



**Members Present:**

Dave Browning, Mayor  
Dennis Lipp, Vice-Mayor  
Ryan Liang, Council Member  
Dr. J. William Louda, Council Member  
Ron Jarriel, Council Member

**Members Absent:**

None

**Others Attending:**

Dr. Irv Rosenbaum, Interim Town Manager (NCS)  
Matthew Lippman, Interim Town Clerk (NCS)  
Michelle Kantor, Interim Assistant Town Clerk (NCS)  
Mike Cirullo., Esq., Town Attorney  
Members of the Public

**Others Absent:**

None

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**1. – 4.      Call to Order/Roll Call/Pledge of Allegiance/Invocation**

The meeting was duly noticed and posted. Mayor Browning called the meeting to order at 5:00p.m. He then requested the roll call by Town Clerk Matthew Lippman. Upon completion of the roll Mayor Browning requested everyone stand for the Pledge of Allegiance and Invocation.

Mayor Browning moved to Item #5.

**5.      Approval of Agenda**

**Councilman Louda made a MOTION to approve the Agenda, SECONDED by Councilman Liang and the MOTION passed unanimously 5-0.**

Mayor Browning moved to Item #6.

## REGULAR AGENDA:

### 6. Town Management Contract with Frank R. Spence, Inc.

Town Clerk Lippman said at the last Town Council Meeting, the Town Council directed for the Management Contract draft to be presented to the FAAC, we met on Friday evening, August 21, 2009 and we had a very successful meeting and we had a lot of good feedback that provided a lot of good direction. He said we all worked over the weekend on some changes and we forwarded it to the Town Attorney-Mike Cirullo to look at it from a legal standpoint and in the past six hours we received some minor changes which we will look at.

Town Attorney Cirullo said we did receive comments from Doreen Baxter where the lettering was off because we had two paragraph B's and the lettering became off from that point on. He said there are some other questions that the Vice-Mayor had and a couple more clarifications.

Town Clerk Lippman said on Master Page 3 of 35, Item 5(i) the last sentence should end with "of Frank Spence" instead of "of the Town."

Vice-Mayor Lipp referred to Master Page 2 and said Mike got from the Department of Labor how they pulled for the CPI, and they have it broken down into all sorts of things, but when they figure for the CPI for Social Security it is all items less food and energy. He said and the Cost of Living went down, but if we exclude food and energy the Cost of Living went up. He said so it would be more fair in general to have that.

Town Attorney Cirullo said on the 6th line where it says "for the South Urban Region" we can put a comma, less food and energy, and then another comma and that will clarify what line on that chart we use to calculate it each September.

Town Clerk Lippman said there was a line the FAAC agreed upon and I left it out in the rewrite and after that sentence ending with "for the corresponding period" a sentence, "Should the CPI be negative, and adjustment would not apply." should be added there. He said and that was just universal language we agreed upon and it was left out, so I just want to make a note of that for the record.

Vice-Mayor Lipp asked on Page 3, Item 5(i) is that so we just have a piece of paper on file.

Town Attorney Cirullo said I think there was an agreement to put Mr. Spence there instead of the Town, but yes that is different than the cost of insurance.

Vice-Mayor Lipp said on Master Page 27 of 35, Exhibit "A", 1(a)-I think the numbers in the last sentence-I think we need the word understood.

Town Clerk Lippman clarified and read it as "understood, are followed, and are faithfully discharged."

Vice-Mayor Lipp noted on 9(b) to take out the word monthly when referring to Newsletters.

Vice-Mayor Lipp noted on Page 14, there was a sentence in Line 2 missing a closed parenthesis.< ) > on Line 2.

Councilman Louda commented the two things I had were covered.

**Vice-Mayor Lipp made a MOTION to approve the Town Management Contract with Frank R. Spence, Inc., SECONDED by Councilman Louda and discussion was then continued:**

Mayor Browning asked for comments from the Public.

**Lung Chiu, 3270 B Road-** said the only item I want to remind you of is on Page 13 that is still open about performance and evaluation, and that the Council will establish the process. He said I know so because the FAAC made the recommendation of this important topic so the Council needs to follow that to make sure we have a complete set of guidelines.

**John Ryan, 3508 A Road-** said I would just like to say on behalf of Elise, who is out of Town, that this was a positive, constructive process and I think the FAAC did what was expected of them, and I think Frank was a full participant and I think we will all benefit from having the clarity in this agreement. He said and as I said at the last meeting, Matt did a good job of really trying to distill all of the pieces that are part of the work week.

**The MOTION passed unanimously 5-0.**

Mayor Browning moved to Item # 7.

**7. Public Comments**

There were no comments.

Mayor Browning moved to Item # 8.

**8. Town Manager and Town Clerk Comments**

There were no comments.

Mayor Browning moved to Item # 9.

**9. Town Attorney Comments**

There were no comments.

Mayor Browning moved to Item # 10.

**10. Council Member Comments**

Vice-Mayor Lipp commented you guys did a great job.

Future Town Manager Frank Spence said thank you, I appreciate it.

Mayor Browning said I agree, you guys hammered it out so we didn't have to do it here- appreciate it.

Mayor Browning moved to Item # 11.

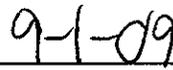
**11. Adjournment**

**Councilman Louda MOTIONED to adjourn the meeting, SECONDED by Councilman Louda and the Motion passed unanimously 5-0.**

There being no further discussion and no additional public comment the meeting was adjourned at 5:14 p.m.

  
MAYOR DAVE BROWNING

ATTEST  
  
Matthew Lippman, Town Clerk

  
Date Approved