

February 21, 2018  
6:37 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, MIGLIACCIO, NEYHART, PENTA

ABSENT: JULIANO, MANGO

**BOROUGH ATTORNEY BAXTER:**

1. An amendment to the Emergency Services Records Administrator ordinance will be considered for introduction at tonight's regular meeting.
2. The Ordinance Review Committee met to discuss the preparation of an ordinance to prohibit the sale of marijuana. They reviewed ordinances/resolutions from other municipalities and the County. The Borough Attorney prepared a proposed ordinance for review by the Mayor and Council. Then he recommended that it be sent to the Planning Board for their input. Councilman Neyhart suggested adding the processing, farming, and growing of marijuana as well. The ordinance will be amended to include those items. Thereafter, the Borough Attorney will forward the proposed ordinance to the Borough Administrator to be sent to the Planning Board.
3. A resolution to amend the 2018 meeting schedule to accommodate the Jewish holiday of Yom Kippur will be considered for adoption at tonight's regular meeting.
4. A resolution to set the procedure for refunds of 2018 taxes that were paid in 2017 because of the new tax code will be considered for adoption at tonight's regular meeting.

Councilman Neyhart moved that the Council enter Executive Session at 6:47 PM. Seconded by Councilman Bray 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:

*DPW Monitoring Wells; Non-Union Salary Ordinance; CARFAX Contract; Health Officer Representative; Personnel Awards*

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):

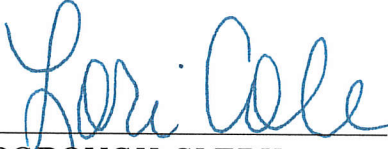
- \_\_\_\_\_ 1. Rendered confidential by Federal law or that if disclosed would impair receipt of Federal funds.
- \_\_\_\_\_ 2. Rendered confidential by State Statute or Court Rule.
- \_\_\_\_\_ 3. Would constitute an unwarranted invasion of individual privacy.
- \_\_\_\_\_ 4. Deals with collective 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.
- X   8. Related to investigation of violations or possible violations of the law.
- X   9. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.
- X   10. Falls within the attorney-client privilege and confidentiality is required.
- X   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 7:32 PM, seconded by Councilman Neyhart, and carried unanimously.

Mayor Tucci opened the meeting up to the public.

There being no one wishing to speak, Councilman Neyhart moved Council adjourn Caucus Session at 7:36 PM. Seconded by Councilman Bray and carried unanimously.

  
BOROUGH CLERK