



Highlands Borough Mayor & Council Meeting Minutes  
Community Center, 22 Snug Harbor Avenue, Highlands  
June 21, 2023 – Meeting Minutes

**REGULAR MEETING:** Meeting came to order at 7:00 PM

**MEETING STATEMENT:** The following public meetings statement was read.

The notice requirements provided for in the Open Public Meetings Act have been satisfied. Notice of this meeting was properly given by transmission to the Asbury Park Press and the Two River Times and by posting at the Borough of Highlands Municipal Building and filing with the Borough Clerk all on January 1, 2023. Items listed on the agenda are subject to change.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Councilmember Cervantes, Councilmember Chelak, Councilmember Melnyk, and Mayor Broullon were present. Council President Olszewski was absent.

Also in attendance were Borough Administrator Michael Muscillo, Borough Attorney Dennis Galvin, Esq., Borough Engineer Bennett Matlack, and Borough Clerk Nancy Tran.

**OTHER BUSINESS:** Kristin Russell, from Colliers Engineering & Design, gave background on the NJ Energy Master Plan vision and gave an overview of the Community Energy Plan. Mayor Broullon added that the Borough recently passed Ordinances O-23-08 and O-23-09. Councilmember Melnyk asked if this laid the foundation for possible future grants and Ms. Russell confirmed.

There were no comments from the public.

Mayor Broullon stated that she'll look up how many points this plan would help toward Sustainable Jersey and stated that the plan is to be distributed to the Land Use Board and all Committees for next meeting

**APPROVAL OF MINUTES:**

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Motion: Mayor Broullon

Second: Melnyk

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

Absent: Olszewski

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Motion: Mayor Broullon

Second: Chelak

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

Absent: Olszewski

**PUBLIC HEARING ON PROPOSED ORDINANCES:**

**ORDINANCE O-23-11**

**AMENDING CHAPTER 7A (TRAFFIC SCHEDULES), SECTION 7A-1 (SCHEDULE I: NO PARKING) OF THE CODE OF THE BOROUGH OF HIGHLANDS RELATING TO PARKING RESTRICTIONS ON MATTHEWS STREET**

**WHEREAS**, Chapter 7A (Traffic Schedules), Section 7A-1 (Schedule I: No Parking) of the Borough Code establishes parking restrictions on certain streets; and

**WHEREAS**, the Chief of Police and Municipal Engineer have analyzed and evaluated the Borough Code and recommended certain changes; and

**WHEREAS**, Matthews Street has approximately a 15 foot wide roadway width, where the Residential

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Site Improvement Standards requires that a neighborhood street with parking on one side should have a minimum of 23 feet of roadway width, thereby necessitating no parking on Matthews Street; and

**WHEREAS**, the governing body finds that these recommendations should be adopted for the general safety, health and welfare of the Borough; and

**WHEREAS**, the Borough of Highlands is authorized to control parking on local roads pursuant to N.J.S.A. 39:4-8(b)(1) and N.J.S.A. 39:4-197(1)(f).

**NOW, THEREFORE, BE IT ORDAINED** by the governing body of the Borough of Highlands as follows:

**SECTION I.** Borough Code Section 7A-1 entitled “Schedule 1: No Parking” is hereby amended by adding the following street:

Name of Street	Sides	Locations
Matthews Street	Both	North of its intersection with Shore Drive to its terminus

**ALL OTHER STREETS CONTAINED IN SCHEDULE I: NO PARKING REMAIN UNCHANGED.**

**SECTION II. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance, which shall otherwise remain in full force and effect.

**SECTION III. REPEALER.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

**SECTION IV. EFFECTIVE DATE.** This Ordinance shall take effect after final passage and publication as provided by law.

With no additional comments from the dais, Mayor Broullon opened the floor to the Public.

John Anderson, attorney for the Serghis, shared his clients’ concern about the ADA – handicap parking space. Mr. Galvin read Mr. Ball’s statement addressing the issue. Councilmember Melnyk thanked the Serghis for their civility in addressing their issues.

Motion: Mayor Broullon  
Second: Melnyk  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

Clerk Tran stated motion carried to pass this ordinance on second and final reading.

**RESOLUTIONS:**

**RESOLUTION 23-150  
APPROVING RENEWAL OF LIQUOR LICENSES FOR THE 2023-2024 TERM**

**WHEREAS**, renewal applications have been filed or submitted through POSSE ABC portal as directed by the ABC; and,

**WHEREAS**, the submitted, renewal applications have been accepted via POSSE ABC, the Municipal Fees have been paid, a Tax Clearance Certificate has been received, and, if necessary, a 12.39 Special Ruling was submitted and received approval from the State Alcohol Beverage Control Director, for the following licensee[s]; and,

**WHEREAS**, the applicants are qualified to be licensed per standards established by Title 33 of the



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New Jersey Statutes, regulations promulgated there under, and pertinent Borough Ordinances; and

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Highlands, County of Monmouth, State of New Jersey, that the renewal of the following Liquor License[s] for the 2023-2024 license term be and are hereby authorized:

License Number	Licensee	Establishment
1317-33-006-005	Harbor Pointe Yacht Club	Inactive
1317-33-010-012	181 Hospitality LLC	Inactive
1317-33-024-017	La Bise LLC	Inactive
1317-31-027-001	American Legion	Active
1317-33-030-011	Et Al Fine Foods & Events	Active

Motion: Mayor Broullon  
Second: Chelak  
Ayes: Chelak, Melnyk, Mayor Broullon  
Abstain: Cervantes  
Absent: Olszewski

**RESOLUTION 23-151**  
**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE PORTLAND ROAD AND GRAND TOUR DRAINAGE AND ROADWAY IMPROVEMENTS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Highlands formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor, Borough Administrator, and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2024-Portland Road and Grand Tour Drainage-00033 to the New Jersey Department of Transportation on behalf of the Borough of Highlands.

**BE IT FURTHER RESOLVED** that the Mayor, Borough Administrator, and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Highlands and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

My signature and the Clerk’s seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
Nancy Tran, Borough Clerk Mayor Carolyn Broullon

Prior to motioning to approve, Mayor Broullon explained the purpose of the grant.

Motion: Mayor Broullon  
Second: Chelak  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**CONSENT AGENDA:** Clerk Tran read the following Resolutions by title and asked for a motion to approve the Consent Agenda. Prior to the Council vote, Mr. Muscillo explained R 23-160. Resolutions and Consent Agenda vote are as follows:

**RESOLUTION 23-152**  
**AUTHORIZING THE AWARD OF A CONTRACT TO BRIDGECONNEX COMMUNICATIONS FOR**  
**PHONE SYSTEM SERVICES**

**WHEREAS**, pursuant to N.J.S.A. 19:44A-20.4 et seq. (New Jersey Local Unit Pay-To-Play Laws), the Borough must award by resolution all goods and services contracts with a dollar amount between \$17,500 and \$43,999. These contracts are not bid, but vendors are still responsible to provide political contribution and company disclosure information in order to do business with the Borough.

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services fall between \$17,500 and the bid threshold of \$44,000 in the aggregate, an approval by resolution must be in place; and

**WHEREAS**, the Borough has solicited quotations from at least two (2) service providers for voice, data, transmission and/or switching services ; and

**WHEREAS**, BridgeConnex Communications provided a quotation in the amount of \$19,438.66 for the first year and \$11,279.16 for each of the next two (2) years, by way of a three (3) year contract; and

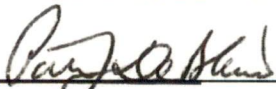
**WHEREAS**, the Borough desires to retain the services of BridgeConnex Communications; and

**WHEREAS**, BridgeConnex Communications completed and submitted a Business Entity Disclosure Certification which certifies the business entity has not made any reportable contributions to a political or candidate committee in the Borough in the previous one year, and that the contract will prohibit BridgeConnex Communications from making any reportable contributions through the term of the contract.

**WHEREAS**, certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands;

I hereby certify that funds are available as follows:

Acct #3-01-31-440-000-213 & #3-01-31-450-000-213

  
\_\_\_\_\_  
Patrick DeBlasio, Chief Financial Officer

**NOW THEREFORE, BE IT RESOLVED** by the Borough of Highlands as follows:

1. BridgeConnex Communications is hereby retained to provide phone system services, including voice, data, transmission and/or switching services. for a term of three (3) years, in an amount not to exceed \$19,438.66 for the first year and \$11,279.16 for each of the next two (2) years in accordance with the terms of the contract to be entered into between the Borough and BridgeConnex Communications.
2. The Mayor and Borough Clerk are hereby authorized to sign a contract with BridgeConnex Communications in accordance with this Resolution.
3. This contract is awarded without competitive bidding through the competitive quotation process in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11:6.1.

Motion: Mayor Broullon

Second: Cervantes

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

Absent: Olszewski



**RESOLUTION 23-153**  
**AWARDING A FAIR AND OPEN CONTRACT TO DOWNTOWN NETWORK COMPANY FOR THE**  
**COMMUNITY RATING SYSTEM (CRS) COORDINATOR**

**WHEREAS**, on May 25, 2023, the Borough of Highlands solicited bids for a Community Rating System (CRS) Coordinator, due on June 13, 2023; and

**WHEREAS**, Downtown Network Company was the only bidder and has set forth its proposed services in a written proposal dated June 7, 2023, a copy of which is available at the office of the Borough Clerk; and

**WHEREAS**, the governing body of the Borough of Highlands has made the determination that it is in the best interest of the Borough to award the contract to Downtown Network Company in connection with joining the CRS program; and

**WHEREAS**, this contract is to be awarded for an amount not to exceed \$38,000 as stated on the Downtown Network Company's proposal dated June 7, 2023; and

**WHEREAS**, a certification of availability of funds is hereby provided by the Chief Financial Officer of the Borough of Highlands.

I hereby certify funds are available as follows: Acct #C-04-21-101-000-202

  
\_\_\_\_\_  
Patrick DeBlasio, Chief Financial Officer

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Highlands as follows:

1. Downtown Network Company is hereby awarded the contract in an amount not to exceed \$38,000.
2. The Mayor, Borough Administrator, and Borough Clerk are hereby authorized to take all steps necessary to engage the services of Downtown Network Company, including executing a contract.
3. A copy of this Resolution as well as the contract/proposal shall be placed on file with Clerk of the Borough of Highlands.
4. The Borough Clerk is hereby directed to publish a public notice of this award as required by law.

Motion: Mayor Broullon

Second: Cervantes

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

Absent: Olszewski

**RESOLUTION 23-154**  
**AUTHORIZING EXECUTION OF A SETTLEMENT AGREEMENT AND RELEASE BETWEEN THE**  
**BOROUGH OF HIGHLANDS AND CINTAS CORPORATION**

**WHEREAS**, the Borough of Highlands entered into a Facilities Solutions Agreement with Cintas Corporation dated January 28, 2021 for cleaning products and services related to the Public Works Department; and

**WHEREAS**, the Public Works Department was dissatisfied with the services provided by Cintas Corporation and wished to terminate the contract; and

**WHEREAS**, Cintas Corporation demanded payment of \$7,993.10 pursuant to the termination clause set forth in the Facilities Solutions Agreement; and

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**WHEREAS**, the parties engaged in settlement discussions concerning the aforesaid termination of contract and tentatively agreed to a settlement payment by the Borough in a total amount of \$2,386.00 in exchange for a full release of all claims by Cintas Corporation.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands that the appropriate Borough officials, including the Mayor and Borough Administrator, be and are hereby authorized to execute a Settlement Agreement between Cintas Corporation and the Borough of Highlands pursuant to the terms set forth above and in a form to be reviewed and approved by the Borough Attorney.

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-155**  
**AUTHORIZING THE REFUND OF SUMMER CAMP FEES**

**WHEREAS**, the Recreation Director, of the Borough of Highlands has received a request to refund summer camp fees.

**WHEREAS**, the Recreation Director has determined that the fee is to be refunded and is due and payable by the Borough of Highlands; and

**WHEREAS**, the Recreation Director recommends the immediate refund of the Summer Camp Fees by the Borough of Highlands,

**NOW, THEREFORE BE IT AND IT IS HEREBY RESOLVED** by the Mayor and Council of the Borough of Highlands, in the County of Monmouth, State of New Jersey, that the Recreation Director is authorized to immediately refund the Summer Camp Fees to the individual listed below:

<u>INVOICE#</u>	<u>AMOUNT</u>	<u>NAME</u>
68680851	\$270.00	Amanda Devine-Nickerson

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-156**  
**AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF HIGHLANDS AND THE HIGHLANDS BOARD OF EDUCATION**

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidation Act (C.40A:65-1 et. seq.) authorizes local units such as this Municipality to enter into Shared Services Agreements with other local units; and

**WHEREAS**, the Highlands Board of Education has requested that the Borough provide snow plowing and sanding/salting services as well as trash removal services for the Highlands Elementary School; and

**WHEREAS**, the term of the Agreement shall be for a period of one (1) year, effective July 1, 2023 through June 30, 2024, with the ability to renew the said Agreement upon mutual consent of the parties and the passage of appropriate Resolutions; and



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**WHEREAS**, it is in the best interest of the Borough of Highlands to enter into the proposed Shared Services Agreement with the Highlands Board of Education.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough Council of the Borough of Highlands hereby authorizes the Mayor and Borough Clerk to execute a Shared Services Agreement with the Highlands Board of Education, effective July 1, 2023 through June 30, 2024, with the ability to renew the said Agreement upon mutual consent of the parties and the passage of appropriate Resolutions.

**BE IT FURTHER RESOLVED**, that the Borough Administrator be and is hereby authorized to undertake such acts as are reasonable and necessary to accomplish the purposes of this Resolution.

**BE IT FURTHER RESOLVED** that the Borough Clerk shall forward a certified copy of this Resolution to the Highlands Board of Education.

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-157**  
**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE SHORE DRIVE PEDESTRIAN SAFETY IMPROVEMENTS PROJECT**

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Highlands formally approves the grant application for the above stated project.

**BE IT FURTHER RESOLVED** that the Mayor, Borough Administrator, and Borough Clerk, are hereby authorized to submit an electronic grant application identified as SST-2024-Highlands Borough-0003 to the New Jersey Department of Transportation on behalf of the Borough of Highlands.

**BE IT FURTHER RESOLVED** that Mayor, Borough Administrator, and Borough Clerk, are hereby authorized to sign the grant agreement on behalf of the Borough of Highlands and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-158**  
**APPROVING FIRST AID SQUAD APPLICATIONS**

**WHEREAS**, the following individuals have submitted a Membership Application to be a Member of the Highlands First Aid Squad:

Taylor Redmond  
Maria Kovalev  
Frank Calandra

**WHEREAS**, the following individual has submitted a Membership Application to be a Cadet for the Highlands First Aid Squad:

Pedro Morales Herrera

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**WHEREAS**, Warren “Jay” Terwilliger, Captain of the First Aid Squad, has approved the aforesaid Membership Applications;

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Highlands that the First Aid Squad Membership Applications of the above listed individuals be and is hereby approved.

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-159**  
**AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, certain numbered vouchers have been submitted to the Borough of Highlands for payment from a list, prepared and dated June 19, 2023, which totals as follows:

Current Fund	\$ 189,173.05
Sewer Account	\$ 70,765.77
Capital Fund	\$ 74,864.96
Trust-Other	\$ 119,900.20
Federal/State Grants	\$ -
<b>Total</b>	<b>\$ 454,703.98</b>

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Highlands that the vouchers, totaling \$ 454,703.98 be paid to the person[s] named, for the amounts set opposite their respective name[s], and endorsed and approved on said vouchers. An individual listing of all bills is posted on the borough website at [www.highlandsborough.org](http://www.highlandsborough.org) and on file in the Municipal Clerk's office for reference.

Motion: Mayor Broullon  
Second: Cervantes  
Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon  
Abstain: None  
Absent: Olszewski

**RESOLUTION 23-160**  
**APPROVING CHANGE ORDER NO. 2 FOR IMPROVEMENTS TO**  
**WATERWITCH WASTEWATER PUMP STATION**

**WHEREAS**, by way of Resolution 22-152 duly adopted on June 15, 2022, Shorelands Construction, Inc. was awarded a contract for Improvements to Waterwitch Wastewater Pump Station; and

**WHEREAS**, in accordance with the aforesaid contract award, the amount of the contract that was awarded to Shorelands Construction, Inc. was \$861,000.00; and

**WHEREAS**, by letter dated May 10, 2023, Shorelands Construction, Inc. advised that it was necessary to supply and install one additional Sump Pump and Alarm tied to the Control Panel Alarm System; and

**WHEREAS**, Change Order No. 2 reflects no change in the contract amount, but an extension on the original contract time placing an additional 195 days onto the contract; and

**WHEREAS**, in accordance with the aforesaid letter, the Project Engineer recommended that the Borough approve Change Order No. 2 in order to allow for the Waterwitch Wastewater Pump Station to be completed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Highlands, Change



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Order No. 2 changing the Contract time from the original 148 days to a total of 343 days, resulting in a new contract finish date of December 4, 2023, be and is hereby approved.

**BE IT FURTHER RESOLVED**, that a certified copy of the within Resolution be forwarded to the Chief Financial Officer, the Project Engineer, Purchasing Agent and Shorelands Construction, Inc.

Motion: Mayor Broullon

Second: Cervantes

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

Absent: Olszewski

**REPORTS:** Mayor Broullon: read Council President Olszewski's reports on the schools.

Councilmember Melnyk: reminded residents to sign up for Nixle alerts and gave up updates on the skate park and Snug Harbor Park improvements for the Recreation Department. He also gave updates on Overlook Park, Frank Hall Park, and Ederle Park. Councilmember Melnyk then reported on the progress of the Open Space map.

Councilmember Chelak: noted that the Environment Commission is very happy with the Overlook Park. She listed issues that they were working on addressing – light pollution, steep slope ordinance, and offshore windmills. Councilmember Chelak asked about for updates on Shadowlawn and Mr. Muscillo answered that it's ongoing with removal of some trailers but that he'd get back to her about any fines.

Councilmember Cervantes: reminded all to come out for the Taste of Highlands event.

With no further reports from the dais, Mayor Broullon opened Public Portion.

**PUBLIC PORTION:**

With no comments from the public, Mayor Broullon closed the Public Portion.

**EXECUTIVE SESSION:** Clerk Tran read the following:

Executive Session will be held following the Regular Council Meeting. Prior to each Executive Session, the Borough Council will convene in open session at which time a resolution will be adopted in accordance with N.J.S.A. 10:4-13. No formal action will be taken during Executive Session.

**BE IT RESOLVED** that the following portion of this meeting shall not be open to the public,

**BE FURTHER RESOLVED** that private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Act:

- Potential Litigation

**BE IT FURTHER RESOLVED** that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date when the need for privacy no longer exists.

Motion: Mayor Broullon

Second: Chelak

Ayes: Cervantes, Chelak, Melnyk, Mayor Broullon

Abstain: None

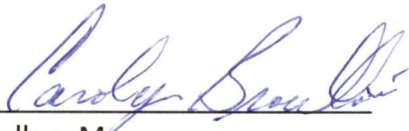
Absent: Olszewski

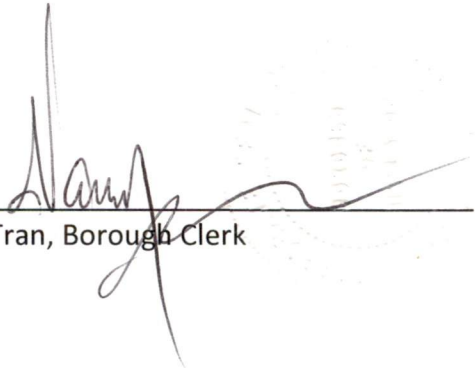
Council entered into Executive Session at 7:43pm and exited at 7:51pm.

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**ADJOURNMENT:**

Offered by Councilmember Melnyk and seconded by Mayor Broullon. All in Favor. None opposed. Councilmember Olszewski was absent. Meeting adjourned at 7:52pm

Approve:   
Carolyn Broullon, Mayor

Attest:   
Nancy Tran, Borough Clerk