

May 20, 2020
6:34 PM

A caucus meeting of the Mayor and Council of the Borough of West Long Branch was held on the above date and time virtually via Zoom due to the Coronavirus and the need for social distancing.

Mayor Janet W. Tucci presided.

The Borough Clerk 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 in the newspaper and through a public notice posted on the Borough's website providing members of the public with the link to join the Zoom meeting.

PRESENT: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

ABSENT: NONE

BOROUGH ATTORNEY BAXTER:

1. The Borough Attorney reviewed the contract with Stryker that was on tonight's regular agenda for approval and outlined the following concerns by letter dated May 14th:
 - The customer should be the Borough of West Long Branch.
 - This would be a lease instead of purchase of the equipment.
 - Section 3 of the contract would prohibit the equipment from being removed from Borough Hall without written consent of Stryker.
 - The tax clause should be omitted because the Borough doesn't pay taxes.
 - According to Section 9, Michigan law would control, not New Jersey.

Councilman Bray confirmed that he spoke to the Chief Financial Officer regarding the Borough Attorney's letter and they were both comfortable moving forward on approving the contract. It was determined to move forward with the approval this evening with

BOROUGH ATTORNEY BAXTER: (Contd.)

the removal of the tax clause and changing Section 9 to indicate that New Jersey law would control. It was noted that the customer had already been changed to the Borough of West Long Branch.

2. The Borough Attorney prepared a draft amendment to the garbage collection ordinance and sent it to the Borough Administrator for the Committee's review and discussion.

Mayor Tucci opened the meeting up to the public.

The Borough Attorney explained that the Mayor and Borough Council would be going into executive session following the Council meeting.

There being no one wishing to speak, Councilman Neyhart moved Council adjourn Caucus Session at 6:46 PM. Seconded by Councilman Bray and carried unanimously.


BOROUGH CLERK