per mile costs had changed during the last few years.

Mr. Viger proposed the budget include a line items for sanding and snow removal of private roads for \$30,000 to be offset by revenues. He said they could also include a revenue line item that directly corresponded with what was spent. He pointed out the revenues were currently put directly into the general fund.

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Mr. Lynde stated the Town should be charging what it cost. He pointed out there was also an inconvenience because resources were being diverted to the roads. In the event of a bad winter, he inquired how they would collect overspent money. Mr. Viger said they don't. Mr. Lynde felt the road within a development should be taken care of by the developer. Mr. Viger agreed that they should, but felt September was late to tell people they would be responsible for securing winter plowing and sanding needs. Mr. Ferreira replied he could come back to the Board for a discussion in April.

Mr. Cote questioned how the Town started plowing private roads. Mr. McDevitt stated there were two different groups of private roads. The Town charges residents on the pond roads; if they don't pay the roads won't be done. Mr. Cote didn't think they were paying what they should be. Mr. Ferreira recently updated the cost by reviewing the Town as a whole and breaking the numbers down to an average cost per mile. Mr. Cote questioned how a private bid would be compared to what the Town was charging. Mr. Ferreira replied the outside bid would probably be three times the Town's cost.

Mr. McCarthy recalled Mr. Ferreira informing he had a hard time finding plow drivers, which encouraged the Town to increase the wages to be competitive. Mr. Ferreira noted the State was also having a hard time finding trucks. Mr. McCarthy asked if the department would need less plows if they weren't plowing the additional roads. Mr. Ferreira believed he could do away with two of the hired trucks. Based off the price provided to the Board, Mr. Viger stated it cost \$30,000 to plow the roads.

Mr. McDevitt said he could support not plowing the 'development' roads but felt the Town should continue plowing the pond roads until perhaps next spring, at which time they could reconsider doing so. He said at that time they could send letters to residents letting them know the Town wouldn't be plowing. He stated it was incumbent on the Town to inform the developer and residents that the Town wouldn't be plowing.

Mr. McCarthy pointed out that Mr. Ferreira and Planning Director Jeff Gowan had been working with developers to review roads and take measures to eliminate situations with snowdrifts, icing etc. before the Town accepts them. Mr. McDevitt felt it would be good to review the possibility of adding criteria to site plans with stipulations for road acceptance.

Mr. McDevitt asked if the Board wanted to make a motion to stop plowing private roads (as recommended by the Highway Agent).

Mr. Cote made a motion to stop plowing all private roads in Town effective this year. He felt plowing them set a bad precedent. Mr. Lynde seconded for discussion. He was unsure about including the pond roads. Mr. Cote replied the pond roads were the worst roads because they caused the most damage to the Town's equipment. He didn't think it was right for the Town to plow roads at a discounted price; if it was put out to bid there would be a big increase for plowing those roads.

Ms. Forde understood the liability but worried about stopping this year because of the short notice. She suggested looking at an assessment closer to a fair market rate this year and cancel plowing next year. Mr. Cote didn't think giving a three-month notice was unreasonable to find plow vehicles.

MOTION: (Cote/Lynde) To stop plowing all private roads in Town effective this year.

VOTE: (1-4-0) The motion failed. Mr. Cote voted in favor.

141

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142 Mr. Lynde made a motion to stop plowing roads in active developments and to keep plowing pond
143 roads. The Board will look at informing residents on private pond roads that plowing would discontinue
144 next year (action considered by subsequent Select Board).

145

146 With no second to the motion, Mr. Viger commented that the Town had created a level of expectation
147 for the roads being plowed during the past 20-25 years. He felt abandoning them with three months'
148 notice was premature. He believed they should come up with a plan including an accurate expenditure
149 or provide a year's notice of discontinuation for sanding/plowing.

150

151 Mr. McCarthy asked if the Board would consider providing a year's notice at this time. Mr. Cote asked
152 how long the roads had been plowed by the Town. Mr. McDevitt replied they were plowed for a long
153 time. Mr. Cote asked if discontinuing would cause a legal issue. Mr. McCarthy answered no. Mr.
154 McDevitt stated he represented the residents and believed they expected him to speak for them. He
155 was concerned that the residents needed longer notice because some of them leave the area for the
156 fall/winter months, which would create a problem for the pond associations to collect for winter
157 maintenance. In the event some don't pay the remaining residents would have to pay double or triple
158 to cover their neighbor's expense. Mr. McDevitt said it made sense to stop, but not suddenly with little
159 notice for the people living on pond roads. He had less concern for the development roads because
160 developers had trucks/plows etc. and should be able to maintain their roads.

161

162 Mr. Cote asked if the residents on the pond roads paid a lower tax rate than the rest of the Town. Mr.
163 McDevitt stated the rate was the same for everyone; however, waterfront property had greater market
164 value.

165

166 Mr. Lynde's motion was still on the floor. No second was offered. Mr. Lynde felt reviewing the private
167 roads prior to agreeing to maintain should be part of the process. Mr. McDevitt believed the Road
168 Agent, or their designee, reviewed roads to ensure they are plowable. He said the Town wasn't going
169 to accept the responsibility of maintaining equipment because a private road isn't properly maintained.
170 Mr. Ferreira stated he wasn't trying to 'ambush' anyone; he had no issue with however the Board
171 decided to vote.

172

173 With no motion passing, Mr. McDevitt stated the Board didn't make a decision regarding the request
174 in connection with plowing private roads. Mr. Ferreira asked if he should come back to the Board in
175 the spring. Mr. McDevitt answered yes. He pointed out there were Board members who expressed
176 concerns that the Town was charging what should be charged. Mr. McCarthy was asked to work with
177 Mr. Ferreira to ensure the Town was charging the right amount of money.

178

179 Mr. Ferreira asked to discuss granite mailbox posts within the new developments. He said posts were
180 being placed on Town property and not the right-of-way. Mr. McCarthy questioned if owners could be
181 compelled to move the mailbox posts prior to the Town accepting the roads so they weren't a hazard
182 to plowing. Mr. Gowan understood that mailboxes couldn't be placed on private lots or the Post Office
183 wouldn't deliver the mail. He said they would review posts that were particularly close to the road.
184 Mr. Ferreira stated the rules were contained within the Mailbox Policy. Mr. McCarthy believed the
185 Highway Safety Committee should review. Mr. Ferreira told the Board he would also like to discuss
186 the problem with residents pushing snow in and across the road; there is a policy not being enforced.
187 Mr. McCarthy stated the Town could do some public service announcements on the website, social
188 media, etc. to remind people they can't push snow into the roadway. He said if there's an issue the
189 Town could take action.

190

191 **Parks & Recreation Director Brian Johnson – repairs to Lyons Park basketball courts**

192

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193 Mr. Johnson explained over the years the basketball courts were developing cracks. They've tried using
194 sealant but each year the cracks get bigger. He said with the Board's permission he sent out an RFP
195 for basketball repairs and received two bids. He vetted both vendors and found that the processes and
196 warranties were essentially the same; therefore, he recommended the lowest bid of \$19,500 from East
197 Coast Seal Coating. The funding will be paid out of the revolving fund (from program fees).
198

MOTION: (Viger/Cote) To award a contract to East Coast Seal Coating as represented in their
quote not to exceed the amount of \$19,500 to be paid out of the 80's Fund.

VOTE: (5-0-0) The motion carried.

199
200 Mr. Lynde reviewed the information from the bidders which looks similar. He confirmed they would
201 both cover the same area. Mr. Johnson said their label name for the work was different, but the work
202 itself was the same process. With the information package a photograph depicting the courts was
203 included.
204

205 **2020 BUDGET VOTE**

206
207 Mr. McDevitt asked how the Board wanted to proceed with their vote. Mr. Viger made a motion that
208 the figure proposed in each budget would be the number on the floor unless the Board made a separate
209 motion to amend such.
210

MOTION: (Viger/Forde) The budget figure presented (during the current meeting) will be the
budget considered unless it is amended.

VOTE: (5-0-0) The motion carried.

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212
213 *Assessor –*
214 2020 Request: \$205,848 approved by the Selectmen.
215

216 *Budget Committee –*
217 2020 Request: \$1 approved by the Selectmen
218

219 *Cable –*
220 2020 Request: \$141,337
221

222 Cable Coordinator Jim Greenwood came forward to inform the Board it came to his attention that the
223 production assistant falls under the Support Staff agreement. He said it was written in the contract that
224 their salary was included on the salary chart. They were notified that the salary must be increased
225 forthwith to \$20.47/hour. Next year's budget will have that figure as the salary for the first thirteen
226 weeks of the year; after which the salary will increase to \$21.14 for the remaining thirty-nine weeks.
227

228 Mr. McDevitt considered the information a friendly amendment to the budget. The new figure of
229 \$144,480 was considered the number on the floor.
230

231 Mr. Viger confirmed that the position would now be considered union. Mr. Greenwood replied it
232 always has been a support staff position; the employee has recommitted themselves.
233

234 The new 2020 request: \$144,480 approved by the Selectmen
235

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236 *Cemetery – (Independently elected body; the Selectmen don't vote regarding their budget)*
237 2020 Request: \$152,943

238
239 *Conservation Commission –*
240 2020 Request: \$5,989 approved by the Selectmen

241
242 *Debt Service Interest –*
243 2020 Request: \$96,999 approved by the Selectmen

244
245 *Debt Service Principle –*
246 2020 Request: \$649,037 approved by the Selectmen

247
248 *Elections –*
249 2020 Request: \$30,779 approved by the Selectmen

250
251 *Emergency Management –*
252 2020 Request: \$8,644 approved by the Selectmen

253
254 *Fire Department –*
255 2020 Request: \$2,401,014

256
257 Priority supplemental requests: 1) Replace Engine 1 - \$630,000, and 2) hydraulic rescue tools on
258 pumper truck \$45,000.

259
260 Mr. McCarthy informed the 10-year lease figure (rate of 2.89%) is \$73,440 (each year) to replace
261 Engine 1.

262
263 Mr. Viger proposed in a motion they include Engine 1 as a warrant article with the lease terms. He also
264 proposed to add \$45,000 into this year's budget (2019) for the hydraulic tools. Mr. Cote asked if it had
265 to be a warrant article. Mr. Viger said with police vehicles, the Town had established the level of
266 service and the voters had approved to lease them year after year. However, he didn't feel that they had
267 created the same level of service and vehicle replacement through the Fire Department, therefore, they
268 couldn't commit 'future dollars' beyond one Town Meeting. He believed unless they were going to
269 place \$630,000 into one year's budget, it had to be a warrant article. Mr. McDevitt understood there
270 was a rule that they couldn't encumber money in a lease without voter approval. In the past he believed
271 they could lease as long as there was a non-appropriations clause, but he's learned that Town Counsel
272 advises they can't do it.

273
274 Mr. McCarthy wanted to know if the \$45,000 for hydraulic tools could be entered into the budget during
275 Deliberative Session if the department didn't have the surplus at the end of the year. Mr. Viger said
276 they could do so. He noted they needed to also be mindful of the portable radio request at that time as
277 well.

278
MOTION: (Viger/Lynde) To place Engine 1 with lease terms (as defined by Mr. McCarthy) in
a warrant article for the (total) amount of \$630,000.

VOTE: (5-0-0) The motion carried.

279
280 Mr. McDevitt noted the article wording would be discussed at a later meeting.

281
282 2020 Request: \$2,401,014 approved by the Selectmen.

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283

284 *Health Officer –*

285 2020 Request: \$45,766 approved by the Selectmen.

286

287 Mr. Lynde stepped away.

288

289 *Health Services –*

290 2020 Request: \$73,500 approved by the Selectmen.

291

292 *Highway –*

293 2020 Request: \$1,619,328

294

295 Mr. Viger proposed adding (under 690 Specials) snow/plowing/sanding of private roads in the amount
296 of \$30,000 with an asterisk that reads ** to be offset by revenues (with the list of private roads provided*
297 *to Selectmen)*. He was trying to establish an expenditure versus revenue for the private roads which
298 had been coming out of the budget. He wanted to see the expenditures offset by revenues so they could
299 see what is really spent compared to what was taken in. He felt they would be able to track it over the
300 next year.

301

MOTION: (Viger/Cote) To add under line 690 Specials – snow/plowing/sanding of private roads in the amount of \$30,000 with an asterisk that reads ** to be offset by revenues from private roads (per list provided to Selectmen)*. This will bring the 2020 Request to \$1,696,756.

VOTE: (4-0-0) The motion carried. (Mr. Lynde had stepped away)

302

303 *Human Services –*

304 2020 Request: \$93,040 approved by the Selectmen.

305

306 Mr. Lynde returned.

307

308 *Insurance –*

309 2020 Request: \$2,579,929 (placeholder) approved by the Selectmen.

310

311 *Legal –*

312 2020 Request: \$95,000 approved by the Selectmen.

313

314 *Library – (Independently elected body; the Selectmen don't vote regarding their budget)*

315 2020 Request: \$521,696

316

317 *Parks & Recreation –*

318 2020 Request: \$259,971 approved by the Selectmen.

319

320 Priority supplemental request: 1) increase of \$1/hour for lifeguard salary, 2) \$600 for two porta-toilets
321 at the back of Muldoon Park (\$60/month for ten months) already included in the proposed budget figure.

322

323 *Planning Department –*

324 2020 Request: \$445,108

325

326 Mr. McDevitt recalled they had discussed adding an employee for the MS4 stormwater program and
327 asked if there was a strategy for it. Mr. McCarthy stated they could leave the budget as presented or

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328 include a placeholder salary figure. He said they were going to need the position. Mr. Viger suggested
329 adding the position as a placeholder and then create a job description and add the salary when the budget
330 went to the Budget Committee. The specifics of the position have not yet been determined. Mr. Cote
331 asked if there was a salary range. Planning Director Jeff Gowan told the Board the Board he created a
332 draft job description and came up with a title for the position. He was grateful the Board was
333 considering adding a staff person. The Board discussed the position.
334

335 Mr. McDevitt felt the Board would be better off voting the number on the floor until further details
336 could be determined. Mr. Gowan noted the Budget Committee would be reviewing the Planning
337 Department budget on September 19, 2019.
338

339 Mr. McCarthy believed the position would need to be full-time. Currently Mr. Gowan is doing the lion
340 share of work and would increasingly have impacts on his current job duties. He pointed out that the
341 position would work with both the Planning and Highway departments; it would be a very involved/in-
342 depth position. He said if the salary exceeded the Budget Committee specifications (he believed was
343 \$87,000) the position would need to be a warrant article. If the salary was less, they could include the
344 position in the operating budget. Mr. McDevitt said they didn't need a person to 'hit the ground' with
345 all the knowledge. He said the Board understood it was a work in progress and they would resolve a
346 number and position soon.
347

348 2020 Request: \$445,108 approved by the Selectmen.
349

350 *Police Department –*

351 2020 Request: \$3,195,795
352

353 Priority supplemental request: Implementation of body-worn camera program. 20 body cameras and 9
354 panoramic dash cameras (\$97,820), cloud-based server hosting (\$16,000), video clerk (20 hours per
355 week) (\$22,500). Mr. Viger proposed adding the items into the budget under the appropriate category
356 and made a motion for such.
357

358 Mr. Cote questioned if the body cameras would be a warrant article. Mr. Viger said part of the request
359 was to upgrade existing dash cameras, so he didn't suggest a warrant article.
360

361 Ms. Forde was concerned about the bottom-line figure and questioned if the requests were all top-grade
362 priorities. Chief Joseph Roark came forward. He stated it was his only supplemental budget request.
363 He said it wasn't a mandatory piece of equipment but felt there was a societal/contemporary
364 expectation. He understood there were priorities but was advocating for his department.
365

MOTION: (Viger/Cote) To include \$136,320 to the bottom-line number in the categories of
new equipment for \$97,820 (20 body cameras & 9 panoramic dash cameras), annual
software upgrades (or appropriate line) (cloud-based server for hosting) for \$16,000
and video clerk under salaries for \$22,500. The updated Police Department budget
is \$3,332,115.

VOTE: (5-0-0) The motion carried.

366

367 Mr. Viger explained what helped him make a decision was the fact that nine of the existing dash
368 cameras were going to be upgraded that would have otherwise reached their 'end of life' for a cost of
369 approximately \$45,000.
370

371 *Retirement –*

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372 2020 Request: \$1,870,081 approved by the Selectmen.

373

374 *Selectmen –*

375 2020 Request: \$518,920 approved by the Selectmen

376

377 *Hobbs Community Center (Senior Center) –*

378 2020 Request: \$144,630 approved by the Selectmen

379

380 There was no discussion regarding the priority supplemental request items.

381

382 *Technology –*

383 2020 Request: \$151,912 approved by the Selectmen

384

385 *Town Buildings –*

386 2020 Request: \$649,758 approved by the Selectmen

387

388 *Town Celebrations –*

389 2020 Request: \$9,260 approved by the Selectmen

390

391 *Town Clerk / Tax Collector –*

392 2020 Request: \$262,961 approved by the Selectmen

393

394 *Transfer Station –*

395 2020 Request: \$856,591 approved by the Selectmen by (4-1-0) vote; Mr. McDevitt voted in opposition.

396

397 Mr. Viger asked if the priority supplemental request of increasing the Administrative Assistant's hours
398 from 32-hours to 40-hours was included in the budget. He asked if the operator position was also
399 added. It was clarified that one additional full-time operator position was included in the Highway
400 Department's budget. Mr. McDevitt stated he wouldn't support the additional hours because the
401 number of people that would go to the Highway/Transfer building would be few and far between.

402

403 *Treasurer –*

404 2020 Request: \$15,249 approved by the Selectmen.

405

406 *Trust Funds –*

407 2020 Request: \$150 approved by the Selectmen.

408

409 The new 2020 Town Operational Budget is \$17,319,163, which represents an increase of \$973,295
410 (5.95%). The default figure will be reviewed once the Budget Committee votes the final figure.

411

412 **Japanese Knotweed**

413

414 Mr. McDevitt included the agenda item because the Board had previous discussions but had not given
415 approval to the Highway Department to mow it down, cover it with black plastic and further cover it
416 with mulch. There was no objection.

417

418 **Discussion – reimbursement by New Hampshire Department of Transportation**

419

420 Mr. McDevitt stated the Board received a request from Planning Director Jeff Gowan to advise the
421 proper way to handle checks received from the New Hampshire Department of Transportation ('DOT').
422 He explained the DOT will reimburse 60% of what the Town paid VHB Engineering firm for their

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423 engineering services relative to the Sherburne Road/Mammoth Road/Marsh Road roundabout project.
424 Mr. Lynde stated it would go into the general fund. He believed Town Counsel agrees. Mr. McCarthy
425 noted the Treasurer submitted comments that have been forwarded to Town Counsel for opinion.

426

427 **TOWN ADMINISTRATOR / SELECTMEN REPORTS**

428

429 Mr. Lynde reviewed the budget report and felt it looked healthy and in good shape from a budget point
430 of view.

431

432 Mr. Cote informed that the Pelham Youth Council would begin and meet once per month. The council
433 will consist of seven students. He said it would be a way for youth to be active in the government.
434 Applications will be available within the next two weeks.

435

436 **ADJOURNMENT**

437

MOTION: (Viger/Cote) To adjourn the meeting.

VOTE: (5-0-0) The motion carried.

438

439 The meeting was adjourned at approximately 8:14pm.

440

441

Respectfully submitted,

442

Charity A. Landry

443

Recording Secretary

444