

REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF KENILWORTH HELD ON WEDNESDAY EVENING, JUNE 10, 2020. MAYOR LINDA KARLOVITCH PRESIDED. (Virtual Meeting)

In light of the public health emergency caused by Coronavirus, the Mayor and Borough Council Meetings will conduct all Council meetings remotely and by electronic means without providing a physical meeting place. Additionally, while the Council will continue to meet on their regularly scheduled meeting dates, please note the time for the Work Sessions has been changed to a new commencement time of 6:00pm. The Regular Council Meeting will continue to commence as soon as possible after the Work Session. In accordance with N.J.S.A. 10:4-6 (the "Open Public Meetings Act") and in adherence to the Department of Community Affairs, Division of Local Government Services (DLGS) guidelines, the Work Session and the Regular Council Meeting will be open to the public by electronic means, and as such, members of the public may view the meeting by livestream on **YouTube at Kenilworth TV NJ**. Any member of the public wishing to participate in the meeting, can do so by emailing comments relative to the agenda and/or on any governmental issue that a member of the public feels may be of concern to the residents of the Borough to the Borough Clerk at Boroughclerk@kenilworthnj.org. Agendas will be posted for the public's viewing on the Borough's official website at: www.kenilworthnj.com. All relevant comments received will be read into the record during each Regular Meeting's Public Comment Portion and will be addressed accordingly by the Mayor and/or Council. *All emails must be submitted and received by the Borough Clerk of no later than noon of the corresponding Regular Meeting date and, as is always the case, must include the public member's full name and address and the topic to which comments are being referred for the record.*

Mayor Karlovitch read the requirements of the Open Public Meetings Act.

The Salute to the Flag was led by Mayor Karlovitch.

ROLL CALL

Roll Call at 8:00 P.M. showed the following Council Members present: Kaye Ceceri, Larry Clementi, Mark David, Gerry Laudati, Daniel Lopez and Robert Schielke.

MINUTES

It was moved by Councilman David, seconded by Councilwoman Ceceri and carried that the minutes of the Regular Council Meetings of May 13 & May 27, 2020 be approved as submitted. (Copies furnished each Council Member prior to the meeting). All in favor.

COMMUNICATIONS AND PETITIONS

- NJSLOM Notices (emailed to all)
- Department Reports for May 2020: Clerk's Office, Court, Finance Department, Fire Dept., Planning & zoning, Police Department and Public Works (emailed).

It was moved by Councilman David, seconded by Councilman Clementi and carried that the above communications be received and filed, and any money amounts indicated be spread over the minutes. All in favor.

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MAYORS REPORT

Mayor Karlovitch reported the Governor has lifted the stay at home order and we are finally seeing the light as we move through the coronavirus pandemic. Restaurants will be able to have outdoor seating starting on June 15. I hope our many restaurants take advantage of this opportunity to create outdoor dining areas. On June 22 everyone can finally get their hair and nails done. Limits on indoor and outdoor gatherings have also been raised. Currently there are 164,796 COVID-19 cases in New Jersey, 16,302 cases in Union County and 148 cases in Kenilworth. Please take a moment to fill out the census, Kenilworth is counted in at 74%. June is pride month many of you may have noticed the pride flag at borough hall. The flag stands for Professionalism, respect, integrity, diversity and excellence. I support tolerance, understanding and respect in our community. All members of Kenilworth are welcome, loved and supported. Diversity makes us strong. I am proud to support our LGTBQ residents. Saint Theresa's food bank is changing their hours to the second and fourth week of each month, Tuesday and Thursday's from 10am to 12pm. The pantry went from feeding approximately 30/40 people to 207 people last month. The pantry is not capable of sustaining these numbers. This change in schedule will help bring the return visits down and the stocking up at the pantry. Anyone wishing to donate food or money can do so at the rectory. I would also like to send gratitude to our police department. I am very proud of all of you and I support you 100%. The Mayor thanked Chief John Zimmerman and the entire department for serving our community and for showing up every day and doing what needs to be done to keep us all safe, you are appreciated and supported by us all. The primary election is July 7, Mail in ballots should be reaching your mailbox soon if they have not done so already. Please fill them out and mail them. Your vote is your voice, make sure you are heard.

REPORT OF COMMITTEES

FINANCE DEPARTMENT

Councilman Lopez reported the Finance Office will be opened to the public on June 22nd. Estimated Tax Bills for the 4th Quarter will be mailed out in late June for the 4th Quarter 2020 tax bill and residents will be able to pay their bills in person at that time. In person Senior Freeze PTR forms will also be available for in person processing at that time. The Finance Committee met yesterday to discuss the borough's current financial position. We are keeping a close eye on our expenses and especially our revenues as a result of economic losses due to covid-19. We agreed to meet once monthly to review our financial position and recommend any necessary courses of action.

DEPARTMENT OF PUBLIC WORKS

Councilman David reported that the updated Recycling Schedule was mailed out to all Borough residents last week to notify them of the changes to curbside recycling. The DPW will be taking over recycling. There will be a bulk pick-up on June 17th for the north side and June 24th for the south side. We did not cancel it, we brought it back.

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PUBLIC SAFETY

Councilman Clementi reported there were 1,311 calls for service, 166 calls for 911 and 22 summonses for the month of May for the Police Department. On June 1, 2020 Brett Bryon started as a Probationary Police Officer with the Kenilworth Police Department. She is now in the Kenilworth Police Department's Field Training Program which will orientate her with our department's policies, procedures, and general orders and the ability to learn side-by-side with a certified Kenilworth Police - Field Training Officer. The purpose of the Field Training and Evaluation Program is to train new officers so that each is prepared to function as a solo beat officer at the conclusion of their training cycle. The training cycle for transfers consists of approximately 8 weeks of intensive on-the-job training and daily performance evaluations. On June 9th: The Governor announced two new Executive Orders that will take effect.

1. Effective at 1:00PM on June 9th the stay at home is lifted. Social distancing and face masks must continue.

2. Gathering numbers for indoor and outdoor activities will be expanded with continued social distancing and face masks.
 - a. Indoor-25% of building capacity or 50 people whichever is less
 - b. Outdoor is Increasing to 100 people (Limits are exempt where people are exercising their 1st amendment rights or where they are attending outdoor religious services.)
 - 1) Outdoor capacity will increase to 250 people on June 22nd 2020.
 - 2) Outdoor capacity will increase to 500 people on July 3rd 2020.

Outdoor recreation will be allowed to reopen (date forthcoming) with social distancing and face masks WITH THE EXCEPTION OF:

1. NO waterparks
2. NO playground equipment
3. NO arcades
4. NO amusement rides

Additionally, on June 15th 2020 Outdoor Restaurant Dining and Non-Essential Retail may Re-Open. On June 22nd 2020 – Salons and Barber Shops may Re-Open. Gyms and Health Clubs - No Set date of Re-Opening yet.

Councilman Clementi thanked our Police and Fire and Rescue for the work they do everyday to keep us safe, we really do appreciate it.

DEPARTMENT OF PLANNING, ZONING & ORDINANCES

Councilman Schielke said he reviewed the Planning, Zoning and Construction Reports for May, 2020 and everything was in order. He received a compliment from a resident on our Zoning Officer which was passed along. The Planning Board is meeting tomorrow night and will have their first teleconference meeting and he will report back on that.

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DEPARTMENT OF RECREATION AND FIRE

Councilwoman Ceceri said that June 15th is the second phase and more businesses and stores will be opening. They will be able to gather at 25% of building compacity or 50 people whichever number is lower, outdoor gatherings can be up to 100 people. The Council Committee met to discuss summer activities that can be put into action since there is no summer camp this summer. The Recreation Committee will also be meeting to share ideas and plans as far as what kind of activities can be instituted that will be safe to enact under the Governor's guidelines. Whatever activities are implemented they need to meet the Governors guidelines as far as distancing and what not. House Yoga and Zumba and Karate World would like to use DiMario Park, the only problem with that is there will be no restrooms available to use since the guidelines are very strict on the cleaning and disinfecting and other protocol's will be needed as per Governor's orders. Crafts will be implemented to involve family participation and there will be pick-up packages for different crafts. Camp Counselors will be on stand-by and they will work as needed. The Recreation is thinking about doing a Scavenger Hunt if all guidelines fit the social distancing rules that are in place, but the date has not been determined. The Recreation Committee would like to do Movies in the Park maybe distancing it out over the different parks in town, not just at DiMario Park but maybe the school if they allow us to use the bleachers, if not we will see what else can be done but there will be small groups. Unfortunately, this year there will be no Boo On the Boulevard. We will be checking with the Rotary Club about the summer trips that they usually sponsor for the summer camp but since summer camp is not going to be happening in the summer we have to figure out from the Rotary Club if they are going to sponsor trips and what the guidelines will be on the bus and whatever else goes with that but that is also yet to be determined. The Councilwoman said there will be no fireworks this year on Sunday, June 28th and there are no plans for another date. The Fire Department is still waiting on an OK for the carnival from the Governor.

DEPARTMENT OF HEALTH, EDUCATION & HUMAN SERVICES

Councilman Laudati reported the high school is working on graduation. They met with the Health Department as to what they can do and the administration at the high school decided they were going to do a virtual graduation and they will have a firm date this week. They know that after July 6th they may have a big blast and have a regular graduation where they can have as much as 500 people if everything goes right. The school is close to getting all the contracts done with their groups of teachers, aids, secretaries and the custodians and this usually takes years. The school submitted grants to help with supplies related to COVID so they can open up the school with all the precautions. FEMA money may also be available. As of right now, due to Corona, the school lost \$110,000 in State Aid which is a pretty big hit. The High School hired a new principal, Jeremy Davies. He is not sure of how daycare centers are going to work, he received an email about daycare centers today but he is not a hundred percent sure of what is going on but he will look into that. The Health Department said there were only 2 new cases and none of them are children who attend our schools. Michael Balka who is now our Event Coordinator is working on the Farmers Market with the Church. they got a late start but it's moving in the right direction. Senior Citizens has not changed, we are still looking for Meals on Wheels to start again for our seniors. Councilman Laudati said his big concern right now is daycare centers, is it for essential workers or everyone.

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CONSENT AGENDA

Resolutions No. 1 thru 4 are listed on Consent Agenda and will be enacted by one motion in the form listed below. All items will be recorded individually in full in the minutes.

Councilwoman Schielke moved that all items under the Consent Agenda be approved, seconded by Councilwoman Ceceri. All in favor.

RESOLUTION NO. 1

BE IT THEREBY RESOLVED that all bills be paid when properly audited and funds are available.

RESOLUTION NO. 2

BOROUGH OF KENILWORTH - COUNTY OF UNION

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget and,

WHEREAS, the Director may also approve the insertion of any item of appropriation for an equal amount,

WHEREAS, the Borough of Kenilworth wishes to amend its 2020 Budget to include an amount as revenue,

NOW THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Kenilworth hereby requests the Director of the Division of Local Government Services to approve the insertion of an item in the budget of the year 2020 in the sum of \$65,000.00 which is now available as a revenue from:

Special Items of Capital Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

- Public and Private Revenues Off-Set with Appropriations:
- Union County 2020 Infrastructure & Municipal Aid Grant

BE IT FURTHER RESOLVED that a like sum of \$65,000.00

be and the same is hereby appropriated under the caption of:

- Capital Appropriations
- (A) Operations - Excluded from CAPS
- Public and Private Programs Offset by Revenue
- Union County 2020 Infrastructure & Municipal Aid Grant

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RESOLUTION NO. 3

AUTHORIZING CONTRACT WITH FOVEONICS IMAGING TECHNOLOGIES FOR DOCUMENT IMAGING SERVICES UNDER COOPERATIVE PRICING SYSTEM #65MCESCCPS

WHEREAS, the Borough of Kenilworth has been awarded funding from Union County 2020 Infrastructure Grant for Records Scanning and Document Management; and

WHEREAS, pursuant to N.J.S.A 40A:11-11 and N.J.A.C. 5:34-7, the Kenilworth Borough Council has authorized the use of the Educational Services Commission of New Jersey Cooperative Pricing System to contract with various vendors for goods and services; and

WHEREAS, N.J.S.A. 40A:11-11 permits the award of a contract without the necessity of competitive bidding; and

WHEREAS, the Borough of Kenilworth is in need of Document Management for Records Retention and Disposal; and

WHEREAS, Foveonics Imaging Technologies is an authorized vendor under Agreement #65MCESCCPS; and

WHEREAS, Foveonics Imaging Technologies has submitted proposals (attached) totaling \$111,085.00 for Document Management for Records Retention and Disposal; and

WHEREAS, additional imaging will be cost out per the Statement of Work heretofore attached.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Kenilworth, County of Union, State of New Jersey that a contract with **Foveonics Imaging Technologies under Educational Services Commission of New Jersey Cooperative Pricing System #65MCESCCPS** is hereby approved, subject to the issuance of the appropriate purchase order to **Foveonics Imaging Technologies, 999 Willow Grove Street, Hackettstown, New Jersey 07840**.

CERTIFICATION OF FUNDS

APPROPRIATION:

**Union County 2020 Infrastructure
& Municipal Aid Grant**

J. DeIorio, Treasurer

RESOLUTION NO. 4

WHEREAS, the Clean Communities Grant and the Recycling Tonnage Grant guidelines for allow for and provide for hiring and compensation of part-time/seasonal workers; and

WHEREAS, the primary duties include litter collection on Borough properties, cleaning of graffiti and the enforcement of proper e-waste and single stream recycling within the DPW yard.

BE IT RESOLVED, that the following individuals be appointed temporary part-time seasonal employees at the Department of Public Works at \$13.00 per hour, not to exceed twenty-five (25) hours per week paid through the Clean Communities Grant, effective June 15, 2020:

Vincent Senica

Matthew Payne

Aiden Samila

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102B South 23rd St.
Kenilworth, NJ 07033

606 Bloomingdale Ave.
Kenilworth, NJ 07033

634 Colfax Ave.
Kenilworth, NJ 07033

, and

BE IT FURTHER RESOLVED, that these appointments are contingent upon successful completion of medical release, criminal and background checks.

The Borough Clerk said she two ordinances for hearing and adoption, the third ordinance is being pulled because it is not completely done.

Proposed Ordinance No. 2020-05 was read for a second reading as follows: Copy can be found in 5/13/20)

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 91 FEES AND LICENSES, ARTICLE II "POLICE REPORTS AND SERVICES", WITHIN THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

Mayor Karlovitch said purpose of this ordinance is to amend Chapter 91, specifically the fee schedule for police services.

Motion made by Clementi, seconded by Laudati to open the hearing on Ordinance No. 2020-05. All in favor.

No emails were received from the public.

Motion made by David, seconded by Ceceri to close the hearing on Ordinance No. 2020-05. All in favor.

RESOLUTION NO. 5

Introduced by Councilman David.

Seconded by Councilman Clementi. Upon roll call all in favor.

BE IT HEREBY RESOLVED that the ordinance #2020-05 entitled:

ORDINANCE NO. 2020-05

AN ORDINANCE OF THE BOROUGH OF KENILWORTH AMENDING THE EXISTING CHAPTER 91 FEES AND LICENSES, ARTICLE II "POLICE REPORTS AND SERVICES", WITHIN THE BOROUGH OF KENILWORTH, COUNTY OF UNION, STATE OF NEW JERSEY

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Was introduced and approved on first reading, at the regular meeting of the Borough Council on May 13, 2020 approved for final passage at the regular meeting of the Borough Council of June 10, 2020 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

Proposed Ordinance No. 2020-06 was read for a second reading as follows: Copy can be found in 5/13/20)

ORDINANCE NO. 2020-06

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Mayor Karlovitch said purpose of this ordinance is that if you spend less than the State permits this ordinance allows us to bank the difference for 3 years or for a rainy day.

Motion made by Ceceri, seconded by Clementi to open the hearing on Ordinance No. 2020-06. All in favor.

No emails were received from the public.

Motion made by Ceceri , seconded by Clementi to close the hearing on Ordinance No. 2020-06. All in favor.

RESOLUTION NO. 6

Introduced by Clementi.

Seconded by Ceceri. Upon roll call all in favor.

BE IT HEREBY RESOLVED that the ordinance #2020-06 entitled:

**ORDINANCE NO. 2020-06
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Was introduced and approved on first reading, at the regular meeting of the Borough Council on May 13, 2020 approved for final passage at the regular meeting of the Borough Council of June 10, 2020 after all persons interested were given an opportunity to be heard concerning said ordinance.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its final adoption.

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PUBLIC HEARING & ADOPTION OF THE 2020 PROPOSED MUNICIPAL BUDGET

Mayor Karlovitch said the proposed municipal budget represents an increase of \$78.53 for the average residential home.

Motion made by David, seconded by Schielke to open the hearing on the 2020 Proposed Municipal Budget. All in favor.

The Borough Clerk said the requirements that were published pursuant to the auditors recommendation was based off of phone calls so at this point in time as we are live streaming, there is a delay of 30 to 60 seconds between our discussion and someone actually having the opportunity..... so if you would just bear with us for a minute, we will see if we get any calls in. There were no emails received or calls received.

Motion made by Laudati, seconded by Clementi to close the hearing on the 2020 Proposed Municipal Budget. All in favor.

RESOLUTION NO. 7

Introduced by

Seconded by All in favor.

BE IT RESOLVED, that the attached statements of revenues and appropriations shall constitute the Borough of Kenilworth Municipal Budget for the Calendar Year 2020; and

BE IT RESOLVED, that said Budget was approved for introduction by the governing body of the Borough of Kenilworth on Wednesday, May 13, 2020 pursuant to resolution #11; and

BE IT FURTHER RESOLVED, that a summary of said Budget was published in the Local Source (an official publication of the Borough of Kenilworth) on May 21, 2020.

THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Kenilworth does hereby approve the following as the Budget for the year 2020. The total appropriation is \$16,853,903.80

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2020 Municipal Budget

**BOROUGH OF KENILWORTH, COUNTY OF UNION
FOR THE CALENDAR YEAR ENDED DECEMBER 31, 2020**

Revenue and Appropriation Summaries

| Summary of Revenues - Current Fund | Anticipated | |
|-------------------------------------|----------------------|----------------------|
| | 2020 | 2019 |
| 1. Surplus | 1,800,689.06 | 1,800,689.06 |
| 2. Total Miscellaneous Revenues | 1,968,576.40 | 2,529,544.10 |
| 3. Receipts from Delinquent Taxes | 250,000.00 | 250,000.00 |
| 4. Local Tax for Municipal Purposes | 12,834,638.34 | 12,340,753.77 |
| Total General Revenues | 16,853,903.80 | 16,920,986.93 |

| Summary of Appropriations - Current Fund | 2020 Budget | Final 2019 Budget |
|--|----------------------|----------------------|
| 1. Operating Expenses: Salaries & Wages | 5,649,750.00 | 5,655,710.00 |
| Other Expenses | 7,654,824.30 | 7,710,912.43 |
| 2. Deferred Charges & Other Appropriations | 1,479,532.00 | 1,449,867.00 |
| 3. Capital Improvements | 40,000.00 | 65,000.00 |
| 4. Debt Service | 1,189,797.50 | 1,189,497.50 |
| 6. Reserve for Uncollected Taxes | 840,000.00 | 850,000.00 |
| Total General Appropriations | 16,853,903.80 | 16,920,986.93 |
| Total Number of Employees - Full & Part Time | 106 | 106 |

| Balance of Outstanding Debt | |
|-----------------------------|---------------------|
| | General |
| Bond Principal | 7,574,000.00 |
| Bond Interest | 860,301.25 |
| Outstanding Balance | 8,434,301.25 |

Notice is hereby given that the budget and tax resolution was approved by the Borough Council of the Borough of Kenilworth, County of Union on May 13, 2020.

A hearing on the budget and tax resolution will be held at the Municipal Building on June 10, 2020 at 7:00 o'clock (PM) at which time and place objections to the Budget and Tax Resolution for the year 2020 may be presented via telephone by calling in at 908-276-9090.

Copies of the budget are available at www.kenilworthborough.com or by contacting Laura Reinertsen, Borough Clerk, by calling 908-276-9090 or by email at boroughclerk@kenilworthnj.org
Members of the public may request paper copies of the budget document to be delivered by U.S. mail.

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MEETING OPEN TO THE PUBLIC

Motion was made by Councilman David, seconded by Councilwoman Ceceri to open the meeting to the public. All in favor.

No emails e-mails or phone calls were received from the public.

Motion was made by Councilman David, seconded by Councilman Lopez to close the meeting to the public. All in favor.

GENERAL BUSINESS

Councilman Clementi said he wanted to recognize Councilman Lopez for leading the Finance Committee through this year's budget process, it was very difficult because you couldn't really meet personally. We did meet on zoom with those challenges but through his leadership we did a good job of keeping the budget where we could and as low as we could with the challenges of RVSA and some other factors that we can't help. He also thanked Joe Deiorio for his hard work on the budget.

Mayor Karlovitch also thanked Councilman Lopez and CFO Joe Deiorio for a great job.

ADJOURNMENT

There being no further business to come before the Council, it was moved by Councilman David, seconded by Councilman Schielke and carried, that the meeting be adjourned to the call of the chair.

9:00 P.M.

Respectfully submitted

Kathleen Moschitta
Deputy Borough Clerk