

Town of Indian Trail
Minutes of Regular Council Mtg.
April 14, 2009
Civic Building
7:00 P.M.

The following members of the governing body were present:

Mayor: John J. Quinn

Council Members: Dan Schallenkamp, John Hullinger, Shirley Howe, Jeff Goodall, Gary D'Onofrio,

Staff Members: Town Manager Ed Humphries, Town Attorney Keith Merritt, Town Clerk Peggy Piontek, Finance Officer Marsha Sutton, Town Engineer Scott Kaufhold, Planning Director Shelley DeHart, Tax Collector Janice Cook, Administrative Assistant Vicky Watts, Senior Planner Katie Reeves, Adam McLamb Engineering, and Associate Planner Jason Mann.

CALL MEETING TO ORDER

Mayor Quinn called the meeting to order

PRESENTATIONS

Mayor Quinn read the proclamations for Child Awareness Month, Arbor Day and Spring Litter Sweep. **(Copies attached hereto and made a part of these minutes.)**

Town Manager Ed Humphries congratulated Janice Cook for her certification as Tax Collector.

Mr. Humphries congratulated Peggy Piontek for her completion of the Municipal Administration Course at the School of Government.

ADDITIONS AND DELETIONS

There were none for this meeting.

MOTION TO APPROVE AGENDA

Dan Schallenkamp made a motion to approve the agenda as it now stands. Council voted unanimously in favor of the motion.

PUBLIC COMMENTS

Susie Phillips, 204 Coventry Drive, Indian Trail, NC thanked the people responsible for assisting her. However she is now requesting that her street be considered as one of the streets for the Town to take over to get assistance on lowering the speed limit on her block to prevent a child from getting hit. Mayor Quinn assured Ms. Philips that she is in good hands with our Engineering Department who will guide her through this process.

Mr. Schallenkamp asked the name of her subdivision, she replied The Village.

Jerry Wigen, 10004 Fenwick Drive, Indian Trail, NC asked Council consider a referendum to allow the citizens to vote on whether the restaurants should be allowed to serve cocktails and mixed drinks. He advised that a referendum to allow beer and wine sales was approved by 2/3 of the town a year ago. It is his belief that the restaurants revenues have increased and the sale of beer and wine have not caused problems that were predicted. He feels that Indian Trail needs to be in position when the opportunity occurs to move ahead economically to insure it's competitive with neighboring communities. If restaurant chains come, so will hotels, industrial parks, retail outlets which will increase tax revenue and save the homeowners taxes.

Art Masek, 4006 Holly Park Drive, Indian Trail, NC. He provided some history of the accomplishments of the neighborhood such as a traffic light on Rogers Road. He does not understand how the Holly Villa Circle road extension helps. He believes this will make Wesley Chapel Road more dangerous. He provided the history of the matter. He suggests installing the cull de sac and use the established bond for that cull de sac. He feels using the additional dollars that could be saved by doing that should be used to widen the right turn in and right turn out on Rogers Road and Wesley Chapel Stouts Road.

CONSENT AGENDA

- a. Tax Report - Month End Tax Report for March 2009. (**Copy attached hereto and made a part of these minutes.**)
- b. Approval of minutes for February 24th, February 28th and March 24th, 2009
- c. Resolution to request State assistance for ARRA (American Recovery and Reinvestment Act of 2009) (**Copy attached hereto and made a part of these minutes.**)

Dan Schallenkamp made a motion to approve removing 6b and address after we approve the consent agenda.

Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion to approve consent agenda items 6a & 6c

Council voted unanimously in favor of the motion.

Council Member Schallenkamp requested that the bottom of page 14 (approve/rescind should just read rescind as that was the motion) be corrected on the February 24, 2009 minutes. On the March 24, 2009 minutes at the top of page 7, 3rd paragraph should read "to decide on what equipment we should apply for". Council agreed to that correction.

Mayor Quinn requested that the minutes for February 24, 2009, page 5, under instructions and procedures should read "Mayor Quinn asked if Councilman Schallenkamp is suggesting". Councilman Schallenkamp said that matches his recollection of what took place. Mayor Quinn requested that under review and discuss previous discussions on page 7 the following important omission be added: "Mr. McLamb advised Council what the Public Safety Committee got out of the Mayor's attendance at the Public Safety meeting. He informed Council that the Mayor comments reminded the committee of a good point in determining the level of service as far as perception among the citizens for visibility. That was the point he made and Mr. McLamb felt it was a good point. The discussion at the time was about whether or not we needed to add anything, were we ok, do we stand pat. Mr. McLamb did not feel there was anything inappropriate or political about it, just a basic comment that brought us back into focus for discussion. He does not feel the committee members got anything inappropriate out of that either".
The Clerk will review the recording and resubmit the minutes for approval at the next meeting.

Mayor Quinn requested that the last page of the February 28, 2009 minutes be changed to reflect the Mr. Goodall's following statement: If this Council or future Councils ever do decide to start an Indian Trail Police Department, he would say that they should not wait until the end of the contract to do so. He feels we could start a police department right now and not have to increase taxes and have it functional within 18-24 months, but that's something for anyone to consider if they'd like to talk about it. A lot of people on this Council have said that one day we probably will need an Indian Trail Police Department, but as we grow and grow and how big we're going to be after 3.5 - 4 years is anyone's guess. It's just a matter of whether you lease public safety or you own those assets, as far as what's better for the town in the long run. He feels we need to look at all of that very carefully.

Council Member Goodall agreed with Mayor Quinn.

John Hullinger made a motion to approve tabling the minutes for February 24, 2009 and February 28, 2009 until the Council received updated copies to review.

Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion to approve March 24, 2009 minutes with correction as stated.

Council voted unanimously in favor of the motion.

OLD BUSINESS

- a. Recommended List of 28 miles of Subdivision Streets for Acceptance of Maintenance by the Town

Mr. Kaufhold advised this was the result of a unanimous decision of the Transportation Committee and discussed Phase I of our street acceptance program, approximately 30 miles,

having contract mechanisms in place and what that maintenance would entail; snow removal, pot hole repairs, dead animal removal, implementation of street signing... They are currently under the responsibility of NCDOT maintenance. He reviewed some subjects discussed at the budget retreat and the results of the Citizen survey about better street maintenance, road improvements and the pavement conditioning rating. Mr. Kaufhold discussed Senate Bill 758 which is suggesting the transfer of secondary roads to the Counties in 2011. Mr. Kaufhold explained the process of how they choose the roads, advising they choose streets in a variety of condition (good, bad and ugly). He feels that we can use the Powell Bill Funds received for the good streets and apply it to the ones that are in need of repair. He explained how they would go about selecting 25 miles of roads each year for the five year program.

Funding:

Powell Bill current balance is approximately \$3,219,660

Revenue \$600,000 per year currently.

To give an estimate, Powell is roughly \$22.00 per person and approximately \$1,700 per mile of street that you maintain. The cost for asphalt is about an inch of asphalt will give you about 10 miles of subdivision roads. Adding in the additional roads will bring us to approximately \$650,000.00.

Mr. D'Onofrio asked Mr. Kaufhold to confirm that the Council had no input on the selection of the roads. He lives on one of them, his colleague lives on one and perhaps the Town Clerk lives on another one. Mr. Kaufhold confirmed that they had no input, it was done strictly by the Engineering Departments design. He advised these roads are a good bang for your buck.

Mr. D'Onofrio asked Mr. Kaufhold to address the Public Comments speaker's issue. Mr. Kaufhold advised they will work on policy issues such as traffic calming devices, speed tables, speed humps, there would be established criteria for that, we'll take a look at signing as well.

Ms. Howe inquired if NCDOT also did a survey on our subdivisions road conditions. Mr. Kaufhold advised the town had that survey done. He explained the process that they followed.

Mr. Schallenkamp inquired if Mr. Kaufhold discussed with NCDOT to bring some of these roads up to spec. prior to us taking them over. Mr. Kaufhold advised that NCDOT is excited, we provided Mr. Underwood with a map and asked what they would do today to maintain these roads and get a dollar value to perhaps apply that as a credit to the town.

Mr. Schallenkamp said if we choose to approve this, we're instructing you and staff to work with NCDOT to bring them up to spec or negotiate for their funding of bringing them up to spec. They have neglected maintaining the roads and we don't want to take them over in this condition without monetary compensation.

Mr. Kaufhold replied it is our intent to take over the roads and the NCDOT has no schedule of when they plan on making any improvements to the subdivision roads. It is our recommendation we take the roads as they are, work with DOT to get a dollar figure and apply it to do with it what we can.

Mr. Schallenkamp replied if the town had to bear the cost of bringing all the roads up to spec, we could not afford it.

Mr. Kaufhold advised it would be done over time, not right away.

Mr. Schallenkamp would rather not take over the roads until we have a guarantee from NCDOT.

Mr. Humphries said we will not get the State to cooperate. It is his theory that the people will never have anything done to their roads, have a plan schedule on the streets that we know the State will not improve. However we will be getting money for those streets from Powell Bill funds.

Mr. Schallenkamp advised we cannot afford to repair the roads.

Mr. Kaufhold advised it is the plan of the Engineering Department to take over the roads with or without funding of NCDOT. He's hoping to get something, but has been told by Mr. Moose that no promises can be made at this time. He feels NCDOT has not touched our major thoroughfares like Wesley Chapel Stouts and Indian Trail Fairview roads and they have approximately 10,000 cars a day on them. He has no reason to believe that NCDOT will do anything with our subdivision roads.

Mr. Humphries advised he would rather tell a citizen, we know your road is bad and we have a plan to fix it at some point; rather than saying we can't help you. We should have a paving contract at least twice a year where we can start a routine spring and fall road maintenance.

Mr. Kaufhold advised the time constraint is getting this approved in time for the Powell Bill Map to be approved so we can get the Powell Bill funding.

Mr. Schallenkamp summarized that if Council approves these roads we may not get another dime with the exception of Powell Bill Funds and we may have to rebuild some of these roads right down to the dirt, sewer lines, utilities, storm drains, etc. We could deplete the Powell Bill funds quickly to do this. He wants to be sure that Council knows what they are getting into.

Mr. Humphries explained that the approach is not to try and take so much at one time.

Mr. Schallenkamp wants to be sure the citizens and the Council knows what we're getting into when we approve adoption of these roads that have been neglected by NCDOT for 20-30 years, could be engineered wrong, and insure they have the right expectations that we can't fix it overnight and maybe not in five or ten years.

Mr. Humphries advised he is confident, that the payment mechanism, as long as we get Powell Bill funds on good streets that you build up excesses for a period of years to do the bad streets.

Mr. Schallenkamp would like to tell DOT that we want to take your roads over but they need to provide us with money to do so.

Mr. Kaufhold advised we can certainly try, but with the conversations he has had with DOT indicates that there are no funds available. It is his opinion if we take over these roads we couldn't do any worse than what the State is doing.

Mr. Hullinger inquired at what point is the Engineering Department going to expand as a result of this. Mr. Kaufhold advised somewhere around the 50 mile mark where we will need personnel and equipment.

Mayor Quinn confirmed if Faith Church Road is owned by the Town. Mr. Kaufhold advised yes.

Mayor Quinn is wondering if there is any flexibility to the roads. Mr. Kaufhold advised we have a process in place for either privately maintained streets by petition, or roads that are not on the list this is the time to do that.

Mr. Humphries advised that the timing to taking the streets in the spring is to get them on the Powell Bill map but Council can take them at any time.

Gary D'Onofrio made a motion to approve recommended list of approximately 30 miles of subdivision streets for acceptance to include the subdivision of the Village.

Mr. Schallenkamp advised the citizens that our goal here is to do a better job than the State has done in maintaining these roads, but by no means are we able to remediate these roads overnight.

Council voted unanimously in favor of the motion. **(A copy of the list is attached hereto and made a part of these minutes.)**

DISCUSSION & POSSIBLE ACTION

- a. Appoint Council Person or Resident to serve on Union County's Transportation Advisory Board.

Mr. Humphries advised the County sent a letter advising us they would like you to appoint a person or resident on the Union County's Transportation Advisory Board.

Dan Schallenkamp made a motion to approve appointing Council Member Hullinger.

Mr. Hullinger agreed to perform this task but suggested that perhaps the Mayor would be a good selection. He approached the Mayor recently suggesting that he step down from Parks and Greenways Tree Committee and perhaps Mr. Hullinger would take that responsibility and the Mayor could fulfill this.

Ms. Howe would support Mr. Schallenkamp's suggestion.

Mr. D'Onofrio advised that currently the Mayor is the MUMPO Delegate and this may run more with this Board.

Mayor Quinn advised he had a conversation with Mr. Hullinger and he asked if it could be worked out he would take Parks & Greenway and the Mayor take this position.

Mayor Quinn advised he doesn't know how many meetings a month. There was general conversation pertaining to time availability for Mr. Hullinger. Mayor Quinn believes this would be consistent with his responsibility with MUMPO.

Mr. Schallenkamp withdrew his previous motion.

Dan Schallenkamp made a motion table until we get more information.

Motion Passed 4 - 1 with Jeff Goodall opposing.

b. Board Appointment Process

Shelley DeHart advised that at a previous meeting the discussion came up if there was a policy for appointments. There was a policy created on May 9, 2006, she's uncertain if there was advertisement done, application cut-off date of May 31st, Town Council would conduct interviews of 15 minutes per applicant.

After researching other jurisdictions, advertising criteria, written application required to be delivered to the Town Clerk, date of appointment was always clarified, interview procedures, factors of consideration before the applicants, an amendment procedure of the policy and the effective date of the policy.

Ms. DeHart reviewed the draft:

Scope - outline of procedures and purpose. Does Council wish to include a clause of free appointment written into the policy?

General criteria:

- a. Public Notice - April 15th, written application - cut off May 31st
- b. Date of Appointment - in June for a July 1 start date.
- c. Procedure for readvertising, if seats are not filled, we can readvertise for the empty positions.
- d. Empty Positions - follow the abc procedures above (advertise, interview, accept application)
- e. Unexpired Terms - Council can consider any on-file applications at Clerks Office without following a-c procedure, Clause of Free Appointment, if you knew of some interested citizens that you might want to contact to apply.
- f. Promotion of Alternate - First consideration to those that have served 12 months.
- g. Interview - reappointment or alternates may not necessarily be asked to interview.
- h. Factors for consideration: Current members- attendance, effort - knowledge of duties and compliance with regulations, attitude, request a recommendation from Chairman (this can be added as option d)
- i. Factors of New Members, Service on other Committees, Background, Potential Conflict of Interest,
- j. Notification - member and chairman within 48 hours of the appointment, also must notify candidates that were no appointed within 48 hours.
- k. Swearing in will be done by Town Clerk.

Mr. Hullinger would like to see unexpired terms posted on our website for 2 weeks to give other people an opportunity.

Mr. Merritt advised that Council might consider having the vacancy announced at a meeting.

Mr. Goodall asked if the Town Manager or Attorney if any municipalities pursue any background checks. Neither had heard of this practice. Mr. Goodall inquired if they thought it might

be a good idea to avoid any problems in the future. Mr. Merritt advised there is no legal matter that would prevent us from doing so.

Mr. Schallenkamp inquired suggesting applicants must submit their candidacy in writing on town application in Section 2 b. He asked Council that sitting members automatically reapply, he would like they be asked to reapply. Also in Section 3b1, he suggests if they reapply. He feels this is head and shoulders above what we have had in the past.

Ms. DeHart asked to address the date of submission prior to May 31st. Mr. Schallenkamp suggested that perhaps we back it up to May 20th.

Ms. Howe addressed the attendance, if three unexcused absences are accumulated, they should not be considered for reappointment. What is the procedure for removal? Ms. DeHart advised that the Committee should have agreed on the rules of procedure. Typically the Chairman can send up a recommendation that they be considered by removal by Council.

Mr. Merritt suggested business hours.

Mr. D'Onofrio commented on free appointment. He suggested removing free appointment.

Dan Schallenkamp made a motion to approve striking the second sentence of the first highlighted paragraph.

Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion to approve to make the cutoff date May 20th
Council voted unanimously in favor of the motion.

Dan Schallenkamp made a motion to approve the resolution Board Appointment Process with corrections already made. Solicit input from current chairperson.

Motion Passed 4 - 1 with John Hullinger opposing. **(Copy attached hereto and made a part of these minutes.)**

c. Time Limit on Mayor and Council Comments

Mr. Schallenkamp presented to Council suggesting a new policy for Council Comments, advising that those comments should be limited to 5 minutes for each. Any member who has reached their time limit can request additional time which may be granted upon approval by simple majority.

Mr. Goodall advised this is a great initiative and is long overdue. Even at 5 minutes that would take 30 minutes and that's if no one requests additional time. He feels it should be 3 minutes, the same as the public is allowed.

Mr. D'Onofrio, Mr. Hullinger, Ms. Howe supported 3 minutes as well.

Dan Schallenkamp made a motion to approve a time limit of 3 minutes per member for Council Comments. Council voted unanimously in favor of the motion.

NEW BUSINESS

a. Carolina Thread Trail

Mayor Quinn thanked Mr. Mann for his service and advised he has done a great job and wished him well on his new adventure.

Mr. Mann provided a map and explained what the Thread Trail is. It is a regional network of trails that will be formed as local governments develop trails identified and incorporated in the project. The Carolina Thread Trail is offering \$60,000 grants. Request is to set aside \$855.85 from the Park fund for the Town's share of a county wide match for the Carolina Thread Trail Planning Grant. The County Wide grant is for \$60,000. The County wide Match is \$6,000. Our share is based on a per capita population basis. This will help us qualify for future grants.

Mr. Goodall inquired if this is under the assumption that all the other municipalities are players. Mr. Mann confirmed he was correct. Mr. Goodall stated in the whole picture it's great, but what would motivate Lake Park to participate. Mr. Mann replied that if enough people take that attitude this will not happen and the County will lose it all. He advised other County's have had great success. Mr. Goodall feels it's a great concept and we should take the lead and approve this.

Mr. Schallenkamp suggested, if passed, that we send something on Town letterhead to ask the other municipalities to join us.

Dan Schallenkamp made a motion to approve setting aside \$855.85 for Carolina Thread Trail.

Council voted unanimously in favor of the motion.

Ms. Howe asked how we would know if it was successful. Mr. Mann advised that we will encourage them to advertise the participants.

Mr. Hullinger thanked Mr. Mann for his service. He asked what the future expenses are.

Mr. Goodall expressed concern about easements

b. Contract with HNTB for Implementation of the CMAQ Grant For the Indian Trail Road/Old Monroe Road intersection.

Mr. Kaufhold introduced Aidin McCann and Robert Moser from HNTB. He provided some background CMAQ is Congestion Mitigation Air Quality. Applied for grant in 2/05 through MUMPO, originally planned to combine with U-3809 dollars. It's intent is interim improvement - not meant to be exhaustive Federal Dollars = Federal Process = Expensive.

Work Plan:

Mr. McCann provided the work tasks, advising a third of it is for. He also provided traffic projections and analysis. Look at the design the condition will ultimately be. Federal Process required environmental documentation is included in their work.

Another critical item is a workshop to answer questions to the local business.

Design process will take 6-9 months and at that time frame they will come back. Acquiring right of way.

Mr. Kaufhold advised that we've been working with DOT.

Mr. Kaufhold advised that funding:
CMAQ Grant will pay for construction, we requested \$4,000,000.00 and were awarded \$910,000.00.

Schedule: Planning & Design - HNTB Right of way - CMAQ funds available FY 10-11 HNTB
Utility Relocations - HNTB Construction -

Mr. Schallenkamp confirmed that the CMAQ Grant is \$910,00 our match from Powell Bill Funds is \$228,000 (25%).

Mr. Schallenkamp asked HNTB about general overhead of 155 % explanation.

Mr. McCann replied that the estimate follows all the Federal audited overhead rate that is standard on all State proposals. All of their rates are certified by the State.

Mr. Schallenkamp inquired if all the subcontractors do 155% overhead? Mr. McCann replied all of them vary but NCDOT should cap at 162%. Mr. Schallenkamp inquired if is this a profit or cushion what is it. Mr. McCann replied that general overhead is keeping the office open day to day. The profit that you see is capped at 9%, that's what the State allows.

Mr. Schallenkamp asked if they can go lower. Mr. McCann replied they strive to go lower but that is our overhead.

Mr. Schallenkamp asked Mr. Kaufhold if this is boiler plate. Mr. Kaufhold advised yes, there is no room for creativity, you just fill in the blanks and they tell you what your maximum is.

Mr. D'Onofrio inquired about estimated construction start. Mr. McCann replied the timeline is to try and get the start of construction within 24 months. They estimate design 6-9 months and they plan on being back around the 10 month timeframe for right of way acquisition. We should get a contractor in about 18 months for start.

Mr. Schallenkamp asked about risk, likelihood for the money for the 2010 time frame, are we available to get that. Mr. Kaufhold advised it is on track for that time frame.

Mr. Schallenkamp inquired if the funding is all Powell Bill. Mr. Kaufhold advised that we would be using Powell Bill and there is the road fund available as well.

Jeff Goodall made a motion to approve adopting the contract with HNTB for Implementation of the CMAQ Grant.

Council voted unanimously in favor of the motion. **(Copy of the contract can be found on file with the Finance Officer.)**

MANAGERS REPORT

Mr. Humphries had nothing to report.

PLANNING REPORT

Ms. DeHart advised the following:

Farmers Market is this weekend. Both Jason and Hillary were on WIXIE Radio this morning being interviewed about the events.

There is a Park Plan workshop next Monday and Tuesday from 1:00 - 5:00 pm in the Civic Building.

Farmers Market will have 13 vendors and 8 volunteers

Earth Day Arbor Day will have 14 Vendor Booths

Tree Donation - Plaque Presentation

Coordination is ongoing for the date and time for the tree donation at Sardis Elementary School and the Indian Trail Athletic Association.

She met with Carolina Courts and the developers of Old Hickory Business Park this afternoon regarding the Monroe Connector. The proposed alignment goes right through Carolina Courts building. They would like to stay in Indian Trail close to that location. We were discussing looking at alternative sites in the business park.

Installation of the new GIS server system is complete to provide enhanced customer service allowing for more web based GIS services.

Refocus on Website in the coming weeks.

Mr. Goodall inquired about the Tree City USA signs. Ms. DeHart advised we do have the signs and we're working with NCDOT about getting them posted.

Adam McLamb advised they have worked with NCDOT sign department and they can't be posted on some polls, they can't go on any of the roads we want them on because of the right of way requirements.

ENGINEERS REPORT

Mr. Kaufhold had nothing to report.

COUNCIL COMMENTS

Mayor Quinn mentioned the safety concerns he received by email about parking from another neighborhood. He asked Council to consider looking at an ordinance that has enforceable restrictions. It's a valuable tool.

With regard to the February 28th, Mayor Quinn quoted Mr. Goodalls comments that he believes we can get a police department up and running within 18-24 months without raising taxes. He said the study that UNCC did is pretty clear on what makes a contract work and as long as those conditions are met he believes we can maintain the excellent service we are providing right now. He challenged Mr. Goodall to make a report, bring it to the Council and back up what he says.

Ms. Howe commented on the minutes, to suggest that they call the Clerk ahead of time and give her the information. She thanked Ms. Sutton for the packet. She congratulated Ms. Piontek on her graduation from the school of Government. She asked Mr. Schallenkamp if he intended to discuss sending a letter to the Turnpike Authority advising our support of 18A for the Monroe Connector.

Mr. Hullinger asked Mr. Kaufhold on Faith Church Road and Unionville Indian Trail Road Intersection, since we are getting Federal stimulus money for it; the stimulus estimate appears to be \$400,000.00 and the cost is about \$250,000.00 he inquired if we could add the expense of the street lights on Faith Church Road. Mr. Kaufhold replied he would look into it.

Mr. D'Onofrio spoke about the Union County Governments Committee advising that other towns have not appointed representatives. He read in paper Representative Gibson had submitted to do another ENRON around the voters of Union County to go to a District Format. Not really well flushed out, three representatives from the western side, two from the eastern side. Considering the County had made a real effort to get input from the municipalities he feels that Mr. Gibson's efforts were not necessary at this time. He suggest a Resolution to present. With regard to infrastructure, he read in NCLM that the American Society of Civil Engineers gives our rating a B. There is 2.5 Trillion dollars of work necessary to be done and he feels there is a need for a commitment on every level of the Country.

Mr. Schallenkamp asked for approval for a draft to be presented at the next Council meeting on the route of choice for the Monroe Bypass.
He is disappointed on the vote last night of the annexation.

Mr. Goodall had no comments to make.

CLOSED SESSION

Shirley Howe made a motion to enter into closed session pursuant to NCGS 143-318.11(a)(6) To consider the qualifications, competence, performance, condition of appointment of a public officer or employee or prospective public officer or employee.

Council voted unanimously in favor of the motion.

The Town Clerk and Town Manager were asked to leave the meeting for Closed Session. The Town Attorney will provide the minutes.

ADJOURN

Dan Schallenkamp made a motion recess to reconvene to April 15, 2009 @ 7:00 pm.
Council voted unanimously in favor of the motion.

APPROVED:

John J. Quinn, Mayor

Attest:

Peggy Piontek, Town Clerk