

**SUBJECT TO CHANGE
BOROUGH OF WEST LONG BRANCH
COUNCIL MEETING**

May 5, 2021

(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, NEYHART, PENTA, SNIFFEN

ABSENT:

READING AND APPROVAL OF MINUTES:

Caucus Minutes
April 21, 2021

Executive Session Minutes
April 21, 2021

Council Minutes
April 21, 2021

REPORTS OF STANDING COMMITTEES:

MAYOR TUCCI:

COUNCILMAN BRAY (FINANCE & ADMINISTRATION):

COUNCILMAN CIOFFI (FIRE & EMS):

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

COUNCILMAN NEYHART (POLICE):

COUNCILMAN PENTA (PUBLIC WORKS):
Nothing

COUNCILMAN SNIFFEN (PUBLIC PROPERTY):

BOROUGH ADMINISTRATOR DOLLINGER:

BOROUGH CLERK COLE:

BOROUGH ATTORNEY BAXTER:

BOROUGH ENGINEER MULLAN:

COMMUNICATIONS:

1. Resolution Opposing New Jersey State Assembly and Senate Forest Management Bills A-4843/S-3549, A-4844/S-3550 and A-4845/S-3548 – Monmouth County Board of County Commissioners

COMMUNICATIONS:

2. Resolution Opposing Senate, No. 3203 In Person Early Voting – Monmouth County Board of County Commissioners
3. New Jersey Department of Transportation Letter – Fiscal Year 2022 State Aid Programs
4. Tax Collector's Monthly Report – March 2021

ORDINANCES:

1. Ordinance No. O-21-7
An Ordinance Amending Ordinance No. O-21-1 Regarding the Salaries of Various Municipal Officers, Employees and Appointees
Second & Final Reading
2. Ordinance No. O-21-8
An Ordinance Amending Ordinance 11-3 Regarding the Dates and Times of Lighting the Baseball Field at Valenzano Park in West Long Branch
Introduction
3. Ordinance No. O-21-9
Calendar Year 2021 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14)
Introduction

RESOLUTIONS:

1. Resolution Certifying Compliance With the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" (R-21-58)
2. Resolution Approving of Condo Services Contract With Victorian Gardens Condominium Association (R-21-59)
3. Resolution Approving Payment Certificate of Santorini Construction (R-21-60)
4. Municipal Budget Notice (R-19-61)

UNFINISHED BUSINESS:

NEW BUSINESS:

BILLS AND CLAIMS:

OPPORTUNITY FOR ANY PERSON TO BE HEARD:

MOTION TO CLOSE THE PUBLIC PORTION AND ADJOURN:

ORDINANCE NO. O-21-7

**AN ORDINANCE AMENDING ORDINANCE NO. O-21-1
REGARDING THE SALARIES OF VARIOUS MUNICIPAL
OFFICERS, EMPLOYEES AND APPOINTEES**

BE IT ORDAINED by the Borough Council of the Borough of West Long Branch:

SECTION 1. That Section 2 of Ordinance No. 277 entitled "AN ORDINANCE TO ESTABLISH THE SALARY RANGE OF VARIOUS MUNICIPAL OFFICERS, EMPLOYEES AND APPOINTEES", and Ordinance No. O-21-1, which is an amendment to Ordinance No. 277, be amended and supplemented as follows:

SECTION 2. The annual salaries, which shall be paid semi-monthly, unless otherwise stated, of the officers, employees and appointees, as set forth in Section 1 hereof, shall be as follows:

FIRE OFFICIAL
\$19,000 - \$27,000

FIRE INSPECTOR
\$4,300 - \$17,000

ORDINANCE NO. O-21-8

**AN ORDINANCE AMENDING ORDINANCE 11-3
REGARDING THE DATES AND TIMES OF
LIGHTING THE BASEBALL FIELD AT
VALENZANO PARK IN WEST LONG BRANCH**

WHEREAS, several residents have contacted members of the governing body regarding the dates and times for lighting of the Frank Caltabillota Jr. Memorial Field in Valenzano Park on Wall Street, and have requested that the governing body consider expanding the dates and times for lighting; and

WHEREAS, the governing body has considered the request and finds that modifications are in order;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch that Ordinance 11-3 be amended as follows:

SECTION ONE

Ordinance 11-3.4a shall be amended to read: "Lighting of the baseball field shall only be allowed between March 15 ~~May 1~~ and November 15 ~~November 1~~ of each calendar year."

SECTION TWO

Ordinance 11-3.4b shall be amended to read: "The baseball field shall not be lighted more than five ~~four~~ nights per week."

SECTION THREE

Ordinance 11-3.4c shall be amended to read: "Games shall not be played on any more than four ~~three~~ (of the total five ~~four~~ available) nights per week."

SECTION FOUR

All other provisions of Ordinance 11-3 which have not been modified herein shall remain in full force and effect.

SECTION FIVE

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

[Underlined language is new. Crossed out language is being removed.]

ORDINANCE NO. O-21-9

**CALENDAR YEAR 2021
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Council of the Borough West Long Branch in the County of Monmouth finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Council of the Borough of West Long Branch hereby determines that a 3.5 % increase in the budget for said year, amounting to \$325,534.79 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS the Council of the Borough of West Long Branch hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of West Long Branch, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of West Long Branch shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 325,534.79, and that the CY 2021 municipal budget for the Borough of West Long Branch be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION CERTIFYING COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION'S
"ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF ARREST AND
CONVICTION RECORDS IN EMPLOYMENT DECISIONS UNDER TITLE VII
OF THE CIVIL RIGHTS ACT OF 1964"**

5/5/21

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, that the Borough Council of the Borough of West Long Branch hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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 APPROVING OF CONDO SERVICES CONTRACT
WITH VICTORIAN GARDENS CONDOMINIUM ASSOCIATION**

5/5/21

WHEREAS, the Borough has been picking up garbage and recyclables for some time, pursuant to arrangements made with **VICTORIAN GARDEN CONDOMINIUM ASSOCIATION, INC.**, on Victor Ave, West Long Branch, which arrangements were for the purpose of the Borough meeting its obligations under the Condo Services Act (N.J.S.A. 40:67-23.1, et. seq.), also known as the Municipal Services Act; and

WHEREAS, the Association contacted the Borough to update and confirm the borough's obligations with respect to certain services to either be provided or compensated; and

WHEREAS, the governing body has considered the request and finds the same to be appropriate;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached CONDO SERVICES CONTRACT between the Borough and VICTORIAN GARDENS CONDOMINIUM ASSOCIATION is hereby approved, and the Mayor and Borough Clerk are hereby authorized to sign the same.

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 APPROVING PAYMENT CERTIFICATE
OF SANTORINI CONSTRUCTION**

5/5/21

WHEREAS, SANTORINI CONSTRUCTION, 1 S. Riverside Drive, Neptune, New Jersey 07753, has completed work in connection with the West Long Branch Community Center Improvements; and

WHEREAS, the Borough Engineer has reported that Payment Certificate No. 4, in the amount of \$141,156.11, is in proper form and that the stated work has been completed;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that Payment Certificate No. 4, in the amount of \$141,156.11, as set forth in the Borough Engineer's letter dated April 28, 2021, is hereby approved; and

BE IT FURTHER RESOLVED that the appropriate Borough Officials are hereby authorized to make payment in accordance with this resolution.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:

April 30, 2021
11:05 AM

BOROUGH OF WEST LONG BRANCH
Bill List By P.O. Number

Page No: 1

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N
Range: First to Last Rcvd: Y Held: Y Aprv: N
Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
20-00382	04/03/20	K0046	K & T MATERIALS CO., LLC	TONS PATCH (DPW)	Open	285.60	0.00
20-00620	05/18/20	VCIEM005	VCI EMERGENCY VEHICLE	POWER LOAD STRETCHER FOR EMS	Open	1,492.75	0.00
20-01476	09/30/20	M0134	MONMOUTH BUILDING CENTER	DPW INVOICE #: 587675	Open	292.25	0.00
20-01477	09/30/20	M0134	MONMOUTH BUILDING CENTER	DPW INVOICE #: 587890	Open	151.35	0.00
20-01485	10/06/20	K0008	KYLE KAMPF	RX LENS REIMBURSEMENT	Open	210.80	0.00
20-01694	11/02/20	C0195	CASA REPORTING SERVICE	SEP 2020 CHARGES	Open	64.95	0.00
20-01752	11/06/20	M0134	MONMOUTH BUILDING CENTER	DECK @ FRANKLIN LAKE #589277	Open	107.20	0.00
20-01893	12/07/20	K0049	KONICA MINOLTA BUSINESS SOLU.	COPIER INVOICE # 269939453	Open	103.17	0.00
20-01969	12/22/20	N0049	NJ ST ASSN OF CHIEFS OF POLICE	PRE-EMPLOYMENT CLASSES	Open	598.00	0.00
20-02023	12/31/20	S0154	STRYKER MEDICAL	STRYKER EQUIPMENT HOOK	Open	314.89	0.00
21-00122	02/11/21	I0034	MICHAEL IRENE, JR.	2021 ZB RETAINER FEB-MAY	Open	857.00	0.00
21-00123	02/11/21	I0034	MICHAEL IRENE, JR.	2021 PB RETAINER FEB-MAY	Open	857.00	0.00
21-00204	03/02/21	R0120	EMILY RONAN	EASTER EGG HUNT DJ SERVICES	Open	100.00	0.00
21-00281	03/09/21	A0004	A.R. COMMUNICATIONS	MOTOROLA BATTERIES FOR EMS	Open	550.00	0.00
21-00335	03/16/21	S0012	SEABOARD WELDING	EMS OXYGEN INVOICE #: 2122575	Open	15.00	0.00
21-00340	03/16/21	S0070	STAPLES ADVANTAGE	VACUUM FOR LIBRARY	Open	115.39	0.00
21-00342	03/16/21	FEDEX005	FEDEX *	PD INV#: 7-298-3452	Open	70.48	0.00
21-00374	03/22/21	K0046	K & T MATERIALS CO., LLC	INVOICE #001842 UPM BULK	Open	450.80	0.00
21-00442	03/30/21	B0067	BOUND TREE MEDICAL LLC	EMS INVOICE #: 83718996	Open	642.78	0.00
21-00448	03/31/21	H0083	JOSEPH G. HUGHES, ESQ.	PROSECUTOR MARCH-MAY 2021	Open	1,487.50	0.00
21-00449	03/31/21	E0007	EDWARDS TIRE CO. INC.	DPW QUOTE #: 481290	Open	5,232.48	0.00
21-00454	03/31/21	J0052	JERSEY ELEVATOR	APRIL INVOICE #: 250288	Open	131.25	0.00
21-00465	04/06/21	D0125	DELISA WASTE SERVICES	MAR 2021 - TIPPING, 16-31	Open	11,335.08	0.00
21-00472	04/06/21	B0142	B&H PHOTO & ELECTRONICS	IPADS FOR COUNCIL	Open	987.00	0.00
21-00473	04/08/21	R0090	RELIABLE CLEANERS	MARCH 2021 - POLICE DRY CLEANI	Open	207.50	0.00
21-00478	04/08/21	F0019	FLOWERS BY VAN BRUNT	FUNERAL ARRANGEMENT B. OSBORN	Open	95.00	0.00
21-00480	04/08/21	F0019	FLOWERS BY VAN BRUNT	FLOWERS FOR NEW YEAR'S DAY	Open	135.00	0.00
21-00483	04/08/21	M0204	MONMOUTH WIRE & COMPUTER	ELECTRONIC RECYCLING MAR 2021	Open	150.00	0.00
21-00490	04/08/21	N0005	NAPA AUTO PARTS CENTER	VARIOUS INVOICES DPW	Open	139.89	0.00
21-00508	04/13/21	V0027	VERIZON *	ACCT NO. 656 290 524 0001 59	Open	69.59	0.00
21-00514	04/14/21	R0130	RUTGERS CENTER FOR GOVT SERVIC	2021 TRAINING PB/ZB JIM MILLER	Open	135.00	0.00
21-00522	04/16/21	R0130	RUTGERS CENTER FOR GOVT SERVIC	GOV SERVICE CLASS- ANTHONY VAL	Open	1,170.00	0.00
21-00527	04/20/21	C0062	CENTRAL JERSEY HEALTH INS FUND	HEALTH BENEFITS - 2020	Open	112,121.00	0.00
21-00528	04/20/21	M0252	MAZZA RECYCLING SERVICES, LTD.	DPW INVOICE #: 0000336079	Open	173.63	0.00
21-00529	04/20/21	J0011	JOHN GUIRE SUPPLY LLC	DPW INVOICE #: 42830	Open	507.80	0.00
21-00530	04/20/21	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0049187	Open	15.02	0.00
21-00531	04/20/21	A0113	ATLANTIC SECURITY & FIRE, INC.	QUARTERLY - MAY-JUL 2021	Open	201.00	0.00
21-00532	04/20/21	N0029	NEW JERSEY AMERICAN WATER CO.	ACCT NO. 1018-220032426588	Open	15.56	0.00
21-00533	04/20/21	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0061687	Open	419.15	0.00
21-00534	04/20/21	C0053	CITY OF LONG BRANCH	GAS/DIESEL - MAR. 2021	Open	5,376.49	0.00
21-00535	04/20/21	J0042	JERSEY CENTRAL POWER & LIGHT	ACCT NO. 100 013 497 894	Open	293.16	0.00
21-00537	04/20/21	M0134	MONMOUTH BUILDING CENTER	SORRENTINO INVOICE #: 589339	Open	143.90	0.00
21-00538	04/20/21	S0012	SEABOARD WELDING	DPW INVOICE #: 922638	Open	14.50	0.00
21-00539	04/20/21	AVAYA005	AVAYA FINANCIAL SERVICES	IP OFFICE INV #: 37460745	Open	93.80	0.00
21-00540	04/20/21	G0002	GALL'S INC..	LT. ELLIS CLOTHING	Open	225.56	0.00
21-00541	04/20/21	W0006	READY REFRESH	PD WATER - MAR 2021	Open	17.05	0.00
21-00542	04/20/21	W0006	READY REFRESH	BORO HALL WATER - MAR 2021	Open	17.05	0.00
21-00543	04/20/21	W0006	READY REFRESH	LIBRARY WATER - MAR 2021	Open	17.05	0.00
21-00545	04/20/21	P0124	PLANDICO	EMS - YEARLY SUBSCRIPTION PLAN	Open	500.00	0.00
21-00546	04/20/21	C0062	CENTRAL JERSEY HEALTH INS FUND	HEALTH BENEFITS - MAY 2021	Open	110,441.00	0.00

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
21-00547	04/20/21	D0125	DELISA WASTE SERVICES	APR 2021 - TIPPING, 1-15	Open	10,823.79	0.00	
21-00549	04/20/21	A0023	ASBURY PARK PRESS *	CLERK ADS #: 4682039 & 4682539	Open	70.20	0.00	
21-00552	04/20/21	C0087	CLEAR LAKES INC	LAKE MAINT/STORAGE FOR WINTER	Open	890.00	0.00	
21-00553	04/20/21	I0041	INTERSTATE MOBILE CARE	AUDIO TESTING DPW TRAVEL CHRGE	Open	477.00	0.00	
21-00554	04/20/21	T0120	TRUIS INC	REPAIR STELLAR HOOKLIFT DUMPLT	Open	420.00	0.00	
21-00558	04/21/21	D0125	DELISA WASTE SERVICES	MAY 2021 - GARBAGE	Open	24,166.67	0.00	
21-00561	04/23/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 16-3276-4015-11	Open	509.70	0.00	
21-00562	04/23/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 16-3276-4005-19	Open	627.07	0.00	
21-00564	04/23/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 16-3276-0600-16	Open	270.18	0.00	
21-00568	04/27/21	T0001	TWO RIVERS WATER RECLAMATION	WLB SEWER BILLS QTR 2 2021	Open	639.59	0.00	
21-00569	04/27/21	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0045946	Open	115.51	0.00	
21-00570	04/27/21	J0042	JERSEY CENTRAL POWER & LIGHT	ACCT NO. 100 011 670 930	Open	1,191.94	0.00	
21-00571	04/27/21	J0042	JERSEY CENTRAL POWER & LIGHT	ACCT NO. 100 011 671 037	Open	4,243.28	0.00	
21-00572	04/27/21	J0042	JERSEY CENTRAL POWER & LIGHT	ACCT NO. 100 011 670 989	Open	209.33	0.00	
21-00573	04/27/21	T0042	TREASURER - ST. OF NEW JERSEY	ENVIRONMENTAL REGULATION FEES	Open	2,000.00	0.00	
21-00574	04/27/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 13-3266-7180-13	Open	563.04	0.00	
21-00575	04/27/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 22-0012-4310-51	Open	485.64	0.00	
21-00576	04/27/21	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0048640	Open	9.96	0.00	
21-00577	04/27/21	V0027	VERIZON *	ACCT NO. 450-775-017-0001-28	Open	196.28	0.00	
21-00578	04/27/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 22-0012-6557-84	Open	38.34	0.00	
21-00579	04/27/21	A0170	ACCSES NJ	LIBRARY INV#: 2017276-IN	Open	1,188.94	0.00	
21-00583	04/27/21	C0008	CARUSO & BAXTER	MAY/JUN 2021- MONTHLY RETAINER	Open	5,712.92	0.00	
21-00584	04/27/21	A0170	ACCSES NJ	DISINFECT SERVICES	Open	1,200.00	0.00	
21-00598	04/28/21	N0029	NEW JERSEY AMERICAN WATER CO.	ACCT NO. 1018-210041401043	Open	8,075.66	0.00	
21-00600	04/28/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 17-3280-0360-19	Open	34.85	0.00	
21-00601	04/28/21	N0036	NEW JERSEY NATURAL GAS CO.	ACCT NO. 22-0019-6669-96	Open	181.91	0.00	
21-00606	04/29/21	SANTO005	SANTORINI CONSTRUCTION	PAYMENT CERTIFICATE #4	Open	141,156.11	0.00	
Total Purchase Orders:		77	Total P.O. Line Items:	0	Total List Amount:	464,645.33	Total Void Amount:	0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
	0-01	30,887.82	0.00	30,887.82	0.00	0.00	30,887.82
	1-01	292,601.40	0.00	292,601.40	0.00	0.00	292,601.40
	C-04	141,156.11	0.00	141,156.11	0.00	0.00	141,156.11
Total of All Funds:		464,645.33	0.00	464,645.33	0.00	0.00	464,645.33