



AGENDA
Borough of Union Beach
Thursday, November 23, 2015, 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.**

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

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

SUNSHINE LAW NOTICE: Announced by Deputy 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. 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

MAYOR SMITH CALLS FOR NOMINATIONS FOR THE POSITION OF POLICE CAPTAIN (PROVISIONAL)

MOTION BY: _____ NOMINATING ; _____ SECONDED: _____

VOICE VOTE:

RESOLUTION 2015-184:

AUTHORIZING THE PROVISIONAL APPOINTMENT OF POLICE CAPTAIN

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

**THE APPOINTMENT OF
MICHAEL J. WOODROW
145 MORNINGSIDE AVENUE
UNION BEACH, NJ 07735**

As Police Captain of the Borough of Union Beach (Provisional Appointment), as made by the Mayor and Council effective as of November 23, 2015, at a Salary in accordance with the current Salary Ordinance 2015-222 is hereby approved and confirmed, and:

BE RESOLVED, that the Clerk be is hereby authorized to forward the necessary forms to the State Civil Service Commission for said appointment; along with a request to the Commissioner of the State Civil Service.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to Mr. Michael J. Woodrow, and the Finance Department.

Roll Call Vote:

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

Motion to SET ASIDE THE REGULAR ORDER OF BUSINESS: November 23, 2015

1. Oath of Office Administered to Michael Woodrow for the position of Police Captain (provisional) – by Bishop David M. O’Connell and Father Brian Patrick Woodrow
2. Oath of Office Administered to Michael DelRe for the position of Tax Assessor

BACK TO THE REGULAR ORDER OF BUSINESS: November 23, 2015

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

APPROVAL OF MINUTES OF THE MEETING OF: October 23, 2015 Meeting
Motion moved by _____, seconded by _____ and approved by voice vote.

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

New Firefighter Application – Union Gardens Fire Company:
Alex Caden, 703 Shore Road, Union Beach

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

PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:
REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

<u>_____</u>	<u>Health, Education, Drug Alliance, & Recreation</u>
<u>Councilman Wicki:</u>	<u>Finance, Personnel and Administration</u>
<u>Councilwoman Roche:</u>	<u>Emergency Svs. (Fire, OEM) American Legion & Seniors</u>
<u>Councilman Williams</u>	<u>Public Affairs, Library, Sp. Grants, Construction & Code Enforc.</u>
<u>Councilman Andreuzzi:</u>	<u>EMS, Public Works & Building and Grounds</u>
<u>Councilman Cocuzza</u>	<u>Public Safety (PD, Court) & Shared Services</u>

MEETING OPEN FOR PUBLIC DISCUSSION: November 23, 2015 Meeting

Meeting opens for Public Discussion at ____ p.m.

Meeting closes for Public Discussion at ____ p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES: (none)

RESOLUTIONS: November 23, 2015 MEETING:

RESOLUTION 2015-185:

AUTHORIZING THE SIGNING OF THE NJ DOT SCAT AGREEMENT

Be it Resolved, by the Governing Body of the Borough of Union Beach that;

Agreement with the Board of Chosen Freeholders of the County of Monmouth, and the Borough of Union Beach, for Special Citizens Area Transportation System (SCAT) for the year 2016 for one-half day per week at a cost of \$78.00 per week, be and the same is hereby approved and confirmed, and

Be it further resolved, that the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Union Beach, and attested to by the Borough Clerk.

Roll Call Vote:

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

RESOLUTION NO. 2015-186: Authorizing Budget Transfers to the 2015 Budget.(to be provided by Finance Dept.)

BOROUGH OF UNION BEACH
COUNTY OF MONMOUTH
RESOLUTION
TRANSFER OF CY 2015 BUDGET APPROPRIATIONS

WHEREAS, Certain Appropriations for the Budget Calendar Year 2015 require modifications in order to balance the cost of operations for said year; and

WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the year transfers may be made from unexpended balances to those appropriations

deemed insufficient to fulfill the purpose of such appropriations.

THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Union Beach, County of Monmouth that the following transfers in the amount of

\$11,250.00 for the Current Fund Budget between CY 2015 budget Appropriations:

	<u>Current Fund</u>		<u>From</u>		<u>To</u>
Operations - within "CAPS":					
General Government					
Unclassified:					
Electric	\$ (11,250.00)				
Accumulated Sick and Vacation					11,250.00
Total Transfers	\$ (11,250.00)				\$ 11,250.00

Roll Call Vote:

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

RESOLUTION NO. 2015-187: Requesting a Dedicated Trust by Rider be approved for the Disposal of Forfeited Assets

Resolution Requesting Approval of the Director of Local Government Services for to Establish a Dedicated Trust by Rider for Disposal of Forfeited Property (NJS 2C:64-6)

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is not subject to reasonable accurate estimates in advance, and

WHEREAS, N.J.S. 40:55d-53.1 allows municipalities to receive amounts for disposal of forfeited property, and

WHEREAS, N.J.S.A.40a:4-39 provides that the Director of the Division of Local Government Services may approve expenditures of monies by dedication by rider,

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. The Mayor and Council hereby request permission of the Director of the Division of Local Government Services to pay expenditures for Disposal of Forfeited Property as per N.J.S.A. 40A:4-39.
2. The municipal clerk of the Borough of Union Beach is hereby directed to forward two certified copies of this resolution to the Director of the Division of Local Government Services.

Roll Call Vote:

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

PROPOSED RESOLUTION NO. 2015-188-: Authorizing payments to the LOSAP (Length of Service Award Program) for qualified volunteer EMS and Fire Personnel

Be it Resolved by Mayor and Council of the Borough of Union Beach, that

WHEREAS, the Voters of the Borough of Union Beach approved a public question establishing the creation of a Length of Service Awards Program (LOSAP) on November 4, 2003,

WHEREAS, each year the participating companies must submit a list of eligible personnel in order to received credits for under the plan,

WHEREAS, the Borough of Union Beach has received and verified the aforementioned list and hereby directs the Chief Financial Officer to deposit the appropriate amounts into each participants account,

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF UNION BEACH, hereby approves the attached list for participation into the Borough’s LOSAP as of December 31, 2014.

Roll Call Vote:

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

RESOLUTION NO. 2015-189: Authorizing Award of Bid to contractor for Solid Waste if bid is favorable.

Award of Bid

“Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services”

Whereas, bids were received and opened in public on Thursday, November 12, 2015 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for “Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services” and;

Whereas, Edward G. Broberg, Borough Engineer reviewed all four (4) bids received and recommended award to the lowest, responsible bidder at Meeting of November 23, 2015, M&S Services, P.O. Box 332, Middletown, NJ 07748 (low bidder) for a five (5) year period commencing January 1, 2016.

M&S Waste Services, Inc.

	Solid Waste	Bulk Waste	Recyclable Materials	Total
Total (Years 1,2, & 3)	\$472,922.18	\$97,336.71	\$160,946.06	\$731,204.95
Year 4	\$165,173.62	\$34,067.54	\$56,346.30	
Total (Years 1,2,3, & 4)	\$638,095.80	\$131,404.25	\$217,292.36	\$986,792.41
Year 5	\$168,639.41	\$34,841.70	\$57,555.80	
Total (Years1,2,3,4 & 5)	\$806,735.21	\$166,245.95	\$274,848.16	\$1,247,829.30

Delisa Waste Services

	Solid Waste	Bulk Waste	Recyclable Materials	Total
Total (Years 1,2, & 3)	\$624,000.00	\$156,000.00	\$255,000.00	\$1,035,000.00
Year 4	\$210,000.00	\$54,000.00	\$90,000.00	
Total (Years 1,2,3, & 4)	\$834,000.00	\$210,000.00	\$345,000.00	\$1,389,000.00
Year 5	\$214,000.00	\$55,000.00	\$95,000.00	
Total (Years1,2,3,4 & 5)	\$1,048,000.00	\$265,000.00	\$440,000.00	\$1,753,000.00

Waste Management of NJ, Inc.

	Solid Waste	Bulk Waste	Recyclable Materials	Total
Total (Years 1,2, & 3)	\$766,548.00	\$159,912.00	\$239,868.00	\$1,166,328.00
Year 4	\$261,900.00	\$55,992.00	\$81,948.00	
Total (Years 1,2,3, & 4)	\$1,028,448.00	\$215,904.00	\$321,816.00	\$1,566,168.00
Year 5	\$268,440.00	\$57,384.00	\$84,000.00	
Total (Years1,2,3,4 & 5)	\$1,296,888.00	\$273,288.00	\$405,816.00	\$1,975,992.00

Central Jersey Waste & Recycling

	Solid Waste	Bulk Waste	Recyclable Materials	Total
Total (Years 1,2, & 3)	\$1,024,200.00	\$111,960.00	\$212,850.00	\$1,349,010.00
Year 4	\$351,650.00	\$38,810.00	\$73,078.50	
Total (Years 1,2,3, & 4)	\$1,375,850.00	\$150,770.00	\$285,928.50	\$1,812,548.50
Year 5	\$362,200.00	\$39,975.00	\$75,270.00	
Total (Years1,2,3,4 & 5)	\$1,738,050.00	\$190,745.00	\$361,198.50	\$2,289,993.50

Now, Therefore be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the “Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services” is hereby awarded to **M&S Services, P.O. Box 332, Middletown, NJ 07748** on their low base bid of **\$1,247,829.30** for the “Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services” in the Borough of Union Beach, in accordance with the recommendation of the Borough Engineer, Edward G. Broberg’s letter dated November 12, 2015, attached.

Be it Further Resolved, that said award be subject to funds being available; the approval of the Borough Attorney, John T. Lane, Jr., Esq. and the New Jersey Dept. of Labor, Office of Wage and Hour Compliance.

Be it also resolved, that the Mayor is authorized to sign said contract on behalf of the Governing Body of the Borough of Union Beach and Clerk is hereby authorized to attest to same.

Roll Call Vote:

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

RESOLUTION NO. 2015-190- Authorizing Amending the Fee Schedule charged by Public Works for maintenance done to residential properties. (Admin. to provide)

Whereas, the Union Beach Code Enforcer and/or the Union Beach Board of Health receives complaints from time to time of unsightly and unkempt properties within the Borough of Union Beach, said violations being under the Property maintenance code, and;

Whereas, after proper notice to the owners of said properties where the violations occur, the owners fail to correct said violations within a certain time frame.

Be it Resolved, by the Mayor and Council of the Borough of Union Beach, that,

the Union Beach Code Enforcer and/or the Union Beach Board of Health shall notify the Director of Public Works of said violations and location of the properties, and;

Be it Further Resolved, that the Director of Public Works is hereby authorized and directed to enter upon said land for the purpose of cleaning up said properties of such violations under the property maintenance code, and notify such officials to place a lien on said properties in accordance with following fee schedule:

- Minimum charge of \$250.00 for one employee with light equipment for up to one hour.
- Each additional hour or part thereof for initial employee and light equipment - \$125.00
- Additional employee for initial hour and each additional hour or part thereof - \$100.00
- Use of Borough owned heavy equipment - \$175.00 per hour or part thereof per piece of equipment
- Rental of heavy equipment – actual cost plus \$50.00 administration fee.

Roll Call Vote:

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

PROPOSED RESOLUTION NO. 2015-191: Authorizing the waiving of the Borough Fee for the LGCCC License for the American Legion Pull Tab machine for the year 2015/ 2016

Be it Resolved by the Mayor and Borough Council of the Borough of Union Beach that;

The American Legion Post 321 has applied for an Instant Raffle Machine to be located at the American Legion on Front Street.

The Clerk is directed to sign the application and process the paperwork with the State of New Jersey Legalized Games of Chance Control Commission. The State Fee will be \$750.00. The Borough of Union Beach will waive its fee for the year 2015/2016.

Roll Call Vote:

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

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2015- 192: Offered by Councilman Wicki

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

Seconded by: _____

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

*Ms. Roche abstains on voucher no. 15-01312

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

EXECUTIVE SESSION: RESOLUTION NO. 2015-193 (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. 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:

1 _____

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF NOVEMBER 23, 2015:

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

FORMAL ACTION TO BE TAKEN TO FILL COUNCIL SEAT VACANCY:

Motion to add business to Agenda moved by _____ seconded by _____, and approved by unanimous voice vote

MAYOR SMITH CALLS FOR NOMINATIONS FOR THE OFFICE OF COUNCILPERSON:

COUNCILMEMBER: _____ **PROPOSES:** _____ **AS COUNCILPERSON OF THE BOROUGH OF UNION BEACH TO FILL THE VACANCY OF COUNCILMAN MASCILAK'S UNEXPIRED TERM.**

SECONDED BY: _____

Roll Call Vote:

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

2nd Nomination (if necessary)

3rd Nomination (if necessary)

RESOLUTION NO. 2015-194 :

**RESOLUTION APPOINTING COUNCILMEMBER TO FILL VACANCY
CREATED BY RESIGNATION OF LAWRENCE T. MASCILAK, JR.**

WHEREAS, the Borough of Union Beach Mayor and Council received a letter of resignation on October 29, 2015 by Councilmember Lawrence T. Mascilak, Jr. dated October 21, 2015, and

WHEREAS, the municipal committee of the political party shall present within 15 (fifteen days) to the Borough Council the names of three nominees for the selection of a successor to fill the unexpired term, and

WHEREAS, within 30 (thirty days) of the occurrence, the Governing Body must fill the vacancy by appointment (N.J.S.A. 40A:16-11) to complete the unexpired term of Lawrence T. Mascilak, Jr. which expires on December 31, 2016, and

WHEREAS, the Democratic Organization Municipal Chairman of the Borough of Union Beach has submitted the following three names,

- 1. Mr. Ryan Sobin, 543 Aumack Avenue
- 2. Mr. Timothy J. Perella, 610 Shore Road
- 3. Ms. Shane Simone Dannecker, 726 Lorillard Avenue

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough Union Beach, County of Monmouth, that (Name of Nominee) be appointed to complete the unexpired term of Councilman Lawrence T. Mascilak, Jr., and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the following:

- 1. Paul J. Smith, Jr., Republican Organization Municipal Chairman
- 2. Kenneth Connors, Democratic Organization Municipal Chairman

Roll Call Vote:

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

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCILPERSON:

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

Respectfully Submitted: _____