



MINUTES
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 **8:00 P.M.**

SALUTE TO THE FLAG: By Monmouth County Sheriff Shaun Golden

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

INVOCATION: By Bishop David M. O'Connell

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. 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: Councilman Cocuzza **NOMINATING:** Detective Sgt. Michael J. Woodrow **SECONDED:** Councilman Wicki

ROLL CALL VOTE:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza
Nays: None
Absent: None

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, and;

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:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza
Nays: None
Absent: None

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

Motion moved by: **Councilman Cocuzza, Seconded by Councilman Wicki and approved by unanimous voice vote.**

Oath of Office Administered to Michael J. Woodrow by Bishop David M. O’Connell and Father Brian Patrick Woodrow

(Clerk directed to admin. oath on 11/24 and have oath signed by Captain Woodrow)

Monmouth County Sheriff and Freeholders John Curley, Lillian Burry and Serena DiMaso present award to Michael Woodrow for his many years of dedicated service to the training of youth recruits at the Monmouth County Police Academy. Sheriff Golden thanks Mike on behalf of the Academy, the Freeholders who support the academy, the Chiefs of Police Association congratulates him on his promotion.

Captain Woodrow thanks his family, his friends, Borough Mayor and Council and his fellow Officers.

Oath of Office Administered to Michael DelRe by Borough Attorney, John T. Lane for the position of Tax Assessor. *(Resolution Previously Approved.)*

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

Motion moved by Councilman Cocuzza, seconded by Councilwoman Roche and approved by voice vote to return to the regular order of business.

APPROVAL OF MINUTES OF THE MEETING OF: October 23, 2015 Meeting

Motion moved by Councilman Wicki, seconded by Councilman Cocuzza 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 Councilman Wicki, seconded by Councilman Cocuzza and approved by voice vote

(Malfunction of recording device. – Now recording as room empties.)

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

Councilman Cocuzza Public Safety (PD,Court) & Shared Services

Municipal Court Report October 2015:

\$11,026.90 –

\$1,051.00 – Public Defender Fees

\$6.00 – POAA Fees

\$240.00 Beachfront Parking Tickets

Police Report:

Sgt. Taddeo completed ICS 300 Training

Ptl. Trembley, Smith, Harriot and Friscia completed Patrol Tactics

Ptl. Smith and Friscia completed a week long training class for HGN (Horizontal Gaze Nystagmus) to be used for DWI enforcement.

Ptl. Harriott will be getting trained as a DARE Officer for two weeks and will complete this training in early December. We should be set to start the DARE training in the school by January. This is a 10-week program, which should allow enough time to complete before the school year ends. The Police Chief is working with the New Jersey State Police to get 2 or 3 officers trained as a (DRE) Drug Recognition Expert, to assist in the charging and prosecution of DWI cases involving drugs.

There were two life-saving calls recently – 1 CPR and 1 Narcan to be addressed at a later date for commendations.

The Police Department has ordered two new vehicles. One to replace a vehicle from an accident earlier in the year and one for calendar year 2015.

Three Academy Recruits are set to graduate December 17th and will begin (FTO) Field Training immediately and should be completed early March 2016.

Corporal Jeff Beacham will retire on January 31, 2016 and we will need to discuss a new hire in the future for the August Academy Class. Patrolman Gilkison will return to the Department January 1st to fill the now vacant Detective Division. Captain Woodrow will spend a couple of weeks bringing him up to speed in that office.

Mr. Cocuzza addresses the Sheriff regarding an incident on Dibling Street regarding a young man barricading himself in his home. His parents had come to the police department for help. The young man threatened the police officers. The officers followed procedures and called out the Monmouth County Sheriff's Department CERT team. Mr. Cocuzza and Chief Ervin were on site with Ptl. Friscia, Ptl. Harriott and Special Officer Higgins and Chief Dombrowski, they handled the situation professionally with compassion. They understood that this young man had issues and challenges. They used resources at their disposal and no force was used. He thanks all for their professional response and the County's efforts and resources to back up our Municipal resources.

Sheriff Golden comments on the program and how well we all work together.

Councilman Wicki:

Finance, Personnel and Administration

The number of abandoned properties in the Borough continues to be a serious problem. While we as a Council are doing all that we can do legally, to address the problem, the process moves much slower than what we would like. There are times due to the safety and well being of the residents that we are forced to use our Public Works Employees to clean up these properties. We do have an Ordinance in place that allows us to place a lien on these properties to re-coop the cost incurred by the Borough for performing this work. The Ordinance is very general and the fee schedule is quite ambiguous. For the past three years there are numerous properties that require the services of the Borough workers. The scope of the work performed varies greatly. The amount and type of equipment that is required to be used on these projects. It has become necessary to both clarify the wording of this Ordinance and to specify the fees charged and for what the fees are used for. There is an update on this Agenda for this evening which spells out more specifically the rates per hour and the rate for the equipment used. Our hope is that by placing liens on these properties that we can actually re-coop our costs so that when these properties are sold we do get our money back.

Also, on tonight's agenda we have our Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal contract. Our current contract expires at the end of the year. We did receive bids from four companies which were opened on November 12th. It is our intention to award that bid tonight. We are recommending to award to the lowest bidder M&S. Their bid is \$500,000.00 less than the next lowest bidder. This is a 5-year contract period. M&S has been with the Borough for several years. They know the town and have a good repore with the Public Works Department. If there are problems or complaints Mary Mancini gets them resolved very quickly. There are a few concerns by some residents which were factored into the new contract, including starting too early. He wishes all a happy and healthy Thanksgiving with safe travels for all who are travelling to be with loved ones this week.

Councilwoman Roche:

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

American Legion: November 29 there will be a tailgate party. Veterans Day Service was beautiful as usual.

OEM – Members are looking to further their education with an Emergency Management Program. It is an 80-hour program sponsored by Fairleigh Dickenson. It provides them with three college credits. The course starts on February 4th and is \$400.00 per person and they have not decided how many they will send yet. They are also working on a new evacuation procedure with Monmouth County that is going to be color-coded. (more information to follow) OEM vehicles are being maintained before the winter sets in. OEM is also updating their bylaws. The next meeting will be January 27th at 7 p.m. There is no meeting scheduled for November or December.

Fire Department:

Changing of the Badge Service will take place on Friday, December 18th at the Harris Gardens Fire Company at 7 p.m.

Please remember your fire safety :

- don't plug in too many lights into one outlet
- if you have a real tree, make sure it is watered and the needles do not dry out.
- Be careful when putting your lights outside, secure your ladders and remember fires can start outside also.

Councilman Williams

Public Affairs, Library, Sp. Grants, Construction & Code Enforc.

Library Report: There are many things going on at the Library. Please come out and support the Library on a Wednesday Night come out and check out the Library and the Association. The more help that they get, the more programs and things they can do.

The library association meets on the first Wednesday every month at 7pm in the library. Our next meeting is scheduled for November 4th.

We have our regular baby and school age story time on the 2nd and fourth Monday afternoons.

The library, in conjunction with the Bayshore Family Success Center, will be offering free tutoring and homework help every Saturday from 10-12pm beginning Saturday, October 17th.

The library is also looking to provide supplies and a place for students to work on school projects. We are accepting donations of poster board, glue/glue sticks, shoeboxes, foam sheets and yarn/string. Please spread the word, we would like to make these supplies available to the kids as soon as possible.

The library will be hosting a student art exhibit presented by Arts in Education during the month of November.

In addition, there will be a reception to acknowledge the students who painted permanent canvases for our new children's room. The reception will be held on November 18th from 4-6pm. We encourage our council and mayor to attend if you are available. This project has been almost a year in the making and we are really looking forward to completing the room.

The library will be accepting "Food4Fines" from now until November 30th. Any outstanding fines will be removed with the donation of a non-perishable food item. All donations will benefit the Loaves and Fishes food pantry at Faith Chapel.

Our annual Pictures with Santa fundraiser is scheduled for Sunday November 29 from 2-4 pm.

The library is celebrating 75 years of serving the community and the staff is planning to host a commemorative event in January.

The library is looking for a copies of the 1992 and 1993 Union Beach Memorial Library Calendars for our archives. We will make copies and return your original.

Construction Report – October 2015:

Report for October, 2015

1.) Total Est. Cost of construction since Sandy Storm:	\$ 105,460,448.00
2.) Permit payment received in October 2015:	\$ 83,735.00
3.) Permits Waived since Storm:	\$ 33,330.00
4.) Homes to be Demoed:	112
5.) Homes Demoed since Sandy Storm:	306
6.) Homes raised since Sandy Storm:	226
7.) New Home construction since Sandy Storm:	222
8.) Bank Foreclosures in progress:	179
9.) Construction Department Visitors in October average:	62 A Day

CODE ENFORCEMENT MONTHLY REPORT OCTOBER 31, 2015

NUMBER OF NEW COMPLAINTS RECEIVED – 18 NUMBER OF LETTERS SENT OUT TO RESIDENTS – 57
 NUMBER OF COMPLAINTS RESOLVED – 36

FORECLOSURE HOUSES

NUMBER OF STARTED FORECLOSURE - 179 NUMBER OF COMPLETED FORECLOSURES - 33

VACANT BUILDING REGISTRATIONS

TOTAL REGISTRATIONS THIS MONTH - 10 1ST REGISTRATION FEES COLLECTED - 7

\$500.00 x 7 = \$3,500.00

PRORATED REGISTRATION COLLECTED - 1 \$208.30 x 1 = \$208.30

RETURNED REPEAT REGISTRATIONS - 2

TOTAL INCOME FROM VACANT BUILDINGS - \$3,500.00

TENANT/LANDLORD REGISTRATIONS

TOTAL REGISTRATIONS DONE THIS MONTH – 17

TOTAL 1ST TIME REGISTRATIONS - 12 \$100.00 x 12 = \$1,200.00

TOTAL AMENDMENTS DONE THIS MONTH – 5 \$50.00 x 5= \$250.00

TOTAL INCOME FROM TENANT/LANDLORD REGISTRATIONS – \$1,450.00 CERTIFICATE OF OCCUPANCIES

TOTAL CERTIFICATES DONE THIS MONTH – 17 “CHANGE OF TITLE ONLY” – 2

\$100.00 x 2 = \$200.00 \$125.00 x -0- = -0-

ONE FAMILY DWELLING – 6 \$100.00 x 6 = \$600.00

TWO & MULTI FAMILY DWELLINGS & COMMERCIAL – 9

\$125.00 x 9 = \$1,125.00

TOTAL INCOME FROM CERTIFICATE OF OCCUPANCIES – \$1,925.00

Councilman Andreuzzi:

EMS, Public Works & Building and Grounds

EMS Report: The squad answered 51 Calls in the month of October -= for over 100 calls and clean up hours.

Thank you to the Men and Women of the EMS who service this town 24 hours a day.

The Recipe Book Fundraiser continues. It is on going. Please contact Jackie Shipley should anyone have any recipes that he or she wishes to share. The EMS is still looking for responsible, committed individuals to help with this important service. Please see Jackie or any member of the EMS for any additional information.

Environmental: The 2015 Bayshore Creek and Wetland Clean Up Program wrapped up this Saturday for the winter 2015 with over 20 volunteers. The removing a truck load of trash from nearby Matawan Creek and nearby Lake Lefferts in the Borough of Matawan. Monmouth County Clean Communities as well as the New Jersey, New York Baykeeper assisted in the clean up. Please note that the Council has done clean up here in Union Beach as well, including across the street at Stone Road Meadows, which is in Hazlet, but also in Flat Creek. The Council Meetings are open to the public. They meet at 7:30 p.m. on the first Thursday of the month at Keyport Borough Hall.

Post Sandy Planning Committee Update: The Committee will resume its monthly meetings sometime in the early part of next year once the committee receives its anticipated grant from the DCA. The Committee will commence updating of local zoning ordinances to help bring three redevelopment plans that were recently passed to fruition. (more to follow)

Board of Health Report:

Dog Licenses Issued 772

5 Spayed/Neutered @\$7.00 each = \$35.00

2 Late Fees \$10.00 each = \$20.00

- minus State Fee \$6.00

Total \$49.00

The November 14th free rabies clinic was relatively successful. 85 dogs had been vaccinated. If you missed the clinic and are still in need of inoculation, please contact our Board of Health for other upcoming free clinics in Monmouth County. Remember in order to secure a license for your pet, a valid rabies certificate is necessary and a mandatory state statute.

Department of Public Works: October 2015 Report:

October was an extremely busy month for the Department of Public Works and aside from the normal maintenance assignments, our DPW has been busy with repairs on the lighthouse here at Borough Hall as well as the gazebo at Ellison Park, which had to be rebuilt. In addition, line stripping has been on-going at Memorial School as well as our First Aid and Fire House Buildings.

The Department of Public Works also has been involved in a number of Environmental projects including Clean Ocean Action's Beach Sweeps in Late October and Clean Shores, which is sponsored by the County. Over the course of the next few weeks our DPW will be decorating for the upcoming holidays and gearing up for any potential snowfall. If you have any questions concerning storm drains, potholes or other issues, please call Mary at 732 264-1133 as she is the one who answers the phone at DPW.

ANNOUNCEMENT BY MAYOR SMITH: He attended the Veterans Day Service along with Charlie, Lou. Albin, Cheri and Jeff had work obligations. Charlie spoke for the Mayor as he was not feeling well and he was announced as the Deputy Mayor a promotion.

He wishes all a Happy and Healthy Thanksgiving.

MEETING OPEN FOR PUBLIC DISCUSSION: November 23, 2015 Meeting

Meeting opens for Public Discussion at 8:39 p.m.

Mr. Patrick Spagnuolo, 400 Campbell Street:

Congratulates the Mayor and Councilmen on their re-election. It was a tough campaign. Discusses the DPW yard being moved and possible senior building at site.

Administrator has written letters to IFF requesting available space from IFF to be possibly be donated to the town so that we could build our DPW over there. We are working on this project.

Mr. Spagnuolo asks about Florence Avenue Creek across the Street from the fence – Soda cans, bottles, maybe signage could be put there regarding a fine or community service for littering.

Mayor: This is a County Road. We can contact the County regarding this matter of signage. This bridge will be replaced soon. It is on their plans and should clean up that whole road.

Mr. Spagnuolo: This has to do with people driving by and littering there.

Mr. Spagnuolo: Regarding the houses to be demolished, not the ones owned by the banks, are the liens being put on those property owners. If they are not doing anything with the house, what are we doing with those houses. He knows that this came up in the literature that was on your campaign that is wasn't going to be a problem.... What happens to those houses, not the ones the

banks own....cause you can probably take liens on them.... But the ones that people have just walked away and abandoned....These are in pretty bad shape.

Mr. Wicki: If they walked away and abandoned them, then the Bank does take them over.

Mr. Spagnuolo: No – if they owned them outright. He is not talking about bank owned houses. Not every one of those 112 houses is owned by banks. There has to be some that are probably owned by regular people.

Mr. Cocuzza: Typically when the homeowners are contacted by the Code Enforcement Office, they find a way to get the work done. Whether they call a maintenance company.

Mr. Spagnuolo: They are just sitting there not doing anything.

Mr. Cocuzza: Most times Bob Parsells our Code Enforcer is here and would tell you that he contacts the residents that own the homes and they manage to get the work done.

Mr. Spagnuolo: You can't make them knock down the house? And the houses should be demolished....

Mr. Cocuzza: Are you talking about cutting grass, etc.

Mr. Spagnuolo: No- not cutting grass, these houses are in bad shape – and should be torn down. What do you do when an owner walks away from the house and it is abandoned and it is not our obligation to tear it down, but it must come down as it has been three years.

Attorney: Yes, we can knock down people's houses if we deem them to be abandoned . There is a statutory definition of abandonment. We passed the abandoned properties list, we are identifying about ten to twelve at a time . The state is agreeing to knock down some of these houses for people with an agreement. If private citizens want them, the state is providing a program to do this. We are identifying the ones (bank ones in particular). There is a process. You put up notice. They have a certain amount of time to demolish. If they don't demolish it in a certain number of days, sir, we demolish it and we put another lien on the property. If that property gets sold for taxes and lien then somebody buys that property, we get paid back. We are trying to avoid this. Most of the time Bob (Parsells) contacts people. People come in, but some of the people really have walked away. In our process to identify people, many older people have moved some place else. They didn't have insurance for exactly that reason. They don't want to go back and start building a house from scratch. The only value is the property and they don't have the money to knock it down. These are the ones we are identifying one at a time. We will be doing this and if we get them to sign off and agree with this than that is even better. We have done this before. We can re-coop the costs through the property being sold through tax sale certificates being sold and then we get our money back and then someone else will eventually acquire the property through a foreclosure. We are also encouraging them if they are going to walk away then to sell them. Sometimes this letting them know that they are on the abandoned property list will get them to do something that they haven't done up until now. Some are waiting for proceeds of insurance sales, but very often when they get to that point where they have their insurance money they are looking for the other money that they will need to rebuild. They are already living someplace else. Attorney outlines some of the criteria for identifying an abandoned property as per statute and the hearing and appeal process.

Mr. Spagnuolo agrees that these are the properties he is speaking about.

Attorney: they cause visual problems, wildlife problems, and security problems.

Mr. Spagnuolo also states mold and asbestos problems may exist.

Attorney: So yes, there are many houses that have not been touched since the storm – these would be at the top of the list - and Yes, we can knock them down after notice and a hearing we can and we can re-coop our costs through a lien on the property.

Mr. Spagnuolo: Discusses the \$17 Million in costs for the Flood Program as cited in the campaign literature – is this totally going to be picked up by the State? Or do we still have to pay some of this?

Mayor Smith: You are reading campaign literature, which is not correct. He is not holding up the project He has spoken to Congressman Pallone – They are working to obtain 100% Federal Funding. This is what we are working on. If we have to come up with \$17 Million which we are prepared to do, we are hoping the County will chip in which they have in the past. We do not have to start paying on our end of the project (if we have to pay anything) until it is complete. We do not have to put any money up front. The government pays for everything and if we have to reimburse anything at the end, we would have 30 years to do this. But we are working on 100% Federal Funding. He won't be happy unless we get that. That is what we are working on.

Mr. Spagnuolo is speaking about the literature about what the State is picking up.

Mayor Smith states that the State is picking up 75% and the State has agreed to maintain it once it is done. This is a big thing.

Mr. Wicki states that the balance left after the State pays its portion is \$17 Million and that is split between County and Local Funding. We are working with other officials to get them to pick up the rest of the money so that it wouldn't cost us anything.

A Congressman had told Mayor Smith that Keansburg and Middletown got 100% because they were shovel ready. Mayor Smith also told the Congressman that our plan was approved in 2007 and we are shovel ready-you just didn't fund us, but we were approved so we were ready to go then – so we should get the \$100% funding – He said he would work on this.

Mr. Spagnuolo: 2015 has past and he hopes we are on board and we are moving towards 2016 to start this project, this flood project

Mayor Smith: I hope so too.

Mr. Spagnuolo: Because at one of the last meetings, you and the Councilman both said that this would start in 2015, which that is already gone....

Mayor Smith: Well the Governor announced in April that it would start the end of 2016.

Attorney: The earliest is 2016 and last news is now that the Federal Government, and the State are negotiating a coastal barrier line whether it is in this very restricted zone. Whether it is going to be built in this very restrictive zone or has to be moved out of the very restrictive zone over by the wetlands by the BRSA. Right now it is a little bit into a very sensitive area that requires the government to sign off on to allow it to be there. If not, it is going to have to be moved over, change the location. This is the only reason it is not signed right now .

Administrator: Robert M. Howard, Jr.: Your figures are correct, but your timing is all wrong. In 2014 when the Federal Government first funded the 6.1 million to Army Corp and all the projects were listed and Union Beach was part of that list, in 2014 they said it would begin construction in 2015, but when the Governor and Army Corp Generals and everyone appeared here in April of 2015, at that time the announcement was made that construction was expected to begin in the 2nd half of 2016. Officially, that is still what everyone is saying. What John Lane and the Mayor have eluded – yes, there is an environmental issue that has come up.

Attorney: Is it in Zone 1.

Administrator: No it is not in Zone 1 or Zone 2 the beachfront and Brook Avenue areas. It is on the west side of town. So, everything you are saying is correct, your recollection of when that information came out is incorrect. In April of 2015 the Federal Government and Governor Christie indicated that it would begin the 2nd half of 2016, which it officially still is.

Mayor Smith: We also sent letters to Congressman Pallone, Senator Booker and Senator Menendez with this latest problem and they have all responded back that they are working on it.

Mr. Spagnuolo: He could not see what was holding us up. The entire shore has started and we have not even put a shovel in the ground yet.

Mayor Smith: The Army Corp has met with Fish and Wildlife in DC last month and we are waiting to hear. Our people are a lot more important than some fish.

Mr. Spagnuolo: He doesn't want what happened in the 1990's when they cancelled the flood plan that we already had. He doesn't want to point any fingers but people thought that it wasn't necessary to go through with that flood plan at that time so he is hoping that this one will go through. We were way ahead of everybody on the Jersey Shore back in the early 1990's with that flood plan. No other Jersey Shore town had a flood plan like we had and that was killed...

Mayor: No we never got funded. – it is the same project. – The more you wait the longer it will cost.

Administrator: As the Mayor eluded to, it is a \$2.02 Million Dollar project. The Federal Government picks up \$131 Million and the State picks up \$53 Million so \$184 Million of the \$202 Million is coming from the Federal and State Government. If they are not willing to give the money to put the shovels in the ground then it will not get done until they are prepared to do it. The Borough cannot pick up \$202 Million Dollars worth of the expense:

Mayor: The Borough couldn't

Mr. Spagnuolo: You have answered my questions. He just wanted to make sure that we are proceeding the best we can. He just wants to get this flood plan gone through without any hiccups.

Mayor Smith: We are working on it.

Mr. Spagnuolo: Wishes all a Happy Thanksgiving.

With no one else appearing to be heard, Mayor Smith closes the Meeting for Public Discussion at 8:50 p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

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.

Motion to approve Resolution 2015-185 by Councilman Wicki, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza
Nays: None
Absent: None

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>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

Motion to approve Resolution 2015-186 by Councilman Wicki, seconded by Councilman Cocuzza and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza
Nays: None
Absent: None

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.

Motion to approve Resolution 2015-187 by Councilman Cocuzza, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

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.

Motion to approve Resolution 2015-188 by Councilman Cocuzza, seconded by Councilman Williams and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

RESOLUTION NO. 2015-189: 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 (Years 1,2,3,4 & 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 (Years 1,2,3,4 & 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 (Years 1,2,3,4 & 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 (Years 1,2,3,4 & 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.

Motion to approve Resolution 2015-189 by Councilman Wicki, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
 Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza
 Nays: None
 Absent: None

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

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.

Motion to approve Resolution 2015-190 by Councilman Cocuzza, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

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.

Motion to approve Resolution 2015-191 by Councilwoman Roche, seconded by Councilman Cocuzza and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

APPROVAL OF VOUCHERS, PURCHASE ORDERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2015- 192: Offered by Councilman Wicki

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type	
15-01383	11/05/15	MS WASTE	M&S WASTE SERVICES	Trash	Open	39,943.62	0.00	
15-01384	11/09/15	LANE	JOHN T. LANE, JR., ESQ.	Municipal Legal Services Oct.	Open	1,920.00	0.00	
15-01392	11/10/15	SWARTZ	Stephen J. Swartz, M.D.	OSHA Physical Firefighter	Open	75.00	0.00	
15-01394	11/10/15	DTC	DEPOSITORY TRUST COMPANY	Emergency Note Payment	Open	2,391,949.21	0.00	
15-01395	11/10/15	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 10/09/2015	Open	146,181.41	0.00	
15-01396	11/10/15	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 10/23/2015	Open	146,799.16	0.00	
15-01397	11/11/15	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 11/06/2015	Open	150,825.56	0.00	
15-01398	11/11/15	NJHEALTH	TREASURER, STATE OF NJ	NOVEMBER 2015 HEALTH BENEFITS	Open	60,986.44	0.00	
15-01399	11/12/15	CORELOGI	Corelogic R.E. Tax Service	Refund Property Taxes	Open	7,768.19	0.00	
15-01403	11/12/15	CABLE	Cablevision	Cameras Online/Boosts	Open	959.05	0.00	
15-01404	11/12/15	DOWNEART	Down to Earth Landscaping, Inc.	Bond Ordinance 2015-221	Open	96,230.12	0.00	
15-01405	11/12/15	TM ASSOC	T & M ASSOCIATES	Engineering Services	Open	44,609.26	0.00	
15-01406	11/12/15	HUMANESO	ASSOCIATED HUMANE SOCIETY INC.	Animal Control October 2015	Open	941.00	0.00	
15-01407	11/12/15	ADVANCE	ADVANCE AUTO PARTS	VM Oil/Air Filters for Trucks	Open	270.50	0.00	
15-01409	11/12/15	ADVANCE	ADVANCE AUTO PARTS	VM 10W30 Oil for Truck #2	Open	119.98	0.00	
15-01411	11/13/15	ADVANCE	ADVANCE AUTO PARTS	VM Wiper Blades/Oil #1, #14	Open	125.92	0.00	
15-01412	11/13/15	THOMSON	Thomson Reuters - West	Statue Books for Boro Clerk	Open	520.00	0.00	
15-01414	11/13/15	CARROLL	Bob Carroll	Rabies Clinic November 2015	Open	20.00	0.00	
15-01415	11/13/15	ANDREUZZ	Megan Andreuzzi	Rabies Clinic November 2015	Open	20.00	0.00	
15-01416	11/13/15	PETROCEL	Pete Petrocelli	Rabies Clinic November 2015	Open	20.00	0.00	
15-01417	11/13/15	WICKI	Pat Wicki	Rabies Clinic November 2015	Open	20.00	0.00	
15-01418	11/13/15	LEPKUL	Betty Lemkul	Rabies Clinic November 2015	Open	20.00	0.00	
15-01420	11/16/15	LEWANDOW	ALBERT LEWANDOWSKI	Rabies Clinic November 2015	Open	20.00	0.00	
15-01422	11/16/15	STAPLEAD	STAPLES ADVANTAGE	Office Supplies	Open	366.60	0.00	
15-01425	11/17/15	ADVANCE	ADVANCE AUTO PARTS	VM Air Filter Trucks #16 & #18	Open	155.98	0.00	
15-01426	11/17/15	CITYTAX	COUNTY TAX ADMINISTRATOR	M.Cty Mod-IV Tax Assessor Fee	Open	862.40	0.00	
15-01428	11/17/15	DELTA	DELTA DENTAL	Dental November 2015	Open	3,394.01	0.00	
15-01429	11/17/15	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 11-20-15	Open	135,132.11	0.00	
15-01431	11/18/15	BARRESI	John Barresi	Uniform Reimbursement-Barresi	Open	167.82	0.00	
15-01435	11/18/15	ATEAM	A-Team Concrete, Inc.	2015 Road Improvement	Open	152,002.89	0.00	
Total Purchase Orders:		134	Total P.O. Line Items:	0	Total List Amount:	4,324,014.47	Total Void Amount:	0.00

Totals by Year-Fund		Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
Fund Description	Fund						
CURRENT FUND:	5-01	2,092,985.84	0.00	2,092,985.84	7,768.19	1,351,619.38	3,452,373.41
SEWER UTILITY:	5-07	100.00	0.00	100.00	0.00	0.00	100.00
Year Total:		2,093,085.84	0.00	2,093,085.84	7,768.19	1,351,619.38	3,452,473.41
CURRENT FUND:	N-01	871,541.06	0.00	871,541.06	0.00	0.00	871,541.06
Total of All Funds:		2,964,626.90	0.00	2,964,626.90	7,768.19	1,351,619.38	4,324,014.47

Motion to approve Resolution 2015-192 by Councilman Wicki, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

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

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

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 Councilman Cocuzza seconded by Councilman Andreuzzi and approved by unanimous voice vote.

MAYOR SMITH STATES THAT THREE NAMES WERE SUBMITTED FROM THE DEMOCRATIC COMMITTEE CHAIRPERSON, KEN CONNORS: MR. RYAN SOBIN, MR. TIMOTHY J PERRELLA AND MS. SHANE SIMONE DANNACKER. THEY HAVE ALL SAID THAT THEY ARE WILLING, READY AND ABLE TO SERVE - MAYOR CALLS FOR NOMINATIONS TO FILL THE VACANCY:

COUNCILMEMBER: WICKI NOMINATES MR. TIMOTHY J. PERRELLA, AS COUNCILPERSON OF THE BOROUGH OF UNION BEACH TO FILL THE VACANCY OF COUNCILMAN MASCILAK'S UNEXPIRED TERM.

SECONDED BY COUNCILMEMBER ANDREUZZI.

MAYOR SMITH CALLS FOR A ROLL CALL ON THIS NOMINATION:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

NO OTHER NOMINATIONS WERE PROPOSED.

2nd Nomination (if necessary)

3rd Nomination (if necessary)

RESOLUTION NO. 2015-193:

**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. Perrella, 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 Timothy J. Perrella 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

Motion to approve Resolution 2015-193 by Councilman Wicki, seconded by Councilman Andreuzzi and approved by the following Roll Call Vote:

Roll Call Vote:

Ayes: Councilman Wicki, Councilwoman Roche,
Councilman Williams, Councilman Andreuzzi and Councilman Cocuzza

Nays: None

Absent: None

OATH OF OFFICE ADMINISTERED TO NEWLY ELECTED COUNCILPERSON: Timothy J. Perrella
Borough Attorney, John T. Lane, Jr. Administers the Oath of Office.

Councilman Perrella thanks all for their support.

ADJOURNMENT: 8:55 p.m. Motion moved by Councilman Wicki, seconded by Councilwoman Roche and approved by unanimous Voice Vote.

Respectfully Submitted: _____