

**REGULAR MEETING MINUTES OF THE MAYOR AND COUNCIL
OF THE BOROUGH OF OGDENSBURG
14 HIGHLAND AVE. OGDENSBURG AT 7:00PM
June 11, 2018**

Mayor Slater called the meeting to order at 7:00PM.

Mayor Slater led the Pledge of Allegiance.

ROLL CALL: Astor, Gunderman, Hutnick, Nardini, Nasisi, Opilla.

Absent: Nasisi, Opilla

Also in attendance was Richard Briigliodoro, Borough Attorney.

STATEMENT BY MAYOR: “Notice requirements of P.L. 1975, Open Public Meeting Act, NJS10:4- et.seq. have been satisfied with a schedule of all meetings, together with the time, location and agenda of same being sent to the NEW JERSEY HERALD and NEW JERSEY SUNDAY HERALD and posted on the bulletin board in the Borough Hall on January 3, 2018.”

Councilman Astor moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

CONSENT AGENDA

1. Approval of Workshop Minutes and executive session minutes from May 29, 2018.
2. Approval of Resolution 55-2018 authorizing the Borough Clerk to renew liquor licenses for the 2018-2019 licensing term.
3. Approval of Resolution 56-2018 refund for tax overpayment for 3 Lincoln Ave Block 3.02 Lot 4 owner Erin Kelly refund payable to Metro Title Agency in the amount of \$52.77.
4. Approval of Resolution 57-2018 to hire lifeguards for the 2018 swim season.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,
Nays: None Absent: Nasisi, Opilla Abstain None

Councilman Astor moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

Resolution 55-2018

RESOLUTION AUTHORIZING THE BOROUGH CLERK TO RENEW LIQUOR LICENSES FOR THE 2018-2019 LICENSING TERM

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF OGDENSBURG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, THAT THE FOLLOWING APPLICATIONS FOR THE RENEWAL OF LIQUOR LICENSES IN THE BOROUGH OF OGDENSBURG FOR THE 2018-2019 LICENSING YEAR, EFFECTIVE JULY 1, 2018, BE AND THE SAME HEREBY APPROVED:

PLENARY RETAIL CONSUMPTION – \$414.00

LICENSE #	LICENSEE	ESTABLISHMENT	ADDRESS
1916-33-002-006	Atlantic Manor LLC	Atlantic Manor LLC	83 Main Street

PLENARY RETAIL DISTRIBUTION - \$302.00

1916-44-003-005	A Mannion Venture Inc.	Mannions Wine & Liquor	81 Main Street
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CLUB LICENSE - \$70.00

1916-31-005-001	Ogdensburg Fire Dept. Inc.	Ogdensburg Fire Dept. Inc.	30 Main Street
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Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,
Nays: None Absent: Nasisi, Opilla Abstain None

Councilman Astor moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

Resolution 56-2018

BE IT RESOLVED BY THE COUNCIL OF THE BOROUGH OF OGDENSBURG THAT THE FOLLOWING REFUND BE MADE TO THE INDIVIDUAL LISTED BELOW FOR TAX OVERPAYMENT RECEIVED BY THE BOROUGH TAX COLLECTOR:

BLOCK: 3.02LOT:4

ADDRESS: 3 LINCOLN AVE

OWNER:KELLY, ERIN

AMOUNT TO BE REFUNDED: 52.77
OVER COLLECTION ON 2018 TAXES

MADE PAYABLE TO: METRO TITLE AGENCY
ATTN: SAMUEL ADAMS
MAIL TO: 165 PASSACI AVE. – STE 301
FAIRFIELD, NJ 07004

REGINA FLAMMER
TAX COLLECTOR
MAY 22, 2018

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,
Nays: None Absent: Nasisi, Opilla Abstain None

Councilman Astor moved Councilman Gunderman seconded motion for approval of items on the consent agenda.

Resolution 57-2018

Resolution to Hire Lifeguards for the 2018 swim season

BE IT HEREBY RESOLVED by the Mayor and Common Council of the Borough of Ogdensburg that the following persons be hired for the 2018 swim season pending certification:

Lifeguards

Ashlyn Gec – Co Head Lifeguard	\$10.35
Cameron Gec - Co Head Lifeguard	\$10.35
Ryan McGuire	\$9.50
Emma McGuire	\$9.50
Ryan Oleksy	\$9.50
Grady Egan	\$9.25

Borough Swim Lessons

Boro Swim Lessons will be held the week of June 25th through July 6th.
The lessons will be performed by the life guards.

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Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,

Nays: None Absent: Nasisi, Opilla Abstain None

INTRODUCTION TO ORDINANCE 04-2018

Councilman Astor made a motion to introduce ordinance 04-2018 entitled “AN ORDINANCE AMENDING AN ORDINANCE FIXING THE SALARIES OF THE OFFICES AND EMPLOYEES OF THE BOROUGH OF OGDENSBURG AND REPEALING PRIOR ORDINANCES THEREFORE.” Seconded by Councilman Nardini.

Public hearing will be held on June 25, 2018.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,

Nays: None Absent: Nasisi, Opilla Abstain None

OLD BUSINESS

Heaters Pond Dam – Mayor Slater explained Heater’s Pond Dam work is complete.

Repair of Loop – no update.

JCP & L – Mayor Slater commented Jackie Espinoza stopped by the Fire Department, there is a broken pole in front of the Fire House and there is also one behind it. Ms. Espinoza is getting both of those fixed and they replaced the light on top of Avenue B. So it isn’t blinding the resident there.

Elizabethtown Gas – Mayor Slater commented Elizabethtown Gas plans on starting at the end of the month.

Well Update – Councilman Nardini commented on the 25th they are suppose to start the unit that was order for fixing the electrical units on the pump at Center Street.

Water Personnel – Councilman Nardini commented the job description is ready to post, we asked Civil Service to take a look at the description, and they wanted to review the description before it gets posted.

Health Insurance – no update.

Code Book Codification – Mayor Slater explained coded systems emailed the Clerk; they need some additional information.

Guard Shack – Mayor Slater commented thank you to Mr. Kalafut and Councilman Nardini that 90 percent of the guard shack is done.

Councilman Nardini commented we think it will be done by Friday.

Garbage Contract – Councilman Astor commented we finally received the paper work except the insurance. Ms. Hough explained tomorrow Blue Diamond is supposed to bring in their performance bond and insurance certificate.

Councilman Astor commented there have been some reports of a Blue Diamond driver that has been driving around for a month or so. Councilman Astor contacted Joe from Global and he informed Councilman Astor that once the Borough gave the verbal that we would be willing to do this he had a Blue Diamond employee ride along with the Global trucks and the Global workers to get a feel for the route. As soon as everything was approved there would be a seamless transition.

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Mr. Briigliodoro explained in terms of the contract it does allow for an assignment of the contract subject to our approval. Today we received a written assignment and transfer agreement where Global assigns its rights under the contract to Blue Diamond. We can adopt a resolution tonight.

Mayor Slater asked is the recycling in that contract when they are going to start; it is supposed to go to every other week not just once a month.

Mr. Briigliodoro commented the transmittal email says on June 28 every other Thursday would be recycling day but the assignment transfer agreement does not have that language in there.

Councilman Astor commented would we be able to pass a resolution saying we want what is in the email.

Mr. Briigliodoro commented you can tell them we approve the assignment transfer agreement with the condition that recycling will start on the 28th and every other Thursday. Also subject to the submission of the bond and insurance.

Mr. Briigliodoro commented that should be in form of a resolution. Ms. Hough asked if they wanted to do a motion and second now with a roll call vote.

Mr. Briigliodoro commented so it's a motion to approve the assignment and transfer from Global Waste to Blue Diamond with the new recycling schedule every other Thursday starting on June 28, and submission of the Bond and insurance.

Councilman Astor commented he will make that motion, seconded by Councilman Gunderman.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini,

Nays: None Absent: Nasisi, Opilla Abstain None

Sterling Hill Mine Train Overpass – Councilman Hutnick commented nothing new.

Hot Water Heater and Roof Borough Hall – No update.

Steam Boiler for Historical Building – No update.

Security – No update. Councilman Hutnick commented take this off the list.

Delinquent water bill options – Councilman Nardini commented the language was added to the bills; they went out this week. We can leave this on for another month and just see if it produces some of the stuff Jackie is chasing down; that is the goal.

Internet Service – No update.

Request for Easement – Mayor Slater commented we will turn this over to Mr. and Mrs. Szanyi.

Mr. Szanyi, Corkhill Road, stepped forward to address the Council. Mr. Szanyi commented as you know we are in the process of selling our house; as part of the process we have found that part of our driveway is on Borough Property and at one time it was a proposed road. In getting contracts [for their house] which we have we want to be able to say yes you can use the driveway to access the garage. This is about 900 square feet maybe even 800 square feet from what he has seen using his old survey and trying to figure out numbers. Mr. Szanyi commented he is prepared to do the metes and bounds and everything else but what he would like to have is an agreement saying yes we will do this, if this, this and this is done; he can go back to one or two of the people who are interested in buying the house. Mr. Szanyi passed out two pictures and explained the property.

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Mr. Briigliodoro commented he understands your situation but there are certain rules and regulations that we have to follow because that is what the law says. The Borough has to be satisfied that this belongs to the Borough; the land is no longer needed for public purpose in order to digest itself from any interest in it. Those are some of the things we have to do; typically the Statue provides that we need an appraisal, title work, all of those types of things to satisfy the Statue. Mr. Briigliodoro commented he understands your situation but he is just saying from the Borough's prospective we have to follow the law.

Mr. Szanyi commented if the town owns the property and if the town has no use for it, public use for it, can he get a piece of paper that says we can get the easement or something of that nature in order to protect his driveway.

Mr. Briigliodoro commented it's almost like we are going in reverse; we should get the information first and then we can say based on the information.

Mr. Briigliodoro commented maybe we should do this this way; have an understanding of all the things that the Borough would need. Are you prepared to have an appraisal done up to 900 square feet?

Mr. Szanyi replied if I have to yes, but I need an agreement that the easement will be granted based upon, the town owning the property.

Mr. Briigliodoro commented suppose there is some type of restrictions or limitations in the title that we are not aware off.

Mr. Szanyi commented the Council foreclosed on Dauntel property in 2009; so is there any title work done at that time.

Councilman Gunderman commented somewhere there must be a record.

Councilman Astor commented you are looking for the town to grant access to your property through our property.

Mr. Szanyi commented correct.

Mr. Briigliodoro commented we need a met and bounds description of the property, title report showing everything, who owns the property that there are no restrictions and some kind of valuation from an appraisal.

There was a discussion on insurance and who would be responsible if some gets hurt on the property being considered for the easement.

Mayor Slater asked if he gets the title from 2009 does he need a new one or does he use the one from 2009.

Mr. Briigliodoro commented maybe the title company can start from that point forward.

Councilman Astor commented at best we would be willing to say that yes we are willing to look at this and put it in writing be can't make a resolution.

Mr. Briigliodoro commented if anyone says philosophically we don't have an issue subject to everything is in favor of the Municipality then we can do it.

Mr. Briigliodoro commented the minutes will reflect that it was discussed here tonight and this Body says if you do everything that you are suppose to do according to the Statue and everything else there is probabilities about doing this.

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Councilman Astor commented I'm ok with this.

Mr. Szanyi asked how soon after he delivers all the material to the Council can we do this.

Mr. Briigliodoro commented there are other requirements you need to have an ordinance to grant an easement; so you introduce an ordinance have a public hearing on the ordinance. There are also requirement about putting in the newspaper. Technically there is a lot of stuff we have to do.

NEW BUSINESS

Firehouse Parking lot light – Mayor Slater explained when DPW accidently took the line down, JCP & L came out and removed the entire pole. As of now there are no lights in the back of that parking lot by the tennis court. Mayor Slater commented she reached out to the Borough Engineer and he suggested putting lights on the recycling center or lights on the back of the Fire House. Mayor Slater read an email from the Borough Engineer. The Council discussed different options for putting lights in the back parking lot at the fire house.

Raffle Fee Blue Knights – Mayor Slater commented it came to our attention the Blue Knights are doing a raffle, they came filled out the application and paid the twenty dollar fee to the borough and State. The Clerk sent the application to the State; the borough received a letter insufficient funds. Mayor Slater explained the raffle process and how the fee is charged. They owe the State another \$280.00 for the raffle. The Borough has no ordinance stating what the Borough charges according to the Statue without having that we have to charge what the State charges. Mayor Slater commented her thinking is this is a nonprofit organization they are raising money and she doesn't think the Borough should take another \$280.00 and explained.

Councilman Hutnick commented so since we don't have an ordinance we charge what the State charge.

Mayor Slater commented yes. Councilman Hutnick commented we can make an ordinance to say the fee is \$20.00 to cover the Borough.

Councilman Astor commented why don't we do an ordinance for nonprofit at \$20.00/\$30.00.

Councilman Hutnick commented the fee would be \$20.00 period.

Mr. Briigliodoro commented it has nothing to do with the State it is our fee that is all the Borough can control.

Audit – Mayor Slater commented we received the audit; one item mentioned was we need to use some of the clean communities grant money, we need to come up with some things to spend it on. There was a discussion on the use of the clean community's money.

No Trespassing sign at Pond – Councilman Astor commented he spoke with Mr. Morville; he was up at the pond looking at the area where we want to put signs. Mr. Morville will be getting back to us as to where and what should be on the signs.

Fireman's County Parade – Mayor Slater commented she received a call last Thursday from the Fireman Parade Committee, the meeting she wasn't here, we had a resident come in with concerns of a certain fire department that was going to be attending the parade. That fire department apparently got wind and saw our minutes from that meeting and was questioned if they were going to be allowed to attend the parade. This is not our parade, we do not control the parade, and we have no say in who comes and who doesn't come. Mayor Slater commented she let them know it is up to the fire department to invite whoever should be at the parade, these are fire departments from our County it is a County parade. Mayor Slater commented she let him

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know if there are any issues or concerns; anything comes up the Police will be on duty that day and they will have to step in to avoid any issues or conflicts.

PUBLIC SESSION

Councilman Gunderman moved, Councilman Hutnick seconded motion to open the public session of the meeting. All were in favor.

Councilman Nardini asked as a public member he wanted to let the Council know Friends of Heaters Pond could not be here but he is submitting the application for them for the next three advents and explained. There was a discussion on the events coming up at Heaters Pond, if the events are for residents only and can residents bring a guest to the events.

Mayor Slater commented let's see if anywhere anything says what the town can and cannot do. As of now leave it residents only until she figures out what is in there.

There being no further business from the public, Councilman Astor moved, Councilman Nardini seconded motion to close the public session of the meeting. All were in favor.

EXECUTIVE SESSION

Councilman Astor moved, Councilman Hutnick seconded motion to adopt the following resolution

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L., 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ogdensburg, County of Sussex, State of New Jersey, as follows;

Update on FOP contract

The public shall be excluded from discussion of an action upon the hereinafter specified subject matter(s). The general nature of the subject matter to be discussed is as follows:

It is anticipated at this time that the above stated subject matter will be made public when settled. Action may be taken on the above listed matter/matters or on other matters discussed in closed session. This resolution shall take effect immediately.

At 8:02p.m. Councilman Astor moved, Councilman Hutnick seconded motion to go into executive session to discuss update on FOP contract.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini

Nays: None Absent: Nasisi, Opilla Abstain None

Mayor and Council returned from executive session at 8:10 p.m.

PAYMENT OF VOUCHERS

Department finance reports were handed in for review.

Councilman Astor made a motion to approve payment of the vouchers and department reports. Seconded by Mr. Nardini.

Upon Roll call Vote:

Yeas: Astor, Gunderman, Hutnick, Nardini

Nays: None Absent: Nasisi, Opilla Abstain None

Current

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<u>DATE</u>	<u>CHEC K #</u>	<u>PAID TO</u>	<u>AMOUNT</u>	<u>VOID DATE</u>	<u>REASON</u>
5/17/2018	8	29791 Wallkill Valley Regional H.S.	107,191.90		
5/17/2018	8	29792 Weiner Law Group LLP	14,116.00		
5/17/2018	8	29793 Weiner Law Group LLP	13,298.24		
5/29/2018	8	29794 CenturyLink	527.72		
5/29/2018	8	29795 CenturyLink	706.56		
5/29/2018	8	29796 LINA	175.50		
5/29/2018	8	29797 Elizabethtown Gas	779.75		
5/29/2018	8	29798 Horizon BC/BS of NJ	1,009.49		
5/29/2018	8	29799 Horizon BC/BS of NJ	1,661.91		
5/29/2018	8	29800 Horizon BC/BS of NJ	958.30		
5/29/2018	8	29801 Horizon BC/BS of NJ	345.10		
5/29/2018	8	29802 JCP&L	1,732.55		
5/29/2018	8	29803 Oxford Health Plans	9,014.13		
5/29/2018	8	29804 Statewide Insurance Fund	10,793.00		
5/29/2018	8	29805 Statewide Insurance Fund	27,131.00		
5/29/2018	8	29806 Verizon Business	149.35		
6/1/2018		29807 Arthur J. Gallagher Risk Management	1,095.00		
6/12/2018	8	29808 145 Media	147.00		
6/12/2018	8	29809 Aurora Computer Urgent Care LLC	1,495.40		
6/12/2018	8	29810 Bassani Power Equipment, LLC	151.93		
6/12/2018	8	29811 Clean Life Cleaning Service LLC	375.00		
6/12/2018	8	29812 Complete Security Systems, Inc.	24.20		
6/12/2018	8	29813 Davis, Stephen	1,065.00		
6/12/2018	8	29814 Dolan & Dolan Esqs.	429.70		
6/12/2018	8	29815 Dover Brake & Clutch Co., Inc	727.00		
6/12/2018	8	29816 Global Waste Industries, Inc.	13,833.33		
6/12/2018	8	29817 Gramco Business Communications	199.00		
6/12/2018		29818 Grass Roots Turf Products, Inc.			

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	8		1,682.25	
6/12/201	8	29819 Allied Oil	5,367.56	
6/12/201	8	29820 Home Depot	515.86	
6/12/201	8	29821 Jackie Ward	169.00	
6/12/201	8	29822 JCP&L	1,656.12	
6/12/201	8	29823 Johnny on the Spot, LLC	537.70	
6/12/201	8	29824 Kuiken Brothers	54.08	
6/12/201	8	29825 Laddey, Clark & Ryan	400.00	
6/12/201	8	29826 Lafayette Auto Parts	84.79	
6/12/201	8	29827 Metro Title Agency, Inc.	52.77	
6/12/201	8	29828 Montague Tool & Supply Co	290.30	
6/12/201	8	29829 New Jersey Herald	14.40	
6/12/201	8	29830 NJ Division of Alcoholic Beverage	12.00	
6/12/201	8	29831 Ogdensburg Board of Education	200,479.17	
6/12/201	8	29832 Poster Compliance Center	139.90	
6/12/201	8	29833 ProPay Inc	179.44	
6/12/201	8	29834 Public Works Assoc. of NJ	75.00	
6/12/201	8	29835 ReadyRefresh	17.58	
6/12/201	8	29836 Rileighs Outdoor Decor	734.75	
6/12/201	8	29837 Staples Business Advantage	121.16	
6/12/201	8	29838 Township of Sparta	8,985.00	
6/12/201	8	29839 Township of Sparta, Police Dept.	13,899.50	
6/12/201	8	29840 Township of Wantage	3,141.25	
6/12/201	8	TRI STATE PAPER & CLEANING		
6/12/201	8	29841 SUPPLIES	48.60	
6/12/201	8	29842 Van Cleef Engineering Assoc, LLC	687.50	
6/12/201	8	29843 Varcadipane Jr, William J.	1,157.00	
6/12/201	8	29844 Verizon Wireless	120.24	
6/12/201	8	29845 Wallkill Valley Regional H.S.	107,191.90	
			=====	
			556,947.88	
5/15/201	29757	Eastern Propane Corp		6/5/2018 Duplicat

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556,061.84

Dog Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/12/2018	208	NJ Dept of Health & Senior Service	63.00
			=====
			63.00

General Capital

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/12/2018	1097	Deptcor, Bureau of State Us Ind.	200.00
			=====
			200.00

Grant Fund

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
6/12/2018	29846	Center for Prevention & Counseling	775.00
6/12/2018	29847	Cherry, Weber & Associates, PC	10,677.20
6/12/2018	29848	Gibson, Connie	120.17
6/12/2018	29849	Goscicki, Monica	122.00
6/12/2018	29850	SK Office Supply, Inc.	840.00
6/12/2018	29851	Sussex County Municipal Utility	598.80
6/12/2018	29852	Van Cleef Engineering Assoc. LLC	125.00
			=====
			13,258.17

Vernon RCA

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
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6/12/2018	133	Community Action Services	2,700.00
6/12/2018	134	FCR Construction LLC	21,670.00
			=====
			24,370.00

Water Op

<u>DATE</u>	<u>CHECK #</u>	<u>PAID TO</u>	<u>AMOUNT</u>
5/29/2018	4774	JCP&L	130.78
6/12/2018	4775	Aurora Computer Urgent Care LLC	67.60
6/12/2018	4776	Hank Sanders Inc	2,642.74
6/12/2018	4777	JCP&L	2,328.58
6/12/2018	4778	One Call Concepts, Inc.	18.75
6/12/2018	4779	Staples Business Advantage	5.95
			=====
			5,194.40

There being no further business, Councilman Astor moved, Councilman Nardini seconded motion to adjourn the meeting. All were in favor.

Meeting adjourned at 8:16p.m.

Robin Hough, Borough Clerk

Rachel Slater, Mayor