

VICTOR FIRE DISTRICT

**Board of Fire Commissioners Meeting Minutes**

**January 14, 2021**

1. **Call to Order:** The Organizational Meeting of the Commissioners of the Victor Fire District was called to order by Commissioner Kowal in compliance with the Open Meetings Law at 6:30 p.m.
2. **Pledge of Allegiance:** Commissioner Kowal led the Pledge.
3. **Roll Call and Affirmation of Quorum:**

<b>Board Member</b>	<b>Present</b>	<b>Excused</b>	<b>Absent</b>
Chairman McConnell	X		
Commissioner Keyes	X		
Commissioner Kowal	X		
Commissioner Turner	X		
Commissioner Barry	X		

A quorum was declared by the Chairman and the business of the meeting proceeded.

**a. Others Present:**

Fire District Secretary Hauf	X
Deputy Treasurer McAdoo	X
Chief Lockwood	X
Deputy Chief Eifert	
Assistant Chief Lamarco	

**4. Organizational Meeting:**

a. District Secretary reported that Michael Keyes won the Commissioner term ending in 2026 and we had approximately 54 voters. Also, there was a tie for the District Treasurer position between John Turner and Sean McAdoo. The tiebreaker was decided by lot at the Victor Town Hall and notarized by Lisa Boughton. Sean McAdoo was the winner but declined the position. The District Treasurer position remains vacant.

- i. Commissioner Keyes acknowledged that he took the Oath of Office and it has been filed at the Town Clerk's Office and with the District Secretary.

**b. Resolution#2021-001- Election of Chairman for Calendar Year 2021**

On motion of Commissioner Barry seconded by Commissioner Keyes the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, consistent with Tow Law 176, the Temporary Chair called for nominations for Chairman of the Board of Fire Commissioner; and

WHEREAS, nominations were made and seconded, and a vote held; therefore, be it

RESOLVED, that Commissioner McConnell is hereby elected as Chairman of the Board of Fire Commissioners for the term ended December 31,2021; and

RESOLVED, that a copy of this resolution to be delivered to District Secretary, the Supervisor and Town Clerk, and the Mayor and Village Clerk of the Village of Victor.

**c. Resolution #2021-002 - Appointment of Fire District Secretary**

On motion of Commissioner Keyes, seconded by Commissioner Turner the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, Town Law Section 176 requires the Board of Fire Commissioners to appoint a Fire District Secretary with powers and duties consistent with Town Law Section 178;

WHEREAS, the Board of Fire Commissioners have previously appointed Administrative Assistant Lisa Hauf, Typist I, the additional and separate duties of Fire District Secretary, consistent with the job offering made in June of 2019; and

WHEREAS Lisa Hauf has, expressed desire to continue with the appointment as amended with this resolution and the Board of Fire Commissioners finds it is in the best interest of the Fire District to continue with this appointment; therefore, be it

RESOLVED that Lisa Hauf be appointed Fire District Secretary for 20 hours a week and Administrative Assistant for 20 hours a week for the term of January 1, 2021 through December 31, 2021, at the base pay rate of \$17.50 per hour and benefits as indicated in the job offering made in June of 2019; and

RESOLVED that a copy of this resolution be delivered to Chief Glenn Lockwood, Deputy Treasurer Sean McAdoo, and District Secretary Lisa Hauf.

Chairman McConnell noted for the record that the next item on the agenda would typically be the appointment of a treasurer; however, in November of 2020 Sean McAdoo was appointed as Deputy Treasurer for a term of November 30, 2020 through December 31, 2021.

**d. Resolution #2021-003 - Appointment of Fire District Attorney for 2021**

On motion of Commissioner Barry, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, there exists a continuing need for legal services to be provided to the Commissioners of Victor Fire District, concerning various responsibilities undertaken by said Commissioners;

WHEREAS, the Commissioners are desirous of making an appointment to this position as referenced above for calendar year 2021; and

WHEREAS, General Municipal Law §103, provides that a governing body may award a Contract without public advertising for competitive bidding where the nature of said Contract is in the form of a professional service; therefore, be it

RESOLVED that Mark Butler, Esq., is hereby appointed to provide legal services to the Commissioners relative to any and all issues presented to the Commissioners pursuant to any of its obligations or responsibilities;

RESOLVED that the compensation for this position shall be as indicated in the retainer correspondence of such attorney dated January 1, 2021; and,

RESOLVED that a copy of this resolution be delivered to Mark Butler, Esq.

**e. Resolution #2021-004–Designation of Official Undertaking for the Treasurer**

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, WHEREAS, Town Law §176(4) requires that the Board of Fire Commissioners shall, by Resolution, designate the Treasurer of the Victor Fire District to have an official undertaking, conditioned for the faithful performance of his duties; and

WHEREAS, the Commissioners of Victor Fire District deem it necessary to provide an official undertaking for the Treasurer of the Victor Fire District for the calendar year 2021; therefore, be it

RESOLVED that the Treasurer, Deputy Treasurer, and District Secretary be bonded/ insured in the amount of \$2,000,000; and

RESOLVED that a copy of this resolution and official undertaking be delivered to the Town of Victor Clerk, pursuant to Town Law §176(4).

**f. Resolution #2021-005 –Review of Expenditures for 2020**

On motion of Commissioner Turner, seconded by Commissioner Kowal, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, Town Law §177 requires the Fire District Treasurer to provide a written statement showing receipts and disbursements for the preceding fiscal year at the organizational meeting and produce all books, records, et.al.;

WHEREAS, the Fire District Treasurer has provided on a monthly basis such documentation for the review by the Board of Fire Commissioners; and,

WHEREAS, the Board of Fire Commissioners have reviewed such documentation and found the same satisfactory; therefore, be it

RESOLVED that the Board of Fire Commissioners waives the submission of the annual written statement showing receipts and disbursements for the preceding fiscal year at the

organizational meeting in favor of the preparation of the preparation and filing with the NYS Office of the Comptroller the annual update document (AUD) report required by General Municipal Law Section 30 within the first 60 days of 2021;

**g. Resolution #2021-006 –Designation of Paid Holidays**

On motion of Commissioner Keyes, seconded by Commissioner Turner, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, the Victor Fire District, in compliance with Federal regulations, has offered to their paid staff a benefit of designated paid holidays; and,

WHEREAS, the Board of Fire Commissioners have reviewed the 2021 Federal and State holidays and the needs of the Fire District; therefore, be it

RESOLVED that the Board of Fire Commissioners approves the following paid holidays for the current full-time staff:

Monday, January 18 (Martin Luther King, Jr. Day)

Monday, February 15 (President’s Day)

Friday, April 2 (floating religious holiday)

Monday, May 31 (Memorial Day)

Monday, July 5 (Observation of Independence Day)

Monday, September 6 (Labor Day)

Monday, October 11 (Columbus Day)

Thursday, November 11 (Veteran’s Day)

Thursday, November 25 (Thanksgiving Day)

Friday, November 26 (Floating holiday)

Friday, December 24 (Christmas Day)

Friday, December 31 (Observation of New Year’s Day); and,

RESOLVED that a copy of this resolution be delivered to Chief Glenn Lockwood, Deputy Treasurer Sean McAdoo, and that a certified copy of this resolution be posted with paid employee notices

RESOLVED that the Board of Fire Commissioners receive a copy of the AUD and proof of filing of the same at the regular business meeting after the filing; and,

RESOLVED to deliver a copy of this resolution to Deputy Treasurer Sean McAdoo

**h. Resolution #2021-007 –Authorizing Regular Meeting Schedule for 2021**

On motion of Commissioner Barry, seconded by Commissioner Turner, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, Public Officer's Law §104, requires a public body to post and maintain posted, to distribute to designated newspapers, a schedule of the regular meetings of such public body to be held during the calendar year;

WHEREAS, such schedule of regular meetings is required to contain the location of each meeting, to the extent that it is known, and the time and date of each meeting; and

WHEREAS, the Board of Fire Commissioners have reviewed the proposed 2021 meeting schedule and the needs of the Fire District; therefore, be it

RESOLVED that the Boards of Fire Commissioners approves the following meeting schedule for 2021 (all meetings are regular business unless designed):

Tuesday, February 9

Tuesday, March 9

Tuesday, April 13

Tuesday, May 11

Tuesday, June 8

Tuesday, July 13

Tuesday, July 27

Tuesday, August 10

Tuesday, August 24

Tuesday, September 14

Tuesday, September 28

Tuesday, October 12

Tuesday, October 19 – Budget Hearing & anticipated vote on budget

Tuesday, November 9

Tuesday, December 7

Tuesday, December 14 – no meeting/ District Elections (6 pm – 9 pm)

Tuesday, January 11 – 2022 Organizational Meeting;

RESOLVED that regular meetings will start at 6:30 PM prevailing time;

RESOLVED that a copy of this resolution be delivered to District Secretary Lisa Hauf, Chief Glenn Lockwood, and Deputy Treasurer Sean McAdoo, and

RESOLVED that District Secretary Hauf make all necessary legal notifications and to maintain a copy of this schedule on the public bulletin board, at designated public places, and other locations as identified in the Communications Plan.

**i. Resolution #2021-008 –Designation of Public Places for Postings**

On motion of Commissioner McConnell, seconded by Commissioner Kowal, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, Public Officer’s Law §104, requires a public body to post and maintain posted, a schedule of the regular meetings of such public body to be held during the calendar year; therefore, be it

RESOLVED, the Board of Fire Commissioners designate the following locations for public places for posting of meetings or hearings:

Outside bulletin board, Victor Fire House

Town of Victor Clerk’s Office

Village of Victor Clerk’s Office; and

RESOLVED that the Fire District Secretary will deliver or post all public meeting and hearing notices as these locations.

**j. Resolution #2021-009 – Designation of Official Newspaper**

On motion of Commissioner McConnell, seconded by Commissioner Kowal, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, the Board of Fire Commissioners are required to publish various items in order to comply with requirements of statutory law; and

WHEREAS the Board of Fire Commissioners desire to designate a newspaper or newspapers with a general circulation within the Victor Fire District for the publication its various items during the calendar year 2021; now, be it

RESOLVED that the Daily Messenger is designated as the official newspaper for the Victor Fire District.

**k. Resolution #2021-010 –Designation of Fire District Banks**

On motion of Commissioner Keyes, seconded by Commissioner Turner, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, the Board of Fire Commissioners are required to designate bank(s) to serve as depository for Fire District Funds; and

WHEREAS the Board of Fire Commissioners have reviewed the available financial institutions; therefore, be it

RESOLVED that the Board of Fire Commissioners designate the Canandaigua National Bank has the official depository for Fire District funds for calendar year 2021.

**l. Resolution #2021-012 –Authorizing Signatories for Checks**

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS Town Law §176 provides that payment of claims by the Fire District shall be by check and it is the policy of the Victor Fire District that all checks be signed by the Treasurer and countersigned by a designated Fire Commissioner;

WHEREAS, it is the policy of the Victor Fire District that the Board of Fire Commissioners, at its organizational meeting, to designate by Resolution the individuals whose signatures shall appear on checks drawn upon the Treasury of the Board of Fire Commissioners; and

WHEREAS the Board of Fire Commissioners recognizes that there are certain utility and employee bills that timely payment is necessary for efficient business operation; therefore, be it

RESOLVED that the checks authorized by the Board of Fire Commissioners for payment of claims shall be signed by the Treasurer and countersigned by a Commissioner in compliance with the rules and regulations promulgated by State Finance Law and as set forth herein, including that electronic signatures on checks will not be utilized in place of handwritten signatures.;

RESOLVED that authorized signatories for the Victor Fire District shall be:

Sean McAdoo, Deputy Treasurer

Gerald Barry, Fire Commissioner

John Turner, Fire Commissioner; and

RESOLVED that the Treasurer of the Victor Fire District is authorized to promptly pay in advance of an audit by this Board of Fire Commissioners the following routine invoices:

Rochester Gas & Electric

Verizon Wireless (monthly fees only, not purchases)

Empire Access

TIAA Bank (copier rental fees only)

Full time employee salaries.

**m. Resolution #2021-012 -Approval of Membership in Organizations**

On motion of Commissioner Barry, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, there exists a variety of organizations for the purpose of maintaining connections within the fire service field, sharing of critical information, and find opportunities for training; and

WHEREAS the Board of Fire Commissioners recognizes the importance of these organizations and supports the development of Commissioners, Officers, and Firefighters; therefore, be it

RESOLVED the Board of Fire Commissioners authorizes the continued membership in the following professional organizations:

Association of Fire Districts of the State of New York  
Fireman's Association of the State of New York  
New York State Association of Fire Chiefs  
Ontario County Fire Chiefs' Association  
Ontario County Fire Police Association  
International Association of Fire Chiefs  
Third Battalion Fire Police Association  
Monroe County Fire Marshals and Inspectors Association

**n. Resolution #2021-013 –Approval of Operational Officers**

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, the members of the Victor Fire Department have completed their election of operational officers and submitted their recommendation for approval by the Board of Fire Commissioners; and

WHEREAS the Board of Fire Commissioners have reviewed the slate and find the individuals are qualified to serve in the positions as indicated; therefore, now be it

RESOLVED that the Board of Fire Commissioners appoints the following sworn officers:

District Fire Chief & Chief of Department – Glenn Lockwood  
Deputy Fire Chief – Mark Eifert  
Assistant Fire Chief – Steve Lamarco  
Captain – Mark Militello;

RESOLVED that the Board of Fire Commissioners also welcomes and acknowledges the following company officers:

Lieutenants – Curt Zepkowski, Michael Murphy, Katie Lamarco;

RESOLVED that the sworn officers are to file their oath of office with the District Secretary no later than January 29, 2021; and



RESOLVED that a copy of this resolution be delivered to all operational officers with the Board of Fire Commissioner's appreciation for their commitment to the success of this organization

**o. Resolution #2021-014 -Renewal of all Fire District Leases and Recurring Contractual Agreements**

On motion of Commissioner McConnell, seconded by Commissioner Barry, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS at the time of formation of the Fire District, there were several leases and recurring contractual agreements in place; and

WHEREAS the Board of Fire Commissioners have reviewed these obligations and finds it is in the best interest of the Fire District to continue with these agreements; now, therefore, be it

RESOLVED that the Board of Fire Commissioners agrees to continue all Fire District leases and recurring contractual agreements, including:

Building Lease with the Village of Victor

Shared Services for Lawn Mowing & Plowing with the Village of Victor

Fuel Contract with Town of Victor

Emergency Reporting (NFRIS Management)

I Am Responding (Member call in system)

TIAA Bank & BXI Consultants (Copier contract, including usage)

Brite Computer (Managed Computer Services)

Healthworks, Inc (Member Physicals and Exposure Control Program)

Brown and Brown of Rochester (Medical Benefits)

Anderson VanHorne (Insurance services)

Quickbooks Online (financial software); and

RESOLVED that the District Chief is authorized to sign any renewal of contracts required with these firms and organizations.

**p. Resolution #2021-0015 -Table Adoption of Policies and Forms**

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS Town Law 176 and best practices of a Fire District requires an annual review and adoption of policies and forms, including vouchers; and

WHEREAS the District Secretary and Deputy Treasurer have requested an extension to adequately, prepare and publish a consolidated resource containing policies and forms; now, therefore, be it

RESOLVED that the Board of Fire Commissioners tables the adopting of policies and forms and directs it will be placed on the February Board of Fire Commissioners Agenda.

**q. Resolution #2021-016–Assignment of Liaisons**

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS in order to establish a clear path of communication between the Board of Fire Commissioners, operational officers, staff, and the fire department while balancing commissioner’s responsibilities, the Board of Fire Commissioners desires to establish liaisons;

WHEREAS the Board of Fire Commissioners have had an opportunity to discuss the liaison positions and the expectations for each and finds it is in the best interest of the District to continue with these assignments; now, therefore, be it

RESOLVED that the following are the liaison appointments for 2021, which is more fully described in Attachment A:

<u>Category</u>	<u>Primary Liaison</u>	<u>Alternate Liaison</u>
Apparatus	John Turner	Jon McConnell
Benefits	Peter Kowal	Michael Keyes
Buildings	Mike Keyes	Jon McConnell
Equipment	Gerald Barry	John Turner
Finance	Jon McConnell	John Turner
Insurance	John Turner	Peter Kowal
Personnel	Jon McConnell	Peter Kowal
Staff Operations	Gerald Barry	Jon McConnell;

RESOLVED that a copy of Appendix A be delivered to District Secretary Lisa Hauf, Deputy Treasurer Sean McAdoo, Chief Glenn Lockwood, and to all operational officers.

- 5. Motion to close Organizational Meeting and enter the Regular Business Meeting.**  
Chairman McConnell motioned to close the Organizational Meeting and enter the Regular Business Meeting; motion seconded by Commissioner Keyes, and carried 5 Ayes 0 Nays.
- 6. Motion to approve Minutes from 2020.12.3 Meeting**

Commissioner Barry motioned to approve the minutes from the 2020.12.3 Regular Business Meeting; seconded by Chairman McConnell and carried 5 Ayes and 0 Nays.

**7. Resolution to Pay Bills:**

Chairman McConnell motioned to approve payment of invoices shown on the Abstract of January 14, 2021, totalling \$75,659.26; seconded by Commissioner Barry and carried 5 Ayes and 0 Nays

**8. Correspondence:**

- a. Received notification from Rochester Gas and Electric stating that we will have a new Electricity Supplier unless we indicate that we prefer to maintain service with RG&E. The Board of Fire Commissioners agreed by consensus that they desire to stay with RG&E and directed District Secretary Hauf to decline enrollment in the new electrical supplier.
- b. Received letter from Ontario County Department of Human Resources that the newest Eligible List of Firefighters has been established.

**9. Chief's Report**

Read and is on file. Chief Lockwood also presented the 2020 annual call report.

**10. Treasurer Report:**

Presented and is on file. Deputy Treasurer McAdoo introduced a "Major Project Status Report" as a new feature.

**11. District Secretary Report:**

District Secretary Hauf reported that she has reconciled the District's bank accounts for December; no anomalies noted. One FOIL request was received on 2021.1.12; District Staff will complete this request by 2021.1.29.

**12. Old Business**

**a. HVAC Update**

Deputy Treasurer McAdoo reported he spoke with Mark Butler, Esq. and that we have enough information needed to make informed HVAC decisions, no additional engineering studies are needed.

**13. New Business**

**a. Resolution #2021-017- Budget Transfers**

On motion of Commissioner turner, seconded by Commissioner Barry, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS in order to maintained balanced budget lines; Deputy Treasurer Sean McAdoo recommended inter-budget transfers as fully described in Attachment A;

WHEREAS the Board of Fire Commissioners have reviewed and discussed the transfers; now therefore, be it

RESOLVED the Board of Fire Commissioners approve inter-budget transfer shown.

**b. Resolution #2021-0018 - Purchase Authorizations**

On motion of Commissioner Barry, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS Chief Glenn Lockwood requested authorization to make the following purchases:

Item	Budget Code	Amount
Subscription for Car Wash for chiefs	404.8	\$ 890.67
Purchase of phone for dayroom	406.5	\$ 242.65

WHEREAS, as the Board of Fire Commissioners have reviewed the purchases, found they meet the District's Procurement Policy, and are needed for the safe and efficient operation of the Fire District; now, therefore, be it

RESOLVED to authorize the Chief to purchase the items as indicated; and, further, be it

RESOLVED to forward a copy of this resolution to Chief Lockwood and Deputy Treasurer Sean McAdoo.

**c. Resolution #2021-019 - Transfer of Unspent 2020 Funds to Reserve**

On motion of Commissioner McConnell, seconded by Commissioner Keyes, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS the circumstances of 2020, including the pandemic and the change of fire district treasurers have resulted in the delays to implement items appropriated in the 2020 budget, particularly the repairs of the HVAC system and hiring of paid firefighters and a district administrator;

WHEREAS Deputy Treasurer Sean McAdoo has provided an estimated Balance Sheet for the 2020 funds, attached hereto as Appendix A, showing \$370,640 in cash against \$97,950 in liabilities, resulting in assets over liabilities of \$272,690;

WHEREAS the LaBella study gave an estimate of \$500,000 to repair the HVAC system; and

WHEREAS the Board of Fire Commissioners recognizes the challenges of the events of 2020 and, in order to maintain fiscal responsibility, desires to move a portion of the unspent 2020 funds to handle the repair of the HVAC system; now, therefore, be it

RESOLVED that the Board of Fire Commissioners directs that a portion of the unspent 2020 funds to be transferred to reserves as follows:

A3410.902      Building Repair and Replacement      \$225,000;

RESOLVED directs the Treasurer to transfer these funds within ten days of the approval of this resolution; and

RESOLVED to forward a copy of this resolution to Deputy Treasurer Sean McAdoo.

**d. Authorization to Enter into Intermunicipal Agreement with Village of Victor for Milling & Paving - Tabled**

The Board of Fire Commissioners discussed a resolution to enter into an intermunicipal agreement with the Village of Victor for Milling & Paving; however, Commissioner Turner recommended the decision be tabled until more estimates are received. The Board agreed by consensus.

**e. Resolution #2021-020 -Acceptance of new volunteer Hawkan Richards**

On motion of Commissioner Turner, seconded by Commissioner, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, the Victor Fire Department, Inc., after completing a background investigation which included record of convictions for arson, have recommended for membership Hawkan Richards of Victor, NY; therefore,

RESOLVED, that the Board of Fire Commissioners appoints Hawkan Richards to the Victor Fire Department's Hose Company as Firefighter #252 upon a driver's license approval and the passing of a physical examination from Healthworks; and

RESOLVED, that a copy of this resolution be forwarded to Chief Glenn Lockwood, the Victor Fire Department, Inc., and Hawkan Richards.

**f. Resolution #2021-021 -Authorization for Staff to Attend Offsite Training**

On motion of Commissioner Turner, seconded by Commissioner Kowal, the following resolution was adopted with 5 Ayes and 0 Nays:

WHEREAS, Town Law 176 and 178 requires Fire District Secretaries and Treasurers to attend training in their respective positions at the expense of the Fire District within 270 days after appointment;

WHEREAS the Association of Fire Districts of the State of New York (AFDSNY) have published a calendar at their annual meeting which includes Training and Roundtable for both the Secretary and Treasurer; and

WHEREAS District Secretary Lisa Hauf and Deputy Treasurer Sean McAdoo desire to take this training and the Board of Fire Commissioners finds, it is in the interest of the Fire District to support the continuing education of their staff; now, therefore, it is

RESOLVED to authorize Lisa Hauf and Sean McAdoo to register and attend the AFDSNY training on May 6<sup>th</sup> & 7<sup>th</sup>, 2021, at Verona, NY, including hotel rooms for two nights and

meals provided in lieu of reimbursement of expenses, except that mileage and tolls for use of personal vehicle will be reimbursed upon demand; and,

RESOLVED that the expenses for this training will be assigned to A3410.403.12 Training – Other.

**14. Public Comments:**

Chairman McConnell called for any public comments. None were offered.

**15. Adjournment:**

Chairman McConnell made a motion to adjourn at 7:58 p.m.