



**Brick Township Council  
Caucus/Public Meeting  
April 25 2023  
7:00 PM  
Agenda No. 1**

1. Call to order.
2. Adequate notice of this meeting was provided and published in Asbury Park Press and The Ocean Star on January 27, 2023. Copies of the agenda were provided to the newspapers, posted on public bulletin boards and the township website (www.bricktownship.net).
3.
  - a. Roll Call.
  - b. Salute to the Flag/Pledge of Allegiance/Moment of Silence.
  - c. Accept Reports from Municipal Officers.
  - d. Approve Minutes from April 11, 2023 Meeting.
  - e. Presentations:
    1. Recognize Dottie LaPosa, Shade Tree Commission.
    2. Recognize National Library Week – April 23-29, 2023.
    3. Recognize Brick Township High School Students of the Month – February & March 2023.
    4. Recognize Brick Memorial High School Students of the Month – February & March 2023.
    5. Recognize National Public Safety Telecommunicators Week – April 9 -15, 2023.
4. Municipal Budget Hearing:
  1. Authorize Reading of Budget by Title Only.
  2. Authorize Budget Amendment.
  3. Adoption of the 2023 Municipal Budget.

**Consent Agenda**

***“All matters listed under item “Consent Agenda” will be enacted by one motion in the form listed below. If discussion is desired on any item, this item will be removed from the Consent Agenda and will be considered separately.”***

5. Resolutions:
  1. Authorize Award of Bid – Brick Beach I Food Concession Stand.
  2. Authorize Receipt of Bids – Vending Machine Services.
  3. Authorize Receipt of Bids – Manufacturing and Printing of Tax Bills.
  4. Authorize Close Out Change Order – Roadway Improvements – Riviera Beach Phase 3.
  5. Authorize Shared Services Agreement with Bay Head – Sign Shop Services.
  6. Authorize Special Events Permit – Battle at the Beach Lacrosse Tournament.
  7. Tax Collector:
    - a. Tax Overpayment 2023 – Block 527, Lot 30.

\*\*\*\*\*End of Consent Agenda\*\*\*\*\*

8. Bill Resolution – Computer 2023.
9. Bill Resolution – Manual 2023.

6. Ordinance on First Reading:
  1. Vacate a Portion of Askin Road.

7. Public Comments.
 

**Please note that each person addressing the Council during any section of the meeting during which public comment is permitted shall limit his/her remarks to five minutes pursuant to Brick Township Administrative Code Section 2 -33B.**

8. Council Comments.

9. Motion to Adjourn.
 

**And any other matters which may come before Council.  
Formal Action may be taken at all meetings.**

**\*\*Next scheduled Caucus/Public Meeting will be held on Tuesday, May 9, 2023 at 7:00 p.m.\*\***

**RESOLUTION**

**WHEREAS**, N.J.S.A. 40A:4-8 provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing, and at the hearing, a complete copy of the approved budget shall be made available for public inspection. [N.J.S.A. 40A:4-8].
2. Shall be made available to each person upon request.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Brick, County of Ocean, State of New Jersey, that it is hereby declared that the conditions of N.J.S.A. 40A:4-8 have been met and therefore the Budget for 2023 shall be read by title.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 25, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
4-1	4/25/23
Agenda #	Date
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**RESOLUTION**

**WHEREAS**, sealed bids were received by the Division of Purchasing and Contracting of the Township of Brick for Operation of Brick Beach 1 Food Concession Stand on Friday, April 14, 2023; and

**WHEREAS**, the bid has been reviewed by the Superintendent of Recreation; and

**WHEREAS**, the Superintendent of Recreation has recommended the award of said bid be made to the lowest responsive and responsible bidder being in full compliance of the bid specification.

**NOW, THEREFORE, BE IT RESOLVED THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, AS FOLLOWS:**

1. That the contract for the Operation of Brick Beach 1 Food Concession Stand is hereby awarded to Big Blue Wrap and Roll LLC, 410 Monmouth Avenue, Pine Beach, NJ 08741 in the total amount of \$19,100.00 (\$6,200.00 for the 2023 season, \$6,400.00 for the 2024 season, \$6,500.00 for the 2025 season).
2. That this contract is for three (3) years, specifically the 2023, 2024 and 2025 summer seasons, concluding on September 30, 2025, conditional upon receipt of payment by the contractor for the full amount of the annual installment by January 15<sup>th</sup> of each upcoming summer season.
3. That a cashier's check in the amount of \$6,200.00 for the first contract year has been submitted by the bidder.
4. That the Mayor is hereby authorized to execute and the Clerk to attest to the proposed form of agreement aforesaid, which such agreement shall be available for public examination in the office of the Township Clerk during normal business hours.
5. That a certified copy of this resolution shall be forwarded to the vendor, Business Administrator, Chief Financial Officer, Superintendent of Recreation and Purchasing Agent.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on April 25, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
5-1	4/25/23
Agenda #	Date
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**RESOLUTION**

**WHEREAS**, sealed bids were to be received by the Division of Purchasing and Contracting of the Township of Brick for Vending Machine Services on Friday, April 14, 2023; and

**WHEREAS**, no bids were received at the indicated time and place; and

**WHEREAS**, the Business Administrator recommends that the Township Council authorize the Division of Purchasing and Contracting to bid said service second time.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. The Division of Purchasing and Contracting is hereby authorized to prepare new bid specifications for Vending Machine Services.
2. The Division of Purchasing and Contracting is hereby authorized to advertise for bid for the above-mentioned project.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on April 25, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

5-2	4/25/23
Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, it has been brought to the attention of the governing body of the Township of Brick that the Division of Purchasing and Contracting is desirous of receiving bids for the following item:

**MANUFACTURING AND PRINTING OF TAX BILLS**

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, AND STATE OF NEW JERSEY**, as follows:

1. That the Division of Purchasing and Contracting is hereby authorized to prepare bid specifications for the above-mentioned project.
2. That the Division of Purchasing and Contracting is hereby authorized to advertise for the receiving of bids for the above-mentioned project.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting held on April 25, 2023.

**IN WITNESS, WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
5-3	4/25/23
Agenda #	Date
Agenda #	Date
Agenda #	Date

**RESOLUTION  
CLOSE OUT CHANGE ORDER #1**

**WHEREAS**, the Township of Brick previously awarded a contract to Meco, Inc., P.O. Box 536, Clarksburg, NJ 08510 on August 23, 2022 for the project known as "Roadway Improvements – Riviera Beach, Phase 3 for a total contract price in the amount of \$551,399.43; and

**WHEREAS**, Meco, Inc. has completed the project; and

**WHEREAS**, the consulting engineer, Pennoni Associates, has inspected the work and deemed the work to be complete; and

**WHEREAS**, pursuant to N.J.A.C. 5:30-11.3 the consulting engineer has recommended the approval of Close-Out Change Order #1 decreasing the amended contract by (\$83,603.58) from \$551,399.43 to \$467,795.85 as a result of final as-built quantities; and

**WHEREAS**, the approval of this Close-Out Change Order #1 will result in the return of the performance bond posted for this project. Contractor has provided maintenance bond, which will run for a period of two (2) years; and

**WHEREAS**, the Township Attorney has reviewed the maintenance bond and deemed same to be acceptable; and

**WHEREAS**, it is now the desire of this Township Council to act upon the consulting engineer's recommendation and to approve said Close-Out Change Order #1.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN AND STATE OF NEW JERSEY, as follows:**

1. That the above-mentioned Change Order #1 is hereby approved decreasing the contract amount previously awarded to Meco, Inc. for Roadway Improvements – Riviera Beach, Phase 3 to \$467,795.85, refunding \$83,603.58 to Ordinance #10-22, account C-04-55-882-401.
2. That final payment to the contractor is hereby authorized to be made based upon the recommendation of the consulting engineer.
3. That the work performed the contractor for the project is hereby accepted by the Township of Brick.
4. That return of Performance and Payment Bond #HICNE-25-187-0003 in the amount of \$551,399.43 to the contractor is authorized.
5. That the Township Clerk shall forward a certified copy of the resolution to the contractor, Pennoni Associates, Business Administrator, Township Engineer, Chief Financial Officer and the Office of Purchasing & Contracting.

**CERTIFICATION**

I, Lynnette A. Iannarone, Clerk of the Township of Brick in the County of Ocean and State of New Jersey, do certify that the foregoing resolution was duly passed by the Township Council of the Township of Brick at a regular meeting of said Council on April 25, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

Agenda #	Date
5-4	4/25/23
Agenda #	Date

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

**RESOLUTION**

**RESOLUTION OF THE TOWNSHIP OF BRICK, COUNTY OF OCEAN, STATE OF NEW JERSEY, AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF BAY HEAD FOR SIGN SHOP SERVICES**

**WHEREAS**, the Township of Brick has a sign shop at the Department of Public Works Facility; and

**WHEREAS**, the Borough of Bay Head has a need for the services of a sign shop; and

**WHEREAS**, the Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq., authorizes the Borough of Bay Head to enter into a contract for the provision of certain governmental services with the Township of Brick; and

**WHEREAS**, N.J.S.A. 40A:65-5 requires that such a contract be authorized by resolution; and

**WHEREAS**, it is the desire of the governing body to authorize the execution of a Shared Services Agreement with the Borough of Bay Head for Sign Shop Services.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Brick, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize the execution of a Shared Services Agreement with the Borough of Bay Head for Sign Shop Services, as set forth in the Agreement which is on file in the Township Clerk's Office.
2. That the Mayor is hereby authorized to execute and the Township Clerk to attest to, respectively, the Shared Services Agreement, and any other documents necessary to effectuate the terms of this resolution.
3. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Township Clerk's Office during normal business hours.
4. That a certified copy of this resolution, together with a copy of the agreement, shall be forwarded to the Borough of Bay Head.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 25, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

\_\_\_\_\_  
LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Agenda #	Date
5-5	4/25/23
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Agenda #	Date
Agenda #	Date

**RESOLUTION**

**WHEREAS**, Outside the Crease, LLC, 36 Mohawk Trail, Westfield, NJ has applied for a special event permit to conduct a Battle at the Beach Lacrosse Event on June 17 and 18, 2023 in accordance with Chapter 393 of the Code of the Township of Brick; and

**WHEREAS**, the Municipal Clerk has requested, and received, a report from the various departments on the effect of the special event and the recommendations are incorporated herein; and

**WHEREAS**, the Mayor and Council desire to approve Outside the Crease, LLC's request for special event application to conduct a Lacrosse Event on June 17 and 18, 2023 with the conditions and restrictions detailed below.

**BE IT RESOLVED**, by the Township Council of the Township of Brick, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** That Outside the Crease, LLC's request for special event application to conduct a Lacrosse Event on June 17 and 18, 2023 at the Drum Point Sports Complex between the hours of 8:00 am and 6:00 pm, with the conditions and restrictions as follows:

- 1) All fire lanes and fire access must remain open and accessible at all times. No obstruction of the pedestrian crosswalk/sidewalk access shall be permitted.
- 2) A permit must be obtained from the Bureau of Fire Safety for the tent.
- 3) Event staff members are not to act as traffic directors at any entrances or exits, and can only assist with the parking of vehicles within the lot. If traffic directors are necessary to control parts of the parking lot that interest with any roadways, the applicant should contact Traffic Safety for this process
- 4) Any signage advertising this event (if applicable) shall not be displayed in a manner that it creates a view obstruction at the entrance/exits of the parking lot.
- 5) The intentional and/or accidental release of balloons and other helium/gas filled objects into the atmosphere is environmentally detrimental and should be prevented.
- 6) Applicant will provide an adequate number of sanitary facilities (bathrooms) for the number of persons present. If temporary portable facilities are utilized at least one portable facility will be handicap accessible. All temporary facilities shall be serviced to maintain them in a sanitary condition.
- 7) Issuance of a special events permit does not relieve the applicant from complying with permits required under other New Jersey statues or municipal ordinances including, but not limited to, construction permits required under the Uniform Construction Code NJAC 5:23 or permits required under the Uniform Fire Code N.J.A.C. 5:70.

**SECTION 2.** That a copy of this Resolution shall be provided to the Chief of Police and Outside the Crease, LLC.

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a resolution adopted by the Township Council on April 25, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

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5-6	4/25/23
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Agenda #	Date

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK



**RESOLUTION**

**WHEREAS**, Kelly Napolitano, Tax Collector for the Township of Brick is advising the Township Council that there are overpayments of taxes for the year 2023.

**NOW, THEREFORE BE IT RESOLVED**, by the Township Council in the Township of Brick, County of Ocean and State of New Jersey, that the Township Treasurer be authorized to refund any and all monies due the individual property owner or bank who was responsible for the overpayment.

<u>Block/Lot/Account #</u>	<u>Name</u>	<u>Amount</u>
527/30/311068 450 Central Ave.	Gardner, Francine	\$1,079.51

**CERTIFICATION**

I, Lynnette A. Iannarone, Township Clerk of the Township of Brick, County of Ocean and State of New Jersey, do certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Council of the Township of Brick at a meeting of said Township Council on April 25, 2023.

**IN WITNESS WHEREOF**, I have hereunto set my hand and seal of this Township this 25<sup>th</sup> day of April, 2023.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

Page	Date
5-7a	4/25/23

**AN ORDINANCE VACATING ANY RIGHTS TO A PUBLIC RIGHT-OF-WAY  
ACROSS PROPERTY KNOWN AS A PORTION OF ASKIN ROAD,  
FORMERLY KNOWN AS PART OF GREEN GROVE ROAD, TOWNSHIP OF  
BRICK, COUNTY OF OCEAN,  
STATE OF NEW JERSEY.**

**NOW THEREFORE BE IT ORDAINED** by the Township Council of the Township of Brick, in the County of Ocean and State of New Jersey, as follows:

**Section 1.** Pursuant to the authority vested in the Township of Brick by N.J.S.A. 40:67-21, it is hereby ordained that, subject to the provisions of this Ordinance, all public rights owned by the Township of Brick in a thirty-three foot right of way known as part of Askin Road, formerly known as Green Grove Road on the Tax Map of the Township of Brick and located at property formerly designated as Block 868.01, Lot 16 and located at 1896-1920 Route (hereafter referred to as the Property), be and are hereby vacated. The Property is described as follows:

All that certain tract, lot and parcel of land lying and being in the Township of Brick, County of Ocean and State of New Jersey, being more particularly described as follows:

**BEGINNING** at the point common to the southeasterly corner of Lot 5 in Block 1149, and at a point of intersection of the northerly right of way line of New Jersey State Highway Route No. 88, with the easterly sideline of Askin Road, (formally Green Grove Road), and running thence,

1. Along the northerly right of way line of New Jersey State Highway Route No. 88, and along a curve to the right, having a radius of 10,216.75 and an arc length of 44.44 feet to a point; thence,
2. North 85 degrees 32 minutes 15 seconds West, a distance of 31.76 feet to a point; thence,
3. Along a curve to the left, having a radius of 913.77 and an arc length of 23.33 feet to a point; thence,
4. North 55 degrees 32 minutes 38 seconds West, a distance of 1,165.36 feet to a point; thence,
5. North 34 degrees 27 minutes 22 seconds East, a distance of 33.00 feet to a point common to the southerly sideline of Lot 6 in Block 1149; thence,
6. Along the southerly sideline of Lot 5 in Block 1149, South 55 degrees 32 minutes 38 seconds East, a distance of 1,202.07 feet to the point and place of beginning.

Said road vacation containing an area of 39,524.608 square feet or 0.907 acres of land, more or less.

**Section 2.** Pursuant to the authority vested in the Township of Brick by N. J. S. A. 40:67-21, the following described portion of the area to be vacated shall be vacated in favor of Lots 5 & 6 in Block 1149, Township of Brick, Ocean County, New Jersey.

**BEGINNING** at the point common to the southeasterly corner of Lot 5 in Block 1149, and at a point of intersection of the northerly right of way line of New Jersey State Highway Route No. 88, with the easterly sideline of Askin Road, (formally Green Grove Road), and running thence,

1. Along the northerly right of way line of New Jersey State Highway Route No. 88, and along a curve to the right, having a radius of 10,216.75 and an arc length of 19.51 feet to a point; thence,

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2. North 55 degrees 32 minutes 38 seconds West, a distance of 1,191.66 feet to a point; thence,
3. North 34 degrees 27 minutes 22 seconds East, a distance of 16.50 feet to a point common to the southerly sideline of Lot 6 in Block 1149; thence,
4. Along the southerly sideline of Lot 5 in Block 1149, South 55 degrees 32 minutes 38 seconds East, a distance of 1,202.07 feet to the point and place of beginning.

Said road vacation containing an area of 19,748.284 square feet or 0.453 acres of land, more or less.

**Section 3.** Pursuant to the authority vested in the Township of Brick by N. J. S. A. 40:67-21, the following described portion of the area to be vacated shall be vacated in favor of Lots 16.02 & 16.03 in Block 868.01, Township of Brick, Ocean County, New Jersey.

**BEGINNING** at the point of intersection of the northerly right of way line of New Jersey State Highway Route No. 88, with the westerly sideline of Askin Road, (formally Green Grove Road), and running thence,

1. North 85 degrees 32 minutes 15 seconds West, a distance of 31.76 feet to a point; thence,
2. Along a curve to the left, having a radius of 913.77 and an arc length of 23.33 feet to a point; thence,
3. North 55 degrees 32 minutes 38 seconds West, a distance of 1,165.36 feet to a point; thence,
4. North 34 degrees 27 minutes 22 seconds East, a distance of 16.50 feet to a point; thence,
5. South 55 degrees 32 minutes 38 seconds East, a distance of 1,191.66 feet to a point common to the northerly right of way line of New Jersey State Highway Route No. 88; thence,
6. Along the northerly right of way line of New Jersey State Highway Route No. 88, on a curve to the right, having a radius of 10,216.75 feet and an arc length of 24.93 feet and place of beginning.

Said road vacation containing an area of 19,776.324 square feet or 0.454 acres of land, more or less.

**Section 4.** A certified copy of this Ordinance shall be filed with the Clerk of Ocean County.

**Section 5.** This Ordinance shall take effect in accordance with the law.

**Section 6.** Notwithstanding this Ordinance there is hereby reserved and excepted from said vacation all rights and privileges now possessed by public utilities, as defined in R.S. 48:2-13, and by any cable television franchise company as defined in the "Cable Television Act." P.L. 1972, c. 186 (c. 48:5A-1 et seq.), to maintain, repair or replace their existing facilities in, adjacent to, over or under any part thereof to be vacated.

**Section 7.** This Ordinance is expressly conditioned upon title to the Property being hereby vacated merging with title to the adjacent property(s).

**NOTICE**

**NOTICE IS HEREBY GIVEN** that the foregoing ordinance was introduced and passed by the Township Council on first reading at a meeting of the Township Council of the Township of Brick held on the 25<sup>th</sup> day of April, 2023, and will be considered for second reading and final passage at a regular meeting of the Township Council to be held on the 23<sup>rd</sup> day of May, 2023 at 7:00 p.m., at the Municipal Building, located at 401 Chambers Bridge Road, Brick, New Jersey, at which time and place any person desiring to be heard upon the same will be given the opportunity to be so heard.

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LYNNETTE A. IANNARONE  
TOWNSHIP CLERK

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LISA CRATE  
MAYOR