

March 15, 2017

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 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 (6:37 PM), MIGLIACCIO, NEYHART, PENTA
ABSENT: NONE

Joseph Hughes, Esq., was in attendance this evening to cover for the Borough Attorney, who was out of state.

BOROUGH CLERK COLE:

1. The West Long Branch Senior Citizens Housing Corporation Board of Directors submitted an amendment to their By-Laws to add the following paragraph to Article III, Section 1: *Members of the Board of Directors are required to attend meetings. As such, if a member fails to attend and participate at meetings for the Board for a period of eight (8) consecutive weeks, or for the four (4) consecutive regular meetings, (whichever shall be of longer duration), at the conclusion of such period, that member shall be subject to termination from the Board of Directors per Article III, Section 4.* In accordance with Article VI, Section 1, the Mayor and Borough Council are required to approve such amendments. The Borough Attorney reviewed this matter and issued a letter to the Mayor and Council, dated March 10th, stating that he had no objection to this request from a legal standpoint. However, he questioned whether the Board considered illness as a factor. The Mayor and Council agreed and directed the Borough Clerk to check on that issue.

COUNCILWOMAN MANGO:

1. If the Mayor and Council are interested in proceeding, the Environmental Commission recommended that the Community Garden be located at 965 Broadway or at the site of the old Borough Hall (95 Poplar Avenue), as long as there is a water

COUNCILWOMAN MANGO: (Contd.)

source. The Commission wanted to ensure that the Governing Body was onboard before they did the legwork. The Governing Body determined that the best location was at the old Borough Hall. The Borough Clerk was instructed to ensure that there is sufficient clean fill at the site after the demolition of the building. Water should not be a problem at that location. Fencing would also be required.

MAYOR TUCCI:

1. Tom DeBruin asked if there is a water source at Franklin Lake. It was stated that the water company would have to put in a service. Then the Borough would have to hire a plumber to complete the work.

Councilman Migliaccio moved that the Council enter Executive Session at 6:44 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:

2017 Salary Ordinance; Police Personnel; Sewerage Authority Appointment

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 7:01 PM, seconded by Councilwoman Mango, and carried unanimously.

Councilman Bray moved Council adjourn Caucus Session at 7:03 PM. Seconded by Councilman Migliaccio and carried unanimously.

A handwritten signature in blue ink, reading "Lori Cole", written over a horizontal line.

BOROUGH CLERK