

January 17, 2024
6:57 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, GOMEZ, NEYHART, SNIFFEN
ABSENT: PENTA

APPROVAL OF MINUTES:

Councilman Bray moved the approval of the minutes of the December 20, 2023, executive session meeting, and approved the release of all pages except pages 2 and 6. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

Councilman Bray moved the approval of the minutes of the December 20, 2023, council meeting. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

Councilman Bray moved the approval of the minutes of the December 20, 2023, caucus meeting. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

Councilman Bray moved the approval of the minutes of the January 3, 2024, reorganization meeting. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

REPORTS OF STANDING COMMITTEES:

Mayor Tucci read the following letter she received from Dr. Egan:

"Dear Mayor Tucci,

I know that I called you earlier this week to discuss this, but after this week's second round of winter weather, I wanted to also follow up in writing.

Every job has its blessings and its drawbacks, but I have to admit that winter weather "snow day" calls can be one of a Superintendent's loneliest challenges. The safety of students and staff is of the utmost importance, but it is also weighed within the context of the value of day's instruction and our families' need to find childcare with reasonable notice. No matter what, I accept that my decision is going to disappoint someone.

I tell you this not to complain about an essential part of this role, but to emphasize how much I truly appreciate the support and partnership of the West Long Branch Office of Emergency Management, specifically Councilman Cioffi. Considering the amount of time and care he gives this role; you would never guess that it is essentially a volunteer endeavor. He is forthright, informative, and truly takes above-and-beyond responsiveness to a new level. I couldn't ask for a better source of information and knowledge about our town, and it's no exaggeration to say that the weather and condition reports I receive from him are the envy of other Superintendents in our region and beyond.

Thank you for allowing me to take a moment of your time to share what a valued partner our schools have in Councilman Cioffi, and indeed in the Borough Council and Mayor's Office overall. Both personally and professionally, and on behalf of the Board of Education, please know that the West Long Branch School District is grateful for all of the support we receive from all of you.

*Sincerely,
Christina Egan”*

Councilman Bray reported that the finance rollover was scheduled for Friday of that week, or Monday, the latest. Councilman Bray reported that all departmental budgets are available for review in drop-box, as well as in binders that Jason and the staff assembled for that purpose. Councilman Bray reported that the committee is looking to introduce the municipal budget on April 13th, with an adoption date of May 1st.

Councilman Cioffi reported that the Borough Administrator assisted in locating a notification system for residents that they will be looking into with the Police Chief. Councilman Cioffi reported that he is working on a plan to get more generators at Peter Cooper Village. Councilman Cioffi stated that there was another storm forecasted for Friday, bringing an anticipated 3-4 inches of snow.

Councilman Gomez delivered the EMS Captains Report and the Fire Department Report for December 2023.

Councilman Neyhart proposed the installation of a dock at Franklin Lake and delivered a detailed presentation on the potential project. Some of the council had concerns about liability and the installation of safety railings. Councilman Neyhart stated that the intention is for kayaking and fishing and stated that the Borough Administrator and Julie from T&M have copies of the proposal if anyone wanted to review it later.

Councilman Penta was absent.

Councilman Sniffen reported that the sign at the community center was fixed. Councilman Sniffen reported that pricing was received for a new HVAC system at the library. Councilman Sniffen stated that there will be a special meeting held for a green acre’s public hearing to apply for a Jake’s Law compliant playground. Councilman Sniffen informed that there are no updates on the site triangle issue at Owen Park and that no response has been received from the resident. Councilman Sniffen added that the roof repairs at Borough Hall slowed down due to weather but should be up and running soon. Councilman Sniffen reported that the Borough fulfilled a tree planting requirement through shade tree, which was done very efficiently thanks to the Borough now having its own parks foreman.

The Borough Administrator had nothing to report.

The Borough Clerk had nothing to report.

The Borough Attorney had nothing to report.

The Borough Engineer was absent. Julie Nastasi of T&M Associates was present and gave a brief description of the purpose and scope of Jake’s Law Grant.

Councilman Bray moved to set the special meeting and public hearing for Monday, February 5, 2024 at 6:00 PM for the purpose of seeking funding through the State of New Jersey Green Acres Program for Improvements at Sorrentino Park located at 342 Monmouth Road (Block 19 Lot 39) and 211 Wall Street (Block 19 Lots 40 & 41) which is at the intersection of Monmouth Road and Wall Street in West Long Branch, Monmouth County New Jersey. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

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COMMUNICATIONS:

- 1. Tax Collector’s Monthly Report – December 2023
- 2. Code Enforcement Monthly Report – December 2023
- 3. Zoning Monthly Report – December 2023

ORDINANCES:

ORDINANCE NO. O-24-1

AN ORDINANCE AMENDING ORDINANCE NO. O-23-1
REGARDING SALARIES OF VARIOUS MUNICIPAL EMPLOYEES
AND SETTING THE 2024 SALARIES OF VARIOUS MUNICIPAL
OFFICERS, EMPLOYEES AND APPOINTEES

Ordinance No. O-24-1 was read on its **second reading** by title only.

Councilman Bray moved the ordinance be passed on **second reading** by title only.
Seconded by Councilman Cioffi, and carried upon the following roll call vote:

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

Ordinance No. O-24-1 was published in the Asbury Park Press in the issue of January 9, 2024, and proof of publication stating that a public hearing on said ordinance would be held at this time is on file.

Mayor Tucci declared the public hearing open.

There being no one wishing to speak, Councilman Neyhart moved the public hearing be closed. Seconded by Councilman Bray and carried unanimously.

ORDINANCE NO. O-24-1

AN ORDINANCE AMENDING ORDINANCE NO. O-23-1
REGARDING SALARIES OF VARIOUS MUNICIPAL EMPLOYEES
AND SETTING THE 2024 SALARIES OF VARIOUS MUNICIPAL
OFFICERS, EMPLOYEES AND APPOINTEES

Ordinance No. O-24-1 was read on its **third and final reading** by title only.

Councilman Bray moved the ordinance be adopted on **third and final reading** by title only. Seconded by Councilman Cioffi, and carried upon the following roll call vote:

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

ORDINANCE NO. O-24-2

2024 SALARY ORDINANCE OF VARIOUS MUNICIPAL EMPLOYEES

Ordinance No. O-24-2 was read on its **second reading** by title only.

Councilman Bray moved the ordinance be passed on **second reading** by title only.
Seconded by Councilman Cioffi, and carried upon the following roll call vote:

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

Ordinance No. O-24-2 was published in the Asbury Park Press in the issue of January 9, 2024, and proof of publication stating that a public hearing on said ordinance would be held at this time is on file.

Mayor Tucci declared the public hearing open.

There being no one wishing to speak, Councilman Neyhart moved the public hearing be closed. Seconded by Councilman Bray and carried unanimously.

ORDINANCE NO. O-24-2

2024 SALARY ORDINANCE OF VARIOUS MUNICIPAL EMPLOYEES

Ordinance No. O-24-2 was read on its **third and final reading** by title only.

Councilman Bray moved the ordinance be adopted on **third and final reading** by title only. Seconded by Councilman Sniffen, and carried upon the following roll call vote:

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

RESOLUTIONS:

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING MONMOUTH COUNTY OPEN SPACE GRANT APPLICATION

WHEREAS, the Monmouth County Board of County Commissioners has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County Park, recreation, conservation, and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of West Long Branch desires to obtain County Open Space Trust Funds in the amount of \$100,000 to fund the Angelo Valenzano Park (Block 60 Lot 82) and Franklin Lake Park (Block 70 Lot 11) project.

WHEREAS, the total cost of the project including all matching funds is \$200,000; and

WHEREAS, the Borough of West Long Branch is the owner of and controls the project site;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that:

1. Jason Gonter, Borough Administrator, or his/her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above-named municipality; and
2. The Borough of West Long Branch is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance

with such policies and procedures, and applicable federal, state, and local government rules, regulations, and statutes thereto; and

- 4. The Mayor and Borough Clerk is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
- 5. This resolution shall take effect immediately.

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

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

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION AWARDING CONTRACT FOR REAL PROPERTY DATA COLLECTION AND VERIFICATION SERVICES

WHEREAS, the Borough of West Long Branch has the need to contract for Real Property Data Collection Verification Services and;

WHEREAS, through a fair and open process, the Borough has advertised to receive bids on December 27, 2023, for Real Property Data Collection Verification Services and the following bids were received:

<i>Realty Data Systems</i>	<i>\$88,836.00</i>
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WHEREAS, the bid documents were reviewed by the Tax Assessor, Purchasing Agent and the Business Administrator and found to be in order; and

WHEREAS, it is the recommendation of the Tax Assessor and Purchasing Agent that it is in the Borough’s best interest to award a contract to Realty Data Systems as the low bidder; and

WHEREAS, the Chief Financial Officer of the Borough of West Long Branch has certified, in accordance with the Certification of Funds Form attached hereto, that funds are available for this contract pending approval for the 2024, Temporary Budget and future budgets, Appropriation #4-01-20-150-000-208, in the amount of \$2,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, that a contract be awarded to Realty Data Systems for Real Property Data Collection Verification Services for a period January 1, 2024, through December 31, 2028, in accordance with the bid specifications and proposal, for a sum not to exceed \$88,836.00.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all necessary documents pursuant to said award.

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

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

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Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION ACCEPTING PRIMEPOINT HRMS, PAYROLL & TIME SOLUTION PROPOSAL FOR THE BOROUGH OF WEST LONG BRANCH

WHEREAS, the Borough has re-evaluated its current structure for the performance of HMRS, payroll processing, and time and labor management services; and

WHEREAS, the Finance & Administration Committee have determined that it is in the best interest of the Borough to have a third party perform such services; and

WHEREAS, PRIMEPOINT HR & PAYROLL submitted the attached proposal for the described services at the following cost:

<i>HMRS Functions</i>	<i>\$70.00/Month</i>
<i>Payroll Processing</i>	<i>\$500.00/Month</i>
<i>Time & Labor Management</i>	<i>\$185.00/Month</i>
<i>ACA Annual Reporting Fee</i>	<i>\$2,500.00/Year</i>
<i>Total Annualized Fee</i>	<i>\$11,560.00</i>

WHEREAS, funds are or will be available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, that the attached proposal is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said contract on behalf of the Borough.

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

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

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SHARED SERVICES AGREEMENT BETWEEN THE BOROUGH OF WEST LONG BRANCH AND THE WEST LONG BRANCH BOARD OF EDUCATION FOR SPECIAL LAW ENFORCEMENT OFFICER (SLEO) CLASS III SERVICES

WHEREAS, the Uniform Shared Services and Consolidations Act, N.J.S.A. 40:65-1 et seq. authorizes local governmental entities to enter into an agreement, among other things, for the sharing of services; and

WHEREAS, the BOE and the Borough wish to enter into an agreement under which the Borough agrees to provide a Class 3 Special Law Enforcement Officer ("SLEO III") program in the schools to be managed by the West Long Branch Police Department ("Police Department"), and consisting of one full-time SLEO III officer during the calendar school year; and

WHEREAS, the BOE and the Borough wish to act collaboratively, by and through the attached agreement, to ensure the success of the SLEO III program and enhance the safety of the West Long Branch Schools; and

WHEREAS, the BOE and the Borough desire to set forth the specific terms and conditions, to the extent currently known, of the services to be performed and provided by said SLEO III in the schools, as described in the attached agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, that the attached agreement is hereby approved, conditioned on the approval of the West Long Branch Board of Education.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to sign said contract on behalf of the Borough.

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

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

UNFINISHED BUSINESS:

Councilman Bray asked that the Borough Administrator and CFO reach out to the Borough Auditor to confirm his availability to attend the May 1st meeting at which the budget adoption will take place.

NEW BUSINESS:

Mayor Tucci offered the name of Jucelucio Dasilva Jr. to be appointed to the position of Alternate Public Defender for calendar year 2024. Councilman Bray moved to approve the appointment. Seconded by Councilman Sniffen and carried upon the following roll call vote:

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

BILLS AND CLAIMS:

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

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

PUBLIC HEARING:

1. *Mark Engel, 18 Park Meadow Lane*, thanked Councilman Cioffi and the Office of Emergency Management for keeping everyone informed during the storm and providing updates. Mr. Engel thanked the council for having the 2024 calendars delivered and inquired about having them wrapped in plastic bags next year. Councilman Cioffi informed that the committee is working with DPW to work on a more efficient delivery system for next year.

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

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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:

DPW Contract; Administrative Personnel; DPW Laborer; Litigation; Insurance Contract

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. |
| 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. |


BOROUGH CLERK