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

January 18, 2023 (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, GOMEZ, NEYHART, PENTA, SNIFFEN

ABSENT: NONE

READING AND APPROVAL OF MINUTES:

Caucus Minutes
December 21, 2022

Executive Session Minutes
December 21, 2022

Council Minutes
December 21, 2022

Reorganization Minutes January 4, 2023

#### REPORTS OF STANDING COMMITTEES:

MAYOR TUCCI:

COUNCILMAN BRAY (FINANCE & ADMINISTRATION):

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

COUNCILMAN GOMEZ (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. Fire Department Membership Application Timothy Fawcett Active Membership
- 2. Tax Collector's Report December 2022

#### ORDINANCES:

1. Ordinance No. O-23-1

An Ordinance Amending Ordinance No. O-22-1 Regarding Salaries of Various Municipal Employees And Setting The 2023 Salaries of Various Municipal Officers, Employees and Appointees

## Second and Final Reading

2. Ordinance No. O-23-2

2023 Salary Ordinance of Various Municipal Employees

## Second and Final Reading

- 3. Ordinance No. O-23-3 An Ordinance Amending the Penalties for Violations of Ordinance 9-3 (Certificates of Occupancy) in the Borough of West Long Branch *Introduction*
- Ordinance No. O-23-4 An Ordinance Designating Additional Custodians of Records in West Long Branch under the Open Public Records Act Introduction

#### RESOLUTIONS:

- 1. R-23-36 Resolution Authorizing Refund to St. Jerome PTA
- 2. R-23-37 Resolution Authorizing Local Recreation Grant Application to NJSCA
- 3. R-23-38 Resolution Approving Payment Certificate of Precise Construction

#### **UNFINISHED BUSINESS:**

### **NEW BUSINESS:**

1. Raffle License Application – Off-Premises Merchandise Raffle – Monmouth University

BILLS AND CLAIMS:

OPPORTUNITY FOR ANY PERSON TO BE HEARD:

MOTION TO CLOSE THE PUBLIC PORTION AND ADJOURN:

#### ORDINANCE NO. 0-23-1

AN ORDINANCE AMENDING ORDINANCE NO. 0-22-1 REGARDING SALARIES OF VARIOUS MUNICIPAL EMPLOYEES AND SETTING THE 2023 SALARIES OF VARIOUS MUNICIPAL OFFICERS, EMPLOYEES AND APPOINTEES

WHEREAS, the Borough Council adopted Ordinance No. O-22-1 during calendar year 2022, the contents of which set forth salaries of certain municipal employees within the Borough; and

WHEREAS, upon further review, it appears that there are certain positions in those ordinances which either no longer exist, or are incorrectly stated, or there are provisions which contradict Borough policy;

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

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 to set the annual salaries for 2023, which shall be paid semi-monthly, unless otherwise stated, of the officers, employees and appointees shall be as follows:

BOROUGH ADMINISTRATOR \$45,000 - \$110,000

BOROUGH CLERK \$45,000 - \$105,000

TAX COLLECTOR \$15,000 - \$80,000

REGISTRAR \$5,000 - \$6,000

DEPUTY REGISTRAR \$3,000 - \$5,000

ASSISTANT TREASURER \$35,000 - \$50,000

EMERGENCY SERVICES RECORDS ADMINISTRATOR \$2,000 - \$5,500

PART-TIME OFFICE PERSONNEL Compensation ranges from \$14.13 to \$30.00/hour

FULL-TIME OFFICE PERSONNEL \$35,000 - \$50,000

JUDGE - MUNICIPAL COURT \$15,000 - \$30,000

SCHOOL CROSSING GUARDS Compensation ranges from \$14.13 per shift to \$28.00 per shift

SUPERINTENDENT OF PUBLIC WORKS \$80,000 - \$100,000

DEPUTY DIRECTOR OF PUBLIC WORKS \$50,000 - \$75,000

RECYCLING COORDINATOR \$2,000 - \$6,000

PUBLIC WORKS - PART-TIME/TEMPORARY Compensation ranges from \$14.13 to \$21.00/hour

HOUSING INSPECTOR \$50,000 - \$75,000

DEPUTY HOUSING INSPECTOR \$15,000 - \$25,000

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

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

ZONING OFFICER \$20,000 - \$60,000

CODE ENFORCEMENT OFFICER \$20,000 - \$60,000

DEPUTY CODE ENFORCEMENT OFFICER \$36,400 - \$45,000

TAX ASSESSOR \$45,000 - \$65,000

SECRETARY - PLANNING AND ZONING BOARDS \$5,000 - \$10,000 for each Board

SECRETARY - RECREATION \$750 - \$2,000

SECRETARY - ENVIRONMENTAL \$750 - \$2,000

SECRETARY - SHADE TREE \$250 - \$1,000

SPECIAL POLICE
Compensation ranges from \$25.00 to \$35.00/hour

MAYOR \$3,000 - \$3,300

COUNCIL MEMBERS \$2,000 - \$2,200

CHIEF OF POLICE \$100,000 - \$190,000

SUMMER RECREATION

DIRECTOR \$5,400 - \$8,000

ASSISTANT DIRECTOR \$2,600 - \$4,000

COUNSELOR Compensation ranges from \$14.13 to \$19.00/hour

# SECTION 2.

This	ordinance	shall	take	effect	immediately	upon	passage	and	publication
according to	law.								
Introduced: Passed: Adopted:									
MAYOR					ACTI	NG BOI	ROUGH C	LERK	

#### ORDINANCE NO. 0-23-2

## 2023 SALARY ORDINANCE OF VARIOUS MUNICIPAL EMPLOYEES

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-20-2, which is an amendment to Ordinance No. 277, be amended and supplemented as follows:

 $\underline{\text{SECTION 2.}} \ \, \text{The annual salaries for 2023, which shall be paid semi-monthly, unless}$  otherwise stated, of the employees, as set forth in Section 1 hereof, shall be as follows:

01/01/23

MAYOR		ACTING BOROUGH CLERK
Introduced: Passed: Adopted:		
	POLICE RECORDS CLERK/SECRETARY \$36,000.00 -	55,000.00
	GENERAL FOREMAN	4,200.00
	PARKS FOREMAN	3,200.00
	PUBLIC WORKS ROAD FOREMAN	2,000.00
	PUBLIC WORKS MECHANIC \$36,375.00 -	75,000.00
	PUBLIC WORKS EMPLOYEES \$36,375.00 -	70,000.00
	RECORDS CLERK	2,000.00

#### ORDINANCE NO. O-23-3

#### AN ORDINANCE AMENDING THE PENALTIES FOR VIOLATIONS OF ORDINANCE 9-2 (CERTIFICATES OF OCCUPANCY) IN THE BOROUGH OF WEST LONG BRANCH

WHEREAS, the Borough has been experiencing a significant increase in the number of property owners renting their properties, many for very short terms, and many for multiple rentals, without having previously sought or obtained a Certificate of Occupancy or having obtained the same; and

WHEREAS, the current penalty provisions for violating such ordinances make it more attractive to for the homeowner to violate the ordinance and collect the rent, rather than comply with the ordinance; and

WHEREAS, the code enforcement officials of the Borough, together with members of the governing body, have requested that the Borough address the current penalty provisions and increase them in order to attempt to get better compliance with the Borough's ordinances, and the governing body agrees with the same;

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

#### SECTION 1: PENALTIES

Ordinance 9-2.13(b) shall be amended to read as follows:

"Any owner who violates this ordinance, or any person who interferes with the Official or any other person authorized to exercise the powers of this section, shall, upon conviction in the Municipal Court, pay a penalty of no less than \$1,000 and no more than \$1,200 for a first offense; and no less than \$1,800, and no more than \$2,000 for a second or subsequent offense; be subject to a penalty as established in Chapter 1, Section 1-5 of this code, and such action in and penalties imposed by Municipal Court may be in addition to any other action or proceeding set forth in this section.

## SECTION 2: EFFECTIVE DATE

Introduced:

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

[Any language lined through reflects existing ordinance language being removed. Any underlined language represents changes to the existing ordinance.]

Adopted:	
MAYOR	ACTING BOROUGH CLERK

#### ORDINANCE NO. 0-23-4

#### AN ORDINANCE DESIGNATING ADDITIONAL CUSTODIANS OF RECORDS IN WEST LONG BRANCH UNDER THE OPEN PUBLIC RECORDS ACT

WHEREAS, the Borough has experienced problems in the past, when OPRA requests were made for records not maintained by the Borough Clerk, and which were not supplied timely by the entities who were to provide those records to the Clerk, delaying the time for the Clerk to provide the records to the requestor; and

WHEREAS, the governing body believes that the preferred approach would be to have certain OPRA requests go directly to certain departments or department heads in order to save time and meet the deadlines required under OPRA (N.J.S.A. 47:1A-1 et seq.);

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

## SECTION 1. NEW CUSTODIANS OF RECORDS

The following additional custodian of records under the Open Public Record Act, for the entities and their records, are as follows:

- A. As to the West Long Branch Police Department, for police records, the Chief of Police.
- B. As to the West Long Branch Fire Department, the Emergency Services Records Administrator.

## SECTION 2. WEBSITE CONFORMANCE

The Borough website shall be modified to conform with this ordinance, and set forth the direct contact information for each of the additional custodians of records referred to above. In addition, specific OPRA request forms for those departments shall be made available on the Borough website. For informational purposes, the contact information for the current additional custodians referenced above are:

- A. As to the West Long Branch Police Department, Phabermann@westlongbranch.org.
- B. As to the West Long Branch Fire Department, rguidetti@westlongbranch.org.

#### SECTION 3. INFORMATIONAL COPIES

In addition to sending any request for public records to either the West Long Branch Police Department or the West Long Branch Fire Department, the requestor shall also provide an informational copy to the West Long Branch Borough Clerk, whose address will continue to be provided on the Borough's website for purposes of OPRA requests. Currently, the Borough Clerk's email address is csantos@westlongbranch.org.

#### SECTION 4.

Requestors of public records under OPRA for records of either the West Long Branch
Police Department or the West Long Branch Fire Department shall be directed only to those
entities, as set forth in this ordinance. The courtesy copy to the Borough Clerk is just that.

She, however, shall not be considered the custodian of public records for those departmental records.

## SECTION 5. INFORMATIONAL RESPONSES

When the alternate custodian of records, as set forth in this ordinance, provides his reply to the requestor, he shall provide a courtesy copy to the Borough Clerk, so that the Borough Clerk can note for the Borough's records that the OPRA request has been responded to.

## SECTION 6. EFFECTIVE DATE.

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

Introduced: Passed: Adopted:	
MAYOR	ACTING BOROUGH CLERK

Councilmember

offered the following resolution and moved its adoption:

1/18/23

## RESOLUTION AUTHORIZING REFUND TO ST. JEROME PTA

WHEREAS, the PTA of St. Jerome School submitted two payments in the amounts of \$20.00 for State fees related to Raffle License Applications, for a total of \$40.00 made payable to the Legalized Games of Chance Commission; and

WHEREAS, such payments were mistakenly deposited into the Borough's Current Fund; and

WHEREAS, the Acting Borough Clerk has confirmed that a refund of this payment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a refund of State fees related to Raffle License Applications, in the amount of \$40.00, be made ST. JEROME PTA, 250 Wall Street, West Long Branch, New Jersey 07764; 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 January 18, 2023.

ACTING BOROUGH CLERK

1/18/23

#### RESOLUTION AUTHORIZING LOCAL RECREATION GRANT APPLICATION TO NJDCA

Whereas, the Borough of West Long Branch desires to apply for and obtain a grant from the New Jersey Department of Community Affairs For approximately \$100,000 to carry out a project to complete a portion of the improvements included in the Valenzano Park Project; and

WHEREAS, the Borough Council of the Borough of West Long Branch recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and

WHEREAS, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of West Long Branch and the New Jersey Department of Community Affairs;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch does hereby authorize the application for such a grant; and

BE IT FURTHER RESOLVED that the appropriate Borough Officials are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

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 January 18, 2023.

ACTING BOROUGH CLERK

Councilmember

offered the following resolution and moved its adoption:

# RESOLUTION APPROVING PAYMENT CERTIFICATE OF PRECISE CONSTRUCTION

1/18/23

WHEREAS, PRECISE CONSTRUCTION, 1016 Highway 33, Freehold, NJ 07728, has completed work in connection with the FY 2021 Park Improvements Program; and

WHEREAS, the Borough Engineer has reported that Payment Certificate No. 3, in the amount of \$30,576.00, 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 \$30,576.00, as set forth in the Borough Engineer's letter dated November 9, 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 January 18, 2022.

ACTING BOROUGH CLERK

# JAN 18 MTG.

January 13, 2023 12:20 AM

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

Page No: 1

P.O. Typ			Include Proje	ct Line Items: Yes	Open: N		Void: N
	e: First	to L	ast		RCVd: Y		Aprv: N
Forma	t: Conden	sed			Bid: Y	State: Y	Other: Y Exempt: Y
PO #	PO Date	Vendor		PO Description	Status	Amount \	Void Amount PO Type
22-01053	08/22/22	F0010	FIRE & SAFETY SERVICES LTD	PUMP REPAIRS TO 53-75 FIRE	Open	1,865.00	0.00
	08/22/22		Elite Emergency Lights LLC	PD INV#: INS0044501 UNIT#15	Open	340.00	0.00
	09/12/22		JOHN GUIRE SUPPLY LLC	OEM INVOICE #: 90923	Open	1,947.90	0.00
	09/21/22		ADT LLC	ACCT NO. 62509386 LIBRARY SECR		410.95	0.00
			RUGGED SOLUTIONS AMERICA, LLC.		Open	882.41	0.00
	09/22/22		ATLANTIC TACTICAL	PD QUOTE NO. SQ-80750545	Open	394.12	0.00
			J. HARRIS ACADEMY OF POLICE	BWC TACTICS - DEC. 5, 2022	Open	447.00	0.00
	11/23/22		FOSTER & COMPANY, INC.	DPW QUOTE # 72788 NUTS/BOLTS	Open	263.53	0.00
	11/29/22		COMPLETE SECURITY SYSTEMS, INC.		Open	960.00	0.00
	11/29/22			STALKER RADAR SHIPPING	Open	31.73	0.00
	12/06/22		ATLANTIC PRINTING & DESIGN	BORO CALENDARS EST#: E9221344	Open	9,991.81	0.00
			JAMES H. NEWMAN	SUB JUDGE NOV 30, 2022	Open	500.00	0.00
	12/06/22		ALL STATE LEGAL SUPPLY	CLERK PAPER	Open	112.80	0.00
	12/06/22		TRAFFIC PLAN	PUBLIC WORKS UNIFORM ORDER	Open	1,791.29	0.00
	12/06/22		TRAFFIC PLAN	PUBLIC WORKS UNIFORM ORDER	Open	1,724.85	0.00
	12/07/22		B&H PHOTO & ELECTRONICS	sd card camera reader	-	29.99	0.00
	12/08/22		RUTGERS CENTER FOR GOVT SERVICE		Open	575.00	0.00
			Casa Payroll Service	OCT AND NOV 2022, DEC (1) OF 2	Open Open		
				•	•	1,260.70	0.00
			BARRY RUBINO	CROSSING GUARD EXAM CF AND RC	Open	250.00	0.00
	12/13/22		GANNETT NJ	CLERK ADS INV#: 5157162 11/22	Open	14.96	0.00
	12/13/22		N.J. DIVISION OF ALCOHOLIC	MAINT, AND PREP. LIQUOR LIC.	Open	24.00	0.00
			NEW JERSEY ADVANCE MEDIA	PLANNING BOARD MTG NOTICE	Open	53.82	0.00
	12/20/22		ACE AUTO TOPS	SEAT CUSHIONS FOR CROWN VIC	Open	110.00	0.00
	12/20/22		NAPA AUTO PARTS CENTER	POLICE INVOICES, VARIOUS	0pen	340.31	0.00
	12/20/22		PITNEY BOWES, INC.	RENTAL INV#: 1022167045	0pen	39.72	0.00
	12/20/22		DELISA WASTE SERVICES	DEC 2022 - TIPPING 1-15	0pen	9,759.14	0.00
	12/20/22		NAPA AUTO PARTS CENTER	DPW INVOICES, VARIOUS	Open	460.16	0.00
	12/20/22		GEORGE WALL LINCOLN MERCURY	DPW INV#: 224665 KIT-FIXING	Open	117.04	0.00
	12/20/22		CUSTOM BANDAG	DPW INV#: 40236259	0pen	2,028.56	0.00
	12/20/22		WLB HISTORICAL SOCIETY	POSTAGE FOR MEETING NOTICES	Open	39.20	0.00
	12/21/22		STAPLES ADVANTAGE	Paper Towels	Open	80.72	0.00
	12/22/22		NAPA AUTO PARTS CENTER	POLICE INVOICES VARIOUS	Open	278.89	0.00
22-01755	12/22/22	s0139	SHORE BUSINESS SOLUTIONS	PD COPIER INVOICE	Open	84.66	0.00
			ROSEANNE MANGANELLI	YOGA IN THE PARK	Open	650.00	0.00
22-01758	12/28/22	E0077	E.M. WATERBURY	Zoning Board Invoices	Open	2,730.00	0.00
23-00001	01/11/23	C0008	CARUSO & BAXTER	JAN 2023 RETAINER + LEGAL/TAX	Open	6,433.75	0.00
23-00002	01/11/23	C0008	CARUSO & BAXTER	TAX MATTERS INVOICED 1/9/2023	0pen	445.50	0.00
23-00003	01/11/23	V0027	VERIZON *	ACCT NO. 342213956-00001	Open	1,644.14	0.00
23-00004	01/11/23	A0173	ANTHONY VALENTI	PAT O'CONNOR RETIREMENT PARTY	Open	261.48	0.00
23-00005			NEW JERSEY AMERICAN WATER CO.	ACCT NO. 1018-210041401043	Open	20,879.24	0.00
	01/11/23		VERIZON *	VARIOUS ACCOUNTS	Open	1,181.42	0.00
	01/11/23		JERSEY CENTRAL POWER & LIGHT	VARIOUS ACCOUNTS	open	11,063.23	0.00
23-00009			COMCAST & XFINITY *	Comcast	Open	1,270.18	0.00
	01/11/23		NEW JERSEY NATURAL GAS CO.	Various Accounts	Open	2,261.41	0.00
23-00061			MICHAEL IRENE, JR.	JAN 2023 - ZB & PB RETAINERS	Open	1,714.00	0.00
			PRECISE CONSTRUCTION	PAYMENT CERTIFICATE #3	Open	30,576.00	0.00
Total Pur	rchase Oro	ders:	46 Total P.O. Line Items:	O Total List Amount: 118	,320.61	Total Void Amou	int: 0.00

Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total
2-01	34,222.22	0.00	34,222.22	0.00	0.00	0.00
3-01	40,800.58	0.00	40,800.58	0.00	0.00	0.00
3-03 Year Total:	<u>0.00</u> 40,800.58	0.00	0.00 40,800.58		0.00	2,565.00 2,565.00
C-04	30,576.00	0.00	30,576.00	0.00	0.00	0.00
E-03	165.00	0.00	165.00	0.00	0.00	0.00
G-01	9,991.81	0.00	9,991.81	0.00	0.00	0.00
Total Of All Funds:	115,755.61	0.00	115,755.61	0.00	0.00	2,565.00

Project Description	Project No.	Rcvd Total	Held Total	Project Total
NEHMAD BULK ADDITION GARAGE	ZB-2022-01	198,00	0.00	198.00
CEDAR VILLAGE GROUP, LLC-SP	ZB-2022-08	396.00	0.00	396.00
LEONARDO DEBORBA	ZB-2022-11	66.00	0.00	66.00
MICHEAL STOUT	ZB-2022-15	606.00	0.00	606.00
ELIJAH DWECK-ZB-2022-16	ZB-2022-16	540.00	0.00	540.00
ADALBERTO DEMELO	ZB-2022-20	231.00	0.00	231.00
VALDIMER MESQUITA	ZB-2022-21	297.00	0.00	297.00
MCCLELLAND RESIDENCE	ZB-2022-22	231.00	0.00	231.00
Total Of All Pr	ojects:	2,565.00	0.00	2,565.00