

June 7, 2023
7:02 PM

A regular 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, CIOFFI, NEYHART, PENTA, SNIFFEN
ABSENT: GOMEZ

APPROVAL OF MINUTES:

Councilman Bray moved the approval of the minutes of the May 24, 2023, caucus meeting. Seconded by Councilman Cioffi and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, NEYHART, SNIFFEN
NAYS: NONE
ABSENT: GOMEZ
ABSTAIN: PENTA

Councilman Bray moved the approval of the minutes of the May 24, 2023, executive session meeting, and approved the release of all pages except page 3. Seconded by Councilman Cioffi and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, NEYHART, SNIFFEN
NAYS: NONE
ABSENT: GOMEZ
ABSTAIN: PENTA

Councilman Bray moved the approval of the minutes of the May 24, 2023, council meeting. Seconded by Councilman Cioffi and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, NEYHART, SNIFFEN
NAYS: NONE
ABSENT: GOMEZ
ABSTAIN: PENTA

REPORTS OF STANDING COMMITTEES:

Mayor Tucci had nothing to report.

Councilman Bray had nothing to report.

Councilman Cioffi reported that the farmers market will start on July 14th this year at Franklin Lake, from 10 AM – 3 PM and will run through mid-October. Councilman Cioffi discussed the ongoing air quality issues and how they stemmed from wildfires in Canada.

Councilman Gomez was absent.

Councilman Neyhart reported that the fishing derby was a success and had great turnout. Councilman Neyhart gave a special thank-you to the West Long Branch Recreation Commission as well as everyone who contributed to the event by donating their time, prizes, food, so on and so forth. Councilman Neyhart also thanked the fishing coordinators, Jim Gomez, Gina Neyhart, and Jerry Natale, as well as WLBEMS, WLBPD, and WLBFD. Councilman Neyhart asked that residents please support and give a special thank you to the following derby supporters:

1. PBA 141 for the La Scarpetta's Pizza
2. Carvel of WLB
3. Jersey Mike's of WLB
4. G&M Trophy Company
5. Aldi of WLB
6. NJ Fish & Wildlife Hooked on Fishing not on Drugs
7. NJ State Federation of Sportsmen
8. Nicholas's Creamery of LB
9. Lt Marlow Botti & Lt Burton

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- 10. Scott Patterson of Ducks Unlimited
- 11. Tak Waterman in LB
- 12. Donald Devine of Rumson

Councilman Neyhart reported on the following police report for May 2023:

Motor Vehicle Stops	138	Municipal Code Violations	2	Fire Calls (Structure)	0
Motor Vehicle Crash	30	Alarms (Burglary)	28	EMS Calls	53
Traffic Citations – Non-Parking	83	Alarms (Fire)	24	Arrest Total	6
Traffic Citations - Parking	6	School Details – BME, FAS, SRHS	100	Crimes & Offenses to include:	
Drunk Driving Arrests	2	School Details include - Walk throughs, Bus escorts, building security checks/contacts		Violation – Burglary, Theft, Simple Assault, Criminal Mischief, DWI, Contempt	
Assist Motorists	14				

May - Total Calls for Service – 1,573
Busiest Day of Week – Tuesday
Busiest Time of Day – 11:00 – 12:00

Year	Burglaries Residential	Burglaries Business	Burglaries Automobiles	Hold Up & Robberies	Motor Vehicle Crashes
2023	0	0	1	0	30
2022	0	0	1	0	38

Councilman Penta reported that paving was to begin the following week in accordance with the 2022 road program.

Councilman Sniffen had nothing to report.

The Borough Administrator reported that the pre-fireworks meeting was to be held the following week and T&M Associates gave a generous donation to the Borough for the fireworks.

The Acting Borough Clerk had nothing to report.

The Borough Attorney had nothing to report.

The Borough Engineer was absent.

COMMUNICATIONS:

None.

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ORDINANCES:

ORDINANCE NO. O-23-11

**AN ORDINANCE AMENDING ORDINANCE 2-8.4b
REGARDING THE CHAIN OF COMMAND IN THE
WEST LONG BRANCH POLICE DEPARTMENT**

Ordinance No. O-23-11 was read on its **first reading** by title only.

Councilman Neyhart moved the ordinance be passed on **introduction** and to set the public hearing for June 21, 2023, at 6:30 PM. Seconded by Councilman Sniffen, and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS: NONE
ABSENT: GOMEZ
ABSTAIN: NONE

RESOLUTIONS:

Councilmember BRAY offered the following resolution and moved its adoption:

**RESOLUTION APPROVING SERVICE FEE AGREEMENT BETWEEN THE BOROUGH OF WEST LONG
BRANCH AND THE CITY OF LONG BRANCH**

WHEREAS, the Long Branch Fire Department is agreeing to provide supplementary fire suppression/emergency service coverage for the Borough of West Long Branch for the period of January 1, 2023 to December 31, 2023; and

WHEREAS, as a result of this coverage, the City of Long Branch must back fill its firehouses and fire equipment to ensure coverage while serving the Borough of West Long Branch needs when necessary and appropriate under the terms of this agreement. The City of Long Branch will be compensated by the Borough of West Long Branch for the cost of the back fill; and

WHEREAS, the fee structure to provide such an arrangement for the period between January 1, 2023 to December 31, 2023 shall be calculated on a per call basis; and

WHEREAS, the fee will be charged on an hour- to- hour basis per member pursuant to the union's Collective Bargaining Agreement with the City of Long Branch to cover staffing requirements to fill fire headquarters in Long Branch when on-duty assets are deployed into the Borough of West Long Branch; and

WHEREAS, typical staffing is one fire officer and 4 firefighters, although the same may vary, depending on available personnel, but will not exceed 5 slots; and

WHEREAS, the fee will be based on the individual hourly rate of each employee for the period of coverage provided to the Borough of West Long Branch; and

WHEREAS, additional personnel can be requested by the Borough of West Long Branch to supplement manpower at an additional fee per member as requested; and

WHEREAS, the fee will be assessed when Long Branch on-duty personnel become committed to an active incident in the Borough of West Long Branch; and

WHEREAS, the above will require recall of personnel to staff Long Branch Fire Headquarters for the duration of the incident; and

WHEREAS, limitations to the response shall be at the discretion of the West Long Branch Fire Chief.

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached agreement between the Borough of West Long Branch and the City of Long Branch Fire Department is hereby adopted; and

BE IT FURTHER RESOLVED that the Mayor of the Borough of West of Long Branch is hereby authorized to sign the attached agreement on behalf of the Borough.

Seconded by Councilmember PENTA and carried upon the following roll call vote:

AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION REFUNDING CERTIFICATE OF OCCUPANCY FEE

WHEREAS, Setul Parikh, filed an Application for Certificate of Occupancy for 87 Victor Avenue and paid the Inspection fee of \$100.00 and the Smoke/CO Fee of \$45.00 on April 19, 2023; and

WHEREAS, it was subsequently discovered that a certificate of occupancy inspection was not needed and no inspection has since been conducted; and

WHEREAS, Setul Parikh requested that the Inspection fee of \$100.00 and the Smoke/CO fee of \$45.00 be refunded; and

WHEREAS, the Housing Inspector has confirmed that a refund is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the sum of \$145.00, which represents the Inspection Fee of \$100.00 and the Smoke/CO Fee of \$45.00, be refunded to Setul Parikh, 87 Victor Ave, West Long Branch, NJ 07764; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized to take action consistent with this resolution.

Seconded by Councilmember PENTA and carried upon the following roll call vote:

AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION REFUNDING CERTIFICATE OF OCCUPANCY FEE

WHEREAS, Daniel Beckerman, filed an Application for Certificate of Occupancy for 100 State Highway 36 and paid the Inspection fee of \$100.00 on May 30, 2023; and

WHEREAS, it was subsequently discovered that the application was mistakenly filed for a residential property instead of commercial; and

WHEREAS, Daniel Beckerman requested that the Inspection fee of \$100.00 be refunded; and

WHEREAS, the Housing Inspector has confirmed that a refund is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the sum of \$100.00, which represents the Inspection Fee of \$100.00, be refunded to Daniel Beckerman, 35 Muncy Drive, West Long Branch, NJ 07764; and

BE IT FURTHER RESOLVED that the appropriate Borough officials are hereby authorized to take action consistent with this resolution.

Seconded by Councilmember PENTA and carried upon the following roll call vote:

AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

Councilmember BRAY offered the following resolution and moved its adoption:

**RESOLUTION AUTHORIZING CLOSURE OF
DELAWARE AVENUE ON AUGUST 5, 2023**

WHEREAS, the Governing Body has received a request on behalf of the residents of Delaware Avenue to close that street off, between Virginia Terrace and Maryland Avenue, on August 5, 2023, with a rain date of August 6th, to hold a neighborhood block party; and

WHEREAS, the request has been submitted to the Governing Body, who has approved the same provided that the West Long Branch Police Chief has no objections, so long as someone be available during the block party to move the barriers in the event of an emergency and that the roadway not be completely impassable so as to allow emergency vehicles (police cars, fire trucks, and ambulances) access, if necessary.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the section of Delaware Avenue running between its intersections with Virginia Terrace and Maryland Avenue shall be closed to vehicular traffic on August 5, 2023, with a rain date of August 6th, from 1:00 PM until 9:00 PM, and barriers shall be placed at the Virginia Terrace and Maryland Avenue ends of the area being closed off, which shall be done under the supervision, and with the approval, of the West Long Branch Police Department; and

BE IT FURTHER RESOLVED that detour signs, if necessary, must be installed in accordance with the directions of the West Long Branch Police Department; and

BE IT FURTHER RESOLVED that someone be available during the block party to move the barriers in the event of an emergency and that the roadway is not completely impassable so as to allow emergency vehicles (police cars, fire trucks, and ambulances) access, if necessary.

Seconded by Councilmember PENTA and carried upon the following roll call vote:

AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

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Councilmember BRAY offered the following resolution and moved its adoption:

**RESOLUTION RENEWING MAINTENANCE
AGREEMENTS WITH WARSHAUER GENERATOR, LLC**

WHEREAS, the Maintenance Agreements with Warshauer Generator, LLC for preventive maintenance for the emergency generators that service Borough Hall, the Police Building, Emergency Medical Services, Fire Company No. 2, and the Public Works Garage/Fire Company No. 1 will expire on June 30th; and

WHEREAS, Warshauer Generator, LLC submitted the attached Maintenance Agreements for a one-year period in the amount of \$675.00 for each generator except for the Police Building generator, which is in the amount of \$1,150.00, for a total of \$3,850.00; and

WHEREAS, the Administrator recommends approving said Agreements; and

WHEREAS, fund are or will be available for this service;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the attached Maintenance Agreements with Warshauer Generator, LLC for maintenance of five generators as outlined above are hereby approved; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign the same.

Seconded by Councilmember PENTA and carried upon the following roll call vote:

AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

Councilman Neyhart extended his thanks to T&M Associates for their fireworks donation and stated that he would like a list of all who donated so that he can acknowledge them at the July council meeting.

Councilman Bray stated that the capital budget is estimated to be introduced in July.

BILLS AND CLAIMS:

Councilman Bray moved to approve the bill list. Seconded by Councilmen Sniffen and carried upon the following roll call vote:

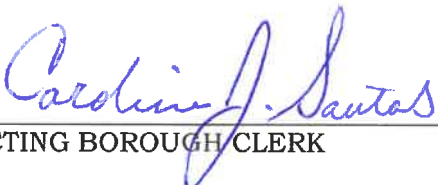
AYES:	BRAY, CIOFFI, NEYHART, PENTA, SNIFFEN
NAYS:	NONE
ABSENT:	GOMEZ
ABSTAIN:	NONE

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PUBLIC HEARING:

1. *David Ornstein of Maryland Avenue, West Long Branch* reinforced his concerns with the traffic situation at the intersection of Monmouth Road and Parker Ave and asked if the traffic department had heard anything back from the NJDOT. Councilman Neyhart stated that the DOT responded and advised that the State does not have the manpower to investigate plans in advance, it will be up to the municipal planning board to decide what is the best course of action is as related to the project itself and if the municipality wished to have a formal investigation, the Borough would be obligated to fund 20% of the cost even though it is not a local roadway. Mr. Ornstein asked that, at the minimum, the traffic light timing and signals be taken into consideration. The council agreed with Mr. Ornstein that the intersection is a problem, but unfortunately, there is not much that can be done at the municipal level.

There being no one else wishing to speak, Councilman Neyhart moved to adjourn the Council meeting and to enter Executive Session. Seconded by Councilman Bray and carried unanimously.


ACTING BOROUGH CLERK