

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

September 21, 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, NEYHART, PENTA, SNIFFEN

ABSENT: MANGO

READING AND APPROVAL OF MINUTES:

Caucus Minutes
September 7, 2022

Executive Session Minutes
September 7, 2022

Council Minutes
September 7, 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. Tax Collector's Monthly Report – August 2022
2. Red Bank Catholic High School – Request to use Monmouth University's OceanFirst Arena on Tuesday, May 30th and Wednesday, May 31st for Graduation Ceremony.
3. Rumson-Fair Haven Regional High School – Request to use Monmouth University's MAC Facility on Friday, June 16th for Graduation Ceremony.
4. St. Rose High School – Request to Use Monmouth University's MAC Facility on Tuesday, June 6th for Graduation Ceremony.

ORDINANCES:

1. O-22-17 An Ordinance Prohibiting Living Space in Half Stories in the Borough of West Long Branch
Second & Final Reading
2. O-22-18 An Ordinance Revising Fees for Swimming Pool Construction Permits in the Borough of West Long Branch
Second & Final Reading
3. O-22-19 An Ordinance Amending and Supplementing Ordinances Concerning Swimming Pools in the Borough of West Long Branch
Second & Final Reading
4. Ordinance No. O-22-20 Ordinance Fixing Fees and Rules of Use for the Gazebo at Franklin Lake in the Borough of West Long Branch
Second & Final Reading
5. O-22-21 Capital Ordinance Providing for Various General Capital Improvements, by and in the Borough of West Long Branch, in the County of Monmouth, State of New Jersey and Appropriating \$170,000 Therefor from Capital Improvement Fund of the Borough
Introduction
6. O-22-22 An Ordinance Regarding Tent Permits in the Borough of West Long Branch
Introduction
7. O-22-23 An Ordinance Amending the Zoning Ordinances of the Borough of West Long Branch with Respect to Cabanas and Pool Houses
Introduction
8. O-22-24 An Ordinance Requiring a Four-Way Stop at the Intersection of Throckmorton Avenue and Franklin Parkway in the Borough of West Long Branch
Introduction

RESOLUTIONS:

1. R-22-126 Resolution Authorizing Refund of Overpayment of Taxes for 28 Arlene Drive (Block 66 Lot 11)
2. R-22-127 Resolution Authorizing Refund of Overpayment of Taxes for 17 Thompson Street (Block 108 Lot 33)
3. R-22-128 Resolution Hiring Public Works Mechanic
4. R-22-129 Resolution Approving Payment Certificate of P.M. Construction Corp.
5. R-22-130 Resolution Authorizing Proposal for Professional Services for Final Design and Construction Phase Coordination for the Sidewalk Improvements on Monmouth Road and West Palmer Avenue
6. R-22-131 Resolution Granting Issuance of a New License Upon Failure to Timely Renew Pursuant to N.J.S.A. 33:1-12.18 for the 2021-2022 License Term for Branches Catering

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-22-17

**AN ORDINANCE PROHIBITING LIVING SPACE IN
HALF STORIES IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Code Enforcement Officials of the Borough have brought to the governing body's attention the definition of "story, half" in Ordinance 18-3.2, which definition makes no reference to whether that space may be used for living space or not; and

WHEREAS, the Borough has treated such half stories in the past as spaces not to be used for habitation/living space, though the ordinances are not clear on that point; and

WHEREAS, the governing body agrees with the Code Enforcement Officials that this matter should be clarified;

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

SECTION 1.

No half story of any residential building, as defined in Ordinance 18-3.2, shall be used as living space.

SECTION 2. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-18

**AN ORDINANCE REVISING FEES
FOR SWIMMING POOL CONSTRUCTION PERMITS
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Borough Council's Ordinance Review Committee has been studying several ordinances in the Borough, some of which deal with swimming pools, and an ordinance was recently introduced and adopted regarding setbacks and other issues relating to swimming pools and their environs; and

WHEREAS, the Ordinance Review Committee has reported that the current fees for reviewing swimming pool permit applications are far too low, especially considering the involvement of Borough Officials required for such permits; and

WHEREAS, the Ordinance Review Committee has recommended changes to the fee structure for swimming pool permit fees, and the governing body concurs with those recommendations;

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

SECTION 1.

The following fees shall apply to any permits for swimming pools:

- A. \$100.00 For application fee.
- B. \$400.00 Escrow for engineering.
- C. \$250.00 For any review of revisions to any
 swimming pool permit plans.

SECTION 2. NON-REFUNDABLE FEES.

The swimming pool permit fees for the application and escrow shall be non-refundable.

SECTION 3.

The swimming pool permit fees set forth in the ordinance shall be separate and apart from any application or permit fees for shed, fences, or other construction required or requested in conjunction with the construction of a swimming pool.

SECTION 4. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-19

**AN ORDINANCE AMENDING AND SUPPLEMENTING
ORDINANCES CONCERNING SWIMMING POOLS
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Ordinance Review Committee has studied the issue of swimming pool construction, the permitting process and what should be required as part of the same, permit fees and the like, and has made recommendations on a wide range of topics concerning swimming pools to the governing body; and

WHEREAS, the governing body is in agreement with the recommendations made by the Ordinance Review Committee;

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

SECTION 1. DRAINAGE and GRADING PLANS.

The drainage and grading plans required under ordinance to be submitted with any swimming pool permit application shall be signed and certified by a licensed professional engineer.

SECTION 2. PLAN REQUIREMENTS

Until such time as the applicant provides drainage and grading plans certified by a licensed professional engineer, no further review will be undertaken of the applicant's permit request. Once received, the engineer-certified plans of the applicant shall be forwarded to the Borough Engineer for review and approval before any permit is issued.

SECTION 3. BUFFERING.

Any proposed landscaping or proposed buffering shall be provided by the applicant when submitting any swimming pool permit application.

SECTION 4. AS BUILT SURVEY.

The as built survey required to be provided for any swimming pool permit, shall include the impervious coverage percentage, which information shall be certified by the applicant's engineer.

SECTION 5. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-20

**AN ORDINANCE FIXING FEES AND
RULES OF USE FOR THE GAZEBO AT FRANKLIN LAKE
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the governing body, together with its Ordinance Review Committee have discussed the issue of persons using the gazebo at Franklin Lake and the need to have a more structured approach to permitting the usage of the gazebo for events; and

WHEREAS, the governing body has spent significant monies in recently rehabilitating the gazebo and would like to do as much as possible to insure that the gazebo is not abused;

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

SECTION 1. GAZEBO PERMIT REQUIRED

A permit shall be required for any persons or group seeking to use the gazebo for any event or event-related purpose. This includes the exchange of wedding vows and similar type events.

SECTION 2. EXCLUDED FROM PERMITTING

No gazebo permit shall be required for persons using the park and stopping to take a picture at or within the gazebo. The ordinance is intended to govern persons or groups from using the gazebo for an event or an event related function.

SECTION 3. PERMIT FEE

Prior to using the gazebo, any person or groups subject to this ordinance, shall submit a gazebo permit request, together with a fee of \$25.00.

SECTION 4. CONDITIONS OF USE.

The following conditions shall apply to all gazebo permits:

A. The applicant for any gazebo permit shall be responsible for cleaning up the gazebo and the area around it following completion of the event. All garbage and other event-created debris shall be removed offsite (meaning off Franklin Lake property) at the conclusion of the

event. Failure to do so will result in penalties assessed in accordance with Borough Ordinance 3-7.5 regarding littering.

B. No person, group, or organization shall staple, nail, or otherwise affix any banner, sign, or decorative item to the gazebo.

C. No loud music that causes a nuisance shall be used.

D. No tent shall be permitted at any time in the gazebo. This includes any tent-like temporary structure which utilizes stakes driven in or placed into the ground. The tent prohibition applies to both the gazebo and the lands in Franklin Lake Park.

E. There shall be no throwing of rice, birdseed, artificial flower petals, or similar items in or near the gazebo. Event attendees may utilize bubbles in lieu of the prohibited items.

F. There shall be no picnicking or food in the gazebo.

G. There shall be no smoking or vaping.

H. The presence or consumption of alcohol are prohibited.

I. Children shall not be permitted to climb, sit, or stand on the gazebo railings.

J. Such other rules, regulations, and procedures, which may be adopted by the governing body, either by ordinance or resolution.

SECTION 5. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-21

**CAPITAL ORDINANCE PROVIDING FOR VARIOUS GENERAL CAPITAL IMPROVEMENTS, BY
AND IN THE BOROUGH OF WEST LONG BRANCH, IN THE COUNTY OF MONMOUTH, STATE
OF NEW JERSEY AND APPROPRIATING \$170,000 THEREFOR FROM CAPITAL
IMPROVEMENT FUND OF THE BOROUGH**

WHEREAS, the Borough of West Long Branch, in the County of Monmouth, State of New Jersey (the "Borough"), wishes to undertake various general capital improvements in and throughout the Borough including, but not limited to, acquisition and installation, as applicable, of park playground equipment, an air-conditioning unit for Borough Hall, and various public safety equipment; and HVAC improvements for the police department premises; and

WHEREAS, the cost of said improvements or purposes is estimated to be \$170,000; and

WHEREAS, the Borough desires to authorize the appropriation and expenditure of \$170,000 from Capital Improvement Fund of the Borough for the purpose of undertaking various general capital improvements in and throughout the Borough.

BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WEST LONG BRANCH, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (a majority of the full membership thereof affirmatively concurring), AS FOLLOWS:

SECTION 1. The capital improvements or purposes described in Section 2 of this Capital Ordinance are hereby authorized as general capital improvements to be undertaken by the Borough. For the said improvements or purposes, there are hereby appropriated the amount of \$170,000 from Capital Improvement Fund of the Borough to fund the total cost.

SECTION 2. The capital expenditures authorized by this Capital Ordinance include, but are not limited to, various general capital improvements in and throughout the Borough including, but not limited to, acquisition and installation, as applicable, of park playground equipment, an air-conditioning unit for Borough Hall, and various public safety equipment; and HVAC improvements for the police department premises, and said improvements shall also include, as applicable, all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

SECTION 3. The expenditure of the \$170,000, consisting of an appropriation of \$170,000 from Capital Improvement Fund of the Borough for the improvements or purposes set forth in Section 2 hereof, is hereby authorized and approved. The Mayor, the Clerk, the Chief Financial Officer and any other official/officer of the Borough are each hereby authorized and directed to execute, deliver and perform any agreement to undertake the improvements or purposes set forth herein and to effectuate the transaction contemplated hereby.

SECTION 4. The capital budget of the Borough is hereby amended to conform with the provisions of this capital ordinance to the extent of any inconsistency herewith and a resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs is on file in the Office of the Clerk and is available for public inspection.

SECTION 5. This ordinance shall take effect immediately after final adoption and approval by the Mayor as described in N.J.S.A. 40:49-2.

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-22

**AN ORDINANCE REGARDING TENT PERMITS
IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Ordinance Review Committee of the Borough Council, with input from the Borough's Fire Official, have considered the proliferation of tents on residential properties within the Borough, with the attendant concerns by the Code Enforcement Officials, and by many neighbors; and

WHEREAS, the Ordinance Review Committee feels that it is only appropriate, in order to have a record of where and when tents are installed, and to insure, as much as possible, safety to those who may make use of the tent, as well as neighboring property owners and their property; and

WHEREAS, the Ordinance Review Committee has recommended that any tent, subject to certain exceptions, should require a tent permit;

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

SECTION 1. TENT PERMIT REQUIRED

Any tent which does not fall within the exceptions set forth in this ordinance shall require the obtaining of a tent permit from the Borough's zoning officials prior to construction/installation.

SECTION 2. PERMIT FEE

The fee for any tent permit, subject to any exception set forth in this ordinance, shall be \$50.00, which fee does not include the fee charged for Type 1 fire permits. No tent shall be installed on a residential property unless a tent permit has first been issued.

SECTION 3. TENT LOCATION

No tent shall be installed in any front yard of a property, and the canopy of any tent shall be at least 15 feet from any adjoining property line. The "canopy" shall not include the posts or lines used to secure the tent to the ground.

SECTION 4. PERMITTED TIME

Any tent permit shall be for a period of no more than ten (10) days.

SECTION 5. TENTS EXCLUDED FROM ORDINANCE REQUIREMENTS.

The following tents shall be excluded from the requirement to obtain or pay for any tent permit:

A. camping tents

B. tents of no more than 144 sq. ft. Square feet shall be determined by the footprint of the tent.

SECTION 6. RELIGIOUS EXEMPTION FROM FEE

There shall be no permit fee charge for any tent to be erected for religious purposes only or for exchange of wedding vows.

SECTION 7. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-23

**AN ORDINANCE AMENDING THE ZONING ORDINANCES
OF THE BOROUGH OF WEST LONG BRANCH
WITH RESPECT TO CABANAS AND POOL HOUSES**

WHEREAS, the Borough Council Ordinance Review Committee has discussed the subject of pool cabanas and pool houses, the current restrictions on same, and the need for reconsideration of the existing ordinances and the providing of more finite requirements for the same, all of which have been raised as concerns by the Borough's Code Enforcement Officials; and

WHEREAS, the Ordinance Review Committee has studied the same and has recommended this ordinance to resolve the concerns of the Code Enforcement Officials and the public;

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

SECTION 1. POOL CABANA CONDITIONS.

Pool cabana, or pool house, structures shall be deemed accessory uses in all residential zones. Such structures shall be no more than one-story in height, be at ground level, and either be a detached accessory structure or attached to another accessory structure, enclosed, and containing a roof, all to serve a lawfully existing and approved inground swimming pool on a residential property.

SECTION 2. ONE CABANA LIMITATION

Only one accessory pool cabana is permitted per residential property.

SECTION 3. USE OF CABANA

The pool cabana shall be used only for recreational use, or storage purposes associated with the principal residential use of the property.

SECTION 4. CABANA LIMITATIONS

The pool cabana must be seasonal (i.e., closed for at least 90 consecutive service days). It shall not be permitted to have heating equipment, air conditioning, or contain a

full-service kitchen. It shall not contain a bedroom or similar living quarters. A toilet, sink, and exterior only shower are permitted. No cabana or pool house shall have a generator, fireplace, air conditioning condenser, basement, or wine cellar.

SECTION 5. SIZE OF POOL CABANA.

A. Any pool cabana shall comply with the following maximum dimensions:

<u>Lot Size (Sq. Ft.)</u>	<u>Maximum Pool Cabana Area Size (Sq. Ft.)</u>
6,500 to 22,000	150
22,001 to 43,000	200
43,001 and greater	300

B. The maximum pool cabana area size shall be computed by the footprint of the enclosed space under a fixed roof. Accordingly, the footprint area under such fixed roofs counts towards the maximum pool cabana area size.

C. The calculations above do not apply to awnings which are not constructed as fixed roofs.

SECTION 6. SETBACKS AND COVERAGE

Pool cabanas shall conform to the accessory structure setback and coverage requirements as set forth in the zoning district.

SECTION 7. DEED RESTRICTION

A deed restriction containing the following language is to be filed with the Monmouth County Clerk's Office for the property containing the accessory pool cabana and stating at least the following:

"The Grantor and Grantee specifically represent and warrant that this deed contains a deed restriction, whereby the cabana use will not contain heating equipment, bedrooms, and/or living quarters, full-service kitchen, or be used for sleeping. This deed restriction is intended to prohibit conversion to a habitable space."

SECTION 8. DEFINITION

For purposes of this ordinance, a “full-service kitchen” is an indoor area for food preparation containing either a dishwasher, stove and/or range.

SECTION 9. EFFECTIVE DATE.

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

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

ORDINANCE NO. O-22-24

**AN ORDINANCE REQUIRING A FOUR-WAY STOP
AT THE INTERSECTION OF THROCKMORTON AVENUE AND
FRANKLIN PARKWAY IN THE BOROUGH OF WEST LONG BRANCH**

WHEREAS, the Police Committee of the Borough Council and the West Long Branch Police Department, in consideration of the numbers of pedestrians using Throckmorton Avenue and Franklin Parkway for access to the local schools, and in consideration of the fact that Franklin Parkway has been recently curbed and repaved, that there needs to be more traffic control at that intersection; and

WHEREAS, both the Police Committee and Police Department have recommended that the intersection of Throckmorton Avenue and Franklin Parkway be a four-way stop intersection;

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

SECTION 1

Ordinance 7-6.2 regarding stop intersections shall be amended, together with Schedule VIII (shown as Section 7A-8 of the Borough Ordinances) to include the following:

1. Throckmorton Avenue and Franklin Parkway:

STOP signs shall be installed on both streets, making this a 4-way stop intersection.

SECTION 2 EFFECTIVE DATE

This ordinance shall become effective immediately upon passage and publication according to law.

Introduced:

Passed:

Adopted:

MAYOR

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF
TAXES FOR 28 ARLENE DRIVE (BLOCK 66 LOT 11)**

9/21/22

WHEREAS, an overpayment in the amount of \$4511.76 for 2018 third quarter taxes was made and a refund was issued to CoreLogic in 2020 in error because the property was sold and CoreLogic did not have an interest in the property in 2020; and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a corrective refund of the 2018 third quarter taxes in the amount of \$4511.76 be made to the owner at that time, Alicia Colatrella, currently residing at 115 Waypoint Drive, Eatontown, NJ 07724; 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 September 21, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF
TAXES FOR 17 THOMPSON STREET (BLOCK 108, LOT 33)**

9/21/22

WHEREAS, tax overpayments in the amounts of \$1815.06 for first quarter and \$1338.31 for second quarter, 2023 has resulted due to the Tax Assessor granting 100% disabled veteran status (as of March 18, 2022) to the property owner of 17 Thompson Street; and; and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a refund of the overpayment of taxes because of being granted 100% disabled veteran status by the Tax Assessor to Linda Branch be made in the amount of 3153.37 to Rocket Mortgage, P.O. Box 6577, Carol Stream, IL 60197-6577; 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 September 21, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

RESOLUTION HIRING PUBLIC WORKS MECHANIC

9/21/22

WHEREAS, there is a need to fill a vacancy in the position of Public Works Mechanic;
and

WHEREAS, it is the recommendation of the Borough Administrator that THOMAS VARRICCHIO be hired to fill the position of Public Works Mechanic since he meets the qualifications;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that THOMAS VARRICCHIO be hired as the Public Works Mechanic, with a ninety-day probationary period, at a salary of \$70,000.00 per year, and subject to receipt of an acceptable driving abstract; and

BE IT FURTHER RESOLVED that his continued employment is conditioned upon the favorable completion of his fingerprint check.

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 September 21, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION APPROVING PAYMENT CERTIFICATE
OF P.M. CONSTRUCTION CORP.**

9/21/22

WHEREAS, P.M. CONSTRUCTION CORP., 1310 Central Ave, Hillside, NJ 07205, has completed work in connection with the FY 2021 Road Improvement Program; and

WHEREAS, the Borough Engineer has reported that Payment Certificate No. 3, in the amount of \$175,734.43, is in proper form and that the stated work has been completed; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that Payment Certificate No. 3, in the amount of \$175,734.43, as set forth in the Borough Engineer's letter dated September 14, 2022, 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:

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 September 21, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING PROPOSAL FOR PROFESSIONAL SERVICES
FOR FINAL DESIGN AND CONSTRUCTION PHASE COORDINATION FOR
THE SIDEWALK IMPROVEMENTS ON MONMOUTH ROAD
AND WEST PALMER AVENUE**

9/21/22

WHEREAS, the Borough Engineer submitted a proposal by letter dated August 29, 2022, outlining fees for design, contract administration, and inspection services related to the Monmouth Road Sidewalk – Extension from Traffic Signal project; and

WHEREAS, said proposal calls for field survey, base mapping, preparation of plans, engineering design services, and engineering administrative service fees in a not-to-exceed amount of \$14,500.00; 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 Borough Engineer is hereby authorized to perform field survey, base mapping, preparation of plans, engineering design services, engineering administrative services, and design engineering work related to the Monmouth Road Sidewalk – Extension from Traffic Signal project, as is relative to the County Intersection Improvement Project at Monmouth Road and West Palmer Avenue, as outlined in the August 29, 2022, letter to the Borough Administrator for an amount not to exceed \$14,500.00; and

BE IT FURTHER RESOLVED that this contract is awarded as a professional service without the need for public bidding.

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 September 21, 2022.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION GRANTING ISSUANCE OF A NEW LICENSE UPON FAILURE
TO TIMELY RENEW PURSUANT TO N.J.S.A. 33:1-12.18 FOR THE 2021-2022
LICENSE TERM FOR BRANCHES CATERING**

9/21/22

WHEREAS, liquor license renewal applications must be filed prior to the commencement of a new license term or not later than 30 days after the commencement thereof; and

WHEREAS, when timely renewal is not filed, the licensee may petition for the issuance of a “new license” pursuant to N.J.S.A. 33:1-12.18 in which the Director may authorize the issuance of said “new license” if he determines that the applicant’s failure to timely apply was due to circumstances beyond his or her control or other extraordinary circumstances; and

WHEREAS, BRANCHES CATERING, Liquor License No. 1353-33-001-006, submitted the renewal application and paid the municipal fee on June 29, 2021, to the Borough of West Long Branch, paid the State fee on June 2, 2022, and petitioned for relief with the late filing fee in July 2022; and

WHEREAS, the Division of Alcoholic Beverage Control (hereinafter “ABC”), in its special ruling as to License No. 1353-33-001-006, Docket No. 07-22-791, found that the licensee demonstrated circumstances beyond his/her control and, therefore, granted the relief sought in the verified petition; and

WHEREAS, the application for the 2021-2022 license term is considered an application for a “new license”, in which the licensee is required to file a 12-page application and advertise in accordance with N.J.A.C. 13:2-2.5; and

WHEREAS, the licensee has accomplished such application and such advertising and now qualifies for the Borough’s consideration to grant/deny the license application.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of West Long Branch hereby grants the application for a new license to BRANCHES CATERING, License No. 1353-33-001-006, with respect to Docket. No. 07-22-791 as issued by the State of New Jersey Department of Law and Public Safety, Division of ABC;

AND BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the licensee and to the Alcoholic Beverage Control office.

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

AYES:	BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	NONE
ABSTAIN:	NONE

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 September 21, 2022.

ACTING BOROUGH CLERK

R-22-131

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
22-00842	07/07/22	B0142	B&H PHOTO & ELECTRONICS	DPW supplies	Open	369.00	0.00
22-00910	07/19/22	ATLAN005	ATLANTIC FIRE PROTECTION	COMM CTR INV#: 12459068	Open	161.00	0.00
22-00936	07/26/22	T0136	THE TEQUILA ROSE BAND	FALL FEST OCT. 16, 2022	Open	1,250.00	0.00
22-00965	08/01/22	T0057	TAYLOR'S TOWING INC	DPW INV#: 165253	Open	770.00	0.00
22-00967	08/01/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 07/27/2022	Open	133.55	0.00
22-01028	08/12/22	A0078	AUTOMATED BLDG CONTROLS, INC.	LIBRARY REPAIR CS#: 158929	Open	788.27	0.00
22-01041	08/17/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 08/08/2022	Open	80.95	0.00
22-01042	08/17/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 08/08/2022	Open	27.00	0.00
22-01048	08/17/22	B0021	ATLANTIC PRINTING & DESIGN	FALL FLAGS 2022 REC COMM	Open	398.70	0.00
22-01051	08/17/22	T0025	TROPICANA HOTEL & CASINO	2022 LEAGUE HOTEL/COUNCIL, ETC	Open	1,008.00	0.00
22-01058	08/22/22	W0038	W.B. MASON CO. INC.	SUPPLIES FOR ZONING OFFICE	Open	125.12	0.00
22-01073	08/22/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 08/16/2022	Open	61.84	0.00
22-01074	08/22/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 08/19/2022	Open	26.62	0.00
22-01084	08/25/22	S0206	SH TECHNICAL SERVICES, INC.	PD INV#: 175597 LIEBERT UNIT	Open	3,490.00	0.00
22-01088	08/25/22	W0038	W.B. MASON CO. INC.	TP FOR CODE OFFICE	Open	23.96	0.00
22-01094	08/29/22	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0050458	Open	59.57	0.00
22-01095	08/29/22	A0078	AUTOMATED BLDG CONTROLS, INC.	LIBRARY INV#: S38274	Open	247.50	0.00
22-01097	08/29/22	C0195	CASA REPORTING SERVICE	JUL 2022 CASA CHARGES	Open	87.00	0.00
22-01105	08/30/22	M0034	MGL PRINTING SOLUTIONS	CERTIFICATES OF TAX SALE	Open	79.00	0.00
22-01108	08/30/22	H0027	HOME DEPOT - CREDIT SERVICES	DPW PURCHASE 08/23/2022	Open	237.55	0.00
22-01110	08/30/22	N0005	NAPA AUTO PARTS CENTER	DPW INVOICES, VARIOUS	Open	679.26	0.00
22-01114	08/30/22	A0078	AUTOMATED BLDG CONTROLS, INC.	COUNCIL CBRS INV#: S38273	Open	165.00	0.00
22-01116	08/30/22	D0109	DIDI'S AUTOMOTIVE II,LLC	PD INVOICES, VARIOUS	Open	1,309.77	0.00
22-01118	09/06/22	R0130	RUTGERS CENTER FOR GOVT SERVIC	Leadership Course S. Dollinger	Open	750.00	0.00
22-01120	09/06/22	C0062	CENTRAL JERSEY HEALTH INS FUND	HEALTH BENEFITS - SEP 2022	Open	103,199.00	0.00
22-01124	09/06/22	T0113	TOWNSHIP OF OCEAN	2022 - QTR 3. SHARED SERVICES	Open	38,811.75	0.00
22-01125	09/06/22	C0053	CITY OF LONG BRANCH	2022 - QTR 3 IT & CFO/QPA	Open	30,927.00	0.00
22-01127	09/06/22	S0012	SEABOARD WELDING	DPW INV#: 943116	Open	18.50	0.00
22-01128	09/06/22	K0022	KEMPTON FLAG & FLAGPOLE SUPPLY	DPW INV#: 21832 LOCUST AVE FLG	Open	391.00	0.00
22-01129	09/06/22	C0087	CLEAR LAKES INC	INV#: 090-22-003 LAKE FOUNTAIN	Open	1,102.75	0.00
22-01130	09/06/22	G0117	GRAINGER	DPW ORDER#: 1457556007 GLASSES	Open	10.14	0.00
22-01133	09/06/22	N0029	NEW JERSEY AMERICAN WATER CO.	ACCT NO. 1018-210041401043	Open	9,099.02	0.00
22-01134	09/06/22	P0120	PM CONSTRUCTION CORP	FY 2021 ROADS - PAY CERT NO. 2	Open	353,326.06	0.00
22-01140	09/07/22	S0027	SIP'S PAINT AND HARDWARE	DPW INVOICES, VARIOUS	Open	36.87	0.00
22-01143	09/07/22	A0138	AVS TECHNOLOGY	PD INV#: 200579 CONTRACT 4112	Open	4,000.00	0.00
22-01146	09/07/22	M0054	BCM ONE	INVOICE #: 4322966	Open	1,872.33	0.00
22-01147	09/07/22	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0043313	Open	350.27	0.00
22-01148	09/07/22	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0042620	Open	230.21	0.00
22-01151	09/07/22	J0042	JERSEY CENTRAL POWER & LIGHT	VARIOUS ACCOUNTS	Open	10,575.42	0.00
22-01153	09/08/22	I0034	MICHAEL IRENE, JR.	PLANNING BOARD INVOICES	Open	2,062.50	0.00
22-01154	09/08/22	I0034	MICHAEL IRENE, JR.	ZONING BOARD INVOICES	Open	1,780.50	0.00
22-01155	09/08/22	T0058	T&M ASSOCIATES	PLANNING BOARD INVOICES	Open	52,041.05	0.00
22-01157	09/09/22	N0035	NJ LEAGUE OF MUNICIPALITIES	BADGES FOR 2022 CONFERENCE	Open	600.00	0.00
22-01159	09/12/22	V0027	VERIZON *	ACCT NO. 656-290-524-0001-59	Open	129.61	0.00
22-01160	09/12/22	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0042612	Open	169.15	0.00
22-01161	09/12/22	A0071	AVAYA, INC	LIBRARY PHONE SEP 2022	Open	35.32	0.00
22-01163	09/12/22	PAULE005	PAUL E. ZAGER ESQ	2022 ALT PUBLIC DEFENDER 04-09	Open	1,200.00	0.00
22-01165	09/12/22	S0206	SH TECHNICAL SERVICES, INC.	PD INV#: 175983 LIEBERT REPAIR	Open	860.00	0.00
22-01166	09/12/22	B0098	BULLET LOCK & SAFE COMPANY	PD INV#: 147957 KEYS FOR PD	Open	13.25	0.00
22-01167	09/12/22	J0052	JERSEY ELEVATOR	SEP 2022 ELEVATOR INV#: 277263	Open	135.57	0.00

September 19, 2022
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BOROUGH OF WEST LONG BRANCH
Bill List By P.O. Number

Page No: 2

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
22-01171	09/12/22	A0113	ATLANTIC SECURITY & FIRE, INC. QUARTERLY THRU 12/2022	Open	1,142.85	0.00	
22-01172	09/12/22	NORAM005	NORA MRAZ SMOKE/CO REFUND RESO R-22-123	Open	270.00	0.00	
22-01174	09/12/22	V0027	VERIZON * ACCT NO. 450-717-472-0001-02	Open	1,115.40	0.00	
22-01175	09/12/22	S0206	SH TECHNICAL SERVICES, INC. PD INV#: 176139 LIEBERT UNIT	Open	61.26	0.00	
22-01185	09/15/22	T0058	T&M ASSOCIATES PB-INVOICE	Open	80,919.91	0.00	
22-01186	09/16/22	S0227	STEPHANIE DOLLINGER CONFERENCE EXPENSES REIMBURSMT	Open	20.00	0.00	
22-01187	09/16/22	P0120	PM CONSTRUCTION CORP FY 2021 ROADS - PAY CERT NO. 3	Open	175,734.43	0.00	
Total Purchase Orders:		57	Total P.O. Line Items:	0	Total List Amount:	884,569.78	Total Void Amount: 0.00

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
	2-01	268,711.99	0.00	268,711.99	0.00	0.00	0.00
	2-03	0.00	0.00	0.00	0.00	0.00	61,893.41
Year Total:		268,711.99	0.00	268,711.99	0.00	0.00	61,893.41
	C-04	548,666.61	0.00	548,666.61	0.00	0.00	0.00
	E-03	5,297.77	0.00	5,297.77	0.00	0.00	0.00
Total of All Funds:		822,676.37	0.00	822,676.37	0.00	0.00	61,893.41

Project Description	Project No.	Rcvd Total	Held Total	Project Total
NORWOOD -KELLY BUIDERS	PB-2021-03	48,435.78	0.00	48,435.78
LARCHWOOD MAJOR SUBDIVISION	PB-2022-01	12,566.63	0.00	12,566.63
PERRELLA BULK M/D SUITE	ZB-2022-05	297.00	0.00	297.00
11 NOLAN DR, LLC	ZB-2022-06	165.00	0.00	165.00
CEDAR VILLAGE GROUP, LLC-SP	ZB-2022-08	379.50	0.00	379.50
JCP&L	ZB-2022-10	49.50	0.00	49.50
Total of All Projects:		61,893.41	0.00	61,893.41