

June 7, 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  
ABSENT: PENTA

**BOROUGH CLERK COLE:**

1. Robert Bushar, of Hilton Realty Company, submitted a request for permission to pave the Paddock Plaza parking lot overnight. The paving is proposed in two phases over a two day period (Tuesday and Wednesday). The first phase will begin at 3:00 AM and end at 6:00 AM. The second phase will begin at 6:00 AM and continue throughout the day. Restriping of the parking lot will occur immediately following the paving operations. The Council had no objections to this request.

**COUNCILMAN BRAY:**

1. Demand surveys for this year's Monmouth County Improvement Authority's Capital Equipment Lease Program are due by today (June 7<sup>th</sup>). The C.F.O. requested an extension to submit the survey by Thursday, June 8<sup>th</sup>, to allow the Mayor and Council time to discuss the items to be included in the Program at tonight's meeting. Responses to the demand survey do not constitute a commitment to participate in the program. Items can be included on the demand survey now and then individual items can be investigated more closely. The proposed items are:

**Finance - Safe - \$3,000** - It was determined to remove this item from the list since it can be funded separately.

**Fire Department - Scott-Packs SCBA (4) - \$30,000** - Councilman Migliaccio confirmed that this purchase is necessary

**COUNCILMAN BRAY: (Contd.)**

as regulatory items. Therefore, they will be included for purchase through the MCIA.

**Fire Department – Turn-out Gear (6) sets - \$22,800** – This item will be included for purchase through the MCIA.

**Police – Riot Gear and Helmets - \$15,508** – This item will be included for purchase through the MCIA.

**DPW – 2017 Garbage Truck - \$241,000** – This item will be included on the MCIA demand survey, but requires further discussion by the Public Works Committee.

**DPW – 2017 zero turn Mower/catcher - \$13,000** – It was decided to remove this item from the list since the C.F.O. indicated it can be purchased by means of budget transfers in November.

**DPW – 10 Ft Snow Plow for Swap loader - \$10,000** – It was decided to remove this item from the list since the C.F.O. indicated it can be purchased by means of budget transfers in November.

**DPW – 2017 Ford F-450 4x4 Dump Body & Snow Plow - \$53,000** – This item will be included on the MCIA demand survey, but requires further discussion by the Public Works Committee.

**DPW – 2017 Ford F-250 XL regular Cab 4x4 & Snow Plow - \$40,000** – This item will be included on the MCIA demand survey, but requires further discussion by the Public Works Committee.

**Fire Department – Chief Vehicle (Explorer) - \$34,000 & First Aid Squad – First Aid Squad Captains Vehicle - \$50,000** – Councilwoman Juliano reported that the Borough is spending a lot of money on repairs of these vehicles. Further, it was noted that these new vehicles would replace existing vehicles. Councilman Migliaccio stated that both vehicles should be the same type. Councilwoman Juliano offered to review the purchase of a Tahoe versus an Explorer with the Fire Department and First Aid Squad officers and report back to the Council. It was determined that this item will be included on the demand survey.

## **COUNCILMAN BRAY: (Contd.)**

**Police – Police Tahoe - \$50,000** – Upon questioning, the Police Chief confirmed that one of the existing Tahoes would become a secondary vehicle and a 2003/2004 Crown Victoria would be sold in place of this new vehicle. Further, he provided the following information: 1) the Police Department currently has fourteen vehicles; 2) the Department uses a car partnering system to save on maintenance; 3) there are typically two to three officers on duty per shift; 4) the Tahoes are assigned to the supervisors; 5) the Chief, Lieutenants, and two Detectives do not car partner. It was determined that this item will be included on the demand survey.

The C.F.O. will submit the MCIA demand survey based on the above.

## **BOROUGH ATTORNEY BAXTER:**

1. The Ordinance Review Committee met again at the end of May to discuss changes to the proposed ordinance regarding trucks and vans for the purpose of trying to simplify it. No one was in attendance at the meeting from the Police Department due to scheduling conflicts. The weight limitation was removed. Commercial vehicles are defined. There was a long discussion concerning exemptions. It was decided to permit someone to pick one exemption from a list of exemptions. A determination needs to be made on the length of vans, and the effective date of the ordinance must be added prior to introduction.
2. If it is the Council's intention to move forward with having a referendum concerning the termination of the Length of Service Awards Program (LOSAP), a public statement must be prepared. The Borough Attorney recommended that the statement be reviewed by someone at the State. The majority of the Council agreed to proceed with the referendum because of the recordkeeping and reporting issues the Borough has experienced. It was noted that Councilman Migliaccio is conflicted out of this matter. It was determined that the Borough Attorney would meet with the Fire and First Aid Committee to formulate something.

**COUNCILWOMAN JULIANO:**

1. Multiple estimates have been obtained for work to be done in the Police building. The work includes the closing of the walls and the assessment of the problem with the HVAC system, fixing the problem, and balancing and maintaining the system. The Borough Clerk requested copies of the proposals so that they can be forwarded to the Purchasing Agent and Chief Financial Officer for their review and appropriate action.

**COUNCILMAN NEYHART:**

1. The Borough Clerk was directed to complete and submit the Outdoor Facility Use Application for this year's fireworks display to Shore Regional High School for approval by the Board of Education. A Certificate of Insurance must also be submitted.

Councilman Bray moved that the Council enter Executive Session at 7:12 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:

*Botti Trial Status; Administration Personnel*

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 Neyhart moved Council adjourn Executive Session at 7:56 PM, seconded by Councilman Bray, and carried unanimously.

Councilman Neyhart moved Council adjourn Caucus Session at 8:00 PM. Seconded by Councilman Bray and carried unanimously.



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BOROUGH CLERK