

CITY COUNCIL MEETING

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

PRESENT: Mayor Nelson, Councillors Cilley, Morley
Powers, Sholette, Skamperle and Vaugh

ABSENT: None

PERSONAL APPEARANCE

1. John Mart, a retired City employee, addressed Council regarding the increase in his health insurance costs. Mr. Mart stated last year he paid \$200. in co-pays and this year he has paid over \$2,000. Mr. Mart stated he was told by an employee in the Comptroller's Office that Council approved this increase of his health insurance costs. Mr. Mart questioned what other retirees are affected by the mail-order prescription plan. Mayor Nelson asked Mr. Mart to make an appointment with City Manager, Arthur Sciorra and Comptroller, Philip Cosmo.

CORRESPONDENCE

1. Kathleen Bouchard, City Clerk Bouchard read a letter from Joseph Basta regarding the purchase of a former Standard Shade Roller Corp parking lot located on Covington Street. (A copy of which follows these minutes.)

CONSENT AGENDA

Mayor Nelson moved that the claims as enumerated in General Fund Warrant #14-2011 in the amount of \$1,059,266.33 and Library Fund Warrant #14-2011 in the amount of \$44,983.85 and Capital Fund Warrant #14-2011 in the amount of \$55,279.54

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and Community Development Fund Warrant #14-2011 in the amount of \$108,425.00 and Community Renewal Fund Warrant #14-2011 in the amount of \$1,260.95 and HOME Fund Warrant #14-2011 in the amount of \$8,780.00 and AHC Funds Warrant #14-2011 in the amount of \$0.00, RESTORE Program Warrant #14-2011 in the amount of \$0.00 and NSP Funds Warrant #14-2011 in the amount of \$0.00 and NY Main St. Program Warrant #14-2011 in the amount of 14,043.72 as audited, be and the same are ordered paid and Councillor Vaugh seconded the motion.

The vote was:

CARRIED, AYES ALL

ITEMS FOR COUNCIL ACTION

1. Mayor Nelson moved a resolution of gratitude to City Assessor, Kathryn K. Bateman for her thirty-nine years with the City of Ogdensburg's Assessment Office, and Councillors Cilley, Morley, Powers, Sholette, Skamperle and Vaugh seconded to wit:

RESOLUTION OF GRATITUDE TO
CITY ASSESSOR KATHRYN K. BATEMAN
FOR HER THIRTY-NINE YEARS WITH THE ASSESSORS OFFICE
OF THE CITY OF OGDENSBURG

WHEREAS, Kathryn K. Bateman entered the City of Ogdensburg Assessment Office service on July 24, 1972 as a Typist; and

WHEREAS, Kathy Bateman was promoted to Assessment Clerk on November 12, 1985, to Senior Clerk on June 24, 1974 and to City Assessor on August 30, 2002; and

WHEREAS, Kathy Bateman has met the high standards for assessment administration and successfully qualified the City for the New York State Office of Real Property Services' Excellence in Equity Award, which allowed the City to receive up to \$5 per parcel each year by keeping assessments at market value annually; and

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WHEREAS, during these years of service, Kathy Bateman has conveyed a sense of professionalism to the department, and administered its operations in the best interest of the Department and the taxpayers of the City of Ogdensburg; and

WHEREAS, the City is most fortunate to have had such a courteous, open and dedicated employee, who was always available to the public and took their concerns and problems seriously,

NOW THEREFORE, BE IT RESOLVED, that the Ogdensburg City Council hereby extends its gratitude to Kathryn K. Bateman for her thirty-nine years of dedicated service to the residents of the City of Ogdensburg and would like to wish her well in her retirement and all her future endeavors.

The vote was:

CARRIED, AYES ALL

2. Councillor Morley moved a resolution authorizing award of contract for the Lake Street Bridge demolition, replacement and utility improvements, and Councillor Skamperle seconded to wit:

RESOLUTION AUTHORIZING AWARD OF CONTRACT
FOR THE LAKE STREET BRIDGE DEMOLITION,
REPLACEMENT & UTILITY IMPROVEMENTS

WHEREAS, bids have been solicited and received for the Lake Street Demolition, Replacement & Utility Improvements; and

WHEREAS, the City's consulting engineer and City staff have evaluated the bids and recommended the contract be awarded to the responsible low bidder;

NOW, THEREFORE, BE IT RESOLVED that Arthur J. Sciorra, City Manager, is authorized to enter into the following contract, for a sum not to exceed \$2,439,000.00, on behalf of the City; and

<u>SUPPLIER</u>	<u>BID AMOUNT</u>	<u>CONTINGENCY</u>
Tuscarora Construction Co., Inc. 7838 SH 68, P.O. Box 387 Ogdensburg, NY 13669	\$2,239,000.00	\$200,000.00

BE IT FURTHER RESOLVED that the funds to pay for this work shall be derived from Capital Account H5120.518.

The vote was:

CARRIED, AYES ALL

3. Councillor Vaughn moved a resolution to support Fort La Présentation Association's proposed Abbé's Trail Project on Lighthouse Point, and Councillor Powers seconded to wit:

RESOLUTION

WHEREAS, the Fort La Présentation Association intends to apply for funding through the 2011 NYS Office of Parks, Recreation and Historic Preservation's Park Development and Planning Grant Program for the proposed Abbé's Trail, a trail to be constructed on Lighthouse Point that will connect to the City's Maple City Trail; and

WHEREAS, the proposed Abbé's Trail will be open to the public for recreational use and will support the City of Ogdensburg's BOA and LWRP initiatives;

NOW, THEREFORE, BE IT RESOLVED that the City of Ogdensburg fully supports the proposed project. The City agrees to assist the Fort La Présentation Association as follows:

1. If selected for funding, the City will administer the Abbé's Trail project for the Association on a day-to-day basis with a fee-for-service agreement to be paid through the grant.

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2. To provide interim construction financing for the Abbé's Trail project pending reimbursement by the Office of Parks, Recreation and Historic Preservation.

BE IT FURTHER RESOLVED that the City of Ogdensburg communicate its support for the project to the Office of Parks, Recreation and Historic Preservation, State Senator Patty Ritchie and Assemblywoman Addie Jenne Russell.

The vote was:

CARRIED, AYES ALL

4. Councillor Skamperle moved a resolution to approve and support the Fort La Présentation Association's grant application to the Environmental Protection Fund for a proposed project, Abbé's Trail, on Lighthouse Point, and Councillor Powers seconded to wit:

RESOLUTION OF MUNICIPAL ENDORSEMENT
FOR FORT La PRESENTATION ASSOCIATION'S PROPOSED
ABBE'S TRAIL GRANT APPLICATION

WHEREAS, the Fort La Présentation Association is applying to New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at Lighthouse Point, a site located within the territorial jurisdiction of this Council; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project is located".

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NOW, THEREFORE, BE IT RESOLVED by this august body that the Council of the City of Ogdensburg hereby does approve and endorse the application of the Fort La Présentation Association for a grant under the Environmental Protection Fund for a park project known as the Abbé's Trail and located within this community. The City agrees to assist the Fort La Présentation Association as follows:

1. If selected for funding, the City will administer the Abbé's Trail project for the Association on a day-to-day basis with a fee-for-service agreement to be paid through the grant.
2. To provide interim construction financing for the Abbé's Trail project pending reimbursement by the Office of Parks, Recreation and Historic Preservation.

The vote was:

CARRIED, AYES ALL

5. Councillor Sholette moved a resolution to authorize the City Manager to submit a Northern Border Regional Commission Federal Grant application to connect the Maple City Trail to Lighthouse Point, and Councillor Vaugh seconded to wit:

RESOLUTION AUTHORIZING THE CITY MANAGER
TO SUBMIT A NORTHERN BORDER REGIONAL COMMISSION FEDERAL
GRANT APPLICATION TO CONNECT THE MAPLE CITY TRAIL TO
LIGHTHOUSE POINT

WHEREAS, the City of Ogdensburg Strategic Management Plan makes it an organizational goal of the City to create and maintain a beautiful City; and

WHEREAS, the City of Ogdensburg values resource conservation, tourism and recreation; and

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WHEREAS, *Distressed Counties* are defined as those that experience a negative economic impact in at least three of the four following: Per Capita Income lower than the national average, unemployment higher than the national average, 2000-2010 Population increase less than the national average, and or poverty rate higher than the national average; and,

WHEREAS, the City of Ogdensburg, located in St. Lawrence County is listed as a Northern Border Regional Commission recognized *Distressed County* and is therefore given priority in its application; and,

WHEREAS, the Northern Border Regional Commission, managed by the New York State Department of State is accepting applications for Northern Border Regional Commission Funding; and

WHEREAS, the purpose of the Northern Border Regional Commission Funding is to promote resource conservation, tourism, recreation, and preservation of open space in a manner consistent with economic development goals;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ogdensburg that it hereby authorizes the filing of a FY2011 Northern Border Regional Commission Grant Application to secure funding to undertake the construction of a trail connection between the Maple City Tail and Lighthouse Point; and

BE IT FURTHER RESOLVED that City Manager is hereby authorized to submit the application and, if awarded, to administer the program, including executing all necessary documents relating to the application or administration of the program.

The vote was:

CARRIED, AYES ALL

6. Councillor Powers moved a resolution authorizing the City Manager to sell a City-owned vacant lot on Albany Avenue to John Gardner subject to the City Attorney's review and approval of sales documents, and Councillor Vaughn seconded to wit:

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RESOLUTION TO APPROVE THE SALE OF
TAX PARCEL # 59.030-8-13 TO JOHN GARDNER

WHEREAS, John Gardner has made a purchase offer to the City for a vacant lot identified as Tax Parcel # 59.030-8-13 as obtained by the City under Real Property Tax Sale Law, Article 11, Foreclosure Proceedings, and

WHEREAS, New York State Real Property Tax Law § 1166 states that:

1. Whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law.
2. No such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district, except that no such approval shall be required when the property is sold at public auction to the highest bidder; and

WHEREAS, John Gardner purchased an adjacent Tax Parcel # 59.030-8-14 on February 14, 2011 for \$1,700.; and

WHEREAS, the redevelopment of these properties is consistent with the Goals of the Strategic Management Plan, particularly the Goals for a Balanced, Sustainable Local Economy and Revitalizing Aging Neighborhoods and Commercial Areas; and

WHEREAS the City Assessor has valued the property at \$1,700, and

WHEREAS the City Manager has negotiated a sale price of \$1,700;

NOW BE IT THEREFORE RESOLVED, that the City Council in accordance with New York State Real Property Tax Law § 1166, hereby authorizes the City Manager to sell Tax Parcel # 59.030-8-13 to John Gardner for \$1700, subject to City Attorney's review and approval of sales documents.

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The vote was:

CARRIED, AYES ALL

7. Councillor Powers moved a resolution authorizing the City Manager to sell a portion of 113 Adams Avenue to Paul and Mildred Recore subject to the City Attorney's review and approval of sales documents, and Councillor Vaugh seconded to wit:

RESOLUTION TO APPROVE THE SALE OF A PORTION OF
TAX PARCEL #59.002-1-38 TO PAUL & MILDRED RECORE

WHEREAS, Paul & Mildred Recore have made a purchase offer to the City for a .05 acre portion of 113 Adams Avenue, Tax Parcel #59.002-1-38, as shown on the attached drawing, as obtained by the City under Real Property Tax Sale Law, Article 11, Foreclosure Proceedings; and

WHEREAS, New York State Real Property Tax Law § 1166 states that:

1. Whenever any tax district shall become vested with the title to real property by virtue of a foreclosure proceeding brought pursuant to the provisions of this article, such tax district is hereby authorized to sell and convey the real property so acquired, either with or without advertising for bids, notwithstanding the provisions of any general, special or local law.
2. No such sale shall be effective unless and until such sale shall have been approved and confirmed by a majority vote of the governing body of the tax district, except that no such approval shall be required when the property is sold at public auction to the highest bidder; and

WHEREAS, the redevelopment of these properties is consistent with the Goals of the Strategic Management Plan, particularly the Goals for a Balanced, Sustainable Local Economy and Revitalizing Aging Neighborhoods and Commercial Areas; and

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WHEREAS, the City Assessor has valued the property at \$1,500.; and

WHEREAS, the City Manager has negotiated a sale price of \$1,500.;

NOW, THEREFORE, BE IT RESOLVED, that the City Council, in accordance with New York State Real Property Tax Law § 1166, hereby authorizes the City Manager to sell a .05 acre portion of 113 Adams Avenue, Tax Parcel #59.002-1-38 to Paul & Mildred Recore for \$1,500., subject to City Attorney's review and approval of sales documents.

Mayor Nelson moved to table this resolution until it is determined who will pay the associated survey and legal costs and neighboring property owners are notified, and Councillor Sholette seconded to the motion.

The vote to table was:

CARRIED, AYES ALL

OLD BUSINESS

1. Councillor Morley requested an update on the Beaver Brook project. City Manager, Arthur Sciorra stated the project is being completed with drainage for the entire area. Public Works Supervisor, Gregg Harland stated the project is expected to be completed within the next three weeks. Mr. Harland stated there was a problem with some trees today, but all the underground pipes are in. Councillor Morley asked if the 10 inch pipe was removed. Mr. Harland stated that pipe had to be left in as it contained asbestos; but the pipe is working, and a new 24 inch pipe has been laid next to it. Councillor Morley also asked if Catch Basin B was installed. Mr. Harland stated the contractor installed that at the beginning of the project.

2. Councillor Sholette stated two weeks ago the State was working at the Route 812 creek which runs in to the Beaver Brook area. Councillor Sholette asked if Senator Patricia Ritchie could be solicited to assist the City in getting the South side culvert, that runs under Route 37 and heads to the Oswegatchie River, cleaned out.

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City Manager, Arthur Sciorra stated our engineer has looked at that, but hasn't spoken to the State yet. Mr. Sciorra stated he will address this with Director of Public Works, Kit Smith and Joe Dodd.

3. Councillor Vaugh stated Council received a brief update on the Main Street Grant process which also outlined some procedural issues. Councillor Vaugh asked Mr. Sciorra to elaborate on the extent of those issues. Mr. Sciorra stated this question needs to be addressed in Executive Session.

4. Councillor Vaugh requested an online newsletter be placed on the City's website to inform the public what is going on within the City. Mr. Sciorra stated there are a number of areas on the website already that communicate information to the public including an area to report a concern, a wiki on our Brownfield project and an area regarding all capital programs. Mayor Nelson stated we previously issued a quarterly newsletter, but stopped due to budgetary concerns. Mayor Nelson asked if staff could develop an electronic website newsletter to allow viewers to sign up for informative emails regarding City project updates. Mr. Sciorra stated there is already an area on the website for viewers to sign up for current event updates.

5. Councillor Vaugh requested an update on the Paterson Street project. Mr. Sciorra stated Kit Smith meets with the engineer regularly and will provide Council with a project update.

6. Councillor Vaugh stated at the last meeting Council approved a Preserve America resolution. Councillor Vaugh stated he has since forwarded information on the National Heritage Area to Director of Recreation, Matthew Curatolo and Mr. Sciorra. Councillor Vaugh also stated there is also a NYS DEC Grant program and Community Justice Impact Grant, that could possibly have funds suitable to renovate the pumphouse for the sportsman's club. Mr. Sciorra stated both of these programs are being reviewed as potential fund sources for the pumphouse.

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7. Councillor Cilley requested an update on the Knox Street housing rehab project. Mr. Sciorra advised that Jim O'Neil, C. W. Augustine Company, will be updating Council and answering questions regarding 819 Knox Street and 2 Grove Street. Mr. Sciorra added that those properties will be scheduled for sale. Councillor Cilley stated he was concerned that the City was rehabilitating a City-owned house that people were living in without paying taxes. Mr. Sciorra stated this will be included in the Executive Session discussion regarding the Main Street Program. Councillor Skamperle stated it was unacceptable to rehabilitate a home with people living in it. Councillor Skamperle also noted in two different memos, dated 07/20/2011 and 07/22/2011, sent by Director of Planning and Development, Justin Woods, it was stated that the City was going to be obtaining title and then that the City had title to the property. Councillor Skamperle asked if the City does have title to the property. Mr. Sciorra stated the City has a tax title.

8. Councillor Powers stated the Dadras report that Council received in July used the same language that was in Mr. Sciorra's Strategic Management Plan. Councillor Powers added that he voiced his concerns to the Dadras company but has not received a response from them. Councillor Powers stated this has been ongoing since September of 2009, and the outcome is unacceptable and frustrating. Councillor Powers requested another report be obtained and Mr. Sciorra agreed.

9. Councillor Powers stated the Cape Air's Bird's Eye View article forwarded to Council was very nice. Councillor Powers stated that Recreation Director, Matthew Curatolo is doing a great job at the Recreation Department. Councillor Powers asked if Mr. Curatolo sent fall photographs to Cape Air. Mr. Curatolo stated the photos were sent, and the City should be noted again in the magazine.

NEW BUSINESS

1. Mayor Nelson asked City Manager, Arthur Sciorra to meet with Mr. Mart regarding the health insurance issues that were brought up tonight, and provide Council with an update.

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2. Mayor Nelson stated a Covington Street resident requested to have a street light in that area moved. Mr. Sciorra said that he forwarded this request to Kit Smith, and it is being directed to National Grid.

3. Councillor Powers stated that he supported tabling tonight's resolution to sell City-owned property to the Recore's until the adjacent property owner was notified. Councillor Powers explained that if this sale would improve the winter-parking problem at this apartment building and put the property back on the tax roll, he felt it should be supported.

4. Councillor Powers stated a long-term plan to clear brush from the Crescent hill above the walking trail is needed. Mr. Sciorra suggested using leftover funds from the Lake Street Bridge project. Mayor Nelson added the City previously used local prison labor to address this problem, and we need to look at possible solutions and plans to keep this area cleared.

5. Councillor Vaugh stated he would like to see the speed limit reduced to 25 MPH on Paterson Street between Lafayette and Ford Streets as it is a high traffic area with many accidents. Mayor Nelson stated this will be turned over to the City Manager for staff to review. Mr. Sciorra stated this could possibly be addressed with the Paterson Street reconstruction.

6. Councillor Vaugh stated Council has received information from the Economic Development Council's Northern Territory. Councillor Vaugh asked if Mayor Nelson had anything to add regarding Ogdensburg's involvement with the Committee. Mayor Nelson stated the three largest municipalities in the region that make up the Council, Watertown, Plattsburgh and Town of Potsdam, met to hear the Governor's address. Councillor Vaugh stated he had hoped the City would have had some communication with the Council and our area Senator, to show them what Ogdensburg has to offer. Mayor Nelson stated a good point to note is that Mr. Sciorra has a great dialogue with the Co-Chair, Tony Collins.

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Mr. Sciorra stated he has had a conversation with Tony Collins regarding the need for Ogdensburg to have an economic development strategy. Mr. Sciorra also stated The Center for Innovation at Clarkson University might be a useful program for us to work with, and Mr. Collins was referring the City's request to Mark Draper at the Center. Mr. Sciorra stated he has also met with economists from Williston, Vermont who are familiar with the economic development of the entire region and are experts in EV5 economic development studies. Mr. Sciorra added that he has spoken with Senator Gillibrand's office to obtain the names of other firms around the State who are also involved in preparing economic development studies. Mr. Sciorra said the City needs a consistent economic development strategy in place with or without the Regional Council being formed as that is money we would like, but there are other programs and ways to market our property aside from the specific program that the Governor set up. Councillor Vaugh asked if a Power Point presentation could be done, with incentives and opportunities in the interim to inform our elected officials and this Council. Mr. Sciorra stated it was sent last week to Tony Collins and to an investment attorney in Southern California who specializes in Chinese investors. Councillor Powers stated he agreed with Mr. Sciorra regarding an economic development plan with a more aggressive, ambitious approach. Mr. Sciorra stated for the City to be competitive across the country, we need to rise to the level of professional marketing.

7. Councillor Vaugh stated when the BOA was first started the St. Lawrence Psychiatric Center property was not included in the City's redevelopment; and now with the LWRP in place, he would like to see this property as part of the regional economic development plan. Mr. Sciorra said Council has not stated a consistent feeling toward the uses for this property, and the buildings are Stated-owned. Mayor Nelson advised that years ago the Council did petition the State for the 37 parcels next to the OBPA property to market and develop. Mayor Nelson added that Senator Wright tried to help the City with this process, but it went nowhere in the State. Mayor Nelson also noted there is vacant farmland on Route 37 with outstanding bonds, and these parcels should also be discussed as part of the City's economic development. Councillor Vaugh stated because the City has a lot of history in the St. Lawrence Psychiatric Center's buildings, possibly the stone in some of the deteriorating buildings could be used in future projects on the Diamond property.

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8. Councillor Morley asked Mr. Sciorra to keep him informed of any discussions regarding the property Mr. Basta is requesting to purchase from the City. Councillor Morley stated he would like to know how much money Mr. Basta is offering for the property. Mr. Sciorra stated he would provide Council with an update on any discussions and recommendations regarding the property.

9. Councillor Morley requested additional air fans for the Council Chambers.

10. Councillor Skamperle requested an update on how the union contract process works for retirees.

11. Councillor Skamperle stated he would like to inform the public that he takes union contracts seriously, and City Councillors try to protect people the best they can. Councillor Skamperle explained that the City Manager negotiates with the unions, comes up with an agreement and Council decides whether or not to approve it. Mayor Nelson stated Mr. Sciorra will meet with Mr. Mart and update Council on his discussions. Councillor Skamperle stated he has spoken with retirees who have suggested there are limits to the changes that may be made to retirees' contracts. Councillor Skamperle asked for a legal opinion to see how much change can be made to their contracts after they have retired.

12. Councillor Skamperle stated the Library's roof was discussed during last year's budget meetings. Councillor Skamperle said it will require hundreds of thousands of dollars to repair, and requested an update on the cost to replace the roof. Mr. Sciorra stated the library is not a responsibility of the City's as it is not owned by the City. Mr. Sciorra explained that although we have no legal responsibility for the roof's repair because it is not a City-owned building, the City does have an interest that needs to be kept in mind.

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ITEMS FOR DISCUSSION

1. Councillor Vaugh reminded everyone that the Greater Ogdensburg Chamber of Commerce is sponsoring a Wine, Beer and Food Festival this weekend. Councillor Vaugh stated the event opens at 11:00 a.m., admission is \$5.00 and if visitors show their Advantage Price Chopper card, they will get a free wine glass.

2. Mayor Nelson reminded everyone that the Greater Ogdensburg Chamber of Commerce is also sponsoring Dueling Pianos Saturday night at OFA School.

Mayor Nelson stated there was a need for Executive Session, and Council did not expect any action. Mayor Nelson moved to adjourn to Executive Session, and Councillor Morley seconded the motion.

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