SUBJECT TO CHANGE
BOROUGH OF WEST LONG BRANCH
COUNCIL MEETING

September 16, 2020
(Immediately Following Caucus Meeting Which Starts at 6:00 PM)

MAYOR JANET W. TUCCI PRESIDES
MAYOR TUCCI REPORTS SUNSHINE LAW COMPLIED WITH
PRESENT: BRAY, CIOFFI, MANGO, NEYHART, PENTA, SNIFFEN
ABSENT:

READING AND APPROVAL OF MINUTES:

REPORTS OF STANDING COMMITTEES:

MAYOR TUCCI:

COUNCILMAN BRAY (FINANCE & ADMINISTRATION):

COUNCILMAN CIOFFI (FIRE & EMS):

COUNCILWOMAN MANGO (RECREATION, ENVIRONMENTAL, & SHADE TREE):

COUNCILMAN NEYHART (POLICE):

COUNCILMAN PENTA (PUBLIC WORKS):

COUNCILMAN SNIFFEN (PUBLIC PROPERTY):

BOROUGH ADMINISTRATOR DOLLINGER:

BOROUGH CLERK COLE:

BOROUGH ATTORNEY BAXTER:

BOROUGH ENGINEER MULLAN:

COMMUNICATIONS:

1. JCP&L's Notice of Public Hearing – In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2021 - BPU Docket No. ER20030190


3. NJ Transit Public Hearing Notice – Senior Citizen and Disabled Residents Transportation Assistance Program (SCDRTAP) Act

4. State Legislators’ Legislative Updates
COMMUNICATIONS:

5. Resolution Opposing All Mail In Ballot Elections – Borough of Union Beach

6. Resolution Opposing All Mail-In Ballot Elections – Borough of Shrewsbury

ORDINANCES:

1. Ordinance No. O-20-11
   An Ordinance Amending and Supplementing Ordinances 7-3.4 and 7-3.5 Regarding Limited Parking Time on Parker Road in the Borough of West Long Branch
   Introduction

RESOLUTIONS:

1. Resolution Appointing Community Development Representative (R-20-98)

2. Resolution Refunding Smoke Detector/Carbon Monoxide Certification Fee (R-20-99)

3. A Resolution of the Borough of West Long Branch
   Recognizing the Importance of the Display of the American Flag on the New Jersey Turnpike Overpasses (R-20-100)

4. Resolution Approving Onsolve Service Agreement (CodeRED) (R-20-101)

5. Resolution Authorizing Refund of Overpayment of Taxes on 38 Pine Avenue (Block 91, Lot 2) (R-20-102)

6. Resolution Authorizing Refund of Overpayment of Taxes on 130, 138 Wall Street and 94 Maple Avenue
   (Block 23, Lots 1, 22.01 & 26) (R-20-103)

7. Resolution Authorizing Release of Performance Guarantees for Aldi, Inc. (R-20-104)

UNFINISHED BUSINESS:

1. Ratify Employment of Ernst Napolean as Public Works Employee

NEW BUSINESS:

1. Recreation Commission Appointment

BILLS AND CLAIMS:

OPPORTUNITY FOR ANY PERSON TO BE HEARD:

MOTION TO CLOSE THE PUBLIC PORTION AND ADJOURN:
ORDINANCE NO. O-20-11

AN ORDINANCE AMENDING AND SUPPLEMENTING
ORDINANCES 7-3.4 AND 7-3.5 REGARDING
LIMITED PARKING TIME ON PARKER ROAD
IN THE BOROUGH OF WEST LONG BRANCH

WHEREAS, the governing body has become increasingly concerned with the
parking of vehicles on Parker Road, west of its intersection with Locust Ave., especially
during school hours; and

WHEREAS, the governing body is concerned with both pedestrian traffic from the
vehicles to the school and back, as well as vehicular traffic coming in either direction on
Parker Road, near its intersection with Locust Ave.; and

WHEREAS, this concern has been heightened because of the COVID-19 pandemic
and the decision of the West Long Branch school district not to bus any children for
grades Kindergarten through 8th Grade beginning with the fall term 2020; and

WHEREAS, the West Long Branch Police Department shares the concerns of the
governing body and has recommended that parking restrictions be placed on the north
side of Parker Road;

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of
West Long Branch that Ordinances 7-3.4 [Schedule II] and 7-3.5 [Schedule III] be
supplemented to read as follows:

SECTION 1.

Ordinance 7-3.4, and Schedule II, regarding Parking Prohibited During Certain
Hours on Certain Streets is supplemented to include the following, such that no person
shall park a vehicle during any of the times prohibited below on the streets indicated:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Hours</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parker Road</td>
<td>North</td>
<td>7 a.m. to 3:30 p.m.</td>
<td>From Locust Avenue to the west side of the stream, which forms the western boundary of Conway Park</td>
</tr>
</tbody>
</table>

SECTION 2.

Ordinance 7-3.5 and Schedule III regarding Stopping or Standing Prohibited
During Certain Hours on Certain Streets is supplemented to include the following, such
that no person shall stop or stand a vehicle between the hours specified:

<table>
<thead>
<tr>
<th>Name of Street</th>
<th>Side</th>
<th>Hours</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parker Road</td>
<td>North</td>
<td>7 a.m. to 3:30 p.m.</td>
<td>From Locust Avenue to the west side of the stream, which forms the western boundary of Conway Park</td>
</tr>
</tbody>
</table>

SECTION 3: EXCEPTIONS.

The parking restrictions set forth in Section 1 above shall not be applicable on
Saturdays, Sundays, Legal Holidays, or between the last day of school in the spring and
the first day of school in the fall.

SECTION 4: REPEALER.

This ordinance repeals any inconsistent ordinance or part of any inconsistent ordinance.

SECTION 5: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication according to law.
Councilmember offered the following resolution and moved its adoption:

RESOLUTION APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVE

WHEREAS, the position of Community Development Representative for the balance of 2020 needs to be filled;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the Borough Administrator, STEPHANIE C. DOLLINGER, be and is hereby appointed to serve in the position of Community Development Representative for the balance of calendar year 2020.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

RESOLUTION REFUNDING SMOKE DETECTOR/ CARBON MONOXIDE CERTIFICATION FEE

WHEREAS, Mark Keda filed Application for Certificate of Occupancy No. R20-2285 for 71 Fulton Avenue, West Long Branch, and paid the required fee of $225.00 for the Certificate of Occupancy and $45.00 for the Smoke Detector/Carbon Monoxide Certification; and

WHEREAS, Mark Keda inadvertently overpaid for the Smoke Detector/Carbon Monoxide Certification; and

WHEREAS, Mark Keda has requested a refund of the $90.00 fee and associated $3.00 convenience fee; 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 $93.00 ($90.00 for the Smoke Detector/Carbon Monoxide Certification and $3.00 convenience fee) be refunded to Mark Keda, 1025 Crawford Avenue, Brooklyn, New York 11223; and

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

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

A RESOLUTION OF THE BOROUGH OF WEST LONG BRANCH
RECOGNIZING THE IMPORTANCE OF THE DISPLAY OF THE
AMERICAN FLAG ON THE NEW JERSEY TURNPIKE OVERPASSES

9/16/20

WHEREAS, since the terrorist attacks of September 11, 2001, American flags have adorned highway overpasses in the State of New Jersey as an unprompted outpouring of patriotism, remembrance, and support; and

WHEREAS, the American flag is generally recognized as the greatest symbol of freedom and liberty around the world; and

WHEREAS, the week prior to the nineteenth anniversary of the 9/11 attacks, the New Jersey Turnpike Authority suddenly decided to bar American flags from being displayed on said overpasses, citing a statute that "posters, or placards, or display any advertising matter of any kind, regardless of the character or content of the message, are not permitted on the roadway"; and

WHEREAS, the American flag is a not a poster, placard, or an advertisement, and the New Jersey Turnpike Authority by inferring thus has disrespected not only the American flag but this country; and

WHEREAS, the New Jersey Turnpike in doing so at this time, has dishonored the patriotic Americans who have served this country and disrespected the not only the lives lost on 9/11 but the survivors and families of those who lost loved ones;

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

1. The Borough of West Long Branch recognizes the symbolism evoked by displays of the American flag consisting of patriotism, support, honor, and remembrance of the sacrifice of American lives for the ideals of our country; and

2. The Borough calls on Governor Murphy regarding his approval to temporarily suspend the removal of the American flags on the New Jersey Turnpike, to ensure the flags remain displayed on overpasses indefinitely.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

RESOLUTION APPROVING ONSOLVE SERVICE AGREEMENT (CODERED)

WHEREAS, ONSOLVE, LLC, 780 West Granada Boulevard, Ormond Beach, Florida 32174, submitted the attached ONSOLVE SERVICE AGREEMENT (CODERED) for a one-year period, which is retroactive to January 1, 2020; and

WHEREAS, the previous Agreement provided for 15,000 system minutes at an annual cost of $3,500.00; and

WHEREAS, the attached Agreement provides for unlimited message units per year for emergency notifications and 10,000 message units per year for non-emergency notifications at an annual cost of $4,000.00; and

WHEREAS, the Borough Administrator has investigated this matter and recommends entering an agreement for this service; and

WHEREAS, funds 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 ONSOLVE SERVICE AGREEMENT (CODERED) is hereby approved and the Mayor and Borough Clerk are hereby authorized to sign the same.

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES ON 38 PINE AVENUE (BLOCK 91, LOT 2)

WHEREAS, a tax overpayment, in the amount of $5,824.23 for the year 2020, has resulted due to the Tax Assessor granting 100% disabled status (as of April 6, 2020) to the property owner of 38 Pine Avenue; and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a refund of the overpayment of taxes as a result of being granted 100% disabled veteran status by the Tax Assessor made by RICHARD F. & SHARON M. KELLY, in the amount of $5,824.23, be made to RICHARD F. & SHARON M. KELLY, 38 Pine Avenue, West Long Branch, New Jersey 07764; and

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

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES ON 130, 138 WALL STREET AND 94 MAPLE AVENUE (BLOCK 23, LOTS 1, 22.01 & 26)

9/16/20

WHEREAS, a tax overpayment, in the amount of $5,415.58, has resulted due to Block 23, Lots 1, 22.01 & 26 no longer existing and were not assessed taxes for year 2020, but the 1st and 2nd quarter taxes were paid by HIGHVIEW HOMES JB, LLC; and

WHEREAS, the Tax Collector has confirmed that a refund of this overpayment is in order;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that a refund of the overpayment of taxes, in the amount of $5,415.58, be made to HIGHVIEW HOMES JB, LLC, 280 Route 35 South, Red Bank, New Jersey 07701; and

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

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

AYES:
NAYS:
ABSENT:
ABSTAIN:
Councilmember offered the following resolution and moved its adoption:

RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE GUARANTEES FOR ADLI, INC.

WHEREAS, a request was received for the release of the performance guarantees in connection with the Aldi, Inc. site plan improvement project, known as Lot 16.01 in Block 70; and

WHEREAS, the Borough Engineer has reviewed the degree of completion of the project and reported by letter dated July 30, 2020, that the applicant has satisfactorily completed all the improvements required by the performance guarantee posted for the project and recommended the release of the performance guarantees subject to the posting of a maintenance guarantee;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of West Long Branch that the performance guarantees and engineering fees posted for this project be released on the following conditions:

A. All outstanding engineering inspection fees in connection with this project shall be paid.

B. A maintenance guarantee shall be posted in the sum of $43,808.00. If such guarantee is in the form of bond or other surety, it shall be subject to the review and approval of the Borough Attorney.

C. The maintenance guarantee shall run for a period of two years.

D. The Finance Office retains $500 of the inspection fees to cover the cost of the final inspection fee associated with the maintenance bond.

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

AYES: 

NAYS: 

ABSENT: 

ABSTAIN:
<table>
<thead>
<tr>
<th>PO #</th>
<th>PO Date</th>
<th>Vendor</th>
<th>PO Description</th>
<th>Status</th>
<th>Amount</th>
<th>Void Amount</th>
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<td>19-01568</td>
<td>12/17/19</td>
<td>W.O. 38</td>
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<td>Open</td>
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<td>20-00378</td>
<td>04/02/20</td>
<td>10045</td>
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<td>936.00</td>
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<td>20-00332</td>
<td>05/04/20</td>
<td>G0070</td>
<td>GARDEN STATE HIGHWAY PRODUCTS</td>
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<td>20-00595</td>
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<td>N0139</td>
<td>NEWSPAPER MEDIA GROUP</td>
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<td>SAMSUNG SUPPLIES PD JUNE 2020</td>
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<td>07/21/20</td>
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<td>NORCIA CORP.</td>
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<td>QUALITY AUTO GLASS</td>
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<td>ADT LLC</td>
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<td>08/24/20</td>
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<td>BORO PRINTING</td>
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<td>CONCAST &amp; XFINITY *</td>
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<td>J0042</td>
<td>JERSEY CENTRAL POWER &amp; LIGHT</td>
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<th>Status</th>
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<th>Revenue Total</th>
<th>G/L Total</th>
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