

**ANNUAL MEETING**                      **WEST LONG BRANCH**

**JANUARY 1, 2020**                      **12 O'CLOCK NOON**

FLAG SALUTE

INVOCATION:                      Reverend Jonathan Campbell  
Old First United Methodist Church

The Oath of Office is administered to the following:

Stephen A. Bray	Councilman	3 years
MaryLynn Mango	Councilwoman	3 years
Tim Phillips	Chief, Fire Department	
Matthew Zweighaft	Captain, Emergency Medical Services	
Kaitlyn Metzler	1 <sup>st</sup> Lieutenant, Emergency Medical Services	
Jonathan Tucholski	2 <sup>nd</sup> Lieutenant, Emergency Medical Services	

Mayor Tucci reports Sunshine Law has been complied with.

ROLL CALL:	MAYOR	Janet W. Tucci
	COUNCIL	Stephen A. Bray Steven Cioffi MaryLynn Mango Fred Migliaccio Christopher Neyhart John M. Penta, Jr.

MAYOR'S ANNUAL MESSAGE

RESOLUTIONS:

1. Resolution Appointing Borough Attorney and Approving Contract (R-20-1)
2. Resolution Appointing Bond Attorney and Approving Contract (R-20-2)
3. Resolution Appointing Municipal Auditor and Approving Agreement (R-20-3)
4. Resolution Appointing Municipal Prosecutor (R-20-4)
5. Resolution Appointing Public Defender (R-20-5)
6. Resolution Appointing Alternate Public Defender (R-20-6)
7. Resolution Appointing Borough Engineer (R-20-7)
8. Resolution Appointing Special Labor Counsel (R-20-8)
9. Mayor's Appointments
10. Mayor's Appointments Approved by Council (R-20-9)
11. Council Appointments (R-20-10)
12. Resolution Fixing Time and Place of Meetings (R-20-11)
13. Resolution Bonding Borough Employees (R-20-12)
14. Resolution to Determine Order of Business (R-20-13)
15. Resolution Electing Borough Council President (R-20-14)
16. Resolution Naming Council Representative to Planning Board (R-20-15)
17. Resolution Appointing 2020 Council Committees (R-20-16)
18. Resolution Fixing the Rate of Interest to be Charged on Delinquent Taxes (R-20-17)
19. Resolution Authorizing Tax Sale by Tax Collector (R-20-18)
20. Resolution Authorizing Participation in the Electronic Tax Sale Program (R-20-19)
21. Resolution Authorizing In Lieu of Advertising of Notice of Tax Sale (R-20-20)
22. Resolution Authorizing Mayor & Borough Clerk to Sign Approved Documents (R-20-21)
23. Resolution Permitting Pre-Payment of Certain Items (R-20-22)
24. Resolution Designating Official Newspapers (R-20-23)
25. Resolution Appointing Community Development & Alternate Representatives (R-20-24)
26. Resolution Appointing Insurance Commissioner and Alternate (R-20-25)
27. Resolution Appointing Fund Commissioner & Alternate to the CJHIF for 2020 (R-20-26)
28. Resolution Appointing ADA Coordinator and Compliance Officer (R-20-27)
29. Resolution Fixing Legal Fee Rates for 2020 (R-20-28)
30. Resolution Naming Official Depositories (R-20-29)
31. Resolution Establishing Cash Management Plan for the Borough (R-20-30)
32. Temporary Budget (R-20-31)
33. Resolution Appointing Member to Two Rivers Water Reclamation Authority (R-20-32)
34. Ordinance No. O-20-1 - An Ordinance Setting the Salaries for the West Long Branch Police Department - Introduction
35. Ordinance No. O-20-2 - 2020 Salary Ordinance of Various Municipal Employees - Introduction
36. Ordinance No. O-20-3 - An Ordinance Amending Ordinance No. O-19-4 Regarding Salaries of Various Municipal Employees and Setting the 2020 Salaries of Various Municipal Officers, Employees and Appointees - Introduction

OPPORTUNITY FOR ANY PERSON TO BE HEARD:

ADJOURNMENT:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING BOROUGH ATTORNEY AND APPROVING CONTRACT**

WHEREAS, there exists a need for legal services in the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of GREGORY S. BAXTER for appointment as Borough Attorney; and

WHEREAS, the attached contract for services for calendar year 2020 is submitted for approval by the Borough Council;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, County of Monmouth, that the appointment for the year 2020 of GREGORY S. BAXTER as Borough Attorney be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that the attached contract for services to be provided by the Borough Attorney be and the same is hereby approved for calendar year 2020, and the Mayor and Borough Clerk are hereby authorized to sign the same; and

BE IT FURTHER RESOLVED that notice of this appointment be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

## 2020 BOROUGH ATTORNEY CONTRACT

THIS AGREEMENT is made this 1st day of January, 2020, at the Borough of West Long Branch, State of New Jersey, between the BOROUGH OF WEST LONG BRANCH, hereinafter referred to as the "Borough", a municipal corporation of the State of New Jersey, and GREGORY S. BAXTER, ESQ., of CARUSO & BAXTER, P.A., an attorney-at-law of the State of New Jersey;

The Borough does hereby engage and retain the services of GREGORY S. BAXTER, ESQ. to act as Borough Attorney for the Borough of West Long Branch for calendar year 2020 for the purpose of providing legal services in certain designated areas under the following conditions:

1. The Borough of West Long Branch agrees to pay GREGORY S. BAXTER a retainer of \$67,211.00 per year beginning (i.e., retroactive to) January 1, 2020, payable \$5,600.92 per month by voucher, and not through the payroll account. The Borough Attorney is considered an independent contractor, and not an employee.

2. The retainer shall cover the following services:

A. Attendance at regular and special meetings of the Mayor and Council and certain council committee meetings, when legal counsel is required;

B. All daily communications with department heads and administrative personnel, the Mayor and members of the Council regarding day-to-day legal and agenda matters involving the Borough;

C. Day-to-day research and rendering of legal opinions; and

D. Preparation of resolutions and ordinances, and attendance at any council committee meetings regarding the same.

\* None of the services in A through D above include matters of a litigated or contract nature.

3. In addition to the annual retainer, the Borough agrees to retain and pay for the services of GREGORY S. BAXTER, ESQ. on all "litigation matters" involving the Borough at a rate of \$150.00 per hour. All time shall be billed at a minimum of .15 hours per service, consistent with past practice. Disbursements shall be reimbursed to the attorney on a dollar-for-dollar basis. "Litigation matters" are defined as (a) any matters involving the Courts or administrative agencies, or any other litigated matter; (b) appearance before any municipal court, board, at a disciplinary or civil service hearing, an arbitration proceeding or the like; (c) matters in which a third party has retained an attorney and/or the third party or its attorney has threatened litigation; (d) legal services regarding the negotiation or contracting by the borough, either with the borough's unions and employees or with other parties, or concerning the lease, purchase or sale of real estate, including easements; or (e) research and rendering of legal opinions in extraordinary matters. Travel time is included in the billing for the services set forth in this paragraph.

4. The attorney shall be entitled to bill the Borough, and be paid from the developer's escrow funds, for legal services rendered by the Borough Attorney concerning the negotiation or review of any developers' agreements, surety agreements, decreases in or releases of performance or maintenance guarantees, or other matters related thereto, or where statute or case law provide for the same. Such bills shall be computed at the same rate set forth in paragraph 3 of this agreement.

5. The Borough agrees to use its appointed bond counsel for any bond work, rendering of legal opinions, preparation of bond ordinances and bond anticipation notes.

6. No deductions shall be made from the Borough Attorney's monthly retainer for tax, Social Security, pension, etc. Similarly, no such deductions shall be made on any itemized bills for the services set forth in paragraph 3 herein. Rather, services shall be billed by the attorney by voucher and paid as a contract service to the attorney's firm (presently Caruso & Baxter, P.A.) in the ordinary course of borough business.

7. Any court or hearing appearances shall be billed, notwithstanding the hourly rate, at a minimum of \$450.00 per appearance.

IN WITNESS WHEREOF, the parties have affixed their signatures below, agreeing to the terms herein.

BOROUGH OF WEST LONG BRANCH

Witness:

\_\_\_\_\_  
LORI COLE,  
Borough Clerk

By: \_\_\_\_\_  
JANET W. TUCCI, Mayor

GREGORY S. BAXTER, ESQ.

By: \_\_\_\_\_  
GREGORY S. BAXTER, ESQ.

1/1/20

Councilmember            offered the following resolution and moved its adoption:

**RESOLUTION APPOINTING BOND ATTORNEY AND APPROVING CONTRACT**

WHEREAS, there exists a need for the services of a Bond Attorney for the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of JOHN M. CANTALUPO, of ARCHER & GREINER, P.C., for appointment as Bond Attorney; and

WHEREAS, JOHN M. CANTALUPO, of ARCHER & GREINER, P.C., submitted the attached contract for services for calendar year 2020 for approval by the Borough Council;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, County of Monmouth, that the appointment for the year 2020 of JOHN M. CANTALUPO, of ARCHER & GREINER, P.C., as Bond Attorney be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that the attached contract for services to be provided by the Bond Attorney be and the same is hereby approved for calendar year 2020, and the Mayor and Borough Clerk are hereby authorized to sign the same; and

BE IT FURTHER RESOLVED that notice of this appointment be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

## **BOND COUNSEL SERVICES**

### **A G R E E M E N T**

THIS AGREEMENT, made as of this 1<sup>st</sup> day of January, 2020, between the BOROUGH OF WEST LONG BRANCH, a body politic of the State of New Jersey, herein designated as the "Borough", party of the first part, and JOHN M. CANTALUPO, of ARCHER & GREINER, P.C., Attorneys at Law with offices at 10 Highway 35, Red Bank, New Jersey 07701, hereinafter designated as "Bond Counsel", party of the second part:

#### **WITNESSETH:**

1. The Borough desires to authorize and to issue its bonds for various capital projects and to provide for the terms and the security of such bonds in accordance with the laws of the State of New Jersey. The Borough desires to finance such capital projects through temporary and permanent obligations at the most advantageous terms available to it.

2. Bond Counsel, in consideration of the making and the signing of the within Agreement, agrees to render the following services:

A. Bond Counsel will prepare or review all bond ordinances adopted or to be adopted by the governing body.

B. Bond Counsel will assemble a certified record of proceedings to evidence the proper adoption of each bond ordinance in accordance with the provisions of the Local Bond Law and other applicable New Jersey Statutes.

C. When the Borough determines to issue bonds, Bond Counsel will prepare the necessary resolutions or other operative documents authorizing the bond sale. Bond Counsel will seek the advice of the Auditor in connection with the appropriate maturity schedule for the bonds to be sold. Bond Counsel will coordinate the printing and the distribution of the Official Statement to those financial institutions that customarily submit bids for new issues of New Jersey municipal bonds of that type. It will arrange for the printing of the notice of sale in The Bond Buyer and in the local newspaper, as required by law, and will answer inquiries made by the investment community concerning the bond sale. Bond Counsel will attend the bond sale and will render legal advice as necessary concerning the submission of bids for the bonds in accordance with the notice of sale and the requirements of law. After the bond sale, Bond Counsel will prepare the bonds for execution, will prepare and see to the execution of the necessary closing certificates and will establish the time and the place for the delivery of the bonds to the successful bidder. Bond Counsel will attend the closing with the appropriate officials, at which time the bonds will be delivered, payment will be made for the bonds, and Bond Counsel will issue a final approving legal opinion with respect to the validity of the bonds.

D. When the Borough determines to issue bond anticipation notes or tax anticipation notes, Bond Counsel will prepare any necessary resolutions to authorize the sale of such notes. When the purchaser and the details of the notes have been determined, Bond Counsel will prepare the notes for execution and will prepare the appropriate closing certificates and an approving legal opinion with respect to the notes. Unless requested otherwise, Bond Counsel will forward the notes, closing papers and approving legal opinion to the Borough Attorney for execution and delivery.

E. Bond Counsel will provide basic advice in regard to the effect of the federal arbitrage regulations on the issuance of bonds or bond anticipation notes and the investment of the proceeds thereof.

F. Bond Counsel will provide other legal advice requested by the Borough, provided such advice is within the legal expertise of Bond Counsel's law firm.

G. Bond Counsel will prepare, review and distribute the Preliminary and Final Official Statements in connection with any bond or note financing.

H. Bond Counsel will provide legal services, prepare the necessary documentation and review and comment upon all documents in connection with any capital equipment lease financing or pooled loan financing undertaken by the Borough.

I. Bond Counsel will provide legal services listed in the Borough's solicitation of proposals, which are incorporated herein by this reference.

3. The Borough will make payment to Bond Counsel for services rendered in accordance with the following schedule:

A. For services rendered or in connection with each bond sale, a fee of \$3,500, plus \$1.00 per thousand dollars of bonds issued. Time relating to the review of the Official Statement, the continuing disclosure document or other disclosure document will be billed at the hourly rates described in Section 3F below.

B. For services rendered in connection with the preparation of each bond ordinance, a fee of \$450 for each single purpose ordinance and \$550 for each multipurpose ordinance. If the preparation of the ordinance involves consultations, meetings or discussions that are out of the ordinary, that is, services that are not described in Section 2 hereof such as attendance at meetings, attention to litigation or other matters described in Section 3F, there will be additional fees to be charged at the hourly rates of the attorneys in effect at the time of providing the services. The fees for services in connection with the ordinances will be charged periodically during the course of the year.



C. The fee for any temporary financing involving a private placement and not involving numerous notes, preparation of an Official Statement, complicated arbitrage analysis, investment yield restrictions or attendance at the closing shall be \$1,000.00 for Bond Counsel's approving legal opinion in connection with such a financing and \$0.50 per thousand dollars of bond or tax anticipation notes or emergency notes issued. If additional services are required, such as with issues involving refundings or the combination of numerous ordinances, the additional time required will be billed at the hourly rates in effect when the services are performed.

D. In the event that a Letter of Credit or similar credit enhancement facility is used in connection with either a bond or note issue, an additional fee based on the responsibility assumed and time involved will be billed at the hourly rates described in Section 3F below.

E. In the event of a refunding bond issue to provide for the payment of a prior issue of bonds, there will be a fee of \$4,000 in addition to the fees described herein.

F. Services rendered beyond the scope of those described above will be billed at the hourly rates in effect when the services are rendered. The present hourly rates range from \$75 to \$155 per hour depending on the paralegal or attorney involved. Such services include, but are not limited to, attendance at meetings, work involved in the preparation or review of the Official Statement and a continuing disclosure agreement, if applicable, for a bond sale or the review or the preparation of an Official Statement and a continuing disclosure agreement, if applicable, for a bond anticipation note sale, diligence for a bond ordinance, review of authorization proceedings for a bond ordinance, preparation of prequalification packages for bond insurance, preparation of a rating agency package, analysis of any credit enhancement facility, the preparation or review of a Local Finance Board application, attention to or services rendered with regard to any litigation that may occur or any legal question posed by the Borough, tax work, complicated arbitrage analysis or applications to the Federal Reserve Bank for investments of bond or note proceeds in State and Local Government Series federal obligations and legal services, the preparation of the necessary documentation and reviewing and commenting upon all documentation in connection with any capital equipment lease financing or pooled loan financing undertaken by the Borough through the MCIA, USDA, NJIB or any other legal services the Borough wishes Bond Counsel to perform.

G. In the event that a bond sale is held but all bids are rejected or the sale is cancelled, or this Agreement is terminated prior to the sale of bonds, the fee to be charged shall be a reasonable one, based on the services performed.

H. Customary at-cost disbursements shall be added to the fees referred to in this Agreement. These may include photocopying, express or overnight delivery charges and postage costs, newspaper publication costs and the costs of printing official statements, travel expenses, telecommunications,

filing fees, book binding, messenger service or other costs advanced on behalf of the Borough.

I. This Agreement shall be in full force and effect for calendar year 2020.

4. Bond Counsel and the Borough hereby incorporate into this contract the mandatory language of Subsection 3.4(a) and the mandatory language of Section 5.3 of the Regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time, and Bond Counsel agrees to comply fully with the terms, the provisions and the conditions of Subsection 3.4(a) and of Section 5.3, provided that Subsection 3.4(a) shall be applied subject to the terms of Subsection 3.4(d) of the Regulations.

IN WITNESS WHEREOF, the BOROUGH OF WEST LONG BRANCH has caused this Agreement to be duly executed by its proper officers and has caused its corporate seal to be hereto affixed, and Bond Counsel has caused this Agreement to be duly executed by the proper party as of the day and year first above written.

BOROUGH OF WEST LONG BRANCH

ATTEST:

BY:

\_\_\_\_\_  
JANET W. TUCCI, MAYOR

\_\_\_\_\_  
LORI COLE, BOROUGH CLERK

ARCHER & GREINER, P.C.

BY:

\_\_\_\_\_  
JOHN M. CANTALUPO

P.L. 1975, C. 127 (N.J.A.C. 17:27)  
MANDATORY AFFIRMATIVE ACTION LANGUAGE

PROCUREMENT, PROFESSIONAL AND SERVICE CONTRACTS

During the performance of this Contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with the regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time or in accordance with a binding determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to N.J.A.C. 17:27-5.2 promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

The contractor or subcontractor agrees to inform in writing appropriate recruitment agencies in the area, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national

origin, ancestry, marital status, sex, affectional or sexual orientation, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, sex, affectional or sexual orientation, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor and its subcontractors shall furnish such reports or other documents to the Affirmative Action Office as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Affirmative Action Office for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code (N.J.A.C. 17:27).

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING MUNICIPAL AUDITOR AND APPROVING AGREEMENT**

WHEREAS, there exists a need for the services of a Registered Municipal Accountant to prepare the statutory annual audit for the year 2019 for the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of ROBERT S. OLIWA, of the firm of OLIWA & COMPANY, for appointment as Borough Auditor; and

WHEREAS, ROBERT S. OLIWA, of the firm of OLIWA & COMPANY, submitted the attached engagement letter agreement for services for calendar year 2020 for approval by the Borough Council;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, County of Monmouth, that the appointment for the year 2020 of ROBERT S. OLIWA, of the firm of OLIWA & COMPANY, as Municipal Auditor be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that the attached engagement letter agreement for services to be provided by the Borough Auditor be and the same is hereby approved for calendar year 2020, and the Mayor and Borough Clerk are hereby authorized to sign the same; and

BE IT FURTHER RESOLVED that notice of this appointment be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

# *Oliwa & Company*

## Certified Public Accountants

November 25, 2019

Honorable Mayor Tucci and Members  
of the Borough Council  
Borough of West Long Branch, New Jersey

We are pleased to confirm our understanding of the services to be provided to the Borough of West Long Branch (the "Borough") for the year ended December 31, 2018. Also, we confirm and understand that our term as Borough auditor is for calendar year 2020. We will audit the financial statements of the Borough as of and for the year ended December 31, 2019 and provide other services as detailed on page four of this letter. Also, supplementary information accompanying the basic financial statements will be subjected to the auditing procedures applied in our audit of the financial statements.

### **Audit Objectives**

The objective of our audit is the expression of opinions about whether your financial statements are fairly presented, in all material respects, in conformity with the regulatory basis of accounting prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey and to report on the fairness of the supplementary information referred to in the first paragraph when considered in relation to the financial statements taken as a whole. The objective also includes reporting on internal control over financial reporting and compliance with provisions of laws, regulations, contracts and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with Government Auditing Standards, and if applicable, internal over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and the Uniform Guidance.

Our audit will be conducted in accordance with U.S. generally accepted auditing standards, the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and if applicable, the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. If our opinion on the financial statements is other than unmodified, we will discuss the reasons with management in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or we may withdraw from this engagement.

The Government Auditing Standards report on internal control over financial reporting and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance and not to provide an opinion on the effectiveness of internal control or on compliance, (2) that the report is an integral part of an audit performed in accordance with Government Auditing Standards, and (3) that the report is not suitable for any other purpose.

## **Management Responsibilities**

Management is responsible for establishing and maintaining effective internal control and for compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. In fulfilling this responsibility, estimates and judgments by management are required to assess the expected benefits and related costs of the controls.

The objectives of internal control are to provide management with reasonable, but not absolute, assurance that assets are safeguarded against loss from unauthorized use or disposition, that transactions are executed in accordance with management's authorizations and recorded properly to permit the preparation of financial statements in accordance with the statutory basis of accounting prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey.

Management is responsible for making all financial records and related information available to us. We understand that you will provide us with such information required for our audit and that you are responsible for the accuracy and completeness of that information. Management's responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for establishing and maintaining internal controls, including monitoring ongoing activities; for the selection and application of accounting principles; and for the fair presentation of the financial statements in conformity with the statutory basis of accounting prescribed by the Division of Local Government Services, Department of Community Affairs, State of New Jersey.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the Borough involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the Borough received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the Borough complies with applicable laws and regulations and for taking timely and appropriate steps to remedy any fraud, illegal acts, violations of contracts or grant agreements, or abuse that we may report.

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. As part of the audit, we will assist with preparation of your financial statements and related notes. You will be required to acknowledge in the written representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and accepted responsibility for them. Further, you agree to oversee the aforementioned nonaudit service, and any other nonaudit services we will provide, including the preparation of the annual debt statement, the unaudited annual financial statement and the annual budget, by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.



### **Management Responsibilities (continued)**

With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents.

### **Audit Procedures-General**

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the Borough or to acts by management or employees acting on behalf of the Borough. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform the appropriate level of management of any material errors, and any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. If applicable, we will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from the Borough's attorneys as part of the engagement, and they may bill the Borough for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; if applicable, the schedule of expenditures of federal awards and/or the schedule of expenditures of state financial assistance; federal and state award programs; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

### **Audit Procedures-Internal Control**

Our audit will include obtaining an understanding of the Borough and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to Government Auditing Standards.

If applicable, as required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and if applicable, the Uniform Guidance.

### **Audit Procedures-Compliance**

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the Borough's compliance with applicable laws, regulations, contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

If applicable, the Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the Borough has complied with applicable laws, regulations and the terms and conditions of awards applicable to its major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the Borough's major programs. The purpose of these procedures will be to express an opinion on the Borough's compliance with requirements applicable to its major programs in our report on compliance issued pursuant to the Uniform Guidance.

### **Audit Administration, Fees, and Other**

The preparation of the 2019 audit report, preparation of the 2019 unaudited annual financial statement, preparation of the 2019 annual debt statement and assistance in preparation of the 2020 budget will be \$25,800.00. The conduct of the 2019 audit and preparation of the 2019 unaudited annual financial statement, 2019 annual debt statement and 2020 budget will be performed in a timely and efficient manner.

### **Audit Administration, Fees, and Other (continued)**

2020 budget services include meetings and consultation with Borough officials as requested, review and preparation of the official budget document, preparation of the summarized official budget document for advertisement, preparation of budget amending resolutions, drafting of a budget narrative with informative schedules and analysis, and meeting attendance at the budget hearing.

Reimbursements for out of pocket costs will not be billed to the Borough. Our fees for the aforementioned services will be billed as work progresses.

The following hourly rates will apply to other professional accounting and auditing services requested by the Borough.

Principal/RMA \$135.00  
Manager \$90.00  
Senior Accountant \$75.00  
Staff Accountant \$60.00  
Para-Professional \$30.00

As to bond sales executed by the Borough, professional services are billed at a fixed fee, dependent upon the complexity and nature of the transaction.

Please be assured that our firm is financially sound and has sufficient resources to execute a professional service agreement with the Borough, all audit and accounting work performed for the Borough will be performed by employees of Oliwa & Company, CPAs and no members or associates of our firm are suspended or prohibited from performing auditing services in the State of New Jersey.

We understand that our contract with the Borough is being awarded subject to a "Fair and Open Process" adopted by the Borough. We will comply with all applicable requirements of State Statute relative to the "Fair and Open Process" selection.

A copy of our business registration certificate, our most recent system review report and the certificate of employee information report are attached to this letter. In addition, attached is "Exhibit A" relative to Mandatory Equal Employment Opportunity Language required for this contract.

### **Hold Harmless Clause**

During the course of executing this agreement, we shall hold harmless the Borough, and representatives thereof from all suits, actions, or claims at any time brought on account of any injuries or damages sustained by any persons or property in consequences of any negligent act or omission in safeguarding work, or on account of any act or omission of accounts by the firm or our employees, or from claims or amounts arising from violation of law, bylaw, ordinance, regulation or decree.

We appreciate the opportunity to be of service to the Borough and believe this letter accurately summarizes the significant terms of our engagement. If you have questions, please let us know. If you agree with the terms of our engagement as described in this letter, please have an authorized Borough official sign the enclosed copy and return it to us.

Very truly yours,



Robert S. Oliwa  
Certified Public Accountant  
Registered Municipal Accountant #414

*Oliwa & Company*

RESPONSE:

This letter correctly sets forth the understanding of the Borough of West Long Branch.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Title: \_\_\_\_\_



## STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

<b>Taxpayer Name:</b>	R S OLIWA LIMITED LIABILITY COMPANY
<b>Trade Name:</b>	OLIWA AND COMPANY CPA'S
<b>Address:</b>	3 BROAD STREET FREEHOLD, NJ 07728-1742
<b>Certificate Number:</b>	0957491
<b>Date of Issuance:</b>	October 16, 2004

**For Office Use Only:**

20041016093522400



October 24, 2016

To Oliwa & Company, CPA  
and the Peer Review Committee of the NJCPA Peer Review Program

We have reviewed the system of quality control for the accounting and auditing practice of Oliwa & Company, CPA (the firm) in effect for the year ended March 31, 2016. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants. As part of our peer review, we considered reviews by regulatory entities, if applicable, in determining the nature and extent of our procedures. The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review. The nature, objectives, scope, limitations of, and the procedures performed in a System Review are described in the standards at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary).

As required by the standards, engagements selected for review included engagements performed under *Government Auditing Standards*.

In our opinion, the system of quality control for the accounting and auditing practice of Oliwa & Company, CPA in effect for the year ended March 31, 2016, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Oliwa & Company, CPA has received a peer review rating of *pass*.

*Davie Kaplan, CPA, P.C.*

DAVIE KAPLAN, CPA, P.C.

CERTIFICATE OF EMPLOYEE INFORMATION REPORT  
RENEWAL

Certification 18728

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-MAR-2018 to 15-MAR-2023



OLIWA & COMPANY, CPAS  
3 BROAD STREET  
FREEHOLD

NJ 07728



*Ford M. Scudder*

FORD M. SCUDDER  
Acting State Treasurer

## **EXHIBIT A**

### **MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**

**N.J.A.C. 17:27**

### **GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.



The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING MUNICIPAL PROSECUTOR**

WHEREAS, there exists a need for a Municipal Prosecutor in the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of JOSEPH G. HUGHES for appointment as Municipal Prosecutor;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of West Long Branch that the appointment for the year 2020 of JOSEPH G. HUGHES as Municipal Prosecutor be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that a copy of this resolution be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING PUBLIC DEFENDER**

WHEREAS, there exists a need for a Public Defender in the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of PAUL R. EDINGER for appointment as Public Defender;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of West Long Branch that the appointment for the year 2020 of PAUL R. EDINGER as Public Defender be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that a copy of this resolution be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

1/1/20

Councilmember            offered the following resolution and moved its adoption:

**RESOLUTION APPOINTING ALTERNATE PUBLIC DEFENDER**

WHEREAS, there exists a need for an Alternate Public Defender in the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9 and no proposals were submitted; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of PAUL E. ZAGER for appointment as Alternate Public Defender;

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of West Long Branch that the appointment for the year 2020 of PAUL E. ZAGER as Alternate Public Defender be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that a copy of this resolution be published upon adoption as required by law.

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 APPOINTING BOROUGH ENGINEER**

1/1/20

WHEREAS, there exists a need for engineering services in the Borough of West Long Branch, County of Monmouth; and

WHEREAS, the Borough solicited proposals for this service in accordance with the fair and open process as required by Ordinance No. O-06-9; and

WHEREAS, funds are, or will be, available for this purpose; and

WHEREAS, the Mayor has submitted the name of FRANCIS W. MULLAN, P.E., C.M.E., of the firm of T&M ASSOCIATES, for appointment as Borough Engineer;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the appointment for the year 2020 of FRANCIS W. MULLAN, P.E., C.M.E., of the firm of T&M ASSOCIATES, as Borough Engineer be and the same is hereby confirmed; and

BE IT FURTHER RESOLVED that this appointment is made under the fair and open process as required by Borough Ordinance No. O-06-9; and

BE IT FURTHER RESOLVED that notice of this appointment be published upon adoption as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING SPECIAL LABOR COUNSEL**

WHEREAS, the Borough of West Long Branch has the necessity of retaining special counsel to provide advice to the Borough and certain of its officials, and also to represent the Borough's interest in labor-related issues; and

WHEREAS, funds are or will be available for this purpose from the budgeted line item for legal representation; and

WHEREAS, the Local Public Contracts Law requires that any resolution awarding a contract for legal services state the supporting reasons and be printed in a newspaper of general circulation; and

WHEREAS, the Mayor submitted the name of JAMES L. PLOSIA, JR., of the firm PLOSIA COHEN, LLC, for appointment as Special Labor Counsel;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that JAMES L. PLOSIA, JR., of the firm PLOSIA COHEN, LLC, be appointed as Special Labor Counsel to provide advice on an as needed basis to the Borough and certain of its officials and also to represent the Borough's interest in labor-related issues, if necessary; and

BE IT FURTHER RESOLVED that JAMES L. PLOSIA, JR., be compensated in accordance with the terms of Resolution No. R-20-28 (i.e., at the rate of \$150.00 per hour, plus costs); and

BE IT FURTHER RESOLVED this appointment is made without competitive bidding as a "professional service" under the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1, et seq.) because he is a person authorized by law to the practice of the legal profession; and

BE IT FURTHER RESOLVED that a copy of this resolution or its contents be published in an officially approved newspaper as required by law.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

JANUARY 1, 2020

BOROUGH COUNCIL  
WEST LONG BRANCH  
NEW JERSEY

Dear Members of the Borough Council:

As Mayor of the Borough of West Long Branch, I do hereby make the following appointments pursuant to the statutes made and provided for same:

PLANNING BOARD

CLASS II	JAMES MILLER	(2020)
CLASS IV	RANDY TRIOLO	(2020-2023)
ALTERNATE NO. 1	CHRISTINE HANEY	(2020-2021)
ALTERNATE NO. 2	ROBERTO FERRAGINA	(Unexpired Term Through 2020)
ENVIRONMENTAL COMMISSION	CAROLYN SEREBRENY	(2020-2022)
	NO APPOINTMENT MADE	(2020-2022)
	NO APPOINTMENT MADE	(Unexpired Term Through 2020)
SHADE TREE COMMISSION	NO APPOINTMENT MADE	(2020-2024)
	NO APPOINTMENT MADE	(Unexpired Term Through 2020)
	NO APPOINTMENT MADE	(Unexpired Term Through 2021)
RECREATION COMMISSION	MATTHEW SNIFFEN	(2020-2024)
	LORRAINE STROHMENGER	(2020-2024)
	DEBORA RONAN	(2020-2024)
	SUSAN TROCCHIA	(2020-2024)
ALTERNATE NO. 2	NO APPOINTMENT MADE	(2020-2024)
OFFICE OF AGING REPRESENTATIVE	LAWRENCE NEYHART	(2020)

THANK YOU.  
JANET W. TUCCI  
MAYOR

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION  
MAYOR'S APPOINTMENTS APPROVED BY COUNCIL**

1/1/20

BOROUGH COUNCIL  
WEST LONG BRANCH  
NEW JERSEY

Members of the West Long Branch Borough Council:

I hereby submit for your approval and confirmation appointments covering various Borough Offices for the terms indicated:

BOROUGH ADMINISTRATOR	STEPHANIE C. DOLLINGER	(2020)
EMERGENCY SERVICES RECORDS ADMINISTRATOR	RONALD GUIDETTI	(2020)
MUNICIPAL HOUSING LIAISON	NO APPOINTMENT MADE	(2020)
PUBLIC AGENCY COMPLIANCE OFFICER	LORI COLE	(2020)
CHIEF FINANCIAL OFFICER	MICHAL MARTIN	(2020-2023)
PURCHASING AGENT	DAVID J. SPAULDING, JR.	(2020)
TREASURER	NO APPOINTMENT MADE	(2020)
ASSISTANT TREASURER	STEPHANIE C. DOLLINGER	(2020)
TAX SEARCH OFFICER	ASHLESHA DESHPANDE	(2020)
PUBLIC WORKS DIRECTOR	EARL S. REED, JR.	(2020)
ZONING OFFICER	JAMES MILLER	(2020)
CODE ENFORCEMENT OFFICER	JAMES MILLER	(2020)
DEPUTY CODE ENFORCEMENT OFFICER	AMANDA FARRELL	(2020)
ANIMAL CONTROL WARDEN	JAMES MILLER	(2020)
HOUSING INSPECTOR	TIMOTHY GRIFFIN	(2020)
COMMUNICATIONS COORDINATOR	COUNCILMAN FRED MIGLIACCIO	(2020)
BOROUGH PHYSICIAN	DR. BARRY RUBINO	(2020)
SENIOR CITIZENS COMMISSION	EILEEN BURIANI	(2020-2024)
	NO APPOINTMENT MADE	(Unexpired Term Through 2020)
SECRETARY – BOARD OF HEALTH	CHRIS ANN DEGENARO	(2020)
SPECIAL POLICE OFFICERS		
CLASS I	JUSTIN BLAKE	(2020)
CLASS I	JUDE MAYO	(2020)
CLASS I	JAMES MILLER	(2020)
CLASS II	AMANDA FARRELL	(2020)

THANK YOU.  
JANET W. TUCCI  
MAYOR

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  
COUNCIL APPOINTMENTS**

1/1/20

Council submits the following appointments for the terms indicated:

ASSESSMENT SEARCH OFFICER	LORI COLE	(2020)
FIRE INSPECTOR	TIMOTHY GRIFFIN	(2020)
ZONING BOARD OF ADJUSTMENT	PAMELA HUGHES	(2020-2023)
	ROBERT VENEZIA	(2020-2023)
	PAUL SANTORELLI, JR.	(2020-2023)
	ALEX LA SALLE	(Unexpired Term Through 2021)
ALTERNATE NO. 1	GREGG MALFA	(2020-2021)
SCHOOL CROSSING GUARDS	ROSE MARIE CIAGLIA	(2020)
	CARMELA FERRARO	(2020)
	MARIANNE SMITH	(2020)

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION FIXING TIME AND PLACE OF MEETINGS**

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the meetings of the West Long Branch Mayor and Council shall be held at Borough Hall, 965 Broadway, West Long Branch, New Jersey 07764, on the following dates during calendar year 2020:

January 15, 2020	6:30 PM
February 5, 2020	6:30 PM
February 19, 2020	6:30 PM
March 4, 2020	6:30 PM
March 18, 2020	6:30 PM
April 1, 2020	6:30 PM
April 22, 2020	6:30 PM
May 6, 2020	6:30 PM
May 20, 2020	6:30 PM
June 3, 2020	6:30 PM
June 17, 2020	6:30 PM
July 1, 2020	6:30 PM
August 5, 2020	<b>6:00 PM</b>
September 2, 2020	<b>6:00 PM</b>
September 16, 2020	6:30 PM
October 7, 2020	6:30 PM
October 21, 2020	6:30 PM
November 4, 2020	6:30 PM
December 2, 2020	6:30 PM
December 16, 2020	6:30 PM

AND BE IT FURTHER RESOLVED that the meetings will open with a caucus (workshop) and be followed immediately by council (regular) meetings, at which time formal action may be taken; and

BE IT FURTHER RESOLVED that the Reorganization Meeting for 2021 shall be held on January 1, 2021, at 12:00 noon, in Borough Hall Council Chambers, 965 Broadway, West Long Branch, New Jersey 07764; and

BE IT FURTHER RESOLVED that the Borough Clerk shall post a certified copy of this resolution on the bulletin board in Borough Hall and publish same in one issue of the Atlanticville, one issue of the Link, one issue of the Asbury Park Press, and on the Word on the Shore website.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION BONDING BOROUGH EMPLOYEES**

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

Chief Financial Officer be bonded in the amount of \$95,000.00;

Tax Collector in the amount of \$130,000.00;

Municipal Judge in the amount of \$17,500.00;

All Municipal Employees are covered under a Blanket Bond in the amount of \$250,000.00  
per loss;

and that the Borough Clerk be and is hereby directed to arrange for the negotiation of said  
bonds for the year 2020 at Borough expense.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION TO DETERMINE ORDER OF BUSINESS**

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the following shall be the order of business to be observed in conducting the regular meetings of the Mayor and Borough Council during 2020.

- ROLL CALL
- READING AND APPROVAL OF MINUTES
- REPORTS OF STANDING COMMITTEES
- COMMUNICATIONS
- ORDINANCES
- RESOLUTIONS
- UNFINISHED BUSINESS
- NEW BUSINESS
- BILLS AND CLAIMS
- OPPORTUNITY FOR ANY PERSON TO BE HEARD
- ADJOURNMENT

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION ELECTING BOROUGH COUNCIL PRESIDENT**

BE IT RESOLVED that Councilmember CHRISTOPHER NEYHART be nominated  
and elected to the office of President of the Borough Council for the year 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION NAMING COUNCIL REPRESENTATIVE TO PLANNING BOARD**

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch  
that Councilmember STEPHEN A. BRAY be appointed the Class III member of the Planning  
Board for the year 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING 2020 COUNCIL COMMITTEES**

BE IT RESOLVED that the following committees of the West Long Branch Borough Council be appointed for calendar year 2020 with the first named Councilmember to serve as chair:

FINANCE AND ADMINISTRATION -  
    Stephen A. Bray, Steven Cioffi, MaryLynn Mango  
PUBLIC WORKS -  
    John M. Penta, Jr., Christopher Neyhart, Fred Migliaccio  
POLICE -  
    Christopher Neyhart, Stephen A. Bray, John M. Penta, Jr.  
FIRE AND EMS -  
    Steven Cioffi, MaryLynn Mango, Stephen A. Bray  
RECREATION, ENVIRONMENTAL AND SHADE TREE -  
    MaryLynn Mango, Fred Migliaccio, Christopher Neyhart  
PUBLIC PROPERTY -  
    Fred Migliaccio, John M. Penta, Jr., Steven Cioffi  
SHORE REGIONAL HIGH SCHOOL LIAISON -  
    Christopher Neyhart, MaryLynn Mango, Steven Cioffi  
LOCAL SCHOOL LIAISON -  
    Fred Migliaccio, John M. Penta, Jr., Stephen A. Bray  
MONMOUTH UNIVERSITY LIAISON -  
    Fred Migliaccio, Christopher Neyhart, John M. Penta, Jr.  
ORDINANCE REVIEW -  
    MaryLynn Mango, Stephen A. Bray, Steven Cioffi  
COMMUNITY CENTER LIAISON -  
    Christopher Neyhart, Stephen A. Bray, Fred Migliaccio

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 FIXING THE RATE OF INTEREST TO BE  
CHARGED ON DELINQUENT TAXES OR ASSESSMENTS**

1/1/20

WHEREAS, N.J.S.A. 54:4-67 permits the Governing Body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law;

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

1.     The Tax Collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date; 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date; and, if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31<sup>st</sup>, an additional penalty of 6% shall be charged against the delinquency in excess of \$10,000.00;

2.     Effective January 1, 2020, there will be a ten (10) day grace period of quarterly tax payments made by cash, check, or money order;

3.     Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the due date as set forth in paragraph one of this resolution;

4.     This resolution shall be published in its entirety once in an official newspaper of the Borough of West Long Branch;

5.     A certified copy of this resolution shall be provided by the Borough Clerk to the Tax Collector, Chief Financial Officer, Borough Attorney, and Borough Auditor for the Borough of West Long Branch.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:



Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION AUTHORIZING TAX SALE BY TAX COLLECTOR**

WHEREAS, N.J.S.A. 54:5-19 et. seq. provides to the Municipal Tax Collector the power to conduct a tax sale for the purpose of enforcing the collection of delinquent taxes in the Borough against which such delinquent taxes are in arrears for the prior fiscal year, in the manner and form prescribed in said Statute, on or before the 31<sup>st</sup> day of December 2020;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the West Long Branch Tax Collector is hereby authorized and directed to conduct a tax sale in the manner and form prescribed in the Statute on or before the 31<sup>st</sup> day of December 2020 for the purpose of enforcing the collection of delinquent taxes in the Borough against which such delinquent taxes are in arrears as of November 11, 2019; and

BE IT FURTHER RESOLVED that the Tax Collector shall provide notices to the property owners and by publication, in accordance with law, and schedule a sale for a date and time during normal business hours during 2020, the exact date to be left to the discretion of the Tax Collector, at which time a tax sale shall be held on all properties on which the reported liens remain outstanding; and

BE IT FURTHER RESOLVED that the Tax Collector shall charge costs to each such property, together with outstanding interest due on such lien.

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 AUTHORIZING PARTICIPATION IN  
THE ELECTRONIC TAX SALE PROGRAM**

1/1/20

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for an electronic tax sale; and

WHEREAS, the Director of the Division of Local Government Services has approved New Jersey Tax Lien Investors/Real Auctions.com to conduct electronic tax sales; and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process; and

WHEREAS, the Borough of West Long Branch wishes to participate in the program for an electronic tax sale;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the West Long Branch Tax Collector is hereby authorized to take the necessary steps to participate in the electronic tax sale program in 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION AUTHORIZING IN LIEU OF ADVERTISING OF NOTICE OF TAX SALE**

WHEREAS, N.J.S.A. 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Local Government Services; and

WHEREAS, the rules and regulations require a municipality to send two (2) notices of tax sale to all properties included in said sale; and

WHEREAS, the rules and regulations allow said municipality to charge a fee of \$25.00 per notice for the creation, printing, and mailing of said notice; and

WHEREAS, in an effort to more fairly assign greater fiscal responsibility to delinquent taxpayers, the Borough of West Long Branch wishes to charge \$25.00 per notice mailed, which will be assessed specifically to the delinquent accounts that are causing the need for a tax sale and not to the general tax base;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a fee of \$25.00 per notice be established and is hereby authorized and directed to be charged for each notice of tax sale that is sent in conjunction with the 2020 electronic tax sale.

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 AUTHORIZING MAYOR AND BOROUGH CLERK  
TO SIGN APPROVED DOCUMENTS**

1/1/20

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the Mayor and Borough Clerk be and are hereby authorized to sign all contracts, application forms, and other formal documents in order to carry out the previously adopted actions of the Borough Council during the calendar year 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION PERMITTING PRE-PAYMENT OF CERTAIN ITEMS**

WHEREAS, the Borough of West Long Branch has budgeted funds for 2020 for payment of such items as utilities, payroll, vehicle leases, debt service, governmental fees, insurance, and for the printing and mailing costs of the Borough; and

WHEREAS, the payment of these items frequently arrives out of time for placement on the next available bill list, and in several months of the year the Governing Body does not meet for a period of one month, thereby inadvertently placing these bills and mailings in arrears because of the schedule of meetings;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the Chief Financial Officer be and is hereby authorized to make pre-payment of the following fixed items prior to the same appearing on the meeting bill list, such funds to be taken from the pre-budgeted amount for each such expense for 2020:

1. Utilities (electric, gas, water, sewer, and telephone).
2. Payroll.
3. Monthly vehicle lease payments.
4. Debt service as evidenced by pre-existing notes.
5. Health, dental and other insurance premiums.
6. Federal, state and county fees.
7. Postage for tax bills, newsletters, and other Borough mailings.
8. School taxes.
9. Bills pertaining to the Community Development Block Grant Program.
10. Third Party Tax Lien Redemptions.
11. Purchase of Gasoline/Diesel Fuel.
12. Municipal Court Lease Payments.
13. Purchase of Road Equipment, Vehicle Parts and Repairs, and Road Department Supplies When an Emergent Situation Exists.
14. Items Deemed Necessary for Pre-Payment by the C.F.O. Conditioned Upon Consent of the Chair of the Finance and Administration Committee.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION DESIGNATING OFFICIAL NEWSPAPERS**

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the Asbury Park Press, the Atlanticville, the Link News, and Word on the Shore are hereby designated as the official newspapers for the Borough of West Long Branch as required by law.

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 APPOINTING COMMUNITY DEVELOPMENT  
AND ALTERNATE COMMUNITY DEVELOPMENT REPRESENTATIVES**

1/1/20

WHEREAS, the positions of Community Development and Alternate Community Development Representative for 2020 need to be filled;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that COUNCILWOMAN MARYLYNN MANGO be and is hereby appointed to serve in the position of Community Development Representative for calendar year 2020; and

BE IT FURTHER RESOLVED that COUNCILMAN CHRISTOPHER NEYHART be and is hereby appointed to serve in the position of Alternate Community Development Representative for calendar year 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING INSURANCE COMMISSIONER AND ALTERNATE**

WHEREAS, it is necessary to appoint an Insurance Commissioner and an Alternate;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that LORI COLE be and is hereby appointed Insurance Commissioner for 2020; and

BE IT FURTHER RESOLVED that COUNCILMAN STEPHEN A. BRAY be and is hereby appointed to serve in the position of Alternate Insurance Commissioner for 2020.

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 APPOINTING FUND COMMISSIONER  
AND ALTERNATE TO THE  
CENTRAL JERSEY HEALTH INSURANCE FUND FOR 2020**

1/1/20

WHEREAS, the Borough of West Long Branch is a member of the Central Jersey Health Insurance Fund, a self-insured health fund; and

WHEREAS, the bylaws of the Central Jersey Health Insurance Fund require that each member appoint a Fund Commissioner and may appoint an Alternate;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that LORI COLE be and is hereby appointed as Fund Commissioner to the Central Jersey Health Insurance Fund, effective January 1, 2020, to represent the Borough of West Long Branch; and

BE IT FURTHER RESOLVED that Councilwoman MARYLYNN MANGO be and is hereby appointed as the Alternate Commissioner for calendar year 2020.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION APPOINTING ADA COORDINATOR AND COMPLIANCE OFFICER**

WHEREAS, the Borough of West Long Branch is a participant in the Community Development Block Grant Program as sponsored by the County of Monmouth; and

WHEREAS, in order to comply with the basic Level 4 requirements, the Borough is required to appoint a Coordinator under Section 504 of the Rehabilitation Act of 1973, which provides for the Community Development Block Grant Program;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that LORI COLE, the West Long Branch Borough Clerk, be and is hereby appointed to the position of ADA Coordinator for 2020; and

BE IT FURTHER RESOLVED that JAMES MILLER, the West Long Branch Code Enforcement Officer, be and is hereby appointed to the position of ADA Compliance Officer for 2020; and

BE IT FURTHER RESOLVED that a certified copy of this resolution, including the telephone number and address of LORI COLE and JAMES MILLER, be forwarded to the Monmouth County Community Development Office and the Monmouth County Office on Disabilities.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION FIXING LEGAL FEE RATES FOR 2020**

WHEREAS, there is expected to be a need for the Borough to retain the legal services of other than the Borough Attorney for representation in litigated matters during 2020, such representation to be provided by the attorneys for the Zoning Board and Planning Board, the Municipal Prosecutor, or, perhaps, special counsel; and

WHEREAS, it is in the Borough's best interest to fix a rate for such services for the calendar year in order to promote uniformity in billing and avoid the necessity of contracting for such services on a case-by-case basis; and

WHEREAS, funds are or will be available for the purpose of retaining counsel for representation in litigated matters which may not necessarily involve the Borough of West Long Branch or its boards or officials as a party to such litigation;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, County of Monmouth, that the rate of \$150.00 per hour for legal services is hereby fixed as the contract rate for the providing of legal services to the Borough of West Long Branch for calendar year 2020; and

BE IT FURTHER RESOLVED that the aforementioned rate shall apply only to legal services incurred in litigation in which the Governing Body, board, or appropriate authority has formally taken action to retain an attorney to perform such services; and this resolution shall not be read in such a way as to conflict with the terms of the Borough Attorney's contract for 2020, which will provide for a fixed retainer and an hourly rate after a fixed number of litigation hours have been provided.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

Councilmember            offered the following resolution and moved its adoption:

1/1/20

**RESOLUTION NAMING OFFICIAL DEPOSITORIES**

BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that TD Bank, Two River Community Bank, and Investors Bank be and are hereby named and designated as the official depositories of the Borough of West Long Branch for the year 2020; and

BE IT FURTHER RESOLVED that, until otherwise changed, all checks, warrants, notes, and other financial papers for the Borough of West Long Branch bank accounts be signed by two of the following officials: the Mayor or Council President; the Chief Financial Officer or Assistant Treasurer; and

BE IT FURTHER RESOLVED that, until otherwise changed, all domestic wire transfers and transfer of funds between Borough of West Long Branch accounts be authorized by the Chief Financial Officer or the Assistant Treasurer; and

BE IT FURTHER RESOLVED that, until otherwise changed, all domestic wire transfers and transfer of funds between Borough of West Long Branch accounts be verified by one of the officials designated above to authorize the transaction; and

BE IT FURTHER RESOLVED that certified copies of this resolution be transmitted to the banking institutions with whom the Borough does business and to the Chief Financial Officer and Assistant Treasurer; and

BE IT FURTHER RESOLVED that a copy of this resolution be published upon adoption as required by law.

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 ESTABLISHING CASH MANAGEMENT PLAN  
FOR THE BOROUGH OF WEST LONG BRANCH**

1/1/20

BE IT RESOLVED by the Council of the Borough of West Long Branch, County of Monmouth, that for the year 2020, the following shall serve as the cash management plan of the Borough.

The Chief Financial Officer is directed to use this cash management plan as the guide in depositing and investing the Borough of West Long Branch funds.

The following are authorized as suitable investments

Interest-bearing bank accounts and certificates of deposit in authorized banks, listed below, for deposit of local unit funds.

Government money market mutual funds as comply with N.J.S.A. 40A:5-15. I(e) Any federal agency or instrumentality obligation authorized by Congress that matures within 397 days from the date of purchase, and has a fixed rate of interest not dependent on any index or external factors.

Bonds or other obligations of the local unit or school district of which the local unit is a part.

Any other obligations with maturates not exceeding 397 days, as permitted by the Division of Investments.

- Local government investment pools which comply with N.J.S.A. 40A:5-15. I (c) and conditions set by the Division of Local Government Services.  
New Jersey State Cash Management Fund.
- Repurchase agreements (repos) of fully collateralized securities which comply with N.J.S.A. 40A 5-15 1 (a),

The following Government Unit Depository Protection Act approved banks are authorized depositories for deposit of funds

TD Bank  
Investors Bank  
Two River Community Bank

The above referenced banking and savings institutions are hereby authorized to honor and pay checks, drafts and warrants drawn on the several accounts in said banking institutions, when same are signed in the name of the Borough of West Long Branch by Janet W. Tucci, Mayor; Christopher Neyhart, Council President; Stephanie Dollinger, Administrator/Asst. Treasurer; Michael Martin, Chief Financial Officer; or the Tax Collector.

The approved cash management policy is an integral part of this document.

Any official involved with the selection of depositories, investments, broker/dealers shall disclose any material business or personal relationship to the governing body and to the Local Finance Board *(or local ethics board if applicable)*.

Any official who in the course of his or her duties deposits or invests in accordance with the plan shall be relieved of any liability for loss of investment.

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

AYES:

NAYS:

ABSENT:

ABSTAIN:

**CASH MANAGEMENT PLAN OF THE BOROUGH OF WEST LONG BRANCH,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

**STATEMENT OF PURPOSE**

This Cash Management Plan (the "Plan") is prepared to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

**IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY  
THE PLAN**

The Plan is intended to cover the deposit and/or investment of the accounts of the Borough:

ALL FUNDS

It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically;

STATE AND FEDERAL GRANTS

**DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO  
MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN**

The Chief Financial Officer of the Borough is the designated official and is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

## **DESIGNATION OF DEPOSITORIES**

The following banks and financial institutions are hereby designated as official depositories for the deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

**NEW JERSEY CASH MANAGEMENT  
WELLS FARGO BANK  
SANTANDER BANK  
TD BANK  
M&T BANK  
TWO RIVER COMMUNITY BANK  
VALLEY NATIONAL BANK  
INVESTORS BANK**

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official referred to above.

## **AUTHORIZED INVESTMENTS**

Except, as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

- (1) Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
- (2) Government money market mutual funds;
- (3) Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater the 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
- (4) Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
- (5) Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;



- (6) Local Government investment pools;
- (7) Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1, P.L. 1977, c.281 (C.52:18a-90.4) or;
- (8) Agreements for the repurchase of fully collateralized securities if:
  - (a) the underlying securities are permitted investments pursuant to paragraphs (1) and (3) of this subsection;
  - (b) the custody of collateral is transferred to a third party;
  - (c) the maturity of the agreement is not more than 30 days;
  - (d) the underlying securities are purchased through a public depository as defined in section 1, P.L. 1970, c.236 (C.17:9-41) and;
  - (e) a master repurchase agreement providing for the custody and security of collateral is executed.

Councilmember offered the following resolution and moved its adoption:

**RESOLUTION - TEMPORARY BUDGET**

1/1/20

WHEREAS, the Local Budget Law (N.J.S.A. 40A:4-19) provides that where any contracts or payments are to be made prior to the final adoption of the 2020 Budget, temporary appropriations should be made for the purposes and amounts required in the manner and time therein provided; and

WHEREAS, the date of this resolution is within the first thirty days of January, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the following temporary appropriations be made and that a certified copy of this resolution be transmitted to the Chief Financial Officer.

**ADMINISTRATIVE & EXECUTIVE:**

Salaries and Wages-----	\$50,000.00
Other Expenses-----	\$8,000.00

**MUNICIPAL CLERK:**

Salaries and Wages-----	\$30,000.00
Other Expenses-----	\$3,000.00

**FINANCE:**

Salaries and Wages-----	\$20,000.00
Other Expenses-----	\$10,000.00

**AUDIT:**

Other Expenses-----	\$7,000.00
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**ASSESSMENT OF TAXES:**

Salaries and Wages-----	\$5,500.00
Other Expenses-----	\$5,880.00

**COLLECTION OF TAXES:**

Salaries and Wages-----	\$17,000.00
Other Expenses-----	\$4,300.00

**LEGAL SERVICES AND COSTS:**

Other Expenses-----	\$31,500.00
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**ENGINEERING SERVICES AND COSTS:**

Other Expenses-----	\$10,000.00
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**PUBLIC BUILDINGS & GROUNDS:**

Other Expenses-----	\$22,000.00
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**PLANNING BOARD:**

Salaries and Wages-----	\$1,500.00
Other Expenses-----	\$6,000.00

**ZONING BOARD OF ADJUSTMENT:**

Salaries and Wages-----	\$1,500.00
Other Expenses-----	\$4,500.00

ENVIRONMENTAL COMMISSION:

Salaries and Wages-----	\$250.00
Other Expenses-----	\$5,000.00

SENIOR CITIZEN COMMISSION:

Salaries and Wages-----	\$250.00
Other Expenses-----	\$250.00

SHADE TREE COMMISSION:

Salaries and Wages-----	\$150.00
Other Expenses-----	\$2,000.00

INSURANCE:

Group Plans - Hospitalization/Dental-----	\$350,000.00
Other Premiums-----	\$175,000.00

FIRE:

Fire Hydrant Service-----	\$21,000.00
Other Expenses-----	\$21,000.00

POLICE:

Salaries and Wages-----	\$720,000.00
Other Expenses-----	\$55,000.00

TRAFFIC LIGHT MAINTENANCE:

Other Expenses-----	\$2,100.00
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FIRST AID ORGANIZATION CONTRIBUTION-----	\$8,000.00
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EMERGENCY MANAGEMENT SERVICE:

Other Expenses-----	\$1,000.00
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PUBLIC WORKS:

Salaries and Wages-----	\$158,000.00
Other Expenses-----	\$122,000.00

MUNICIPAL COURT:

Salaries and Wages-----	\$7,000.00
Other Expenses-----	\$850.00

PUBLIC DEFENDER:

Salaries and Wages-----	\$2,250.00
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SERVICES OF MONMOUTH COUNTY

REGIONAL HEALTH COMMISSION-----	\$27,500.00
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REGISTRAR:

Salaries and Wages-----	\$2,840.00
Other Expenses-----	\$600.00

DOG REGULATION:

Other Expenses-----	\$2,500.00
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BOARD OF RECREATION COMMISSIONERS:

Salaries and Wages-----	\$500.00
Other Expenses-----	\$10,000.00

TRANSPORTATION OF CHILDREN:

Other Expenses-----	\$5,000.00
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LIBRARY:

Salaries and Wages-----	\$200.00
Other Expenses-----	\$6,065.00

UTILITIES

Electricity-----	\$23,000.00
Street Lighting-----	\$21,000.00
Telephone-----	\$10,000.00
Water-----	\$3,600.00
Natural Gas-----	\$9,200.00
Sewer-----	\$1,100.00
Gasoline/Diesel-----	\$40,000.00

LANDFILL DUMPING FEES-----	\$57,000.00
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STATE UNIFORM CODE:

Code Enforcement Official:

Salaries and Wages-----	\$20,000.00
Other Expenses-----	\$600.00

Zoning Official:

Salaries and Wages-----	\$20,000.00
Other Expenses-----	\$210.00

Life Hazard Fire Protection:

Salaries and Wages-----	\$7,000.00
Other Expenses-----	\$1,000.00

Housing Inspector:

Salaries and Wages-----	\$2,250.00
Other Expenses-----	\$500.00

MUNICIPAL COURT SHARED SERVICE-----	\$37,000.00
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FINANCIAL ADMINISTRATION SHARED SERVICE-----	\$17,500.00
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INFORMATION TECHNOLOGY SHARED SERVICE-----	\$10,000.00
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CONTINGENT-----	\$315.00
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STATUTORY EXPENDITURES:

Other Expenses:

Social Security & Medicare-----	\$43,000.00
DCRP-----	\$2,000.00
SDI-----	\$2,700.00

MUNICIPAL DEBT SERVICE

Green Trust Loan Repayments -----	\$10,000.00
Payment of Principal -----	\$125,000.00
Interest on Bonds -----	\$80,000.00

CONDO SERVICES----- \$2,300.00

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 APPOINTING MEMBER TO TWO RIVERS  
WATER RECLAMATION AUTHORITY**

1/1/20

WHEREAS, David J. Twigg was appointed by Resolution No. R-19-45 as a West Long Branch member to the Two Rivers Water Reclamation Authority for a term of five (5) years, which term is set to expire on January 31, 2024; and

WHEREAS, David J. Twigg has submitted his resignation from this position since he has moved out of town; and

WHEREAS, Mayor Tucci has recommended JAMES MAZZA for appointment to this position to fill David J. Twigg's unexpired term through January 31, 2024;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that JAMES MAZZA be appointed as a West Long Branch member to the Two Rivers Water Reclamation Authority to fill the unexpired term of David J. Twigg through January 31, 2024.

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

AYES:  
NAYS:  
ABSENT:  
ABSTAIN:

**ORDINANCE NO. O-20-1**

**AN ORDINANCE SETTING THE SALARIES FOR THE  
WEST LONG BRANCH POLICE DEPARTMENT**

WHEREAS, the Governing Body of the Borough of West Long Branch has recently approved a contract with the P.B.A., which contract fixes salaries for the years 2020 through 2023;

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

SECTION 1. The salaries of the members of the Police Department shall be as follows:

	<u>Base Salary Effective</u>			
	<u>01/01/20</u>	<u>01/01/21</u>	<u>01/01/22</u>	<u>01/01/23</u>
Captain – A salary of	\$142,890.00	\$145,677.00	\$148,517.00	\$151,413.00
Lieutenant – A salary of	\$135,514.00	\$138,156.00	\$140,850.00	\$143,597.00
Sergeant – A salary of	\$128,123.00	\$130,621.00	\$133,168.00	\$135,765.00
A salary of –				
Patrolman Ten	\$120,732.00	\$123,086.00	\$125,487.00	\$127,934.00
Patrolman Nine	\$96,129.00	\$98,004.00	\$99,915.00	\$101,863.00
Patrolman Eight	\$89,486.00	\$91,230.00	\$93,009.00	\$94,823.00
Patrolman Seven	\$82,840.00	\$84,455.00	\$86,102.00	\$87,781.00
Patrolman Six	\$76,196.00	\$77,682.00	\$79,196.00	\$80,741.00
Patrolman Five	\$69,552.00	\$70,908.00	\$72,291.00	\$73,700.00
Patrolman Four	\$62,906.00	\$64,133.00	\$65,383.00	\$66,658.00
Patrolman Three	\$56,262.00	\$57,359.00	\$58,478.00	\$59,618.00
Patrolman Two	\$49,617.00	\$50,585.00	\$51,571.00	\$52,577.00
Patrolman One	\$42,972.00	\$43,810.00	\$44,665.00	\$45,535.00
Probation	\$37,347.00	\$38,086.00	\$38,818.00	\$39,575.00

SECTION 2. The number suffixes on the salary guide after Patrolman salary levels shall refer to the number of years served by that officer in the West Long Branch Police Department in order to achieve that pay status.

SECTION 3. Holiday Pay has been factored into all members' base pay, therefore, it will be forever considered part of their base salary. Therefore, "Holiday Pay" will cease to exist.

SECTION 4. This ordinance shall take effect immediately upon its final passage and publication according to law.

**ORDINANCE NO. O-20-2**

**2020 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-17-1, which is an amendment to Ordinance No. 277, be amended and supplemented as follows:

SECTION 2. The annual salaries for 2020, which shall be paid semi-monthly, unless otherwise stated, of the employees, as set forth in Section 1 hereof, shall be as follows:

	<u>01/01/20</u>
RECORDS CLERK	2,000.00
PUBLIC WORKS EMPLOYEES \$36,375.00 -	70,000.00
PUBLIC WORKS MECHANIC \$36,375.00 -	70,000.00
PUBLIC WORKS ROAD FOREMAN	2,000.00
PARKS FOREMAN	3,200.00
GENERAL FOREMAN	4,200.00
POLICE RECORDS CLERK/SECRETARY \$36,375.00 -	50,000.00



**ORDINANCE NO. O-20-3**

**AN ORDINANCE AMENDING ORDINANCE NO. O-19-4  
REGARDING SALARIES OF VARIOUS MUNICIPAL EMPLOYEES  
AND SETTING THE 2020 SALARIES OF VARIOUS MUNICIPAL  
OFFICERS, EMPLOYEES AND APPOINTEES**

WHEREAS, the Borough Council adopted Ordinance No. O-19-4 during calendar year 2019, 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.**

The reference to "DISPATCHER" and "DISPATCHERS - PART-TIME" in Ordinance No. O-17-1 is deleted and repealed.

**SECTION 2.**

The position in Ordinance No. O-17-2 entitled "BOARD OF ASSESSORS" is amended to read "TAX ASSESSOR."

**SECTION 3.**

The reference in both Ordinance Nos. O-17-1 and O-17-2 regarding longevity schedules are hereby deleted and repealed; the effect being that there are no longevity benefits for any such persons, unless the same are set forth in a binding contract between the Borough and the employee.

**SECTION 4.**

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-19-4, which is an amendment to Ordinance No. 277, be amended and supplemented to set the annual salaries for 2020, which shall be paid semi-monthly, unless otherwise stated, of the officers, employees and appointees shall be as follows:

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

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

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

REGISTRAR  
\$2,000 - \$5,000

DEPUTY REGISTRAR  
\$1,000 - \$3,000

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

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

PART-TIME OFFICE PERSONNEL  
Compensation ranges from \$10.00 to \$30.00/hour

FULL-TIME OFFICE PERSONNEL  
\$32,000 - \$40,000

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

SCHOOL CROSSING GUARDS  
Compensation ranges from \$11.00 per shift to \$28.00 per shift

SUPERINTENDENT OF PUBLIC WORKS  
\$45,000 - \$105,000

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

PUBLIC WORKS - PART-TIME/TEMPORARY  
Compensation ranges from \$11.00 to \$15.00/hour

HOUSING INSPECTOR  
\$4,000 - \$18,000

FIRE OFFICIAL  
\$6,300 - \$18,000

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

ZONING OFFICER  
\$15,000 - \$40,000

CODE ENFORCEMENT OFFICER  
\$15,000 - \$40,000

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

TAX ASSESSOR  
\$16,500 - \$28,000

SECRETARY - PLANNING AND ZONING BOARDS  
\$5,000 - \$7,500 for each Board

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

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

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

SPECIAL POLICE  
Compensation ranges from \$12.00 to \$31.00/hour

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

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

CHIEF OF POLICE  
\$100,000 - \$155,000

SUMMER RECREATION

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

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

COUNSELOR  
Compensation ranges from \$11.00 to \$19.00/hour

**SECTION 5.**

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