June 3, 2020 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 virtually via Zoom due to the Coronavirus and the need for social distancing.

Mayor Janet W. Tucci presided.

The Borough Clerk 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 in the newspaper and through a public notice posted on the Borough's website providing members of the public with the link to join the Zoom meeting.

PRESENT:

BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

ABSENT:

NONE

Mayor Tucci announced that the public hearing on the 2020 municipal budget would be held this evening. She recognized the Chief Financial Officer, Michael Martin, and Municipal Auditor, Robert Oliwa, who were in attendance via Zoom.

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION DETERMINING TO READ 2020 BUDGET BY TITLE (R-20-73)

WHEREAS, the West Long Branch Municipal Budget for 2020 was introduced and approved by the Governing Body at its meeting on May 6, 2020; and

WHEREAS, the budget was advertised at least one week prior to the hearing date of June 3, 2020, and a copy was posted at least one week prior to the hearing date on the Borough's website and on the bulletin board in Borough Hall; and

WHEREAS, a copy of the budget was made available to each person requesting the same, and additional copies will be made available both prior to and during the public hearing;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that, pursuant to N.J.S.A. 40A:4-8, the 2020 Municipal Budget shall be read by its title, the conditions of publication referred to earlier in this resolution having been met.

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

AYES:

BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS:

NONE

ABSENT: ABSTAIN:

NONE NONE

The Municipal Auditor gave the following background on this year's budget. It was introduced on May 6th, advertised in the Asbury Park Press on May 12th, and the public hearing was scheduled for this evening. He noted that the Borough was eligible for self-examination of the budget this year and that the tax rate remained the same. He commented that there was a surplus of \$3,812,662, which was more than \$1 million over the prior year. He also noted that the Borough's overall debt limitation was not even 1%.

Mayor Tucci thanked the Chief Financial Officer and Councilman Bray for his leadership in developing the 2020 municipal budget.

Mayor Tucci opened the public hearing on the 2020 municipal budget.

Walt O'Neill, The Link News, asked if the budget was posted on the Borough's website. The Borough Clerk stated that it was and directed him to its location.

Vincent Lepore, 33 Ocean Terrace, Long Branch, referred to Sheet 40c (3 Year Capital Program – 2020 to 2022) where five capital projects were listed and asked if they would all be commenced and completed in the 2020 budget cycle. The Municipal Auditor replied that those were the funding amounts for 2020.

- Mr. Lepore pointed out that the budget shows miscellaneous revenues totaling more than \$2 million. The Municipal Auditor highlighted some of the major revenues.
- Mr. Lepore referenced the debt service line on Sheet 30 and asked if the Borough could refinance now to take advantage of lower rates. The Municipal Auditor informed him that was something that could be considered. The Chief Financial Officer added that he was constantly examining refinancing opportunities.
- Mr. Lepore inquired about the Borough's bond rating and was advised that the Borough used the County's bond rating.
- Mr. Lepore stated that at the last meeting it was mentioned that the Borough had a 90% tax collection rate. The Borough Clerk informed him that was with reference to the payment of that quarter's taxes. The Municipal Auditor reported that the 2019 collection rate was 98.54% and added that the reserve for uncollected taxes had to be considered.

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING SELF-EXAMINATION OF BUDGET (R-20-74)

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of West Long Branch has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2020 budget year;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the Governing Body has found the budget has met the following requirements:

- 1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes;
- 2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with

the CAP law.);

- 3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5;
 - 4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate, and correctly
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality;
- 5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification;
 - 6. That all other applicable statutory requirements have been fulfilled; and

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

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

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NONE NAYS: ABSENT: NONE NONE ABSTAIN:

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION FOR ADOPTION OF MUNICIPAL BUDGET 2020 (R-20-75)

BE IT RESOLVED by the Governing Body of the Borough of West Long Branch, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes of the sums therein as set forth as appropriations, and authorization of the amount of \$9,469,924.99 for municipal purposes.

SUMMARY OF REVENUES

1.	Gene	ral F	Reve	nu	es	
	~					

т.	deneral revenues	
	Surplus Anticipated	\$997,600.00
	Miscellaneous Revenues Anticipated	2,094,753.48
	Receipts from Delinquent Taxes	412,715.00
2.	Amount to be Raised by Taxation for Municipal Purposes	9,469,924.99

TOTAL REVENUES \$12,974,993.47

SUMMARY OF APPROPRIATIONS

5. General Appropriations:

Within	"CAPS"	

Operations Including Contingent Deferred Charges and Statutory Expenditures – Municipal	\$8,297,226.00 1,003,767.71
Excluded from "CAPS"	

Excluded from CAPS	
Operations – Total Operations Excluded from "CAPS"	569,727.36
Capital Improvements	793,000.00
Municipal Debt Service	1,799,137.40
Reserve for Uncollected Taxes	512,135.00

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

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

APPROVAL OF MINUTES:

Councilman Bray moved the approval of the minutes of the May 20, 2020, caucus meeting. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Councilman Bray moved the approval of the minutes of the May 20, 2020, executive session meeting and approved the release of all pages except page 5. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Councilman Bray moved the approval of the minutes of the May 20, 2020, council meeting. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

REPORTS OF STANDING COMMITTEES:

Mayor Tucci thanked the office staff for maintaining Borough operations and the Borough employees for keeping the infrastructure going during the COVID-19 pandemic. She also thanked the first responders, the Police Department, and the Emergency Management Coordinator for their dedicated service to the Borough and its residents during this difficult time. She reported that there were 43 new positive cases of COVID-19 in Monmouth County as of today for a total of 8,400 and 64 reported cases in West Long Branch.

Councilman Bray thanked the Chief Financial Officer and Municipal Auditor and their teams for their efforts in assembling and analyzing the budget. He commented that the Finance and Administration Committee was pleased with the health of the Borough's finances.

Councilman Bray reported that the construction drawings for the Community Center were progressing on schedule with the 90% review set due on June 10th and a target date of June 24th for the release of the bid package. He anticipated awarding the bid on September 2nd.

Councilman Cioffi had nothing to report this evening.

Councilwoman Mango announced that the semi-annual recycling event was set for June 27th, from 9:00 AM to 12:00 PM, and the fall event would take place on October 24th.

Councilwoman Mango stated that it would be necessary to postpone this year's fireworks display to Labor Day due to COVID-19 restrictions.

Councilwoman Mango mentioned that the Shade Tree Commission has been quiet and the Recreation Commission was scheduled to meet again next month.

Councilman Neyhart read the following Police Report for May 2020.

Motor Vehicle Stops	64	Alarms (Burglary)	13
Motor Vehicle Crash	22	Alarms (Fire)	9
Traffic Citations – Non Parking	30	School Details - BME, FAS, SRHS	0
Traffic Citations – Parking	10	School Details include: Bus escorts, walk throughs, building security checks/contacts	
Drunk Driving Arrests	0	Fire Calls (Structure)	0
Assist Motorists	6	EMS Calls	21
Municipal Code Violations	30	Arrest Total	1

Crimes & Offenses to include: Violation - Simple Assault (DV)

May - Total Calls for Service: 1,559

Busiest Day of Week - Saturday

Busiest Time of Day - 13:00 - 14:00

Professional Development

	MAY		
5/1/2020	Rifle Qualification	Ferrugiaro,	12.5
		Kampf, Moore,	
		Knott, Buck	
5/12/2020	UBER for LE (webinar)	Buck	1
5/15/2020	Rifle Range	Ellis, Moore,	10
		Knott, Buck	
		Total hours	23.5

Councilman Neyhart thanked the West Long Branch Police Officers who assisted Long Branch and Asbury Park during the protests that were held there.

Councilman Neyhart cautioned residents that the stimulus checks being mailed out by the federal government could be mistaken for junk mail based on the way they were addressed.

Councilman Penta had nothing to report this evening.

Councilman Sniffen confirmed that the protective glass at the two walk-up windows in Borough Hall has been installed and has been ordered for possible installation by June $15^{\rm th}$ at the Library. He noted that the doorknobs at Borough Hall still needed to be addressed.

Councilman Sniffen reported that the hazardous trees on the property adjacent to the Police building had been removed, and he is working on some trees at the West Long Branch Community Center.

The Borough Administrator pointed out that the resolution authorizing estimated tax bills was on tonight's agenda for consideration.

The Borough Clerk reported that the County Clerk held a conference call with the municipal clerks concerning the 2020 Primary Election. She highlighted some of the changes:

- All active Republicans and Democrats would automatically receive a mail-in ballot.
- All registered unaffiliated voters would receive a mail-in ballot application.
- In accordance with the Governor's Executive Order, there would be a minimum of one polling location per municipality with a total of 50% of the regular polling location for the County.
- There would be five drop boxes throughout the County where voters could place their mail-in ballots. The boxes would be semi-permanent with a camera positioned on them.
- Only disabled voters would vote on a machine. All other votes at the polls would be by means of a provisional ballot.

The Borough Attorney asked how the Borough would be dealing with social distancing requirements when Borough Hall opened to the public on June 15th. The Borough Administrator noted that she was waiting for guidance, but was in the process of obtaining decals to be placed on the floor and that the public would be asked to wear a face mask. The Borough Attorney also asked if the June 17th meeting would be conducted through Zoom or be an in-person meeting. Councilman Cioffi, the Borough's Emergency Management Coordinator, felt that the Mayor and Borough Council should wait until the July meeting to return to inperson meetings.

There was nothing to report on behalf of the Borough Engineer.

COMMUNICATIONS:

The Borough Clerk made reference to the following resolution:

TWO RIVERS WATER RECLAMATION AUTHORITY

RESOLUTION TO AMEND RULES AND REGULATIONS
SECTION 10 CONNECTION CHARGE SCHEDULE FOR SEWER
SERVICE AND SECTION 11 SCHEDULE OF CHARGES
AND TO FIX THE CONNECTION FEE

RESOLUTION NO. 2020-05-51

WHEREAS, the Two Rivers Water Reclamation Authority ("Authority") desires to amend its Rules and Regulations, Section 10 Connection Charge Schedule for Sewer Service and Section 11 Schedule of Charges, a copy of which is attached hereto and made a part hereof to provide for a revised connection fee to be effective **May 19, 2020**; and

WHEREAS, the Authority desires to enact a connection fee for the participant municipalities so that the Authority's revenues will at all times be adequate to pay all expenses of operation and maintenance of its sewage system, including reserves, insurance, extensions, and replacements, and to pay punctually the principal or any interest on any bonds and to maintain such reserves or sinking funds therefore as may be required by the terms of any contract of the Authority or as may be deemed necessary or desirable by the Authority; and, to apportion fairly the cost of debt service among the member municipalities; and

WHEREAS, pursuant to the Sewerage Authorities Law, N.J.S.A. 40:14A-1, et seq., a public hearing was conducted on May 19, 2020, for the dual purpose of amending the Authority's Rules and Regulations, Section 10 Connection Charge Schedule for Sewer Service and Section 11, Schedule of Charges, and to consider the adoption of the proposed revised connection fee; and

WHEREAS, the notice of the proposed hearing was mailed to the Clerk of each municipality serviced by the Authority and published in two (2) newspapers of general circulation in the area services by the Authority; and

WHEREAS, at the hearing the Authority Staff testified and presented evidence concerning the calculation of the charges pursuant to N.J.S.A. 40:14A-8; and

WHEREAS, pursuant to the requirements of N.J.S.A. 40:14A-8, it was determined that the connection fee should be fixed at Five Thousand Six Hundred Fifty Dollars (\$5,650.00) per equivalent dwelling unit to be effective May 19, 2020; and

WHEREAS, at the hearing an opportunity for cross-examination was offered to the public and a transcript was made which shall be available at a reasonable fee to any interested party; and

NOW, THEREFORE, BE IT RESOLVED by the Two Rivers Water Reclamation Authority that the connection fee for the participant municipalities shall be fixed at Five Thousand Six Hundred Fifty Dollars (\$5,650.00) per equivalent dwelling unit effective May 19, 2020.

BE IT FURTHER RESOLVED that the Executive Director be and is hereby authorized to forward certified copies of this resolution to the Clerks of each municipality served by the Authority.

I certify the above to be a true copy of the Resolution adopted at a public meeting held on May 19, 2020.

Michael A. Gianforte, P.E. Executive Director

TYPE OF SERVICE

facilities therein

CONNECTION CHARGE SCHEDULE FOR SEWER SERVICE

Every property owner connecting to the Authority's system shall pay connection charges in accordance with the following schedule:

NO. OF UNIT CHARGES

0.25

1.	Sin	ngle Family Dwelling	1.00
2.	ap ap ho	ulti-family Dwelling (including artment house, duplex, garden artments, rooming house, boarding use, condominium, townhouse, hotel, otel, school or other dormitory) as follows:	
	a.	For each single-family unit or apartment with kitchen and sanitary (water closet or equivalent) facilities therein	1.00
	b.	For each room, unit or apartment not included in "a" above with sanitary (water closet or equivalent) facilities therein	0.50
	c.	For each room, unit or apartment not included in "a" and "b" above without sanitary (water closet or equivalent)	

3. Commercial establishments not otherwise

	(in fac	cluded in paragraph 4 to 8 below inclusive cluding stores, offices, shopping centers, stories and any other non-residential nor waste producing facilities) as follows:	
	a.	For each real property with up to four persons working on or otherwise connected or identified with such real property	1.00
	b.	In addition to "3.a" for each additional person over four working on or otherwise connected or identified with such real property, per person	0.25
	C.	In computing "3a" and "3b" foregoing, persons working part time on or otherwise connected or identified with such real property shall be counted as one-half person	
4.	For	ailer Parks and Single Family Trailers. reach single family trailer and for each occupied trailer stall	1.00
5.	Scl	nools	
	a.	For each 100 students and school personnel or portion thereof, based upon the number of students listed as enrolled on the "Application for State School Aid" each year (October 15) and the number of personnel employed therein	3.50
	b.	In addition to "5.a" an additional charge is made where showers are installed, per 100 students and personnel	1.50
	c.	In addition to "5.a" and "5.b", where a cafeteria with kitchen facilities is installed, per 100 students and personnel	1.50
6.		urch, public building (other than school), cary, post office, firehouse, first aid station	1.00
7.	aut	vice Station and/or Garage (without tomatic or semi-automatic car washing ilities)	2.00
8.		eatres for each 100 person capacity fraction thereof	1.50
9.	cat	staurants, luncheonettes, diners, taverns, ering establishments, for each seating pacity of 25 or fraction thereof	1.00
10.	Lau	andromats, for each washing machine	0.50
11.		spitals, nursing homes, or other medical e facility, for each bed	0.25
	a. b. c.	Restaurant facilities, per section "10.9" Laundry facilities, per section "10.10" Laboratory facilities, per section "10.3"	

- 12. Motel, Hotels, Inns, per room
- 0.50
- a. Restaurant facilities, per section "10.9"
- b. Laundry facilities, per section "10.10"
- 13. a. Industrial property including automatic or semi-automatic car washing facilities and major waste producing facilities shall be charged a connection fee for each 75,000 gallons, or part thereof, of water projected to be consumed or in connection with the real property annually. In the event the volume of flow exceeds one (1) equivalent unit, the number of excess units shall be calculated in one-tenth's (1/10) of an equivalent unit; or
 - b. For each 75,000 gallons annually, or fraction thereof, by applying the projected flow criteria set forth in N.J.A.C. 7:14A23.3, et seq. 1.00

14. Changes of Use

- a. Upon an addition, alteration, or change in use of any building which increases the flow over the existing flow, an additional connection fee may be charged based upon the above schedule. credit shall be given to connection fees previously paid. A change in use shall include but not be limited to, condominium conversions.
- 15. Payment of Connection Fees

Any connection charge due to the Authority shall be paid at the time a Building Permit is applied for.

- 16. These charges shall be in full force and effect as of June 20, 2017.
- 17. CERTAIN AFFORDABLE HOUSING PROJECTS

Connection fees to public housing authorities and non-profit organizations building affordable housing projects that consist of new connections to the system are to be computed by providing a 50% reduction in the connection fee established in this Rate Schedule.

Connection fees to public housing authorities and non-profit organizations building affordable housing projects that consist of replacement units for demolished or refurbished units, and for which a connection fee was previously paid, are to be computed by charging the lesser of a.) the reduced rate of 50% of the connection fee established in this Rate Schedule, or b.) the connection fee established in this Rate Schedule, minus a credit in the amount of a connection fee previously paid for the housing units being replaced, provided the public housing authority and non-profit organization can establish the connection fee previously paid. If the amount of the previous connection fee cannot be established, the reduced rate of 50% of the connection fee established in this Rate Schedule shall apply.

SCHEDULE OF CHARGES

Subdivision – Site Plan

Minor Site Plan Major Site Plan Minor Subdivision Plan Major Subdivision Plan

(plus \$10.00/Lot over 15 Lots, Maximum Fee \$250.00) \$25.00 \$100.00 \$25.00

\$150.00 (Minimum)

Treatment Works Approval (WQM-003, LURP, etc)

Developer's Agreement

(If required)

Performance Guarantee Maintenance Guarantee (Minimum One (1) Year Engineering Inspection Fee \$100.00 \$500.00

100% of Sewer Improvements 25% of Sewer Improvements

15% of cost of sewerage facilities up to \$30,000.00; 10% of cost of sewerage facilities between \$30,001.00 to \$50,000.00; 8% of cost of sewerage facilities between \$50,001.00 to \$100,000.00 and 5% of cost of sewerage facilities Greater than \$100,001.00.

Connection Fee \$5,650.00 per unit

11.1, 11.2, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.11, 11.13, 11.14, 11.15, 11.16, 11.17, 11.18

Existing Tap Charge \$562.50 Disconnection Fee \$200.00 Reconnection Fee \$200.00 Sewer Search \$15.00 Sewer Search Update \$10.00

Copy Fee

In accordance with Amendment to

N.J.S.A. 47:1A-5.b

8 ½ x 11 \$0.05 per page \$0.07 per page 11 x 14 \$10.00

Rules & Regulations on CD

Electronic Records - Free of Charge

Industrial Dischargers

Application Fee for Industrial Waste \$150.00 Annual Fee, less than 100 GPD \$50.00 Annually Annual Fee, greater than 100 GPD \$250.00 Annually \$75.00 Annually

Grease/Oil/Sand Trap Sewer Service

Single Family Dwelling \$360.00 11.3 Multi-Family See Section 9 Commercial Users See Section 9

Industrial users \$360.00 per 75,000 gallons, plus \$4.80 for every 1000 gallons over

75,000 gallons

11.12

ORDINANCES:

ORDINANCE NO. O-20-8

AN ORDINANCE AMENDING ORDINANCES 2-7.1 AND 2-7.9 REGARDING THE POSITIONS AND DUTIES OF THE BOROUGH ADMINISTRATOR AND BOROUGH CLERK IN THE BOROUGH OF WEST LONG BRANCH

Ordinance No. O-20-8 was read on its second reading by title only.

Councilman Bray moved the ordinance be passed on its second reading, seconded by Councilman Cioffi, and carried upon the following roll call vote:

BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN AYES:

NONE NAYS: ABSENT: NONE NONE ABSTAIN:

Ordinance No. O-20-8 was published in the Asbury Park Press in the issue of May 24, 2020, and proof of publication stating that a public hearing on said ordinance will 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-20-8

AN ORDINANCE AMENDING ORDINANCES 2-7.1 AND 2-7.9
REGARDING THE POSITIONS AND DUTIES OF
THE BOROUGH ADMINISTRATOR AND BOROUGH CLERK
IN THE BOROUGH OF WEST LONG BRANCH

Councilman Bray moved the ordinance be passed on its third and final reading, seconded by Councilman Neyhart, and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

ORDINANCE NO. O-20-9

AN ORDINANCE AMENDING THE FINES FOR ALL PARKING ORDINANCES IN THE BOROUGH OF WEST LONG BRANCH

WHEREAS, the Municipal Court Administrator has advised that parking fines have been increased by the state, but the borough's ordinances have not been amended to reflect the change/increase;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of West Long Branch that all parking Ordinances be and are hereby amended as follows:

SECTION 1:

The current fines for all parking ordinance violations that are payable citations (i.e., court appearance not required) are hereby increased by \$1.00.

SECTION 2:

This ordinance shall take effect immediately upon passage and publication according to law.

Councilman Bray moved to approve the above ordinance on its first reading and to set the public hearing on this ordinance for June 17, 2020, at 6:30 PM. Motion was seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

RESOLUTIONS:

Councilmember CIOFFI offered the following resolution and moved its adoption:

A RESOLUTION AUTHORIZING THE TAX COLLECTOR TO PREPARE, DELIVER AND PROCESS THIRD QUARTER ESTIMATED TAX BILLS DUE AUGUST 1, 2020 (R-20-71)

WHEREAS, in light of the disruption caused by the coronavirus outbreak, the State of New Jersey has delayed the adoption of the State Fiscal Year 2021 Budget to September 30, 2020; and

WHEREAS, the Division of Local Government Services (DLGS) cannot certify State Aid allocations to municipal budgets until State Aid Appropriations are known; and

WHEREAS, the DLGS cannot approve municipal budgets and the County Board of Taxation cannot certify taxes until long after the June 30, 2020 deadline to process third quarter tax bills due August 1, 2020; and

WHEREAS, without an adopted 2020 Municipal Budget and without a 2020 Certified Tax Rate, the Tax Collector cannot process the *final* 2020 Tax Levy; and

WHEREAS, the DLGS "strongly recommends" under Local Finance Notice 2020-07 "that municipalities prepare to issue estimated property tax bills for 2020;" and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, computed and certified an *estimated* Total Tax Levy of \$27,939,082.61, at a rate of \$2.044 per \$100.00 of assessed valuation, in accordance with N.J.S.A. 54:4-66.3, as necessary to bill third quarter taxes due August 1, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch, County of Monmouth, State of New Jersey, that the Tax Collector is hereby authorized and directed to process estimated tax bills for the third quarterly installment of 2020 taxes; and

BE IT FURTHER RESOLVED that the third quarterly installment of 2020 taxes shall not be subject to interest until the later of August 10, 2020 or the twenty-fifth (25) calendar day after the date the estimated tax bills were mailed. The estimated tax bills shall contain a notice specifying the date on which interest may begin to accrue; and

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified true copy of this resolution to the Chief Financial Officer.

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

AYES:

BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS:

NONE

ABSENT: ABSTAIN:

NONE

Councilmember CIOFFI offered the following resolution and moved its adoption:

RESOLUTION AWARDING CONTRACT FOR FRANKLIN LAKE HYDRILLA CONTROL - PHASE V (R-20-72)

WHEREAS, the Borough Engineer received informal bids for the Franklin

Lake Hydrilla Control - Phase V project on May 27, 2020; and

WHEREAS, the following was the only bidder:

BIDDER

BASE BID
PROPOSAL A&B ALTERNATE A1 ALTERNATE B1

Aquatic Technologies, Inc. \$21,638.00 \$857.00

WHEREAS, Aquatic Technologies, Inc. was the contractor for Phase II, III, and IV of this project and had positive results; and

WHEREAS, the Borough Engineer recommends that the contract be awarded to Aquatic Technologies, Inc. in the amount of \$21,638.00 for the Base Bid and in the amount of \$857.00 for Alternate A1 and \$857.00 for Alternate B1 subject to the certification of the availability of funds and approval of the bid documents by the Borough Attorney; and

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 a contract be awarded to Aquatic Technologies, Inc., of Branchville, in the total amount of \$23,352.00, for the Franklin Lake Hydrilla Control – Phase V project; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the contract in connection with this project.

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

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Councilmember CIOFFI offered the following resolution and moved its adoption:

RESOLUTION TEMPORARILY SUSPENDING ENFORCEMENT OF CERTAIN PROVISIONS OF WEST LONG BRANCH BOROUGH CODE TO PROVIDE LOCAL BUSINESSES WITHIN THE BOROUGH WITH EXPANDED CAPACITY AND ADDITIONAL SPACE TO PRACTICE PROPER SOCIAL DISTANCING DURING THE COVID-19 CRISIS AND BOROUGH'S RECOVERY THEREFROM (R-20-76)

WHEREAS, the Governor of the State of New Jersey has issued Executive Orders imposing restrictions upon the operation of businesses within the entire State of New Jersey during the COVID-19 pandemic crisis; and

WHEREAS, although the COVID-19 pandemic crisis and state of emergency continues at present, Federal, State, County and other authorities are beginning to lift certain restrictions, and discuss the possibility of lifting other restrictions in the near future; and

WHEREAS, in preparation for the lifting of restrictions on businesses within the State of New Jersey, the Mayor and Council of the Borough of West Long Branch (the "Borough") believe it prudent for the Borough to assist West Long Branch businesses in re-opening and to provide maximum opportunities for social distancing as said businesses do so; and

WHEREAS, the Borough finds that the temporary suspension of enforcement of certain regulations within the Borough, simultaneously and in accordance with the Governor's lifting of state-wide restrictions and the guidelines

arising therefrom, will provide businesses with expanded space to operate for the protection of business owners, employees, customers, and Borough residents during what is likely to be an uncertain time;

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

- (1) Nothing herein shall be construed or interpreted inconsistently with or in violation of any Executive Order issued by the Governor of the State of New Jersey, or any other law, rule, regulation, guideline, directive, or notice from any authority to which the Borough is subject or would otherwise be bound or guided.
- (2) Upon the lifting of restrictions upon businesses, and in accordance with any guidelines issued by Federal, State, County and other authorities, businesses within the Borough may temporarily expand their existing operations through the use of outdoor space(s), including, but not limited to, backyards, sideyards, parking lots, and patios, to provide additional space for proper social distancing during the re-opening of said businesses.
- (3) Upon the lifting of restrictions upon businesses, and in accordance with any guidelines issued by Federal, State, County and other authorities, businesses within the Borough may temporarily expand their existing operations through the cooperative use or combination(s) of their existing space and operations for purposes that enhance social distancing, including, but not limited to, one business allowing another to use unneeded space on its premises or two businesses cooperating to dedicate pick-up and drop-off space for customers.
- (4) Upon the lifting of restrictions upon businesses, and in accordance with any guidelines issued by Federal, State, County and other authorities, businesses within the Borough may temporarily expand their existing operations into existing or adjacent indoor space(s) that may be vacant or otherwise prohibited from such use(s) for non-life hazard and non-safety reasons under the Borough Code.
- (5) Upon the lifting of restrictions upon businesses, and in accordance with any guidelines issued from Federal, State, County and other authorities, the Borough shall temporarily permit businesses to display additional signage and advertisements in furtherance of the purposes set forth herein.
- (6) Any business within the Borough may seek approval for the use(s) and/or operation(s) described hereinabove through the process described for the submission of a permit and:
 - (a) The decision on such application(s) shall be determined by a majority vote of the Borough Council Fire and EMS Committee, in consultation with the Zoning Officer, Code Enforcement Officer, or Chief of Police, as may be applicable.
 - (b) Any applicant initially denied a permit shall have the right to file an appeal directly to the Mayor & Council within five (5) business days of receiving the denial which appeal shall be heard at the next regularly scheduled meeting of the Mayor & Council.
 - (c) The Zoning Officer, Code Enforcement Officer, and Chief of Police are hereby granted the concurrent power to revoke any such permit.
 - (d) The requirement of insurance shall be waived for permits not relating to public property.
- (7) The Mayor and Council hereby instruct and direct the Borough's Zoning Officer, Code Enforcement Officer, and Chief of Police to interpret and construe any and all applicable provisions and conditions of relevant codes of the Borough of West Long Branch to further the purposes set forth in this resolution, provided that nothing herein shall be construed to limit the aforementioned Officers' lawful jurisdiction(s) or interfere with the aforementioned Officers' duties

and responsibilities according to law.

- (8) This resolution shall take effect immediately for the purposes of receiving applications in anticipation of the potential re-opening of businesses, provided, however, that no permits shall be issued and no modified business operations shall commence hereunder until such time as authorized by Federal, State, County and other applicable authorities.
- (9) This temporary resolution and the actions permitted hereunder shall terminate and expire on the date the Governor completely lifts the restrictions on such businesses.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Zoning Officer, Code Enforcement Officer, Chief of Police, and as many West Long Branch businesses as is feasible by Borough Administration.

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

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

UNFINISHED BUSINESS:

Councilman Cioffi moved to postpone this year's fireworks display to Saturday, September 5th, with a rain date of September 6th, and to change the date in the existing contract and authorize the Mayor and Borough Clerk to initial the change. Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

Councilman Cioffi reported that the Code Enforcement Officer and Borough Engineer were working with the Consumer Centre property manager relative to the sinkhole in the parking lot and that it may be the result of a collapsed drainage pipe. The property manager has been directed to commence repairs immediately.

NEW BUSINESS:

Councilman Bray reported that the Community Clothes Closet next to the Food Pantry was back open at the Reformation Lutheran Church. He added that they were taking gently used clothing donations on Mondays and Thursdays from 9:00 AM to 5:00 PM, weather permitting, and that there were two large white bins available as you enter the parking lot from Locust Avenue.

Councilman Cioffi asked residents to heed alerts they may receive of dangerous weather from pop-up storms.

Councilman Cioffi moved to waive the Borough's portion of any fees relative to the temporary permission for outdoor dining during the COVID-19 restrictions.

Seconded by Councilman Bray and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE
ABSENT: NONE
ABSTAIN: NONE

BILLS AND CLAIMS:

Councilman Bray moved to approve the attached bill list with the removal of Purchase Order 20-00685 for Paul E. Zager for further investigation. Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN

NAYS: NONE ABSENT: NONE ABSTAIN: NONE

PUBLIC HEARING:

Vincent Lepore, 33 Ocean Terrace, Long Branch, suggested that the Borough reach out to the Sears Holding Company to determine their intention for the Kmart building since there could be a potential tax appeal on that property.

There being no one else wishing to speak, Councilman Bray moved to adjourn the Council meeting and to enter Executive Session at 8:02 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:

Police Personnel; EMS/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):

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	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.
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.

P.O. Type: All Include Project Line Items: Yes Open: N Paid: N Void: N Rcvd: Y Held: Y Aprv: N Format: Condensed Bid: Y State: Y Other: Y Exempt: Y

					DIQ. I	State. 1	other. I Exempt
0 #	PO Date	Vendor		PO Description	Status	Amount	Void Amount PO Ty
9-00615	07/08/19	K0047	KEYPORT ARMY + NAVY	COMPOSITE BOOTS	0pen	319.97	0.00
	10/02/19		MUNICIPAL EMERGENCY SERVICES	RETRACTOR KIT FOR FIRE RECORDS	0pen	192.00	0.00
9-01255	10/30/19	s0200	STANLEY ACCESS TECH LLC	TRAVEL, LABOR & STANDARD SERVI	0pen	208.98	0.00
9-01453	12/05/19	S0070	STAPLES ADVANTAGE	PLANNING AND ZONING SUPPLIES	Open	333.50	0.00
0-00005	02/28/20	M0062	MID-MONMOUTH MUTUAL AID ASSOC		0pen	235.00	0.00
0-00024	02/28/20	N0140	NJ IAAI (NJ-INT'L ASSOC OF	GRIFFIN & SHIRLEY REGISTRATION		1,050.00	0.00
-00097	03/03/20	10019	MUTT MITT	MUTT MITTS & SHIPPING	Open	921.83	0.00
-00098	03/03/20	50070	STAPLES ADVANTAGE	OFFICE SUPPLIES FOR POLICE	Open	43.08	0.00
-00163	03/10/20	U0035	ULINE SHIPPING SUPPLIES	EMS - OFFICE SUPPLIES	Open		0.00
-00164	03/10/20	M0011	MONMOUTH COUNTY POLICE CHIEF'S	2020 MEMBERSHIP CHIEF HABERMAN		150.00	0.00
	03/10/20		STAPLES ADVANTAGE	INK & SUPPLIES FOR POLICE	Open	340.79	0.00
	03/11/20		STAPLES ADVANTAGE	PD SUPPLY	Open	332.98	0.00
	03/11/20		STAPLES ADVANTAGE	WESTCLOX 20" WALL CLOCK	Open	24.99	0.00
	03/18/20		STAPLES ADVANTAGE	BORO OFFIC SUPPLIES MARCH 2020		172.77	0.00
	03/19/20		STAPLES ADVANTAGE	CODE ENFORCEMENT SUPPLIES	Open	786.92	0.00
	04/01/20		SIP'S PAINTS AND HARDWARE	FIRE ORDER 210670	Open Open	119.93	0.00
	04/03/20		FIREFIGHTER ONE		Open	1,776.00	0.00
	04/13/20		ALLIED FIRE & SAFETY	SPRINKLER INSPECT INV# SM80552	•	367.50	0.00
00110	04/42/20	- 04 5 0		NITRILE GLOVES FOR POLICE	Open Open	40.00	0.00
_00410	04/13/20	TICEVNUUZ	STEVEN'S DRUGS US BANK CORP TRUST-TLGS LANGUAGE LINE SERVICES EDWARDS TIRE CO. INC.	TAX OVERPAY REFUND - 72 POPLAR		2,183.00	0.00
_00413	04/13/20	10077	LANCHACE LINE CEDVICES		•	45.90	0.00
_0047J	04/21/20	E0072	EDWARDS TIRE CO. THE	TIRES FOR TAHOE POLICE UNIT#15	Open Open	258.00	
-0046E	04/24/20	40170	ACCSES NJ		•		0.00
-00400	04/24/20	MOTIO	ACCSES NJ	LIBRARY - INV. #: 2010510-IN	Open	493.92	0.00
	04/21/20				Open	45.44	0.00
	04/30/20		FIREFIGHTER ONE GALL'S INC	FIRE - ESTIMATE #: 10271220	Open	1,689.00	0.00
	04/30/20		GALL'S INC		Open	142.00	0.00
				2020 CLOTHING - LT. ELLIS	Open	203.20	0.00
	05/04/20		GLENCO SUPPLY INC	SIGNS FOR RECYCLING YARD	Open	240.00	0.00
	05/04/20		KEITH BRUMMER TREE & FIREWOOD		Open	3,500.00	0.00
	05/04/20		WATCHUNG SPRING WATER	WATER COOLER - PUB BLDGS	0pen	302.31	0.00
	05/04/20		COUNTY OF MONMOUTH	FIRE SERVICE & REPAIR	Open	563.39	0.00
	05/04/20		NAPA AUTO PARTS CENTER	DPW VEHICLES - PARTS/REPAIRS	0pen	3,249.01	0.00
	05/04/20		VIRTUAL FX	REFLECTIVE BORO SEALS FOR TRCK	•	336.00	0.00
	05/04/20		JOHN GUIRE SUPPLY LLC		0pen	136.54	0.00
	05/04/20		JOHN GUIRE SUPPLY LLC		0pen	42.95	0.00
	05/04/20		SEABOARD WELDING	EMS OXYGEN PICKUP & REFILLS		1,228.45	0.00
	05/11/20		JOHN GUIRE SUPPLY LLC	PUBLIC WORKS EQUIPMNT SUPPLIES		247.40	0.00
	05/11/20		JERSEY ELEVATOR	ELEVATOR MAINTENANCE APR 2020	•	127.08	0.00
	05/11/20		HILSEN TERMITE & PEST CONTROL	BEE CONTROL @ SHIRVANIAN PARK	Open	350.00	0.00
	05/11/20		ATLANTIC COAST FIBERS LLC	RECYCLING - JAN, FEB, MAR 2020	Open	1,748.90	0.00
			CAREERCERT	EMS- 40 ONLINE CEU MEMBERSHIPS	Open	2,100.00	0.00
	05/11/20		PLOSIA COHEN LAW FIRM		0pen	2,715.00	0.00
	05/11/20		GALL'S INC	2020 CLOTHING - SZATKOWSKI	0pen	94.48	0.00
	05/11/20		RELIABLE CLEANERS	POLICE DRY CLEANING - APR 2020	0pen	333.00	0.00
	05/11/20		EARL S. REED JR		Open	5.70	0.00
	05/11/20		DELISA WASTE SERVICES	MAY 2020 - GARBAGE SERVICES	Open	24,166.67	0.00
	05/11/20				Open	4.96	0.00
-00596	05/12/20	G0002	GALL'S INC		Open	72.56	0.00
-00597	05/12/20	10063	JERSEY AUTO SPA CAR WASH, LLC	# 	Open	97.75	0.00
00013	05/18/20	CODES	CENTRAL JERSEY HEALTH INS FUND			110,901.00	0.00

P0 #	PO Date	Vendor		PO Description	Status	Amount \	oid Amount PC	Туре
	05/18/20		MICHAEL IRENE, JR.	JUN 2020 ZB RETAINER	Open	857.00	0.00	
	05/18/20		MICHAEL IRENE, JR.	JUN 2020 PB RETAINER	0pen	857.00	0.00	
	05/18/20		CARUSO & BAXTER	JUN 2020 RETAINER	0pen	5,600.92	0.00	
	05/18/20		CITY OF LONG BRANCH	GAS/DIESEL - APR. 2020	Open	2,700.28	0.00	
	05/18/20		CASA REPORTING SERVICE	MAR 2020 CASA CHARGES	Open	93.15	0.00	
20-00624	05/18/20	C0083	COMCAST & XFINITY *	ACCT NO. 8499 05 216 0042612	Open	88.22	0.00	
	05/18/20		LAURA OSBORN	REIMBURSEMENT - DISINFECTANT	Open	44.65	0.00	
	05/18/20		JOSEPH G. HUGHES, ESQ.	PROSECUTOR - JUNE 2020	Open	1,487.59	0.00	
	05/18/20		NEW JERSEY AMERICAN WATER CO.	WATER BILLS, VARIOUS ACCOUNTS	Open	759.25	0.00	
	05/20/20		NEW JERSEY AMERICAN WATER CO.	ACCT NO. 1018-210027671655	Open	48.00	0.00	
	05/20/20		ASBURY PARK PRESS *	CLERK ADS MAY 2020	Open	142.20	0.00	
	05/20/20		ASBURY PARK PRESS *	CLERK ADS - VARIOUS	Open	146.40	0.00	
	05/20/20		COMCAST & XFINITY *	ACCT NO. 8499 05 216 0049187	0pen	14.00	0.00	
	05/20/20		DELISA WASTE SERVICES	MAY 2020 - TIPPING, 1-15	0pen	11,821.83	0.00	
	05/27/20		JERSEY CENTRAL POWER & LIGHT	ACCOUNT NO. 100 011 670 930	0pen	1,170.71	0.00	
20-00661	05/27/20	J0042	JERSEY CENTRAL POWER & LIGHT	ACCOUNT NO. 100 011 670 989	0pen	204.75	0.00	
	05/27/20		JERSEY CENTRAL POWER & LIGHT	ACCOUNT NO. 100 011 671 037	Open	4,147.30	0.00	
20-00663	05/27/20	C0083	COMCAST & XFINITY *	COMCAST - VARIOUS ACCOUNTS	0pen	698.57	0.00	
20-00664	05/27/20	K0049	KONICA MINOLTA BUSINESS SOLU.	BORO HALL COPIER INV: 68114452	Open	186.31	0.00	
20-00677	05/28/20	D0125	DELISA WASTE SERVICES	JUN 2020 - GARBAGE SERVICES	Open	24,166.67	0.00	
20-00682	05/28/20	K0014	SHARON KELLY	FLOWERS/SOIL REIMBURSEMENT	Open	45.60	0.00	
20-00683	05/28/20	THREE005	THREE PINES FARMS	PLANTS FOR BEAUTIFICATION	Open	236.40	0.00	
20-00685	05/28/20	PAULE005	PAUL E. ZAGER ESQ	ALT PUBLIC DEFENDER 01-03,2020	Open	1,200.00	0.00	
20-00686	05/28/20	N0036	NEW JERSEY NATURAL GAS CO.	GAS BILLS - VARIOUS ACCOUNTS	Open	3,036.02	0.00	
	05/29/20		RUE INSURANCE	NATIONAL UNION/ACCIDENT POLICY	•	7,743.00	0.00	
 [Otal Pur	rchase Oro	ders:	75 Total P.O. Line Items:	O Total List Amount: 234	457.44	Total Void Am	ount:	0.0

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Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total				
0-01	228,857.08	0.00	228,857.08	0.00	0.00	228,857.08				
0-03 Year Total:	<u>1,200.00</u> 230,057.08	0.00	1,200.00 230,057.08		0.00	1,200.00 230,057.08				
9-01	4,400.36	0.00	4,400.36	0.00	0.00	4,400.36				
Total Of All Funds:	234,457.44	0.00	234,457.44	0.00	0.00	234,457.44				

BOROUGH OF WEST LONG BRANCH

Bill List by P.O. Number

Addendum to Bill List June 3, 2020

PO#

Vendor

PO Description

Budget Account

Amount

20-00489

Joseph Hughes, Esq. Prosecutor Legal Fees

9-01-20-155-000-228

\$8,895.83

Total Purchase Orders:

Total List Amount:

\$8,895.83