

## **Board of Selectmen**

**May 12, 2010**

**Present:** Mark P. Duffy, Vice-Chair; Peter M. Kasprzyk; Robin L. Frost, Town Administrator; and Toni Bodah, Secretary.

Also present were: Wendy Johnson and Dave Smith, NH DOT; Tom Dunn, LGC; Stan Wilk; Dick & Margaret Wessell; Police Chief Ken Fifield; David Mankus; John Ciardi; Jerry O'Connor; Dick Peckham; Mark LaRoche; Kim Mendell; Arthur Capello; Carlene Stewart; and Pam Judge

The posted meeting was called to order at 7 p.m. by Mr. Duffy, who led those present in the Pledge of Allegiance.

**1. Public Hearing re: Proposed Invasive Species Fund Expenditure** – Mr. Duffy opened the public hearing. Mr. Peckham was present as a representative of the Lovell Lake Association. He stated that the Lake Host Program is the first line of defense against the spread of milfoil. Mr. Peckham believes it is a benefit to all taxpayers to keep the lakes in good shape.

Mr. Wessell understands the concern for the lakes. However, there are seven other lakes in this town. If we give \$2500 to one, we have to give it to all. Mr. Wessell stressed the need to rely on volunteerism, noting that it would not be difficult to get 4 people to donate 2 hours a day, 7 days a week. He stated that Great East Lake has a strong weed-watching program, staffed by volunteers. If paid help is needed, the funds come from association funds. Mr. Wessell noted that the Invasive Species Fund should cover the cost of eradication, but just to pay for an intern does not seem reasonable to him.

Mr. Duffy referred to the Lovell Lake boat access being a busy site. Great East Lake also has public access; however, that is a border lake. Other lakes have requested (and received) funding from the Invasive Species Fund. Mr. Peckham stated that over the past 2 years the Host Program has stopped 8 boats going in. He advised that the launch area is staffed with both volunteers and paid interns, who are not paid much money. Mr. Peckham estimated that volunteers staff the site about half the time. The State reduced its expenditure to the Lovell Lake Association this year, and the Association pays for the remainder of the program. Mr. Peckham added that Lovell Lake does have weed-watching volunteers patrolling the lake twice per month.

Ms. Frost advised Mr. Wessell that the Invasive Species Fund has a current balance of \$46,000-\$47,000. Mr. Kasprzyk noted that the Lovell Lake access is very popular, perhaps due to the limited access on other lakes. He believes an ounce of prevention to be worthwhile, adding that if the requested expenditure were for eradication, the request would be for \$25,000 rather than \$2,500. Mr. Kasprzyk noted that this program gives the youth of the community an opportunity to make a little money, while it helps prevent the decline of the lake. Mr. Wessell agrees it is a good cause; however, there is a limited amount of money to cover all the lakes.

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He referred to access to Pine River Pond on Lord Road and, possibly, Flynn Road. Mr. Wessell does not object to fighting milfoil, but he also believes in volunteerism.

Mr. Kasprzyk referred to several inter-state lakes. He noted that Belleau Lake has spent considerable funds in its effort to eradicate milfoil. Mr. Wessell stated that Great East Lake caught milfoil in its incipient stage. He added that we cannot watch everyone 100% of the time, noting that all the lakes will face this issue eventually. He is not opposed to the request; however, if a lake does have an infestation, it will cost much money. Mr. Duffy noted that if other lake associations made similar requests, he would personally support it. No funds have been appropriated for this CRF for the past several years, although expenditures have been made as the result of several requests.

Mr. Ciardi has been volunteering for the lake host program at the Great East ramp for 3 years. He has never found a single case of infestation. Although this is a positive effort, all ramps are unattended for many hours. Mr. Kasprzyk noted that the several cases caught by the Lovell Lake Host Program could have cost the Town thousands of dollars. He added that perhaps seeing the spotters on site reminds the boaters to keep their boats and trailers clean. Mr. Kasprzyk noted this program provides education and pay for the youth of the community, and he believes this request worthy of funding. Mr. Duffy agrees. However, as a member of the Lovell Lake Association, he does not feel it appropriate for him to vote on this issue. The public hearing was closed at 7:15 p.m., and the vote on the request was tabled until the May 26 meeting.

Mr. Duffy referred to this being Ms. Frost's last meeting as Town Administrator for the Town of Wakefield. He thanked Ms. Frost for her service over the past 7 years and presented her with a plaque on behalf of the Town.

## **2. Appointments**

**a) Dave Smith and Wendy Johnson, NH DOT** – Mr. Smith referred to the recent improvements made by NH DOT to Route 16 in Wakefield over the past several years, as part of the Federal Resurfacing Program. The goal of this program is to address pavements before the conditions deteriorate further and require more extensive and costly treatments. Ms. Johnson provided an overview of the project, including previous work done at the Gage Hill Road and Governors Road intersections. This summer's work includes the Wilson Road and Long Ridge Road intersections and is scheduled for completion in July. They will grind 2" of pavement, replace with 2" of pavement, then overlay the entire work area with 1 ½" of new pavement. Guardrails will be replaced as necessary. There are no utility right-of-way or wetlands issues anticipated. The work will go out to bid in June. Reviewed plan for traffic control.

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Mr. Smith referred to the history of this corridor, which was studied due to a number of accidents. It is anticipated that this summer's project will wrap up issues from that corridor study for the Town of Wakefield. Total cost of this project will be \$1.9 million. The State has a Municipal Work Zone Agreement with the Town of Wakefield. The State is responsible to control traffic (in conjunction with emergency services). Appropriate methods of traffic control will be identified at the preconstruction meeting. Mr. Smith expects flaggers may be needed for lane shifts/closures. Mr. Duffy questioned how soon after completion of the project the rumble strips would be replaced. Mr. Smith advised that is a specialty item, separate from the contract and estimated their replacement in late October or early November.

Mr. Kasprzyk referred to the work done previously at Crew Road and noted the guardrails were not replaced, which he believes is a safety hazard. Mr. Kasprzyk also noted that the rumble strips seem to cause rapid deterioration of the road, perhaps due to frost. He also expressed concern regarding the impact the project will have on holiday weekend traffic. Mr. Smith advised that construction is shut down the day before a holiday, as well as the Monday after a holiday weekend. Paving work will end at noon on all Fridays, with other work ending at 2p.m. Mr. Smith will take a look at the project file for work done in the Crew Road area, noting that perhaps the slopes did not require replacement of guardrails. Mr. Smith agreed that the rumble strips capture snow, ice and salt and probably do add to the deterioration rate; however, that is the trade-off for safety. Mr. Kasprzyk questioned how safe the road is if it is breaking up. Chief Fifield understands the State is looking at making the cut less deep. Mr. Smith has no knowledge relative to specific depth, but will investigate. He noted that at this point we are committed to the rumble strip. Mr. Kasprzyk noted some states used a raised reflector. Mr. Smith noted that those would be sheared off by snow plows.

Mr. Peckham stated that the Town of Brookfield has several roads that empty onto Route 16 and noted that the Brookfield Board of Selectmen would likely be interested in notification to attend informational meetings. He supplied Mr. Smith with a contact number. Mr. Brown had heard that the State would be working on Route 153 from the hay scales to the Maine border. Mr. Smith noted that many paving projects are done at the District level. Ms. Frost confirmed that the Town received notification of the Route 153 overlay project. Mr. Brown questioned whether the frost heaves would cause damage next winter. Mr. Smith believes that is possible, adding that road may soon need more in-depth attention. He will advise Mark Morrill (District 3) of concerns expressed. Mr. Brown wonders whether stimulus funds could be used.

Mark Laroche suggested that Route 16 be two lanes rather than one in the future. He also asked whether the snowmobile trail crosses Route 16 in the project area. Chief Fifield advised it does not. Mr. Smith stated that this project is a proactive treatment in order to avoid adverse effects to the roadbed.

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He advised Mr. Laroche that there are no plans at this time to expand the roadway. Other than experiencing peak capacity at certain times, the numbers are not significant from a capacity standpoint.

Chief Fifield suggested using flaggers, with a Police Officer patrolling the area in a vehicle. Mr. Smith agreed with that sentiment. Mr. Mankus noted that the real problem with Route 153 is what is under the roadbed. He referred to it being 2 lanes, with no alternative route and obstructions on the sides and wondered whether it would be possible to address the real issue. Mr. Smith agreed there are many issues with Route 153. He believes it would be possible to limit traffic to 1 lane; however, the maintenance budget would be a challenge. He again stated he would forward concerns to Mark Morrill. Mr. Smith will provide a recap of this evening's meeting in writing to the Board of Selectmen.

**b) Tom Dunn, LGC** – Mr. Dunn provided the Board with packets of information relative to the Town's relationship with NHMA-LGC. Dues have been level for the past 2 years. Services include legal advice and recruitments. Much information is available on the web site, including information about classes, training and the Local Officials Workshop. The LGC Academy has on-line courses, most of which are included in the cost of membership. There is an employment law hotline. The Town currently enjoys a 3-year pricing plan for PLT and WC. Mr. Dunn expects LGC will develop a new multi-year pricing plan. In response to a question from Mr. Duffy, Mr. Dunn indicated he would determine the status of the multi-town lawsuit against the State. Ms. Frost spoke to the benefit of LGC's assistance.

**c) Stan Wilk re: Perkins Hill Road Drainage** – Mr. Wilk stated that a lot of water comes off the hill. He had spoken with John Blackwood previously about this problem. The Town dug out the trench, but that made the issue worse. The Town then put stone in, which helped. However, someone removed the stones from the middle, and Mr. Wilk believes the Town should put them back. Mr. Kasprzyk viewed the site with Mr. Wilk. The culvert is still full of leaves—perhaps if cleaned it would help the situation. Mr. Wilk suggests that the Town: 1) clean the pipes; 2) fix the stones; and 3) maintain the area. He further suggested that several cement blocks be used as a barrier to deflect the water.

Ms. Frost noted that the Round Pond Association was given the lead and is working with Jim Gallagher at the State on the outlet issue. Mr. Wilk stressed that his issue this evening is with water going into the lake, not going out of the lake. Mr. Duffy believes the entire ditch should be rip-rapped. Mr. Kasprzyk's issue with use of blocks is it will likely divert the water onto someone else's property. Mr. Duffy urged that DES be contacted prior to doing any work in this area. As the liaison to the Highway Department, he will discuss the problem with Dan Davis. Mr. Brown wonders whether AWWA would be able to assist with this issue. Mr. Duffy believes that is possible; however, more likely DES should be contacted. Mr. Capello stated that Town may require a wetlands permit.

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**d) Seven Lakes Trailblazers re: Land Use for ATV Trail** – Mr. Laroche and Ms. Mendell represent the ATV club, which is trying to build trails. Currently, he is working on a 2 ½ mile trail from Miss Wakefield Diner to NAPA, which trail would pass over Town property. The proposed trail would run parallel to the railroad tracks, as well as the PSNH power lines, in the area near the Transfer Station. The ATV's may not be on the tracks. Mr. Laroche proposes a 6-9' wide trail to the right of the utility poles, keeping a slight buffer of brush on either side. Ms. Mendell stressed that the trail could also be used for walking, bicycles, horseback riding, etc. Mr. Kasprzyk referred to potential issues of reclamation of land, erosion control, noise control and liability. Mr. Laroche referred to a \$2 million liability insurance policy.

Ms. Frost expressed concern regarding riders wandering into certain areas of the Transfer Station, with the landfill cap being of specific concern. Mr. Laroche indicated that signs and gates would be used where necessary. Fish & Game and the Police Department would also be involved. Mr. Laroche stressed that they are attempting to bring economic development to the area. Mr. Duffy suggested the idea could be tried, with permission to be withdrawn if issues develop. Mr. Kasprzyk has no problem with a trial period; however, he would be interested in seeing information from similar efforts in the Tri-City area. He would also like input from other Town organizations.

Ms. Mendell requested permission to utilize the snowmobile trails on Town property. Mr. Kasprzyk suggested taking small steps. Chief Fifield agreed that it would be beneficial for the ATV's to have a legal trail system; however, he cautioned it would be a 3-4 year process. He added that tight security would be needed at the Transfer Station. Mr. Laroche and Ms. Mendell will attend the May 26 meeting with more information for the Board.

### **3. Unscheduled Matters/Public Comment**

--Mr. Brown referred to there being a number of policy changes since the retirement of Henry Blanton. He then advised he received a visit at 10:20 p.m. from the Police Department regarding an allegation that his dogs were running at large. Mr. Brown was upset to have a cruiser in his driveway at that time of night. The following night at 8:35 p.m. he was served with a written warning. Mr. Brown stated that non-emergency business items should be taken care of during more normal business hours. The week before, a similar situation occurred, at which time it was validated that his dogs were not involved. Mr. Brown again stressed such matters should be addressed during normal business hours. He added that if there have been a number of policy changes, then perhaps those issues need to be addressed. Mr. Duffy asked the Chief about policy changes. Mr. Brown stated he has requested his calls to be returned, however, he has not heard from anyone. Chief Fifield indicated this is the first he has heard of the situation. He suggested that Mr. Brown stop by the Chief's office to review the situation. According to the Chief there have been no policy changes, adding that the Police Department did a number of animal control calls even when Mr. Blanton was on staff. Mr. Duffy confirmed to Mr. Brown that he should discuss this matter with the Chief.

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**4. Unfinished Business**

**a) Pending Projects Spreadsheet –**

--Bonnyman Road: Dan Davis has been working with Peter Cooperdock and will monitor the issue.

--Canal Road Bridge: We have the DOT estimate, but this project cannot be put on the State's list until the Town's portion is appropriated. No consideration is being given at this point to involve the State of Maine.

--Transfer Station Design: The compactor is working well. The business entities seem satisfied with the procedure. New scale hours will be implemented next week (8a.m. to 4 p.m., 4 days per week).

--WWTF: No written proposals were received for the land application, although one verbal bid was submitted in the amount of \$11,000. Adequate funds are available in the Sewer Fund. Ms. Frost will ask for a written proposal to be submitted for the Boards' review on May 26.

**b) Easement re: Map 183, Lot 44 – Mr. Duffy moved to accept the easement for this property, as proposed. Mr. Kasprzyk seconded the motion, which passed 2-0.**

**c) Union Schoolhouse** – The SAU advises it will relinquish its responsibility for this property as of July 1. The heir of the property has submitted a letter to the Board asking whether the Town would consider accepting this property. Ms. Frost noted that the correct process is that the property would revert to the heirs, as dictated by the deed, after which the heirs could deed the property to the Town. The building currently has an alarm system, the contract for which would need to be assumed. It was agreed by the Board to advise the heir that the Board would consider accepting the property; however, the logistics of such an assumption would need to be worked out. Ms. Judge stated the Heritage Commission would work with the Board to look into potential use of the building.

Mr. Kasprzyk suggested that Arthur Capello view the building to determine whether any concerns exist and what would need to be done to bring the building into compliance. Mr. Kasprzyk noted that he would like to see the exchange not be a financial burden to the property owner. Mr. Duffy is willing to consider the offer, but more information is needed. Ms. Judge stated that the future use would depend upon the status of the building. Mr. Capello indicated he could develop a list of general repairs needed; however, he would need to know specific intended use for many issues. Ms. Judge noted that two possible uses have already been suggested, adding that more may develop given time. She would like to view the interior of the building. Ms. Stewart, representing the Hazel MacBrien Nursery School, spoke to their interest in using the building. Mr. Brown referred to the repairs necessary at the GWRC, adding his hope that this building would not become another albatross. Mr. Duffy recapped that a letter will be sent to the heir indicating the Town's interest, as well as the need for more time. Meanwhile, Mr. Capello will view the site.

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### **5. New Business**

**a) Town Administrator Search Committee** – Mr. Duffy stated that it makes sense to use the same format used previously. He suggested adding 2 business owners via the Chamber of Commerce. After discussion, it was agreed that there would be two interviewing groups: 1) Municipal group to include 2 members of the Board of Selectmen, Howie Knight of the Budget Committee, Teresa Williams (Town Clerk), Cathy Kinville (Tax Collector), Rick Sager (Town Counsel) and Ken Fifield (Police Chief); and 2) a community group to include 2 members of the Chamber of Commerce, a former Selectman, a School Board member, the Superintendent of Schools, a Parks & Rec Commission member, Pam Judge, and Dave Mankus. Prospective committee members will be contacted, and an initial meeting date will be established.

**b) Alarm System Welfare Administrator** – Ms. Frost advised that the Town Hall system does not extend to the Annex, as the distance is too great. The Welfare Administrator is often alone in that building. 1-2-3 Lock & Key has submitted a proposal in the amount of \$933 to install and monitor the alarm. The Board agreed by consensus to accept the proposal of 1-2-3 Lock & Key.

**6. Proposed CRF Expenditures** – None scheduled.

### **7. Correspondence**

**a) 7 Lakes Roadhouse** – The restaurant is seeking an event permit to serve food and alcohol outside (on their property) as part of the First Annual Ride to Remember in memory of Kelly Marston. This request was tabled until the May 26 meeting, as Mr. Kasprzyk advised he must abstain from this vote. Meanwhile, Chief Fifield will contact those planning the event.

### **8. Unscheduled Matters/Public Comment #2**

--Mr. Wessell believes that Peg Stevenson will prove to be crackerjack! He referred to her honest effort to cement relationships and move forward.

--Mr. Wessell noted that the fire door on this level is sticking as a result of the floor not being level. He stressed it should be addressed as it is a safety issue.

--Mr. Brown suggested, given the economic situation, that the Board consider a part-time administrator for the present. Mr. Duffy does not recommend it. Mr. Kasprzyk doesn't think many understand the workload involved. He believes it is money well spent to keep the Town's issues in order. Mr. Brown thought between the Board of Selectmen and the Administrative Assistant, the workload could be managed. Mr. Kasprzyk stressed that the Town Administrator is there to advise the Board in order for them to perform their job. Mr. Duffy referred to his long tenure on the Board, and reiterated his belief that part-time administration is not the best way to operate the Town. The Town Administrator deals with much on a daily basis. He noted we can get by for a while as it is a quiet time of year, but budget season is just around the corner.

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### 9. Administrative Matters

**a) Liaison Reports** – Mr. Kasprzyk: The Conservation Commission is dealing with Pride Day and working on signage and camperships (19 applicants!). About 20 Union residents attended the Heritage Commission meeting to express concern about the two dams that may be removed. Frustration at the lack of proper notification was a common sentiment. Ms. Judge added that both Joe Fleck and Dino Scala attended the meeting and were very responsive. Mr. Kasprzyk stated that some of the Norway spruces at the Grange are dying. A limb from one fell and damaged a car on an abutting property. A request has been made to remove the trees. Mr. Kasprzyk believes we must first determine on whose property the trees are located. Ms. Judge has been told (by Phil Twombly) that the trees appear to *be* the boundary. Mr. Kasprzyk believes a professional would be required, perhaps with a crane. Perhaps the cost could be shared (if the trees are on the line), or perhaps the cost would be reduced if the Highway Crew assisted with the work. Discussion followed as to potential cost of the work, as well as whether a whole tree harvester would do the work for the resulting chips. Ms. Judge knows of someone who might be willing to assist.

Mr. Duffy: Pride Day is on Saturday, so come on down! He attended the recent Chamber of Commerce dinner and presented the Boston Post Cane to Alice Sturgis (again). Mr. Duffy also attended a WPI meeting. Slates with an etching of the Town Hall are being sold. The Cable Advisory Board met and reviewed information for the public meeting on May 18. The Selectmen will conduct the ascertainment hearing on June 9, as outlined by Kate Miller of DTC.

### **b) Administrator's Update**

--Envirosense has submitted a proposal to remove the underground storage tank at the Annex for about \$5000. This expenditure will be considered for the 2011 budget.

--FF/EMS Pay Policy: Chief Nason advises that the method of earning vacation and sick time is acceptable. However, he is proposing that comp time be allowed, with approval of the Fire Chief, to be an exception rather than the rule. They would like to be able to swap shifts within a pay period, without causing overtime issues. Ms. Frost has provided Chief Nason with a draft policy. He will review the draft and submit comments prior to the next Selectmen's meeting.

--The Emergency Expenditure (approved by the Board and the Budget Committee) has been put on hold as some of the equipment has been removed. It was agreed the letters should be submitted to DRA.

--Hale's Contract: This contract was revised at Mr. Kasprzyk's request. **Mr. Kasprzyk moved to accept the contract with Hale's as amended, for maintenance of Town property. Mr. Duffy seconded the motion, which passed 2-0.**

--Addendum to the Memorandum of Understanding with the Alliance for Community Transportation: Glenna Nelson is willing to continue to represent this area to that organization. **Mr. Duffy moved to authorize Ken Paul to execute the form appointing Glenna Nelson. Mr. Kasprzyk seconded the motion, which passed 2-0.**

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--Town Hall Renovations: Meridian has submitted its final invoices. Mr. Duffy noted that the work is guaranteed for a year. **Mr. Kasprzyk moved to approve the final invoices from Meridian as submitted. Mr. Duffy seconded the motion, which passed 2-0.**

--Tim Eldridge, Bus Coordinator, confirms that a school bus does go over the bridge on North Wakefield Road. He does not want to have the school bus stop on Route 16. Ms. Frost will write him a letter indicating the Board has no issue at this time with the school bus travelling over the North Wakefield Road bridge. We are still waiting for the report from the State bridge inspector. Ms. Frost will call and ask about their concerns with the bus.

--Proposals were sought to restore the sheetrock in the lower level of the connector. The only proposal received was from Cotty Can Do in the amount of \$2730. It is believed that he would use mildew-resistant sheetrock. **Mr. Kasprzyk moved to accept the proposal of Cotty Can Do in the amount of \$2730. Mr. Duffy seconded the motion, which passed 2-0**

Mr. Brown asked whether Mr. Capello had checked the Town Hall roof. Mr. Duffy advised he had, as had Ken Paul.

**c) Building Permit Releases** – Mr. Duffy moved to approve building permit releases for Doyle on Concord Lane and Jacobson on Thoreau Trail. **Mr. Kasprzyk seconded the motion, which passed 2-0.** Mr. Kasprzyk noted that one of the property owners is a client of the company he works for. No conflict of interest was perceived.

**d) Transfer Station Ordinance** – The current ordinance directs residents to the Town Hall to obtain permits; however, those permits are now sold at the Transfer Station. **Mr. Duffy moved to amend the Transfer Station Ordinance to reflect the fact that permits are now sold at the Transfer Station. Mr. Kasprzyk seconded the motion, which passed 2-0.**

**e) Street Lights** – This line was reduced in the 2010 budget by the Budget Committee. At that time several lights were not working. That is no longer the case. Costs must be reduced or the line will be overspent. Mr. Duffy will discuss with Judy Nason as he believes she had specifically calculated where the reduction could be taken.

**f) Minutes** – Mr. Kasprzyk moved to accept the minutes of April 28, 2010, as presented. **Mr. Duffy seconded the motion, which passed 2-0.**

**g) Parks & Rec Membership** – Mr. Kasprzyk moved to approve the following appointments to the Parks & Recreation Commission (as recommended by the Commission): Sherry Hatch as a member for 3 years; Sarah Hayes as a member for 3 years; and David Stevens as an alternate for 3 years. **Mr. Duffy seconded the motion, which passed 2-0.**

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**h) Non Public Session – Mr. Kasprzyk moved to enter Non Public Session under RSA 91-A:3, II (c). Mr. Duffy seconded the motion. Roll call vote: Mr. Kasprzyk – ‘aye’; Mr. Duffy – ‘aye’. The motion passed 2-0, and the Board entered Non Public Session at 9:50 p.m.**

The Board returned to public session at 10:08 p.m. Chief Fifield referred to his \$1000 training budget. He anticipates an expenditure of \$1200; however, he also anticipates receiving grant funds to offset that expenditure. The Board had no objection.

Chief Fifield advised that there have been 2 accidents with the new cruiser. He has an estimate of \$1000 to fix it like new. Alternatively, he could settle for lesser work, leaving a few dents. The Board agreed the new vehicle should be fixed right, authorizing the \$1000 expenditure.

**Mr. Kasprzyk moved to enter Non Public Session under RSA 91-A:3, II (a) and (c). Mr. Duffy seconded the motion. Roll call vote: Mr. Kasprzyk – ‘aye’; Mr. Duffy – ‘aye’. The motion passed 2-0, and the Board entered Non Public Session at 10:18 p.m.**

The Board returned to public session at 10:50 p.m., at which time the meeting adjourned.

Respectfully submitted,  
Toni Bodah, Secretary

Approval of Minutes:

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Kenneth S. Paul, Chairperson

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Mark P. Duffy

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Peter M. Kasprzyk