

September 16, 2020
6:02 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, NEYHART, PENTA, SNIFFEN
ABSENT: CIOFFI, MANGO

The Borough Attorney, Gregory Baxter, was not present during the following portion of the meeting. The Special Labor Counsel, James L. Plosia, Jr., was present via Zoom. Also present via Zoom were Rene Garzon, of C.W.A. Local 1031, and Steve Woods.

Councilman Bray moved that the Council enter Executive Session at 6:03 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:

Personnel; Collective Negotiations

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 6:10 PM, seconded by Councilman Bray, and carried unanimously.

At this point, the Borough Attorney arrived, and the Special Labor Counsel left the meeting.

BOROUGH ATTORNEY BAXTER:

1. It was noted that Ordinance No. O-20-11, which amends Ordinances 7-3.4 and 7-3.5 to prohibit parking and stopping/standing on the north side of Parker Road across from the school, was on tonight's regular agenda for introduction. The Public Works Department has already painted the curb yellow in accordance with this amendment.

Councilman Bray moved that the Council enter Executive Session at 6:34 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:

Property Acquisition; Police Personnel; Shared Service Agreements; Verizon Contract; DPW Personnel; Zoning Regulations; Shore Busing Contract; Property Claim; 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.

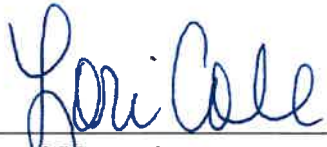
BE IT FURTHER RESOLVED that the private consideration is deemed required and is permitted because of the following noted exceptions set forth in the Open Public Meetings Act (N.J.S.A. 10:4-12):

- _____ 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.
- X 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.
- X 8. Related to investigation of violations or possible violations of the law.
- X 9. Related to pending or anticipated litigation or contract negotiations in which the public body is or may be a party.
- X 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 Executive Session at 8:03 PM, seconded by Councilman Bray, and carried unanimously.

Councilman Neyhart moved Council adjourn Caucus Session at 8:04 PM. Seconded by Councilman Bray and carried unanimously.


BOROUGH CLERK