BOROUGH OF VANDERGRIFT

MINUTES OF THE VANDERGRIFT COUNCIL

JULY 1, 2013

The Council of the Borough of Vandergrift met in the Council Chambers of the Municipal Building at 7:00 p.m., with Vice President Sciullo presiding. The Pledge of Allegiance to the Flag was recited.

MEMBERS PRESENT:

Lenny Collini

Vernon Sciullo

Christine Wilson

James Rametta

Frank Moliterno

Kathleen Chvala

OTHER OFFICIALS:

Louis Purificato, Mayor Larry Loperfito, Solicitor Lucien Bove, Engineer Stephen DelleDonne, Secretary Jackie Vigna, Assistant Secretary

MINUTES:

The Minutes of the June 3, 2013 were approved by motion of Mr. Rametta, second by Mrs. Chvala. Motion carried.

VISITORS:

A motion was made by Mr. Moliterno, second by Mr. Collini, to hear from visitors at this time. Motion carried.

Michelle Stephaniak, 141 California Avenue, questioned if any decision had been reached regarding the unopened street that abuts her property.

Solicitor Loperfito stated that he had not reached a decision on this matter to date. However, he stated that he would have a decision on this matter at the September 3, 2013 regular meeting of Council.

Pete Basile, owner of the Sweetlane Chocolate Shop, stated that on August 3, around noon, there were be a car cruise stopping in town with about 30-35 vintage cars. He

requested that either the meters be bagged or have the bottom part of Grant Avenue be closed for a short time.

Mr. Basile also requested the placement of receptacle containers be put back on Grant Avenue.

Mr. Sciullo stated that he would take care of this matter.

Tammy Domiano, 109 Lowell Street, requested that Council take action against a neighbor regarding a tree that is hanging over her property.

Solicitor Loperfito stated that this is a civil matter, of which, the Borough cannot intervine

Mrs. Domiano stated that she was not informed about a child preditor residing within her neighborhood.

Solicitor Loperfito stated that he would speak to the Chief of Police on this matter.

A motion was made by Mrs. Chvala, second by Mrs. Wilson, to return to the regular order of business. Motion carried.

MAYOR'S REPORT:

No Report

SECRETARY'S REPORT:

The Secretary informed Council that is hosting a Public Meeting for the purpose of presenting project scope and description of work to be done by the PennDot on State Route 56, which affects Allegheny Twp. and Vandergrift Borough. He stated that Public meeting will be held at the Vandergrift Municipal Building on Wednesday, July 17th from 4:00 p.m. to 6:00 p.m. (See page 2-A)

A motion was made by Mr. Collini, second by Mr. Rametta, to accept the Secretary's Report. Motion carried.

CODE ENFORCEMENT REPORT:

Mr. Moliterno stated that Officer Rigatti notified thirteen (13) property owners/tenants of certain violations. He stated that ten (10) have been brough into compliance.

A motion Mr. Rametta, second by Mrs. Chvala, to accept the Code Enforcement Report. Motion carried.

COMMUNICATIONS & CORRESPONDENCE:

J-A

Vandergift

From:

"Busch, Robin L" <RBUSCH@pa.gov>

To: Sent: <vgborosec@comcast.net>
Friday, June 21, 2013 8:24 AM

Subject:

FW: Public Meeting Agenda

Robin Busch, Secretary to Assistant District Executive-Design PA Department of Transportation Engineering District 10-0 2550 Oakland Avenue, P.O. Box 429, Indiana, PA 15701 Phone: (724) 357-2826 Fax: (724) 357-1905

www.dot.state.pa.us

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From: Busch, Robin L

Sent: Friday, June 21, 2013 8:23 AM

To: vgborosec@comcast.com

Cc: Busch, Robin L

Subject: Public Meeting Agenda

Mr. Delledonne,

This is the Agenda/Talking points for the Public Meeting we discussed scheduled for July 17th from 4-5 for Public Officials and 5-6 p.m. for the general public. I will be sending you a copy of the formal letter within the next few days. If you have any further questions, please contact me at the number listed below. Thank you for your help.

- Project Scope and Description
- Project Conflicts
 - Sewer Separation Project Coordination
 - Utility Valves adjustments
 - Parking Restrictions
 - o Traffic Control
 - Festival Event Dates
- Plans Display and discussion
 - ADA Compliance
 - o Curbing adjustments
 - Concrete Patching and Bituminous Overlays
- Project Dates and Construction Scheduling
- Q&A Session

Robin Busch, Secretary to Assistant District Executive-Design PA Department of Transportation Engineering District 10-0 2550 Oakland Avenue, P.O. Box 429, Indiana, PA 15701

VANDERGRIFT POLICE DEPARTMENT BUREAU OF POLICE

JOSEPH M. CAPORALI Chief of Police LOUIS E. PURIFICATO Mayor

109 Grant Avenue Vandergrift, PA 15690 Business Calls: 724-568-5507 Fax 724-568-5508 Emergency Calls: 911

Email: vandpd@comcast.net

ORDINANCE ENFORCEMENT: JUNE 2012

FROM 6-18-13 THROUGH 6-30-13

13 property owners/tenants notified of violations.

10 of the 13 have been brought into compliance.

The Secretary presented and reviewed the following correspondence received and distributed to members of Council:

Exhibit 1-A: Festa Italiana di Vandergrift, Shawn Rowe, president.

Subject: Request to grounds along Jackson Avenue from

August 13th

thru August 20, 2013.

A motion was made by Mr. Collini, second by Mr. Moliterno, to approve the aforementioned matter. Motion carried.

Exhibit 2-A: Yvonne Hayes, County Real Estate Tax Office.

Subject: Sale of property located at 117 8th Street through

the

Unsold Property Repository to Brandon &

Amy Hale for

\$600.00.

A motion was made by Mr. Collini, second by Mr. Moliterno, to consent to the sale of the aforementioned property. Motion carried.

Exhibit 3-A: John Dettore, Vandergrift Lions Club.

Subject: Request to Kennedy Park for their annual Lions Car

Show on

July 28th from 8:00 a.m. to 6:00 p.m.

A motion was made by Mr. Collini, second by Mr. Rametta, to approve the aforementioned matter. Motion carried.

Exhibit 4-A: Pete and Nicole Basile.

Subject: Request to have meters bagged on lower part of

Grant Avenue

to accommodate 30-35 vintage cars on August

 $3^{\rm rd}$.

A motion was made by Mrs. Chvala, second by Mr. Moliterno, to approve the aforementioned matter. Motion carried.

Exhibit 5-A: Seth Erwin, Kiski Valley Youth Football Organization.



Festa Italiana di Vandergrift

Post Office Box 115—Vandergrift, PA 15690

www.Festaltaliana.us

June 12, 2013

Mr. Brian J. Carricato, President Vandergrift Boro

ATT: COUNCIL

As President of the 2013 Festa Italiana di Vandergrift, I am requesting the use of the Festa grounds located on Jackson Avenue. This would include the area from the field adjacent to the tennis courts up to and including the field surrounding the Gazebo.

The dates requested would be Tuesday, August 13, 2013 through and including Tuesday August 20, 2013.

Should you have any questions, please call me at 412-389-3808 or 724-568-3639.

Thank you,

Shawn Rowe, President

2013 Festa Italiana di Vandergrift

SR/md

Charles W. Anderson Chairman

Ted Kopas Commissioner



REAL ESTATE TAX OFFICE Yvonne M. Hayes Director

Telephone: 724:830-3420 Fax: 724-853-4628

Date: June 13, 2013.

TO: WESTMORELAND COUNTY COMMISSIONERS Borough of Vandergrift

Gentlemen:

A bid has been received by the Westmoreland County Tax Claim Bureau to purchase a property in your taxing district that is presently in the Unsold Property Repository pursuant to Section 627 of the Real Estate Tax Sale Act (72 P.S. 627).

Section 627 requires the written consent of each taxing district where the property is located prior to the sale. No taxing district may unreasonably withhold its consent to the sale of the property.

The information concerning the proposed sale is as follows:

Tax Map No: 37-01-06-0-632 Property Address: 117 8th Street

Property Owner: Jennette Kristine Hauzer

Amount of Bid: \$600.00

Please bear in mind that a property is placed in the Repository after it has been exposed to the annual public sale and at least one judicial sale proceedings. Most often, the reason that the property has not been sold is because the amount of the delinquent taxes and judgments of record far exceed the market value of the property. addition, as long as the property is held in the Repository, it does not generate any real estate taxes.

Accordingly, please take action at your public meeting with regard this request for consent. Please indicate your consent by countersigning this letter and returning it to this office. If the Tax Claim Bureau has not received your consent within forty (40) days from the date the bid was taken, June 12, 2013, your consent shall have been

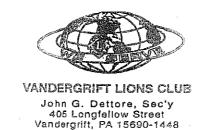
presumed.

Very truly yours,

PROSPECTIVE BUYERS: Brandon and Amy Hale 114 Lafayette Street, Vandergrift PA 15690 724.396.8296

Director, Tax Office

CONSENTING: Great Effective of Council



June 21, 2013

Mr. Steve DelleDonne Borough Secretary °/o Municipal Building Corner of Grant & Sumner Avenue Vandergrift, Pa 15690

Dear Mr. DelleDonne,

Our Board of Directors of the Vandergrift Lions Club met recently to set up our plans for the annual Lions Car Show. This will be held on July 28th (Sunday) from 8:00 A.M. to 6:00 P.M. at Kennedy Park, Jackson Avenue. We are requesting permission for the use of the park for that date. This show will benefit "Toys for Tots". As in the past year, the insurance required will be covered by our club and Lions International. You will receive a copy of the insurance form. We will also see that the grounds are kept in good cleaning condition upon completion.

Our Thanks. Sincerely,

John G. Dettore Club Secretary June 26, 2013

Sweetlane Chocolate Shop 113 Grant Ave Vandergrift, Pa 15690

Vandergrift Council Members,

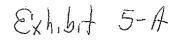
We are writing to you to let you know that on August 3, 2013 at approximately 12 noon there will be a car cruise stopping in town. They are going to be parked in town for approximately an hour to an hour and a half. They have to be in Allegheny Twp by 2pm.

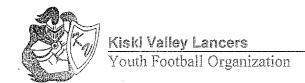
There will be about 30-35 vintage and old fashioned vehicles coming from Greensburg. I am writing to ask if we can make arrangements for that time period to have space for them on Grant Ave. If we can either bag the meters to accommodate these people or have the bottom half of the street from Farragut to Sumner closed or partially blocked for a short amount of time so they can all park on the street together.

It would be nice to have vintage cars parked on the street for others to enjoy while they visit with our shop for lunch. It is also an opportunity to bring these people back to our town. If we can be friendly and accommodating to this group, it may just bring some other people into our town again.

Thank you for your consideration.

Pete and Nicole Basile





www.kvlancers.com PO BOX 14, Vandergrift PA 15690

Borough of Vandergrift: Council 109 Grant Ave Vandergrift, PA 15690

Sub: Kiski Valley Lancers Kenney Park Use

Dear Council,

My name is Seth Erwin, and I currently serve as the Treasurer and Executive Board member for the Kiski Valley Youth Football Organization (KVL). Founded in 1967, we have since been dedicated to developing youth football and cheerleading skills - teambuilding, good sportsmanship, excelling for greatness, hard-work, and many other qualities the children in our communities will carry with them throughout their life!

I am writing to formally request use of the Kenney Park field for out 2013 season. Again we will be having 4 teams ranging from 6-12 year old football players and cheer leaders. The season Starts cheerleading camp on July 20th 9am -noon, then football starting July 22nd 5pm -8pm. The season will run through the end of October. Majority of practices will be from 5:00pm through 8pm at Kenney Park. With the exception of our camp week, running August 4th through 9th, having 2 teams practicing from 8am to 4pm and the other 2 teams 6 to-8.

We request the ability to paint temporary lines that within weeks and grass cutting go away. Other than that, there is no alteration to the grounds needed. All KVL equipment is movable. The sleds and pads will be moved to a central location in the old minor league field each night.

At the end of the season, and prior to spring, we will be planting grass seed on all sites used by KVL.

Thank You,

Seth Erwin Treasurer/ Executive Board Member Kiski Valley Youth Football Organization 724-422-0814 | seth.r.erwin@gmail.com Subject: Use of a portion of Kennedy Park for their 2013

football

Practice and cheerleading camp.

A motion was made by Mrs. Wilson, second by Mrs. Chvala, to approve the aforementioned request with the particulars to be worked out with the Recreation Committee. Motion carried.

REGULAR & STATED BILLS:

A motion was made by Mr. Rametta, second by Mrs. Chvala, to pay all stated and approved bills. Motion carried.

SPECIAL BILLS:

The Secretary presented a request from Bove Engineering Company to approve the submission of a PennVest Request Payment 15 in the amount of \$89,961.60. He stated that this amount reflects the engineering fees of \$23,440.00 and the construction costs of \$66,521.60.

A motion was made by Mr. Rametta, second by Mrs. Chvala, to approve the aforementioned matter. Motion carried with Mrs. Wilso abstaining.

STREET & SANITATION REPORT:

Chairperson Sciullo informed Council that one of the Mack refuse trucks is down for repairs. He stated that the crew will work with one truck this week. He also stated that the crew is cleaning up from the recent storm.

A motion was made by Mrs. Wilson, second by Mr. Mrs. Chvala, to accept the Street & Sanitation Report. Motion carried.

ENGINEER'S REPORT:

No Report

Mr. Moliterno argued about the condition of the streets as a result of the on-going sewer separation project. He questioned when the sewer project will be completed and also when Walnut Street will properly restored.

Engineer Lucien Bove stated that the sewer project should be completed by the end of July.

Mrs. Wilson stated that the restoration work on the streets is currently being performed.

Mr. Moliterno also commented about the dust and dirt around his property as a result of the sewer project work.

BUDGET & FINANCE REPORT:

No Report

POLICE & PUBLIC SAFETY REPORT:

No Report

BUILDING & GROUNDS REPORT:

Chairperson Rametta reported that the upper floor of the Senior Citizen Building will cost approximately \$25,000 to \$30,000 to renovate. He stated that there may be a tenant interested in renting this area.

Mr. Rametta reported that he had met with representative of Cree, a lighting innovater of LED lights, for the possibility of installing LED lights within the Police Station. He stated that the use of LED lights will reduce the electric usage by 70%. He also stated that the use of these lights may next be installed at the Columbia Parking Lot and the street lights on Grant & Washington Avenue.

Mr. Rametta stated that the use of these LED lights may, at some time in the future, be use to replace the current street lights in the town that could also save about 70% of the electric bill for the Borough.

A motion was made by Mrs. Wilson, second by Mr. Collini, to accept the Building & Grounds Report. Motion carried.

TREE & LIGHT REPORT:

Chairperson Chvala reported that still cleaning up the damage to trees as a result of the recente wind and storm activity.

A motion was made by Mrs. Wilson, second by Mr. Collini, to accept the Tree & Light Report. Motion carried.

GENERAL GOVERNMENT:

No Report

RECREATION REPORT:

Chairperson Collini reported that the first "Movie-in the Park" was a big success.

He stated that the Vandergrift Library, the sponsor, grossed about \$2,000 during this event. He stated that the next "Movie in the Park" will be sponsored by the V.I.P. and the Arts Festival Committee to be held on July 11th and will feature "Grease".

Mr. Collini stated that something needs to be done with the vandalism problem at the parks and playgrounds. He stated that all organizations using the parks should be responsible for clean-up.

Mr. Collini stated that the condition of the tennis courts need to be addressed, either fix them up or remove them.

A motion was made by Mrs. Wilson, second by Mrs. Chvala, to accept the Recreation Report. Motion carried.

SOLICITOR'S REPORT:

Solicitor Loperfito presented for adoption Ordinance No. 5-2013 which raises the sewer recovery rate from \$10.00 per month to \$18.00 per month.

A motion was made by Mr. Rametta, second by Mrs. Chvala, to adopt Ordinance No. 5-2013.

By a show of hands the following vote was recorded:

Mr. Moliterno	-	No	Mr. Rametta	-	Yes
Mrs. Wilson	-	No	Mr. Sciullo	-	Yes
Mr. Collino	-	No	Mrs. Chvala	-	Yes

With a tie vote on the motion recorded, Mayor Purificato broke the tie by voting in favor of the adoption of Ordinance No. 5-2013. The motion on the floor carried.

Solicitor Loperfito informed Council that the Apollo Trust Company has approved an \$800,000 Revolving Line of Credit to be used for the Phase II Sewer Separation Project. He presented a letter from the Apollo Trust Company outlining the commitment terms and recommended that Council approve this matter. (See pages 6-A thru 6-D)

A motion was made by Mrs. Chvala, second by Mr. Rametta, to accept the Revolving Line of Credit offer from Apollo Trust Company. Motion carried.

Solicitor Loperfito presented Ordinance No. 6-2013 to be advertised for adoption. Said ordinance increases the Borough's indebtedness by issuing a General Obligation Note in the amount of \$800,000.00, a requirement by the DCED of the Local Government Unit Debt Act.

A motion was made by Mrs. Chvala, second by Mr. Rametta, to advertise for adoption Ordinance No. 6-2013. Motion carried.

BOX 247 APOLLO, PA 15613 PHONE: (724) 478-3151 PHONES: 41 FAX: (724) 471-4169 WWW.apollotrust.com

June 15, 2018

Mr. Stephen DelleDonne, Borough Secretary Borough of Vandergrift 109 Grant Avenue Vandergrift, PA 15690

Dear Mr. DelleDonne:

I am pleased to inform you that Apollo Trust Company (hereinafter the "Bank") has approved your \$800,000 Revolving Line of Credit request for advance financing of the Borough of Vandergrift's Phase II Sewer Separation Project. This offer is subject to the terms and conditions in the document signed and to be signed by the parties at closing to evidence the loan transaction and includes, but is not limited to, the following terms and conditions of the proposed loan:

Commitment Terms:

- 1. This commitment shall expire automatically, without further notice unless the following is complied with by the proposed Borrower:
 - a. This document has been accepted by you as evidenced by your signature on the Certificate of Acceptance dated no later than the 31st day of July, 2013, and delivered to Apollo Trust Company by no later than the 1st day of August, 2013 at 4:00 P. M.
 - b. This financing transaction concludes with a closing on or before 30th day of September, 2013. (Provided that Borrower has obtained DCED LGUDA Approval) Should the failure to close be as a result of gross negligence or willful misconduct on the part of the Bank, an extension may be granted by the Bank, in writing, at the sole discretion of the Bank.
- 2. This commitment is non-assignable.
- 3. Any disclosure of the contents of this letter to any financial institution is considered a breach of your discussion and agreement with this financial lending institution, and as such, will result in an automatic withdrawal of the financing opportunity presented herein.
- 4. Any legal obligation of the Bank to honor this commitment and to make a lending opportunity available to you as the Borrower, shall be null and void, if:
 - a. The Borrower fails to pay any installment of interest or required principal due on any indebtedness with the Bank or fails to meet the requirements of this letter or any other agreement with the Bank;
 - b. The borrower supplies materially false or misleading information to the Bank. This applies to all representations and verbal statements, financial reports, appraisals, other documents or any information presented to the Bank designed to entice the bank to extend a financing offer;

- The Editor with outflood on in consider site of sites adverse de value of sente facilitying, division is contine to, decline in revenues, loss of insurance, diligation deemed material by the Bank, bankruptcy, change in management, change in value of the collateral or any change in the economic or market conditions as deemed material by the Bank;
- d. There are any violations of any terms of this letter or any agreement executed on or after the date of this agreement including any closing documentation.

This commitment is subject to satisfactory execution and delivery of all necessary documents and certificates evidencing the securing of the credit to Apollo Trust Company. All applicable closing expenses, including commitment fees, as well as any and all applicable attorney's fees for expenses incurred by Apollo Trust Company, appraisal fees, environmental inspection fees, title insurance fees and applicable filing fees must be paid by borrower. Borrower understands and agrees that such expenses cannot be reasonably anticipated in advance and as such, the Borrower agrees that the decision of lender as to any expenses shall be final. Refusal of Borrower to pay such costs, fees or expense incurred by lender shall be a valid basis to withdraw the financing opportunity to Borrower.

Terms and Additional Conditions:

Borrower:

Borough of Vandergrift

107-East-Adams Avenue 109 GRANT AUE.

Vandergrift, PA 15690

Westmoreland County

Amount:

\$800,000

Rate:

2.15%, tax exempt.

Term: Security: 2/28/2017

Purpose:

1st lien position position/UCC-1 filings on the revenues of the Borough. To provide advance financing to the Borough of Vandergrift for the sewer separation project. Funds will be used for the payment of costs, expenses and fees associated with the project pending receipt of loan and grant monies totaling \$\$10,880,300.00 (\$2,648,965.00 grant and \$8,231,355.00 PennVest Loan)

Repayment:

Interest only payments required monthly; periodic payments of principal may be applied to the loan at any time. All principal and any accrued interest due upon maturity. Should construction of the project length extend beyond 24 months, upon Bank approval, an extension to the maturity date may be granted. Primary repayment will come from grant funds provided by the Pennsylvania Infrastructure Investment Authority ("PennVest") and secondary repayment will come from sewer revenues of the Borough.

Maturity:

2/28/2017.

Source of Repayment: Grant and Loan funds provided through PennVest; sewer revenues of the Borough of Vandergrift; and revenues from the General Fund of the Borough.

Conditions:

1. Copy of the ordinance enacted to secure financing.

2. Resolution executed by the Borough of Vandergrift granting authorization to

enter into this financial transaction required.

- Ell All applicable control or abloc and accords from the Removins in this according investment Authority ("Fennyest").
- 4. Copy of the construction schedule to be provided.
- 5. Copy of the Attorney's opinion letter of tax exempt status to be provided.
- 6. Notification of the PennVest funding to be provided.
- 7. Copies of all applicable permits to be provided.
- is. Copies of all written contracts and performance bonds with parties constructing the project required.
- 9. Hazard/Liability insurance naming Apollo Trust Company as additional insured/loss payee in an amount not less than \$800,000.
- 10. Any and all related expenses associated with the transaction to be paid by the borrower.
- 11. Submission of final 2013 financial information to be provided.
- 12. Annual submission of the Borough's budget required.
- 13. Annual submission of the Borough's financial statements required.
- 14. Closing documents in a form and substance acceptable to the Bank.
- 15. Borrower shall further provide any additional information that the Bank shall request for consideration of this request.

Borrower agrees to execute and deliver such instruments, documents, certificates, opinions, assurances and actions as the Bank may request, to affect the purpose of the transaction described in this commitment letter. The Bank's obligation to make this loan shall be subject to receipt by the Bank of all properly executed documents in form and substance satisfactory to the Bank and Bank's counsel. All proceedings, agreements, instruments, documents and other matters relating to the making of the loan, and all other transactions herein contemplated, shall be satisfactory to Lender and Lender's counsel. While our mutual efforts will be directed toward the closing of this transaction, we may require that the transaction be restructured or otherwise modified.

This commitment is issued in reliance on, and the validity and binding effect of this commitment shall be subject to, the accuracy of all information, representations, schedules and other materials or data submitted by the borrower on the borrower's financial standing as set forth in the financial statements and other information submitted by the borrower to the Bank and in reliance on the borrower's statements as to the value of the collateral and its intended usage, all of which is deemed material. Any misrepresentation of a material fact, whether intentional or otherwise, made prior to the issuance of this commitment or any change of any material fact (in the business, assets, operations or conditions, financial or otherwise of the borrower) after the issuance hereof shall, at the Bank's sole option, render this commitment void without further notice to the borrower. In such event, the Bank, at its sole option, may elect not to close the loan.

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Singerely,

Robert V. Addoms Vice-President, Sr. Commercial Banking Officer Apollo Trust Company

Accepting:

Brian Carricato, President, Vandergrift Borough Council

Attest:

Steven J. DellDonne, Borough Secretary

Solicitor Loperfito informed Council that Ordinance No. 2-2013, an ordinance regulating residential rental unit occupancy, providing for inspections, prohibiting disruptive conduct, requiring local property management, etc., is ready to be advertised for adoption.

Following a discussion of this matter, Solicitor Loperfito recommended that members of Council review the changes in this ordinance and have any questions for the August meeting.

Solicitor Loperfito presented Ordinance No. 8-2013 for advertisement, of which pertains to 8.2 million loan from PennVest that has been accepted for the Phase II Sewer Separation Project. He stated that is will be submitted to DCED under the Local Government Unit Debt Act.

A motion was made by Mrs. Chvala, second by Mr. Rametta, to advertise for adoption Ordinance No. 8-2013 at the August 5, 2013 meeting. Motion carried with Mrs. Wilson abstaining.

A motion was made by Mr. Collini, second by Mr. Rametta, to accept the Solicitor's Report. Motion carried.

UNFINISHED BUSINESS:

None

NEW BUSINESS:

None

ADJOURNMENT:

A motion was made by Mrs. Chvala, second by Mr. Rametta, to adjourn the meeting. Motion carried.

The meeting was adjourned at 8:20 p.m.