

**Pennington Borough Council  
Regular Meeting – June 3, 2024**

Mayor Davy called the Regular Meeting of the Borough Council to order at 7:00 pm. The meeting was held via Zoom. Borough Clerk Betty Sterling called the roll with Council Members Angarone, Gnatt, Marciante, Stern and Valenza in attendance. Mrs. Chandler was absent.

Also present were Borough Clerk Betty Sterling, Borough Attorney Walter Bliss, Borough Administrator GP Caminiti, Chief Financial Officer Sandra Webb, Superintendent of Public Works Rick Smith and Police Chief Doug Pinelli.

Mayor Davy announced that notice of this meeting has been given to the Hopewell Valley News, Trenton Times and was posted on the door at Borough Hall and on the Borough web-site according to the regulations of the Open Public Meetings Act.

**Open to the Public**

Mayor Davy read the following statement.

The meeting is now open to the public for comments. In an effort to provide everyone interested an opportunity to address his or her comments to the Governing Body, a public comment time limit has been instituted for each speaker. **Please raise your hand and when the Borough Administrator acknowledges you state your name and address for the record. Please limit comments to the Governing Body to a maximum of 2 minutes.**

Mr. Dan Pace of 9 Railroad Place asked if there had been any progress made with regard to participants in the Webinar being able to see the names of other participants in the webinar. Mrs. Sterling stated that she looked into it and because we are using the webinar function participants are not able to see other participants. Ms. Stern and Ms. Angarone asked why the meetings were held as webinars. Mrs. Sterling explained that we have less control with a meeting as anyone who joins is in the meeting and can participate and we need to be able to address issues that come up that are inappropriate.

**MAYOR'S BUSINESS**

Mayor Davy announced that the Borough has been awarded an ANJEC Grant in the amount of \$1,500.00. Mayor Davy announced that the Borough was denied the Pennington Day Grant that was applied for.

Mayor Davy announced that Chief Doug Pinelli will be retiring effective February 1, 2025.

Mayor Davy announced that a meeting with residents of Baldwin Street and Baldwin Court will be held on June 11<sup>th</sup> at 6:00 pm for anyone interested in hearing a presentation by the Borough Engineer on the preliminary design of the road project.

**PRESENTATIONS**

Mayor Davy introduced Kieran John, Chair of the Environmental Commission who presented a very detailed power point on what the Environmental Commission is working on and progress they have made on various projects.

**APPROVAL OF MINUTES**

Council Member Marciante made a motion to approve the minutes of the April 29, 2024, Work Session Meeting, second by Council Member Gnatt with all members present voting in favor.

Council Member Marciante made a motion to approve the minutes of the May 6, 2024 Regular Meeting, second by Council Member Gnatt with all members present voting in favor.

**APPROVAL OF CLOSED SESSION MINUTES (FOR CONTENT BUT NOT FOR RELEASE)**

Council Member Stern made a motion to approve the minutes of the March 25, 2024, Closed Session for content but not for release, second by Council Member Angarone with all members present voting in favor.

Council Member Marciante made a motion to approve the minutes of the April 29, 2024, Closed Session for content but not for release, second by Council Member Angarone with all members present voting in favor.

**ORDINANCES FOR INTRODUCTION**

Mayor Davy stated that Ordinance 2024-11, an ordinance clarifying the security deposit for use of Kunkel Park was discussed at the work session and an ordinance was prepared for introduction, however, since the

work session there have been no further discussions and the ordinance is not ready for introduction tonight. Mayor Davy stated that this will come back for discussion at the next work session.

**COMMITTEE REPORTS**

**Personnel / Economic Development** – Ms. Angarone stated that the Personnel Committee met and they continue to work with the Borough Administrator on a performance review plan. Ms. Angarone had no report for Economic Development.

**Public Works / Planning Board / Historic Preservation** – Ms. Stern reported that Public Works met and talked about the NJDOT Municipal Aid Application that is due July 1<sup>st</sup> and the Borough Administrator is working with Rick Smith to determine which streets should be part of the application. Ms. Stern reported that Mercer County has sent an e-mail agreeing to pave the roads that were requested for paving. Mayor Davy stated that he was notified that the project was included in the budget, but the budget is not approved yet.

Ms. Stern stated that Planning Board met and they had a discussion about a property on Route 31 which will be included in the Master Plan update. Ms. Stern stated that the GBESE element of the Master Plan was presented and approved.

Ms. Stern stated that Historic Preservation did not meet in May.

**Finance & Public Safety / Open Space / Arboretum / Landfill** – No report as Mrs. Chandler was absent.

**Library / Shade Tree** – Ms. Gnatt gave an update on the Shade Tree meeting held in May. Ms. Gnatt stated that the Arboretum committee is seeking volunteers to assist with clean up at the Arboretum during the month of June.

Ms. Gnatt gave a report of the Library Board and upcoming Library activities and events. Ms. Gnatt stated that Saturday hours will be extended to 10am to 3pm beginning at the end of June.

**Parks & Recreation** – Mr. Marciante reported that Parks & Recreation did a great job sponsoring the Memorial Day Parade and concert. Mr. Marciante stated that upcoming events include a concert in June and the July 4<sup>th</sup> races. Mr. Marciante stated that Parks and Recreation ordered shirts to wear at Borough events.

**Board of Health / Environmental Commission** – Mr. Valenza stated that Kieran did a great job reporting on the Environmental Commission and the Board of Health did not meet in May.

**Senior Advisory Board** – Mayor Davy had no report.

**COUNCIL DISCUSSION**

Mayor Davy stated that the Hopewell Valley Municipal Alliance and the Hopewell Valley Green Team will be hosting events in June at Kunkel Park and as discussed at the work session the fee for use of the park will be waived. Mayor asked if Council Members were in agreement and everyone present was in favor of waiving the fee for these two events.

**NEW BUSINESS**

**BOROUGH OF PENNINGTON  
RESOLUTION 2024 – 6.1**

**RESOLUTION AUTHORIZING REFUNDS**

**BE IT RESOLVED** that a refund be issued from the Water/Sewer Operating Fund to Donna Aster, c/o Dina Thornton, Destribats, Campbell, Staub & Schroth, LLC, 247 White Horse Avenue, Hamilton, NJ 08610 for an overpayment of water/sewer bill in the amount of \$122.89.

**BE IT RESOLVED** that a refund be issued from the Developer’s Escrow Account to Gimbert Fernandez, 100 Lewis Brook Road, Pennington, NJ 08534, for escrow balance for Escrow Account #90-068 in the amount of \$213.96.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	M			
Chandler				absent	Stern	X			
Gnatt	S				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.1, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 – 6.2**

**AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, certain bills are due and payable as per itemized claims listed on the following schedules, which are made a part of the minutes of this meeting as a supplemental record;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Pennington that the bills be paid on audit and approval of the Mayor, the Appropriate Council Member and the Treasurer in the amount of \$ 381,211.79 from the following accounts:

Current	\$ 279,843.79
W/S Operating	\$ 37,248.54
General Capital	\$ 49,653.25
Grant Fund	\$ 1,887.01
Developer’s Escrow	\$ 687.50
Water/Sewer Capital	\$ 2,352.50
Other Trust Fund	\$ 7,428.00
Animal Control Trust	\$ 7.20
Unemployment Trust	\$ 2,104.00
<b>TOTAL</b>	<b>\$ 381,211.79</b>

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	M			
Chandler				absent	Stern	S			
Gnatt	X				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.2, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 – 6.3**

**RESOLUTION GRANTING CONDITIONAL AUTHORIZATION  
 FOR LAS PATATAS DE RAFA LLC, DOING BUSINESS AS LA UNICA TO MAINTAIN A  
 TEMPORARY OUTDOOR DINING AREA IN THE PUBLIC  
 RIGHT- OF- WAY IN 2024**

**WHEREAS**, Rafa Ponce de Leon is the principal owner of Las Patatas de Rafa, LLC, d/b/a La Unica (“La Unica”) a restaurant located at 14 N. Main Street in the Borough of Pennington;

**WHEREAS**, Mr. Ponce de Leon and La Unica have applied to Borough Council for permission to place movable tables and chairs on the sidewalk immediately adjacent to the restaurant, in particular, 4 tables and up to 8 chairs on the Main Street side and driveway sides of the restaurant as shown in the attached sketch;

**WHEREAS**, Borough Council finds that the availability of outdoor dining contributes to the vitality of the Town Center and is consistent with the pedestrian-friendly environment envisioned for this area;

**WHEREAS**, Borough Council determines that approval of the proposed outdoor dining area for La Unica, on a temporary and conditional basis as set forth further below, is in the public interest;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that use of the sidewalk as proposed is hereby ratified and approved and Council further resolves as follows:

1. Rafa Ponce de Leon and La Unica are granted permission to locate 4 tables and up to 8 chairs on the sidewalk immediately adjacent to their restaurant along N. Main Street and the driveway side of the restaurant, provided the following conditions are met and continue to be met:

- A. The tables and chairs shall be arranged as shown on the attached sketch.
- B. The outdoor dining area and affected sidewalk shall at all times be kept clean and free of litter and in compliance with all applicable health regulations.
- C. The outdoor dining area shall not obstruct pedestrian circulation on the sidewalk.
- D. Operation of the outdoor dining area shall comply with the Borough Noise Ordinance, as set forth in Chapter 133 of the Borough Code.
- E. The outdoor dining area may be used only during the operating hours of the restaurant. When the restaurant is not open, all tables and chairs shall be removed from the sidewalk.
- F. Owners must provide receptacles for collection of all garbage generated by outdoor diners and insure that these receptacles are emptied as frequently as needed to avoid overflow.
- G. The outdoor dining area shall not obstruct access to upstairs apartments or other businesses in the building.
- H. Rafa Ponce de Leon and Las Patatas de Rafa LLC, dba La Unica, shall indemnify and hold harmless the Borough of Pennington and its agents and employees from and against all claims, damages, losses and expenses, including but not limited to attorney fees, arising out of the operation of the outdoor dining area approved by this resolution.
- I. Rafa Ponce de Leon and Las Patatas de Rafa LLC, shall at all times have on file with the Borough Clerk a current Certificate of Insurance which certifies that:
  - (1) the obligation to indemnify and hold harmless the Borough as provided above is insured by an insurance carrier authorized to do business in the State of New Jersey;
  - (2) the Borough of Pennington and its agents and employees are named as additional insureds under this insurance with respect to claims, damages, losses and expenses arising out of operation of the outdoor dining area; and
  - (3) the insurance in effect provides (a) at least \$1,000,000. of incurred liability coverage under each of the following types of coverage: general liability; premises liability; products and completed operations liability; personal and advertising injury liability; (b) property liability coverage in the amount of \$50,000.; (c) medical expense coverage in the amount of \$5,000.; (d) workers compensation coverage with the limits required by statute; and (e) employer's liability coverage in the amount of \$500,000. per person/per occurrence.
  - (4) the Borough will be given 10 days' written notice of any cancellation of this insurance.

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

- 1. The outdoor dining area complies with all applicable requirements of Section 215-94 of the Borough Code which regulates out door dining areas otherwise permitted by the Code.
- 2. The conditional authorization for outdoor dining granted by this resolution may be revoked by the Borough at any time, with or without notice to Rafa Ponce de Leon or Las Patatas de Rafa LLC, dba La Unica.. This conditional authorization also shall be subject to such additional or amended conditions as Borough Council may deem appropriate at any time.
- 3. This conditional authorization shall in any event expire on December 31, 2024.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Marciante	M			
Chandler				absent	Stern	X			
Gnatt	X				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.3, second by Council Member Angarone with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024-6.4**

**RESOLUTION AUTHORIZING PURCHASE OF 2025 F-750 DIESEL REGULAR CAB BASE (F7D)  
 UNDER STATE CONTRACT 17-FLEET-00241**

**WHEREAS**, the Superintendent of Public Works has identified the need to purchase a 6/8 Yard Dump Truck for the Public Works Department; and

**WHEREAS**, the Superintendent of Public Works has determined that the desired equipment is available under New Jersey State Contract 17-Fleet-00241; and

**WHEREAS**, the Superintendent has obtained quote PENNINGT1 dated 04/30/2024 from Route 23 Automall, 1301 Route 23, Butler, NJ 07405; and

**WHEREAS**, Route 23 Automall is a qualified vendor under the aforesaid State Contract and its proposal is consistent with the State Contract; and

**WHEREAS**, the proposed purchase of a 2025 F-750 Diesel Regular Cab Base (F7D) Dump Truck is subject to all the terms and conditions of the aforesaid State Contract; and

**WHEREAS**, a copy of the quote from Route 23 Automall in the amount of \$166,247.00 is attached to this Resolution; and

**WHEREAS**, purchase of the 2025 F-750 Diesel Regular Cab Base (F7D) Dump Truck under State Contract as proposed conforms with the Local Public Contracts Law and does not require further public bidding; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Capital budget, line item C-04-24-007-000-201;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the acquisition of a 2025 F-750 Diesel Regular Cab Base (F7D) Dump Truck for the Borough pursuant to the attached proposal from Route 23 Automall is hereby authorized in the amount of \$166,247.00, and the Chief Financial Officer and Borough Clerk are further authorized to execute such purchase orders and other documents as are needed to effectuate the purchase.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	M			
Chandler				absent	Stern	S			
Gnatt	X				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.4, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 – 6.5**

**RESOLUTION AUTHORIZING PREVENTATIVE MAINTENANCE FOR PUBLIC WORKS  
 VEHICLES AND GARBAGE TRUCKS UNDER STATE CONTRACT T-2108-A89300**

**WHEREAS**, the Superintendent of Public Works has determined that preventative maintenance services are necessary for various public works vehicles including three (3) garbage trucks and one (1) Peterbilt 330; and

**WHEREAS**, the Superintendent has determined that the repairs can be made under State Contract T-2108-A89300 through Hainesport Enterprises, Inc. located at 1466 Route 38, Hainesport, NJ 08036; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase in the following line items 4-01-26-290-000-277 (Streets), 4-01-26-305-000-277 (Trash) and 4-05-55-501-000-277; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington that the aforesaid repairs through Hainesport Enterprises, Inc. under State Contract T-2108-A89300 are hereby authorized in an amount not to exceed \$8,000.00 for Preventative Maintenance as requested by the Superintendent of Public Works. .

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	S				Marciante	X			
Chandler				absent	Stern	M			
Gnatt	X				Valenza	X			

Council Member Stern made a motion to approve Resolution 2024-6.5, second by Council Member Angarone with all members voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 – 6.6**

**RESOLUTION AUTHORIZING TAKE DOWN OF MAPLE TREE NEAR PROPOSED SECOND EXCLOSURE WITHIN THE ARBORETUM AND AUTHORIZING THE USE OF OPEN SPACE FUNDS FOR THIS PURPOSE**

**WHEREAS**, the Borough of Pennington acquired a parcel of land behind the Tollgate Elementary School as Open Space; and

**WHEREAS**, the Borough is developing this parcel as an Arboretum; and

**WHEREAS**, the Arboretum Committee has determined that there is a Maple tree near the proposed second enclosure within the Arboretum that needs attention; and

**WHEREAS**, the Superintendent of Public Works solicited a quote from HTS Tree Care Professionals to perform the services required related to the Maple tree; and

**WHEREAS**, a copy of quote #6360 from HTS Tree Care Professionals, LLC in the amount of \$600.00, is attached to this Resolution; and

**WHEREAS**, Pennington citizens have authorized the creation of an Open Space Trust Fund in accordance with N.J.S.A. 40:12-15.7, which authorizes use of such funds for, among other things, development and maintenance of lands acquired for recreation and conservation purposes, as determined by the governing body of the municipality;

**WHEREAS**, the Chief Financial Officer has certified that funds are available in the Open Space Fund for this purchase;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the aforesaid services by HTS Tree Care Professionals, LLC, pursuant to the attached quote #6360, are hereby authorized for an amount not to exceed \$600, and the Chief Financial Officer and Borough Clerk are further authorized to execute such purchase orders and other documents as are needed to effectuate the work.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	M			
Chandler				absent	Stern	X			
Gnatt	S				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.6, second by Council Member Gnatt with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 – 6.7**

**RESOLUTION APPOINTING WILLIAM E. MULLEN 3<sup>RD</sup> AS EXECUTIVE COORDINATOR OF THE HOPEWELL VALLEY OFFICE OF EMERGENCY MANAGEMENT (OEM)**

**WHEREAS**, the Hopewell Valley Office of Emergency Management is a regional office that includes the Township of Hopewell and the Boroughs of Hopewell and Pennington; and

**WHEREAS**, the three municipalities are represented on the Hopewell Valley Office of Emergency Management by OEM Coordinator Douglas Pinelli (Pennington), OEM Coordinator William Springer (Hopewell Borough) and OEM Coordinator William E. Mullen 3<sup>rd</sup> (Hopewell Township); and

**WHEREAS**, the Hopewell Valley Office Of Emergency Management is required to appoint an Executive Director on an annual basis under NJ OEM Directive #104 Section 3.6;

**WHEREAS**, the OEM Coordinators for the three municipalities have nominated William E. Mullen 3<sup>rd</sup> to serve as Executive Coordinator to serve for one year from January 1, 2024 through December 31, 2024, nunc pro tunc and until his successor is appointed and qualified; and

**WHEREAS**, William E. Mullen 3<sup>rd</sup>, before his appointment as OEM Coordinator for Hopewell Township, served as Deputy Coordinator of the Hopewell Township Office of Emergency Management for 6 years;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that William E. Mullen 3<sup>rd</sup>, NJDEM #197, is hereby appointed as Executive Coordinator of the Hopewell Valley Office of Emergency Management, nunc pro tunc, to serve in this capacity from January 1 through December 31, 2024 and until his successor is appointed and qualified.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	X				Marciante	M			
Chandler				absent	Stern	S			
Gnatt	X				Valenza	X			

Council Member Marciante made a motion to approve Resolution 2024-6.7, second by Council Member Stern with all members present voting in favor.

**BOROUGH OF PENNINGTON  
 RESOLUTION 2024 - 6.8**

**RESOLUTION APPROVING RENEWAL OF PLENARY RETAIL  
 CONSUMPTION LICENSE #1108-33-001-001 FOR 2024-2025**

**WHEREAS**, Plenary Retail Consumption License #1108-33-001-001 is due for renewal on or before June 30, 2024; and

**WHEREAS**, the Borough has received an application for renewal but that application is yet unaccompanied by payment of the required Borough renewal fee;

**WHEREAS**, the Borough of Pennington Health Department has consequently not yet inspected the licensed premises for compliance with requirements under their purview;

**WHEREAS**, these matters are being addressed and it is anticipated that they will be resolved shortly;

**WHEREAS**, it is therefore the intent of Borough Council to approve the owner’s application for renewal of licensure subject to receipt of payment of the Borough fee and satisfactory completion of all required inspections;

**NOW, THEREFORE, BE IT RESOLVED**, by the Borough Council of the Borough of Pennington, that the application for renewal of License #1108-33-001-001 for the year 2024-2025 is hereby approved subject to the following conditions;

1. payment of \$2,500.00 renewal fee to the Borough of Pennington; and
2. completion of all required inspections as confirmed by the Borough Clerk;

**BE IT FURTHER RESOLVED** that the Borough Clerk of the Borough of Pennington, County of Mercer, is hereby authorized and instructed to issue and deliver said license when these conditions are satisfied and then notify the Division of Alcoholic Beverage Control accordingly, on or before June 30, 2024.

**Record of Council Vote on Passage**

COUNCILMAN	AYE	NAY	N.V.	A.B.	COUNCILMAN	AYE	NAY	N.V.	A.B.
Angarone	M				Marciante	S			
Chandler				absent	Stern	X			
Gnatt	X				Valenza	X			

Council Member Angarone made a motion to approve Resolution 2024-6.8, second by Council Member Marciante with all members present voting in favor.

**PROFESSIONAL REPORTS**

**Borough Administrator** – Mr. Caminiti reported on some upgrades at Borough Hall related to the fire alarm system, door locks and chairs in the office and at public works. Mr. Caminiti stated that he is working with Chief Pinelli to ensure unbroken coverage during the transition before he retires. Mr. Caminiti stated that he received notification from Green Acres that they have everything they need for the cemetery property. Mr. Caminiti reported on the Witness Stone Installation Ceremony that he attended for the Mayor. Mr. Caminiti gave a brief description of the event and the program.

**Borough Attorney – Walter Bliss –** Mr. Bliss briefly updated on the Cannabis sign at the Route 31 circle. Mr. Bliss stated that the CRC is satisfied with the current signage as their mailing address is Pennington. Mr. Bliss stated that he has shared correspondence with Jersey Meds. Mr. Bliss stated that the important thing for residents to note is that the cannabis location at the circle is not in Pennington, they don't pay taxes in Pennington and Pennington does not received any revenue from that location. Mr. Bliss stated that any complaints or issues are handled by Hopewell Township Police.

**Borough Clerk – Betty Sterling –** Mrs. Sterling reported that a resident came in today and commended the Borough and the contractor for the work that was done on Rockwell Green, Chadwell Court and Scudder Court and to inquire about the light at the end of the road that was supposed to be addressed to provide more lighting.

**Chief Financial Officer – Sandy Webb –** Mrs. Webb had nothing further to report.

**Chief of Police – Doug Pinelli –** Chief Pinelli reported that Pennington Day and Memorial Day went off with no issues. Chief Pinelli stated that the new vehicle arrived and is on the road. Mayor Davy asked Chief Pinelli to follow up with PSE&G on the light at Rockwell Green.

**Superintendent of Public Works – Rick Smith –** Mr. Smith stated that he is working with the Borough Engineer on a punch list for Rockwell Green, Scudder and Chadwell Courts to finalize that project. Mr. Smith stated that he is working with WRM and Remington Vernick on an application for settlement in a lawsuit and he has started the process. Mr. Smith stated that he will be reaching out for help with the calculation which will require assistance from WRM.

#### **Public Comment**

Mayor Davy asked that anyone wishing to speak, please raise your hand so the Borough Clerk can acknowledge you, please state your name and address for the record and limit comments to the Governing Body to a maximum of 3 minutes.

There were no comments from the public.

At 8:17 PM with no further business to address, Council Member Chandler made a motion to adjourn the meeting, second by Council Member Angarone.

Respectfully submitted,

Elizabeth Sterling  
Borough Clerk