

REGULAR MEETING – JUNE 28, 2010 – 7:30 P.M.

Pledge of Allegiance.

Roll Call: Commissioner McGovern, Commissioner Gorman, Mayor Mahon.

Borough Clerk reads the following statement:

This is a regular meeting of the Board of Commissioners of the Borough of Avon-By-The-Sea and notice of time, date and place has been transmitted to the area newspapers, Avon Board of Education, Avon Public Library and the Avon Post Office in compliance with the rules and regulations of the Open Public Meetings Law.

Fire Exits are located in the directions I am indicating. In case of fire, you will be notified by an alarm bell. If so notified, please move in a calm, orderly manner to the nearest smoke free exit. Thank you.

Motion by McGovern seconded by Mahon that the minutes of the meeting of June 14, 2010 be approved as written.

The Vote:

Aye: McGovern, Mahon (Comm. Gorman absent)

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 9-2010 entitled:

**“ AN ORDINANCE TO AMEND AND SUPPLEMENT
THE 2009 SALARIES OF THE OFFICERS AND
EMPLOYEES OF THE BOROUGH OF AVON-BY-
THE-SEA.”**

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea:

SECTION 1. The annual salaries of the following Borough Officials and Employees are hereby fixed and determined to be as follows:

Mayor	\$ 4,500.00
Commissioner	3,000.00
Commissioner	3,000.00

POLICE DEPARTMENT:

Police Chief	109,472.00
Captain	100,247.00
Lieutenant	94,181.00
Policeman (after 11 years)	88,176.00
Policeman (after 10 years)	86,447.00
Policeman (after 9 years)	81,247.00
Policeman (after 8 years)	76,508.00
Policeman (after 7 years)	71,769.00
Policeman (after 6 years)	67,028.00
Policeman (after 5 years)	62,290.00
Policeman (after 4 years)	57,551.00
Policeman (after 3 years)	53,488.00
Policeman (after 2 years)	49,425.00

Policeman (after 1 year)	45,362.00
Probationary	41,978.00
Academy	39,269.00
Dispatchers (hourly)	
First Year	11.00
Second Year	11.50
Third Year	12.50
Fourth Year	13.00
Class I Special Officers (hourly)	
First Year	11.00
Second Year	11.50
Third Year	12.00
Class II Special Officers (hourly)	
First Year	13.50
Second Year	14.00
Third Year	15.00
School Crossing Guards (hourly)	9.75

FIRE DEPARTMENT:

Fire Chief	675.00
Deputy Chief	560.00
Captain	445.00
1st Lieutenant	390.00
2nd Lieutenant	340.00
Chief Engineer	295.00
Assistant Engineer	225.00

BOROUGH OFFICE:

Borough Clerk	105,611.00
Tax Collector	44,622.00
Deputy Clerk	49,257.00
Administrative Assistant	31,024.00

WATER/SEWER DEPARTMENT:

Superintendent	96,555.00
Twenty-four hour stand-by time:	
Weekends, Holidays	25.00
Stand-by time	7.00
Part-Time/Seasonal	11.00

LIBRARY:

Librarian	47,847.00
Librarian Aids (part-time, hourly)	9.00-17.50

STREET DEPARTMENT:

Superintendent	95,599.00
Step 9 (after 13 years)	67,215.28
Step 8 (after 11 years)	64,083.51
Step 7 (after 8 years)	60,399.19
Step 6 (after 6 years)	56,031.50
Step 5 (after 4 years)	53,432.31

Step 4 (after 3 years)	48,610.05
Step 3 (after 2 year)	45,264.71
Step 2 (first year regular)	40,975.92
Step 1 (probationary first year)	37,989.45
Mechanic (additional)	500.00
Acting Department Head (additional)	500.00

Public Works Employees hired after January 1, 2005:

Step 13 (after 13 years)	50,830.60
Step 12 (after 12 years)	49,554.24
Step 11 (after 11 years)	48,277.88
Step 10 (after 10 years)	47,001.52
Step 9 (after 9 years)	45,725.16
Step 8 (after 8 years)	44,448.80
Step 7 (after 7 years)	42,945.70
Step 6 (after 6 years)	41,493.43
Step 5 (after 4 years)	38,779.15
Step 4 (after 3 years)	36,241.49
Step 3 (after 2 years)	33,870.49
Step 2 (after 1 year)	31,654.04
Step 1 (probationary)	29,584.39

SANITATION DEPARTMENT:

Sanitation employees' salaries equivalent to the Street Department employees listed above with the exception of:

Sanitation/Street Helpers, year round, "at will" (hourly)	9.25 – 12.00
Summer Sanitation Helpers (hourly)	9.75
Summer Street Helpers (hourly)	7.25

SECTION 2. The annual salaries of the following Borough Employees are hereby fixed and determined as follows:

Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	16,468.00
Municipal Court Administrator	33,495.00
Welfare Director	3,650.00
Fire Inspector	2,600.00
Plumbing Inspector	6,500.00 – 7,500.00
Electrical Inspector	6,500.00 – 7,500.00
Recreation Director	18,000.00
Chief Financial Officer	30,000.00
Emergency Management Coordinator	1,500.00
Assistant Emergency Management Coordinator	800.00
Code Enforcement Official	6,000.00
Construction Code Official	7,000.00 – 8,000.00
Zoning Official	6,000.00
Construction Code Secretary	3,500.00
Recycling Secretary	2,000.00
Building Inspector	7,000.00 – 8,000.00

SECTION 3. The annual salaries of the following Employees are hourly or daily as follows:

Planning Board Secretary	30.00
Municipal Attorney	130.00
Municipal Prosecutor (per court session)	275.00
Deputy Court Administrator	14.50
Bureau of Fire Safety	21.00
Assistant Fire Bureau	11.00
Grant Coordinator	20.00 – 22.00
Occasional Employees	6.00 – 25.00
Public Defender	225.00/session

SECTION 4. The annual salaries of the following Summer Employees are hereby fixed:

Recreation Director	3,000.00
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Beachfront Supervisor: (yearly)

First Year	8,500.00
Second Year	9,500.00
Third Year	10,500.00
Fourth Year	11,500.00
Five or More Years	12,500.00

Chief Lifeguard	7,500.00 – 8,500.00
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Beach Lifeguards: (daily)

Captain	94.00
Step 6	88.00
Step 5	86.00
Step 4	82.00
Step 3	78.00
Step 2	73.00
Step 1	68.00

Beach Badge Security: (hourly)

Checkers	10.00 – 12.00
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Beach Public Buildings:

Custodians	8.00 – 11.00
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Beach Cleaners	6.75
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Beach Cashiers (daily)

1-3 years	67.00
4 years and over	72.00

Gatetenders (daily)	53.00
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Sales Manager (hourly)	13.50
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Pool Crossing Guard	8.25 – 9.75
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Pool Clean-Up Person	6.00
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Pool Manager	7,500.00
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Pool Lifeguards (daily, 6 days/week)

Captain	76.00
Step 4	72.00

Step 3	68.00
Step 2	63.00
Step 1	58.00

Pool Cashiers (Daily)

1 to 3 years	65.00
4 years & over	70.00

SECTION 5. The annual salaries heretofore fixed and determined are based on a 40 hour work week for all full time employees. In the event said employees are authorized by the Commissioner in charge of their department to work overtime, said employee shall be entitled to be paid one and one-half times the hourly rate that their annual salaries would equal on a 40 hour basis for each hour of overtime. The Police Department and the Public Works Department shall be governed by their contract. Overtime pay shall not apply to the Police Chief, Borough Clerk, Water Superintendent and Public Works Superintendent who are considered to be on call for Borough business at all times, however, compensatory time will be allowed at the rate of one (1) hour off for each hour of overtime and must be approved by the Commissioner in charge of that department. Compensatory time must be taken over the succeeding twelve (12) months.

SECTION 6. All full time employees will receive fourteen (14) paid holidays off, which must be taken during the calendar year.

SECTION 7. All full time employees with the exception of employees covered by a separate contract, are entitled to annual vacation leave according to the following schedule:

New employees – for the first years work	1 week
After first year and up to the tenth year	2 weeks
After tenth year and up to twenty years	3 weeks
After twenty years	4 weeks

Vacation time is due after each year worked, and must be taken over the succeeding 24 months, and is not accruable beyond that point. In the event of termination of employment, vacation pay will be on a pro-rated basis.

SECTION 8. All full time employees shall receive as additional compensation the following:

<u>Beginning With</u>	<u>Longevity Amount</u>
Fifth year of service	2% of base salary
Tenth year of service	4% of base salary
Fifteenth year of service	6% of base salary
Twentieth year of service	8% of base salary
Twenty-fifth year of service	10% of base salary

Longevity will be paid during the first pay period of December of that year and will not be a part of the monthly earnings.

SECTION 9. All full time employees shall be entitled to personal days in accordance with the following schedule, subject to approval of the Department Supervisor. Except in emergency, 72 hours prior

notice must be given. Personal days must be taken during the calendar year.

After 1 year of service	3 personal days
After 3 years of service	4 personal days
After 5 years of service	5 personal days

Unused personal days may be accumulated as sick days but are not to exceed three (3) in any given year for the Public Works Department only.

SECTION 10. The Borough will pay the full premium for Blue Cross/Blue Shield coverage, or any other comparable plan, including the family plan and Major Medical for all full time employees, the Borough shall continue to pay premiums for any Borough Employee who has retired after not less than twenty-five (25) years of full time service, until said employee reaches the age at which time he/she is entitled to and eligible to enroll in the Medicare program as their primary carrier. The Borough shall continue to pay for the secondary/supplemental carrier. The Borough shall reimburse employees who have retired after 25 years of service, and who are on Medicare, the monthly amount, payable twice a year, which the retiree has paid to social security for part B medical coverage. All full time employees are covered by a Drug Prescription plan with a co-pay determined by the plan. The Police Department, Public Works Department and the Borough Supervisors are governed by their contracts.

SECTION 11. All full time regular employees, with the exception of the Police Department, Public Works Department and Supervisors, who are governed by their contract, shall receive twelve (12) sick days per year during the term of this ordinance. A partial year of employment shall be counted pro-rate. Sick days may be accumulated, but shall not be transferable and shall have no monetary value on cessation of employment. A medical certification shall be provided by employee for absences of five (5) days or more consecutive work days. Additional sick days may be granted to employees who have exhausted their sick days. Such additional sick days may only be granted under extenuating circumstances at the sole discretion of the Director of each Department. The Borough Clerk shall make all computation and shall notify each employee of his accumulated sick leave at the beginning of each year in writing. The Police Department, Public Works Department and the Borough Supervisors are governed by their contracts.

SECTION 12. All full time employees who have been employed by the Borough for a minimum of twenty (20) years shall receive upon retirement, in addition to any and all other benefits due, a sum of money equivalent to ninety (90) days salary at said employee's regular rate of pay at the time of said retirement. Any full time employee who has been employed by the Borough for a minimum of twenty (20) years shall receive upon death, a sum of money equivalent to ninety (90) days salary at said employee's regular rate of pay at the time of death. Payment is conditioned upon death occurring during the time such employee is actively employed by the Borough of Avon-By-The-Sea. This payment is in addition to any and all other benefits due. The ninety (90) days

provided for this terminal leave shall be equal to one-fourth (1/4) or 25% of the employee's annual salary.

SECTION 13. All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Deputy Clerk and Tax Collector between the parties, are hereby ratified and reconfirmed.

SECTION 14. This ordinance shall take effect upon final passage and publication according to law, and shall be retroactive to January 1, 2009.

Would anyone like to be heard on the above ordinance? No one.

Motion by McGovern seconded by Gorman that the above Ordinance No. 9-2010 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 10-2010 entitled:

**“ AN ORDINANCE TO AMEND AND SUPPLEMENT
THE 2010 SALARIES OF THE OFFICERS AND
EMPLOYEES OF THE BOROUGH OF AVON-BY-
THE-SEA. ”**

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea:

SECTION 1. The annual salaries of the following Borough Officials and Employees are hereby fixed and determined to be as follows:

Mayor	\$ 4,500.00
Commissioner	3,000.00
Commissioner	3,000.00

POLICE DEPARTMENT:

Police Chief	112,209.00
Captain	102,252.00
Lieutenant	96,065.00
Policeman (after 11 years)	89,939.00
Policeman (after 10 years)	86,447.00
Policeman (after 9 years)	81,247.00
Policeman (after 8 years)	76,508.00
Policeman (after 7 years)	71,769.00
Policeman (after 6 years)	67,028.00
Policeman (after 5 years)	62,290.00
Policeman (after 4 years)	57,551.00
Policeman (after 3 years)	53,488.00
Policeman (after 2 years)	49,425.00
Policeman (after 1 year)	45,362.00
Probationary	41,978.00
Academy	39,269.00

Dispatchers (hourly)	
First Year	11.00
Second Year	11.50
Third Year	12.50
Fourth Year	13.00
Class I Special Officers (hourly)	
First Year	11.00
Second Year	11.50
Third Year	12.00
Class II Special Officers (hourly)	
First Year	13.50
Second Year	14.00
Third Year	15.00
School Crossing Guards (hourly)	9.75

FIRE DEPARTMENT:

Fire Chief	675.00
Deputy Chief	560.00
Captain	445.00
1st Lieutenant	390.00
2nd Lieutenant	340.00
Chief Engineer	295.00
Assistant Engineer	225.00

BOROUGH OFFICE:

Borough Clerk	108,251.00
Tax Collector	45,738.00
Deputy Clerk	50,489.00
Administrative Assistant	31,800.00

WATER/SEWER DEPARTMENT:

Superintendent	98,969.00
Twenty-four hour stand-by time:	
Weekends, Holidays	25.00
Stand-by time	7.00
Part-Time/Seasonal	11.00

LIBRARY:

Librarian	49,043.00
Librarian Aids (part-time, hourly)	9.00-17.50

STREET DEPARTMENT:

Superintendent	97,989.00
Step 9 (after 13 years)	68,223.51
Step 8 (after 11 years)	65,044.76
Step 7 (after 8 years)	61,305.18
Step 6 (after 6 years)	56,871.97
Step 5 (after 4 years)	54,233.79
Step 4 (after 3 years)	49,339.20
Step 3 (after 2 year)	45,943.68
Step 2 (first year regular)	41,590.56
Step 1 (probationary first year)	38,559.29

Public Works Employees hired after January 1, 2005:

Step 13 (after 12 years)	51,593.06
Step 12 (after 11 years)	50,297.55
Step 11 (after 10 years)	49,002.05
Step 10 (after 9 years)	47,706.54
Step 9 (after 8 years)	46,411.46
Step 8 (after 7 years)	45,115.53
Step 7 (after 6 years)	43,589.89
Step 6 (after 5 years)	42,115.83
Step 5 (after 4 years)	39,360.84
Step 4 (after 3 years)	36,785.11
Step 3 (after 2 years)	34,378.55
Step 2 (after 1 year)	32,128.85
Step 1 (probationary)	30,028.16

SANITATION DEPARTMENT:

Sanitation employees' salaries equivalent to the Street Department employees listed above with the exception of:

Sanitation/Street Helpers, year round, "at will" (hourly)	9.25 – 12.00
Summer Sanitation Helpers (hourly)	9.75
Summer Street Helpers (hourly)	7.25

SECTION 2. The annual salaries of the following Borough Employees are hereby fixed and determined as follows:

Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	16,880.00
Municipal Court Administrator	34,332.00
Welfare Director	3,650.00
Fire Inspector	2,600.00
Plumbing Inspector	6,500.00 – 7,500.00
Electrical Inspector	6,500.00 – 7,500.00
Recreation Director	18,000.00
Chief Financial Officer	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	1,000.00
Code Enforcement Official	6,000.00
Construction Code Official	7,000.00 – 8,000.00
Zoning Official	6,000.00
Construction Code Secretary	3,500.00
Recycling Secretary	2,000.00
Building Inspector	7,000.00 – 8,000.00

SECTION 3. The annual salaries of the following Employees are hourly or daily as follows:

Planning Board Secretary	30.00
Municipal Attorney	130.00
Municipal Prosecutor (per court session)	275.00
Deputy Court Administrator	15.00
Bureau of Fire Safety	21.00
Assistant Fire Bureau	11.00
Grant Coordinator	20.00 – 23.00

Occasional Employees	6.00 – 25.00
Public Defender	225.00/session

SECTION 4. The annual salaries of the following Summer Employees are hereby fixed:

Recreation Director	3,000.00
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Beachfront Supervisor: (yearly)

First Year	8,500.00
Second Year	9,500.00
Third Year	10,500.00
Fourth Year	11,500.00
Five or More Years	12,500.00

Chief Lifeguard	7,500.00 – 8,500.00
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Beach Lifeguards: (daily)

Captain	94.00
Step 6	88.00
Step 5	86.00
Step 4	82.00
Step 3	78.00
Step 2	73.00
Step 1	68.00

Beach Badge Security: (hourly)

Checkers	10.00 – 12.00
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Beach Public Buildings:

Custodians	8.00 – 11.00
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Beach Cleaners	6.75
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Beach Cashiers (daily)

1-3 years	67.00
4 years and over	72.00

Gatetenders (daily)	53.00
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Sales Manager (hourly)	13.50
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Pool Crossing Guard	8.25 – 9.75
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Pool Clean-Up Person	6.00
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Pool Manager	7,500.00
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Pool Lifeguards (daily, 6 days/week)

Captain	76.00
Step 4	72.00
Step 3	68.00
Step 2	63.00
Step 1	58.00

Pool Cashiers (Daily)

1 to 3 years	65.00
4 years & over	70.00

SECTION 5. The annual salaries heretofore fixed and determined are based on a 40 hour work week for all full time employees. In the event said employees are authorized by the Commissioner in charge of their department to work overtime, said employee shall be entitled to be paid one and one-half times the hourly rate that their annual salaries would equal on a 40 hour basis for each hour of overtime. The Police Department and the Public Works Department shall be governed by their contract. Overtime pay shall not apply to the Police Chief, Borough Clerk, Water Superintendent and Public Works Superintendent who are considered to be on call for Borough business at all times, however, compensatory time will be allowed at the rate of one (1) hour off for each hour of overtime and must be approved by the Commissioner in charge of that department. Compensatory time must be taken over the succeeding twelve (12) months.

SECTION 6. All full time employees will receive fourteen (14) paid holidays off, which must be taken during the calendar year.

SECTION 7. All full time employees with the exception of employees covered by a separate contract, are entitled to annual vacation leave according to the following schedule:

New employees – for the first years work	1 week
After first year and up to the tenth year	2 weeks
After tenth year and up to twenty years	3 weeks
After twenty years	4 weeks

Vacation time is due after each year worked, and must be taken over the succeeding 24 months, and is not accruable beyond that point. In the event of termination of employment, vacation pay will be on a pro-rated basis.

SECTION 8. All full time employees shall receive as additional compensation the following:

<u>Beginning With</u>	<u>Longevity Amount</u>
Fifth year of service	2% of base salary
Tenth year of service	4% of base salary
Fifteenth year of service	6% of base salary
Twentieth year of service	8% of base salary
Twenty-fifth year of service	10% of base salary

Longevity will be paid during the first pay period of December of that year and will not be a part of the monthly earnings.

SECTION 9. All full time employees shall be entitled to personal days in accordance with the following schedule, subject to approval of the Department Supervisor. Except in emergency, 72 hours prior notice must be given. Personal days must be taken during the calendar year.

After 1 year of service	3 personal days
After 3 years of service	4 personal days
After 5 years of service	5 personal days

Unused personal days may be accumulated as sick days but are not to exceed three (3) in any given year for the Public Works Department only.

SECTION 10. The Borough will pay the full premium for Blue Cross/Blue Shield coverage, or any other comparable plan, including the family plan and Major Medical for all full time employees, the Borough shall continue to pay premiums for any Borough Employee who has retired after not less than twenty-five (25) years of full time service, until said employee reaches the age at which time he/she is entitled to and eligible to enroll in the Medicare program as their primary carrier. The Borough shall continue to pay for the secondary/supplemental carrier. The Borough shall reimburse employees who have retired after 25 years of service, and who are on Medicare, the monthly amount, payable twice a year, which the retiree has paid to social security for part B medical coverage. All full time employees are covered by a Drug Prescription plan with a co-pay determined by the plan. The Police Department, Public Works Department and the Borough Supervisors are governed by their contracts.

SECTION 11. All full time regular employees, with the exception of the Police Department, Public Works Department and Supervisors, who are governed by their contract, shall receive twelve (12) sick days per year during the term of this ordinance. A partial year of employment shall be counted pro-rate. Sick days may be accumulated, but shall not be transferable and shall have no monetary value on cessation of employment. A medical certification shall be provided by employee for absences of five (5) days or more consecutive work days. Additional sick days may be granted to employees who have exhausted their sick days. Such additional sick days may only be granted under extenuating circumstances at the sole discretion of the Director of each Department. The Borough Clerk shall make all computation and shall notify each employee of his accumulated sick leave at the beginning of each year in writing. The Police Department, Public Works Department and the Borough Supervisors are governed by their contracts.

SECTION 12. All full time employees who have been employed by the Borough for a minimum of twenty (20) years shall receive upon retirement, in addition to any and all other benefits due, a sum of money equivalent to ninety (90) days salary at said employee's regular rate of pay at the time of said retirement. Any full time employee who has been employed by the Borough for a minimum of twenty (20) years shall receive upon death, a sum of money equivalent to ninety (90) days salary at said employee's regular rate of pay at the time of death. Payment is conditioned upon death occurring during the time such employee is actively employed by the Borough of Avon-By-The-Sea. This payment is in addition to any and all other benefits due. The ninety (90) days provided for this terminal leave shall be equal to one-fourth (1/4) or 25% of the employee's annual salary.

SECTION 13. All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Deputy Clerk and Tax Collector between the parties, are hereby ratified and reconfirmed.

SECTION 14. This ordinance shall take effect upon final passage and publication according to law, and shall be retroactive to January 1, 2010.

Would anyone like to be heard on the above ordinance? No one.

Motion by McGovern seconded by Gorman that the above Ordinance No. 10-2010 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 11-2010 entitled:

**“ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 64, BEACHES, OF THE CODE OF THE
BOROUGH OF AVON-BY-THE-SEA, MONMOUTH
COUNTY, NEW JERSEY.”**

Mayor said he has received some questions about the ordinance. Doug Carter-Rec. Dir., Dave Larkin-Fire Dept. Rep., Barry Cooke-Borough Attorney, spoke.

Motion by McGovern seconded by Mahon that the above Ordinance No. 11-2010 be tabled at this time.

The Vote:

Aye: McGovern, Mahon

No: None

Abstain: Gorman

RESOLUTION offered by McGovern seconded by Mahon that Michele Darling, CMR is hereby appointed as the Registrar of Vital Statistics for a three (3) year term effective June 24, 2010.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that Mary Sapp, CMR is hereby appointed as the Deputy Registrar of Vital Statistics for a three (3) year term effective June 24, 2010.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that Kerry McGrath is hereby appointed as the Alternate Registrar of Vital Statistics for a three (3) year term effective June 24, 2010.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the bills in the amount of \$564,210.53 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard? No one.

Motion by McGovern seconded by Gorman that being there is no further business, the meeting is adjourned.

The Vote:

Aye: All

No: None

Robert Mahon, Mayor

Robert P. McGovern, Commissioner

Francis E. Gorman, Commissioner

**Timothy M. Gallagher, RMC
Borough Clerk**