

**BOROUGH OF SHREWSBURY  
MUNICIPAL COMPLEX  
MAYOR & COUNCIL**

**OCTOBER 5, 2020**

**Meeting Called to Order**

Mayor Erik Anderson called the meeting to order at 7:00pm and read the Presiding Officer's Statement.

**Sunshine Statement**

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 on the bulletin board in the Municipal Building on January 8, 2020 by the Municipal Clerk.

**Roll Call**

Present: Councilwoman Deidre DerAsadourian  
Councilman Jeff DeSalvo  
Councilman Don Eddy  
Councilwoman Kim Doran Eulner  
Councilman Brendan Gilmartin  
Councilman Jason Sena

Also Present: Mayor Erik Anderson  
Bruce Padula, Borough Attorney  
Maureen L. Muttie, Clerk/Administrator

Absent: None

**Salute to Flag**

Led by Mayor Erik Anderson

**Approval of Minutes – July 6, 2020, July 20, 2020 and August 17, 2020**

Councilman Eddy motioned to approve the minutes, seconded by Councilwoman DeSalvo and approved by the following vote:

Ayes: DerAsadourian, DeSalvo, Eddy, Eulner, Gilmartin and Sena  
Nays: None  
Abstain: None

**Resolutions**

Councilman Eddy motioned to approve Resolution 2020-118 seconded by Councilman Sena, and approved by the following roll call vote:

Ayes: DerAsadourian, DeSalvo, Eddy, Eulner, Gilmartin and Sena  
Nays: None  
Abstain: None

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**RESOLUTION 2020-118 - RESOLUTION AWARDING CONTRACT FOR THE IMPROVEMENTS TO SILVERBROOK ROAD TO EARLE ASPHALT COMPANY**

**WHEREAS**, the Borough of Shrewsbury advertised for bids for Roadway Improvements to Silverbrook Road of Shrewsbury, including roadway base repair, HMA milling, curb replacement, sidewalk replacement, HMA resurfacing, drainage improvements, turf restoration, installation of signage and pavement markings; and **WHEREAS**, Eight (8) bids were received, and were publicly opened and read aloud on Wednesday, September 23, 2020 at 3:00pm as follows:

<b><u>BIDDER</u></b>	<b><u>AMOUNT BID</u></b>
Earle Asphalt Company	\$299,913.13
Black Rock Enterprises, LLC	\$301,597.80
Carroccia Co. Contractors	\$313,513.55
Fiore Paving	\$314,248.55
Lima Charlie Construction	\$315,700.00
Capital Paving & Contracting, LLC	\$329,598.55
L&L Paving Company	\$365,563.75
Diamond Construction	\$560,563.00*
	*Corrected Total

**WHEREAS**, the proposal submitted by the apparent lowest responsible bidder embodied all the bid specifications as outlined by Earle Asphalt Company in submitting their bid; and **WHEREAS**, the Governing Body of the Borough of Shrewsbury, acting on the advice of the Borough Engineer and Borough Attorney, does hereby make a finding that the lowest bid submitted by Earle Asphalt Company, does hereby best serve the interest of the municipality; and **NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Shrewsbury does hereby award a construction contract known as FY 2019 NJDOT Municipal Aid Program Improvements to Silverbrook to Earle Asphalt Company, in the amount of \$299,913.13, subject to the approval of the Department; and **BE IT FURTHER RESOLVED** that the presiding officer of this body be and is hereby directed to sign for on its behalf the contract in the prescribed form for said procurement and that the Clerk of this body be and is hereby directed to sign and seal said contract with the corporate seal of this body and attest to same.

**Consent Agenda**

Councilman DeSalvo motioned to approve the Consent Agenda seconded by Councilman Gilmartin, and approved by the following roll call vote:

Ayes: DerAsadourian, DeSalvo, Eddy, Eulner, Gilmartin and Sena  
Nays: None  
Abstain: None

**RESOLUTION 2020-119 - RESOLUTION AUTHORIZING SALE OF MUNICIPAL LIENS**

**WHEREAS**, the governing body of the Borough of Shrewsbury, County of Monmouth, State of New Jersey, desires to collect all taxes, assessments, and other municipal charges that are now delinquent; and **WHEREAS**, the Tax Collector is directed to sell all municipal delinquencies through December 31, 2019, in a manner prescribed by N.J.S.A. 54-5-19, and as amended by Chapter 99, Public Laws of 1997. **NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Shrewsbury, that the Tax Collector is hereby authorized and directed to sell all municipal liens in accordance with New Jersey law, and as stated above, on December 11, 2020 at 10:00 AM.

**RESOLUTION 2020-120 - AUTHORIZING THE FINANCE OFFICER TO CANCEL  
GRANT APPROPRIATION RESERVES AGAINST GRANTS RECEIVABLE,  
SURPLUS AND SUCH OTHER ACCOUNTS AS APPROPRIATE**

**WHEREAS**, the Chief Finance Officer has informed the Borough Council of the need to cancel a grant receivable and appropriation prior to year-end; and

**WHEREAS**, the following grant receivable and the appropriation balance are no longer needed to be maintained on the books and records of the Borough of Shrewsbury; and

**WHEREAS**, the Chief Finance Officer recommends that the following adjustments to the books and records of the Borough be made.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Shrewsbury, that the adjustments, appearing below, being a permanent part hereto, are hereby made:

2020

**CANCELLING GRANT**

<b>CANCEL TO NAME OF GRANT OPERATIONS</b>	<b>APPROPRIATION</b>	<b>RECEIVABLE</b>
Hazardous Materials Emergency Preparedness	6,300.48	6,300.48
<b>TOTAL</b>	<u>6,300.48</u>	<u>6,300.48</u>

**RESOLUTION 2020-121 - AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

**WHEREAS**, the Borough of Shrewsbury is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the Mayor and Council are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Shrewsbury in the County of Monmouth, as follows:

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Mayor and Council of the Borough of Shrewsbury.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is as follows:  
2002 – 1000 Gallon Above Ground Fuel Tank – Containment Solutions  
2003 Freightliner Garbage Truck Vin #1FVHBGAS73HL76100
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property

**RESOLUTION 2020-122 - RESOLUTION RENEWING CERTAIN PLENARY RETAIL  
CONSUMPTION LICENSE WITH BROAD C FOR THE YEAR 2020/2021**

**WHEREAS**, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for:

**JOHN M MCDONNELL CHAP 7 BANK TRUSTEE FOR  
WINE UTOPIA, LLC - #1345-32-001-009 – INACTIVE LICENSE**

**WHEREAS**, the Clerk has also received a ‘Clearance Certificate’ from the State of New Jersey Division of Taxation, in accordance to Chapter 161, Laws of New Jersey, 1995; and

**WHEREAS**, the Liquor License Renewal Application of the aforesaid, has been reviewed by the Shrewsbury Police Department, the Monmouth County Regional Health Commission and the Fire Marshall.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Shrewsbury that the above listed liquor license shall be renewed for one year, effective July 1, 2020, and shall be subject to comply with the provisions of the Borough of Shrewsbury Code.

**RESOLUTION 2020-123 - RESOLUTION RENEWING CERTAIN PLENARY RETAIL  
DISTRIBUTION LIQUOR LICENSE FOR THE YEAR 2020-2021**

**WHEREAS**, in accordance with N.J.A.C. 13 and N.J.S.A. 33, the following application for renewal of a liquor license and fees have been received by the Municipal Clerk for:

**JOHN M MCDONNELL CHAP 7 BANK TRUSTEE FOR  
WINE UTOPIA, LLC - #1345-44-004-016 – INACTIVE LICENSE**

**WHEREAS**, the Clerk has also received a ‘Clearance Certificate’ from the State of New Jersey Division of Taxation, in accordance to Chapter 161, Laws of New Jersey, 1995; and

**WHEREAS**, the Liquor License Renewal Application of the aforesaid, has been reviewed by the Shrewsbury Police Department, the Monmouth County Regional Health Commission and the Fire Marshall.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Shrewsbury that the above listed liquor license shall be renewed for one year, effective July 1, 2020, and shall be subject to comply with the provisions of the Borough of Shrewsbury Code.

**RESOLUTION 2020-124 - RESOLUTION HIRING A PART TIME ADMINISTRATIVE  
ASSISTANT**

**WHEREAS**, it has become necessary to hire a Part-Time Administrative Assistant in the Clerk’s and Administration’s Office; and

**WHEREAS**, the Part Time Administrative Assistant position was properly advertised; and

**WHEREAS**, the Personnel Committee recommends that Brenna Connolly be hired pending background check, beginning October 19, 2020 on an hourly basis not to exceed 25 hours per week for the position of Part-Time Administrative Assistant to the Clerk’s and Administration’s Office at the hourly rate of \$18.00 per hour; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for same.

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Shrewsbury that Brenna Connolly be approved to the salary and position stated above.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be given to the Chief Financial Officer.

**RESOLUTION 2020-125 - AUTHORIZATION TO CONDUCT BLOCK PARTY – CREST AVENUE BETWEEN PARK AVENUE AND WEST END**

**BE IT RESOLVED** that the Mayor and the Council of the Borough of Shrewsbury does hereby approve the request for a block party to be held on Crest Avenue on Saturday, November 7, 2020, from 12:00pm until 8:00pm, as requested on September 18, 2020 from resident Nick Tranchina.

**BE IT FURTHER RESOLVED** that all social distancing guidelines in place at the time of the event are to be adhered to.

**RESOLUTION 2020-126 - RESOLUTION APPROVING THE BILL LIST FOR OCTOBER 5, 2020 AND AUTHORIZING PAYMENT OF BILLS**

**WHEREAS**, the Borough of Shrewsbury received certain claims against it by way of voucher in the amount of \$1,317,611.21 for the period ending October 5, 2020; and

**WHEREAS**, the Borough Council has reviewed the aforementioned claims .

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Shrewsbury that the attached claims are hereby approved for payment.

**BE IT FURTHER RESOLVED** that a copy of this Resolution be given to the Chief Financial Officer.

**Ordinances – Second Reading/Public Hearing**

Ordinance No. 2020-1076: An Ordinance Adopting and Codifying the Zoning and Land Development Ordinance as Chapter 94 of the Code of the Borough of Shrewsbury, County of Monmouth and State of New Jersey

Open the Floor to the Public

Mayor Anderson opened the floor to the public to discuss Ordinance No. 2020-1076.

Close the Floor to the Public

With no one wishing to speak, Mayor Anderson closed the floor to the public.

Motion to Adopt

Councilman DeSalvo motioned to adopt Ordinance No. 2020-1076, seconded by Councilwoman Eulner and approved by the following roll call vote:

Ayes: DerAsadourian, DeSalvo, Eddy, Eulner, Gilmartin, Sena  
Nays: None  
Abstain: None

**ORDINANCE NO. 2020-1076**

**AN ORDINANCE ADOPTING AND CODIFYING THE ZONING AND LAND DEVELOPMENT  
ORDINANCE AS CHAPTER 94 OF THE CODE OF THE BOROUGH OF SHREWSBURY,  
COUNTY OF MONMOUTH AND STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Shrewsbury in the County of Monmouth and State of New Jersey as follows:

**Chapter 1  
Article IV  
Codification of Zoning and Land Development**

**§ 1-17. Adoption of revised and renumbered legislation.**

The Zoning and Land Development Ordinance of the Borough of Shrewsbury, adopted May 11, 1987, by Ordinance No. 555, as amended (Chapter 94 of the 1973 Borough Code), is hereby adopted as Chapter 94 of the 2006 Code of the Borough of Shrewsbury. The provisions of said Chapter 94 of the 2006 Code, insofar as they are substantively the same as those provisions in force immediately prior to enactment by this ordinance, are intended as a continuation of said ordinances and not as new enactments.

**§ 1-18. Changes to planning and development legislation.**

- A. In compiling and preparing the Zoning and Land Development Ordinance for adoption and revision as part of the 2006 Code of the Borough of Shrewsbury pursuant to N.J.S.A. 40:49-4, certain grammatical changes and other minor changes were made in said legislation. It is the intention of the Mayor and Council that all such changes be adopted as part of the Zoning and Land Development Ordinance as if the legislation so changed had been previously formally amended to read as such.
- B. Nomenclature changes: Throughout this Chapter 94, the following nomenclature changes have been made:
- (1) "Board of Adjustment" and "Zoning Board" are changed to "Zoning Board of Adjustment."
  - (2) "Department of Environmental Protection and Energy (DEPE)" is changed to "Department of Environmental Protection (DEP)."
- C. In addition, the changes, amendments or revisions as set forth in Schedule A attached hereto and made a part hereof are made herewith, to become effective upon the effective date of this article.

**§ 1-19. Repealer.**

All ordinances or parts of ordinances which are inconsistent herewith are repealed to the extent of such inconsistencies.

**§ 1-20. Severability.**

If any section, subsection, sentence, clause or phrase of this article is for any reason held to be unconstitutional or invalid, such decision shall not affect the remaining portions of this article.

**§ 1-21. Copies available to public.**

Copies of Chapter 94, Zoning and Land Development, shall be placed on file for public examination at the Borough Clerk's office during regular business hours, and, upon final passage of the Zoning and Land Development Ordinance, copies shall be made available to the public.

**§ 1-22. Sale of planning and development regulations code book.**

Copies of Chapter 94, Zoning and Land Development, may be purchased from the Clerk, or an authorized agent of the Clerk, upon the payment of a fee authorized by the Borough. The Clerk shall also arrange for procedures for the periodic supplementation of the Code.

**§ 1-23. Notice; publication.**

The Clerk of the Borough of Shrewsbury shall cause notice of the passage of this ordinance to be given in the manner required by law.

**§ 1-24. When effective.**

This article shall take effect immediately upon passage and publication according to law.

**Reports of Council**

Councilwoman DerAsadourian

- Councilwoman DerAsadourian reported she attended a Safe Routes to School along with the Borough Engineer and the Police Chief. A discussion was held on some of the various upcoming road projects as well as issues regarding the pickup and drop off scenario at the school. Councilwoman DerAsadourian is also working with the Borough Engineer to petition the state to extend the school zone on Broad Street through the Municipal Complex.
- Councilwoman reported the DPW Contract has been finalized and she would like to make a motion to have the contract approved.

Councilwoman DerAsadourian motioned to approve Resolution 2020-127, seconded by Councilman Eddy and approved by the following roll call vote:

Ayes: DerAsadourian, DeSalvo, Eddy, Eulner, Gilmartin, Sena  
Nays: None  
Abstain: None

**RESOLUTION 2020-127 - RESOLUTION APPROVING THE TERMS OF A MEMORANDUM OF AGREEMENT WITH TEAMSTERS LOCAL NO. 177 FOR A SUCCESSOR COLLECTIVE NEGOTIATIONS AGREEMENT FOR THE TERM JANUARY 1, 2019 THROUGH DECEMBER 31, 2021**

**WHEREAS**, the Borough of Shrewsbury (“Borough”) and Teamsters Local No. 177 (“Union”) engaged in negotiations for successor Collective Negotiations Agreement (“Agreement”); and

**WHEREAS**, the Borough and the Union have agreed to the terms and conditions set forth in a Memorandum of Agreement (“MOA”); and

**WHEREAS**, the Union has ratified the terms contained in the MOA; and

**WHEREAS**, the Borough wishes to approve those terms.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Shrewsbury, County of Monmouth, State of New Jersey, as follows:

- 1) That the Borough hereby accepts and agrees to the terms and conditions of the Memorandum of Agreement and approves incorporating those terms into a successor collective negotiations agreement;
- 2) The Borough directs labor counsel to incorporate the changes contained in the into a successor collective negotiations agreement; and
- 3) That this Resolution shall take effect immediately.

Councilman DeSalvo

- Councilman DeSalvo reported the Police Department is monitoring the traffic that is being diverted due to Sycamore Avenue being paved. They are also working on controlling the speeding throughout the town by utilizing the solar speed signs and dummy cars.
- Regarding truck traffic on Route 35, Councilman DeSalvo is requesting Council to approve having Chief Turner write a letter to the State requesting truck traffic be rerouted.

**BOROUGH OF SHREWSBURY  
MUNICIPAL COMPLEX  
MAYOR & COUNCIL**

**OCTOBER 5, 2020**

Councilman DeSalvo motioned to approve Chief Turner to take action and request the State to look at rerouting truck traffic, seconded by Councilman Sena with all ayes from all Councilmembers present.

Councilman Eddy

- Councilman Eddy reported the award of contract for Improvements to Samara Drive and Birch Drive will be awarded at the next meeting as well as Dorchester Way and Regent Drive.
- Councilman Eddy also reported the two Humvees and the deuce and a half were sold on the government auction block for roughly \$25000 which will go back into the fund.

Councilwoman Doran Eulner

- Councilwoman Eulner reported the next Planning Board Meeting is Wednesday October 14th.
- The next Shade Tree Meeting is this Saturday at 8:30 and the committee is looking for volunteers to assist in pruning some trees.
- The next Community Garden Meeting is Monday, October 12<sup>th</sup>.

Councilman Gilmartin

- Councilman Gilmartin reported fall sports are going very well. He wished to send a reminder to all parents and spectators to please wear masks and maintain social distancing.
- Tennis has been a huge success. Recreations hopes to open it up again in the spring and allow for more participants.
- Once soccer concludes, preparations will be made for the flag football season and lacrosse clinics.
- Shrewsbury First Aid Squad had 28 calls for the month of September. There was no mutual aid required.
- Shrewsbury Hose Company had a total of 28 calls - 16 general alarms, 2 carbon monoxide, a water leak, a bomb threat and 6 mutual aid to Eatontown and 2 mutual aid calls to Oceanport. All mutual aid calls were cancelled.

Councilman Sena

- Councilman Sena reported that most of the road programs previously mentioned earlier are being covered by NJDOT Grants.
- NJ State Legislation has passed the bill, regarding single use plastic and paper bags. It is pending the governor's signature. Councilman Sena will continue to follow this and will provide updates accordingly.

**Mayor's Report**

- Mayor Anderson commented Halloween is coming quickly and many residents are asking about guidelines. Mayor Anderson explained he was waiting on guidance from the Governor's Office which was just put out this evening around 5:30pm. In addition, Mayor Anderson had a conversation with the head of OEM, Jerzy Chojnacki, Superintendent Brent MacConnell, Chief Turner and Councilman Eddy, member of First Aid Squad, to discuss Halloween and how to proceed. As of right now the situation is being monitored. He requested the residents to use their judgment - limit where the children go, practice social distancing and wear masks. The Governor was clear as least as of today's press conference that he will not be cancelling Halloween. Other surrounding towns have not cancelled Halloween but have modified the hours.



**BOROUGH OF SHREWSBURY  
MUNICIPAL COMPLEX  
MAYOR & COUNCIL**

**OCTOBER 5, 2020**

- Mayor Anderson reported that tomorrow he will be attending a meeting with JCP&L to do an examination/evaluation of their response to the power outages relating to the tropical storm. This will be a virtual meeting.
- A traffic control pedestrian crosswalk will be installed on Sycamore Avenue in connection with the County Project. Mayor Anderson did discuss with the Borough Engineer the proper location for this crosswalk. Mayor Anderson asked Councilwoman DerAsadourian to reach out to the Safe Routes to School Committee for opinions.
- The Boy Scouts removed approximately 1,500 pieces of trash from the Esther Hymer Preserve. They are working on their Eagle Scout Projects and DPW has provided much assistance in clearing a pathway for them.
- Mayor Anderson commented on an editorial that was published in the Two River Times approximately two weeks ago. Mayor Anderson commented that unfortunately the person who wrote the editorial didn't attend the meeting which concerns the resolution asking the state to consider in person voting. Mayor Anderson further commented that there are just factual inaccuracies in this op-ed. Mayor Anderson explained while there were different positions on the resolution, they were heard, they were discussed for a good portion of the meeting and ultimately it was voted unanimously to pass the resolution. Also, in the article was a claim that the Council somehow alleged that there was some concern about fraud in the election which in fact was never uttered by this Council nor in the resolution. Mayor Anderson explained what was discussed was integrity issues with the election and slowly, unfortunately, we are seeing some of these concerns play out with this vote by mail process:

There were over approximately 1,700 primary ballots found in Sussex County this September

Ocean Township's ballots were mailed to Plumsted Township

Lincroft ballots were sent to Little Silver

Ballots in Point Pleasant were sent to Long Beach Township

Two hundred pounds of mail was dumped in Newark/North Arlington which contained ballots for West Orange

6,500 primary ballots were postmarked after the deadline despite having been received on time

Reports of duplicate ballots being sent out

Reports of ballots being sent to deceased voters

Reports of ballots being sent to persons who have left the state.

Mayor Anderson added when someone challenges the transparency of this Council, which he knows works very, very hard and talks about these subjects in public, and this person elect not to come to the meetings, and take a swipe at the Council, he finds it repugnant.

**Clerk/Administrator's Report**

Ms. Muttie had no report.

**Open the Floor to the Public**

Mayor Anderson opened the floor to the public.

**BOROUGH OF SHREWSBURY  
MUNICIPAL COMPLEX  
MAYOR & COUNCIL**

**OCTOBER 5, 2020**

Stu Minis, 35 Thomas Avenue – Mr. Minis asked for the status of Covid-19 in Shrewsbury Borough. Mayor Anderson responded there are 86 cases of Covid-19 reported. However, the problem is that it takes over 30 days for the reports to clear up. It is not an accurate snapshot. Mayor Anderson commented once we had our first case in Shrewsbury Borough, it was immaterial whether it was one or fifty or hundred. It was to make sure we do what we can as a community to ensure the safety of our residents and first responders. Mr. Minis inquired about resolution 2020-125 approving a block party and whether that should be a concern. Mayor Anderson explained that per Governor Murphy’s executive orders, you can have up to 500 people in public, outside. Mayor Anderson does not believe that the block party in question will hit that many people. The resolution does state that all social distancing guidelines in place at the time of the event are to be adhered to. Mr. Minis asked how things are working out at the school. Councilman Gilmartin responded he believe things are getting better. Initially it was chaotic, but it appears it is improving. His preference would be that the children attend school in person five days a week. Unfortunately, that hasn’t happened yet. We will have to wait and see what the next steps are. Mayor Anderson added that Superintendent MacConnell and his staff have done an excellent job and are working as best as they can within the parameters. Mr. Minis asked about brush pickup and whether there will be a new schedule going forward. Councilman Eddy responded there will be a fixed brush schedule in 2021.

Marge Clark, 213 Garden Road – Mrs. Clark commented she is pleased with the Halloween guidelines. Mayor Anderson reiterated that the council is not making sanctions on Halloween, but that we will be letting the residents know what suggestions the governor has made.

Ed Kosberg, 91 Beechwood Drive - Mr. Kosberg wanted to know if the governor has signed the legislation banning plastic bags. Mr. Padula, Esq. responded that Governor Murphy is expected to sign the bill but has not yet.

**Close the Floor to the Public**


With no one else from the public wishing to speak, the floor was closed to the public.

**Move into Executive Session – No Action Will be Taken After**

Council returned to Executive Session at 7:50pm. No action will be taken after.

**Adjourn**

Council returned to regular session and meeting adjourned at 8:15pm.

Attest:   
Maureen L. Muttie, Municipal Clerk

Approve:   
Erik Anderson, Mayor