

FINAL MINUTES

BOARD OF SELECTMEN MEETING

MINUTES

December 13, 2010

1. Call Meeting to Order

Chairwoman Julie Gilman convened the Board at 6:45 pm to interview a candidate, Beth MacDonald, for a position on the Exeter Economic Commission. She then reconvened the Board at 7:00 pm in the Nowak Room of the Town Office Building. Other members of the Board present were: Mr. William Campbell, Mr. Bobby Aldrich, Mr. Don Clement and Town Manager Russ Dean. Selectman Matt Quandt was absent.

2. Public Comment – None.

3. Minutes & Proclamations

a. Regular Session Minutes of December 6, 2010

Mr. Aldrich moved to approve the Regular Session Minutes of December 6, 2010 as presented.

Mr. Campbell seconded. Vote: Unanimous

4. Appointments – Conservation Commission & Council on Aging

Mr. Clement moved that the Board approve the appointment of Maggie Matick to the Conservation Commission for a term to be determined. Mr. Aldrich seconded. Vote: Unanimous

Mr. Clement moved that the Board approve the appointment of Sandra Cross as a permanent member to the Council on Aging. Mr. Aldrich seconded. Vote: Unanimous

5. Departments Reports – None.

6. Discussion/Action Items

a. New Business

i. Service Link Presentation

Becky May, Director of the Portsmouth Service Link office, came forward to share information about their organization. They are a small non-profit agency that has been around for about 10 years. There is at least 1 office in every county in the State of New Hampshire. They offer referral services and information education to seniors, disabled adults and caregivers. Their goal is to help people connect with various needed services in their community. They help with eligibility guidelines for various federal, state and local programs. They do home visits, public education and provide assistance with filling out program paperwork.

Last fiscal year 950 people from Exeter contacted them for assistance. The most common inquiry is for specialized counseling services for people looking for long term care options. The second most common inquiry is for assistance with Medicare issues. They are the connection between the need and the services that are out there. All of their services are free and confidential. Ms. May brought materials and brochures with her for anyone interested.

Ms. Gilman asked if they work with different transport providers. Ms. May said they have a database of transportation providers. Mr. Clement asked how people find out that Service Link exists. Ms. May said that they have a toll-free number, a local number and a website. The toll free number is 1-866-634-9412 and the local number is 334-6594. They also mail information out to doctor's offices, care providers and service agencies. Mr. Aldrich asked how they are funded. Ms. May said that about 8% of

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their funding is from the State and the rest comes from Federal funding and fundraising.

ii. FY11 Budget

Town Clerk Linda Hartson thanked her staff for doing a wonderful job during her recent medical leave. She has been able to work from home during this time and is very appreciate of the effort everyone has put in. There have been some issues with the state computers for vehicle registrations recently. On a couple of occasions they even had to close down. The State advised that the problem was Fairpoint. Fairpoint was called in. They put in some new wiring and installed a new router and it has solved the problem.

The November elections went well. There was some confusion among some residents regarding the location change, but overall everything was good and they received many positive comments. The turnout was good – about the same as that of the last national election. There were some overtime costs for Saturday setup.

Mr. Aldrich asked for an update on the records retention project. Ms. Hartson said that there was \$ 2,000 in the budget this year for work on that but unfortunately it didn't get done. The money will instead be used to cover over expenditures. The oldest books which were really deteriorating have been done. It is a very worthwhile project and they plan to continue with it.

Ms. Gilman asked if the staffing levels are going to be the same. Ms. Hartson said that they have 3 full-time employees and 2 part-time employees who work 30-34 hours per week. The 2011 budget represents no increases in staff or hours. Mr. Aldrich asked if the budget contains enough money to cover elections and Ms. Hartson said she believes so. There is only one election next year.

Ms. Hartson said that in April the checklist supervisors will start working on the purge. State law requires a checklist purge every 10 years. She said that about 1,350 people will get letters. If you haven't voted in a certain amount of time you get a letter. State law requires that this notice be done in writing. She has estimated 800 hours for this work.

Ms. Hartson said that she understands that the Board has been asking for level funding. There isn't any way she can cut on the election or moderator costs. A cut would have to come out of the clerks budget. They could eliminate sending out renewal notices for vehicle registrations and dog licenses which would cut postage, stationery and envelope expenses. The only other option would be staff hours and wages.

Mr. Knight asked if the costs for deliberative session are included in her election total. Ms. Hartson said that the only real expense for deliberative is the moderator fee. The moderator gets a fee for each session which is set by contract with the town. Mr. Knight said that the town's attorney was present at deliberative session last year and asked what account his fees would have been charged to. The Board advised that this would be considered legal expenses.

Mr. Doug Eastman from Building came forward to discuss his department's 2011 budget. He said that they have already made cuts to their budget as compared to the current year. The electrical inspector's hours have been decreased 3.4%. Cuts have been made in travel reimbursement, conferences/rooms and building inspector fuel. One of the employees in the department made a change to their medical coverage which has resulted in an increase in the health care cost budget line item. Mr. Eastman feels that they have done the best they could with the budget and the only other place where any cuts could be made would be staff hours / wages.

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Mr. Eastman said that they are busy and there is a lot going on. There have been a lot of renovations. The new gas licensing requirements have been a popular item for them. Mr. Clement said that since the building department takes in revenues from permits and fees he'd like to focus on that instead of their expenses. Exeter has lost some good sources of revenue in the past year and so they have to look at other ways of supplementing the budget. He noted that building department revenues are up substantially this year and asked Mr. Eastman when the last time was that their permit fees were increased. Mr. Eastman said that currently there is a \$ 25.00 application fee for residential plus a charge of \$ 5.00 per thousand and a \$ 125.00 application fee for commercial plus a \$ 7.00 per thousand charge. Fees were increased within the last year or so and Mr. Eastman felt that they are comparable to other towns of similar size. They did do a survey prior to the last fee increase and he feels that they are pretty current. He said that there are several different ways of calculating and some towns go by square footage. Some smaller towns don't charge at all. Mr. Eastman said that they could look at changing to a square footage calculation if desired.

Ms. Sylvia von Aulock came forward to discuss the Planning budget. She said that the Planning department works closely with the Building department and multiple other volunteer boards and local and regional agencies. She said that it would be hard to reduce the tools they use to work with. They could cut mailings to volunteer members of boards and go to a paperless venue. Emailing large documents often present difficulties however. They could charge copying fees to developers, but they are already paying fees for a variety of different things that are supposed to include administrative costs. There is very little that could be cut without touching staff hours or wages. She showed the audience an example of one CIP document report that costs about \$ 600 per year to produce.

Mr. Aldrich said that the boards have their own line items for training and it doesn't seem like they take advantage of it. He would like to see more training and asked if there was a way that the town could create a more formalized structure and support for its volunteers. Many people who come in and volunteer for the various boards are looking for guidance and orientation. Ms. von Aulock said that there has been a freeze mentality for the past 2 years or so where departments and boards have felt that they can't spend any money on anything, even if it is in their budget, and this is probably why training funds have not been fully utilized. Mr. Clement felt that it may not be so much a reluctance to spend, but rather that it is hard to get people to go to trainings. Many volunteers are working people and a lot of training sessions are during the day.

Mr. Campbell pointed out that they have not spent all of their postage budget this current year and asked if the postage line item of \$ 2,800 could be cut. Ms. Von Aulock said that she would prefer that it not be. She can never be exactly sure how many applications they will receive and exactly how much mailing will be required. Mr. Aldrich noted the \$ 11,500 line item for the Rockingham Planning Commission and asked for an explanation of what they do for the town for this money. Sylvia said that they sit on the transportation committee and are working on the master plan. They supply maps, staff committees, are instrumental in helping Exeter get grants and help with zoning issues. Also, if they are not funded in full the Town loses points when it applies for various transportation grants. Ms. Gilman said that if the town had to pay for consultant services instead of the services they provide it would cost a lot more.

Mr. Aldrich asked for a master plan overview and asked if the \$ 25,000 was a one year expense. Ms. von Aulock said that she would see it as about a once every 5 year expense. They are going to work on updating the 4 or 5 oldest chapters which haven't been done in a long time. This item was recommended by the Budget Committee. Mr. Clement asked for an explanation of exactly what has to happen regarding the master plan that requires \$ 25,000 worth of services from a consultant. Ms. von

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Aulock said that the master plan currently has 9 chapters, but they would like a tenth chapter for energy relations. She is going to try to get a grant for the tenth chapter. The biggest reason that consultant services are needed to update the oldest chapters is time. She said that it is impossible for her department to conduct business as usual and do all of this work as well. Ms. Gilman said that there is a state regulation that requires updating the master plan every 5 years. Mr. Clement said that teams of volunteers did this work eight years ago and questioned why the need for a consultant now. Ms. von Aulock and Ms. Gilman both stated that it was a bigger undertaking than realized eight years ago and it is too much to ask of volunteers. Mr. Aldrich said that consultant services are worthwhile to be sure that the document is done professionally and on time.

Ms. Renee O'Barton said that it may be helpful to know that there is a website out there called transferlargedocuments.com or transferbigdocuments.com that can be used to transfer large files at no cost. Ms. von Aulock said that one of the problems her department has is that many documents are size 11 x 17 and not 8.5 x 11, but thanked Ms. O'Barton for her suggestion. Ms. Gilman thought that they would have the same capacity via some of the Google apps they have. Mr. Dean wasn't sure, but agreed that they should see what can be done to use modern technology to streamline their processes.

Mr. Brian Griset asked for clarification about what is covered by the legal/public notice expense budget lines that the Planning department has, as well as Zoning, Historic District Commission and Conservation Commission. Mr. Aldrich said that the legal notice expense in Planning covers any such expenses that belong to the Planning Board specifically. With regard to the other boards, these legal notices are usually for notifying abutters. The Conservation Commission did not have anything come before it this year that required legal notices be sent so nothing was spent.

Mr. Aldrich said that the Budget Committee took the Raynes Farm capital request out of the budget and the warrant article. He advised that they are looking at an alternative and may be looking to put at least some of the money back in later.

Ms. Gilman said that the budgets for the following departments will be reviewed and discussed at next week's meeting: Board of Selectmen, Town Manager and Town Office, Assessing, Cable TV and IT, Human Resources and Finance, Treasurer and Tax Collection. Mr. Campbell expressed concern about there being enough time in the schedule to finalize the budget after all of the department reviews are complete. Mr. Aldrich asked that Mr. Dean prepare a list of warrant articles that the Budget Committee did not recommend so they can start looking at those and consider whether or not they feel they should be put into the budget. Mr. Clement said that it may also be helpful to consider some points of certain warrant articles when they have the department head present for budget review. Public Works is the biggest warrant article generator.

iii. Review Vacation Policy

Mr. Aldrich said that for some time they have been discussing an accrual system versus an earned time system of vacation leave for town employees. Currently all non-union employees are on an earned time system where they get all of their vacation time, directly related to the number of years of service, on January 1st and have the year to use it. The Police Union went to an accrual system, but Fire did not. DPW Union employees currently operate on an earned time system. The language is there for an accrual based system which if written into the Personnel Plan would keep this similar to much of the vacation language in the union contracts. Mr. Aldrich said that the big question is whether or not to move non union employees to an accrual system or keep them on earned time. This would mostly affect department managers. If it is decided to move them to an accrual system, how do you handle the

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transition?

Mr. Aldrich said that under the current plan, if non-union employees were moved to an accrual system, they would get all of their earned allotment for 2010 on January 1st, 2011 and then start the accrual based system on July 1st, 2011. At the end of the year they have the ability to carry over some of their unused vacation into 2012.

Mr. Dean said that the current town policy dictates that if the vacation time is not used in 12 months it is lost. The move to an accrual system would mean that the time is banked. The employees would still receive the same amount of annual vacation time with the time being credited to their bank at their monthly accrual rate on the last day of each month up to the maximum accrual cap. The proposed maximum accrual cap is 10 days. He said that there has been some misunderstanding that people would lose time and this is not true. One of the issues that has been raised is that new employees have to work a full year before receiving any vacation time.

Mr. Aldrich is very opposed to an accrual system. However, he said that the Personnel Plan is otherwise very close to ready to go and it just needs to be decided what language will be inserted regarding vacation leave policy. Mr. Campbell asked if the language was the same as that used in the police contract and Mr. Aldrich said yes. Mr. Aldrich said that his place of employment switched to an accrual system the other year and their answer to the transition year was to cut employees checks for the amount of vacation time earned in the last year under the earned time system. Employees then started the first year under the accrual system with zero time in their bank but with a check in their hand. Exeter needed to come up with a different method of handling the transition year that would not have such a financial impact. Mr. Aldrich's employer also allows its employees to borrow vacation time whereas the proposed new plan for Exeter town employees does not have such a provision. He said the reason that the transition plan was created was to give them the opportunity to have something in the bank on January 1st, 2012, without using the vacation that they rightfully earned for 2011.

Mr. Dean said that the transition year plan did not start accruals on January 2, 2011 because it could be hard for the town to function if long time employees had 10 weeks of vacation time. It would be a problem. The genesis for this was new employees coming in and having to wait a year to use any vacation time. In most instances department heads are earning vacation time after 6 months. There is an issue with how to transition the high vacation time earners without disrupting the running of town operations.

Ms. von Aulock said that she has been on the Policy/Benefits Committee for the past 7 months and this is the first time that she has heard this transition plan. It is very different from that proposed by the Policy/Benefits Committee. The committee proposed that vacation time would begin to accrue on January 1st and that employees could carry over 3 weeks of time in the first transition year. She said that having to wait until July 1st to begin accruing time penalizes employees 6 months worth of vacation time. Essentially they are receiving zero vacation time for the months of January through July in the transition year under this plan.

She also said that the Policy/Benefits Committee didn't see anything broken with the current earned time system. They did feel that what was broken was that part time staff got no vacation time. They also suggested that one way of transitioning would be to start the accrual system with new employees going forward, but leave the old employees on the earned time system as is. Mr. Campbell asked if she would be willing to consider the loss of half of her earned vacation time in the transition year to be a tradeoff for the ability to bank time and roll it over. Ms. von Aulock replied adamantly in the negative

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and said that she could care less about rolling over vacation time. The extreme stress and high burnout of her job insures that she uses every last drop of time that she is entitled to.

Mr. Aldrich said that the math of the transition plan computes that there will be a loss of a half year of vacation time in the transition year. He questioned whether or not the Board feels it is worth it to move forward to an accrual system or stay with the current earned time system. Mr. Campbell said that he can not support this plan as is with the loss of the 2 weeks of time. Mr. Aldrich said that starting the change to an accrual system with new employees and leaving old employees on the current system presents administrative issues with having multiple vacation plans.

Ms. von Aulock stated that she is very upset that she has been on the Benefits/Policy Committee for the past half a year and this is the first time she has even heard about this particular plan. Mr. Aldrich said although it appears that the communication could have been better, it is important to note that the role of committees is to give input to the Board. The Board collects input from a variety of sources and then ultimately is responsible for making a decision. The Board sets policy, not the committees. Mr. Dean said that he cannot recommend the transition policy that Ms. von Aulock and the Policy/Benefits Committee desire.

Ms. Jennifer Perry sketched out a chart that shows the difference between the current plan and the proposed plan which illustrates the loss of one half year of vacation time under this current proposal. She said that there are 9 salaried staff in the Public Works department who collectively have 94 years of total service to the town. She has received a lot of heartache from them today and says that this new plan is very demoralizing. These employees are entrusted with managing multi-million dollar budgets and running many of the town's operations. They work long hours, attend meetings on their own time, respond to emergencies and work many extra hours without additional compensation. This loss represents a lot of time to them. They all had to work their first full year without any vacation time. Carryover is not a benefit to them because people take their time. She feels that the issue is not really what system is used but how the transition year is dealt with.

Jay Perkins said that nobody wants this plan. He doesn't understand why they are trying to go forward with it. What is the big benefit if no one wants it?

Mr. Aldrich moved that the Board of Selectmen scrap the accrual based system, stay with the earned time system and allow the appropriate wording changes for the earned time vacation system into the Personnel Plan. Mr. Campbell seconded. Vote: 3-1 Mr. Clement opposed.

b. Old Business

i. Bid Award: Water/Sewer Chemicals

Ms. Gilman read the Public Works Department's recommended chemical bid awards for 2011 (see attached). Mr. Clement asked if these figures line up with the projected budget costs and Mr. Dean said yes.

Mr. Campbell moved to approve these prices as described on the sheet. Mr. Clement seconded. Vote: 3-0 Mr. Aldrich was out of the room for the vote.

ii. I and I Program

Mr. Dean said that he was asked last week to provide a couple of different scenarios for the I and I project and he has done that. He is also in the process of conversing with the Mitchell Group regarding legalities. They are looking at the concept of whether it would be easier for the town to obtain

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easements from homeowners, for some minimal consideration, for the line. The town would essentially own the line and maintain the line. It is done that way in other jurisdictions. Mr. Clement said that in this scenario the town bears the full cost of the I and I project plus the cost of the easements.

Mr. Dean explained the two scenarios for the current Inflow Infiltration Proposal. Under Option A the town would do the work through an authorized contractor as part of a CIP project. The town would bear the full cost of \$ 600,000 which would be absorbed by debt service in the sewer fund. The only cost would be to rate payers. Option B is the same as Option A except that the homeowners pay back the sewer fund up to 100% of the cost based on 2 annual payments over 10 years. Charges would appear on the property tax bills and therefore be tax deductible.

Mr. Aldrich asked if the town would charge actual cost and Mr. Dean said yes. Mr. Aldrich asked if the loan to fund this project would also be for 10 years and Mr. Dean said that is the current suggestion. Mr. Aldrich said he felt that the scenario was viable if the homeowners would be making payments over the life of the loan so the town would see a revenue stream at the same time. Mr. Dean said that the other provisions of Option B are that the town would charge interest on homeowner payments who elect the payment method equivalent to equal interest on \$ 600,000 on borrowing through the SRF. Homeowners can choose to pay the full amount up front. The Board may grant waivers based on income levels or disability. Non payment of bills would be liened in the same way as property taxes.

Ms. Gilman asked what can be done if a homeowner refuses to participate in any way. Mr. Dean said that they can be forced to comply under sewer ordinances. Mr. Campbell said that they will be digging up the old sewer line and therefore shutting off their current connection. What happens if homeowners have illegal connections or are discharging improperly?

Frank Ferraro said that the consultant who did the presentation a few months ago stated that they pretty much know where the illegal discharges are. If they know where they are, they can be forced to take action under the sewer ordinances. He said that he found the easement option scary. If this goes through then you would be talking about easements on almost every property in town. The town would then have to worry about residents putting up trees, fences, pools or other things on the easements. Option A seems almost the same as an easement to him. How do you force people to let you come onto their property? Whereas with Option B, these are illegal connections and so the town shouldn't be footing the bill for correcting this. He agrees that the homeowner payment term should match the term of the loan being used to fund the project.

Mr. Ferraro asked if the waivers would expire if the property was transferred. Mr. Aldrich said that probably the town would just lose out on the money if the property changed hands unfortunately. He likes the idea of attaching taxes since it is tax deductible. Much community discussion and involvement is needed in this process. Mr. Dean said that they will do a targeted outreach to the 120 homes in the Jady Hill area.

Mr. Clement likes Option B, but proposed the idea of having the town and homeowner share the costs on some sort of percentage basis. He suggested that perhaps the town pays 20% and the homeowner 80% or something similar. Mr. Aldrich felt that there is a large education piece to this. The homeowner should understand that this work is an improvement to their property and there are many benefits to this. The town is going to do all of the work, but there is a cost for that. Mr. Dean said that waste infiltration into the system is a problem. If it was cut then treatment costs would be reduced, so one tangible benefit is cost avoidance down the road.

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Mr. Ferraro also pointed out that storm drains are being installed as part of this project which gives people with sump pumps another discharge option. Ms. Perry said that there could be 2 lines to each house potentially, one for sewerage and one for storm drainage. It depends on the house. Each home would be analyzed and the cost would depend on whether both lines need to be replaced or not.

Jim Knight questioned the expenditure process for this project. Mr. Aldrich said that there will be one warrant article for the entire project. The entire project includes the \$ 600,000 cost for the I and I project. They are trying to decide now whether or not there will be a revenue offset to the \$ 600,000. Mr. Dean said that analysis has shown that the project should be done as a total to get the maximum return on the investment.

Mr. Knight said the town has to be careful when dealing with people's storm water discharges. There could be contaminants in there, such as latex paints or oils. There is a whole myriad of things that needs to be considered.

Ms. Perry said that Mr. Knight has valid points. They need to be sure that people are only discharging clean water from sump pumps or basement drains. It is a real concern. If someone were to wash out a paint brush, that water should go down the sewer. They will have to do a lot of public education and there will be enforcement. They would be looking at a minimal type of treatment of storm water discharge under this plan which is not happening at the current time. Mr. Clement said that Mr. Knight's point that storm water is not always clean is a good point. They are always getting new storm water regulations.

Mr. Aldrich motioned that the town move forward with the project and that the actual cost of the project for the inflow infiltration on private property be charged 100% to the homeowner based upon the actual cost of the project for that property to be assessed on property tax bills and that it be paid over whatever the life of the loan is with the interest charged at the same rate as that of the loan. Built into that is the option to pay up front. That way we have offset 100% of the cost. There was no second. Motion failed.

Mr. Clement motioned that the town move forward with the project and that the homeowner pays back the sewer fund 75% of the actual cost of the project for the inflow infiltration on private property based upon the actual cost of the project for that property to be assessed on property tax bills and that it be paid over whatever the life of the loan is with the interest charged at the same rate as that of the loan. Built into that is the option to pay up front. That way we have offset 75% of the cost. Mr. Campbell seconded. Vote: 2-2 Ms. Gilman and Mr. Aldrich opposed. Motion fails.

Mr. Knight asked if the storm drain cost should be borne by all residents since it affects the safety of the roads. Mr. Aldrich said that these calculations can get very complicated and interesting and nothing is going to be decided tonight.

7. Regular Business

a. Bid Openings – None

b. A/P and Payroll Manifests

a. Accounts Payable and Payroll Manifests

Mr. Clement moved to approve a special payroll warrant for checks dated 12/8/2010 for Fire

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Department stipends in the amount of \$ 5,000.00. Mr. Campbell seconded. Vote: Unanimous

Mr. Clement moved to approve a regular weekly payroll warrant for week ending 12/5/2010 for payroll checks dated December 8, 2010 in the amount of \$ 155,489.56. Mr. Campbell seconded. Vote: Unanimous

Mr. Clement moved to approve an accounts payable warrant for the November payment for the NH Retirement System for checks dated 12/10/2010 in the amount of \$ 133,801.80. Mr. Campbell seconded. Vote: Unanimous

Mr. Aldrich moved to approve a weekly accounts payable warrant for checks dated 12/10/2010 in the amount of \$ 2,094,970.23. Mr. Campbell seconded. Vote: Unanimous Big Ticket Items: \$ 1,096,000 to the Exeter Region Co-op and \$ 908,000 to the Exeter School District.

c. Budget Updates – None.

d. Tax Abatements & Exemptions – None.

e. Water/Sewer Abatements

Mr. Campbell moved that the bill of \$ 974.05 be discounted by \$ 245.21 for a new bill total of \$ 728.84 for 203 High Street. Mr. Clement seconded. Vote: Unanimous

f. Permits

Mr. Clement moved to approve a permit for parking on the street. Mr. Aldrich seconded. Vote: Unanimous.

g. Town Manager's Report - None

h. Legislative Update – None

i. Selectmen's Committee Reports

Ms. Gilman said that the Economic Development Commission meets tomorrow. The Historic District Commission meets on Thursday.

Mr. Aldrich said that the Conservation Commission meets tomorrow. They expect to have an interesting discussion about Brentwood Road land. They have received a letter asking if they are interesting in purchasing that parcel. The Arts Committee meets tomorrow night instead of Thursday. The final meeting of the year of the Exeter School District Budget Committee will be on Wednesday at 7:00 pm at the SAU office on Linden Street. They will make their final recommendations on spending proposals and warrant articles.

Mr. Clement said that he had a Heritage meeting a couple of weeks ago. The Council on Aging met last week and discussed organization of the volunteers. He attended a Great Bay presentation a few weeks ago that was very interesting. It talked about how storm drains and drainage systems were designed for storms of the past and not for the type of storms that we are having now and expect to have in the future. Storms that we are having today are of greater magnitude and are overwhelming the drainage systems.

j. Correspondence - None

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8. Review Board Calendar

The next regular Board of Selectmen meeting will be Monday, December 20th at 7:00 pm.

9. Non Public Session – None

10. Adjournment

Mr. Campbell moved to adjourn at 9:50 pm. Mr. Aldrich seconded. Vote: Unanimous

Respectfully submitted,

Jennifer Mancinelli
Recording Secretary