

## CITY COUNCIL MEETING

August 14, 2017

Page 183

Mayor Ashley called the meeting to order and asked the Clerk to call the roll:

PRESENT: Mayor Ashley, Councillors Mitchell,  
Morley and Price

ABSENT: Councillors Davis, Skamperle and Stevenson

Mayor Ashley said Councillor Davis was absent because he had an operation, and Councillors Skamperle and Councillor Stevenson were out of town. There was a consensus of Council to excuse Councillors Davis, Skamperle and Stevenson.

### PUBLIC HEARING

1. A public hearing regarding a Local Law to amend the City Charter, Article XV, §C-54 entitled Department of Personnel; City Civil Service Commission was held. No one being present to speak, the hearing was declared closed.

### PERSONAL APPEARANCE

1. Sandy Porter, 723 Jay Street, addressed Council on behalf of the Ogdensburg Historical Commission and the subcommittee formed to establish a museum to showcase Ogdensburg history. Ms. Porter asked Council to approve the use of the concession site at the Dobisky Visitor's Center and petition the State Legislature to pass legislation authorizing a change of use for that part of the facility. Ms. Porter outlined the reasons the Commission desires to use the Dobisky Visitor's Center concession site for the museum. (A copy of her material follows these minutes.)

2. Ernie Jeneault, 908 Pickering Street, addressed Council regarding a rumor he heard that the Lockwood Arena may not open this year. Mr. Jeneault said he is aware of two retirements from the Parks and Recreation Department, and there are rumors Council may institute a hiring freeze which would create significant staffing issues for the arena. Mr. Jeneault explained he already has ice reserved for a girl's hockey tournament which will greatly benefit the City's economy. Mr. Jeneault said there was a lot of private fundraising done to construct that building and asked that Council thoroughly review the economic impact of closing the arena. City Manager Sarah Purdy said there are no formal plans to close the arena this year, but Council did discuss it at budget time.

## CITY COUNCIL MEETING

August 14, 2017

Page 184

### CONSENT AGENDA

Mayor Ashley moved that the claims as enumerated in General Fund Warrant #13-2017 in the amount of \$1,954,572.60 and Library Fund Warrant #13-2017 in the amount of \$46,841.26 and Capital Fund Warrant #13-2017 in the amount of \$394,089.33 and Community Development Fund Warrant #13-2017 in the amount of \$45.00 and Community Renewal Fund Warrant #13-2017 in the amount of \$71,698.84 as audited, be and the same are ordered paid and Councillor Price seconded the motion.

The vote was:

CARRIED, AYES ALL

### ITEMS FOR COUNCIL ACTION

1. Mayor Ashley moved a resolution to call for a Special Council Meeting of the City Council on Monday, August 28, 2017 at 7:00 pm at the City Hall, City Council Chambers, Ogdensburg, NY, and Councillor Morley seconded to wit:

#### RESOLUTION

BE IT RESOLVED, that there will be a Special Council Meeting held on Monday, August 28, 2017 at 7:00 p.m. in the City Hall Council Chambers, Ogdensburg, NY, on the following topic:

#### AGENDA

Special Council Meeting

Monday, August 28, 2017 at 7:00 pm

City Hall, 330 Ford Street, Council Chambers, Ogdensburg, NY

I. Pledge of Allegiance

II. Call to Order

III. Presentation

1. City Manager Sarah Purdy and City Comptroller Timothy Johnson
  - 5 Year Capital Improvement Plan
  - Status of 2017 Budget

CITY COUNCIL MEETING

August 14, 2017

Page 185

IV. Public Hearing

1. A public hearing regarding the sale of City-owned property located at 111 Lafayette Street. (Bill #71)
2. A public hearing regarding a proposed ordinance amending Chapter 209, entitled 'Vehicles and Traffic', Article VII entitled 'Schedules', §209-54 "Schedule VII: Time Limit Parking" of the Code of the City of Ogdensburg. (Bill #72)

V. Items for Council Action

1. A local law to amend the City Charter, Article XV, §C-54. entitled Department of Personnel; City Civil Service Commission. (Bill #65)
2. An ordinance to sell City-owned property located at 111 Lafayette Street. (Bill #71)
3. An ordinance to amend Chapter 209, entitled 'Vehicles and Traffic', Article VII entitled 'Schedules', §209-54 "Schedule VII: Time Limit Parking" of the Code of the City of Ogdensburg. (Bill #72)

VI. Adjournment

City Manager Sarah Purdy said an Executive Session will also be necessary at the Special Council Meeting. Councillor Morley made a motion to amend the agenda for the Special Council Meeting to include an Executive Session to discuss litigation, and Councillor Price seconded the motion.

The vote to amend the resolution was:

CARRIED, AYES ALL

The amended resolution now reads:

RESOLUTION

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CITY COUNCIL MEETING

August 14, 2017

Page 186

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1. A local law to amend the City Charter, Article XV, §C-54. entitled Department of Personnel; City Civil Service Commission. (Bill #65)
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3. An ordinance to amend Chapter 209, entitled 'Vehicles and Traffic', Article VII entitled 'Schedules', §209-54 "Schedule VII: Time Limit Parking" of the Code of the City of Ogdensburg. (Bill #72)

VI. Executive Session

1. Litigation

VII. Adjournment

CITY COUNCIL MEETING

August 14, 2017

Page 187

The vote on the amended resolution was:

CARRIED, AYES ALL

2. Councillor Mitchell moved a resolution authorizing new fees for Parks & Recreation Department facilities, and Councillor Price seconded to wit:

RESOLUTION ESTABLISHING NEW FEES  
FOR PARKS & RECREATION DEPARTMENT FACILITIES

WHEREAS, the City of Ogdensburg operates the Richard G. Lockwood Civic Center and the Dobisky Center for recreation purposes; and

WHEREAS, the Ogdensburg City Council establishes the fees for recreation activities and use of facilities; and

WHEREAS, after a review of the rate schedule by the Ogdensburg Recreation Department, the Recreation Commission recommends the following increases in fees at city recreation facilities:

RICHARD G. LOCKWOOD CIVIC CENTER (ICE FEES)

- Resident youth groups - \$66 per hour (2016 rate was \$65)
- Non-Resident youth groups - \$90 per hour (2016 rate was \$85)
- Resident adult groups - \$77 per hour (2016 rate was \$75)
- Non-resident adult groups - \$100 per hour (2016 rate was \$95)
- Birthday parties - \$70 per hour (2016 rate was \$65)

DOBISKY CENTER

- Small Room - \$10 per hour (2016 rate was \$9)
- Large Room - \$15 per hour (2016 rate was \$14)
- Both Rooms - \$25 per hour (2016 rate was \$23)

Councillor Morley said the increases are not large enough. Mayor Ashley asked how much revenue these increases would generate. Recreation Director Matt Curatolo said these increases would produce several hundred dollars. Mr. Curatolo explained the Recreation Commission tried to keep the increases minimal to avoid significant impact on the local youth organizations. Councillor Mitchell asked how our non-resident rates compare to other facilities. Mr. Curatolo said our rates are still lower than others, but we are getting closer.

CITY COUNCIL MEETING

August 14, 2017

Page 188

Councillor Morley made a motion to table the resolution until the next regular Council meeting when all members of City Council will be present, and Councillor Mitchell seconded the motion.

The vote to table the resolution was:

CARRIED, AYES ALL

3. Mayor Ashley moved a resolution introducing an ordinance and providing for public notice and public hearing with regard to the sale of City-owned property located at 111 Lafayette Street, and Councillor Price seconded to wit:

RESOLUTION OF CITY COUNCIL INTRODUCING AN ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING

BE IT RESOLVED, that Ordinance No. 14 of 2017 entitled "An Ordinance to Offer for Sale at Public Auction City-Owned Property " be and it hereby is introduced before the City Council of the City of Ogdensburg, New York, and

BE IT FURTHER RESOLVED, that the City Council shall hold a public hearing in the matter of the adoption of the aforesaid ordinance to be held at the Council Chambers in the City of Ogdensburg, New York, on the 28<sup>th</sup> day of August, 2017, at 7:00 p.m., and

BE IT FURTHER RESOLVED that the City Clerk give notice of such public hearing by publication in the official newspaper at least seven (7) days before the hearing date of a notice setting forth the time and place and describing the proposed ordinance in summary form.

The vote was:

CARRIED, AYES ALL

4. Councillor Morley moved a resolution introducing public notice and a public hearing regarding a proposed ordinance amending Chapter 209, entitled 'Vehicles and Traffic', Article VII entitled 'Schedules', §209-54 "Schedule VII: Time Limit Parking" of the Code of the City of Ogdensburg, and Councillor Mayor Ashley seconded to wit:

CITY COUNCIL MEETING

August 14, 2017

Page 189

RESOLUTION OF CITY COUNCIL INTRODUCING AN ORDINANCE  
AND PROVIDING FOR PUBLIC NOTICE  
AND PUBLIC HEARING

WHEREAS, the Ogdensburg Department of Public Works has reviewed certain signage in the City of Ogdensburg; and

WHEREAS, the Public Works Director has recommended the removal of a 'limited parking restriction of 2 hours Monday through Friday' sign currently located on the east side of New York Avenue from a point 35 feet south from the southeast curblineline of Rensselaer Avenue to a point 40 feet south therefrom because it serves no purpose.

NOW, THEREFORE BE IT RESOLVED that the Ogdensburg City Council shall hold a public hearing on the 28<sup>th</sup> day of August, 2017 at 7:00 p.m., at the City Council Chambers in the Ogdensburg City Hall, 330 Ford Street Ogdensburg NY, regarding this proposed ordinance change.

BE IT FURTHER RESOLVED, that the City Clerk give notice of such public hearing by publication in the official City newspaper at least ten (10) days prior to the date of the public hearing setting forth the time and place and describing the proposed application in summary form.

The vote was:

CARRIED, AYES ALL

5. Councillor Price moved a resolution authorizing the City Manager to accept a \$100,000 State and Municipal Facilities (SAM) Grant to fund the purchase of an EMS vehicle, and Councillor Morley seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT  
A STATE AND MUNICIPAL FACILITIES (SAM) GRANT  
TO PURCHASE AN EMS VEHICLE

WHEREAS, DASNY administers capital grant programs on behalf of New York State that support community and economic development, known as State and Municipal Facilities (SAM) Grants; and

CITY COUNCIL MEETING

August 14, 2017

Page 190

WHEREAS, with support from Senator Patricia Ritchie, the City of Ogdensburg has been awarded up to \$100,000 for the purchase of an EMS vehicle to replace the Department's 2005 Chevrolet Tahoe; and

WHEREAS, funding to support this acquisition will be paid from budgeted funding allocated in A3410.240 Specialized Equipment.

NOW, THEREFORE, BE IT RESOLVED, by the Ogdensburg City Council that it hereby authorizes the City Manager to accept these SAM Grant funds, grant number 7856, in the amount of \$100,000.00.

BE IT FURTHER RESOLVED, that the City Manager or her designee is hereby authorized to administer these funds, including executing all necessary documents relating to the application or administration of the award.

Councillor Morley asked for the total purchase price of the vehicle. Fire Chief Michael Farrell said when he wrote the grant application in 2016 the cost was \$104,000 for a 2017 model. Chief Farrell explained it would probably be a little higher because it will now be a 2018 vehicle. Councillor Morley asked if funding was already set aside for the City's share, and Chief Farrell said yes. Mayor Ashley thanked Chief Farrell, Senator Patricia Ritchie and Director of Planning and Development Andrea Smith for their efforts with this grant.

The vote was:

CARRIED, AYES ALL

6. Mayor Ashley moved a resolution authorizing the City Manager to submit a 2017 NY Sea Grant application, and Councillor Morley seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF  
A 2017 NEW YORK SEA GRANT APPLICATION

WHEREAS, New York Sea Grant in partnership with the New York Department of Environmental Conservation is requesting proposals for projects that serve to benefit the environment and economy of New York's Great Lakes basin; and

CITY COUNCIL MEETING

August 14, 2017

Page 191

WHEREAS, the City of Ogdensburg desires to submit such an application to enhance community resiliency and ecosystem integrity through restoration, protection, and improved resource management as it pertains to the Oswegatchie River Seawall; and

WHEREAS, the City is eligible to apply for funds up to \$25,000 for project planning, design, and/or implementation to support management actions and community resiliency planning; and

WHEREAS, the New York Sea Grant has no cost share or funding match requirement.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a 2017 NY Sea Grant Application to protect critical infrastructure, the Oswegatchie Seawall, using natural and engineered measures to improve resiliency.

BE IT FURTHER RESOLVED that if received, the City Manager is authorized to enter into any necessary contracts to administer and carry out the objectives of said grant.

Councillor Morley asked if there are any restrictions on the type of repairs. City Manager Sarah Purdy explained this funding is to conduct a study.

The vote was:

CARRIED, AYES ALL

7. Councillor Mitchell moved a resolution authorizing the City Manager to execute a Contract Change Order with Burke Excavation Demolition, Inc. (assumed business name: JEDA Environmental) for additional asbestos abatement at the 917 Washington Street project and authorize the appropriation of additional funds for the additional work, and Councillor Price seconded to wit:

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS  
AND AWARD OF CONTRACT FOR THE  
917 WASHINGTON STREET - ASBESTOS ABATEMENT,  
REMOVAL & DISPOSAL PROJECT

WHEREAS, bids were solicited and received for the City owned building, 917 Washington Street - Asbestos Abatement, Removal & Disposal project; and

CITY COUNCIL MEETING

August 14, 2017

Page 192

WHEREAS, the presence of deteriorated asbestos containing material within the building resulted in an inaccessibility to the boiler and boiler room for asbestos testing and evaluation; and

WHEREAS, JEDA Environmental was awarded the contract for the Asbestos Abatement, Removal and Disposal and is now able to access the boiler and boiler room and has submitted a proposal to perform the remaining Asbestos Abatement, Removal and Disposal for an additional sum of \$19,935.00; and

WHEREAS, the proposal for additional work represented a cost savings to the City in the form of time and money with the work being performed in conjunction with the original contract scope;

NOW, THEREFORE, BE IT RESOLVED that the City Manager is authorized to execute a contract change order in the amount of \$19,935 and additional funds totaling \$19,935 be appropriated to meet the additional cost of this project.

BE IT FURTHER RESOLVED that the funds to pay for this additional project cost will come from the following source:

Sewer Maintenance

– Capital Construction G8120.330 \$19,935.00

Mayor Ashley asked if the building is heated during the winter, and City Manager Sarah Purdy said no. Mayor Ashley asked if this is the final expense for this building, and Ms. Purdy said yes. Councillor Morley asked if the additional work has already been completed, and Ms. Purdy said yes.

The vote was:

CARRIED, AYES ALL

8. Councillor Morley moved a resolution authorizing the City Manager to accept a \$22,886. Legislative Grant Award LG16-1463-D00 to purchase equipment items needed for the K-9 Program, for vehicle equipment upgrades to the K-9 vehicle and for portable radio upgrades for the department, and Councillor Mitchell seconded to wit:

CITY COUNCIL MEETING

August 14, 2017

Page 193

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT  
A LEGISLATIVE GRANT LG16-1463-D00  
TO PURCHASE EQUIPMENT FOR THE K-9 PROGRAM

WHEREAS, with support from Senator Patricia Ritchie, the Ogdensburg Police Department has been awarded a Legislative Grant Award LG16-1463-D00 in the amount of \$22,886 for the purchase of equipment for the K-9 Program, for vehicle equipment upgrades to the K-9 vehicle and for portable radio upgrades for the department; and

NOW, THEREFORE, BE IT RESOLVED, by the Ogdensburg City Council that it hereby authorizes the City Manager to accept the Legislative Grant Award LG16-1463-D00 in the amount of \$22,886.

BE IT FURTHER RESOLVED, that the City Manager or her designee is hereby authorized to administer these funds, including executing all necessary documents relating to the application or administration of the award.

Mayor Ashley thanked Police Chief Andrew Kennedy and Senator Patricia Ritchie for their efforts with this grant.

The vote was:

CARRIED, AYES ALL

9. Mayor Ashley moved a resolution authorizing the City Manager to accept the 2016-2017 New York State Police Protective Equipment Program Award (PPEP) in the amount of \$32,069. for the purchase of protective equipment and DCJS approved patrol rifles, and Councillor Price seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A 2016-2017 NEW  
YORK STATE POLICE PROTECTIVE EQUIPMENT PROGRAM AWARD (PPEP) TO  
PURCHASE PROTECTIVE EQUIPMENT AND DCJS APPROVED PATROL RIFLES

WHEREAS, the City of Ogdensburg Police Department co-applied through St. Lawrence County along with other area police agencies for the 2016-2017 New York State Police Protective Equipment Program Award (PPEP); and

CITY COUNCIL MEETING

August 14, 2017

Page 194

WHEREAS, the total St. Lawrence County award was in the amount of \$75,000 and the City's portion of that award is \$32,069. for the purchase of protective equipment and DCJS approved patrol rifles; and

NOW, THEREFORE, BE IT RESOLVED, by the Ogdensburg City Council that it hereby authorizes the City Manager to accept the 2016-2017 New York State Police Protective Equipment Program Award (PPEP) in the amount of \$32,069.

BE IT FURTHER RESOLVED, that the City Manager or her designee is hereby authorized to administer these funds, including executing all necessary documents relating to the application or administration of the award.

Councillor Morley asked what type of protective equipment will be purchased. Police Chief Andrew Kennedy said the approved equipment includes ballistic vests, ballistic helmets and additional patrol rifles.

The vote was:

CARRIED, AYES ALL

10. Councillor Price moved a resolution authorizing the City Manager to submit a State and Municipal Facilities Grant Application (SAM) for grant funds in the amount of \$125,000. (If awarded will fund a Capital Funding Project consisting of the replacement of the heating system at the Ogdensburg Police Department in the amount of \$44,000 (replace two aging boilers) and purchase and outfit two new patrol vehicles in the amount of \$40,500 per vehicle.), and Councillor Mitchell seconded to wit:

**RESOLUTION OF THE CITY COUNCIL AUTHORIZING  
THE CITY MANAGER TO SUBMIT A STATE AND MUNICIPAL FACILITIES GRANT  
APPLICATION (SAM) IN THE AMOUNT OF \$125,000 TO REPLACE THE  
OGDENSBURG POLICE DEPARTMENT HEATING SYSTEM AND TWO NEW  
OUTFITTED PATROL VEHICLES**

WHEREAS, the City of Ogdensburg desires to submit a State and Municipal Facilities Grant Application (SAM); and

CITY COUNCIL MEETING

August 14, 2017

Page 195

WHEREAS, the City of Ogdensburg will submit an application through Assemblywoman Addie Jenne for grant funds for a Capital Funding Project consisting of the replacement of the heating system at the Ogdensburg Police Department in the amount of \$44,000 (Replace two aging boilers) and to purchase and outfit two new patrol vehicles in the amount of \$40,500 per vehicle; total grant award sought is \$125,000; and

NOW THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council authorizes the City Manager to submit a State and Municipal Facilities Grant Application (SAM) for grant funds in the amount of \$125,000.

Mayor Ashley thanked Assemblywoman Addie Jenne for supporting our police department. Councillor Morley asked if there is a required match for this grant, and Police Chief Andrew Kennedy said no.

The vote was:

CARRIED, AYES ALL

11. Councillor Morley moved a resolution authorizing the City Manager to execute Addendum No. 5, in the amount of \$14,000., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Paterson Street Reconstruction Project, and Councillor Price seconded to wit:

RESOLUTION AUTHORIZING ADDENDUM NO. 5 TO THE AGREEMENT  
BETWEEN THE CITY OF OGDENSBURG AND BARTON & LOGUIDICE FOR  
ENGINEERING SERVICES IN CONNECTION WITH  
THE PATERSON STREET RECONSTRUCTION PROJECT

WHEREAS, the City of Ogdensburg has executed an Agreement and Addendums totaling \$1,866,700 with the firm of Barton & Loguidice (B&L) for the Paterson Street Reconstruction Project; and

WHEREAS, additional services were required beyond the original project scope for an estimated total project cost of \$1,880,700.;

NOW, THEREFORE BE IT RESOLVED, the City Manager is hereby authorized to execute Addendum No. 5, in the amount of \$14,000., to the Agreement for Engineering Services between the City of Ogdensburg and Barton & Loguidice in connection with the Paterson Street Reconstruction Project, and;

CITY COUNCIL MEETING

August 14, 2017

Page 196

BE IT FURTHER RESOLVED, that funding for this project will come from Capital Fund H5110.518.

Councillor Morley asked for an update on a resolution to authorize a change order to address the sewer smell in some cellars near the intersection of Paterson Street and Knox Street. City Manager Sarah Purdy said that intersection was never part of the original project, and she will forward the original contract with Barton and Loguidice to Council for review. Councillor Morley asked if Barton and Loguidice engineered the project. Director of Planning and Development Andrea Smith said Barton and Loguidice was the original consulting engineer, but she is not sure if they actually designed the project. Ms. Purdy explained the funds being allocated in this particular resolution are required to cover additional engineering contract work that was required because of issues with the contractor. Ms. Purdy said we are nearing a solution on the sewer smell problem, and it appears to be an easy fix. Councillor Morley asked if these additional funds are reimbursable under the grant, and Ms. Purdy said yes.

The vote was:

CARRIED, AYES ALL

12. Councillor Mitchell moved a resolution authorizing the City Manager to submit a 2017 NYS HCR RESTORE Grant Application, and Councillor Morley seconded to wit:

A RESOLUTION TO AUTHORIZE THE SUBMISSION OF A 2017 NYS HOMES AND COMMUNITY RENEWAL RESTORE GRANT APPLICATION

WHEREAS, The Residential Emergency Services to Offer (Home) Repairs to the Elderly (RESTORE) program is a State funded program administered by the Housing Trust Fund Corporation's Office of Community Renewal (OCR) to grant funds to eligible applicants to cover the cost of emergency repairs in homes owned by low-income elderly persons; and

WHEREAS, the City of Ogdensburg is eligible to apply as a municipal government in New York State; and

WHEREAS, the Department of Planning and Development proposes an application for \$150,000 to benefit elderly homeowners (60 years of age or older) with incomes less than 80 percent of median income; and

CITY COUNCIL MEETING

August 14, 2017

Page 197

WHEREAS, the proposed funding will support emergency repairs for one or more of the following activities:

- Repairs to 1-4 unit residential dwellings owned and occupied by an elderly homeowner that eliminate conditions that pose a threat to life, health, or safety.
- Repairs addressing furnace, roof, electrical and plumbing or other emergency repairs.; and

WHEREAS, this RESTORE Grant opportunity has no cost share or funding match requirement, but is limited to a maximum of \$10,000 of grant funds per building.

NOW, THEREFORE, BE IT RESOLVED, that the Ogdensburg City Manager is hereby authorized to submit a 2017 NYS HCR RESTORE Grant Application to cover the cost of emergency repairs in homes owned by low-income elderly persons.

BE IT FURTHER RESOLVED that if received, the City Manager is authorized to enter into any necessary contracts to administer and carry out the objectives of said grant.

Councillor Morley asked on what level the 80% median income is determined. Director of Planning and Development Andrea Smith said the median income calculations for St. Lawrence County were provided to Council in the update. Councillor Morley asked how many families would be assisted with this grant. Ms. Smith explained at least fifteen families would receive funding based on the maximum of \$10,000 per unit. Councillor Morley questioned why we would assist families with apartment buildings. Ms. Smith explained only the owner occupied unit would receive funding, not the entire apartment building.

The vote was:

CARRIED, AYES ALL

OLD BUSINESS

1. Mayor Ashley thanked the Seaway Festival Committee, all volunteers and City staff for making this year's Seaway Festival a great success.

CITY COUNCIL MEETING

August 14, 2017

Page 198

ITEMS FOR DISCUSSION

1. Councillor Mitchell thanked the Fire Department for sending Sparky to the annual Moose Lodge family picnic on Saturday.

On a motion duly made and seconded, the meeting was adjourned.