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**MINUTES OF THE MONTCLAIR HISTORIC PRESERVATION COMMISSION  
November 18, 2010**

**PRESENT:** Ira Smith, Denis Orloff, Jonathan Perlstein, Andrew Hageman, Frank Rubacky, Diane Scotland, Stephen Rooney, and Christie Rule, Commission Secretary/Preservation Consultant

**ABSENT:** Jennifer Reive

**ORDER AND ANNOUNCEMENTS**

The meeting was called to order at 7:37 pm by Chairman Smith. Secretary Rule read the notice of compliance with the New Jersey Open Public Meetings Act and indicated that appropriate notice was forwarded to the officially designated newspaper of Montclair and also posted in the Municipal Building. The schedule of meetings is also posted on Montclair Township's web site.

**OLD BUSINESS**

None

**NEW BUSINESS**

- 1. David & Norhid Ohevshalom, Mediterranea**  
578 Bloomfield Avenue  
HPC 2010-54  
*Legalize tiling installed without permits*

*The first application was postponed until later in the hearing because the applicant was not available.*

**2. Ed Schwarz, Gelato Giuliana**

49 Church Street

HPC 2010-55

*Legalize window signage installed without permits*

Secretary Rule called for the representatives of this application to come forward. Ed Schwarz – Owner/Applicant, came forward and was sworn.

The proposal calls for window and door signage that was installed without permits, and new window and door signage, all in a white frosted color.

The signage installed without permits includes: the words “GELATO • CIOCCOLATO •” and “FRAPPE • CAPPUCCINO •” in the two storefront windows, and a small logo on the door and the store number “49”.

The new window signage proposed consists of two large logos, one in each pane of the storefront window, and new door signage that reads “CUPCAKES • CHOCOLATE • PANINI • SOUP”.

The applicant is not proposing any additional changes to any other part of the storefront or elevations of the building.

Commissioners had no comments or questions regarding the proposal.

Chairman Smith, upon hearing no further questions and discussion from the Commissioners, opened the meeting up to the public. No public comments were offered on this application and the meeting was closed to the public.

On a motion by Commissioner Hageman and seconded by Commissioner Rubacky the Commission voted to approve the application as submitted in a vote of 7 ayes, no nays, and no abstentions.

**3. Elliott Alex, Trend Coffee**

411 Bloomfield Avenue

HPC 2010-56

*Two new bracket signs and a wall sign*

Secretary Rule called for the representatives of this application to come forward. Elliott Alex, Valeria – Applicants, and J.C. Avilles - Competitive Signs & Graphics – Signage, came forward and were sworn.

The proposal calls for the installation of one new projecting/bracket sign and two new wall signs, for a total of three signs as follows:

1) The “Main Front (bracket) Sign” will be at the south, front façade and consists of a 30” wide by 35” long bracket sign to hang from a decorative bracket and with integral welded lighting attached at the top bracket of the sign, and located 102” (8’-6”) off the ground. The lettering includes the logo “TREND” and the words “COFFEE & TEA HOUSE”. The bracket will be mounted to the wood façade where an existing flag pole hook is currently located.

2) Initially a bracket sign was proposed, but was not allowed due to code. An alternate proposal was presented at the meeting: wall-mounted sign, an ¾” thick MDO custom sign, with one-sided with flat graphics, measuring 32” by 24”, to be affixed to the wood siding on the rear wall facing the parking lot, positioned askew to the left on the facade.

3) The “Rear Entrance Sign” will be a wall-mounted ¾” thick MDO custom sign positioned above the entry door at the side alley, and located 102” off the ground with the same TREND logo and wording. The applicant is not proposing any additional changes to any other part of the storefront or elevations of the building.

Mr. Avilles reaffirmed that instead of a bracket sign on the alleyway, a wall sign was proposed for the rear wall. Mr. Avilles further explained that the projecting sign proposed for the front façade would be dimensional on both sides, custom shaped, and with illumination.

Vice Chairman Orloff asked if there would be dimensional parts, such as in a recent application for Rabbit Rabbit. Mr. Avilles answered no that it would be different because the Rabbit Rabbit sign was flat; the sign would be ¼” thick black acrylic decorated and raised for shadow and dimension via pin-mounting into the cedar and sealed with silicone.

Vice Chairman Orloff asked what the dark black outline on the drawing signified? Mr. Avilles stated that it would be dimensional acrylic, not shadowed.

Commissioner Scotland asked about the lighting. Mr. Avilles stated that it was made by Napoli, a custom design installed on the bracket and powder-coated.

Vice Chairman Orloff asked if the sign would be mounted in the center of the doorway, and Mr. Avilles said it would be.

Chairman Smith stated that the proposed customized projecting/blade sign was a precedent, noting that the ordinance had recently been changed to allow these types of signs in an effort to restore the streetscape character and introduce a variation in signage. Chairman Smith affirmed the applicant’s mindfulness to find such an appropriate location for this type of sign. Chairman Smith additionally noted that with the precedent followed learning about the performance, wear and tear, wind, rain and possible interactions with pedestrians of these types of signs.

Chairman Smith asked about the head height. Mr. Aviles stated that it was 102” from the sidewalk to the bottom of the sign, conforming to ordinance that the height be greater than eight feet above the sidewalk.

Chairman Smith additionally suggested that the Commissioners and Mr. Aviles look at a book called Montclair Postcards of the Past, available at the Montclair Bookshop, for placement and guidance for future projecting signs.

Vice Chairman Orloff additionally asked about the back sign wall-mounted over the door, if it would be centered on the wall rather than above the door. Mr. Aviles stated that it was centered on the wall since the door was off center. Vice Chairman Orloff additionally asked if the proposed wall-mounted sign for the back wall (facing the parking lot) would be mounted at the same height as the other signs and asked for clarification if it were dimensional. Mr. Aviles stated that it would be mounted at the same height and was not dimensional.

Chairman Smith, upon hearing no further questions and discussion from the Commissioners, opened the meeting up to the public. No public comments were offered on this application and the meeting was closed to the public.

On a motion by Vice Chairman Orloff and seconded by Commissioner Rubacky the Commission voted to approve the application as submitted in a vote of 7 ayes, no nays, and no abstentions.

#### **4. Lauren Browning, The Southern Belle**

615 Bloomfield Avenue  
HPC 2010-57  
*New awning*

Secretary Rule called for the representatives of this application to come forward. Lauren Browning, The Southern Belle – Applicant, came forward and was sworn.

The proposal calls for the installation of a new 19'-0” wide Sunbrella Solids, True Brown awning just below the masonry belt course to span the storefront’s width, with the lettering “The Southern *Belle*” painted in 6” lettering on the 10” apron. The applicant is not proposing any additional changes to any other part of the storefront or elevations of the building. At the hearing, the applicant revised the positioning of the awning, to be installed into the wood board just below the masonry belt course, so as not to destroy historic fabric.

Chairman Smith verified that Ms. Browning intended that the awning be placed below the masonry. Ms. Browning stated that it would be.

Commissioner Scotland asked about the awning next door at the nail salon, and felt that both storefront awnings should be aligned.

Vice Chairman Orloff asked why the wood box was on the façade in the first place. Secretary Rule explained that the box was covering lighting fixtures. Chairman Smith elaborated that the cove was provided for minimal down-lighting in a recent storefront application approval, but was made cheaply with wood that was to be painted in a faux-stone manner, but which did not hold up shortly after construction. Chairman Smith surmised that there was no brick behind the wood box. Vice Chairman Orloff wondered if it were flashing or rigid aluminum.

Ms. Browning stated that the top measurement on top of the truss would be reduced. Vice Chairman Orloff wondered if the angle would be shallower and Ms. Browning agreed that it would. Vice Chairman Orloff wondered if the 9" projection might be too much if the awning now only wraps around the light box and not around the masonry stone course, which appears to project further.

Commissioner Rubacky felt that matching the nail salon awning was not practical for this application. Chairman Smith agreed, noting that the nail salon awning was mounted to the brick slightly down from the stone course, so would be tough to mimic. Chairman Smith wondered about the condition of the light box. Secretary Rule noted that the awning must be 6'9" to the valance.

Vice Chairman Orloff wondered if the down-lighting constituted illumination of the awning, which is prohibited by code. Chairman Smith felt that the intension of the ordinance was to prevent awnings being used like light boxes and that this proposal did not violate the intention of the code.

Chairman Smith asked about the 8'2" height from the ground to the bottom of the awning and Ms. Browning stated that she wanted it higher in order to preserve natural light coming into the window. Chairman Smith countered that uniformity with a neighboring awning's lower height from the sidewalk might bring about a greater balance that was more desirable than natural light.

Vice Chairman Orloff asked about the ends of the awning, if they wrapped around the ends of the wooden box. In **exhibit "A"**, Chairman Smith drew where the fabric should cover around the side of the awning so that the wooden box ends would be covered, and submitted it into the record for the applicant to review. Vice Chairman Orloff suggested that the light box be painted to match the color of the awning and felt that if the ends of the light box are open, that a condition of approval should be that they are to be closed. Ms. Browning agreed to this condition.

Chairman Smith returned to the question of symmetry on the building, noting that matching the nail salon awning might be difficult due to the slope of the street. Commissioner Scotland agreed that the new awning should be allowed to be different. Commissioner Rooney wondered if the bottoms of the building's two existing awnings aligned. Commissioner Perlstein felt that the use of this newly proposed *dark* colored awning would help to visually allow for the difference between the awnings.

Vice Chairman Orloff asked if there were any text on the awning's apron. Ms. Browning stated that the 6" text "The Southern Belle" was proposed for the 10" apron.

Vice Chairman Orloff wished that the light box could be removed to allow for uniformity. Commissioner Rubacky suggested that the Commission not approve lighting at that height on a façade in the future, since in this case it has been subsequently covered with an awning.

Commissioner Rubacky asked if the applicant wanted the storefront number on her façade. Ms. Browning wondered if she could put it on the awning apron, and was instructed that it should be at one extreme end of the apron.

Chairman Smith reviewed the issues that might be incorporated into conditions.

Chairman Smith, upon hearing no further questions and discussion from the Commissioners, opened the meeting up to the public. No public comments were offered on this application and the meeting was closed to the public.

On a motion by Commissioner Scotland and seconded by Commissioner Rooney the Commission voted to approve the application with conditions in a vote of 7 ayes, no nays, and no abstentions.

The approval includes the following conditions:

1. The applicant should refer to the sketch "Exhibit A" for revisions to the frame, including the height change to cover the wood but not the masonry band and the method of wrapping fabric around the frame.
2. The termination of the wood box must be capped on both sides and painted in a brown color to match the proposed awning.
3. The address number may be added to either the extreme left or extreme right of the apron of the proposed awning in the same font as "The" or "Southern" currently proposed on the apron.

**1. David & Norhid Ohevshalom, Mediterranea**

578 Bloomfield Avenue

HPC 2010-54

*Legalize tiling installed without permits*

*Because the applicant arrived late, this application was actually heard at this point on the Agenda.*

Secretary Rule called for the representatives of this application to come forward. David & Norhid Ohevshalom, Building Owners – Applicant, came forward and were sworn.

The proposal calls for legalizing a new pattern of multi-colored black, white and red tiles at the front façade which were installed without permits. The applicant is not proposing any additional changes to any other part of the storefront or elevations of the building.

Chairman Smith asked for a photograph of the upper stories of 578 Bloomfield Avenue, and Secretary Rule passed one around.

Chairman Smith noted that the Commission should treat the installed tile as if it were a new proposal, not already in place. If a majority of Commissioners were in favor of the changes, alterations could be approved; if not, alternatives should be reviewed including returning to the previous existing condition, wood. Chairman Smith noted that the Secretary had suggested a vitrolite or opaque glass glossy tile in black, red or grey or another tiling with only one or two colors, possibly related to the façade above.

Vice Chairman Orloff stated that the tile was inappropriate, and in addition to the patterning, the long, brick-shaped tiles did not work well around the curve in the storefront, and that any proposed material should allow for the curve.

Mindful of the Middle Eastern cuisine offered by the restaurant, Commissioner Perlstein mentioned a precedent in Tel Aviv, which includes the largest collection of Bauhaus style in the world, and felt there was a case for making this façade look Bauhaus. Commissioner Perlstein noted that the storefront not matching the façade above did not bother him, but whatever chosen must be true to itself, suggesting that if a tile were chosen, a vertical, slender tile would be best. Vice Chairman Orloff suggested a small square tile. Chairman Smith suggested something smooth like stucco, and Commissioner Perlstein suggested that tubular tile may be an option, but that stucco may present a maintenance nightmare and that wood was not appropriate.

Commissioner Hageman was not enamored with the tile, and would prefer uniformity – one color, and a relationship with the upper stories of the building.

Commissioner Rooney felt that the white tile was too jarring and pointed out that the long bricks had to be made square at the far left end of the storefront by the door to the upper levels anyway, feeling that the square shape was a successful treatment. Commissioner Rooney also wondered about the detailing under the curved window and what caused the strange detail. Commissioner Perlstein agreed that the rule of how these tiles were to be placed on the façade had been broken too many times in the installation. Commissioner Rubacky questioned the different tiling used to accentuate the far right end corner of the storefront.

Mrs. Ohevshalom stated that she and her husband were the building owners, and that the restaurant owners had installed the tiles and were “good kids”, and that the new façade had a positive effect on business in the summer. Mrs. Ohevshalom felt that the restaurant owners had run out of tiles and used other leftover tiling to accentuate the far right end corner. Mrs. Ohevshalom additionally noted that they wanted to replace the siding on the upper floors and Secretary Rule stated that she would be happy to speak with them later regarding new siding, but that it was not part of the scope of this particular application.

Chairman Smith responded that the positive affect on business was likely because the public noticed the restaurant more than before the work, but felt that an alternative for this tile pattern was necessary. Chairman Smith proposed that the conversation be continued and that a new, detailed proposal and drawings were needed showing how new tile would work, with the new proposal submitted to a **subcommittee consisting of Commissioners Scotland and Hageman**. Chairman Smith further suggested that bullet points of recommendations be submitted to the applicant as soon as possible.

Commissioner Perlstein felt that not much tile was needed for this small storefront, and that the applicant could chose to use something nicer. Chairman Smith noted the additional cost of labor.

Vice Chairman Orloff was concerned about the storefront recessed behind the face of the tile, and felt that before new tiles was applied that the old tile should be removed, and that a new application should thoroughly review how the new tiles are applied versus the framing of the storefront – if it will be flush or recessed. Commissioner Perlstein felt it would be tough to make it flush with an aluminum storefront and also stated that the design needed capping and flashing to secure it from weather infiltration, noting that the current tile installation was open to the weather at the top and would not last long before deteriorating due to water infiltration. Chairman Smith suggested a site visit to review conditions.

Vice Chairman Orloff returned to the detailing of the curved window. Chairman Smith guessed that the window had not been mounted property, creating a weird gap that needs capping and flashing and that additional information would be required regarding how the proposed storefront meets the sidewalk.

Secretary Rule wondered about what specific tiling the Commission would prefer. Chairman Smith stated that it need not be tiling, but possibly sheet metal, stucco, or even stone- as long as it maintained a rigid vertical orientation and was narrow, suggesting a streamlined Bauhaus look: bold, minimal.

The application was carried.

## **5. 10 Madison Avenue, Demolition Review**

No representatives were available for this application.

The proposal calls for demolition of the building at 10 Madison Avenue.

As per Montclair Code Section 347-173, the permit for 10 Madison Avenue has been forwarded to the Montclair Historic Preservation Commission for review for the purpose of determining whether or not the building may have historical, cultural, architectural, aesthetic or other significance, pursuant to the criteria for historic designation set forth in the Historic Preservation Ordinance.

The criteria are as follows and in order to go ahead with Nomination, the building must meet at least one criterion for designation as per **Montclair Code 347-135**:

### **Building Significance**

10 Madison Avenue is **not listed** on the local, State or National Registers of Historic Places. It was included in the Junior League's Survey inventory, which notes that the house dates to c.1910 and is notable for its center hall, center gable and quoining in the Classical Revival Style.

The building is flanked by two lower two-story additions: a smaller one to the north that houses the kitchen facilities and a more extensive addition to the south in the 1950s to accommodate the building's use as rooms for the Charles Bierman Home for the Aged.

This building may be deemed locally significant, built by members of the Farmer family, direct descendants of George Prentice Farmer who came to Montclair in 1870 and was closely connected with the founding of the Greenway Lake Railroad Company.

Should the Commission decide to go forward with nominating 10 Madison Avenue to the local register, a Nomination Report Executive Summary must be created for an official nomination and recommendation to the Township Council that it be designated as a local historic landmark. The MHPC's vote today will start the 180 day moratorium, with any proposed changes or demolition at the property coming forward to the MHPC as if it were already a local individual landmark.

Vice Chairman Orloff showed concern for the condition of the property and Commissioner Rooney felt that the site was the most valuable element of the property.

Chairman Smith stated the legal framework for designation and the rights of the MHPC if designated, suggesting that it could be nominated for its property, grounds and site plan, as in the Marlboro Inn proceedings, the setting was extremely important. Chairman Smith additionally asked if the applicant had submitted a signed and sealed engineering report and was disappointed that no one was in attendance to discuss the issues. Secretary Rule stated that no engineering report had been submitted, and that the real estate agent, Jim Walters, had been encouraged to attend.

Chairman Smith stated that if nominated, the building could still be demolished upon appeal, and that the new plans would then come forward to the MHPC for approval regarding the site. Chairman Smith noted that if the Commission agreed to go forward, it would start the 180 day moratorium which would allow time to gather more information and put a Nomination Report together for the property. Chairman Smith hoped that the building could be saved, but noted that the Planning Board could overrule the MHPC.

Chairman Smith shared his opinion from an architectural professional's standpoint, having been part of past development schemes that did not go forward, and felt that there was a way to develop the property while keeping the historic portions of the

building, as well as the significant old growth tree and corner lot that created a picturesque setting for the property.

Chairman Smith also noted that there was a very concerned and outspoken neighbor: Luther Flurry. Chairman Smith was inclined to support the writing of the Nomination Report if only in order to vet concerns of the neighbors. Commissioner Hageman stated that he lived nearby, and agreed that the setting was outstanding.

Chairman Smith suggested that the commission might consider only nominating the older portions of the building, and may even consider about demolishing portions of the building, having considered what massing is important and why.

Commissioner Rubacky stated that the current poor condition of the interior should not be a consideration, since the Commission does not generally evaluate building interiors and noting that so many historic buildings had been gutted in a desire for open-space plans; the exterior should be the focus.

Commissioner Rubacky felt that the building is locally significant for both architectural and through local ties as Secretary Rule points out, but also for Criterion 5, as a significant lot created which opened up Orange Road and provided a reason for Lincoln Street and the sister house mentioned in the Cultural Resource Survey sheet, noting that it was similar to the significance for 4 Duryea Road. Commissioner Rubacky further wondered about removing additions, rehabilitation and development options, feeling that the MHPC should take the 180 day moratorium to explore options and go through a thoughtful process.

Chairman Smith, upon hearing no further questions and discussion from the Commissioners, noted that no public was present for comments.

Chairman Smith additionally stated that he was concerned with several Commissioner's statements that the building was open to the sky and not property weatherproofed, and suggested that enforcement inspect the property and instruct in maintenance so as not to lose more of the historic fabric over the course of the next 180 days and oncoming winter months.

On a motion by Commissioner Perlstein and seconded by Commissioner Hageman the Commission voted to approve the motion to nominate 10 Madison Avenue for inclusion on the local historic register in a vote of 7 ayes, no nays, and no abstentions.

## **DISCUSSION ITEMS**

### **1) Internal Illumination: HPC 2010-53**

#### **Bankers Café, 295 Bloomfield Avenue**

Secretary Rule spoke with Montclair's Township Attorney and Planning Director regarding a recent application for illuminating a sign hung behind the glass, and could find no direct ordinance preventing internal illumination of a window sign, which includes in its definition "signs hanging behind the glass". As previously stated, internal illumination is only prohibited for wall signs.

The argument that the HPC should be allowed to prevent internal illumination for a window sign based on past prohibition was not a strong enough argument to prevent its installation. The proposed lighting neither destroys historic fabric, nor does interior lighting, in itself, detract from the special historic characteristics of a building.

Therefore, the HPC 2010-53 Bankers Café sign is allowed to be internally illuminated and the condition imposed is not applicable. The Commission should note the change of wording introduced in the Resolution and Minutes to explain the situation.

### **2) Renewing Applications:**

#### **Cohen Development Corporation, Applicant 22 South Park Street, HPC 2002-12**

#### **Background**

Secretary Rule stated that the HPC had received a letter from Mr. Neil Cohen on behalf of Cohen Development Group/ First Montclair Partners, LP requesting an extension of time on their Certificate Appropriateness No. 2002-12. The Certificate of Appropriateness referenced actually expired on February 16, 2008. Mr. Cohen has requested multiple one year extension to complete ongoing storefront work; however extensions have mistakenly been granted for the Certificate Appropriateness No. 2006-25 which involves scope to fix drainage issues at the rear of the property.

At a meeting on October 21, 2010, the Commission stated that eight year of extensions was beyond the realm of "reasonable extensions" – which is usually three years – and that the applicant should bring new drawings forward for approval in order to continue restoration of the storefronts.

#### **Further Legal Advice**

Regarding the decision to make Neil Cohen (David Gurfein) come forward with new plans for renovating storefronts of the Wedgewood building, our Township Attorney Ira Karasick informed me that there has been legislation –the Permit Extension Act of 2008 which was renewed recently, which states that all permits in effect on January 1, 2007 will now be valid through June 30, 2013. Therefore, his permit remains valid through that date and no additional application is necessary and the matter is closed.

**3) 597 Valley Road – Garden State Community Bank: roof color**

Secretary Rule stated that the medium bronze and beige-toned paint colors had been chosen by Commissioner Reive and agreed upon by Commissioner Rubacky in a site visit, and wondered if any other Commissioners felt strongly about the decision. Commissioners were generally fine with the color choice, and Chairman Smith instructed Secretary Rule to confirm this choice with the applicant.

Commissioner Rubacky stated that other storefronts along Valley Road may be affected by the proposed painting, and wondered how the painting would be handled.

**4) South Park Street Open House:**

**48 South Park Street, Tuesday, November 23, 2010, 4:00 to 8:00 pm**

Secretary Rule noted that Commissioners were encouraged to attend an open house to be held at 48 South Park Street, the Sienna building, on Tuesday, November 23, 2010 from 4 to 8pm. The Open House will be held to present two schemes for updates to South Park Street. Chairman Smith, whose firm is involved with the project, noted that this feedback from the HPC would be valuable, since a formal review by the commission was contingent on the Township Engineer’s direction, and that review would be only *Advisory* in nature since it encompasses Township property.

**5) Violations Update (Lacrosse Unlimited & Insani-Tea)**

Secretary Rule noted the many applications coming forward to address violations, and that two properties went to court today for a lack of response to violations: Lacrosse Unlimited on South Park Street did not show in court, and Insani-Tea was given until December 2, 2010 to come forward to the MHPC with an application before fines would be imposed.

**6) New Jersey Threatened Buildings List**

Secretary Rule suggested that 24 Upper Mountain Avenue be submitted to the New Jersey Threatened Buildings List. Chairman Smith and other Commissioners agreed and wondered what the process was. Secretary Rule agreed to check into the method of submission.

**APPROVAL OF RESOLUTIONS**

Commissioner Perlstein moved to memorialize the following September 16, 2010 resolutions as amended and seconded by Commissioner Hageman in a vote of 4 ayes, no nays, and 2 abstentions.

From September 16, 2010:

- |           |             |                       |
|-----------|-------------|-----------------------|
| <b>1.</b> | HPC 2010-39 | 483 Bloomfield Avenue |
| <b>2.</b> | HPC 2010-45 | 465 Bloomfield Avenue |
| <b>3.</b> | HPC 2010-47 | 594 Valley Road       |

Commissioner Rubacky moved to memorialize the following resolutions as amended and seconded by Commissioner Scotland in a vote of 6 ayes, no nays, and 0 abstentions.

From October 21, 2010:

- |    |             |                        |
|----|-------------|------------------------|
| 1. | HPC 2010-43 | 597 Valley Road        |
| 2. | HPC 2010-48 | 375 Bloomfield Avenue  |
| 3. | HPC 2010-49 | 190C Bloomfield Avenue |
| 4. | HPC 2010-50 | 224 Lorraine Avenue    |
| 5. | HPC 2010-51 | 605 Valley Road        |
| 6. | HPC 2010-52 | 460 Bloomfield Avenue  |

HPC 2010-53, 295 Bloomfield Avenue could not be memorialized due to lack of quorum.

### **APPROVAL OF MINUTES**

Commissioner Perlstein moved to memorialize the minutes of September 16, 2010 as amended and seconded by Commissioner Hageman in a vote of 6 ayes, no nays, and no abstention.

Commissioner Rubacky moved to memorialize the minutes of October 21, 2010 as amended and seconded by Commissioner Rooney in a vote of 6 ayes, no nays, and no abstention.

### **ADJOURNMENT**

At 10:35 pm, Commissioner Rubacky moved to adjourn the meeting. This was seconded by Commissioner Hageman.

Respectfully submitted, Christie Rule, recording secretary