

July 11, 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, MANGO, MIGLIACCIO, NEYHART, PENTA

ABSENT: JULIANO

COUNCILMAN BRAY:

1. The Ordinance Review Committee met to discuss commercial vehicles. As a first phase, the Committee recommended the adoption of an ordinance restricting parking of commercial vehicles on the street between the hours of 8:00 PM and 7:00 AM, which matches the times when work is prohibited. The Committee felt that this ordinance could be easily enforced by the Police Department. The Borough Attorney noted that this ordinance is on tonight's regular agenda for introduction, but the Council needed to decide on the effective date. The consensus was to have an effective date of October 1st.
2. The new Reformation Community Food Pantry will be dedicated on Saturday at 1:30 PM.

COUNCILMAN PENTA:

1. From a transparency and informational standpoint, it was proposed that the meetings of the Mayor and Borough Council be live streamed. It was recommended that the cost be determined before moving forward with this idea.

BOROUGH ATTORNEY BAXTER:

1. A resident called the Police Department on a weekend to report that a landscaper was putting debris out to the curb. The Police Officer who was assigned the call contacted the Code Enforcement

Officer to consult with him before taking any action. The Borough Attorney stated that it was not necessary for the Code Enforcement Officer to be contacted on the weekend for this type of situation. The Mayor asked the Police Chief, who was in the audience, to have his Officers assist with code enforcement.

2. Pursuant to the Borough's Tier A MS4 stormwater permit, municipal board and governing body members must watch a forty-five-minute training video which will provide a general understanding of the post construction section of the permit. The Borough Attorney recommended showing the video at the beginning of the August meeting; however, Councilman Bray, who indicated he already watched the video in his capacity as a member of the Planning Board, felt that everyone should view it on their own. It was decided to e-mail the link to the Mayor and Council and have them sign a certification confirming they had viewed it.

MAYOR TUCCI:

1. The Ordinance Review Committee did not discuss the topic of bamboo when they met. Councilman Neyhart stated his opposition to an ordinance regulating it, while Councilwoman Mango expressed concern for those residents who are affected by it. The Borough Attorney confirmed that there is no current ordinance governing it and suggested asking the Environmental Commission to weigh in on the subject. Councilwoman Mango offered to ask the Environmental Commission for their input.

Councilman Bray moved that the Council enter Executive Session at 6:53 PM. Seconded by Councilman Neyhart 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:

Assistant Treasurer Contract; Deputy Code Enforcer; Zoning Amendment Issue; Personnel – Administration; Demo Contract

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.

- 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 Neyhart moved Council adjourn at 7:39 PM, seconded by Councilman Bray, and carried unanimously.

Mayor Tucci opened the meeting up to the public.

Alex Aurilio, 8 Windsor Drive, stated that he appeared approximately six months ago to report on the turnstyle renting in his neighborhood and the problem of college students disregarding the quality of life of the neighbors. He said he was told at that time the matter would be investigated. He suggested that the Mayor and Council consider limiting the length of rental certificates of occupancy. It was recommended to Mr. Aurilio that the problems be reported to the Police Department at the time of the occurrence. Councilman Migliaccio explained that there was a process that must be followed with the college rentals which begins with reporting the incidents to the Police Department, which can then be addressed with Monmouth University representatives at quarterly meetings that are held. Mayor Tucci added that the Borough started working with the Code Enforcement Officer and Police Department back in March to tighten up the process for issuance of rental certificates of occupancy.

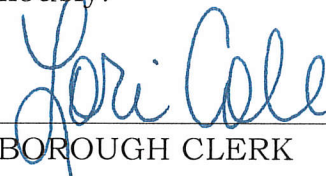
Nancy Ali, 15 Windsor Drive, asked who they should call when there was an issue. She was told to call the West Long Branch Police Department. She commented that the rental properties have caused their quality of life to deteriorate. She added that other problems are speeding and school busses that honk their horn when they stop to pick up children. She also complained that there has been a port-o-john blocking the sidewalk for two months at a house on the street that is

being renovated. The Borough Administrator offered to have the Code Enforcement Officer contact someone regarding the port-o-john. Further, Chief Habermann was asked to have his Officers investigate the complaint about the school busses. Ms. Ali also expressed concern about the large amount of deer in the area. Finally, she asked about the delay in response by the Emergency Medical Services. Councilman Migliaccio advised her that a meeting was scheduled for next week to discuss that issue.

Marge Ruchaevsky, 10 Windsor Drive, recommended requiring a minimum rental of twelve months. The Borough Attorney responded that the issue of rental properties has been discussed over the years, and the Borough has, in fact, taken steps to address the issues.

Mr. Aurilio commented that people are buying these homes and renting them. The Borough Attorney informed him that it wasn't against the law to do so. Councilman Penta stated that he recently noticed signs announcing winter rentals and felt the Borough should address that situation. He was told that there was already an ordinance regulating sales and rentals.

There being no one else wishing to speak, Councilman Neyhart moved Council adjourn Caucus Session at 8:12 PM. Seconded by Councilman Bray and carried unanimously.


BOROUGH CLERK