

October 4, 2017  
6:35 PM

A caucus meeting of the Mayor and Council of the Borough of West Long Branch was held on the above date and time in the Council Chambers, Borough Hall, 965 Broadway, West Long Branch, N.J.

Mayor Janet W. Tucci presided.

Mayor Tucci reported that in accordance with N.J.S.A. 10:4-6 adequate notice of this meeting of the Mayor and Council has been provided.

PRESENT: BRAY, JULIANO, MANGO, MIGLIACCIO, NEYHART, PENTA  
ABSENT: NONE

Rick Matera, of Titan Demolition & Salvage, appeared this evening to provide an update on the demolition of the 95 Poplar Avenue building. He explained that he is required to obtain demolition, construction, electrical, and plumbing permits for this project. The building and electrical permit applications are ready to go. Contrary to what he was previously told by the architect, he found that the sewer line does not run under the portion of the building occupied by the Library, but rather in the other direction. He stated that he would need to replace the current line before demolishing the building. Since he has been unable to reach the plumber used by the Borough, he stated that he would be working with John Grumbach on that part of the project.

**COUNCILMAN NEYHART:**

1. The Ordinance Review Committee scheduled a meeting for Wednesday, October 25<sup>th</sup>, at 4:30 PM.

**BOROUGH ATTORNEY BAXTER:**

1. The draft ordinance amending the existing ordinance regulating the issuance of Certificates of Occupancy was modified based on the discussion at the September 20<sup>th</sup> meeting and is on tonight's regular agenda for introduction in the form of Ordinance No. O-17-7.
2. A copy of Ocean Township's "No Knock" ordinance has been distributed to the Mayor and Council for their review. It provides for a "No Knock Registry" to be maintained at Borough Hall and

**BOROUGH ATTORNEY BAXTER: (Contd.)**

given to licensees at the time of issuance of a license to solicit. There is no fee to be included on the Registry. Residents can change their mind and ask to be removed from the Registry. Those on the Registry can obtain a sticker to be displayed at their premises. The other alternative would be to post a "No Trespassing" sign. The Borough Attorney offered to prepare a draft ordinance for consideration by the Mayor and Council at the October 18<sup>th</sup> meeting.

Councilman Migliaccio moved that the Council enter Executive Session at 7:00 PM. Seconded by Councilwoman Juliano and carried unanimously.

**EXECUTIVE SESSION RESOLUTION**

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described matters shall not be open to the public:

*Summer Recreation Refund; Ride Along Waiver; Phone Contract; SPCA Contract; EZ Car Titles Contract; Property Acquisition; Police Personnel; Zoning Board of Adjustment Appointment; C.O. Fees; Landlord Registration Fees*

BE IT FURTHER RESOLVED that it is anticipated that the matters to be considered in private may be disclosed to the public at a later date under the following circumstances:

**When the need for privacy as to each item no longer exists.**

BE IT FURTHER RESOLVED that the private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12):

- \_\_\_\_\_ 1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
- \_\_\_\_\_ 2. Rendered confidential by State Statute or Court Rule.

- ☐ 3. Would constitute an unwarranted invasion of individual privacy.
- ☐ 4. Deals with collective bargaining or any employment agreement, including negotiations positions.
- ☒ 5. Deals with purchase, lease or acquisition of real property with public funds.
- ☐ 6. Related to setting of bank rates or the investment of public funds and disclosure could adversely affect the public interest.
- ☐ 7. Related to tactics and techniques utilized in protecting the safety and property of the public and disclosure may adversely affect the public.
- ☐ 8. Related to investigation of violations or possible violations of the law.
- ☒ 9. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.
- ☒ 10. Falls within the attorney-client privilege and confidentiality is required.
- ☒ 11. Deals with personnel matters involving the employment, appointment, termination of employment, terms and conditions of employment, performance evaluation or discipline of any public officers or employees, either current or prospective, and all of the employees or appointees whose rights could be adversely affected have not requested that the matter be discussed publicly.
- ☐ 12. Quasi-judicial deliberations after public hearing that may result in imposition of a civil penalty or suspension or loss of a license or permit.

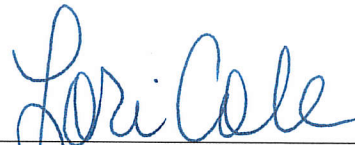
Councilman Bray moved Council adjourn Executive Session at 8:07 PM, seconded by Councilman Neyhart, and carried unanimously.

Mayor Tucci opened the meeting up to the public.

Vincent Lepore, 33 Ocean Terrace, Long Branch, commented on the following items:

- He asked about the status of the Best Practices Inventory. He was informed that it will be on the October 18<sup>th</sup> agenda for discussion.
- He advised the Mayor and Council that other municipalities have used Community Development Block Grant funding for the purchase of LED signs and suggested that the Borough do so for the purchase and installation of LED signs in front of Borough Hall and in Woolley Park.
- He expressed his support of the "No Knock" ordinance. He noted that the Township of Toms River went further and created "cease and desist zones" to address real estate solicitation.

There being no one else wishing to speak, Councilman Neyhart moved Council adjourn Caucus Session at 8:15 PM. Seconded by Councilwoman Juliano and carried unanimously.

  
BOROUGH CLERK