

**BOROUGH OF MANVILLE  
ORDINANCE 2010-1098**

**AN ORDINANCE TO REGULATE THE TOWING AND STORAGE OF VEHICLES**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF MANVILLE  
THAT THE ABOVE TITLED ORDINANCE BE AND IS HEREBY ADOPTED:**

1. DEFINITIONS

- a. Basic Towing Service – Towing Service which does not involve the existence of any special circumstances or require a heavy wrecker.
- b. Borough – The Borough of Manville.
- c. Chief of Police – The Chief of the Police Department of the Borough of Manville or anyone designated by him.
- d. Day Rate – The maximum rate which shall apply to Basic or Heavy Towing Services, when the call for such services occurs between 8:00 am and 6:00 pm. When a Day Rate is hourly, no charges shall accrue for transit time of a wrecker to or from the tow site.
- e. Department of Insurance – New Jersey Department of Banking and Insurance
- f. Indoor – A vehicle storage facility that is completely indoors, having one or more openings in the walls for removal of vehicles and that is secured by a locking device at each opening.
- g. Motor Vehicle – Any automotive vehicle, not operated on rails, with rubber tires for use on highways including not by way of limitation, automobiles, trucks, tractor-trailers, buses and motorcycles.
- h. Operator- A person, corporation, partnership, or any other legal entity engaged in the business of providing towing and storage services for motor vehicles.
- i. Night Rate – The maximum rate which shall apply to Basic or Heavy Towing Services, when the call for such services occurs between 6:01 p.m. and 7:59 a.m. When a Night Rate is hourly, no charges shall accrue for transit time of a wrecker to or from the tow site.
- j. Outdoor – A motor vehicle storage facility that is outdoors and is secured by a fence, wall or other man-made barrier that is at least six feet high.
- k. Recovery Towing Service: A Towing Service where special circumstances exist.

l. Road Service: Services performed by an Operator upon a motor vehicle located on a highway, street or other public or private road or a parking area which do not involve towing or are otherwise not incidental to towing, e.g. jump-starts, flat tire repair, mechanical repair.

m. Shareholder – Any person or entity owning 10% or more of an Operator, including shares thereof.

n. Special Circumstances- Factors which render a Towing Service more difficult, time-consuming or complex. These include but are not limited to any of the following: recovery of a motor vehicle from beyond the right-of-way or berm; recovery of an impaled motor vehicle; recovery of a motor vehicle resting on its roof or side; recovery of a motor vehicle which has separated into two or more pieces which must be winched separately; recovery of a vehicle which has spilled its contents which must be cleaned from the roadway; recovery of a vehicle which has been submerged in water; large vehicle weight or size; entanglement in a bridge or overpass; towing which requires the cargo off-loading from the vehicle to be towed; any towing which requires additional manpower beyond that of the driver of a wrecker.

o. Storage Charges for 24 hour Period – Means the maximum allowable amount to be charged by a storage facility for a 24 hour period. A new 24 hour period begins 24 hours after the time of tow, not after midnight.

p. Towing List – A list maintained by the Manville Police Department containing the names of those wreckers licensed by the Borough to respond to requests by the Police Department for the towing of vehicles.

q. Towing Service- The removal and transportation, by an Operator, of a motor vehicle from a highway, street or other public or private road or a parking area or from a storage facility and other services normally incident thereto.

r. Wrecker – A motor vehicle driven by mechanical power and employed for the purposes of towing, transporting, conveying and/or removing any and all kinds of motor vehicles which are unable to be and are not operated under their own power, from one place to another for which a charge or fee is expected. A wrecker capable of towing vehicles having a gross vehicle weight rating (GVWR) of 10,000 pounds or more shall be considered a “heavy wrecker”

s. Heavy Duty Towing Service – A Towing Service involving a motor vehicle so large or heavy as to require a “heavy wrecker”.

## 2. PURPOSE

The purpose of this ordinance is to provide a uniform set of procedures for administering the issuance, renewal, suspension and termination of all licenses issued hereunder in the interest of fair and equitable treatment of the motoring public and towing operators and to establish rates for services performed by towing operators so licensed.

### 3. LICENSING APPLICATION

a. To be placed on the towing list with the Borough of Manville Police Department, an Operator must obtain a towing license from the Borough of Manville Council.

b. All towing licenses issued under this ordinance will be valid through the last day of December of the year of issuance or renewal is sought.

c. Application for licenses shall be made to the Chief of Police in duplicate, on forms prepared by the Chief of Police, and shall contain the following information, together with such other information as the Chief of Police may find reasonably necessary to carry out the intent and purpose of this ordinance.

i. The name, address and phone number of the applicant.

ii. The name, address and phone number of the Operator.

iii. The names and addresses of all shareholders in the Operator, if any.

iv. The phone number of the Operator which to be included on the Towing list. This number may be called by the Police Department on a twenty-four-hour, seven-day-a-week basis.

v. The year, make, type and model of each wrecker (including heavy wreckers) used by the Operator, its vehicle identification number and New Jersey registration number.

vi. The location and size of all Operator's vehicle storage lots, together with such photographs of the same as the Chief of Police may require.

vii. The names, addresses and New Jersey driver's license numbers of all employee-drivers of the wreckers identified. Employee-drivers must possess a valid New Jersey driver's license prior to the date of application. Certified driver's abstracts for each employee-driver must be attached to the application. The same shall also be attached for the Operator if he/she is an individual who will be operating a wrecker.

viii. Copies of any and all successful civil complaints filed against the Operator, its agents, workers or employee-drivers for deceptive business practices, including but not limited to insurance fraud, price gouging, or other similar complaint or offense. This shall not be construed to be limited to substantiated complaints with regards to towing services.

ix. A description of the security features of the vehicle storage lots.

x. A list of the names, addresses, policy numbers and coverage of the insurance required by this ordinance, together with a signed indemnification agreement pursuant to 7(d) of this Ordinance. The form of such indemnification agreement shall be prepared by the Chief of Police.

xi. The Operator's own fee schedule which charges shall not exceed those set forth in the attached fee schedule.

xii. Any other information, whether at the time of application or as part of the investigation, that the Borough of Manville shall deem appropriate and necessary to properly evaluate the towing agency for this license.

xiii. All Operators/employee drivers are required to provide fingerprints at time of application via MorphoTrak, which can be located via New Jersey State Police website: [http://njsp.org/about/serv\\_chrc.html](http://njsp.org/about/serv_chrc.html). Follow Form A (Personal Record Request). The above process shall be a one-time only process for each Operator/driver and every new employee hired thereafter. A name check will be done on each employee every year thereafter with all paperwork to be picked up at the Manville Police Department. In the event an Operator is not an individual but a corporation, partnership, LLC, or other business entity, such fingerprints shall also be obtained from the head of such entity (e.g. owner, president, managing member, managing partner), and shareholders.

d. The fee for said license shall be \$150.00 paid concurrent with filing of the application with the Police Chief. This is an administrative processing fee which is non-refundable even in the event the license is denied.

#### 4. INVESTIGATION, APPROVAL OR DISAPPROVAL OF APPLICATION

a. After receiving a completed application and the above referenced licensing fee, the Chief of Police shall conduct or shall cause to be conducted an investigation. The purpose of the investigation shall be to determine the truth and accuracy of all information contained in said application. Following his/her investigation the Chief of Police shall make recommendation to the Borough Council to approve or disapprove the towing license.

b. The Chief of Police shall also investigate and consider the following in making a recommendation of approval/disapproval to the Borough Council:

i. Whether the Operator has the capacity to respond to calls for towing services anywhere in the Borough, 24 hours a day in a speedy and efficient manner. Capability to respond in a speedy and efficient manner, shall mean ability to arrive at the location where towing is to be conducted within 20 minutes of the call for towing services.

ii. Whether the towing equipment is thoroughly safe and in sound condition and complies with the regulations and standards of this ordinance as well as any applicable provisions of the New Jersey statutes.

iii. Whether the applicant has a sufficient amount of towing equipment and secured storage capacity to effectively serve on the Towing List

iv. Whether the applicant has sufficient, safe and reasonably proximate storage facilities which are available Monday through Saturday, business hours, excluding holidays.

v. That the insurance policies, as required, have been procured and supplied.

c. Upon completion of his investigation, the Chief of Police shall forward a copy of the completed Borough of Manville application for a towing license to the Borough Council with a recommendation for approval or disapproval of the license and the reason(s), if any, for disapproval. Upon receipt of the application, the Borough Council, based upon a favorable recommendation, may issue the license to the Operator and the Operator's name will be placed at the end of the tow list.

d. The Borough Council may at its discretion or upon the recommendation the Chief of Police decline to issue a towing license. Reasons for a denial may include but are not limited to: false statements contained in Operator's towing license application; poor driving records or recent driver's license suspensions/revocations/DUI convictions of the Operator (if an individual engaged in operation of a wrecker) or the Operator's employee drivers; criminal convictions of the Operator its officers, agents, or driver-employees; successful civil actions against the Operator its officers, agents, or driver-employees based on fraud, price gouging, or deceptive business practices; a previous history of towing license suspensions, revocation or complaints; failure of the Operator to meet other criteria contained herein.

#### 5. ISSUANCE OF LICENSE; DURATION; AND RENEWAL

a. Following notice by the Borough Council that a towing license has been approved, and compliance with verification of required insurance the Borough Clerk shall issue a towing license.

b. Said license will be valid through the last day of December of the year of issuance or renewal is sought.

c. Operators shall be required to file a new application and pay the \$150 license fee each year in order to renew their towing license. Any Operator seeking renewal of its license shall submit such application and fee by October 15<sup>th</sup> of the year preceding the year for which renewal is sought. The Police Chief may waive this filing deadline for good cause shown.

d. A towing license issued to an Operator under this ordinance shall not be transferable. No licensed Operator shall subcontract any work to be performed pursuant to this ordinance without first having obtained prior written approval from the Chief of Police. A licensed Operator shall be responsible for the services performed by the subcontractor and shall remain liable for any violations of ordinance by the subcontractor.

e. A licensed Operator shall notify the Chief of Police within ten (10) days of any change in material fact set forth in its towing license application, regardless of whether or not such change in material fact occur after the issuance of a towing license.

## 6. TERMINATION; SUSPENSION AND APPEAL

a. Following notice to the Operator and a hearing the Borough Council may terminate a towing license after issuance under the following circumstances:

i. When it is found that the license was secured by fraud or concealment of material facts by the Operator, which fact, if known, would have caused the refusal to issue the license;

ii. When it is found that Operator, its officers, agents, or employees have violated any of the requirements herein or regulations established by the Chief of Police or his designee;

iii. When the Borough is not satisfied with the general services of the Operator or with the cooperation it has received in rendering service.

iv. When it is found the Operator, its agents, officers, or employees have otherwise been engaged in fraudulent or deceptive practices or any other unlawful activity.

b. The Chief of Police may, upon written notice, suspend the Towing License of any Operator for good cause pending a termination hearing, or for any other reason set forth in this ordinance.

## 7. INSURANCE

a. No towing license shall be issued under this chapter until the Operator has deposited with the Chief of Police the following insurance policies:

i. Garage keeper's policy. A garage keeper's liability policy shall be in the minimum amount of \$100,000 per location. Each vehicle damaged shall be deemed a separate claim.

ii. Garage liability; motor vehicle liability, comprehensive general liability and miscellaneous coverage. The Operator shall maintain general liability and personal injury insurance coverage in a form satisfactory to the Borough of Manville, which shall be for an amount not less than \$1,000,000 combined single limit, which insurance policy shall indemnify the Borough against any loss due to vehicles, accidents or damages of any character whatsoever, where any such loss is the result of an act or omission of the Operator his agents or employees or due to the execution of the work called for under this ordinance, including but not limited to damages or loss sustained to any vehicle or contents, if such vehicle is in the Operator's possession. Liability insurance policies shall be specifically endorsed to provide collision insurance for vehicles in tow, the Borough of Manville shall be named as an additional insured in all liability policies and the insurance certifications shall indicate such fact and shall be presented to the Borough for filing.

b. Every policy required under this ordinance must contain an endorsement by the carrier providing 30 days notice of cancellation to both the Chief of Police and the insured or in the event of any change in coverage under the policy.

c. In the event that the policy is changed so as to not conform with any of the requirements contained herein or a policy of a licensed Operator is cancelled for any reason, the Chief of Police shall notify the Operator and the policy shall be corrected or reinstated or replaced with a conforming policy within 10 days after notice is received and before the date of cancellation and in no event will any license be valid after cancellation of such policy. If the policy or certificate is not corrected, reinstated or replaced within the required time, the Chief of Police shall immediately suspend the Operator's license and immediately remove the name of the Operator from the official towing list. If said corrections, reinstatements or replacements of insurance in compliance with this chapter do not occur within 30 days of suspension, the license shall be automatically revoked and the Chief of Police shall pick up from the Operator all indicia of licensing.

d. Operators shall agree in writing to assume the defense and indemnify and hold harmless the Borough, its elected officials, boards, commissions, officers, employees and agents from all suits, actions, damages or claims to which the Borough may be subjected of any kind or nature whatsoever resulting from, caused by, arising out of or as a consequence of the providing of towing, wrecking, storage and/or emergency services provided at the request of the Borough pursuant to this chapter.

#### 8. TOWING LIST; NOTIFICATION OR REQUEST TO RESPOND TO ACCIDENT

a. The Chief of Police or his designee shall ensure that licensed Operators are called to the scene of the accident on a rotation basis, distributing the calls on an equitable basis from the towing list. The Chief of Police, or his designee, shall not call, or cause to be called, any Operator not licensed by the Borough unless all such licensed Operators are unavailable. It is specifically permitted for the Chief of Police, or his designee, to call an Operator out of sequence if the nature of the wreck requires specialized equipment or if proximity to the wreck or estimated response time makes it practical to do so.

b. The Borough shall request wrecking, towing and storage services from each licensed Operator in rotation. When called, the Operator shall advise the Dispatcher if a vehicle is available and the estimated time of arrival. If no wrecker is available or if response time will exceed 20 minutes, the next licensed Operator on the list shall be called and the original Operator called shall be placed at the bottom of the rotation list. If none of the licensed Operators are available or able to provide such services as requested by the Borough, the Borough may request such services from any other available source. Traffic and road conditions shall be considered in regard to the twenty minute response time.

c. The responding Operator shall be responsible for cleaning the scene of the accident of broken glass, metal or debris by sweeping the road surface and removing the material to the wrecker. All wreckers will be equipped with absorbent materials in case of a liquid spill. The Operator will be responsible for properly removing the absorbent material from the roadway and onto the wrecker. This clean-up must be completed to the satisfaction of the Police Officer at the scene per NJSA 39:4-56.8(b).

d. There will be no fees charged to the customer or the Manville Police Department if the Police Department cancelled the services prior to the wrecker arriving on the scene.

e. No wrecker or person shall respond to the scene of an accident except upon notification by the Police Department or upon the request of the driver or owner of the disabled vehicle.

f. All regulations hereunder and the fee schedules of each operator shall be made available to the public during normal business hours of the municipality.

## 9. ABANDONED MOTOR VEHICLES

a. The procedure for towing and storing abandoned vehicles shall be as set forth in NJSA 39:10A-1. "Reasonable costs" for the storage and removal of vehicles as set forth in NJSA 39:10A-1(d), and NJSA 39:10A-2 shall be deemed to be those fees set forth in the attached fee schedule, unless another fee is required by statute.

b. The maximum fee an Operator may charge for notice required under this provision shall actual cost only.

## 10. CANCELLED TOWS AND ADDITIONAL CHARGES

a. Once a wrecker arrives on scene and is cancelled by law enforcement or it is determined for any reason their services are not needed, same will be compensated at the applicable rate (Day or Night) for a Basic Towing Service.

b. Any charges by the Operator to any motor vehicle's owner, driver and/or lien holder are limited to and may not exceed those charges listed in the attached schedule. At no time will any other additional charges be authorized except those specifically listed therein. The Borough of Manville shall not be liable for any such charges.

## 11. RULES AND REGULATIONS

a. The Chief of Police is hereby authorized and empowered to establish reasonable rules and regulations for the inspection and operation of wreckers under this Ordinance.

b. The Chief of Police shall maintain due vigilance over all wreckers to see that they are kept in a safe condition for transporting and/or hauling disabled vehicles and shall have the right, at all times, to inspect all licensed wreckers and shall maintain a record of the report of all such inspections.

c. If at any time the Chief of Police shall find the equipment inadequate or unsafe, he shall have the power to demand immediate corrections and if not so corrected by the applicant to the satisfaction of the Chief of Police, the Chief of Police shall have the power to suspend the license until such time as the corrections and/or repairs are completed.

d. The Operator shall be responsible for any motor vehicle and the contents thereof after receiving said motor vehicle in its custody and shall reimburse the owner of any such motor vehicle removed by it for any such damage or loss sustained to any motor vehicle or its contents while said motor vehicle is in the Operator's possession.



e. All charges made by Operator shall be paid by the owner or motor vehicle driver or any person, firm or corporation claiming the right to possession of any motor vehicle moved or stored by the Operator as provided for herein and the Borough of Manville shall not be liable for the payment of any sum to the Operator which may be due on account of any towing, removal or storage.

f. Reports of discourteous behavior, excessive fees and damages to motor vehicles by the licensed Operator which can be substantiated and documented may be considered by the Borough as sufficient cause for termination from the rotation list.

g. Each licensed Operator shall keep and maintain adequate and complete records showing all vehicles towed, stored and released, all services rendered and all fees charged and collected. All records shall be available for inspection by the Borough at any time during normal business hours. Records shall be kept and maintained by the Operator at one central location and shall be retained for a period of four years. Records may be written, printed or computerized as long as the requirements of this ordinance are met.

h. A licensed Operator shall make all wreckers available to the Police Department for inspection at any time. All changes to the roster of vehicles must be filed with the Chief of Police prior to their being placed in service and inspected by the Police Department.

i. All wreckers must be clearly permanently marked with the name of the licensed Operator.

j. Each Operator shall produce his license when called upon to do so during the course of any Police towing as authorized under this Ordinance.

k. Each Operator shall furnish adequate and secure facilities for storing vehicles, and protecting them from theft and vandalism. A photograph of a Operator's storage areas is required to be on file with the Manville Police Department. Outside storage areas are to completely fenced in.

## 12. TOWING AND STORAGE FEES

a. The maximum rate for towing and storage of a vehicle at Police request within the Borough, as well as certain other related services shall be set by the Borough Council in the attached fee schedule. Nothing in this ordinance shall prohibit an Operator from charging lesser fees for any services contained on the attached fee schedules.

b. Wreckers transporting multiple motor vehicles at one time shall receive the applicable fees for each vehicle transported.

c. Licensed Operators are required to have copies of established rates available for the vehicle owner or driver at the time of the tow, and to submit copies of the same with their License Applications to be made available to the public during the normal business hours of the municipality.

### 13. EXCEPTIONS

a. Nothing in this Ordinance shall apply to Operators that pick up disabled vehicles outside the Borough limits and are in the course of taking such vehicles to a garage or other location either within the Borough nor to Operators whose services are specifically requested by the driver or owner of a disabled vehicle or a driver or owner involved in a motor vehicle crash.

b. This Ordinance in no way deprives the right of a motorist to request or call for a tow operator of his/her own choosing, providing the Officer at the scene determines that the tow operator requested can arrive at the scene within the time limit specified herein, has the proper equipment to clear the scene and the safety of the persons or motorists will not be jeopardized by the time involved. No Officer will be required to accept a towing service unknown to him when a disabled or wrecked vehicle potentially threatens the safety of the public.

c. This Ordinance is subject to NJSA 39:4-50.

### 14. VIOLATIONS AND PENALTIES

In addition to license termination, any Operator, its agents, officers or employees found guilty of violating any of the provisions of this Ordinance may, in addition to being held liable to a fine of not more than two thousand dollars (\$2,000.00) per violation.

### 15. REPEAL

Ordinances #1991-730 of the Borough of Manville regulating the towing and storage of vehicles is hereby repealed. Any ordinances or part of ordinance which is inconsistent with this ordinance is repealed as to its inconsistencies only. Such repeal shall not however effect or prevent the punishment of any person for any act done or committed in violation of any ordinance hereby repealed prior to the take effect of this ordinance.

### 16. SEVERABILITY

If any section of this ordinance is adjudged invalid, such determination shall apply only to the specific section so adjudged and the remainder of the ordinance shall remain valid.

### 17. EFFECTIVE DATE

This Ordinance shall take effect after final passage and publication according to law.

## 18. PREVIOUS LICENSE HOLDER

Any towing license granted by the Borough of Manville under a prior Towing ordinance, which license is valid upon the effective date of this Ordinance, shall be deemed to run for the period originally set forth under the prior ordinance. The holder of such a license may however have their license deemed automatically extended to December 31, 2011 provided that said license holder makes application for a renewal of said license by October 15, 2011 for the 2012 license year pursuant to the terms of this Ordinance.

Borough of Manville,

Lillian M. Zuza, Mayor

ATTEST:

Philip E. Petrone, Borough Clerk

BASIC TOWING SERVICE  
FEE SCHEDULE

Day Rate (8:00am-6:00pm)	\$85 per tow
Night Rate (6:01pm-7:59am)	\$110 per tow
Sundays/Holidays	Night rate applies
Road Service	Day (8:00am-6:00pm) \$60 per incident- includes material cost Night (6:01pm-7:59am) \$80 per incident- includes material cost  Only utilized when a vehicle is not towed.
Mileage	From tow yard to scene – No Charge Permitted From place of tow to yard – No Charge Permitted  If a motor vehicle is being towed to a place other than the yard of the Operator, after the first four miles a charge of \$4/mile will be permissible for each additional mile traveled. This rate shall not apply to any mileage where the subject motor vehicle is not physically attached to the wrecker.
Storage	\$40/day indoor \$25/day outdoor

HEAVY DUTY TOWING SERVICE  
FEE SCHEDULE

Day Rate (8a-6p)	<p>\$250/hour billed in ¼ hour increments.</p> <p>No charges shall accrue for transit time of a wrecker to or from the tow site.</p>
Night Rate (6p-8a)	<p>\$300/hour billed in ¼ hour increments.</p> <p>No charges shall accrue for transit time of a wrecker to or from the tow site.</p>
Sundays/Holidays	Night rate applies
Mileage	<p>From tow yard to scene – No Charge Permitted</p> <p>From place of tow to yard – No Charge Permitted</p> <p>If a motor vehicle is being towed to a place other than the yard of the Operator, after the first four miles a charge of \$4/mile will be permissible for each additional mile traveled. This rate shall not apply to any mileage where the subject motor vehicle is not physically attached to the wrecker.</p>
Storage	<p>\$70/day indoor</p> <p>\$60/day outdoor</p>
Road Service	<p>\$100/incident</p> <p>plus material cost, only utilized when vehicle is not towed.</p>

RECOVERY TOW  
FEE SCHEDULE

<p>Recovery Tow for Motor Vehicles Not Requiring a Heavy Wrecker</p>	<p>\$150/hour billed in ¼ hour increments.</p> <p>This fee is to be charged in lieu of the day or night rate for Basic Towing Service. No charges shall accrue for transit time of a wrecker to or from the tow site.</p>
<p>Recovery Tow for Motor Vehicles Requiring a Heavy Wrecker</p>	<p>\$400/hour billed in ¼ hour increments.</p> <p>This fee is to be charged in lieu of day or night rate for Heavy Duty Towing Service. No charges shall accrue for transit time of a wrecker to or from the tow site.</p>
<p>Mileage</p>	<p>From tow yard to scene – No Charge Permitted</p> <p>From place of tow to yard – No Charge Permitted</p> <p>If a motor vehicle is being towed to a place other than the yard of the Operator, after the first four miles a charge of \$4/mile will be permissible for each additional mile traveled. This rate shall not apply to any mileage where the subject motor vehicle is not physically attached to the wrecker.</p>
<p>Storage</p>	<p>For Motor Vehicles not requiring a heavy wrecker:</p> <p>\$40/day indoor \$25/day outdoor</p> <p>For Motor Vehicles requiring a heavy wrecker:</p> <p>\$70/day indoor \$60/day outdoor</p>

<p>Additional Manpower</p>	<p>\$50/hour – days (8:00am-6:00pm)\$75/hour – nights (6:01pm-7:59am), weekends, holidays</p> <p>This fee is chargeable by an operator in addition to the above recovery tow fees in the event additional employees are necessary to assist in the tow.</p>
<p>Material Off-Loading</p>	<p>\$100/hour billed in ¼ hour increments.</p> <p>This fee is chargeable by an operator in addition to the above recovery tow fees, when material needs to be off-loaded for security/health or safety reasons. If the Operator is charged a disposal fee for the material, that fee may also be passed onto the responsible party.</p>

**ORDINANCE #2010-1098**

**FIRST READING:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
√		<b>ASHER</b>	√			
		<b>FISCHER</b>				√
	√	<b>KOMOROSKI</b>	√			
		<b>LYNN</b>	√			
		<b>ONDERKO</b>	√			
		<b>SZABO</b>				√
		<b>MAYOR ZUZA</b>				

**PASSED** this 27<sup>th</sup> day of September, 2010

Attest:

\_\_\_\_\_  
Philip E. Petrone, Borough Clerk

**SECOND READING:**

Introduced	Seconded	Council	Yes	No	Abstain	Absent
√		<b>ASHER</b>	√			
		<b>FISCHER</b>				√
		<b>KOMOROSKI</b>	√			
		<b>LYNN</b>	√			
		<b>ONDERKO</b>	√			
	√	<b>SZABO</b>	√			
		<b>MAYOR ZUZA</b>				

**ADOPTED** this 11<sup>th</sup> day of October, 2010

Attest:

\_\_\_\_\_  
Philip E. Petrone, Clerk