

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

Mayor Naughton called the Meeting of the Mayor and Council of the Borough of Spring Lake to order at 7:00 P.M. with a moment of silent prayer. She then proceeded with the Pledge of Allegiance to the Flag. The Mayor announced that the meeting is being held in accordance with the Open Public Meetings.

PRESENT: Mr. Erb (via telephone), Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables, Mayor Naughton

ABSENT: Mr. Fay

ALSO PRESENT: Kathleen Capristo, Acting Deputy Borough Clerk  
W. Bryan Dempsey, Borough Administrator  
Peter Avakian, Borough Engineer

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Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-124 – RESOLUTION – AUTHORIZING THE APPOINTMENT OF KATHLEEN CAPRISTO TO ACT AS DEPUTY BOROUGH CLERK FOR THE JULY 14, 2015 MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF SPRING LAKE PURSUANT TO N.J.S.A. 40A:9-133(c)**

WHEREAS, the Borough Clerk and Deputy Borough Clerk are both unable to attend the July 14, 2015 meeting; and

WHEREAS, Kathleen Capristo is certified as a Municipal Clerk pursuant to N.J.S.A. 40A:9-133.2.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Kathleen Capristo is hereby appointed as Acting Deputy Borough Clerk for the July 14, 2015 meeting.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

**Workshop Discussion - None**

**Approval of Minutes**

Mr. Judge offered a motion to approve the minutes of June 9, 2015, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Mr. Judge offered a motion to approve the minutes of June 23, 2015, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

**Proclamations, Presentations & Special Guests**

Eleanor Twomey Scholarship Winners – Carissa Mason and Bridget Mastrorilli – Mayor Naughton reminded the public audience that Mrs. Eleanor Twomey was a long time resident of Spring Lake who had a very distinguished career including running a small business in Spring Lake. Mrs. Twomey made it a point to keep abreast of all the decisions the council made and attended almost every Mayor and Council meeting, stated the Mayor. The Mayor added that it was not surprising that Mrs. Twomey wanted to encourage young women to engage in their community along with the scientific, civic, and cultural institutions that support the community and so at her instructions two generous scholarships were created by her estate in the amount of \$2,000 each. Regarding the application criteria, the Mayor stated that it was very broad allowing for young women of varying interests to be eligible to make application. The Mayor stated that she, along with Mrs. Venables and Mrs. Twomey's good friend, Eileen Regan-Adams, were part of the selection committee and had the opportunity to view the anonymously submitted applications. Mayor Naughton introduced the two winners, Ms. Carissa Mason and Ms. Bridget Mastrorilli.

The Mayor stated that Ms. Mason wrote a beautiful essay and is a student at Stevens Institute of Technology, majoring in Biomedical Engineering. Ms. Mason has many notable accomplishments in community service projects including an initiative called "The Little Iron Chef" that taught young people how to cook, added the Mayor. In addition, Ms. Mason is conducting biological research on the effectiveness of therapeutic drugs, stated the Mayor. The Mayor stated that Ms. Mastrorilli too wrote a beautiful essay noting that she will be entering Marymount Manhattan College as a theatre major this fall. Ms. Mastrorilli has been dancing, singing and acting since the age of three and has been in over 20 productions, stated the Mayor.

On behalf the selection committee, the Mayor congratulated both Ms. Mason and Ms. Mastrorilli.

Ms. Mastrorilli spoke stating that she's been doing theatre her entire life and feels privileged to be able to attend Marymount. Ms. Mastrorilli thanked the committee for the scholarship.

Ms. Mason spoke stating that she will be a junior this fall and is transferring to a new school noting that the scholarship will be a big help with her expenses and thanked the committee for their consideration.

**Public Comments**

None

**Council Comments & Staff Reports**

Mayor Naughton congratulated the Historical Society on the vintage baseball game event held over the weekend noting that it was well attended and that attendees enjoyed the old fashioned uniforms, cars, popcorn, hotdogs and Cracker Jack.

The Mayor, following up on a previous meeting's discussion on zoning and concerns about overbuilding and violations, stated that she asked Mr. Zahorsky (Zoning Officer), Mr. Roe (Code Enforcement Officer) and Mr. Dempsey (Borough Administrator) to meet with her to discuss current ordinances and policies and potential opportunities to better deter homeowners and builders from stretching the rules. Mr. Judge reported that the Borough's COAH Counsel filed a complaint for declaratory judgment last week which is required by the supreme court for towns that are seeking to maintain their immunity from builders remedies lawsuits while a plan is put together to meet the Borough's affordable housing requirement. Mr. Judge stated that they're hopeful the court will give the Borough approximately five (5) months of immunity while the plan is prepared. Mr. Judge added that it's hard to say if this will happen as things are in flux but noted that the Borough hopes to benefit from the fact that while

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

things have been in flux the Borough moved forward with the construction of the project on Warren Avenue that is 100% dedicated to affordable housing.

Mr. Frost, reporting from the roads committee, reminded the public audience that there is a workshop meeting on Tuesday, July 21<sup>st</sup> at 6:00 pm to discuss the roads program and the work needed on the infrastructure. Also, Mr. Frost stated, there's been talk of getting some roads worked on prior to the larger roads program particularly those in severe condition. There are four or five roads that they've spoken to the county about, stated Mr. Frost, in hopes of getting an interim fix prior to the roads program. Mr. Dempsey added that a representative from the county came to the Borough and inspected the roads, took measurements and submitted a proposal. The county stated that they could start work in the next two to three weeks, stated Mr. Dempsey, and the county would provide the equipment and labor while the Borough would pay for the asphalt as well as reimburse the county for the use of the equipment. There would be no need to go out to bid stated Mr. Dempsey and we do have the money available. Mr. Dempsey stated that the targeted road work would be on portions Fourth, Mercer, Pitney, Lorraine and Tuttle Avenues as well as a section of the train station's parking lot. Mr. Frost added that they would camera the road first to identify any problems underneath that need to be fixed first. Mr. Frost asked if there was a cost estimate. Mr. Dempsey stated that they would get about \$55,000 from the county depending on the equipment they use and then material would be priced based on per ton usage at a rate of approximately \$60 per ton adding up to roughly a \$125,000 project. Mr. Frost asked what was needed to proceed. Mr. Dempsey stated that if council authorizes him to move forward he would contact the county and proceed accordingly. The Mayor stated that, as a fellow member of the road committee, she is fully supportive of the effort noting that the roads being discussed are in terrible shape. The Mayor stated that they have the money in cash and using the county is an economical approach. The Mayor asked if there were any objections in moving forward, there were none.

Mr. Frost further offered that they intend to get a completed final plan for the improvements at Marucci Park and expect to have something to show the council at the meeting of August 11<sup>th</sup>.

Mr. Sagui reported that also at the meeting of July 21<sup>st</sup> they will be releasing the results of the water quality and hydraulic studies.

Mrs. Venables reported that the shade tree committee will be hosting another event at the Essex and Sussex on Friday, August 14<sup>th</sup> from 7:00 pm to 9:00 pm in an effort to continue to promote the shade tree projects.

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**Borough Engineer's Report**

Mr. Avakian reported that he intends on inviting Mr. Al Hilla, Jr. to the workshop as he may be very helpful in coordinating the utility infrastructure with the roads improvement portion of the effort.

Regarding Wreck pond, Mr. Avakian reported that a meeting is being held with US Fish and Wildlife tomorrow. US Fish and Wildlife has agreed to do the environmental assessment and since the Borough has been asked to continue to include the living shoreline, berm and dredging in the project scope the assessment is necessary, noted Mr. Avakian. HUD compliance is also required, stated Mr. Avakian, and there are meetings scheduled to discuss the details of this. Mr. Avakian expressed confidence that the project will stay on track for a September/October bidding and construction.

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**Borough Administrator's Report**

Mr. Dempsey referenced an email sent to the him and the Mayor and Council requesting approval from a Worthington Avenue resident to have a block party on Worthington Avenue between First and

**25157**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

Second Avenues. Mr. Dempsey stated that he spoke to Chief Kerr who stated that he did not see any issues with the event. Mr. Dempsey added that it would be Sunday, August 9<sup>th</sup> from 4:30 pm to 7:00 pm.

Mr. Judge offered a motion to approve the block party as detailed above and in the email sent to the Mayor and Council and moved its adoption, seconded by Mrs. Venables.  
All in favor. None opposed.

Mr. Frost asked Mr. Dempsey what the status was of the leaf removal effort in Spring Lake. Mr. Dempsey stated that the project has been approved, however there is a power line that needs to be disconnected to do the work and they thought it best to wait until after the Shakespeare in the Park production as they need power for the show.

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, asked for clarification that the workshop was being held next Tuesday. The Mayor confirmed.

Mr. Marlowe also asked for an update on the DEP's announcement of funding. Mr. Dempsey stated that they are very close to getting confirmation of funding and that they are moving forward as if they're getting funded. Mr. Avakian agreed that they are very confident that the funding will come.

Mr. Marlowe further stated that it was his understanding that the Borough's master plan calls for putting as much of the electrical utilities underground as possible. Mr. Marlowe suggested that the Borough include the electric company and other utilities in the discussions of the infrastructure especially for the major roads.

Mayor Naughton agreed that this was a good idea.

Mr. Sagui opined that within ten years there will no longer be a need for telephone and cable wires and electric lines will likely go beneath the right of way.

**Business Items Under Consideration**

**St. Catharine School – Family Beach Picnic – September 13, 2015** – Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

**Spring Lake Drug Prevention Alliance – Summer Surf Jam – July 23, 2015** - Mr. Judge offered a motion to approve the request, seconded by Mrs. Venables. All in favor. None opposed.

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**Ordinances for Introduction - None**

**Ordinances for Adoption – None**

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**CONSENT AGENDA**

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-125 – RESOLUTION – APPOINTMENT OF 2015 SUMMER RECREATION  
EMPLOYEE GRACE BEYER**

BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Spring Lake that Grace Beyer is hereby appointed at the rate of pay \$8.38 per hour as a summer recreation employee for the Borough of Spring Lake for the 2015 Season as recommended by the Recreation Department.

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-126 – RESOLUTION – RENEWAL OF CERTAIN PLENARY RETAIL CONSUMPTION  
LIQUOR LICENSES FOR THE YEAR 2015/2016**

WHEREAS, the holder of certain plenary retail consumption liquor licenses set forth below have applied for renewal of their respective licenses and which applications for renewal have been found to be complete in all aspects, and

WHEREAS, the applicants for renewal have been found to be qualified to be licensed according to all statutory, regulatory and municipal A.B.C. laws and regulations, and

WHEREAS, the Governing Body is satisfied that the applicants should have the licenses renewed.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the following plenary retail consumption licenses be renewed for the year commencing July 1, 2015 and expiring June 30, 2016:

<u>NAME</u>	<u>LICENSE NUMBER</u>	<u>ANNUAL FEE</u>	<u>LOCATION</u>
COSLIN, Inc.	1348-33-006-004	\$1,342.00	The Breakers

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-127 – RESOLUTION – AUTHORIZING BOROUGH ADMINISTRATOR  
TO ACCEPT BIDS FOR CELL SITES**

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that the Borough Administrator be and hereby is authorized to accept bids for cell sites to be located on the water tower in the Borough Yard.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-128 – RESOLUTION APPROVING RAFFLE LICENSE APPLICATION  
RA#22-2015 – ST. CATHARINE'S SCHOOL PTA -**

**25159**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015  
OFF PREMISE 50/50**

WHEREAS, St. Catharine's School PTA has filed an application, which has been found to be complete, for a Raffle License which has been assigned number RA#22-2015, and

WHEREAS, said license has been forwarded to the Spring Lake Police Department for their review and no objection was received, and

WHEREAS, the appropriate fees and have been received and filed by the Borough Clerk's Office.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake that Raffle License No. RA#22-2015 be and the same is hereby approved as follows:

**NAME:** St. Catharine's School PTA  
301 Second Avenue, Spring Lake, NJ 07762  
Identification No.: 475-5-7331  
**LOCATION:** Spring Lake Bath & Tennis Club  
1 Jersey Avenue, Spring Lake, NJ  
**DATE:** October 23, 2015 9:00 PM

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

**R-15-129 – RESOLUTION – RESOLUTION AUTHORIZING THE EXECUTION OF A  
PROFESSIONAL SERVICES CONTRACT WITH THE BOROUGH OF SPRING LAKE  
FOR THE PROVISION OF PROFESSIONAL SERVICES**

WHEREAS, there exists a need for professional services to be provided to the Borough of Spring Lake, County of Monmouth, New Jersey (the "Borough") and the Borough Council desires to authorize the execution of a professional services contract between following listed persons/firms and the Borough for the provision of said services; and

PS#11-2015	Wreck Pond Bypass Outfall Tidelands License and Dam Safety Permit Applications	Leon S. Avakian, Inc. 788 Wayside Road Neptune, NJ 07753	For an amount not to exceed \$19,000.00
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WHEREAS, the anticipated term of this contract is 1 year; and

WHEREAS, the Local Public Contracts Law authorizes the awarding of a contract for "Professional Services" without public advertising for bids and bidding therefore, provided that the Resolution authorizing the contract and the contract itself be available for public inspection in the office of the Municipal Clerk and that notice of the awarding of the contract be published in a newspaper of general circulation in the municipality; and

WHEREAS, sufficient funds are available for the services and will be certified on each voucher submitted for payment in accordance with there fee schedule, a copy of which is attached to their contract.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Clerk are hereby authorized to execute a contract between the above named persons/firms and the Borough to provide professional services to the Borough of Spring Lake; and

BE IT FURTHER RESOLVED, that a copy of this Resolution and the Contract shall be placed on file with the Clerk of the Borough; and

BE IT FURHTER RESOLVED, that a notice in accordance with the Local Public Contracts Law of New Jersey in the form attached hereto shall be published in accordance with law; and

ROLL CALL:

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables  
NAYS: NONE  
ABSENT: Mr. Fay  
ABSTAIN: NONE

**R-15-130 – RESOLUTION – RELEASING STREET OPENING BOND  
7 ATLANTIC AVENUE – BLOCK 31, LOT 7.03**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from MLZ Corporation for property located at 7 Atlantic Avenue, Block 31, Lot 7.03 and

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

WHEREAS, the Borough Engineer's office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables  
NAYS: NONE  
ABSENT: Mr. Fay  
ABSTAIN: NONE

**R-15-131 – RESOLUTION – RELEASING STREET OPENING BOND  
9 ATLANTIC AVENUE – BLOCK 31, LOT 7.01**

WHEREAS a street opening application and appropriate fees was received by the Borough of Spring Lake from MLZ Corporation for property located at 9 Atlantic Avenue, Block 31, Lot 7.01 and

WHEREAS, a \$1,250.00 bond was posted for each property to ensure that the work was completed satisfactorily, and

WHEREAS, the Borough Engineer's office has inspected the site and found the work to be completed in accordance with Borough Ordinances and recommended the refund of the bond posted.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough of the Borough of Spring Lake that the above referenced street opening bond in the amount of \$1,250.00 be and the same is hereby authorized for return.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables  
NAYS: NONE  
ABSENT: Mr. Fay  
ABSTAIN: NONE

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**Resolutions**

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-132 – RESOLUTION – APPROVAL OF BILLS – JULY 9, 2015**

**25161**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending July 9, 2015, and

WHEREAS, the Borough Finance Committee has reviewed said claims.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

	<b><u>SUMMARY</u></b>	
<b>CURRENT FUND (1)</b>		<b>1,433.00</b>
<b>RECREATION (25)</b>		<b>1,744.00</b>
<b>TOTAL</b>		<b>\$3,177.00</b>

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Mr. Judge offered a motion to approve the following resolution and moved its adoption, seconded by Mrs. Venables.

**R-15-133 – RESOLUTION – APPROVAL OF BILLS – JULY 14, 2015**

WHEREAS, the Borough of Spring Lake received certain claims against it by way of vouchers received during the period ending July 14, 2015, and

WHEREAS, the Borough Finance Committee has reviewed said claims.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Borough Council of the Borough of Spring Lake, County of Monmouth, that the following claims be certified by the Chief Financial Officer for approval and payment.

	<b><u>SUMMARY</u></b>	
<b>CURRENT FUND (1)</b>		<b>671,144.03</b>
<b>GENERAL CAPITAL (4)</b>		<b>14,260.00</b>
<b>WATER/SEWER OPERATING (9)</b>		<b>270,719.86</b>
<b>DOG TRUST (13)</b>		<b>2.40</b>
<b>MARRIAGE TRUST (19)</b>		<b>625.00</b>
<b>RECREATION (25)</b>		<b>6,014.34</b>
<b>JUNIOR GUARDS (26)</b>		<b>3,736.22</b>
<b>BEACH OPERATING (81)</b>		<b>14,038.81</b>
<b>POOL OPERATING (91)</b>		<b>6,315.55</b>
<b>TOTAL</b>		<b>\$986,856.21</b>

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

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**Public Comments**

**BOROUGH OF SPRING LAKE  
MAYOR AND BOROUGH COUNCIL  
REGULAR MEETING  
JULY 14, 2015**

Mr. Lyle Marlowe, 110 Pennsylvania Avenue, asked for confirmation that the budget is on a calendar year. The Mayor confirmed. Mr. Marlowe asked if the Borough has reached 50% of the budget since it is July. The Mayor responded that the finance committee met in early June and noted that budgets are not necessarily 50/50 throughout the year as some budgets are front loaded, like the beach budget, and at the time that they met the CFO did not see any issues that were cause for concern. Further, the Mayor stated that the CFO is quick to point out any areas that department heads may need to watch.

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**Adjournment**

Mr. Judge offered a motion to adjourn the meeting, seconded by Mrs. Venables.

ROLL CALL:

AYES: Mr. Erbe, Mr. Judge, Mr. Frost, Mr. Sagui, Mrs. Venables

NAYS: NONE

ABSENT: Mr. Fay

ABSTAIN: NONE

Time of Adjournment: 7:29 PM

Respectfully submitted,



KATHLEEN CAPRISTO  
Acting Deputy Borough Clerk

Approved at a meeting held on: August 11, 2015