

March 1, 2017  
6:36 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

In accordance with the discussion at the February 23<sup>rd</sup> special meeting, Councilman Bray asked the Mayor and Council if they had reviewed the Budget/Revenue Preparation Worksheet and wanted to discuss any of the line items further or had any questions. The Acting Administrator/Borough Clerk stated that the Auditor confirmed that the Borough must introduce the budget by March 17<sup>th</sup> or the next regular meeting, which is April 5<sup>th</sup>.

Councilwoman Juliano questioned/commented on the following budget items:

- Page 14, Line Item 7-01-20-175-000-204 – Historical – Projects at Large – What are the projects at large?
- Page 28, Line Item 7-01-23-390-000-216 – Library – Maintenance – This item was reduced from \$10,000 to \$5,000.
- Page 38, Line Item 7-01-25-260-000-225 – F.A.S. – Vehicle Repairs – It was determined to leave this line item at \$6,500.
- Page 46, Condo Services – Trash; Snow Removal; St. Lights – These line items cover the required reimbursements to the three condominium associations – The Mews of Turtle Mills; Whispering Meadow; Winding Brook.
- Page 52, Line Item 7-01-26-310-000-228 – Pub Bldgs – IT Provider – This appropriation will be used to pay the new company when a change from the current provider is made.

- Page 55, Line Item 7-01-26-313-000-295 – Shade Tree – Dead Tree Removal – It was determined that this appropriation was necessary in the event a dead tree needed to be removed.

No one else had any comments or questions.

Councilman Bray confirmed with the C.F.O., who was in the audience, that he is working with the Auditor on putting the budget together for introduction at the April 5<sup>th</sup> meeting.

**BOROUGH ATTORNEY BAXTER:**

1. The Prosecutor, Joe Hughes, will cover for the Borough Attorney at the March 15<sup>th</sup> meeting of the Mayor and Council.
2. The Ordinance Review Committee met with the Police Chief, two Lieutenants, and Borough Attorney on February 23<sup>rd</sup> to discuss the ordinance concerning trucks, vans, and other commercial vehicles. The Borough Attorney prepared and submitted a memo to the Ordinance Review Committee outlining the items that were discussed at that meeting. The next step will be to draft an ordinance for review by the Ordinance Review Committee before the matter is brought forth to the entire Council.
3. The Borough Attorney prepared a letter, dated February 24<sup>th</sup>, to the Mayor and Council outlining the requirements for the termination of the Length of Service Awards Program, if the Governing Body is so inclined. First, there must be an ordinance adopted to undertake the termination of the program. The Borough Attorney suggested sending any such ordinance to the Department of Community Affairs for review prior to action by the Borough Council. After the ordinance is adopted, the issue must be put to public referendum. Further, if the Council desires to proceed with this matter, he recommended acting on the ordinance in June. The Borough Attorney pointed out that Mayor Tucci and Councilman Migliaccio are conflicted out of action on this matter.

**BOROUGH CLERK COLE:**

1. Judge Garippo required emergency surgery over the weekend, but is doing well and is expected to be home in a couple of weeks.

Judge McGoughran is scheduled to cover for him during the month of March.

Councilwoman Juliano moved that the Council enter Executive Session at 6:49 PM. Seconded by Councilwoman Mango 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:

*Health Benefits; Salaries and Increases; Tax Appeals; Botti Litigation Update; Police Personnel; Fire Personnel; 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 7:54 PM, seconded by Councilman Bray, and carried unanimously.

Councilman Bray moved Council adjourn Caucus Session at 7:56 PM. Seconded by Councilwoman Juliano and carried unanimously.

  
BOROUGH CLERK