July 5, 2017 8:18 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, MANGO, MIGLIACCIO, NEYHART, PENTA

ABSENT:

JULIANO

APPROVAL OF MINUTES:

Councilman Migliaccio moved the approval of the minutes of the June 21, 2017, caucus meeting. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES:

MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE **JULIANO**

ABSENT:

ABSTAIN:

BRAY

Councilman Migliaccio moved the approval of the minutes of the June 21, 2017, executive session meeting and approved the release of all pages except pages 4 and 5. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES:

MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE

ABSENT:

JULIANO

ABSTAIN:

BRAY

Councilman Migliaccio moved the approval of the minutes of the June 21, 2017, council meeting. Seconded by Councilman Neyhart and carried upon the following roll call vote:

AYES:

MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE

ABSENT:

JULIANO

ABSTAIN:

BRAY

REPORTS OF STANDING COMMITTEES:

Mayor Tucci commended the Recreation Commission, Public Works Department, Fire Department, Police Department, and First Aid Squad for making this year's fireworks display a success. Further, she thanked the Shore Regional High School Board of Education for allowing the Borough to use their property to shoot the fireworks. Finally, she recognized Monmouth University for their commitment to donate \$4,000 towards this event.

Councilman Bray reported that he and the C.F.O. conducted an exit interview with the Auditor relative to the 2016 Audit. The Audit shows the Borough to be in good shape and that the problems outlined in the previous Audit have been rectified. A resolution will be considered at the next meeting indicating that the Governing Body has reviewed the "Comments and Recommendations" section of the Audit.

Councilman Bray stated that there was a discussion of the items to be included in the Monmouth County Improvement Authority Program at tonight's caucus meeting.

Councilman Bray announced that the Borough's new website is expected to be launched during the month of July.

Mayor Tucci asked the Borough Clerk to send something to Councilwoman Juliano who is recovering from surgery.

Councilwoman Mango had nothing to report on behalf of the Environmental Commission.

Councilwoman Mango stated that the Shade Tree Commission is scheduled to meet on July $13^{\rm th}$, and she will have a report for them at the next meeting.

Councilwoman Mango reported that the Recreation Commission has been busy working on the fireworks, the Summer Recreation Program, and the 2017 Summer Concert Series. Beatlemania Stage Show will perform at Franklin Lake on July $14^{\rm th}$.

Councilman Migliaccio reported that the first phase of repairs to the Police building is complete. The air ducts are scheduled to be cleaned next week. Lastly, a firm will come in to balance the HVAC system in that building. Once the work is done in the Police building, work will begin on the ceiling in the Public Works Garage.

Councilman Migliaccio noted that work will begin shortly on the bocce courts and, hopefully, the repairs to the Franklin Lake Gazebo.

Councilman Neyhart read the following Police Report for June, 2017.

Motor Vehicle Stops	309	Alarms (Burglary)	60		
Motor Vehicle Crash	54	Alarms (Fire)	14		
Traffic Citations – Non Parking	143	School Bus Escorts	19		
Traffic Citations – Parking	10	School Checks (SRHS BME/FAS)	77		
Drunk Driving Arrests	1	School Walk Through-BME/FAS	12		
Assist Motorists	20	Fire Calls (Structure)	0		
Municipal Code Violations	6	EMS Calls	60		
Arrest Total: 14 Crimes & 0	Offense	es to include: Burglary; Endange	ring		
Welfare of a Child; Simple Assault; Terroristic Threats; DWI; Receiving					

Stolen Property; Theft; Harassment; Contempt of Court; Shoplifting

June - Total Calls for Service: 1,181

Busiest Day of Week - Thursday

Busiest Time of Day - 14:00 - 15:00

NJ Division of Highway Traffic Safety, Enforcement Summary 2017 "Click It or Ticket Seat Belt Mobilization"

May 22 - June 4, 2017

Total Citations Issued	94
Seat Belt Citations	30
Driving While Suspended	8
Other Violations	55
Warrant Arrests	1
CDS Arrests	1

Year	Motor Vehicle Crashes		
2017	54		
2016	72		

Professional Development

6/1/2017	Crossing Guard Train the Trainer	Burton
6/6/17 &		
6/7/17	AR15 Armorer School	Moore
6/6/17 to		Burton,
6/9/17	Police Work Zone Safety; Train-Trainer	Buono
6/14/0017	7D CC 1 11 12 5	Botti &
6/14/2017	Traffic Incident Management	Kampf
6/16/2017	IA Class	T 1
0/10/2017	IA Class	Lynch
6/20/2017	CODIS Update	Moore
6/21/2017	NJTJ1-Refresh/Update	Ferrugiaro
6/23/2017	Danier Trans de	Moore &
0/23/2017	Drug Trends	Osborn
6/27/2017	Atlantic City Expo	Ellis
6 /00 /0017	N 1771 1 D 0 1 1 1 2 1 1	Burton/
6/29/2017	NJTJ1-Refresh/Update	Buono

Councilman Neyhart announced that the West Long Branch Police Department and P.B.A. 141 will be hosting National Night Out on Tuesday, August $1^{\rm st}$, from 5:00 PM to 8:00 PM, at the West Long Branch Community Center.

Councilman Penta commended the Public Works Department for their efforts relative to this year's fireworks display. He also expressed his appreciation for the work done by the Police Department.

Councilman Penta noted that there is a resolution on tonight's agenda to hire a Public Works Laborer.

The Borough Clerk had nothing to report.

The Borough Attorney had nothing to report.

Julie Nastasi, of T&M Associates had nothing to report on behalf of the Borough Engineer.

COMMUNICATIONS:

The Borough Clerk read the following e-mail, dated June 30th:

Mayor Tucci,

Monmouth University has committed to support the fireworks at 4,000 this year. A check will be provided in the next couple of weeks.

Hope you have a great event!

Paul Dement Director of Government and Community Relations External Affairs

The Borough Clerk reported that she was in receipt of a Fire Department Application for active membership in West Long Branch Fire Company No. 2 for Lee C. Durland, Jr. The Police Department has confirmed that his fingerprints were processed and no issues were reported.

Councilman Bray moved to approve this application. Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES:

BRAY, MANGO, NEYHART, PENTA

NAYS:

NONE JULIANO

ABSENT: ABSTAIN:

MIGLIACCIO

The Borough Clerk reported that she was in receipt of a Fire Department Application for active membership in West Long Branch Fire Company No. 2 for Gianni T. Augustin. The Police Department has confirmed that his fingerprints were processed and no issues were reported.

Councilman Bray moved to approve this application. Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES:

BRAY, MANGO, NEYHART, PENTA

NAYS:

NONE

ABSENT: ABSTAIN:

JULIANO MIGLIACCIO

The Borough Clerk read the following letter, dated July 5th:

Dear Mayor & Borough Council:

Based on a concern expressed by a Councilmember about my ability to perform the duties of both the Acting Administrator and Borough Clerk, I have decided to submit my resignation as Acting Administrator. This resignation will be effective Monday, July 31st, in order to give the Mayor and Council the opportunity to find a permanent replacement by then.

To be clear, I will continue in my position as Borough Clerk after that date; however, I will no longer be able to perform any Administrator functions.

Sincerely,

Lori Cole, R.M.C. Borough Clerk

Councilman Neyhart moved to accept this resignation. Seconded by Councilman Penta and carried upon the following roll call vote:

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE

ABSENT: ABSTAIN:

JULIANO NONE

ORDINANCES:

NONE

RESOLUTIONS:

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION ESTABLISHING A CHANGE FUND FOR THE FINANCE DEPARTMENT FOR THE YEAR 2017 (R-17-75)

WHEREAS, the Borough of West Long Branch wishes to establish a change fund in the Finance Department in the amount of \$100.00; and

WHEREAS, said fund is required for the Finance Department operation of the Borough; and

WHEREAS, the Chief Financial Officer agrees that said request is reasonable;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the change fund for the Finance Department be established for the year 2017 at \$100.00; and

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to issue a check to Patricia Reevey in a total amount equal to \$100.00 for said purpose.

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

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE JULIANO

ABSENT: ABSTAIN:

NONE

Councilmember BRAY offered the following resolution and moved its adoption:

BOROUGH OF WEST LONG BRANCH EMERGENCY RESOLUTION – NJS 40A:4-48 (Under 3% limitation) (R-17-76)

WHEREAS, an emergency has arisen with respect to <u>Court Judgement</u> and no adequate provision was made in the 2017 budget for the aforesaid purpose; and

WHEREAS, NJS 40A:4-46 provides for the creation of an emergency appropriation for the purpose mentioned above; and

WHEREAS, the total amount of the emergency appropriation created, including the appropriation to be created by this resolution, is \$235,000.00 and three (3) percent of the total operating appropriations in the budget for 2016 is \$263,880.09; and

WHEREAS, the foregoing appropriation together with prior appropriations does not exceed three (3) percent of the total operating appropriations (including utility operation appropriations) in the budget for 2016;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch (not less than two-thirds of all governing body members affirmatively concurring) that in accordance with the provisions of NJS 40A:4-48:

1. An emergency appropriation is hereby made for Ciaglia Judgement Other Expenses in the amount of \$235,000.00.

- 2. That said emergency appropriation shall be provided for in full in the 2018 budget and is requested to be excluded from CAPS pursuant to NJS 40A:4-53.3c(1).
- 3. That two (2) certified copies of this resolution be filed with the Director of the Division of Local Government Services.

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

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE

ABSENT: ABSTAIN:

JULIANO NONE

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION AWARDING CONTRACT FOR THE WEST LONG BRANCH SIDEWALK PROGRAM (R-17-77)

WHEREAS, the Borough advertised for the receipt of bids for the West Long Branch Sidewalk Program, and accepted said bids on June 29, 2017; and

WHEREAS, the Borough received the following bids:

BIDDER	TOTAL BID
Lancha Construction Corp. 49 W. Grochowiak Street South River, NJ 08882	\$395,183.95
Sea Coast Construction, Inc. 15 Addington Court East Brunswick, NJ 08816	\$414,040.00
S. Batata Construction, Inc. 238 Ernston Road, Suite 1R Parlin, NJ 08859	\$428,888.00
Z Brothers Concrete Contractors, Inc. 304 Jernee Mill Road Sayreville, NJ 08872	\$449,154.70

WHEREAS, the lowest responsible bidder is Lancha Construction Corp. in the amount of \$395,183.95; and

WHEREAS, the Borough Engineer recommends that the contract be awarded to Lancha Construction Corp. in the amount of \$395,183.95; and

WHEREAS, funds are 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 Lancha Construction Corp., 49 W. Grochowiak Street, South River, NJ 08882, in the amount of \$395,183.95, for the West Long Branch Sidewalk Program; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute the contract; and

BE IT FURTHER RESOLVED that all other bids be rejected, and the bid bonds of those bidders be returned.

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

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS: ABSENT:

NONE

ABSTAIN:

JULIANO NONE

Councilmember BRAY offered the following resolution and moved its adoption:

RESOLUTION HIRING PUBLIC WORKS LABORER (R-17-78)

WHEREAS, there is a need to fill a vacancy in the position of Public Works Laborer; and

WHEREAS, the members of the Public Works Committee and the Public Works Director conducted an interview for this position; and

WHEREAS, it is their recommendation that SIDNEY COOPERSTEIN, 53 Wall Street, West Long Branch, New Jersey 07764, be hired to fill the position of Public Works Laborer since he meets the qualifications;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that SIDNEY COOPERSTEIN be hired as a Public Works Laborer, with a ninety day probationary period, at a salary of \$29,100.00 per year; and

BE IT FURTHER RESOLVED that his continued employment is conditioned upon the favorable completion of his fingerprint check.

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

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE JULIANO

ABSENT: ABSTAIN:

NONE

UNFINISHED BUSINESS:

NONE

NEW BUSINESS:

Councilman Bray moved to authorize a stipend of \$1,000.00, effective immediately, for Patricia Reevey for the position of Deputy Registrar. Seconded by Councilman Migliaccio and carried upon the following roll call vote:

AYES:

BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS:

NONE

ABSENT: ABSTAIN:

JULIANO NONE

Councilman Neyhart moved to approve Raffle License 17-11 – Latino American Association of Monmouth County, Inc. Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES: BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS: NONE ABSENT: JULIANO ABSTAIN: NONE

Councilman Neyhart confirmed with Julie Nastasi, of T&M Associates, who was in the audience, that the repairs to the driveway at 71 Rivington Avenue will be done at the contractor's expense, not the Borough's.

BILLS AND CLAIMS:

Councilman Bray moved to approve the following bill list:

June 30, 2017 03:29 PM

BOROUGH OF WEST LONG BRANCH Bill List By P.O. Number

Page No: 1

P.O. Type: All		Include Project Line Items: Yes		Open: N Paid: N Void: N			
Range: First	to Last	Last			Rcvd: Y Held: Y Aprv: N		
Format: Condense	ď		Bid: Y	State: Y	Other: Y	Exempt: Y	
PO # PO Date Ve	endor	PO Description	Status	Amount	Void Amount	РО Туре	
17-00014 01/27/17 CC	0008 CARUSO & BAXTER	LEGAL-PROF FEES	Open	5,277.86	0.00)	
17-00057 01/28/17 TO	0038 TRS.ST OF NJ-DEPT HUMAN RES	. MARRIAGE-DUE STATE	Open	200.00	0.00		
17-00070 01/28/17 AC	0159 ACTION UNIFORMS	POLICE-UNIFORMS	Open	662.00	0.00		
17-00079 01/29/17 MC	0219 MARLIN LEASING CORPORATION	A&E-COPIER	Open	327.00	0.00		
17-00101 02/01/17 UC	0023 ALL COVERED/IT SOLUTIONS	PUBLIC BLDG-IT PROVIDER	Open	2,430.00	0.00		
17-00192 02/21/17 HC		MUN COURT-PERSONNEL	Open	1,458.33	0.00		
17-00341 03/22/17 TO		COURT SHARED SERVICES	Open	35,152.50	0.00		
17-00355 03/27/17 GC		POLICE-UNIFORMS	Open	368.00	0.00		
17-00391 04/04/17 MC		POLICE DEPT SUPPLIES	0pen	3,329.05	0.00)	
17-00452 04/12/17 sc		POLICE OFFICE SUPPLIES	0pen	128.70	0.00)	
17-00514 04/25/17 GC		POLICE-UNIFORMS	0pen	487.29	0.00)	
17-00546 04/27/17 DC		POLICE-TRAFFIC SAFETY	0pen	189.00	0.00)	
17-00572 05/04/17 w0		POLICE-MAINTENANCE-LICENSING	0pen	809.00	0.00)	
17-00588 05/09/17 U0		PUBLIC BLDG-IT PROVIDER	Open	962.00	0.00)	
17-00594 05/09/17 U0		POLICE-EQUIPMENT	Open	69.76	0.00)	
17-00630 05/17/17 c0		F.A.S VEHICLE PARTS & SUPPLIES	Open	40.34	0.00)	
17-00648 05/18/17 v0		POLICE-EDUCATION	Open	50.00	0.00)	
17-00654 05/22/17 A0		POLICE-VEHICLE SUPPLIES	0pen	135.00	0.00	1	
17-00658 05/22/17 G0		POLICE-UNIFORMS	0pen	120.00	0.00	1	
17-00665 05/23/17 F0		DPW-SHOP SUPPLIES	0pen	256.11	0.00	ľ	
17-00681 05/24/17 G0		POLICE-UNIFORMS	0pen	439.00	0.00		
17-00694 05/30/17 v0		POLICE EQUIPMENT	0pen	173.00	0.00		
17-00698 06/01/17 B0		FIRST AID SUPPLIES	0pen	1,199.97	0.00		
17-00700 06/01/17 A0		ZB/PB BOARD ADVERTISEMENTS	0pen	44.35	0.00		
17-00702 06/01/17 PO		A&E-COPIER	Open	18.12	0.00	l .	
17-00707 06/05/17 NO		DPW-EQUIP REPAIR	Open	95.40	0.00		
17-00733 06/06/17 J0			Open	580.81	0.00	(
17-00738 06/06/17 G0		DPW-SHOP SUPPLIES	0pen	144.11	0.00		
17-00739 06/06/17 D0		POLICE-VEHICLE REPAIR	0pen	116.86	0.00		
17-00740 06/06/17 30		DPW SUPPLIES	0pen	354.76	0.00		
17-00744 06/07/17 10		PLANNING BOARD ATTORNEY FEES	0pen	857.00	0.00		
17-00746 06/07/17 s0		FIRST AID-OXYGEN/EXTING	0pen	222.00	0.00		
17-00748 06/07/17 A0			0pen	887.85	0.00		
17-00749 06/07/17 U0		PUBLIC BLDG-IT PROVIDER	Open	887.50	0.00		
17-00750 06/07/17 G0		DPW-SHOP SUPPLIES	0pen	487.14	0.00		
17-00751 06/07/17 S0		DPW-TRAFFIC MAINTENANCE	Open	478.80	0.00		
17-00754 06/07/17 10		CONSTR CODE-NAT'L GEO	0pen	340.00	0.00		
17-00761 06/12/17 MO		DPW EQUIP REPAIRS & MAINTENANC	100 m	155.85	0.00		
17-00763 06/12/17 S0		DPW-EQUIPMENT	Open	231.42	0.00		
17-00764 06/12/17 CO		DPW-GBG/REC TIRES	Open	529.34	0.00		
17-00766 06/12/17 SO		PARK MAINTENANCE	0pen	6.36	0.00		
17-00778 06/14/17 NO). 15 OCEANPORT-1018-210027373531		87.93	0.00		
17-00822 06/20/17 10		BUILDING SUPPLIES	0pen	311.14	0.00		
17-00824 06/20/17 10			0pen	6,189.78	0.00		
17-00825 06/20/17 v0		LIBRARY-TELEPHONE	0pen	162.15	0.00		
17-00826 06/20/17 NO		DPW: 16-3276-4005-19	Open Open	178.55	0.00		
17-00828 06/20/17 NO 17-00829 06/20/17 NO		FIRST AID: 16-3276-0600-16	Open	46.68	0.00		
			Open	133.48	0.00		
17-00830 06/20/17 NO				41.35	0.00		
17-00837 06/23/17 CO		LIBRARY: 8499-05-216-0045946	Open	115.53	0.00		
17-00838 06/23/17 NO			Open	56.46	0.00		
17-00840 06/23/17 NO		GAS - FIRE 2 22-0012-6557-84	0pen	29.11	0.00		
17-00841 06/23/17 NO	0036 NEW JERSEY NATURAL GAS CO.	BORO HALL 22-0007-1767-20	0pen	46.62	0.00	N.	

17-00842 06/23/17 N0036 17-00843 06/23/17 N0036 17-00844 06/23/17 N0036 17-00845 06/23/17 C0083 17-00853 06/26/17 C0062 17-00856 06/27/17 S0124 17-00857 06/27/17 N117 17-00859 06/27/17 N0216 17-00869 06/29/17 V0026 17-00869 06/29/17 W0006 17-00869 06/29/17 C0055 17-00870 06/29/17 C0058 17-00872 06/30/17 R0125 17-00873 06/30/17 C0083	NEW JERSEY NATURA NEW JERSEY NATURA COMCAST CENTRAL JERSEY HE. SHERATON ATLANTIC BEATLEMANIA STAGE STEVE BARLOTTA - VERIZON WIRELESS WATCHUNG SPRING W WEST LONG BRANCH I CUSTODIAN OF SCHOO PATRICIA REEVEY COMCAST	L GAS CO. L GAS CO. ALTH INS FUND CITY SHOW LLC SOUL CRUISERS (ATER BD OF DL MONIES	POLICE DEPT - 22- 299 MON RD:8499 (HEALTH BENEFITS ROOM RESEVATION I REC-COMMUNITY REC MITTER PERFORMAN CELL PHONES WATER-PUBLIC BLDG 5/L-LOCAL SCHOOL 5.R.H.S. TAX 800K-KEEPING SOFT	3-3266-7180-13 oper -0012-4310-51 oper 05 216 0011716 oper 07 oper 1.1/15 - 11/16 oper 1.1/15 - 11/16 oper 1.1/15 - 11/16 oper 07 oper	36.21 80.49 104.85 113,122.00 142.00 2,600.00 2,500.00 275.07 83.37 2,254,817.62 892,265.00 15.00	0.00 0.00 0.00 0.00 0.00 0.00 0.00 0.0
Totals by Year-Fund Fund Description Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
6-01 7-01	40.34	0.00			0.00	40.34
C-04 Total Of All Funds:	5,759.05	0.00	5,759.05	0.00	0.00	5,759.05
			-,,,	0100	0.00	3,337,032.02

Seconded by Councilwoman Mango and carried upon the following roll call vote:

AYES: BRAY, MANGO, MIGLIACCIO, NEYHART, PENTA

NAYS: NONE ABSENT: JULIANO

ABSTAIN: MIGLIACCIO - Motorola Solutions, Inc; George Wall Lincoln

Mercury; Hunter Keystone Peterbilt; Seaboard Fire and Safety; Atlantic Security & Fire, Inc.; Stavola Company; Storr Tractor Co.; Custom

Bandag; Sip's Paints and Hardware

PUBLIC HEARING:

Vincent Lepore, 33 Ocean Terrace, Long Branch, commented on the following items:

- He inquired about the timeframe for the Borough's new website. Councilman Bray advised him that it is expected to be launched during the month of July.
- He questioned whether the special emergency appropriation approved this evening will be bonded. The C.F.O. informed him that it will be raised in the 2018 municipal budget.
- He asked what sidewalks are included under the contract that was awarded this evening. Julie Nastasi, of T&M Associates, replied that it includes sidewalks along parts of Locust Avenue, Franklin Park, and Community Drive, and curbing along Maryland Avenue.
- He wanted to know if the Borough was able to determine why the Wall Street sidewalk application was not funded. He was told that the New Jersey Department of Transportation's Municipal Aid Program is very competitive. He suggested that the template for that application could be used for future applications.
- He asked how the Borough intends to fill the position of Administrator. The Mayor replied that the position will be advertised.

There being no one else wishing to speak, on motion made by Councilman Neyhart, seconded by Councilwoman Mango, and carried unanimously, the meeting was adjourned at 8:38 PM.

BOROUGH CLERK