

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

February 16, 2022
(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: NONE

READING AND APPROVAL OF MINUTES:

Caucus Minutes
February 2, 2022

Executive Session Minutes
February 2, 2022

Council Minutes
February 2, 2022

REPORTS OF STANDING COMMITTEES:

MAYOR TUCCI:

COUNCILMAN BRAY (FINANCE & ADMINISTRATION):

COUNCILMAN CIOFFI (RECREATION, ENVIRONMENTAL, & SHADE TREE):

COUNCILWOMAN MANGO (FIRE & EMS):

COUNCILMAN NEYHART (POLICE):

COUNCILMAN PENTA (PUBLIC WORKS):

COUNCILMAN SNIFFEN (PUBLIC PROPERTY):

BOROUGH ADMINISTRATOR DOLLINGER:

ACTING BOROUGH CLERK SANTOS:

BOROUGH ATTORNEY BAXTER:

BOROUGH ENGINEER MULLAN:

COMMUNICATIONS:

1. EMS Membership Application – Leslie Fuentes – Auxiliary Membership

ORDINANCES:

1. O-22-3 An Ordinance Amending Ordinance No. O-22-1 Regarding the Salaries of Various Municipal Employees and Setting the 2022 Salaries of Various Municipal Officers, Employees and Appointees
Second & Final Reading

RESOLUTIONS:

1. R-22-45 Resolution Releasing Maintenance Bond for JSM at Monmouth Road
2. R-22-46 Annual Audit Resolution
3. R-22-47 Resolution Approving Participation with The State Of New Jersey Grant Program Administered by The New Jersey Department of Law and Public Safety
4. R-22-48 Resolution Awarding One Consumption License Under the Hotel/Motel Exception by the Historical Method
5. R-22-49 Resolution Issuing One Consumption License Under the Hotel/Motel Exception by the Historical Method to WLB Empire, LLC.
6. R-22-50 Resolution Accepting Proposal for Engineering and Project Management Services for the Franklin Lake Hydrilla Management Program

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-22-3

**AN ORDINANCE AMENDING ORDINANCE NO. O-22-1
REGARDING THE SALARIES OF VARIOUS MUNICIPAL EMPLOYEES
AND SETTING THE 2022 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-20-3, 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:

TAX ASSESSOR
\$30,000 - \$50,000

Introduced:
Passed:
Adopted:

MAYOR

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

RESOLUTION RELEASING MAINTENANCE BOND FOR JSM AT MONMOUTH ROAD

02/16/22

WHEREAS, the West Long Branch Borough Engineer has inspected the above referenced site and found that all bonded items are in satisfactory condition; and

WHEREAS, the West Long Branch Borough Engineer recommends that the maintenance bond on the above referenced project in the amount of \$7,972.00 be released subject to all administrative items being addressed and payment of outstanding invoices; and

WHEREAS, the West Long Branch Borough Engineer recommends that the inspection escrow should not be released until any outstanding invoices have been paid;

NOW THEREFORE BE IT RESOLVED by the Council of the Borough of West Long Branch that the maintenance bond on the above referenced project in the amount of \$7,972.00 is hereby released, subject to all administrative items being addressed and payment of outstanding invoices; and

BE IT FURTHER RESOLVED that the inspection escrow shall not be released until any outstanding invoices have been paid; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are authorized to take action in accordance with this resolution.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

02/16/22

Councilmember offered the following resolution and moved its adoption:

ANNUAL AUDIT RESOLUTION

WHEREAS, N.J.S.A. 40A:5-4 requires the Governing Body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2020 has been filed by a Registered Municipal Accountant with the Borough Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the Governing Body; and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the Governing Body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the Governing Body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations"; and

WHEREAS, the members of the Governing Body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of West Long Branch hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION APPROVING PARTICIPATION WITH THE STATE
OF NEW JERSEY GRANT PROGRAM ADMINISTERED
BY THE NEW JERSEY DEPARTMENT OF LAW AND PUBLIC SAFETY**

02/16/22

WHEREAS, the Borough of West Long Branch applied for funding of approximately \$14,805 with a match of the Borough's fringe benefits for a project under the State of New Jersey Safe & Secure Communities Grant Program 22-1353, which will be in effect from February 3, 2022, to February 2, 2023; and

WHEREAS, the project is a joint effort between the Department of Law and Public Safety and Borough of West Long Branch for the purpose described in the application;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that:

1. The Borough of West Long Branch applied for funding of approximately \$14,805 with a match of the Borough's fringe benefits for a project under the State of New Jersey Safe & Secure Communities Grant Program 22-1353, which will be in effect from February 3, 2022, to February 2, 2023; and

2. As a matter of public policy the Borough of West Long Branch wishes to participate to the fullest extent possible with the Department of Law and Public Safety and does accept the Subaward.

3. The appropriate Borough officials are hereby authorized to sign and forward the Safe & Secure Communities Grant Program Application No. 22-1353.

4. The Mayor is hereby authorized to accept the Subaward and Special Conditions for this funding.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION AWARDING ONE
CONSUMPTION LICENSE UNDER THE HOTEL/MOTEL EXCEPTION
BY THE HISTORICAL METHOD**

02/16/22

WHEREAS, N.J.S.A 33:1-12.20 states that a new consumption license may be issued to a person or business entity who operates a hotel or motel containing at least 100 guest sleeping rooms under the hotel exception; and

WHEREAS, a municipality may issue such a license even though a new consumption license cannot be issued in the municipality due to the limitation on licenses by population under N.J.S.A 33:1-12.20; and

WHEREAS, under N.J.S.A. 33:1-19.1 and 19.2, it is required that in order to issue a new license using the historical method, the municipal governing body shall adopt a resolution indicating its intent to do so; and

WHEREAS, the Borough adopted such resolution on December 1, 2021; and

WHEREAS, the Borough published a notice of the proposed issuance and that applications would be accepted by the Borough Clerk on January 18, 2022, no later than 12 O'clock Noon; and

WHEREAS, such notice was published not less than two times in the newspaper, one week apart, with the last publication done no less than 30 days prior to the specified date and time on the dates of December 9 and 17 of 2021 in the Asbury Park Press; and

WHEREAS, the Borough received one application submitted by WLB EMPIRE, LLC. and it was determined that the application was complete, in order, and the applicant followed the necessary publication requirements on their part; and

WHEREAS, the Borough believes that it would be in the public's best interest to award the one consumption license under the Hotel/Motel Exception to WLB Empire, LLC;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of West Long Branch awards a new alcoholic beverage consumption license pursuant to the hotel/motel license exception as described in N.J.S.A 33:1-12.20 via the process of the historical method to WLB EMPIRE, LLC.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

02/16/22

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION ISSUING ONE CONSUMPTION LICENSE UNDER THE HOTEL/MOTEL
EXCEPTION BY THE HISTORICAL METHOD TO WLB EMPIRE, LLC.**

WHEREAS, WLB EMPIRE, LLC, operator of the LaQuinta Inn by Wyndham, located at 109 Route 36, West Long Branch, submitted an application for a Plenary Retail Consumption License pursuant to the Hotel/Motel Exception; and

WHEREAS, the West Long Branch Police Department had conducted an investigation of the applicant and found no problem with the issuance of a Hotel/Motel License to this applicant; and

WHEREAS, the Borough and applicant followed the necessary steps as required by N.J.S.A. 33:1-19.1 and 19.2, in order to issue a new license via the historical method; and

WHEREAS, said license is issued as a hotel exception license for a facility containing 100 or more sleeping rooms and may only be used in connection with a hotel or motel; and

WHEREAS, said license is issued as License No. 1353-36-009-001;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that Liquor License No. 1353-36-009-001 is hereby issued to WLB EMPIRE, LLC, operator of the LaQuinta Inn by Wyndham, located at 109 Route 36, West Long Branch, pursuant to the Hotel/Motel Exception for the 2021-2022 license term, said license to expire on June 30, 2022; and

BE IT FURTHER RESOLVED that this license is issued as a hotel exception license for a facility containing 100 or more sleeping rooms and may only be used in connection with a hotel or motel.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION ACCEPTING PROPOSAL FOR ENGINEERING AND PROJECT
MANAGEMENT SERVICES FOR THE FRANKLIN LAKE HYDRILLA MANAGEMENT
PROGRAM**

02/16/22

WHEREAS, the Borough of West Long Branch has had a contractor treat Franklin Lake to eradicate and restrict the growth of invasive vegetation species, particularly Hydrilla; and

WHEREAS, such contractor has completed the two-year contract to provide such services; and

WHEREAS, the Borough Engineer has submitted a proposal for Phase VI of the Franklin Lake Hydrilla Management Program (Contract for 2022-2024); and

WHEREAS, such proposal is to prepare specifications and bid the next phase of the Franklin Lake Hydrilla Management Plan, which will include continued management of the Hydrilla species to control and minimize new growth within the lake area; and

WHEREAS, such program also includes control of the emergent plants along the stream corridor for approximately 900 feet toward Parker Road, which is an area of concern due to growth of excessive vegetation;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached proposal from Borough Engineer Francis Mullan of T&M Associates be accepted for Phase VI of the Franklin Lake Hydrilla Management Program (Contract for 2022-2024); and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign any attachments related to the proposal, indicating the Borough's acceptance.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:

I hereby certify the foregoing to be a true and exact copy of the original resolution as adopted by the West Long Branch Borough Council on February 16, 2022.

ACTING BOROUGH CLERK

BOROUGH OF WEST LONG BRANCH
February 14, 2022

PO#	Vendor	PO Description	Amount
22-00006	Michael Irene	February 2022 PB& ZB Retainers	\$1,1714.00

Total Purchase Orders: 1
Total List Amount: \$1,714.00