

January 20, 2016
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: JULIANO, MIGLIACCIO, NEYHART, PENTA, VILLA
ABSENT: ARIA

BOROUGH ATTORNEY BAXTER:

1. Mike Butler, of the law firm of Eckert Seamans, submitted a letter, dated December 16th, on behalf of Mount Carmel Cemetery seeking approval to enlarge the cemetery operation to include Lot 26 in Block 15, which they recently acquired. Approval of this request would make that lot part of the cemetery property, but would not grant variance relief. They would have to make application to the Zoning Board for that. Since the total square footage of cemeteries is over 3% in West Long Branch, they are required to obtain consent from the Governing Body. The Borough Attorney prepared a resolution approving their request, which is on tonight's regular agenda for consideration. Due to conflicts by the other Councilmembers, only Councilmembers Neyhart and Villa are eligible to vote on this matter this evening. Mayor Tucci reminded Mr. Butler, who was in attendance, that there was a lot of misinformation when a similar request to enlarge the cemetery to add other lots was brought before the Governing Body previously, and she wanted to make sure that did not occur again. Mr. Butler agreed to relay the message.
2. The Police Chief received a request from Systems Technologies, Inc., located on Route 36, to sign a Letter of Assurance promising to respond to alarm calls at their facility within a certain timeframe and take certain steps outlined in the letter upon their arrival. The Borough Attorney recommended against signing such a letter because of liability issues. The Borough Council agreed with that position. The Police Chief, who was in the audience, was directed to advise Systems Technologies accordingly.

BOROUGH CLERK COLE:

1. A pre-construction meeting took place on April 19th relative to the demolition of the 95 Poplar Avenue building. The Borough is waiting for approval from the Freehold Soil Conservation District before the work can proceed. Also, the shed still needs to be relocated from 95 Poplar Avenue to 965 Broadway. The Borough Clerk was directed to send notices to the surrounding property owners, the West Long Branch Community Center, and the school notifying them when the work will commence. Further, it was suggested that the West Long Branch Library be closed during the actual demolition of the building.

Councilman Neyhart moved that the Council enter Executive Session at 6:50 PM. Seconded by Councilman Villa 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:

Engineer's Contract; Administrator/C.F.O. Applicants; Botti Litigation Update; Ciaglia Litigation Update; Shared Services With County Contract; Police Personnel and Promotions; Administrative Personnel; Turtle Mews 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.
- ☒ 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 8:22 PM, seconded by Councilman Villa, and carried unanimously.


BOROUGH CLERK