

MINUTES OF REGULAR BOARD MEETING

MONDAY, MAY 5, 1997

24TH BOARD OF REPRESENTATIVES

STAMFORD, CONNECTICUT

The meeting was called to order at 8:00 P.M. by President Carmen Domonkos.

INVOCATION: Led by Rep. Donald B. Sherer.

“Dear Lord, thank you for giving us the opportunity to once again deliberate on behalf of the people of the City of Stamford. Give us the guidance and the wisdom and the strength to do what is right, and we thank you for that.”

PLEDGE OF ALLEGIANCE TO THE FLAG: Led by President Carmen Domonkos.

ROLL CALL: Conducted by Rep. Elaine Mitchell (D-2) in Clerk of the Board Annie M. Summerville’s absence.

There were thirty-two (32) members present and eight (8) absent/excused. The attendance record is attached hereto and made a part hereof. The President declared a quorum.

MACHINE TEST VOTE: Conducted by President Carmen Domonkos. The machine was in good working order. President Domonkos noted that Rep. Alswanger’s voting mechanism was not working properly and that repairs on this unit were underway.

President Domonkos also stated that Rep. Mitchell would be voting from Clerk of the Board Annie M. Summerville’s position.

PAGES:

MOMENTS OF SILENCE: For the late:

Elliot J. Feit, by Reps. Gergle and Zelinsky;
Edward F. Kapusta, by Reps. Mellis and Zelinsky;
Bernard Norman Samers, by Reps. Mellis and Zelinsky;
Carmine Coppola, by Reps. Loglisci, Zelinsky and Gergle;
Angelina Anzalone, by Reps. Loglisci and Zelinsky;
Edward Lenz, by Rep. Zelinsky;
John Golden, by Rep. Pia;
Margaret McAuliffe, by Rep. Pia;
Luigi Vitti, by Rep. Pia;
Marjorie Weis, by Rep. Sabia; and
Angela Cardillo, by Reps. Fedeli and Corelli.

STANDING COMMITTEES

STEERING COMMITTEE: Chairwoman Carmen Domonkos
Wednesday, April 16, 7:00 p.m.
Democratic Caucus Room

Upon motion duly made and seconded and approved by voice vote, the Steering Committee report was waived

APPOINTMENTS COMMITTEE: Annie M. Summerville, Chairwoman
Meeting: Tuesday, April 29, 1997
7:00 p.m. - Democratic Caucus Room

Rep. Boccuzzi gave the Appointments Committee report in Rep. Summerville's absence. Rep. Boccuzzi stated the Appointments Committee met on Tuesday, April 29, 1997 at 7:00 p.m. in the Democratic Caucus Room. Present were: Reps. DePina, Corelli, Gergle, Pia, Fortunato, Mellis, Curtis and Boccuzzi; excused were Reps. Summerville, Sabia and Alswanger. Rep. DePina chaired the meeting in Rep. Summerville's absence.

1. Southwestern Regional Planning Agency

Charles E. Klein (R) Repl. Cordulak
60 Vanech Drive
Stamford, CT 06905
Term Expires: 03/15/98
04/04/97 - Submitted by Mayor Dannel P. Malloy
04/29/97 - Approved 8-0-0

**APPROVED
ON CONSENT
AGENDA**

Upon motion duly made and seconded and approved by voice vote, the secondary committee report was waived.

2. F24.180 \$5,629.00 O-T-A-97-211	ADDITIONAL APPROPRIATION (Operating); Board of Representatives; Dept. No. 102; Acct. No. 2930; to pay for editorial work, printing and shipping of new charter. 04/01/97 - Submitted by Mayor Dannel P. Malloy 04/10/97 - Approved by Board of Finance 04/17/97 - Approved by Committee - Consent	APPROVED ON CONSENT AGENDA
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Secondary Committee: Legislative & Rules Committee

*Committee
Concurred*

3. F24.181 \$35,000.00 O-G-A-97-212	ADDITIONAL APPROPRIATION (Operating); Police Department; Dept. No. 417; Account No. 1201 (\$2,000) and 5501 (\$33,000); for Crime Prevention portion of the Safe Neighborhoods grant; funds will be contracted out to community organizations for prevention activities such as crime watches and recreational programs. 04/01/97 - Submitted by Mayor Dannel P. Malloy 04/10/97 - Approved by Board of Finance 04/17/97 - Approved by Committee - Consent	APPROVED ON CONSENT AGENDA
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Secondary Committee: Public Safety, Health and Welfare

*Waived by
Voice Vote*

Upon motion duly made and seconded and approved by voice vote, the secondary committee report was waived.

4. F24.182 \$21,957.00 O-G-A-97-211	ADDITIONAL APPROPRIATION (Operating); Social Services; Dept. No. 739; Account No. 5501; SAGA Program; State Administered General Assistance Grant will provide funds that will be subcontracted to CTE, which will provide case assessment, counseling, planning and management services along with housing assistance and referrals for emergency food and shelter; services are provided to clients of CTE's Community Employment Incentive Program. 04/01/97 - Submitted by Mayor Dannel P. Malloy 04/10/97 - Approved by Board of Finance 04/17/97 - Approved by Committee - Consent	APPROVED ON CONSENT AGENDA
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Secondary Committee: Housing/Community Develop./Social Services

**Committee
Concurred**

5. F24.183 RESOLUTION and PUBLIC HEARING; regarding approval of the 1997 Neighborhood Assistance Act. Public Hearing to be held on May 19, 1997.
04/02/97 - Submitted by Mayor Dannel P. Malloy
04/17/97 - Held in Committee **HELD**

Rep. Martin stated that his hearing is scheduled for May 19, and the item is being held until next month's Fiscal Committee meeting, which will begin at 6:30 p.m.

6. F24.184 RESOLUTION; authorizing an agreement with the State for a Sexually Transmitted Disease (STD) Control Program; amount of grant: \$31,940.
04/14/97 - Submitted by Mayor Dannel P. Malloy
04/17/97 - Approved by Committee - Consent **APPROVED
ON CONSENT
AGENDA**

7. F24.187 RESOLUTION; authorizing an agreement with the State for a program which provides funding for employment-related services to General Assistance Clients; amount of grant: \$21,957.
04/14/97 - Submitted by Mayor Dannel P. Malloy
04/17/97 - Approved by Committee - Consent **APPROVED
ON CONSENT
AGENDA**

8. F24.188 RESOLUTION; authorizing an agreement with the State for a summer busing grant to transport youth from neighborhood playgrounds to recreational areas; amount of grant: \$1,750.
04/14/97 - Submitted by Mayor Dannel P. Malloy
04/17/97 - Approved by Committee - Consent **APPROVED
ON CONSENT
AGENDA**

9. F24.189 RESOLUTION; authorizing an agreement with the State for a Community Employment Incentive Program (CEIP) grant; funds will be subcontracted to CTE and will be targeted to job-ready individuals who receive stipends; amount of grant: \$22,655.
04/14/97 - Submitted by Mayor Dannel P. Malloy
04/17/97 - Approved by Committee - Consent **APPROVED
ON CONSENT
AGENDA**

Upon motion duly made and seconded, the Consent Agenda, consisting of Item Nos. 1, 2, 3, 4, 6, 7, 8 and 9, was approved by voice vote.

Rep. Martin further reported on the status of the budget hearings that the Fiscal Committee has been holding. Rep. Martin stated that May 6, 1997 will be the last meeting on the budget and that Saturday, May 10, 1997 at 9:00 a.m. will be the budget deliberation meeting. The following Monday, May 12, 1997 will be the Special Meeting on the budget.

LEGISLATIVE & RULES COMMITTEE - Maria Nakian, Chairwoman
Meeting: Monday, April 28, 1997
7:00 p.m. - Republican Caucus Room

Rep. Nakian reported that the Legislative & Rules Committee met on Monday, April 28, 1997 at 7:00 p.m. Present were Reps. Nakain, Mitchell, Esposito, Fox, Lasko, Zelinsky, Fedeli, Sherer and Ventura; Reps. Skigen and Sabia were excused. Also in attendance were Reps. Giordano, White and Owens; on Item No. 2, The Reverend Bush, Pastor, and Lila Wallace, Trustee, of Greater Faith Tabernacle Baptist Church along with five other members of the Church; on Item No. 3, the senior warden of Emmanuel Episcopal Church; on Item No. 7, Carl Lupinacci and William Kosbob; on Item No. 8, John Byrne, the Director of Public Safety, Health and Welfare and Michael Fox, President of the Gasoline Service Dealers of America; and on Item No. 9, Thomas Cassone, Director of Legal Affairs. Public hearings were held on Item Nos. 1, 4 and 6, and there was no one from the public there to speak.

1. LR24.83	PROPOSED ORDINANCE; <u>For Final Adoption</u> ; tax abatement request for property located at 45 Atlantic Street, owned by Stamford Center for the Arts. 11/08/96 - Submitted by Jennifer Hauhuth, Esq. 12/02/96 - Held in Committee 01/06/97 - Held in Committee 02/03/97 - Held in Committee 02/11/97 - Placed on Pending Agenda 04/07/97 - Approved for republication 04/28/97 - Approved by Committee 7-0-0	APPROVED ON CONSENT AGENDA
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At this time, President Domonkos noted that Rep. Leydon joined the meeting.

2. LR24.102	PROPOSED ORDINANCE; <u>For Publication</u> ; tax abatement request for property located at 29 and 34 Baxter Avenue, owned by Greater Faith	APPROVED ON CONSENT AGENDA
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Tabernacle Baptist Church.
02/07/97 - Submitted by Lila Wallace, Trustee
Greater Faith Tabernacle Baptist Ch.
02/24/97 - Held in Committee
03/31/97 - Held in Committee
04/28/97 - Approved by Committee 7-0-0

3. LR24.106 PROPOSED ORDINANCE; For Publication; tax abatement request for property located at 166 Bouton St. W., owned by Emmanuel Episcopal Church.
03/27/97 - Submitted by Emmanuel Episcopal Church
04/28/97 - Approved by Committee 9-0-0 **APPROVED ON CONSENT AGENDA**
4. LR24.103 PROPOSED ORDINANCE; For Final Adoption; between the City of Stamford and David Grogins for the sale of city property on Penzance Road.
C-RR-C-97-174 02/14/97 - Submitted by Mayor Dannel P. Malloy
02/26/97 - Approved by Planning Board
03/13/97 - Approved by Board of Finance
04/07/97 - Approved by Committee 7-0-0 **APPROVED BY VOICE VOTE**

Rep. White stated that this piece of property was not on the list of recommended pieces of land to keep. However, he believes that any time a piece of property is sold for development, as this piece is, he believes that rather than increase the density of a neighborhood, consideration should be given to cleaning it up and using it for the benefit of the entire neighborhood. Rep. White further stated that the gain to the neighborhood far outweighs any monetary gain to the City. Therefore, he will be voting no on this item.

5. LR24.111 PROPOSED ORDINANCE; For Publication; allowing the sale of City-owned property (Lots 41 and 43 Arlington Road) to Paul Richter.
C-RR-C-97-210 03/17/97 - Submitted by Mayor Dannel P. Malloy
05/08/97 - To be considered by Board of Finance
05/06/97 - To be considered by Planning Board
04/28/97 - Held in Committee **HELD IN COMMITTEE**

Rep. Nakian stated that because the Planning Board had not voted on this item, it was held in Committee.

6. LR24.105 **PROPOSED ORDINANCE; For Final Adoption;** **APPROVED
ON CONSENT
AGENDA**
concerning changes in the Stamford Downtown
Special Services District's mandatory date for its
budget submission.
02/26/97 - Submitted by Sandy Goldstein, Executive Director,
Stamford Downtown Special Services District
04/28/97 - Approved by Committee 7-0-0

Rep. Nakian reported that in the printing of the above ordinance, LR24.105, the clause, "this ordinance shall take effect upon enactment" was inadvertently omitted.

7. LR24.114 **PROPOSED ORDINANCE; For Publication;** amending **HELD IN
COMMITTEE**
ordinance No. 767, the Matthew Kosbob Loitering
Ordinance, regarding the use of the word "trespass."
04/01/97 - Submitted by Carl Lupinacci
04/28/97 - Held in Committee

Rep. Nakian reported that Item No. 7, LR24.114, is being held pending further information from the Law Department regarding the definition of the word, "trespassing."

8. LR24.112 **PROPOSED RESOLUTION;** establishing a fee cap **APPROVED
BY VOICE
VOTE (with
amendment)**
relating to the weights and measures ordinance.
03/22/97 - Submitted by Mayor Dannel P. Malloy
04/28/97 - Approved 6-0-0

Rep. Nakian reported that Item No. 8, LR24.112, was amended in Committee by the addition of paragraph No. 3. Rep. Nakian read the amendment:

"The above fees shall be reviewed on or before June 30, 1998 and yearly thereafter on or before February 1st and changes proposed if deemed appropriate by the Mayor and the Director of Public Safety, Health and Welfare. Said new fees shall be submitted to the Board of Representatives for approval by resolution."

Rep. Nakian stated this was a result of negotiations between the Mayor, the Gasoline Dealers and the Director of Public Safety, Health and Welfare. No republication is required as this is a resolution.

Upon motion duly made and seconded, said amendment was approved by voice vote.

Upon motion duly made and seconded, the main motion was approved by voice vote.

9. LR24.109 **PROPOSED ORDINANCE; For Publication; amending** **HELD IN**
 Chapter 179, Article III of the Code of Ordinances **COMMITTEE**
 concerning Itinerant Vendors
 03/11/97 - Submitted by Mayor Dannel P. Malloy
 03/11/97 - Placed on Pending Agenda
 04/16/97 - Removed from Pending Agenda
 04/28/97 - Held in Committee

Rep. Nakian stated that Item No. 9, LR24.109, was being held pending review by the Law Department regarding the fee structure.

Upon motion duly made and seconded and approved by voice vote, the Consent Agenda, consisting of Item Nos. 1, 2, 3 and 6, was approved by voice vote.

PERSONNEL COMMITTEE - Randall Skigen, Chairman
 Meeting: Thursday, May 1, 1997
 7:30 P.M. - Democratic Caucus Room

Rep. Skigen reported that the Personnel Committee met on Thursday, May 1, 1997 at 7:30 p.m. Present were Reps. Fedeli, Fortunato, Lasko, Loglisci, Skigen and Zelinsky; Rep. MacInnis was excused. Also present were Richard Robinson, Esq., Assistant Corporation Counsel; Thomas Cassone, Esq., Director of Legal Affairs; Paul Shapero, Esq.; Mary Jane Signore, Sal Signore and Harriet Roth on Item No. 1.

1. P24.03 **APPROVAL; Pay Plan for Non-Union, Appointed and** **HELD IN**
 Elected Officials (Meeting with Board of Finance **COMMITTEE**
 11/20/96 for presentation.)
 09/17/96 - Submitted by Sim Bernstein, Personnel Director
 10/15/96 - Held by Board of Finance
 11/06/96 - Held in Committee
 11/20/96 - Held by Board of Finance
 12/02/96 - Held in Committee
 12/10/96 - Defeated by Board of Finance (3-3)
 01/06/97 - Held in Committee
 01/16/97 - Held by Board of Finance
 02/03/97 - Held in Committee
 02/10/97 - Committee voted 5-0 to return recommendations to
 Personnel Committee
 02/13/97 - Held by Board of Finance
 03/13/97 - To be considered by Board of Finance
 04/07/97 - Held in Committee
 04/16/97 - Held in Steering Committee

PUBLIC WORKS COMMITTEE - Bobby Owens & Lucy Corelli, Co-Chairs NO REPORT

PUBLIC SAFETY & HEALTH COMMITTEE - Jeffrey T. Curtis, Sr., Chair

Meeting: Wednesday, April 23, 1997

7:00 P.M. - Democratic Caucus Room

Rep. Gergle reported that the Public Safety & Health Committee met on Wednesday, April 23, 1997 at 7:00 p.m. Present were Reps. DePina, Curtis, Gergle, Pia, Romaniello and Leydon; excused were Reps. Corelli, Drucker and Martin. Rep. Martin was excused due to his appearance at the SEMS board meeting on behalf of the Board of Representatives.

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| 1. PS24.18 | RESOLUTION; accepting a gift of four 486 desk top computers from Swiss Bank.
03/12/97 - Submitted by G. Patrick Tully, Chief of Police
04/23/97 - Committee voted 4-0-1 | APPROVED
BY VOICE
VOTE |
|------------|---|---------------------------------------|

Upon motion duly made and seconded, Item No. 1, PS24.18, was approved by voice vote; Rep. Gergle abstained.

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| 2. PS24.19 | PROPOSED RESOLUTION; correcting a scrivener's error in Ordinance No. 804 concerning the Numbering of Buildings.
04/08/97 - Submitted by Rep. Nakian (D-20)
04/23/97 - Committee voted 6-0-0 | APPROVED
ON CONSENT
AGENDA |
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Upon motion duly made and seconded and approved by voice vote, the Consent Agenda, consisting of Item No. 2, was approved by voice vote.

PARKS & RECREATION COMMITTEE - Herman Alswanger & Mary Fedeli, Co-Chairs

Meeting: Wednesday, April 30, 1997

7:00 p.m. - Democratic Caucus Room

Rep. Alswanger reported that the Parks & Recreation Committee met on Wednesday, April 30, 1997 at 7:00 p.m. Present were Reps. Alswanger, Fedeli, Fox, Giordano, Johnson, Sherer and Weiner. Also present were Reps. DeLuca and Pia; Commissioner John Valmis; manager of the E. Gaynor Brennan Golf Course Mike Dale; Michael Docimo of the Operations Department; and members of the E. Gaynor Brennan Golf Course Men's Club.

1. PR24.07 PROPOSED RESOLUTION; approving a License Agreement between the City of Stamford and Easter Seal Rehabilitation Center of Southwestern Connecticut, Inc. to allow the use of its lower parking lot at 26 Palmer's Hill Road by City golfers for the 1997-98 calendar years.
03/18/97 - Submitted by Mayor Dannel P. Malloy
04/15/97 - Approved by Planning Board
05/08/97 - To be considered by Board of Finance
04/30/97 - Approved by Committee 5-0-0
- HELD IN
COMMITTEE**

Rep. Alswanger reported that Mr. Docimo explained the terms of the agreement to the Committee. The Easter Seal Center does not use the facility on the weekends and is willing to let the golfers utilize the parking area at no cost; in turn, the Golf Course will clean up the parking lot on Monday morning and will give the Easter Seal organization a break on fees for its annual tournament. The parking lot will be covered by the City's umbrella insurance policy for liability. The Committee voted 5-0-0 pending Board of Finance approval, and the item is held pending the Board of Finance vote.

2. PR24.08 DISCUSSION; regarding the uniformity of policies as practiced by the E. Gaynor Brennan Golf Course.
04/08/97 - Submitted by Rep. DeLuca (R-10)
- REPORT
MADE**

Rep. Alswanger reported that the Golf Course has both a Men's and Women's Club. The residency requirements were recently changed, and 21 non-resident members of the Women's Club were grandfathered. The Commission did not do the same for the Men's Club. The Men's Club feels discriminated against and would like the same rules applied to them. The Committee feels that it was a mistake to grandfather the non-resident women, and does not want to see the same for the men, but does believe the policy should be the same for both the Men's and Women's Clubs. Thus, the Committee has asked the Commission to put this item on their agenda for next month and report back to the Parks & Recreation Committee.

EDUCATION COMMITTEE - John F. Leydon, Jr., Chairman
Meeting: Thursday, April 24, 1997
7:00 p.m. - Republican Caucus Room

Rep. Leydon reported that the Education Committee met on Thursday, April 24, 1997 at 7:00 p.m. Present were Reps. Romaniello, Ventura, Giordano, Drucker, Loglisci and Mitchell. Absent and excused were Reps. Johnson and Alswanger. Also in attendance were Reps. Curtis and Gergle; Messrs. Liu, Cook and LoFaso of the City of Stamford.

1. HCD24.09 O-G-97-217	<p>APPROVAL of Year 23 Community Development Block Grant Program recommendations.</p> <p>01/10/97 - Submitted by Rep. Mellis (D-13)</p> <p>01/23/97 - Public Hearing Held</p> <p>02/03/97 - Report made</p> <p>03/03/97 - Committee approved recommendations</p> <p>03/18/97 - Public Hearing Held</p> <p>04/07/97 - Held in Committee</p>	<p>APPROVED BY VOICE VOTE</p>
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Rep. Mellis stated that an accompanying resolution to Item No. 1, HCD24.09, was provided to each representative, authorizing the Mayor to submit the Year 23 Application and the Action Plan for the Community Development Program for the City of Stamford. The monies total \$1,795,628.

Upon motion duly made and seconded, Item No. 1, HCD24.09 was approved by voice vote. Rep. Sherer abstained from voting on Item No. 1, HCD24.09.

2. HCD24.10	<p>APPROVAL; of transfers to the contingency line of <u>remaining funds from projects, as follows:</u></p> <table border="0"> <thead> <tr> <th style="text-align: left;">Account</th> <th style="text-align: left;">Project</th> <th style="text-align: right;">Amount</th> </tr> </thead> <tbody> <tr> <td>94-050-4004</td> <td>UL Focus on Youth</td> <td style="text-align: right;">\$ 2,769.28</td> </tr> <tr> <td>94-013-3333</td> <td>SHA Vidal Elev.</td> <td style="text-align: right;">\$32,000.00</td> </tr> <tr> <td>93-015-3329</td> <td>SHA Ward Kitchens</td> <td style="text-align: right;">\$55,361.00</td> </tr> <tr> <td>94-013-3332</td> <td>SHA Clinton Intcom</td> <td style="text-align: right;">\$11,000.00</td> </tr> </tbody> </table> <p>03/10/97 - Submitted by Mayor Dannel P. Malloy</p> <p>03/18/97 - Transfers approved & item held in Committee</p>	Account	Project	Amount	94-050-4004	UL Focus on Youth	\$ 2,769.28	94-013-3333	SHA Vidal Elev.	\$32,000.00	93-015-3329	SHA Ward Kitchens	\$55,361.00	94-013-3332	SHA Clinton Intcom	\$11,000.00	<p>NO ACTION TAKEN</p>
Account	Project	Amount															
94-050-4004	UL Focus on Youth	\$ 2,769.28															
94-013-3333	SHA Vidal Elev.	\$32,000.00															
93-015-3329	SHA Ward Kitchens	\$55,361.00															
94-013-3332	SHA Clinton Intcom	\$11,000.00															

Rep. Mellis reported that Item No. 2, HCD24.10, was approved at last month's meeting so no action is required at this meeting. Rep. Mellis also thanked her committee members for their hard work on the Year 23 Application.

TRANSPORTATION COMMITTEE - Robert DeLuca, Chairman
Meeting: Wednesday, April 23, 1997
7:00 p.m. - Republican Caucus Room

Rep. DeLuca reported that the Transportation Committee met on Wednesday, April 23, 1997 at 7:00 p.m. Present were Reps. DeLuca, Nanos, Gergle and Giordano. Also present were Reps. Domonkos and Davis; Mr. Levine, Vice President of R&G Parking; Joe Magee of SACIA; and Herb Cohen of the Operations Department.

1. T24.03 **UPDATE;** on the response to the shuttle service provided **REPORT**
between the Bell Street Garage and the Transportation **MADE**
Center.
04/05/97 - Submitted by Rep. Domonkos (D-18)

Rep. DeLuca stated that a report has been provided to each representative. Rep. DeLuca stated that, in summary, nine people have signed up for monthly passes at \$65 per month and five people have signed up for daily trips, at \$5.50 a month. Both Messrs. Levine and Magee are confident that the program will expand in the near future. SACIA agreed to fund an advertising campaign and will make SACIA's 28,000 person mailing list available to R&G Parking.

HOUSE COMMITTEE - Annie M. Summerville, Chairwoman NO REPORT

RESOLUTIONS

MINUTES

1. April 7, 1997 Regular Board Meeting **APPROVED BY**
VOICE VOTE

Upon motion duly made and seconded, the minutes of the April 7, 1997 meeting were approved.

COMMUNICATIONS

1. President Domonkos noted that the Budget Meeting will be held on Monday, May 12, 1997 at 8:00 p.m. The Fiscal Committee will hold its deliberations on Saturday, May 10, 1997 at 9:00 a.m.
2. President Domonkos reported that a summary of the RFPs for the Palace Theater was distributed to each representative.
3. Rep. Mellis stated that the Education Subcommittee of the Fiscal Committee will be meeting with Superintendent Nast on Wednesday, May 7, 1997 at 12:00 noon.

OLD BUSINESS

NEW BUSINESS

1. Rep. Zelinsky asked that the President of the Board write a letter requesting five assigned parking spaces on the first floor of the Government Center for use by representatives.

ADJOURNMENT

Upon motion duly made and seconded, the meeting was adjourned at 8:34 p.m.

Note: A tape of these proceedings is available in the Board of Representatives office.