

LEET TOWNSHIP BOARD OF COMMISSIONERS
March 8, 2021
Minutes of the Board of Commissioner's Regular Meeting

The Regular Meeting of the Leet Township Board of Commissioners was brought to order at 7:00 p.m. by President Donna Adipietro in the Leet Township Municipal Building, 194 Ambridge Ave., Fair Oaks, PA 15003 via Zoom and phone. Commissioners present were Jim Janaszek, Donna Adipietro, Erika Oslick, Carolyn Verszyla and Marty McDaniel. The meeting started with the Pledge of Allegiance.

SOLICITOR'S STATEMENT/PUBLIC PARTICIPATION RULES

Mrs. Adipietro noted that there were no attendees on the Zoom webinar and did a roll call for the Commissioners and staff. She then gave the Solicitor's Statement. After the Solicitor's Statement, Mrs. Adipietro gave the public participation rules. At that time, there was a Zoom glitch that was fixed, and the attendees joined the meeting. The Pledge of Allegiance was given again, and the attendees were signed in. Mrs. Adipietro gave the Public Participation rules and the Solicitor's Statement once again.

Also present:

Betsy Rengers, Manager	Pete and Rose Pucci, Residents
Cindy Phillips, Treasurer	Don Birnie, Resident
Stephen Chesney, Solicitor	Tracey Vicosci, Resident
Jeff Besong, Resident	Charlie Frederick, Resident
Daphne Homer, Resident	Glen Sovich, Resident
Joe Ferrang, Resident	John Stunda, Resident
Rick Hite, Resident	Dan Paluso, Resident
Nate and Steph Turner, Residents	Neil and Becca Popowich, Residents
Tony and Mrs. Tirimacco, Residents	

PUBLIC PARTICIPATION

Charlie Frederick questioned a comment made by Ms. Rengers at the October 27, 2020 Budget meeting when Ms. Rengers noted 410.11 of the Police budget and stated that the number included wages for Bob Simmons. Mr. Simmons retired in 2019, and Mr. Frederick asked why he is still included in the 2021 budget. A discussion was had around the issue. Mr. Chesney will research to see if Mr. Simmons contract can be disclosed and report about it at the next meeting. Ms. Rengers is the Right to Know Officer.

Steph Turner, resident, addressed the chicken ordinance and the number of chickens that are allowed. Ms. Rengers asked if anyone else wanted to speak on the issue. There were no other comments.

There was no other public participation at that time.

APPROVAL OF MINUTES

MOTION: Mr. McDaniel made a motion to approve the minutes of the February 8, 2021 Board of Commissioners Meeting, as presented, seconded by Mr. Janaszek. Roll call was taken with a vote as follows: Mr. McDaniel, Mr. Janaszek, Ms. Oslick and Mrs. Adipietro were in favor of approving the minutes. Mrs. Verszyla abstained from the vote because she did not attend that meeting.

APPROVAL OF BILLS PAYABLE

Ms. Oslick noted that there was a double payment on page 8 of the Check Detail 02/2021 that was a miss print. Ms. Phillips explained that it was not a misprint, but we switched from direct checks to an automatic payment, so two payments were made at the same time.

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MOTION: Mr. McDaniel made a motion to approve Check Detail 02-2021, seconded by Mr. Janaszek. Roll call was taken with the vote as follows: Mr. McDaniel, yes, Mrs. Verszyla, yes, based on Mr. McDaniel's review, Mr. Janaszek, yes, Ms. Oslick, yes and Mrs. Adipietro, yes.

2021 Budget to Actual Report:

Mr. McDaniel, Finance Commissioner, reported that the February revenue was the same as last year, not including the TAN loan. We have not received the Liquid Fuels money yet. Expenses are down from last year with less spending and we had one extra payroll last year. There is nothing out of the ordinary.

Payroll Report: The Board was given a payroll report in their packets.

Cindy Phillips Report:

Ms. Phillips reported that we are receiving tax payments. The TAN loan has not been approved and is with the underwriters and waiting on a Solicitor's letter. We received a Liquid Fuels payment on March 1, 2021 in the amount of \$45,003.21. Ms. Phillips caught a missing check from Comcast for Franchise Fees and notified them. They are reissuing the check in the amount of \$4,444.00. Columbia Gas has given us an escrow and we need permission to open a Columbia Gas Escrow Account.

MOTION: Mr. McDaniel made a motion to open a Columbia Gas Escrow Account, seconded by Mr. Janaszek. A roll call vote was taken with all in favor.

The Fair Oaks Fire Department has submitted their invoice for the quarterly payment of \$11,000.00.

MOTION: Mrs. Verszyla made a motion to pay the Fair Oaks Fire Department the quarterly fee of \$11,000.00, seconded by Mr. Janaszek. Roll call was taken with all in favor.

Mrs. Verszyla asked why there has been a delay in the Tan Loan. A short discussion was had around the issue. Ms. Rengers let the Board know that the Township was given incorrect forms and had trouble communicating with the bank manager.

Finance Report: Mr. McDaniel reported:

February 2021

FNB General Fund	\$72,999.40
FNB Capital Reserve	\$166,573.27
FNB Emergency Reserve	\$22,764.60
Liquid Fuels Account	\$38,027.60
Mortgage Acct/PNC	\$2,500.00
PLGIT Class	\$18,747.01
PLGIT Tax Refund	\$25,001.53
Fireman's Truck Fund	\$47,727.80

Tax Collectors Report: No report.

Managers' Report

Ms. Rengers reported:

- I heard from several residents in Olde Sewickley Highlands about the island and the changes they would like to see. The consensus is that trees and greenery are the only things they would like there.

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One resident suggested hiring a landscape designer to create a plan. I will get together with Andy to discuss this.

- Leet Township received the 2021 Banner Community Award from Allegheny County and the Allegheny County League of Municipalities. This award recognizes communities that show a commitment to professional development, prudent fiscal management, transparency, accountability, and proactive engagement with the Community. There are 71 municipalities and five municipal authorities that were recognized this year. We hit certain standards to obtain this, and it is an honor for Leet Township.

We budgeted monies for the Olde Sewickley Highlands Island in the amount of \$10,000.00. A short discussion was had about lighting and a plan for the island.

COMMITTEE REPORTS

Building Inspector/Code Enforcement Report: Ms. Rengers reported:

- A listing of the building permits that have been issued was in the Commissioners packets. The Building Inspector issued 10 citations for the resident who built structures on Neely Street with no permits. The citations have gone to the Zoning Hearing Board Solicitor. The courts are closed due to COVID. We are still waiting for a date for the zoning hearing.
- I sent a certified letter to a resident that does not have an occupancy permit. I have not heard back. The courts are closed through March.
- I sent 25 Landlord Tenant letters. We have had a great response this year.
- Marty and I discussed some difficult code enforcement cases. Please let me know if you have solutions on how to proceed with difficult cases.
- A resident built their fence to the wrong height. We have been dealing with this issue for 6 months. The Building Inspector filed citations against the homeowner.

Public Safety Report: Mr. Janaszek reported that there were 70 calls in February and listed the calls.

Public Works Report: Ms. Rengers reported:

March 2021:

- There were several snow call outs.
- We received 40 tons of salt.
- We rented a chipper and began tree cleanup work.
- Cleaned the Watson leaf dump.
- Worked on the shower project.
- Crew attended PA One Call webinar.
- Had 2017 dump inspected and had to replace the main hydraulic feed line due to rubbing along the frame.
- Pothole Patching.
- Replaced two hydraulic lines in the backhoe.
- Began street sweeping.

Solicitors Report: No Report

Engineers Report: Mr. Slagle reported:

1. **Quaker Valley High School Site Plan** - We are waiting for the Traffic Study from the Quaker Valley High School Traffic Engineer. We will coordinate with Gateway Engineers when we receive the Traffic Study. The Site Plan is now proceeding through the Zoning Hearing process for a Special Exception and this will give the citizens the opportunity to speak and voice

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concerns and comments. Once this goes through the Zoning Hearing process it will come back to the Planning Commission.

2. Ambridge Avenue ADA Sidewalk Project - The Township was awarded a \$65,412 grant from the ACDD/QVCOG. The project was awarded to Independent Enterprises with a bid of \$67,200. ACDD/QVCOG has agreed to fund the entire project. We are holding up the Final Estimate until the Final Close-Out have been submitted by the Contractor. Because the bids were so favorable to the Township, we were able to extend the sidewalk 120 feet. The Township has been awarded \$220,000.00 for Phase II of the project to replace the sidewalks on Willow and Neely area.
3. 2020 Paving Project – The Commissioners received the letter from Mr. Slagle to Mele and Mele stating that they were awarded Base Bid Two from the 2020 bidding process. The letter explained what the Engineer needed to proceed.

MS4 Report: No report.

Fire Department Report: Mrs. Adipietro reported that it was a busy month with 9 calls answered.

Health and Sanitation: No report.

Quaker Valley Council of Governments: The COG is requesting participation in a glass recycling event and they provided the prices to participate. Mr. McDaniel explained the process with an event each month for 6 months and the cost for each municipality. Other municipalities sponsor these events. The Board decided that 6 events were too many.

Susan Hockenberry is resigning from the position of Executive Director and Janet Wenger is retiring from her position. The COG has advertised the positions.

UNFINISHED BUSINESS

Zoning Ordinance Wording Updates Recommended by the Planning Commission

Ms. Rengers explained that the Planning Commission is in the process of a three-segment change for the Zoning Ordinance:

Phase one is the feeder line ordinance that was approved by the Board and written by Steve Chesney, stage two is to update wording to more current language and stage three will be the small cell ordinance. The Planning Commission is still working on the small cell ordinance. Once we have all three pieces ready for approval, we will send them to Allegheny County and we will advertise for a public hearing to be held.

Proposed changes:

1. Prohibited Uses; Section 27-108 G: RV's are allowed in the Township once a month for up to 5 days for the purpose of loading and unloading.

Mr. McDaniel appreciated the work done by Mr. Ferrang and the Planning Commission; however, they are an advisory board. Mr. McDaniel did not agree with the proposed language for RV's and felt it was too liberal. Ms. Rengers explained that the Township has had a few instances of RV's parked in driveways and this was written to help RV owners by allowing them time to come in. A short discussion was had around the issue. Mr. Ferrang explained the reasoning of the wording and could shorten the time allowed to load and unload. After discussing, the Board sent the language back to the Planning Commission for edits.

MOTION: Mrs. Verszyla made a motion to send Proposed Change #1 back to the Planning Commission for discussion and edits, seconded by Mr. Janaszek. Roll call was taken with all in favor.

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2. Definition Addition: Add "trailers" to Section 27-410 of the Zoning Code with the definition of trailer: a carriage pulled by a motor vehicle.

A discussion was had about adding the wording for trailers to be added to the definitions. This is not to ban trailers. Mr. Ferrang explained that trailers can be kept behind the house and screened but not parked in front of the house. Mr. McDaniel is not in favor of having trailers in the yard and covered.

MOTION: Ms. Oslick made a motion to add "trailers" to Section 27-410 of the Zoning Code with the definition of trailer: a carriage pulled by a motor vehicle.

The discussion continued about trailers and trailer weights.

Mrs. Adipietro called for a second. There was no second. The motion failed.

MOTION: Mrs. Verszyla made a motion to send the language back to the Planning Commission, seconded by Mr. Janaszek. A roll call vote was taken with all in favor.

3. Definition Change: Section 27-410 Definitions: Residential-Custodial Care Facility definition should be changed to say "boarding up to 6 persons not including supervisory employees"... "licensed by the Department of Public Welfare" and "mentally retarded" should be changed to "mentally challenged".

Mr. McDaniel let the Board know that there is a state law that regulates group homes and would like to have the advice of the Solicitor on the wording.

MOTION: Mr. McDaniel made a motion to send the language back to the Planning Commission for Solicitor's review, seconded by Mr. Janaszek. Roll call was taken with all in favor.

Quaker Valley Ambulance Board Appointment

The Township received two Letters of Interest from residents to serve on the QVAA Board. Mr. McDaniel and Mrs. Adipietro will speak with the candidates and report back to the Board. Both applicants are well qualified to serve in the position.

Watson Polling Place: Ms. Rengers will contact Watson about a polling place for the May primary.

Payroll Audit: The payroll audit is with the Auditors.

NEW BUSINESS

Approval to Advertise the March 25, 2021 Planning Commission Meeting via Zoom

There were technical difficulties with the last Zoom Planning Commission meeting.

MOTION: Mr. Janaszek made a motion to advertise the March 25, 2021 Planning Commission via Zoom, seconded by Ms. Oslick. A roll call vote was taken with all in favor.

Approval to Advertise the April 12, 2021 Board of Commissioners Meeting via Zoom

MOTION: Mrs. Verszyla made a motion to advertise the April 12, 2021 Board of Commissioners meeting via Zoom, seconded by Mr. Janaszek. Roll call was taken with all in favor.

CORRESPONDENCE

LTMA Letter to Quaker Valley School District

The Board received a copy of a letter from LTMA to QVSD regarding the availability of sewer hookups for the proposed high school.

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Slagle/Mele Paving Letter

This letter was previously discussed in the meeting under Engineer's Report.

PUBLIC PARTICIPATION

Neil and Becca Popowich signed in late. Neil stated that he has lived in town for two years. He has a trailer that is state inspected and asked the Board what the difference is between a licensed car and a licensed trailer. The state has given permission to run the trailer. Mr. McDaniel explained that the issue is where a trailer can be stored. Junk cars and inoperable vehicles are not allowed either. Neil would like for his legal trailer that he uses for work to be able to be parked at his house. Mrs. Adipietro explained that the Township has addressed junk cars and the courts have been closed. The discussion continued. Mr. Chesney stated that there are many different registrations throughout the state. The Township has the right to regulate vehicles within the Township.

Stephanie Turner, resident, asked if then a resident is not allowed to own a trailer since it cannot be parked in town. Mr. Chesney explained that a trailer can be kept in a storage facility or a campground. This is to prevent issues by having these types of vehicles kept in the Township. Mr. Janaszek is not opposed to a small trailer being kept on a homeowners property.

Don Birnie, resident, would prefer for no trailers to be visible or stored in front of or in back of the house.

Stephanie Turner, resident, stated that we have not done anything about the junk cars at 47 Ambridge Ave and why aren't we following through to take care of this issue. Nothing has ever been done about junk cars in Leet. Mrs. Adipietro stated that the courts have been shut down due to COVID.

Ms. Rengers had talked with Ms. Turner personally about this resident before. The Township has sent at least 6 registered letters to this resident. The courts have been closed due to COVID, so the Township has been unable to take the resident to court. Once the courts are open, we will file citations. Ms. Rengers sent letters to all the junk car owners and most of them have been resolved.

Mrs. Turner feels that there are different issues in Quaker Heights and is frustrated with the limitations in Fair Oaks. She is concerned that we are discussing trailers and RVs when there is an issue with junk cars in Fair Oaks. Mr. McDaniel stated that the township can have different laws for different areas of the Township. Mrs. Adipietro stated that no matter where we live in the Township, we have ordinances we must abide by.

EXECUTIVE SESSION

Mrs. Adipietro stated that at this time we will go into Executive Session to discuss police contracts. Mr. McDaniel stated that if we come out of Executive Session and vote, the public should be in attendance in accordance with the Sunshine Act. Mrs. Adipietro is aware and agreed. Mrs. Adipietro asked the attendees to sign off and sign back on at 9:15 p.m. Mrs. Adipietro went through the numbers and had them sign off. Ms. Rengers was excused from the room.

MOTION: Mr. Janaszek made a motion to go into Executive Session at 8:50 p.m. to discuss police contracts, seconded by Mrs. Verszyla. Roll call was taken with all in favor.

MOTION: Mr. Janaszek made a motion to return to Regular Session at 10 p.m. after discussing police contracts in Executive Session, seconded by Mr. McDaniel, with all in favor.

Mrs. Adipietro stated that she had asked attendees to return at 10 p.m. Mr. Sovich was in attendance. Mr. Frederick returned. Mr. Chesney let Mr. Frederick know that he would review the agreement and let him know at the next meeting. Mr. Frederick heard Mr. Chesney's response. A resident named Tony was asked to sign in. He hung up. Mr. Frederick wanted to know where the money is coming from to pay someone who does not work here. Mr. Chesney explained that he must review the agreement before it is disclosed. Mr. Frederick agreed.

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MOTION: Mr. Janaszek made a motion to approve a resigning buyout for Chief Wanto with a payout as follows: The Township will pay Chief Wanto three payments of \$10,000.00 each as follows: May 1, 2021 a payment of \$10,000.00, August 1, 2021 a payment of \$10,000.00 and November 1, 2021 a payment of \$10,000.00 for a total of \$30,000.00. The last day of Chief Wanto's appointment is March 8, 2021, seconded by Ms. Oslick.

There was a discussion over the word "retirement" versus "resigning". Mr. Janaszek repeated the motion. Mr. McDaniel wanted the taxpayers to respond before the roll call vote was taken. Mrs. Verszyla stated that Chief Wanto's contract expires on January 31, 2022 and he is resigning as of today. Mr. Frederick stated that the Township is paying him \$30,000.00 and he has already worked nine weeks. That is over \$7,000.00. He will have nine and a half months off, and the Township will only save \$2,500.00 plus benefits. Mr. Frederick was not happy with this. Mr. Janaszek stated that the savings was \$26,000.00 and listed the savings. (tape inaudible) The discussion continued.

Stephanie Turner, resident, stated that Chief Wanto is asking to retire or resign and have payments of \$10,000.00 and Captain Molinaro will be the only officer on daylight. Mrs. Adipietro asked the Solicitor if it was inappropriate to have these discussions about salaries, contracts and resignations during the public meeting. Mr. Chesney stated that it is a personnel issue, but the public can comment.

Mrs. Turner asked Mr. Chesney if it was inappropriate for Ms. Oslick to vote for her significant other. Mr. Chesney stated that any member who is an immediate family may not vote, but even if there is a conflict there is a process for the member to vote as long as it is disclosed. The discussion continued with Mr. Frederick over the buyout.

Stephanie Turner asked if the job would be opened to someone, if there will be an interim chief or if Molinaro would be appointed. Mrs. Adipietro stated that the Township has the ability to appoint but we need to get past this issue first. Mr. Frederick asked about a Civil Service Exam. A discussion was had about the civil service exam.

Mrs. Adipietro went back to the motion on the floor. Mrs. Adipietro stated that taking everything into consideration this is a quick move due for circumstances that we are not aware of and due to privacy issues, it is none of our business why this is happening.

Mr. McDaniel appreciated Chief Wanto's service to the community and understands his wish to retire, but he is not in favor of paying \$30,000.00 to not work. We will also be down an officer on daylight and have a loss of police protection.

Mrs. Verszyla voted no. She has known Chief Wanto since he became the Chief. She was on the Board and voted for him. A chief needs experience and to have managerial skills and Chief Wanto brought that to the table. She received a letter from Chief Wanto via the mail stating that he wished to resign as of March 9th with a three-part payout of \$30,000.00 and another letter from him on Friday stating that he wanted to resign effective today. Bill has been an awesome contribution to the community. She cannot pay \$30,000.00 for a breach of contract. His contract runs from February 2020 through January 31, 2022. She did not come to him for a buyout. He came to her and resigned his job. She cannot see paying someone for resigning their job. A discussion was had about breach of contract and rewarding someone for leaving their job. A discussion was had about the length of notice Chief Wanto gave.

Mrs. Adipietro restated the motion and stated it will be effective immediately.

Roll Call vote:

Mr. Janaszek, yes.

Ms. Oslick, yes.

Mr. McDaniel, Finance Commissioner, no.

Mrs. Verszyla, no, and wanted her comments to be made a matter of the minutes.

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Mrs. Adipietro is the tie breaker. She knows the amount of savings we will save. She does know the integrity of Bill Wanto. He came to us with short notice, it is not for us to judge or comment. This is a past practice. The Township will save money. And giving him a farewell to an amazing career. She is voting yes, and the motion carried.

Mrs. Verszyla stated that the Board approached Mr. Simmons and Mr. Poninsky with an offer. The Board did not approach Chief Wanto for a buyout, but he resigned. Mrs. Adipietro stated that the circumstances to which we know nothing about are not for us to know. It's called being sympathetic to a career employee. She is a taxpayer too. If anyone has a complaint, please call Donna.

MOTION: Mr. Janaszek made a motion to appoint Captain Molinaro to the position of Chief effective immediately.

There was audible moaning and side comments made after Mr. Janaszek's motion. Mrs. Adipietro and Ms. Oslick stated that the moaning and the side comments are totally disrespectful and inappropriate.

Mr. Frederick, resident, said that Chief Wanto was appointed Chief after Civil Service testing. Mrs. Adipietro stated that a First-Class Township can appoint a chief and then he can take a Civil Service Test. He would be an official chief.

A discussion was had around Captain Molinaro and his excellent service and reputation. Captain Molinaro cleaned the riff raff out of Fair Oaks. Captain Molinaro has saved many lives. Captain Molinaro has a vested interest in the Police Department and is a dedicated employee. Captain Molinaro has supervisory training.

Ms. Oslick seconded the motion.

Mrs. Verszyla stated that she does not know Captain Molinaro and has not had an opportunity to talk to him. She felt that we are rushing into the appointment. She has no problem with him acting while the Township pursues a candidate. Paragraph 1.2 of the employee handbook states that we provide equal opportunities to all employees and applicants for employment based on abilities, qualifications, and merit. She would like to see his resume and feels this is unfair to other candidates. As an equal opportunity employer this is not being done the right way. The discussion continued over the appointment.

Mr. McDaniel is disappointed in the way this has been handled. He did not know this was on the agenda for tonight and feels it was snuck in. He feels Captain Molinaro should get the job through a selection process. Most jobs have job descriptions and background checks. Mr. McDaniel stated that the decision was already made before the meeting. Mrs. Adipietro was upset that Mr. McDaniel insinuated that the decision was already made and stated that was not a factual statement. Mr. McDaniel is not voting against Captain Molinaro but the process and does not feel it is right to decide on the spur of the moment.

Ms. Oslick stated Chief Wanto recommended Captain Molinaro for the position in an official letter on February 5th and it was discussed at a previous meeting. Ms. Oslick stated that the only thing the Board members knew for certain that was Chief Wanto wanted to retire, and it was obvious who would take over. The discussion continued. Mrs. Adipietro stated at the last meeting Captain Molinaro was discussed and the Board had received a Letter of Recommendation for Captain Molinaro from Chief Wanto dated February 5, 2021.

Mr. Chesney stated that the motion should be modified because he must be certified by the Civil Service Commission with a non-competitive test according to First Class Township Code. Captain Molinaro would be appointed acting chief subject to passing a civil service test. If he fails the test, he could be a non-civil service chief. The motion should be clarified. Mr. McDaniel stated that if he is Civil Service protected, he has rights through the Civil Service with hearings and appeals for removal. As a non-civil service chief, he could be removed, and they are at will employees in the position of chief. They would retain their civil service rank as patrolman.

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MOTION: Mr. Janaszek made a motion to authorize the Civil Service Board to conduct a non-competitive Civil Service test for the position of Chief for Captain Molinaro at a date to be determined, seconded by Ms. Oslick. A roll call vote was taken with the votes as follows: Mr. Janaszek, yes, Mr. McDaniel, no, Mrs. Verszyla, no, Ms. Oslick, yes, Mrs. Adipietro, after researching, and knowing the amazing job he has done, yes.

Mrs. Adipietro stated the next move is to engage the Civil Service Board to give the test. Mr. Frederick asked about the test and if it the Commissioners would know the questions beforehand. The answer is no, it is a sealed test. It is confidential and given by the Civil Service Board.

Mr. McDaniel asked if he does not pass the test, Captain Molinaro should come back for a non-civil service appointment. He could or could not be appointed to the position. Captain Molinaro is the acting Chief until he passes the test.

ADJOURNMENT

MOTION: Mrs. Verszyla made a motion to adjourn at 11:10 p.m., seconded by Mr. Janaszek, with all in favor.

Respectfully Submitted:
Betsy Rengers, Manager