

(Unofficial version)

DATE: October 24 2023

The regular meeting of the Clarendon Municipal Council was held on the above night, at the council hall located at C427 route 148 in Clarendon. Present were: Mayor Edward Walsh, Cr. Younge, Cr. Elliott, Cr. Dagg ,Cr. Holmes, Cr. Hanna & Cr. Smith . Also attending the meeting was Clerk Treasurer Patricia Hobbs

1. OPENING THE MEETING

Conflict of Interest Statement:

A conflict of interest occurs when elected officers are placed in a situation of having to choose between their personal interests, or those of their entourage, and the public interest. The conflict of interest sections of the Act respecting municipal elections and referendums are designed to ensure that the decision-making process on a municipal council is not tainted by personal consideration

Public Participation:

Mayor Ed Walsh opened the meeting at 7 :00 p.m.

2. ADOPTION OF THE AGENDA

162-10-2023 Proposed by Cr. Hanna
Seconded by: Cr. Smith
And unanimously resolved to adopt the agenda of October 24, 2023

3. ADOPTION OF THE MINUTES OF THE REGULAR MEETING OF October 10 2023

163-10-2023 Proposed by: Cr. Elliott
Seconded by: Cr. Holmes
And is resolved to adopt the minutes of the September 12 2023 regular meeting.
Carried

4. MAYOR'S REPORT –

5. CORRESPONDENCE AND INFORMATION

164-10-2023 5.1 – Loi 49 Article 133 – Tabled & Discussed,
5.2 – Christmas Decorating Quote
A quote was received for the decorating of the municipal hall for the Christmas season
Moved by: Cr. Holmes
Seconded by: Cr. Younge
And unanimously agreed to accept the quote in the amount of \$ 475.00
Carried
5.3 – New Role – The new role for 2024,2025 and 2026 has been deposited and can also be found on the MRC website under GoNet

6. FINANCIAL REPORT &/OR ACCOUNTS PAYABLE

Accounts Payable in the amount of \$ 188,989.84 were presented

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AUTHORITY OF PAYMENT OF THE LIST OF BILLS

Certificate of availability of credits

I, the undersigned, Patricia Hobbs, Director General of the Municipality of Clarendon certify that there are sufficient credits available to carry out the expenditure mentioned above.

In witness whereof, this certificate is given in Clarendon this 24th day of October 2023

Patricia Hobbs

Patricia Hobbs – Clerk Treasurer

165-10-2023 Proposed by Cr. Younge
Seconded by: Cr. Smith
And is resolved to pay the bills in the amount of \$188,989.84
Carried

7. COMMITTEE MEETINGS AND REPORTS

7.1 PERSONNEL COMMITTEE

7.2 LUP COMMITTEE

7.3 TRANSPORTATION COMMITTEE

7.3.1 – Snow Plow Tenders

The annual invitation to tender documents were sent out for various snow plowing contracts with the following results:

Mickey McGuire	\$12,222.56 (tax included)
Kelly Brothers	\$ 4,125.30 (tax included)
Kevin Murphy	\$ 8,048.25 (tax included)

166-10-2023

Moved by: Cr. Elliott

Seconded by; Cr. Dagg

And unanimously agreed to accept all three tenders.

Carried

7.3.2 – Children at Play Sign – Herbie Road

A “Children at Play” sign will be installed on Herbie Road

7.3.3 – Paving Quotes

Quotes were received for paving several areas in Clarendon as upkeep to the Municipal Roads including Stewart Road, Calumet East, 8th conc, 7th concession, Lemay Road entrance) before winter.

167-10-2023

Motion by Cr. Elliott to pave several roads in Clarendon

Seconded by : Cr. Younge

To accept the quotes and request that the work be done this year.

Carried

7.3.4 – Update on Access Request

168-10-2023

Moved by: Cr. Younge

Seconded by: Cr .Holmes

To allow access to use the municipal road, under cadastre # 5 640 99 as of the date of this resolution. This road has not been maintained for many years and will not be maintained in the future. The road may be used “as is”.

Carried.

7.3.5 - Return Date for Tractor

The tractor will be returned at the end of October.

7.3.6 – Sale of Old Truck 1996 International

An ad will be placed in the Equity and the Journal for a sealed bid

7.3.6 – Salt Shed – discussion only

7.4 LIBRARY COMMITTEE

7.5 FINANCE COMMITTEE

7.5.1 RESOLUTION REGARDING THE LOCAL ROAD FUNDING PROGRAM (PPA – PAVL)

Whereas, the Township of Clarendon is aware of the terms and conditions and regulations regarding the Local Roads Financial Assistance Program (Specific Improvement Projects (PAVL);

Whereas, the accountability form V-0321 has been duly completed

Whereas, the work performed and the associated costs are eligible under the PAVL;

Whereas the road network for which financial assistance has been granted is municipal and eligible under the PAVL

169-10-2023 It is therefore

Moved by : Cr. Hanna

Seconded by : Cr.Dagg

And Resolved that the Council of the Village of Clarendon approves the expenditures of \$57,245.48 for improvements and eligible expenses as per the requirements of the Ministry of Transportation of Quebec.

Carried

7.6 FIRE COMMITTEE

Fire Commission Meeting – Monday October 30th at 7:00 p.m.

7.7 WASTE MANAGEMENT

7.7.1 General Discussion

7.7.2 – Update on Agricultural Plastics Site

7.8 COTTAGE ASSOCIATION COMMITTEE

7.8.1 FRR GRANT – Vitalisation 2023

Whereas, the Municipality made an application under the FRR 4 Grant to revitalize a lot under the ownership of the Municipality and create a green space open to all residents.

Whereas, the financial aid was granted in the amount of \$ 92,799.42 which represents 90% of the total cost of the project

170-10-2023 It is therefore

Moved by: Cr. Smith

Seconded by Cr. Dagg

And unanimously agreed to instruct the Director General to sign the agreement which will ratify acceptance of this grant

Carried

7.8.2 – Update on Legal Opinion

171-10-2023 Following the presentation of the draft letter addressed to a resident regarding ownership of a municipal lot it is therefore

Moved by Cr. Holmes

Seconded by Cr. Younge

And unanimously agreed to send the letter to the resident

Carried

7.9 CHAMBER OF COMMERCE COMMITTEE

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8. Privacy Policy

PROVINCE OF QUEBEC

MUNICIPALITY OF CLARENDON

MRC DE PONTIAC

CONFIDENTIALITY POLICY OF THE MUNICIPALITY OF CLARENDON

THE MAYOR : Edward Walsh

THE MEMBERS OF THE COUNCIL:

RICK YOUNGE

JONATHAN DAGG

PHILLIP ELLIOTT

ERIC SMITH

PHIL HOLMES

MAVIS HANNA

All members of the council forming a quorum.

WHEREAS the Municipality of Clarendon (hereinafter the “Municipality”) is a public body subject to the *Act respecting access to documents held by public bodies and the protection of personal information* , CQLR c. A -2.1 (hereinafter the “ *Access Act* ”) ;

WHEREAS the Municipality undertakes to protect the personal information it collects and processes within the framework of its activities in compliance with applicable laws and regulations;

WHEREAS the *Access Act* provides that a public body, including a municipal body, must adopt a confidentiality policy if it collects personal information by technological means;

WHEREAS such a policy must be published on the Municipality's website and disseminated by any means likely to reach any person concerned;

WHEREAS such policy applies in a complementary manner to the *Administrative Policy concerning the rules of governance regarding the protection of personal information of the Municipality* ;

WHEREAS to fulfill the obligations provided for in the *Access Act* , this Confidentiality Policy of the Municipality of Clarendon.

CONSEQUENTLY, THE COUNCIL DECREES AS FOLLOWS:

CHAPTER I — APPLICATION AND INTERPRETATION

1. Definitions

For the purposes of this policy, the following expressions or terms have the meanings set forth below:

CAI: Refers to the Commission for Access to Information created under the *Access Act* ;

Council: Refers to the municipal council of the Municipality of Clarendon;

Employee: Refers to an elected official , manager or employee, full-time or part-time, permanent, seasonal or contractual;

Life cycle: Refers to all the stages of existence of information held by the Municipality and more precisely its creation, modification, transfer, consultation, transmission, conservation, archiving, anonymization or destruction ;

Access Act: Refers to the *Act respecting access to documents held by public bodies and the protection of personal information* , CQLR c. A -2.1;

Person concerned: Refers to any natural person for whom the Municipality collects, holds, communicates to a third party, destroys or anonymizes one or more personal information ;

Stakeholder: Refers to a natural person in relation to the Municipality in the context of its activities and, without limiting the generality of the foregoing, an employee or a supplier;

PRP governance policy: Refers to the administrative policy concerning the governance rules regarding the protection of personal information of the Municipality;

PRP: Refers to the protection of personal information;

Personal information (or RP): Refers to any information which concerns a natural person and which allows them to be identified directly or indirectly, such as: postal address, telephone number, email or bank account number, whether the individual's personal or professional data;

Sensitive Personal Information (or PI): Refers to any personal information that gives rise to a high degree of reasonable expectation of privacy for any individual, particularly because of the potential harm to the

individual in the event of a confidentiality incident, such as financial information, medical information, biometric data, social security number, driver's license number or sexual orientation;

Responsible for access to documents (or RAD): Designates the person who, in accordance with the *Access Act* , exercises this function and responds to requests for access to Municipality documents;

Responsible for the protection of personal information (or RPRP) : Refers to the person who, in accordance with the *Access Act* , exercises this function and ensures the protection of personal information held by the Municipality.

2. Goals

The Privacy Policy has the following objectives:

- Set out the guidelines and guiding principles intended to effectively ensure the confidentiality of any personal information collected by any technological means;
- Protect the confidentiality of any RP collected by the Municipality throughout its life cycle;
- Indicate the technological means used to collect any RP, the purposes for which it is collected and its processing within the Municipality;
- Ensure public confidence in the Municipality, demonstrate transparency regarding the processing of RP and the PRP measures applied by the Municipality and provide access to them when required.

CHAPTER II — COLLECTION OF PERSONAL INFORMATION AND CONSENT

3. Confidentiality

- 3.1. The Municipality keeps any PI collected confidential and makes it accessible only to employees who need it in the performance of their duties.
- 3.2. The Municipality specifies its confidentiality practice when obtaining any consent from the person concerned to the collection of any PII.
- 3.3. The Municipality applies equivalent security measures, regardless of the sensitivity of the personal information held, in order to prevent attacks on their confidentiality and integrity, all subject to the exceptions provided for in the *Access Act* .

4. Types of Personal Information Collected by the Services

The Municipality determines, on a regular basis and at least every year, the type of RP collected, the purposes for which they are collected, the category of employees of the Municipality having access to this RP and the means by which they are collected. collected and collate them in accordance with the table in Appendix I of this Policy. This is updated once a year at Budget time.

5. Consent to the collection of personal information

- 5.1. The Municipality does not collect and retain any personal information without the consent of the person concerned, subject to the exceptions provided for in the *Access Act* .
- 5.2. It is understood that consent is given for **specific purposes** , for a **period necessary** to achieve the purposes for which it is requested, and must be:
 - a) **Manifest** : meaning that it is obvious and certain;
 - b) **Free** : which means that it must be free from constraints;
 - c) **Informed** : which means that it is taken with full knowledge of the facts.
- 5.3. Except in the circumstances permitted by the *Access Act* , the Municipality does not transmit to a third party a PI concerning a person concerned without the specific consent of that person to such transfer.
- 5.4. Subject to the obligations of any law or regulation, a person concerned may refuse to consent to the collection of personal information and still receive services from the Municipality.

In order to express their refusal to the collection, use and possession of personal information concerning them, the person concerned must give this refusal in writing

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CHAPTER II — COLLECTION OF PERSONAL INFORMATION AND CONSENT

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- 7.1. The Municipality keeps any PI collected confidential and makes it accessible only to employees who need it in the performance of their duties.
- 7.2. The Municipality specifies its confidentiality practice when obtaining any consent from the person concerned to the collection of any PII.
- 7.3. The Municipality applies equivalent security measures, regardless of the sensitivity of the personal information held, in order to prevent attacks on their confidentiality and integrity, all subject to the exceptions provided for in the *Access Act* .

8. Types of Personal Information Collected by the Services

The Municipality determines, on a regular basis and at least every year, the type of RP collected, the purposes for which they are collected, the category of employees of the Municipality having access to this RP and the means by which they are collected. collected and collate them in accordance with the table in Appendix I of this Policy. This is updated once a year at Budget time.

9. Consent to the collection of personal information

- 9.1. The Municipality does not collect and retain any personal information without the consent of the person concerned, subject to the exceptions provided for in the *Access Act* .
- 9.2. It is understood that consent is given for **specific purposes** , for a **period necessary** to achieve the purposes for which it is requested, and must be:
 - d) **Manifest** : meaning that it is obvious and certain;
 - e) **Free** : which means that it must be free from constraints;
 - f) **Informed** : which means that it is taken with full knowledge of the facts.
- 9.3. Except in the circumstances permitted by the *Access Act* , the Municipality does not transmit to a third party a PI concerning a person concerned without the specific consent of that person to such transfer.
- 9.4. Subject to the obligations of any law or regulation, a person concerned may refuse to consent to the collection of personal information and still receive services from the Municipality.
 - In order to express their refusal to the collection, use and possession of personal information concerning them, the person concerned must give this refusal in writing with reasons.
- 9.5. A data subject may be refused access to various Municipality services when they do not ⁷give their consent to the collection and holding of any PII.
 - Despite the above, a person concerned will be refused access to any service of the Municipality in the following circumstances:
 - The refusal by a candidate employee to the collection of any PR for the purpose of evaluating his candidacy for any employment offered by the Municipality;
 - Refusal by any owner of a building to be subject to a property assessment to the collection of any RP by the Municipality's property assessment service for members;
- 9.6. Consent to the collection of any RP by means of a vocal or visual recording, includes the right for the Municipality to proceed with the reproduction or dissemination of any such recording, if this is justified according to the purposes for which it was made . been collected . Each reproduction is subject to the same rules for the protection of personal information.

CHAPTER III – RIGHTS OF ACCESS AND RECTIFICATION

10. Access rights

- 10.1. Every person has the right to be informed of the existence of any RP concerning them and kept in a RP file, subject to the exceptions provided for in the *Access Act* ;
- 10.2. Except as provided for in the *Access Act* , any person concerned has the right to receive information relating to any RP held by the Municipality concerning them;
- 10.3. The Municipality provides access to information relating to any RP of the person concerned, allowing them to read it remotely or in the Municipality's offices during the usual opening hours, 9 - 12 and from 1:00 to 4:00 p.m.. Monday to Friday, and to obtain a copy;
- 10.4. When the person concerned is disabled, the Municipality takes reasonable accommodation measures to enable them to exercise the right of access provided for in this article 6. To this end, the Municipality takes into account the policy established under the section 26.5 of the *Act ensuring the exercise of the rights of persons with disabilities with a view to their educational, professional and social integration* (RLRQ c. E-20.1);
- 10.5. Access by a data subject to any PI relating to them is free of charge. However, fees not exceeding the cost of transcription, reproduction and transmission of the RP may be required from this person. The Municipality establishes the amount and terms of payment of these fees in compliance with the requirements of the *Regulation respecting fees payable for the transcription, reproduction and transmission of documents and personal information* , CQLR c A-2.1, r 3;
- 10.6. When the Municipality intends to charge fees, it must inform the person concerned of the approximate amount that will be requested, before proceeding with the transcription, reproduction or transmission of the document.

11. Right of rectification

- 11.1. Any data subject who receives confirmation of the existence in a file of any PI concerning them may, if it is inaccurate, incomplete or ambiguous, demand that the file be rectified. The same applies if its collection, communication or conservation is not authorized by the *Access Act*;
- 11.2. When the Municipality refuses in whole or in part to grant a request for rectification of a file, the person concerned may demand that this request be recorded;
- 11.3. The Municipality, when it accedes to a request for rectification of a file containing any RP, delivers free of charge to the requesting person concerned, a copy of any modified or added RP, or, as the case may be, a certificate of withdrawal of it. -this.

12. Access or rectification procedure

- 12.1. A request for communication or rectification can only be considered if it is made in writing by a natural person proving their identity as the person concerned or as a representative, heir or successor or as liquidator of the estate, or beneficiary of -life insurance or death benefit from the latter, or holder of parental authority even if the minor child is deceased.
- 12.2. Such request is addressed to the RPRP of the Municipality.
- 12.3. The RPRP notifies the applicant in writing of the date of receipt of their request.
- 12.4. This notice of receipt indicates the deadlines for responding to the request and the effect that the *Access Act* attaches to the failure, by the person responsible, to respect them. The said notice also informs the applicant of the recourse for review provided for in Division III of Chapter IV of the *Access Act* .
- 12.5. The person responsible responds to a request for communication or rectification diligently and at the latest within twenty days following the date of receipt.
- 12.6. If processing the request within the time limit provided for in this policy appears impossible to respect without harming the normal course of the Municipality's activities, the RPRP may, before the expiration of this time limit, extend it for a period not exceeding not ten days and give notice to the applicant, by any means of communication allowing the person concerned to be reached.
- 12.7. The RPRP must justify any refusal to grant a request and indicate the provision of the *Access Act* on which this refusal is based.
- 12.8. The RPRP renders its decision in writing and sends a copy to the applicant. It is accompanied by the text of the provision on which the refusal is based, if applicable, and a notice informing it of the recourse for review to the CAI provided for by section III of chapter IV of the *Law on access* and the time limit within which it can be exercised.

- 12.9. The RPRP ensures that the information subject to the request is kept for the time required to allow the requester to exhaust the remedies provided for in the *Access Act* .

13. PRESERVATION AND PROTECTION OF PERSONAL INFORMATION.

- 13.1. The Municipality itself hosts and processes, in Quebec, any RP collected.
- 13.2. When the Municipality, in certain circumstances entrusts the collection, holding or processing of any RP, by a service provider in Quebec or outside Quebec, it takes the best possible measures to ensure that the rights of the data subjects provided for in this policy are respected by this supplier. The laws of jurisdictions outside Quebec may affect the rights of the persons concerned.

14. TRANSFERS OF PERSONAL INFORMATION OUTSIDE THE MUNICIPALITY

- 14.1. Except for authorization provided for in the *Access Act* or specific consent obtained for this purpose from the person concerned, the Municipality does not transfer any RP in favor of a third party outside the Municipality.
- 14.2. Where any PI is transferred to a third party through technological means, the privacy policy of a third party organization, if any, will apply to such PI henceforth.

15. RIGHT OF ACCESS TO A MUNICIPALITY DOCUMENT

- 15.1. The *Access Act* applies to any document held by the Municipality, whether it is the Municipality which ensures their conservation or a third party.
- 15.2. The law also applies to any document whatever its form: written, graphic, audio, visual, computerized or other.
- 15.3. Any person who requests it in writing has the right to access Municipality documents, except as provided for by the provisions of the *Access Act* . The right of access only concerns documents whose communication does not require calculations or comparison of information or special preparation;
- 15.4. The request for access to a document must, to be admissible, be sufficiently precise to enable it to be found.
- 15.5. The RAD must respond to a request for access no later than twenty days following the date of its receipt. If processing the request within the stipulated time limit seems impossible without harming the normal course of the Municipality's activities, the person responsible for access to information may extend the time limit by a maximum of 10 days. He must then notify the requester, by any means of communication allowing the person concerned to be reached, within the first 20 days following receipt of the access request.
- 15.6. The requesting person may obtain a copy of the document, by any means of communication allowing it to be contacted, unless its reproduction would harm its conservation or raise serious practical difficulties due to its form. The right of access to a document can also be exercised by consultation on site during the Municipality's usual working hours or remotely.
- 15.7. The right of access is free. However, fees not exceeding the cost of its transcription, reproduction or transmission may be required from the requesting person in accordance with the *Regulation respecting fees payable for the transcription, reproduction and transmission of documents and personal information* (CQLR c. A-2.1, r. 3).
- 15.8. If the applicant is disabled, at their request, the Municipality takes reasonable accommodation measures to allow them to exercise the right of access provided for in this article 8. To this end, the Municipality takes into account the policy established in under section 26.5 of the *Act ensuring the exercise of the rights of persons with disabilities with a view to their educational, professional and social integration* (RLRQ c. E -20.1);
- 15.9. The person responsible must give reasons for any refusal to grant a request and indicate the provision of the *Access Act* on which this refusal is based.

16. TRANSFERS OF PERSONAL INFORMATION OUTSIDE THE MUNICIPALITY

- 16.1. Except for authorization provided for in the *Access Act* or specific consent obtained for this purpose from the person concerned, the Municipality does not transfer any RP in favor of a third party outside the Municipality.
- 16.2. Where any PI is transferred to a third party through technological means, the privacy policy of a third party organization, if any, will apply to such PI henceforth.

17. RIGHT OF ACCESS TO A MUNICIPALITY DOCUMENT

- 17.1. The *Access Act* applies to any document held by the Municipality, whether it is the Municipality which ensures their conservation or a third party.
- 17.2. The law also applies to any document whatever its form: written, graphic, audio, visual, computerized or other.
- 17.3. Any person who requests it in writing has the right to access Municipality documents, except as provided for by the provisions of the *Access Act* . The right of access only concerns documents whose communication does not require calculations or comparison of information or special preparation;
- 17.4. The request for access to a document must, to be admissible, be sufficiently precise to enable it to be found.
- 17.5. The RAD must respond to a request for access no later than twenty days following the date of its receipt. If processing the request within the stipulated time limit seems impossible without harming the normal course of the Municipality's activities, the person responsible for access to information may extend the time limit by a maximum of 10 days. He must then notify the requester, by any means of communication allowing the person concerned to be reached, within the first 20 days following receipt of the access request.
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- 17.7. The right of access is free. However, fees not exceeding the cost of its transcription, reproduction or transmission may be required from the requesting person in accordance with the *Regulation respecting fees payable for the transcription, reproduction and transmission of documents and personal information* (CQLR c. A-2.1, r. 3).
- 17.8. If the applicant is disabled, at their request, the Municipality takes reasonable accommodation measures to allow them to exercise the right of access provided for in this article 8. To this end, the Municipality takes into account the policy established in under section 26.5 of the *Act ensuring the exercise of the rights of persons with disabilities with a view to their educational, professional and social integration* (RLRQ c. E -20.1);
- 17.9. The person responsible must give reasons for any refusal to grant a request and indicate the provision of the *Access Act* on which this refusal is based.

18. Responsible for the protection of personal information

- 18.1. Any request for access to a Municipality document to a document or file containing any RP must be sent in writing to the person responsible for access to information and the protection of personal information at the following contact details:

Patricia Hobbs
Director General – Municipality of Clarendon
C427 Route 148
Clarendon, Quebec J0X 2Y0
819-647-3862
dg@clarendonqc.ca

- 18.2. Anyone can ask a question regarding this Municipality confidentiality policy.

CHAPTER IV — ADMINISTRATIVE MEASURES

19. Complaints

- 19.1. Any person who considers themselves wronged by the way in which the Municipality manages the protection of a PR can file a complaint by following the provisions of the Administrative Policy concerning the rules of governance regarding the protection of personal information of the municipality of CLARENDON published on the Municipality's website.
- 19.2. When their written request for access to a Municipality document has been refused in whole or in part by the person responsible for access to information or in the case where the time limit for responding has expired, any requesting person may request to the Commission for

Access to Information to review this decision. The request for review must be made in writing within 30 days following the date of the decision or the expiration of the deadline granted to the person responsible for access to information. She can briefly state the reasons why the decision should be reviewed.

20. Final provisions

- 20.1. This confidentiality policy must be published on the Municipality's website in a section dedicated to it.
- 20.2. This confidentiality policy and any modification thereof come into force upon its adoption by the Municipality's board of directors.
- 20.3. Any modification to this policy must be subject to consultation with the RPRP and must be preceded by a 15-day notice of modification published on the Municipality's website
- 20.4.

20.5. ANNEX I – Confidentiality policy (article 4)

Service	Description of the PI collected	Purposes for which PI is collected	Persons with access to PI	Mea

9. Miscellaneous & Discussion

10. ADJOURNMENT

172-10-2023 Motion by Cr. Holmes to adjourn the meeting of October 24, 2023 at 9:45 p.m.

Mayor Edward Walsh

Clerk Treasurer – Patricia Hobbs

