

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

June 7, 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

ABSENT: SNIFFEN

READING AND APPROVAL OF MINUTES:

Caucus Minutes
May 24, 2023

Executive Session Minutes
May 24, 2023

Council Minutes
May 24, 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:

ORDINANCES:

1. O-23-11 An Ordinance Amending Ordinance 2-8.4b Regarding the Chain of Command in the West Long Branch Police Department

Introduction

RESOLUTIONS:

1. R-23-85 Resolution Approving Service Fee Agreement Between the Borough of West Long Branch and the City of Long Branch
2. R-23-90 Resolution Refunding Certificate of Occupancy Fee
3. R-23-91 Resolution Refunding Certificate of Occupancy Fee
4. R-23-92 Resolution Authorizing Closure of Delaware Avenue on August 5, 2023
5. R-23-93 Resolution Renewing Maintenance Agreements with Warshauer Generator, LLC

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-23-11

**AN ORDINANCE AMENDING ORDINANCE 2-8.4b
REGARDING THE CHAIN OF COMMAND IN THE
WEST LONG BRANCH POLICE DEPARTMENT**

WHEREAS, since the composition of the West Long Branch Police Department has changed since the ordinances were last amended and require further changes to clarify the chain of command in the absence of the Chief of Police;

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

SECTION I

ORDINANCE 2-8.4b is amended to read as follows:

“The senior ranking officer by tenure in rank to the Police Chief ~~Captain~~ is the Executive Officer second in control to the Chief of Police, shall perform all duties as assigned by the Chief of Police, and, is, in the absence of the Chief of Police, but subject to the direction of the Chief of Police, the departmental authority in all matters of police, operation and discipline, and, is responsible for the planning, directing, coordinating, controlling, and staffing of all activities of the department. In the event the Chief of Police is no longer serving, either because of illness, intended to be of a permanent nature, retirement, or death, the senior ranking officer by tenure in rank to the Police Chief shall serve in the place of the Chief of Police and, until such time as an appointment is made to the position of Chief of Police, shall serve as Acting Chief of Police.”

SECTION II.

Ordinance 2-8.4c shall be amended as follows:

“The senior Lieutenant, by time in rank shall be the next junior rank to The Chief of Police or Captain, in the event there shall be a Captain, and shall perform such duties as are assigned by the Chief of Police, Acting Chief of Police, should such an appointment have been made, or Captain of Police, if there shall be a Captain of Police, and shall be responsible for assisting in the planning, directing, coordinating, and controlling, of assigned activities within the Department.”

SECTION III.

All references to the Captain of Police in Ordinances 2-8.4d,e,f and g to Captain of Police shall, in the absence of there being a Captain of Police, refer to the Acting Chief of Police, should such an appointment had been made, and in the absence of the Chief of Police or any Acting Chief of Police, to the senior Lieutenant by time in rank.

SECTION IV. EFFECTIVE DATE

AND BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon passage and publication according to law.

[Underlined language is new. Language that has been crossed out has been removed.]

Introduced:
Passed:
Adopted:

MAYOR

ACTING BOROUGH CLERK

Councilmember

offered the following resolution and moved its adoption:

RESOLUTION APPROVING SERVICE FEE AGREEMENT BETWEEN THE BOROUGH OF WEST LONG BRANCH AND THE CITY OF LONG BRANCH

6/7/23

WHEREAS, the Long Branch Fire Department is agreeing to provide supplementary fire suppression/emergency service coverage for the Borough of West Long Branch for the period of January 1, 2023 to December 31, 2023; and

WHEREAS, as a result of this coverage, the City of Long Branch must back fill its firehouses and fire equipment to ensure coverage while serving the Borough of West Long Branch needs when necessary and appropriate under the terms of this agreement. The City of Long Branch will be compensated by the Borough of West Long Branch for the cost of the back fill; and

WHEREAS, the fee structure to provide such an arrangement for the period between January 1, 2023 to December 31, 2023 shall be calculated on a per call basis; and

WHEREAS, the fee will be charged on an hour- to- hour basis per member pursuant to the union's Collective Bargaining Agreement with the City of Long Branch to cover staffing requirements to fill fire headquarters in Long Branch when on-duty assets are deployed into the Borough of West Long Branch; and

WHEREAS, typical staffing is one fire officer and 4 firefighters, although the same may vary, depending on available personnel, but will not exceed 5 slots; and

WHEREAS, the fee will be based on the individual hourly rate of each employee for the period of coverage provided to the Borough of West Long Branch; and

WHEREAS, additional personnel can be requested by the Borough of West Long Branch to supplement manpower at an additional fee per member as requested; and

WHEREAS, the fee will be assessed when Long Branch on-duty personnel become committed to an active incident in the Borough of West Long Branch; and

WHEREAS, the above will require recall of personnel to staff Long Branch Fire Headquarters for the duration of the incident; and

WHEREAS, limitations to the response shall be at the discretion of the West Long Branch Fire Chief.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached agreement between the Borough of West Long Branch and the City of Long Branch Fire Department is hereby adopted; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of West of Long Branch is hereby authorized to sign the attached agreement on behalf of the Borough.

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 June 7, 2023.

ACTING BOROUGH CLERK

R-23-85

Councilmember offered the following resolution and moved its adoption:

6/7/23

RESOLUTION REFUNDING CERTIFICATE OF OCCUPANCY FEE

WHEREAS, Setul Parikh, filed an Application for Certificate of Occupancy for 87 Victor Avenue and paid the Inspection fee of \$100.00 and the Smoke/CO Fee of \$45.00 on April 19, 2023; and

WHEREAS, it was subsequently discovered that a certificate of occupancy inspection was not needed and no inspection has since been conducted; and

WHEREAS, Setul Parikh requested that the Inspection fee of \$100.00 and the Smoke/CO fee of \$45.00 be refunded; and

WHEREAS, the Housing Inspector has confirmed that a refund is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the sum of \$145.00, which represents the Inspection Fee of \$100.00 and the Smoke/CO Fee of \$45.00, be refunded to Setul Parikh, 87 Victor Ave, West Long Branch, NJ 07764; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized to take action consistent 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 June 7, 2023.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

6/7/23

RESOLUTION REFUNDING CERTIFICATE OF OCCUPANCY FEE

WHEREAS, Daniel Beckerman, filed an Application for Certificate of Occupancy for 100 State Highway 36 and paid the Inspection fee of \$100.00 on May 30, 2023; and

WHEREAS, it was subsequently discovered that the application was mistakenly filed for a residential property instead of commercial; and

WHEREAS, Daniel Beckerman requested that the Inspection fee of \$100.00 be refunded; and

WHEREAS, the Housing Inspector has confirmed that a refund is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the sum of \$100.00, which represents the Inspection Fee of \$100.00, be refunded to Daniel Beckerman, 35 Muncy Drive, West Long Branch, NJ 07764; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized to take action consistent 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 June 7, 2023.

ACTING BOROUGH CLERK

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING CLOSURE OF
DELAWARE AVENUE ON AUGUST 5, 2023**

6/7/23

WHEREAS, the Governing Body has received a request on behalf of the residents of Delaware Avenue to close that street off, between Virginia Terrace and Maryland Avenue, on August 5, 2023, with a rain date of August 6th, to hold a neighborhood block party; and

WHEREAS, the request has been submitted to the Governing Body, who has approved the same provided that the West Long Branch Police Chief has no objections, so long as someone be available during the block party to move the barriers in the event of an emergency and that the roadway not be completely impassable so as to allow emergency vehicles (police cars, fire trucks, and ambulances) access, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the section of Delaware Avenue running between its intersections with Virginia Terrace and Maryland Avenue shall be closed to vehicular traffic on August 5, 2023, with a rain date of August 6th, from 1:00 PM until 9:00 PM, and barriers shall be placed at the Virginia Terrace and Maryland Avenue ends of the area being closed off, which shall be done under the supervision, and with the approval, of the West Long Branch Police Department; and

BE IT FURTHER RESOLVED that detour signs, if necessary, must be installed in accordance with the directions of the West Long Branch Police Department; and

BE IT FURTHER RESOLVED that someone be available during the block party to move the barriers in the event of an emergency and that the roadway is not completely impassable so as to allow emergency vehicles (police cars, fire trucks, and ambulances) access, if necessary.

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 June 7, 2023.

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION RENEWING MAINTENANCE
AGREEMENTS WITH WARSHAUER GENERATOR, LLC**

6/7/23

WHEREAS, the Maintenance Agreements with Warshauer Generator, LLC for preventive maintenance for the emergency generators that service Borough Hall, the Police Building, Emergency Medical Services, Fire Company No. 2, and the Public Works Garage/Fire Company No. 1 will expire on June 30th; and

WHEREAS, Warshauer Generator, LLC submitted the attached Maintenance Agreements for a one-year period in the amount of \$675.00 for each generator except for the Police Building generator, which is in the amount of \$1,150.00, for a total of \$3,850.00; and

WHEREAS, the Administrator recommends approving said Agreements; and

WHEREAS, fund are or will be available for this service;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached Maintenance Agreements with Warshauer Generator, LLC for maintenance of five generators as outlined above are hereby approved; and

BE IT FURTHER RESOLVED that 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:

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 June 7, 2023.

ACTING BOROUGH CLERK

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
21-01617	10/26/21	W0058	WIRELESS COMMUNICATIONS &	PD QUOTE: Q51721-BS-1005.01R1	Open	8,509.31	0.00
22-01036	08/17/22	W0058	WIRELESS COMMUNICATIONS &	PD QUOTE#: Q51722-BS-0811-100	Open	9,541.22	0.00
22-01121	09/06/22	W0058	WIRELESS COMMUNICATIONS &	PD EQUIPMENT	Open	2,802.00	0.00
22-01122	09/06/22	S0187	SIG SAUER INC	REGISTRATION-ELLIS,MOORE,LYNCH	Open	1,680.00	0.00
22-01523	11/14/22	S0070	STAPLES ADVANTAGE	PRINTER FOR PATROL AREA	Open	13.65	0.00
22-01570	11/23/22	A0011	ADPRO IMPRINTS INC	EMS INV#: 41216 EMBROIDERY	Open	105.30	0.00
23-00027	01/12/23	SKYLA005	SKYLANDS AREA FIRE EQUIPMENT	FIRE QUOTE #: 82252-NJWEST	Open	3,015.22	0.00
23-00168	02/06/23	T0137	THOR CONSTRUCTION GROUP, LLC	LIBRARY WINDOWS EST# 1030	Open	38,643.00	0.00
23-00477	04/04/23	A0101	ALL HANDS FIRE EQUIPMENT	FD RECORDS SUPPLIES	Open	2,527.85	0.00
23-00478	04/04/23	C0009	MICHAEL CELLI JR.,ESQ.	SUB JUDGE 3/29	Open	500.00	0.00
23-00486	04/06/23	S0032	SIRCHIE FINGERPRINT LAB INC	POLICE INVOICE	Open	82.09	0.00
23-00488	04/06/23	M0252	MAZZA RECYCLING SERVICES, LTD.	MARCH COMMINGLED	Open	336.73	0.00
23-00513	04/10/23	M0043	MONMOUTH CTY TRAFFIC OFFICERS	2023 ANNUAL MEMBERSHIP FEES	Open	35.00	0.00
23-00525	04/12/23	C0013	CHERRY VALLEY TRACTOR SALES	INV# 15535D GEAR/COUNTERSHA	Open	738.40	0.00
23-00530	04/17/23	D0022	DRAEGER, INC.	4401036 DRY GAS .10% 105L	Open	400.00	0.00
23-00537	04/18/23	BLUEHARB	BLUE HARBOR TELECOM	EMS INVOICE BHT-1674100-41	Open	125.72	0.00
23-00541	04/18/23	CASAP005	Casa Payroll Service	APR (1) INV #: 1181993	Open	246.50	0.00
23-00576	04/25/23	B0142	B&H PHOTO & ELECTRONICS	MONITOR - POLICE	Open	298.54	0.00
23-00612	05/04/23	T0015	THOMAS PLANNING ASSOC LLC	K Hov Schmit Inv#: 3581	Open	525.00	0.00
23-00619	05/05/23	H0027	HOME DEPOT - CREDIT SERVICES	INV 1523502 & 4623949	Open	394.89	0.00
23-00620	05/05/23	TELETRAC005	TELETRAC NAVMAN	INV# 92802292	Open	189.50	0.00
23-00622	05/05/23	S0012	SEABOARD WELDING	INV 2151809	Open	46.90	0.00
23-00623	05/05/23	M0212	MONMOUTH COUNTY SPCA	INV 2023399	Open	825.00	0.00
23-00627	05/09/23	E0077	E.M. WATERBURY		Open	1,811.25	0.00
23-00635	05/10/23	H0027	HOME DEPOT - CREDIT SERVICES	INVOICE# 8512848 AND 9520333	Open	127.59	0.00
23-00636	05/11/23	N0005	NAPA AUTO PARTS CENTER	INV# 482700 AND 482676	Open	131.03	0.00
23-00638	05/11/23	P0085	POWERHOUSE SIGNWORKS	QUOTE# 084918459	Open	180.00	0.00
23-00643	05/15/23	L0009	LEE'S GARAGE INC	INVOICE# 99405	Open	750.97	0.00
23-00646	05/15/23	G0051	GEORGE WALL LINCOLN MERCURY	INVOICE# 299176	Open	71.01	0.00
23-00649	05/15/23	A0028	ARNOLDS PLUMBING & HEATING INC	INV# 030244	Open	525.96	0.00
23-00655	05/15/23	W0038	W.B. MASON CO. INC.	FINANCE OFFICE SUPPLIES	Open	42.97	0.00
23-00662	05/16/23	D0125	DELISA WASTE SERVICES	APR 2023 - RECYCLING	Open	2,494.64	0.00
23-00669	05/18/23	C0062	CENTRAL JERSEY HEALTH INS FUND	HEALTH BENEFITS - JUN 2023	Open	110,806.00	0.00
23-00671	05/18/23	D0125	DELISA WASTE SERVICES	MAY 2023 - TIPPING 1-15	Open	10,787.32	0.00
23-00673	05/18/23	Q0012	QUALITY COMMUNICATIONS 2	INVOICE NO. 10363 THRU 6/30/24	Open	700.00	0.00
23-00676	05/18/23	T0113	TOWNSHIP OF OCEAN	2023 - Q1 & Q2 COURT SHARD SVC	Open	79,176.00	0.00
23-00677	05/18/23	BROWN005	BROWN AND BROWN METRO, LLC	FIRE INS INVOICE NO. 223704	Open	1,351.50	0.00
23-00682	05/18/23	W0038	W.B. MASON CO. INC.	LIBRARY SUPPLIES	Open	52.32	0.00
23-00683	05/18/23	FEDEX005	FEDEX *	INVOICE# 8-123-24660	Open	15.13	0.00
23-00687	05/18/23	A0023	ASBURY PARK PRESS *	INVOICE NUMBER# 0005506786	Open	344.36	0.00
23-00688	05/18/23	A0023	ASBURY PARK PRESS *	INOVICE# 0005588540	Open	130.24	0.00
23-00692	05/24/23	N0036	NEW JERSEY NATURAL GAS CO.	VARIOUS ACCOUNTS			

June 2, 2023
11:22 AM

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
23-00705	05/24/23	M0252	MAZZA RECYCLING SERVICES, LTD. TICKET# 1237586	Open	33.00	0.00	
23-00706	05/24/23	C0083	COMCAST & XFINITY * ACCT. NO. 8499 05 216 0049187	Open	10.00	0.00	
23-00707	05/24/23	THOMA005	THOMAS RIZZO WALK THE TALK BOTTI AND BURTON TRAINING 5/19	Open	450.00	0.00	
23-00709	05/24/23	A0182	AMAZON CAPITAL SERVICES, INC. REGISTRARS OFFICE SUPPLIES	Open	20.97	0.00	
23-00734	05/31/23	C0008	CARUSO & BAXTER JUN 2023 MONTHLY RETAINER	Open	5,975.00	0.00	
23-00735	05/31/23	I0034	MICHAEL IRENE, JR. JUN 2023 - PB AND ZB RETAINERS	Open	1,714.00	0.00	
23-00737	05/31/23	SEANK005	SEAN KEAN JUN 2023 MUNICIPAL PROSECUTOR	Open	1,487.50	0.00	
Total Purchase Orders:		55	Total P.O. Line Items:	0	Total List Amount:	299,469.72	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	52,785.17	0.00	52,785.17	0.00	0.00	0.00
	3-01	243,523.30	0.00	243,523.30	0.00	0.00	0.00
	3-03	0.00	0.00	0.00	0.00	0.00	1,690.00
Year Total:		243,523.30	0.00	243,523.30	0.00	0.00	1,690.00
	D-13	825.00	0.00	825.00	0.00	0.00	0.00
	E-03	646.25	0.00	646.25	0.00	0.00	0.00
Total of All Funds:		297,779.72	0.00	297,779.72	0.00	0.00	1,690.00

Project Description	Project No.	Rcvd Total	Held Total	Project Total
SCHMITT PROPERTY-K.HOVNANIAN	PB-2022-03	525.00	0.00	525.00
VALDIMER MESQUITA	ZB-2022-21	1,165.00	0.00	1,165.00
Total of All Projects:		1,690.00	0.00	1,690.00