



AGENDA
Borough of Union Beach
Thursday, March 17, 2016- 8:00 p.m.
Municipal Building- 650 Poole Ave.
Union Beach, NJ

CALL TO ORDER: Meeting called to order by Mayor Paul J. Smith, Jr. at _____ **P.M.**

ANNOUNCEMENT: By Mayor Paul J. Smith, Jr. of the Emergency Fire Exits.

SALUTE TO THE FLAG: Mayor Paul J. Smith, Jr.

SUNSHINE LAW NOTICE: Announced by Clerk

Adequate notice has been given to the public and press on the date, time and place of this meeting, in accordance with P.L 1975, chapter 231, "open public meetings act."

ROLL CALL: Council Members

Mr. Perrella
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

Also Present:
Mayor Paul J. Smith, Jr.
John T. Lane, Jr. Attorney
Robert M. Howard, Jr., Municipal Administrator
Anne Marie Friscia, Municipal Clerk

SET ASIDE THE REGULAR ORDER OF BUSINESS: -March 17, 2016

Mayor Smith calls for a Motion to set aside the Meeting of March 17, 2016 for the following to be added to the regular order of Appointment of Department Head – Public Works (Pending Interview Procedure)

Motion moved by _____, seconded by _____ and approved by voice vote.

RESOLUTION 2016-57 OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY,
APPOINTING _____, _____ AS
MUNICIPAL DEPARTMENT HEAD-PUBLIC WORKS (FULL TIME) FOR THE BOROUGH OF UNION BEACH

Be it Resolved, by the Mayor and Council of the Borough of Union Beach that,
The appointment of the following named person(s) as Municipal Department Head-Public Works of the Borough of Union Beach for a period of one year commencing _____, 2016 contingent upon the finalization of the employment contract is hereby approved and confirmed:

Be it Further Resolved, that the Employment Contract shall be subject to review by the Borough Attorney, reviewed by Council and offered to _____ with the suggestion that he/she get legal review of same.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

OATH OF OFFICE ADMINISTERED TO: _____ **BY:** _____

BACK TO THE REGULAR ORDER OF BUSINESS:

Motion moved by _____, seconded by _____ and approved by voice vote.

APPROVAL OF MINUTES OF THE MEETING OF:

February 18, 2016 Regular Council Meeting

Motion moved by _____, seconded by _____ and approved by voice vote.

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

a. Application for a Fire Fighter – Harris Gardens Fire Company:
Jason R. Habinowski, 602 Cambridge Ave., Union Beach, NJ

b. Application for Raffle License/Gift Auction – Holy Family Alter Rosary Society #RA 152.

Motion moved by _____, seconded by _____ and approved by voice vote.

Recreation Commission Easter Egg Hunt – March 20th – Scholer Park noon- 2 (Boro Hall Rain Location)
Texas Roadhouse Fundraiser to Support Union Beach Recreation – April 20th 4-10 - Wednesday

PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:
MEETING OF MARCH 17, 2016

An Ordinance Entitled:

BOND ORDINANCE 216-230:

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,490,000 FOR VARIOUS IMPROVEMENTS BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,037,832 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

****Clerk announces that she did receive a Supplemental Debt Statement from the Chief Financial Officer for the above Bond Ordinance and it is on file in her office.**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of February 25, 2016.

Mayor Smith directs the Clerk to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough's Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request and copies were posted on the Borough's website and available here tonight (on table)

PUBLIC HEARING ON ORDINANCE NO. 2016-230: MEETING OF FEBRUARY 18, 2016:

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON BOND ORDINANCE NUMBER 2016-230 AT ____ P.M.
MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON BOND ORDINANCE NO. 2016-230 AT ____ P.M.

RESOLUTION NO. 2016- 58: AUTHORIZING FINAL ADOPTION BOND ORDINANCE 2016-230 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS

Paper: The Asbury Park Press,

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

An Ordinance Entitled:

ORDINANCE INTRODUCTION 216-231: 2016 SALARY ORDINANCE

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of February 26, 2016.

Mayor Smith directs the Clerk to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough's Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request and are posted on the Borough's website and available here tonight. (on table).

ANNOUNCEMENT BY JOHN J. LANE, JR., BOROUGH ATTORNEY: Before we open the public hearing, there is an amendment to this Ordinance. First, we need a motion to amend the salary of the Department Head – DPW to be in the range of \$80,000-\$85,000. The reason for this is that the position's employment contract has not been finalized at the time of this adoption, but will fall into this range.

Motion to amend Ordinance No. 2016-231 to include a salary Range of \$80,000.00 to \$85,000.00 for the position of Department Head- Public Works

Motion by _____ seconded by _____ and approved by the following roll call vote:

Roll Call Vote:

Ayes:
Nays:
Absent:

Abstain:

PUBLIC HEARING ON ORDINANCE NO. 2016-231(AS AMENDED) MEETING OF MARCH 17, 2016:

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2016-231 AT ____ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2016-231 AT ____ P.M.

RESOLUTION NO. 2016-59: AUTHORIZING FINAL ADOPTION ORDINANCE 2016-231 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS

Paper: The Asbury Park Press,

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____

Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Perrella

Councilman Wicki:

Councilwoman Roche:

Councilman Williams

Councilman Andreuzzi:

Councilman Cocuzza

Health, Education, Drug Alliance, & Recreation

Finance, Personnel, Administration & Code Enforcement

Emergency Svs. (Fire, OEM) American Legion & Seniors

Public Affairs, Library & Sp. Grants

EMS, Public Works & Building and Grounds & Construction

Public Safety (PD, Court) & Shared Services

MEETING OPEN FOR PUBLIC DISCUSSION: March 17, 2016 Meeting

Meeting opens for Public Discussion at ____ p.m.

Meeting closes for Public Discussion at ____ p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCE NO. 2016- 232-

CALENDAR YEAR 2016

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Union Beach in the County of Monmouth finds it advisable and necessary to increase its CY 2016 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5 % increase in the budget for said year, amounting to \$258,440.49 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Union Beach in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2016 budget year, the final appropriations of the Borough of Union Beach shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$258,440.49, and that the CY 2016 municipal budget for the Borough of Union Beach be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

RESOLUTION NO. 2016-60: AUTHORIZING INTRODUCTION OF ORDINANCE 2016-232 AND FURTHER AUTHORIZING CLERK TO ADVERTISE FOR PUBLIC HEARING FOR APRIL 21, 2016 AT 8:P.M.

Paper: The Asbury Park Press,

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

***ORDINANCE NO. 2016- 233-** An Ordinance amending Section X (Building and Housing) of the General Ordinances of the Borough of Union Beach to amend certain provisions regarding flood insurance regulations and flood damage prevention.

Ordinance No. 2016-233 was introduced on First Reading by _____ seconded by _____ and approved by the following Roll Call Vote:

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-61: AUTHORIZING INTRODUCTION OF ORDINANCE 2016-233 AND FURTHER AUTHORIZING CLERK TO ADVERTISE FOR PUBLIC HEARING FOR APRIL 21, 2016 AT 8:P.M.

Paper: The Asbury Park Press,

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

***ORDINANCE NO. 2016- 234-** An Ordinance amending Section XIII (Land Use and Development Regulations) of the General Ordinances of the Borough of Union Beach to amend certain provisions regarding the height of principal structures.

Ordinance No. 2016-234 was introduced on First Reading by _____ seconded by _____ and approved by the following Roll Call Vote:

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-62: AUTHORIZING INTRODUCTION OF ORDINANCE 2016-234 AND FURTHER AUTHORIZING CLERK TO ADVERTISE FOR PUBLIC HEARING FOR APRIL 21, 2016 AT 8:P.M.

Paper: The Asbury Park Press,

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTIONS: March 17, 2016 MEETING:

RESOLUTION NO. 2016-63: Resolution Amending Temporary Budget CY2016

Resolution #2016-063

March 17, 2016

BOROUGH OF UNION BEACH
EMERGENCY RESOLUTION
N.J.S.A. 40A:4-20 (TEMPORARY
APPROPRIATIONS)

WHEREAS, pursuant to N.J.S.A. 40A:4-19 the Borough Council of the Borough of Union Beach adopted Resolution #2015-195, #2016-035 and 052 to provide temporary funds for the period from Jan. 1, 2016 until the adoption of the Operating Budget for the Borough of

Union Beach, New Jersey; and

WHEREAS, additional appropriations will be required from March 17, 2016 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by a two-third vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF UNION BEACH, NEW JERSEY, that:

1. The governing body by a two-third vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

(A) Operations - within "CAPS":

General Government

Administrative and Executive:

Other Expenses \$ 5,000.00

Office Supplies:

Other Expenses 7,500.00

Assessment of Taxes:

Other Expenses 900.00

Collection of Taxes:

Other Expenses 2,000.00

Legal:

Salaries and Wages 5,000.00

Engineering:

Salaries and Wages 1,000.00

Other Expenses 13,000.00

Planning Board / Zoning Board:

Salaries and Wages 1,500.00

Fire:

Hydrant Service 10,000.00

Hurricane Sandy:

Other Expenses 5,000.00

Road Repair and Maintenance:

Salaries and Wages 97,000.00

Board of Health:

Salaries and Wages 5,000.00

Municipal Court:

Other Expenses 1,000.00

Insurance:

Employee Group Insurance 50,000.00

Code Enforcement:

Salaries and Wages 6,000.00

Unclassified:

Heating Gas - 8,000.00

Telephone - 8,000.00

Irrigation - 3,000.00

Accumulated Sick and Vacation - 30,000.00

Total Operations (Item 8 (A)) -

Within "CAPS" - 258,900.00

Municipal Purposes within "CAPS" -

258,900.00

Operations Excluded from "CAPS"	-	
Capital Improvements:	-	
Purchase of Police Equipment	-	13,000.00
Construction Vehicle	-	9,660.00
Debt Service:	-	
Loan Repayments for Principal & Interest	-	25,876.00
	-	<u>48,536.00</u>
Total Operations Excluded from "CAPS"		
		<u>\$307,436.00</u>

2. This action shall take effect March 17, 2016.

3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Union Beach.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-64: Authorizing Change in the Sewer EDU's for Property Owner, Mr. & Mrs. Ronald Gaidus, Block 5, Lot 21, 122 Dock Street, Union Beach, (PENDING CONTRACTOR LETTER WITH MARKINGS)

Whereas, Mr. & Mrs. Gaidus, property owners of 122 Dock Street, Block 5, Lot 21 have requested and presented evidence to the Code Enforcer's Office in the form of an inspection of the property; and,

Whereas, Mr. Robert Parsells, Code Enforcement Officer for the Borough of Union Beach, has inspected the premises and has recommended to the Mayor and Council that Mr. & Mrs. Gaidus's property is an empty lot and has no water or need of sewer as of this date. It is his recommendation to decrease the units billed from one (1) to (0) units with the understanding that if additional units be added in the future, all additional fees will be charged to owners, Mr. & Mrs. Ronald Gaidus.

Now therefore be it Resolved, that the Sewer Units to be charged to property owner of 122 Dock Street, Block 5, Lot 21 will be one (0) Units; and this change to the billing shall be effective retroactive to January 1, 2016.

Be it further Resolved, that the Clerk is hereby directed to supply a copy of this Resolution to the Sewer Department, Engineer's Office and the BRSA for their records.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-65: Resolution Authorizing Agreements with the Monmouth County LINCS Agency County Agencies and Government Local Health Department , Local Government Officials and Private Facility Representatives for Use of Private Facilities for Mass Prophylaxis/Vaccinations OEM Requesting the Borough Hall and Memorial School – Two Separate Agreements to be signed.

Whereas, professional and support staff from the public and private sector represent the frontline resources and local foundation for preparedness and response to public health threats and emergencies, as well as for local public health system assessment and planning, in accordance with good public health practices, and;

Whereas, during any such emergencies, personnel and facilities must be identified as being available to the greatest extent possible, to be used to dispense prophylactic medications and/or vaccinations to prevent illness and stop the spread of disease, and;

Whereas, the Public Health Emergency Response Plan requires the identification of private and public facilities which can be used on a temporary basis, in emergent situations such as natural disasters or bioterrorism attacks, to provide mass dispensing sites for medications/vaccinations to the public, and;

Whereas, it is critical that these resources and their capacities and performance be thoroughly prepared for, and on call, as a recognized community resource to ensure the safety and welfare of the public, and;

Whereas, these facilities are being identified, coordinated and their capabilities enhanced in close collaboration with the LINCS agency, local health department, the New Jersey Department of Health (NJDOH) and other public healthcare partners within each local region, and on a statewide basis as part of the Public Health Emergency Response Plan to provide the appropriate medical services to safeguard the entire population within the local region and the State of New Jersey.

Now Therefore, The Parties Identified Below Agree:

1. In the event of a bioterrorism or natural occurring emergency, which occurs within the jurisdiction of Monmouth County, the Public Health Official named herein and/or designee will contact the Principal of the facility or facilities, also named herein, it seeks to access, to request admission to the facility in question. In the event such an emergency does not occur while the facility is open/accessible, said facility will provide access to the Public Health Official for use during the emergency.
2. Each participating facility shall provide a round-the-clock, twenty-four hour basis emergency telephone number for at least three contact persons. This facility information will be provided in writing to the county LINCS health department designated below.
3. Each Facility representative will provide authorization and access to the greatest degree possible, to the facility in question for the purposes of the public health emergency.
4. Operational space, and customary/essential janitorial services of this facility will be provided by the facility for purposes of the public health emergency.
5. All other operations and responsibilities of the dispensing site shall be provided by the County of Monmouth and will be responsible for any costs above and beyond those ordinarily incurred by the facility.
6. All security during this time of need shall be provided, pursuant to the County's Emergency Operations Plan, by law enforcement agencies.
7. The participating facility will not be required to provide said security for the facility.

Resolution Offered by: _____ Secoded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-66: Authorizing the Appointment of Mary E. Mancini to the Title of Assistant to Department Head-Public Works at a salary determined by the 2016 Salary Ordinance effective January 3, 2016.

WHEREAS, the Borough of Union Beach is presently in need of an Assistant to Department Head-Public Works, Part Time; and, Ms. Mancini has been working with the Department of Public Works since December, 2010 in the Public Works Department; and

WHEREAS, the Mayor and Council desire to appoint Mary E. Mancini as Assistant to the Department Head-Public Works (part time) for the Borough of Union Beach, effective January 3, 2016; and

WHEREAS, Ms. Mancini's salary for the position of Assistant to Department Head- Public Works (part time) is authorized in the Borough of Union Beach's 2016 Salary Ordinance,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, as follows:

1. That Mary E. Mancini, Union Beach, 07735 is hereby appointed as Assistant to Department Head-Public Works effective January 3, 2016.
2. That Ms. Mancini shall be compensated with a salary at the rate as authorized in the Borough of Union Beach Salary Ordinance of 2016. There are no additional benefits associated with this position.

That a certified copy of this resolution be forwarded to Ms. Mancini, the Personnel Committee and the Finance Department.

Resolution Offered by: _____ Secoded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-67: RETURN OF PERFORMANCE BOND AS RECOMMENDED BY ENGINEER TO AURORA ASSOCIATES AMOUNT UPON POSTING OF REQUIRED MAINTENANCE BOND IN THE AMOUNT OF \$11,222.78 FOR A PERIOD OF TWO YEARS

Whereas, the Borough Engineer has reported to the Governing Body that final inspection of the project, "American Legion Post 321" block 21, lots 7 and 8, has been satisfactorily completed and does recommend the release of the "Performance Guarantee" held by the Borough of Union Beach, as follows:

Whereas, the Borough's Ordinance requires the posting of a "Maintenance Bond" upon release of the performance bond to run for a period of two (2) years from the date of the release of the performance bond, as follows:

- 1. Maintenance Bond in the amount of \$ 11,222.78 (either cash or a form of surety acceptable to the Borough) (for a period of two years)
- 2. Maintenance Bond Inspection Fees \$ 748.19

Now, Therefore Be It Resolved by the Governing Body of the Borough of Union Beach, that they do hereby authorize the release of the Performance Guarantee as stated herein, and:

Be it Further Resolved that a "Maintenance Bond" as enumerated herein, be posted with the Borough of Union Beach and any other fees, in accordance with the recommendations of the Borough Engineer, as stated in his letter of March 2, 2016.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-68: Authorizing the Borough's Continued Participation in the Bayshore Hazard Mitigation Plan- Annual Resolution Required per OEM Coordinator, Michael Harriott.

WHEREAS the **Borough of Union Beach** of the County of Monmouth, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property and;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk and;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the Monmouth County Multi-Jurisdictional All Natural Hazards Mitigation Plan and;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee and;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and;

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the **BOROUGH OF UNION BEACH:**

- 1. The Monmouth County Multi-Jurisdictional *Hazard Mitigation Plan*, as approved by the New Jersey Office of Emergency Management and the Federal Emergency Management Agency on April 14, 2015 is hereby adopted as an official plan of the **BOROUGH OF UNION BEACH** in the County of Monmouth.
- 2. The Municipal departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
- 3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the **Mayor and Council** and this resolution shall not be interpreted so as to mandate any such appropriations.
- 4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Monmouth County Office of Emergency Management. The status reports shall be submitted by September 15th of each year.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016- 69:

**RESOLUTION OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH,
STATE OF NEW JERSEY, REQUESTING THAT GRANDFATHERING
PROVISIONS BE INCLUDED IN NATIONAL FLOOD INSURANCE LAWS
TO PROTECT HOMEOWNERS WHOSE HOMES ARE BUILT TO
ELEVATIONS ACCEPTABLE AT THE TIME OF CONSTRUCTION OR
RECONSTRUCTION**

WHEREAS, Super Storm Sandy struck the State of New Jersey, inflicting unprecedented damage throughout the State and causing catastrophic flooding and damage to communities across the State, including the Borough of Union Beach; and

WHEREAS, as a result of the disaster, many homes were substantially damaged, requiring them to be rebuilt; and

WHEREAS, as a result of the disaster, the Federal Emergency Management Agency (FEMA) released Base Flood Elevations (BFE) to aid communities in rebuilding; and

WHEREAS, these BFEs have dictated how substantially damaged homes were rebuilt, requiring not only certain building materials and designs, but structural elevations as well through National Flood Insurance Laws; and

WHEREAS, Super Storm Sandy also impacted homes not substantially damaged, placing them in new zones following the adoption of FEMA's maps, which now require them to be at higher elevations and built to a different code; and

WHEREAS, these homeowners, because their homes were not substantially damaged, do not qualify for State and Federal programs to raise their homes to the levels consistent with the BFEs or rebuild to current building standards; and

WHEREAS, by not including a grandfathering provision in the National Flood Insurance Laws, these homeowners are either forced to elevate and remodel, or pay increased flood insurance premiums or will lose value in their homes upon resale as their homes will be valued less by potential buyers who will be forced to elevate them; and

WHEREAS, this results in a reality that is unfair given the inability for these homeowners to qualify for programs to assist them in bringing their homes into compliance; and

WHEREAS, the only way to ameliorate this injustice is to insert a grandfathering provision into National flood insurance laws to permit those homes not substantially damaged to be deemed compliant, provided they were appropriately constructed or reconstructed to standards at that time; and

WHEREAS, due to the projected thousands of individuals who will be affected unfairly by these provisions in flood insurance laws, the Mayor and Council of the Borough of Union Beach requests that a grandfathering provision be included in applicable flood insurance laws to protect homeowners whose homes were not substantially impacted by Super Storm Sandy but will be substantially impacted by the requirements of these laws.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Union Beach, County of Monmouth, State of New Jersey, as follows:

1. That the Mayor and Council requests that a grandfathering provision be included in flood insurance laws to protect homes that were not substantially damaged from the building and elevation requirements of these laws.
2. That upon the adoption of this resolution, the Borough Clerk is authorized and directed to forward a certified copy of said resolution to the Governor of the State of New Jersey, New Jersey Senate President, New Jersey Assembly Speaker, Commissioner of Department of Community Affairs, Monmouth County Freeholders, Bayshore Conference of Mayors, and the 11th, 12th and 13th Legislative Districts.

RESOLUTION NO. 2016-70:

Authorizing the Lease/Purchase of two (2) Vehicles under State Contract, to be used by the Union Beach Police Department

Be it Resolved by the Governing Body of the Borough of Union Beach that the lease/purchase of two (2) vehicle from State Authorized vendor Mall Chevrolet in the amount of \$79,613.00, minus insurance proceeds of \$29,100.00. The remaining balance to be paid by lease/purchase agreement.

Purchase of the two vehicles is hereby approved by the Governing Body and authorized for the use of the Union Beach Police Department.

Be it Further Resolved that the Clerk is authorized to provide a copy of this Resolution to the Finance Department and Ford Motor Credit.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2016-71: Authorizing the use of Union Beach Property for a Dance Mob Fundraiser on May 15, 2016

Whereas, Perma Dance Studio has requested the use of our Beachfront for an event to recognize National Dance Week and support Union Beach’s continuing Superstorm Sandy relief efforts and

Whereas, the Borough wishes to honor Perna’s request for this fundraising event; to be held on Sunday, May 15, 2016; and,

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Union Beach, Union Beach, New Jersey, that permission is hereby granted to hold a Dance Mob to be conducted at the Beachfront. This authorization is subject to compliance with the requirements of Borough Officials, including but not limited to the Chief of Police, Director of Fire Prevention, and Public Works.

Be It Further Resolved, that the Department of Public works issue said Activity Permit for this event if necessary and Clerk is directed to send this Resolution to the Insurance Carrier along with a certificate of insurance from Perna Dance Studio.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2016- 72: Offered by Councilman Wicki

Approval of Vouchers/Purchase Orders /Add on List
And Payment of Bills:

Seconded by: _____

Roll Call Vote: Mr. Perrella _____ Mr. Wicki _____ *Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ **Mr. Cocuzza _____

*Ms. Roche abstains on voucher no. 16-00242

** Mr. Cocuzza abstains on all Board of Education and Monmouth County Vouchers

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF MARCH 17, 2016:

Mayor Smith calls for a **Motion to Add:** Introduction of the Following Business to the Agenda:

1. Resolution 2016-73 :

Resolution authorizing the retiring of ABC license number 1350-33-012-006 as license was not renewed for the Period of 2014-2015 and 2015-2016.

Motion moved by _____, seconded by _____, and approved by voice vote.

RESOLUTION NO. 2016-73:

***Authorizing the Retirement of ABC License Number 1350-33-012-006
The Willin Group, Inc . T/A Cervino’s Due to***

WHEREAS, the State of New Jersey, Division of Alcoholic Beverage Control has completed a review of retail license applications submitted for the last two License Terms; and

WHEREAS, License Number 1350-33-012-006 has not been renewed with the Division of ABC in a timely manner, and is beyond the point of renewal, and Licensee had not petitioned the Division for Relief pursuant to N.J.S.A. 33:1-12:39 as notified in October of 2014; and

WHEREAS, the Governing Body may not consider the license for renewal as no Special Ruling was obtained;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body hereby retire ABC License Number 1350-33-012-006 and be it further resolved that this License Number does hereby cease to exist. Clerk is hereby directed to send copies of this signed, sealed resolution to the Division of Alcohol Beverage Control, the Licensee and the Police Chief.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

EXECUTIVE SESSION: RESOLUTION NO. 2016-: (if necessary)

Be it Resolved, by the Governing Body of the Borough of Union Beach that;
The Governing Body retire into Closed Session for the exclusion of public subject matter of discussion under N.J.S.A 10:4-12 (b) _____ . Same to be determined by the Governing Body as to the time when and the circumstances under which the closed session discussion of the Governing Body can be made public.

Motion moved by _____ seconded by _____ and approved by unanimous voice vote.
The Governing Body retired into executive session for a matter of _____ at _____ **p.m.**

Motion to reconvene meeting moved by _____ seconded by _____, and approved by unanimous voice vote.

RECONVENE MEETING: at _____ p.m.

ROLL CALL: Council Members

Mr. Perrella
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

Also Present:

Mayor Paul J. Smith, Jr.
John T. Lane, Jr., Attorney
Robert M. Howard, Jr., Borough Administrator
Anne Marie Friscia, Municipal Clerk

ATTORNEY: PURPOSE:

ADJOURNMENT: _____ p.m. Motion moved by _____, seconded by _____ and approved by unanimous Voice Vote.