

Village of Winthrop Harbor
President and Board of Trustees Meeting
June 15, 2021
Village Hall Council Chambers

MINUTES

The meeting was called to order by Mayor Bruno at 7:00 PM

The following Elected Officials were present:

Mayor: Dr. Michael Bruno

Trustees: Buddy Hargett, Robert Marabella, John Levin, Dana McCarthy, Hartmut "Fritz" Weiss, Alanna Whitmore

Also present:

Robert Long, Attorney
Greg Jackson, Village Administrator
Julie Rittenhouse, Village Clerk
Michael Sheedy, IT Director
Ed Mohn, Police Chief
Tim Neargarder, Superintendent of Public Works

The Invocation was led by Pastor Doug Carlson from Grace Missionary Church followed by the Pledge of Allegiance

ABSENT OFFICIALS WISHING TO ATTEND REMOTELY

None Reported

APPROVAL OF MINUTES

1 - A motion was made by Trustee Marabella and seconded by Trustee Whitmore to approve the **April 15, 2021 Virtual Committee of the Whole Meeting Minutes** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

2 - A motion was made by Trustee Weiss and seconded by Trustee Marabella to approve the **May 18, 2021 Regular Board Meeting Minutes** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

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Trustee McCarthy wanted the minutes **amended** to reflect, it was not Trustee Hargett's 40th birthday. He was just kidding about the number; it was his birthday, just not his 40th.

Trustee McCarthy also asked Trustee Whitmore to respond to the statements that were made about business and to give her a chance to express her concerns on the code enforcement, the letter, the correspondence between Attorney Long and the IDNR. Trustee McCarthy feels very strongly about the situation as well. Through the history of our relationship with the Marina, with Westrec code enforcement and with the history of permits being pulled for there. He also re-read the letter from Attorney Long that Trustee Whitmore referenced, to Pam Gray, IDNR and thought it was well written. It very clearly stated our history and addressed our alternative relationship with the Marina. Trustee McCarthy feels we've done it the way we've always done it and we've done it the correct way. He asked Trustee Whitmore if she would like to clarify anything because he does not understand what Attorney Long did incorrectly.

Trustee Whitmore said, that in the letter that Attorney Long wrote, he stated that the Marina/Westrec was not an economic engine and she that they are prohibiting tourism at the lake front. Trustee Whitmore feels they are one of the only businesses, in this town, bringing out-of-town guests to the Marina, the lakefront and our town.

Trustee McCarthy said, in his opinion, that's not what the issues in the letter are about. It's whether we have a right to enforce ordinances and codes down there. He then asked Trustee Whitmore, are you saying we should not be enforcing the codes, or we should be enforcing the codes?

Trustee Whitmore believes the State of Illinois is taking care of that with the Village at this time. This is their property and we do not hold regulations over their property and she believes they are already in contact with Mr. Long. Attorney Long stated that they have not been in contact with him.

Trustee McCarthy said that permits have been pulled, historically by the other businesses down there and by Westrec for their pool and when they expanded the store. The understanding of our ability to do that, is correct, so Attorney Long and the Village for siting them is not incorrect. If anyone has an issue with the permit process, they should come before the Board and plead their case. I don't know where it's changed. We are being responsible by enforcing codes for safety. Are we now wrong for doing that?

Trustee Whitmore said IDNR is stating, this is their property. Trustee McCarthy asked where they state that? Trustee Whitmore said, multiple times, Pam Gray wrote a letter to Attorney Long. Attorney Long said that Pam Gray did not write a letter to him. Trustee McCarthy wanted to be clear on this. Trustee McCarthy said, I don't know who Pam Gray is, but I does know the history of what we've tried to do with this. Who is Pam Gray and what is her responsibility, to speak for the IDNR? Administrator Jackson said Pam Gray is the Director of Concessions, but doesn't have her exact title. She's the one who sent communication to Pat DiPersio regarding clarification on who was doing the work, if the work was being done on behalf of the State or was it being done on behalf of Westrec. Trustee McCarthy said that's what's in the contract. The State doesn't have to get permits, but anyone who has property down there has to follow our ordinances and codes. Administrator Jackson said that he has had contact with Ryan Prehn, who is the Director of all Parks for the entire State of Illinois, who didn't know any of this was

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transpiring. His comment to Greg in an email was, “WOW” in bold letters. The State park sits within the municipal boundaries of Winthrop Harbor. Documentation says, that even on State property, if you are doing a special event, permits should be pulled. But there are two different sections that say, adheres to all local regulations, ordinances or laws are required. Our position, especially as it relates to life safety issues, permits have to be pulled in compliance with the Municipality. Attorney Long has not received any response to the Letter.

Trustee McCarthy said the other concern, is Trustee Whitmore’s comments about Law Suits. If we are doing everything right, and the State takes legal action, it’s Attorney Long’s job to defend our case. I feel we have a very strong position. I watched the video from February 2017, when Westrec came in and we made it clear that permits were to be pulled for the pool and said that the lessee would abide by our codes. Attorney Long said there has been no threat of legal action by anyone and the only one that has brought up litigation was Trustee Whitmore.

Trustee Whitmore said that we are opening ourselves up to litigation with the State, and us as tax payers are not okay with this. We don’t have the funds. Trustee McCarthy asked, so because of that, we shouldn’t enforce the codes? Trustee Whitmore said, are you going to pick a fight with the State over a sign? Trustee McCarthy said, it’s our job to enforce the codes and he doesn’t want any of the Staff to feel out of place or ashamed or embarrassed for doing the job that we’ve set forth for them to do.

Trustee Hargett said we have 30 years of permits being pulled by lessee companies down. Westrec is a world class organization in running a marina. Harbor Brewing is a destination that attracts people to our community. The Sweet Stop will be a great complimentary piece down by the Marina. The Charter fleet is wonderful. The Yacht Club does a great job. The Tropics too. All of these are very strong businesses. They all fall under our codes. To say that the codes don’t apply, depending on the neighborhood that you are in, codes don’t apply depending who your landlord is, is advocating for a good ol’ boys club. We have to speak out firmly against that. The best thing we can do to support our businesses, is to be consistent and treat everyone the same. Trustee Whitmore said, she believes this administration definitely knows the ins and outs of being a good ol’ boys club. Trustee McCarthy asked her to explain what that means. Trustee Whitmore said there’s definitely groups on this Board and some of us don’t fall in that group.

Trustee Weiss said he was on the Planning and Zoning Board when the other properties came in. They had to follow the municipal code, and they lease the property, like Westrec. It states, that any company that comes in, leases property on State land, has to follow the municipal codes like they do everywhere else. It’s not just Winthrop Harbor. It’s in Chicago, Waukegan, anywhere else, they have to follow the municipal codes. We have the authority over that. The State gives that authority to Winthrop Harbor. The Tropics and Skipper Buds lease that property and have to follow the codes. Nothing’s changed. When the State leases the property, it is up to the Municipality to enforce their codes.

Trustee McCarthy said, using the term the “good ol’ boys club” implies that there are influential relationships. He understands that there might be a majority or minority that disagree on things, but disagreeing is not a good ol’ boys club. When there are personal relationships and business relationships outside of the business of the Board, that I believe is a good ol’ boys club. People have influence because of who they know, I believe that is a good old’ boys club. He

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said he has no personal relationships with anybody on this Board or in this community, and he doesn't like the term "good ol' boys club" being thrown around. Trustee Whitmore said, I do know that you and several people on this Board, have separate meetings or separate talks. She finds out a lot of things at Board Meetings or on Facebook. Trustee McCarthy said he doesn't know who talks to who.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

MAYOR'S REPORT

RESOLUTION 2021-R-9 An Appointment Resolution Appointing Edward Mohn to the Position of Chief of Police

3 - A motion was made by Trustee McCarthy and seconded by Trustee Weiss to approve **Resolution 2021-R-9** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Mayor Bruno - Swearing in of Police Chief, Edward Mohn
Retire Police Chief, Joel Brumlik, pinned the badge on newly appointed Chief Mohn

Oath of Office – Deiky (Tony) Colon – Promoting him to the Position of Police Sergeant

4 - A motion was made by Trustee Marabella and seconded by Trustee Weiss to **Promote Tony Colon to the Position of Police Sergeant.** Mayor Bruno declared the motion carried on the following roll call Vote

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Mayor Bruno – Swearing in of Deiky (Tony) Colon – Promoting him to the position of Police Sergeant
Sergeant Colon's wife pinned his badge on him.

ORDINANCE 2021-O-18 An Ordinance Amending Multiple Sections of the Liquor Control Provisions of the Municipal Code of Winthrop Harbor Expanding Outdoor Hospitality Opportunities

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5 - A motion was made by Trustee Weiss and Seconded by Trustee Marabella to Set Aside the Rules of the President and Board of Trustees and Waive the First and Second Reading of **ORDINANCE 2021-O-18** and approve as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (5) Hargett, Levin, Marabella, McCarthy, Weiss
Nays: (1) Whitmore
Absent: (0)
Passed: (0)

VILLAGE ADMINISTRATOR'S REPORT

- Tonight, for your viewing, we have the FY 21/22 Budget, FY 21/22 Wage Policy and FY 21/22 Appropriation
- We had an Intergovernmental Breakfast a week ago, with Congressman Schneider and his staff, Representative Mason and her staff, Senior Staff from Senator Bush's office and Township Supervisor, Larry Booth. We discussed some of the issues with legislation, regarding TIF and Bargaining. Also discussed, at both the Federal and State level, was infrastructure, funding for roads, water and sewer. Federal level, relating to President Biden's infrastructure Bill once that's approved. State level, water service, lead pipes. We talked about the purchase of body cams. We talked about the IDNR and the issues related to the lakeshore erosion and the hotel RFI. We talked about IDOT's breakdown in communication from the Springfield level to the local level regarding the narrowing of Sheridan Road. Representative Mason has had conversation with IDOT and will follow up. Talked about support of financing, both at the State and Federal level, for the second phase of streetscape on 7th Street.
- We were advised by State Rep. Mason the Village will receive a \$250,000 Grant to help support the replacement of the HVAC at Village Hall

Greg then talked about leaving the Village to take another position elsewhere. He said it has been an honor and a privilege to serve this community, this Village Board and to work with the dedicated staff. He was proud of how the Village handled the pandemic. Staff was reduced. The Fire Department are heroes. The Police Department was exceptional during the civil unrest. During the 2 years of being Village Administrator, due to strong intergovernmental relations, we received 2-2.5 million dollars in funding. During the pandemic our local businesses received well over \$300,000 in grants. The budget presented tonight shows a year end surplus. There is also operating cash on hand for the second year in a row. All of this has been accomplished because of our team. Senior staff, Julie Rittenhouse, Pat DiPersio, Joel Brumlik, Ed Mohn, Justin Stried (our former Fire Chief), Rocco Campanella, Tim Nearingard, Scott Fuller, Michael Sheedy and Bob Long, thank you for being true partners. Mayor Bruno and Trustees, thank you for the honor to serve. Nothing happens at a staff level without direction from the Board. Trustees, Hargett, Levin, Marabella, McCarthy, Weiss and Whitmore, thanks for allowing me to serve the Village of Winthrop Harbor.

Mayor Bruno said that Greg first came to us in a consultant roll as a government liaison. In this roll he helped this small community become better recognized at the County, State and Federal levels of government. Multiple grants and programs were awarded to Winthrop Harbor with more in process. Two years into my first term as Mayor, Greg was appointed Village

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Administrator where he continued the work he'd begun as a consultant and added the overall administration of our municipal government. Greg has worked tirelessly and closely with all department heads as well as the employees, businesses and the residents, for the betterment of Winthrop Harbor. Greg's commitment to this Village, has never once let us down. I hope everyone will join me in expressing our sincere gratitude for all of the work and dedication Greg Jackson has provide to Winthrop Harbor. He's leaving this Village in a far better position than ever before. Wishing you nothing but success in your future.

We will be putting out the information and posting the Job for Village Administrator. I have appointed Village Attorney, Bob Long, as interim Village Administrator until we hire a full time Administrator.

CLERK'S CORRESPONDENCE

None Reported

OLD BUSINESS

None Reported

NEW BUSINESS

Accounts Payable Warrant

6 - A motion was made by Trustee Hargett and seconded by Trustee Weiss to approve **Accounts Payable Warrant W2021-3** in the amount of **\$182,850.42**. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Adoption of FY 21/22 Budget

7 - A motion was made by Trustee Hargett and seconded by Trustee Marabella to approve **Adoption of FY 21/22 Budget** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

ORDINANCE 2021-O-19 FY 21/22 Wage Policy Ordinance

8 - A motion was made by Trustee Hargett and Seconded by Trustee Marabella s to Set Aside the Rules of the President and Board of Trustees and Waive the First and Second

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Reading of **ORDINANCE 2021-O-19** and approve as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Approval for Public Posting – FY 21/22 Appropriation Ordinance

9 - A motion was made by Trustee Hargett and seconded by Trustee Marabella for **Approval for Public Posting – FY 21/22 Appropriation Ordinance** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

For Discussion Purposes Only – An Ordinance Amending Chapter 116 of the Municipal Code of Winthrop Harbor by Adding Comprehensive Regulations Allowing Food Trucks

Trustee Hargett said we have talked about this since last Fall. We had originally planned to bring an Ordinance before the Board tonight. We have been researching how other communities handled food trucks. As we discussed it, there were a couple of issues that lead us to bring it to the Board as a discussion. The demand for food trucks has been minimal. When we did a survey of our residents a couple of years ago and asked what they were looking for, it tended to be higher-end restaurants, sit-down restaurants, brick and mortar. I still think food trucks fit with us wanting to be a tourist destination. This is not a killing of this ordinance. I think we need to talk about this a little more. The Mayor and Administrator Jackson did a listening tour of local restaurant owners asking if this was the right time. Both of them said, our businesses are struggling. We want to make sure we listen to them and support them. We have never banned food trucks for special events. We listened to our local businesses and we want to allow them to recover from the pandemic before adding competition. We will revisit this in the near future to try to potentially roll something out for next year. Food trucks for special events are still allowed.

Treasurer’s Report

10 - A motion was made by Trustee Hargett and seconded by Trustee Marabella to approve **Treasurer’s Report** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

ORDINANCE 2021-O-20 An Ordinance Declaring Personal Property Surplus and Authorizing the Sale Thereof

11 - A motion was made by Trustee McCarthy and Seconded by Trustee Marabella to Set Aside the Rules of the President and Board of Trustees and Waive the First and Second Reading of **ORDINANCE 2021-O-20** and approve as submitted. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

Request Approval to Renew Annual Contract Agreement with Johnson Landscaping for FY 21/22

12 - A motion was made by Trustee Marabella and seconded by Trustee Weiss to approve the **Renewal of the Annual Contract Agreement with Johnson Landscaping for FY 21/22** as presented. Mayor Bruno declared the motion carried on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

PUBLIC COMMENT

Mark Stevens – Marina Manager at North Point Marina – Congratulated Chief Mohn and Chief Campanella. We look forward to having a cooperative working relationship with both departments. The Fire Department was down at the Marina today working with the Antioch Fire Department boat. I know how important it is to have your assets fully ready for a quick response on the water. Knowing that, with the possibility of the Winthrop Harbor Fire Department receiving a boat of their own, we believe the perfect location to store your boat is in a slip, ready for action, at the North Point Marina. If this does develop in reality, Westrec Marina would ask for a formal request in writing, for our consideration, if you so choose to store a boat in a slip at North Point Marina. Additionally, if at any point, you have any questions, need assistance or training, myself or Dave, the assistant manager, would be happy to lend our expertise.

Rich Coombe – V.F.W. – Thanked the Board for changing the Ordinance for outside seating. On Saturday, July 24th we are going to do the 911 Memorial. We are looking at between 11am-12pm. This is the only piece that will be in the State of Illinois and will bring a lot of people to Winthrop Harbor.

Karen Russell – You keep referring to Westrec being the same as all of the other businesses as far as permitting. There are some differences. They pay 4% of their revenue to the Village. They also provide their own security. You say it's not fair, that the other businesses have to get permits and they (Westrec) don't. My understanding is, the State authorized them (Westrec) to

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do it. The State Owns the land. I understand the municipality part, however, if you claim the municipality has control, shouldn't you be maintaining the property and the beach? You're not. You're not putting money in, but you're taking money out. That's where the issue is. You need to sit down and talk. It's always an argument. It doesn't need to be that way. If they (Westrec) do something on that land, it's not the Village's liability, it's the States. I've also spoken to the businesses. You are absolutely right, we aren't getting a lot of people in and that's because we've got nothing to come to. Westrec is trying. Two businesses that got hurt were over a permit for a sign. What does that say to our businesses?

Frank Falcone – The Tropics – I have not been affected by anything the Marina has done. I think that everything they have done, has brought people in. Them bringing people in has helped the Tropics, Skipper Buds and I think it has helped Winthrop Harbor. I have zero problem with that. What I do have a problem with is, every single thing we do, we get a permit. If I have to get a permit for putting in a sign, sink, anything, then you have to get a permit. That's all we're asking. If my restaurant has to be inspected by the Health Department, then anybody who is bring food into town should also be inspected. Everything has to be fair for everyone. We all pay money through taxes to the Village not just Westrec. The society has to be fair for everybody.

Jim Marks – 4631 Cornerstone – Retired. Bought a smoker (food truck) and have had the opportunity to cook down at the Marina. We bring people down to the Marina. It's good for the community. All of the restaurants in Winthrop Harbor have the same opportunity to come down and work with the Marina to sell their food. I do have a food service license and get a permit from the Lake County Health Department every time I cook. I want to serve the community of Winthrop Harbor. We need this. We could have the same thing as surrounding communities if we just put our heads together. Please let me get back to cooking.

Mike Ryan – 735 Landon – Retired Carpenter. We've had a lot of training and one of the things that we were told was, perception is now reality. Nothing is more true. What happened at the Marina, could have been avoided. There was a mistake made. Was the right way to correct that mistake, to say tear everything down? We talk about how a food truck is going to put a dent in some other restaurant business. How much is a food truck license? When it becomes price prohibited, we wind up with nothing. We need to compromise. Trustee McCarthy asked if we made them tear the stage down. Administrator Jackson said that we red tagged it because they didn't get a permit and didn't have the inspections done. Trustee McCarthy wanted to clarify that we did not say to tear it down. There are processes for applying for permits. Trustee Hargett said that no building permits or special event permits have been denied throughout this process.

Kyle Wenzel – 834 Roberts Road – My permit, after the fact, was doubled. The only thing we have not pulled a permit for, was our sign at the lake because the State said we didn't have to. I have a license and a permit for my sign. I want to do everything by the book. I'm not trying to get away with anything. We've gotten all of our approvals from the State. As soon as I got my letter from the Attorney, I was in to get my permit. We're stuck between the State and you. You just need to clear that up. I assumed the State gave me correct information. Attorney Long said, we have done what we need to do to try to get an answer to the very questions that you are talking about, with no response. We are charged with statutory responsibility to go in there

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and make sure that the things like, plumbing is right, electrical is right, gas is right. This is done, not to harass people, it's a safety issue.

Cindy Pocklington – The Sweet Stop – the people coming to Winthrop Harbor come to make a day of it. They come to have dinner, they go down to Harbor Brewing to have a couple of drinks and listen to music. People are wrong. The local restaurants are making money from it too.

UNFINISHED BUSINESS

Trustee Whitmore

- Thanked everyone for coming. It's great to see everyone. I hope in the future we can work on, out of date Ordinances and we can grow. They are out of date and we need to move forward and grow.

Trustee McCarthy

- Congratulated Chief Mohn. I look forward to working with you.
- I don't think everyone understands what Administrator Jackson has done. I felt like Winthrop Harbor was in a time bubble. We didn't have great connections with other government agencies. If anyone says we didn't need him, I am happy to sit down with them any day and tell them all of the things Greg has brought to the table. Everything he has saved this Village as well as the Fire, through grants. He has paid for his position multiple times. He has moved us in the right direction. Thanked him for everything.

Trustee Hargett

- Congratulated Chief Mohn. He's already served our community well.
- We started recording these meetings a couple of years ago and with us going to only one meeting a month, we may need to talk about releasing the video's sooner.
- Greg, you were clearly over qualified for this community. You came in and gave it your all. You modernize things and got us on the map with the other elected officials across all levels. That's where you really excel. I've learned a lot from you. I'm going to miss working with you. You've proved the need to have a Village Administrator.

Trustee Weiss

- Congratulated Chief Mohn. Glad to have you on board.
- Greg, it's been a real pleasure. You have brought us into the 21st century. In the 4 years, including when you were a consultant, we have had more information that has come across our table that we ourselves could not do. The skillset that you have, is beyond compare. Our staff is phenomenal with Greg leading the team. It's the first time, in my 15 years, that we've gotten grant money from the State. It's all because of Greg. You are going to be missed.

Trustee Levin

- Congratulated Chief Mohn.
- I wasn't in favor of bringing Greg on but looking forward, you've done a great job for this Village. You've opened our eyes to a lot of things. I appreciate what you did for us and I wish you the best of luck.

Trustee Marabella

- Chief Mohn, you have relationships throughout the police community. That's huge. We're blessed to have you.

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- Greg, thanks a lot. You've educated me on a lot of things and I appreciate it. I'm going to miss you. As a person, I'm glad for you but as a Trustee, I'm sad because I think you had more to accomplish.
- The Rec Board met. I missed that meeting, but Trustee Whitmore took notes. We will be coming to the Board with some things.

Mayor Bruno

- Greg, it's bitter sweet and I'm going to miss you. I hope you do well where ever you go.
- Congratulated Chief Mohn.
- Congratulated Sergeant Tony Colon

ADJOURNMENT

13 - A motion was made by Trustee Weiss and seconded by Trustee Marabella to adjourn the meeting. Mayor Bruno declared the meeting adjourned at 9:00p.m. on the following roll call vote.

Ayes: (6) Hargett, Levin, Marabella, McCarthy, Weiss, Whitmore
Nays: (0)
Absent: (0)
Passed: (0)

APPROVED:

DR. MICHAEL BRUNO, MAYOR

ATTEST:

JULIE RITTENHOUSE, VILLAGE CLERK

Note: This is not a verbatim record.