

SUBJECT TO CHANGE
BOROUGH OF WEST LONG BRANCH
COUNCIL MEETING

March 4, 2020
(Immediately Following Caucus Meeting Which Starts at 6:30 PM)

MAYOR JANET W. TUCCI PRESIDES

MAYOR TUCCI REPORTS SUNSHINE LAW COMPLIED WITH

PRESENT: BRAY, CIOFFI, MANGO, MIGLIACCIO, NEYHART, PENTA
ABSENT:

READING AND APPROVAL OF MINUTES:

REPORTS OF STANDING COMMITTEES:

MAYOR TUCCI:

COUNCILMAN BRAY (FINANCE & ADMINISTRATION):

COUNCILMAN CIOFFI (FIRE & EMS):

COUNCILWOMAN MANGO (RECREATION, ENVIRONMENTAL, & SHADE TREE):

COUNCILMAN MIGLIACCIO (PUBLIC PROPERTY):

COUNCILMAN NEYHART (POLICE):

COUNCILMAN PENTA (PUBLIC WORKS):

BOROUGH ADMINISTRATOR DOLLINGER:

BOROUGH CLERK COLE:

BOROUGH ATTORNEY BAXTER:

BOROUGH ENGINEER MULLAN:

COMMUNICATIONS:

ORDINANCES:

1. Ordinance No. O-20-5
An Ordinance Providing Procedure to Add Unpaid Board Professional Fees to Property Owners' Taxes in the Borough of West Long Branch
Introduction

RESOLUTIONS:

1. Resolution Approving Dispatcher Agreement With Monmouth County (R-20-44)
2. Resolution Approving 2020 Fireworks Contract (R-20-50)
3. Resolution Amending Employee Policy Manual (R-20-51)

UNFINISHED BUSINESS:

NEW BUSINESS:

1. Authorization for Mayor Tucci to Sign the April Distracted Driving Grant Application

BILLS AND CLAIMS:

OPPORTUNITY FOR ANY PERSON TO BE HEARD:

MOTION TO CLOSE THE PUBLIC PORTION AND ADJOURN:

ORDINANCE NO. O-20-5

**AN ORDINANCE PROVIDING PROCEDURE TO ADD
UNPAID BOARD PROFESSIONAL FEES TO
PROPERTY OWNERS' TAXES
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the borough has been experiencing several problems with applicants before the West Long Branch Zoning Board of Adjustment and West Long Branch Planning Board not making payment of required escrows, or not supplementing such payments, creating a deficit in the applicant's escrow account and, therefore, an inability for the borough to make payment to the boards' professionals; and

WHEREAS, the applicants should not receive the benefit of having their cases heard and concluded, or being able to obtain necessary building permits in the event of a successful application, when they have not paid the board's professionals; and

WHEREAS, the current procedure of repeatedly sending notices to applicants who were deficient in such payments has not proved to be successful, requiring the borough to seek alternate means to assure itself of these bills being paid; and

WHEREAS, the governing body has considered a procedure to add unpaid board escrow bills to the tax bills of the property owners for such properties, similar to the procedure the borough follows regarding unkempt properties where the borough has stepped in to undertake property maintenance;

NOW, THEREFORE, BE IT ORDAINED by the governing body of the Borough of West Long Branch as follows:

SECTION 1.

If any applicant before the West Long Branch Zoning Board or the West Long Branch Planning Board becomes ninety (90) days deficient in paying any required escrow or supplemental escrow for the payment of the board's professional fees, the Board Secretary shall provide a certification to the Borough Clerk setting forth (a) the date of the notice to the applicant; (b) the amount requested/ required; (c) the amount that remains unpaid; and (d) that ninety (90) days has elapsed since the date of request for such payment.

SECTION 2.

Upon receipt of the certification of the Board Secretary as set forth in Section 1, the Borough Clerk shall advise the governing body by providing it with a copy of the Board Secretary's certification.

SECTION 3.

If the governing body chooses to impose a lien on the subject property to the extent of the unpaid escrow, it shall advise the property owner in writing at least ten (10) days before the council meeting at which such action will be taken.

SECTION 4.

If the escrow remains unpaid by the expiration of ten (10) days as set forth in the proceeding section, the governing body may adopt a resolution to assess the property owner the amount of the unpaid escrow, such amount to be added to the property owner's tax bill and be a lien against the taxpayer's subject property.

SECTION 5.

This procedure is not intended to relieve the applicant or property owner from paying the required escrow bills. Rather, this ordinance is designed to provide an additional mechanism to collect unpaid escrow bills.

SECTION 6.

If any application to either the zoning board or the planning board is made by other than the owner of the property, in addition to the owner of the property providing its consent for the applicant to proceed, the owner shall also provide a written statement to the board, indicating its awareness that, if any escrow bills are not paid, the borough may impose a lien for the same and add the unpaid escrow bill(s) to the real estate taxes of that property.

SECTION 7.

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

3/4/20

Councilmember offered the following resolution and moved its adoption:

RESOLUTION APPROVING DISPATCHER AGREEMENT WITH MONMOUTH COUNTY

WHEREAS, the Borough of West Long Branch entered a Shared Service Agreement with the County of Monmouth for the provision of dispatch services, which Agreement expired on December 31, 2019; and

WHEREAS, the County of Monmouth submitted the attached Shared Service Agreement for the Provision of Emergency Dispatch Services by the County of Monmouth, Through the Monmouth County Sheriff's Office, Communications Division for the period of January 1, 2020, through December 31, 2022; and

WHEREAS, the new Agreement calls for a 2% increase in 2020, 1.5% in 2021, and 1% in 2022; and

WHEREAS, N.J.S.A. 40A:65-1, et. seq., commonly known as the Uniform Shared Services and Consolidation Act, provides for governmental units to enter into agreements to share services with each other; and

WHEREAS, both West Long Branch and Monmouth County are eligible contracting units pursuant to N.J.S.A. 40A:11-2; and

WHEREAS, N.J.S.A. 40A:65-7 permits such shared services contracts to run for a period of up to ten years, but not less than two years; and

WHEREAS, it is the desire of the Borough Council to renew the Shared Service Agreement for the provision of dispatch services with the County of Monmouth;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached agreement with Monmouth County, whereby the Communications Division of the Monmouth County Sheriff's Office will provide police dispatching services to the Borough of West Long Branch for a term ending December 31, 2022, be and is hereby approved, and the Mayor and Clerk are hereby authorized to sign the same.

Seconded by Councilmember and carried upon the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

3/4/20

Councilmember offered the following resolution and moved its adoption:

RESOLUTION APPROVING 2020 FIREWORKS CONTRACT

WHEREAS, the Borough has solicited proposals for a fireworks exhibition through the office of the Purchasing Agent; and

WHEREAS, Zambelli Fireworks Manufacturing Co. was the only vendor to respond with a proposal in the amount of \$15,500 for a fireworks display on July 4th; and

WHEREAS, the Chief Financial Officer and Purchasing Agent recommend accepting it; and

WHEREAS, Zambelli Fireworks Manufacturing Co. submitted the attached contract for approval; and

WHEREAS, funds are or will be available for this purpose;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached contract with Zambelli Fireworks Manufacturing Co. for the 2020 fireworks display on July 4th, with a rain date of July 5th, in the amount of \$15,500, be approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the attached contract with Zambelli Fireworks Manufacturing Co.

Seconded by Councilmember and carried upon the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

Councilmember offered the following resolution and moved its adoption:

RESOLUTION AMENDING EMPLOYEE POLICY MANUAL

3/4/20

WHEREAS, the Borough Administrator reviewed the existing Employee Policy Manual and found that it requires amendments;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached "BOROUGH OF WEST LONG BRANCH EMPLOYEE POLICY MANUAL", amended as of February 19, 2020, is hereby approved; and

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to distribute copies of the amended Employee Policy Manual to all Borough employees.

Seconded by Councilmember and carried upon the following roll call vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

BOROUGH OF WEST LONG BRANCH

Bill List by P.O. Number

PO#	Vendor	PO Description	Amount	Check No.
19-01360	Melanie Engel	AC Mileage Reimbursement	\$97.44	9720
19-01560	Boro Printing	2020 Borough Calendars	\$4,745.00	9721
19-01603	Comcast	Various Accounts	\$802.18	9718
20-00027	Caruso & Baxter	March 2020 Attorney Retainer	\$5,600.92	9722
20-00056	Konica Minolta	Copier Contract at Borough Hall	\$374.10	9723
20-00057	AVS Technology	Invoice #: ADV-105792	\$362.50	9719
20-00058	AVS Technology	Invoice #: ADV-105865	\$40.58	9719
20-00059	Delisa Waste	Jan 1 - Jan 15 2020, Tipping	\$9,008.79	9724

Total Purchase Orders: 8

Total List Amount: \$21,031.51