



MINUTES
Borough of Union Beach
Thursday, December 15, 2016- 8:00 p.m.
650 Poole Avenue, Union Beach, NJ

CALL TO ORDER: Meeting called to order by Mayor Smith at 8:00 p.m.

ANNOUNCEMENT: By Mayor Smith of the Emergency Fire Exits.

SALUTE TO THE FLAG: Mayor Smith

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 - absent
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

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

APPROVAL OF MINUTES OF THE MEETING OF:

November 21, 2016 Regular Council Meeting (with the correction of Dispatcher hired at Nov. 21st Mtg)

Motion moved by Councilman Wick, seconded by Councilman Cocuzza and approved by voice vote.

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

ReOrganization Date and Time – JANUARY 6TH AT 6 PM

Fire Department Changing of the Badges – December 17- 7 p.m. Union Gardens

Request to close Donnelly Street – in your folders.

Motion moved by Councilman Cocuzza, seconded by Councilman Andreuzzi and approved by voice vote.

PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:

MEETING OF DECEMBER 15, 2016

Public Hearing on Ordinance 2016-245:

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)

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980," CHAPTER VII, "TRAFFIC" SECTION 7-3.10, RESIDENTIAL PERMIT PARKING, SCHEDULE XIX

WHEREAS, this ordinance amends Schedule XIX "Residential Permit Parking" List to change the "Pine Street" identification to read:

<u>Name of Street</u>	<u>Location</u>	<u>Side</u>
Pine Street	From Front Street to Fourth (4 th) Street	East

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption in accordance with law.

PUBLIC HEARING ON ORDINANCE NO. 2016-245: MEETING OF DECEMBER 15, 2016:

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2016-245 AT 8:07 P.M.

WITH NO ONE APPEARING TO BE HELD MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2016-245 AT 8:07 P.M.

RESOLUTION NO. 2016-173: AUTHORIZING FINAL ADOPTION ORDINANCE 2016-245 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS

Paper: The Asbury Park Press,

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

Public Hearing on Ordinance 2016-246:

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)

ORDINANCE #2016-246

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER V, ANIMAL CONTROL, OF THE "REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980"

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and "kitten mills," respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; lack of adequate space; and lack of adequate exercise; and

WHEREAS, the inhuman conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, the current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect the consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning those conditions; and

WHEREAS, the Governing Body of the Borough of Union Beach believes it is in the best interests of this municipality to adopt reasonable regulations to reduce costs to the Municipality and its residents, protect the citizens of the Municipality who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Municipality

BE IT ORDAINED by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, that Chapter V, Animal Control of the "Revised General Ordinances of the Borough of Union Beach, 1980", be and the same is hereby amended and supplemented to add the following.

Section 5-3 Sale of Animals

Section 5-3.1 Definitions

Animal Care Facility means an animal control center or animal shelter, maintained by or under contract with any state, county, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations.

Animal rescue Organization means any not-for-profit organization which has tax-exempt status under Section 501(c)3 of the United States Internal Revenue Code, whose mission and practice is, in whole or in significant part, the rescue and placement of animals in permanent homes.

Cat means a member of the species of domestic cat, *Felis catus*.

Dog means a member of the species of domestic dog, *Canis familiaris*.

Offer for Sale means to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

Pet Shop means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

Section 5-3.2 Restrictions on the Sale of Animals.

- 1) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:
 - a) An animal care facility; or
 - b) An animal rescue organization.

- 2) A pet shop shall not offer for sale a dog or cat that is younger than eight (8) weeks old.

Severability

BE IT FURTHER ORDAINED, that if any provision, paragraph, section or subsection of this chapter be found unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in full force and effect and shall have continuing validity; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption in accordance with law.

PUBLIC HEARING ON ORDINANCE NO. 2016-246: MEETING OF DECEMBER 15, 2016:

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2016-246 AT 8:07 P.M.

WITH NO ONE APPEARING TO BE HEARD, MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2016-246 AT 8:07 P.M.

RESOLUTION NO. 2016-174: AUTHORIZING FINAL ADOPTION ORDINANCE 2016-246 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS

Paper: The Asbury Park Press,

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA

NAYS: NONE

ABSTAIN: NONE

ABSENT: MR. PERRELLA

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Perrella -Absent
Councilman Wicki
Councilwoman Roche
Councilman Williams
Councilman Andreuzzi

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

Mr. Wicki:

Code Enforcement Report – November 2016 Report

COMPLAINTS

NUMBER OF NEW COMPLAINTS RECEIVED – 17
NUMBER OF LETTERS SENT OUT TO RESIDENTS – 50
NUMBER OF COMPLAINTS RESOLVED – 24

FORECLOSURE HOUSES

NUMBER OF STARTED FORECLOSURE - 158
NUMBER OF COMPLETED FORECLOSURES - 52

VACANT BUILDING REGISTRATIONS

TOTAL REGISTRATIONS THIS MONTH - 1
2ND REGISTRATION COLLECTED - 1
 \$1,500.00 x 0 = \$0-
PRORATED FEES - 1
 \$83.33 x 1 = \$83.33

TOTAL INCOME FROM VACANT BUILDINGS - \$83.33

TENANT/LANDLORD REGISTRATIONS

TOTAL REGISTRATIONS DONE THIS MONTH – 1
 \$100.00 x 1 = \$100.00
TOTAL AMENDMENTS & BUSINESSES DONE THIS MONTH – 2
 \$50.00 x 2 = \$100.00

TOTAL INCOME FROM TENANT/LANDLORD REGISTRATIONS – \$200.00

CERTIFICATE OF OCCUPANCIES

TOTAL CERTIFICATES DONE THIS MONTH – 27
 “CHANGE OF TITLE ONLY” – 15
 \$100.00 x 15 = \$1,500.00

 ONE FAMILY DWELLING – 10
 \$100.00 x 10 = \$1,000.00

 TWO & MULTI FAMILY DWELLINGS & COMMERCIAL – 2
 \$125.00 x 2 = \$250.00

 THIRD & FOURTH INSPECTIONS – 2
 \$50.00 x 2 = \$100.00

TOTAL INCOME FROM CERTIFICATE OF OCCUPANCIES – \$2,850.00

DEPARTMENT OF PUBLIC WORKS

NUMBER OF COMPLAINTS SENT TO DPW THIS MONTH - 3
NUMBER OF RESOLVED CASES FROM DPW THIS MONTH - 8
TOTAL INCOME FROM RESOLVED DPW CASES - \$2,375.00

TOTAL INCOME FROM ALL SOURCES THIS MONTH - \$5,508.33

Mr. Wicki discusses the Resolution for our Temporary Municipal and Utility Budget. We prepare a temporary budget in order to keep the Borough functioning after the first of the year. The Finance Committee will continue to work on the budget in the beginning months of the year but it is not finalized usually until March when we have the final figures in regarding State Aid from Trenton. This is when we usually adopt the Budget. But in the meantime we have to adopt this temporary budget and it is calculated for 26.25% of the 2016 Budget. The enables the Borough to stay fluid and allows everybody to be paid. This makes everyone happy during the Holiday Season.

Mr. Wicki wishes all a very Merry Christmas and Happy New Year. He looks forward to seeing everyone on ReOrganization Night.

Councilwoman Roche:

Fire Department: On Friday, December 16th at 7 p.m. is the Changing of the Badges Ceremony at Union Gardens Fire Department on Park Avenue. It is a nice ceremony with refreshments to follow. Saturday, December 17th Santa will be

making stops at homes. There is a breakfast with Santa at Park Avenue on Sunday, December 18th from 9-12. Also, on Sunday, December 18th, at Union Gardens on Park Avenue, there will be Christmas with Santa followed by Santa riding around town. All four Fire Companies will be out on December 23rd with Santa riding around town, but no stops will be made this day.

Fire Safety: If you have a live tree, you should water the tree every day. Keep the tree away from your fireplaces and heating vents and make sure all your smoke alarms are working properly.

OEM News: The drill at the school went very well. A few things have to be tweaked that they will be working on. He has plans in the future to hold a mock pandemic drill. There are steps to follow in case there is an outbreak. Medications are picked up by armed guards and distributed by OEM Personnel out of Borough Hall. The whole exercise is quite interesting. New Officers were elected at the November Meeting:

Chairperson: Mike Harriott

Secretary: Manuela Onacki

Command Vehicle and Response Vehicle Engineers: Neil

Resource Officer: Bob Carol

Training Officer: John Perrone

OEM has received a permit with the help of the Holmdel Fire Department to remove the next from the siren at the Public Works and time will tell if he bird finds another home or decides to go back to the siren.

Councilwoman Roche thanks the Recreation Elves for the beautiful decorations that they did in Borough Hall and the children that made all the snowflakes from Summer Recreation. The Tree Lighting and visit with Santa was a huge success. She wishes all a very Happy New Year and a Merry Christmas.

Councilman Williams:

Library Report:

The library hosted its first thanksgiving bake sale to great success. We are looking forward to expanding for next year with more pies etc. (get ready Gert!) Our annual pictures with Santa was a success.

We have no more events scheduled for this month, but we are preparing for our free book fair in February. If you have any previously read books that you would like to donate, please bring them by!

The library will be closed Dec 24th-January 1st for holiday break.

The library would like to thank everyone who has helped us in our journey to keep the library moving forward. Gone are the days of sitting in the dark with no patrons coming in for an entire shift. We are really enjoying being there for our patrons and for the community on a new level.

The library would like to wish the Mayor and Council a Merry Christmas and Happy New Year!

They are looking forward to another great year!

Mr. Williams also wishes everyone a Merry Christmas and a Happy New Year.

Councilman Andreuzzi:

From the Library: Brandi Horakh and the library staff would like to thank Jeff Williams for all that he has done for the library during the 2 years he has been liaison. He has been instrumental in helping us move forward and be seen in the community!

EMS Report: November 2016:

Total Number of calls for November 25

Total Number of calls for the Year to Date 453

Anyone wishing to drop off water for the Emergency Services can do so at the Police Department or the EMS Building. New members are always welcome and those interested should contact MaryAnn Grabley or Chief, Jackie Shipley.

The Post Sandy Planning Committee will resume its meetings in mid-January. The focus will be the implementation of the redevelopment plans for Route 36 and Union Avenue as well as the Public Works site.

Environmental: The Bayshore Regional Watershed Council wishes everyone a Happy and Safe Holiday. The Council will resume its meetings in January. Everyone is invited. The meetings are the second Thursday of the Month in Keyport at 7:30 p.m., Borough Hall.

Construction Report:

1.) Total Est. Cost of construction since Sandy Storm:	\$ 135,079,469.00
2.) Permit payment received in November 2016:	\$ 15,669.00
3.) Zoning payments received in November:	\$ 2,300.00
4.) Permits fees Waived since Storm:	\$ 59,131.00
5.) Homes to be Demoed:	113
6.) Homes Demoed since Sandy Storm:	325
7.) Homes raised since Sandy Storm:	292
8.) New Home construction since Sandy Storm:	256
9.) Construction Department Visitors in November average:	15 a Day
10.) Phone calls average a day in November:	58 a day

DPW: Mr. Andreuzzi congratulates Mrs. Mary Mancini on receiving her certification as the Borough's Clean Community Coordinator at the League of Municipalities Meeting in November. The Department has been busy with its normal work and was very busy preparing for the Holiday Season such as decorating the Trees and decorating the Building, Courtroom, etc. Thank you to our DPW staff for preparation of Borough Hall and the Beachfront for the tree lightings. We continue to hand out biodegradable bags to residents and to pick up leaves curbside from the town. It has been very successful so far and we would like to thank everyone for cooperating since the DEP has required that we can no longer use plastic bags.

Mr. Andreuzzi thanks everyone for a great year. We look forward to next year. Merry Christmas and Happy New Year. God Bless.

Councilman Cocuzza:
Court Report:

Municipal Court Report November 2016

Amount collected for fines, costs, contempt for November 2016:	\$10,717.10
Amount collected for Public Defender Fees November 2016:	\$332.00
Amount collected for POAA November 2016:	\$4.00

Police Department:

On tonight's Agenda you will see Resolution 2016-182 which is a resolution supporting the Drive Sober or Get Pulled Over Year End Holiday Crackdown. Also we would like to congratulate Union Beach Patrolman Joseph Russo who was selected as a finalist for the Kimberly Smith-Ames DWP Prevention Award. Kimberly Smith-Ames and her unborn child were killed by a drunk driver in October of 1998. She was 21 at the time. This award was created in her honor for Officers who excel in DWI enforcement, prevention and education. We would like to congratulate the winner of the award, Holmdel Township Patrolman, Matthew Mendsky along with Patrolman Robert Hassmiller of the Keyport Police Department. The Police Department asked him to thank the Mayor and Council for the Blue Line painted to show support for all they do. They really appreciate it.

Mr. Cocuzza thanks the DPW for doing such a great job at the Christmas Tree Lighting. He thanks the Recreation Committee and all that participated. It was a wonderful event. Everyone had a really good time.

He wishes all a Merry Christmas and a Happy New Year. Be Well.

Announcement by Mayor Smith: He wishes all a Merry Christmas and a Happy and Healthy New Year and best to all.

MEETING OPEN FOR PUBLIC DISCUSSION:

Meeting opens for Public Discussion at 8:18 p.m.

With no one appearing to be heard, Mayor Smith closes the Meeting for Public Discussion at 8:18 p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

RESOLUTIONS: December 15, 2016 MEETING:

Resolution No. 2016-175:

*Authorizing Change in the Sewer EDU's for Property Owner,
Mr. Shawn Spania, Block 153, Lot 19.01, 411 Bayview Avenue, Union Beach,*

Whereas, Mr. Shawn Spania, property owner of 411 Bayview Avenue, Block 153, Lot 19.01, has requested and presented evidence to the Code Enforcer's Office in the form of an inspection of the property; and,

Whereas, Mr. Joseph Crane, Code Enforcement Officer for the Borough of Union Beach, has inspected the premises and has recommended to the Mayor and Council that Mr. Spania's property is now a one family dwelling. It is his recommendation to decrease the units billed from three (3) to (1) unit with the understanding that if additional units be added in the future, all additional fees will be charged to owner, Mr. Shawn Spania.

Now therefore be it Resolved, that the Sewer Units to be charged to property owner of 411 Bayview Avenue, Block 153, Lot 19.01 will be one (1) Units; and this change to the billing shall be effective January 1, 2017.

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 Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

Resolution No. 2016-176:

RETURN OF PERFORMANCE BOND IN THE AMOUNT OF \$18,117.00 AS RECOMMENDED BY ENGINEER TO FIRST UNION BEACH BUSINESS, LLC UPON POSTING OF REQUIRED MAINTENANCE BOND IN THE AMOUNT OF \$2,516.03 FOR A PERIOD OF TWO YEARS

Whereas, the Borough Engineer has reported to the Governing Body that final inspection of the project, "1017 Route 3; block 179, lot 4," has been satisfactorily completed and does recommend the release of the "Performance Guarantee" Surety Bond in the amount of \$18,117.00 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 \$ 2,516.03 (either cash or a form of surety acceptable to the Borough) (for a period of two years)
2. Maintenance Bond Inspection Fees \$ 167.74

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 December 6, 2016.

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

- AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
 NAYS: NONE
 ABSTAIN: NONE
 ABSENT: MR. PERRELLA

Resolution No. 2016-177: BUDGET TRANSFERS:

TRANSFER OF CY 2016 BUDGET APPROPRIATIONS			
WHEREAS, Certain Appropriations for the Budget Calendar Year 2016 require modifications in order to balance the cost of operations for said fiscal year; and			
WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the budget 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 \$81,510.00 for the Current Fund Budget between CY 2016 Budget Appropriations:			
<u>Current Fund</u>			
	From		To
Operations - within "CAPS":			
General Government			
Borough Clerk:			
Salaries and Wages	\$		\$ 3,000.00
Other Expenses			12,000.00
Office Supplies:			
Other Expenses	(5,000.00)		
It - Contractual			
Collection of Taxes			2,000.00
Police			
Salaries and Wages			25,000.00
Other Expenses			3,000.00
Building and Grounds:			
Other Expenses			8,000.00
Road Repair and Maintenance:			
Other Expenses			2,000.00
Landfill Charges Taxes	(30,000.00)		
Recycling Costs:			
Other Expenses	(10,000.00)		
Board of Health			
Salaries and Wages			1,200.00
Municipal Court			
Other Expenses	(2,000.00)		
Unclassified			
Electricity	(5,000.00)		
Telephone	(6,500.00)		
Irrigation			6,500.00
Shipping Costs	(3,000.00)		
Gasoline	(2,000.00)		
Total Operations Including Contingent Within " CAPS "			
	(63,500.00)		64,900.00
Expenditure -Municipal within "CAPS":			
Statutory Expenditures:			
Social Security System (O.A.S.I.):	(18,010.00)		
Police and Fireman's Retirement System			16,610.00
Total Expenditure Municipal Within " CAPS "			
	(81,510.00)		81,510.00
Total Transfers			
	\$ (81,510.00)		\$ 81,510.00

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

Resolution No. 2016-178: 2107 TEMPORARY MUNICIPAL BUDGET 26.25%

WHEREAS, Section 40A:4-19 of Revised Statutes of the Local Budget Act provides that, where any contracts, commitments or payments are to be made prior to the adoption of the CY 2017 Budget, the Governing Body shall, by resolution adopted prior to January 31 of the calendar year, make temporary appropriations for the purpose and amounts required in the manner and time therein provided; and

WHEREAS, the total appropriation in the CY 2016 Budget, exclusive of any appropriations made for Interest and Debt Redemption Charges, Capital Improvement Fund, and for Public Assistance (Relief), is the sum of \$9,111,383.16 for the Current Fund, and

WHEREAS, twenty six and a quarter percent of the total Current Fund appropriation of the CY 2016 Budget exclusive of any appropriations made for Debt Service, Capital Improvement Fund and Public Assistance (Relief), is the sum of \$2,391,738.08 for the Current Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Union Beach, County of Monmouth, that the following temporary appropriations be made to provide for the period between the beginning of the 2017 Calendar Year and the adoption of the CY 2017 Budget and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records.

CURRENT
FUND

GENERAL GOVERNMENT

Administrative and Executive:

Salaries and Wages:

Governing Body	\$12,000.00
Administrator's Office	35,000.00
Borough Clerk	30,000.00
Other Expenses	10,000.00
Other Supplies	20,000.00

Elections:

Salaries and Wages	100.00
Other Expenses	100.00

Financial Administration:

Salaries and Wages	20,000.00
Other Expenses	15,000.00

Assessment of Taxes:

Salaries and Wages	10,000.00
Other Expenses	100.00

Collection of Taxes:

Salaries and Wages	25,000.00
Other Expenses	3,000.00

Tax Sale Cost

Liquidation of Tax Title Liens and Foreclosed Property:

Other Expenses	50.00
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Legal Services and Costs:

Salaries and Wages	20,000.00
Other Expenses	15,000.00

Engineering Services and Costs:

Salaries and Wages	1,000.00
Other Expenses	25,000.00
Public Buildings and Grounds:	
Salaries and Wages	85,000.00
Other Expenses	30,000.00
Parks and Playgrounds:	
Other Expenses	1,000.00
Zoning/Planning Board:	
Salaries and Wages	3,000.00
Other Expenses	1,000.00
Borough Prosecutor:	
Salaries and Wages	8,000.00
Insurance:	
Insurance Waiver	1,500.00
Other Insurance	100,000.00
Workers Compensation	105,275.00
Group Insurance	300,000.00

PUBLIC SAFETY

Fire:	
Aid to Volunteer Companies	30,000.00
Fire Alarm	2,500.00
Hydrant Service	30,000.00
Police:	
Salaries and Wages	800,000.00
Other Expenses	30,000.00
Bayshore Task Force:	
Other Expenses	100.00
Emergency Management Services:	
Other Expenses	3,000.00
First Aid Organization:	
Contribution	10,000.00
Clothing Allowance	500.00

STREETS AND ROADS

Road Repair and Maintenance:	
Salaries and Wages	80,000.00
Other Expenses	26,000.00
Street Lighting	
Garbage and Trash Removal	55,000.00
Landfill Charges and Taxes	60,000.00
Recycling Costs:	
Salaries and Wages	25,000.00
Other Expenses	15,000.00

HEALTH AND WELFARE

Board of Health:	
Salaries and Wages	10,000.00
Other Expenses	1,000.00
Recreation and Education:	
Other Expenses	2,000.00
Drug Alliance:	
Other Expenses	250.00
Bayshore Senior Center:	
Other Expenses	2,500.00

STATE UNIFORM CONSTRUCTION CODE

Code Enforcement Officials:	
Salaries and Wages	60,000.00
Other Expenses	5,000.00
Code Enforcer:	

Salaries and Wages	7,500.00
Other Expenses	600.00

UNCLASSIFIED:

Electricity	50,000.00
Gasoline	25,000.00
Heating Gas	10,000.00
Irrigation	5,000.00
Telephone	15,000.00

STATUTORY EXPENDITURES

Contributions to:	
Social Security System (FICA)	114,463.08

OTHER OPERATIONS

Municipal Court:	
Salaries and Wages	25,000.00
Other Expenses	3,000.00
Public Defender:	
Salaries and Wages	1,200.00
Aid to Free Public Library	11,000.00

<u>TOTAL CURRENT FUND</u>	<u><u>\$2,391,738.08</u></u>
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CAPITAL IMPROVEMENTS

Capital Improvement Fund	\$5,000.00
Public Works Vehicle	10,000.00

<u>TOTAL CAPITAL IMPROVEMENTS</u>	<u><u>\$15,000.00</u></u>
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DEBT SERVICE

Interest on Bonds	\$55,135.00
Payment of Bonds	250,000.00
Interest on Notes	80,000.00
Payment of Notes	95,000.00
Environmental Infrastructure Loan	30,000.00
Green Acres	20,000.00

<u>TOTAL DEBT SERVICE</u>	<u><u>\$530,135.00</u></u>
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Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES:	MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS:	NONE
ABSTAIN:	NONE
ABSENT:	MR. PERRELLA

Resolution No. 2016-179: 2107 TEMPORARY SEWER UTILITY BUDGET 26.25%

WHEREAS, Section 40A:4-19 of Revised Statutes of the Local Budget Act provides that, where any contracts, commitments or payments are to be made prior to the adoption of the CY 2017 Sewer Utility Budget, the Governing Body shall, by resolution adopted prior to January 31 of the Calendar year, make temporary appropriations for the purpose and amounts

required in the manner and time therein provided; and

WHEREAS, the total appropriation in the CY 2016 Sewer Utility Budget, exclusive of any appropriations made for Interest , Debt Redemption Charges and Capital Improvement Fund is the sum of \$883,000.00 for the Sewer Utility Fund, and

WHEREAS, twenty six and a quarter percent of the total Sewer Utility Fund appropriation of the CY 2016 Budget exclusive of any appropriations made for Debt Service and Capital Improvement is the sum of \$231,787.50 for the Sewer Utility Fund.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Union Beach, County of Monmouth, that the following temporary appropriations be made to provide for the period between the beginning of the 2017 Calendar Year and the adoption of the CY 2017 Sewer Utility Budget and that a certified copy of this Resolution be transmitted to the Chief Financial Officer for his records.

SEWER UTILITY FUND	
<u>OPERATING</u>	
Salaries & Wages	\$10,000.00
Other Expenses	9,000.00
Sewer System Share of Costs:	
Bayshore Regional Sewerage Authority	209,787.50
 STATUTORY EXPENDITURES	
Social Security System (O.A.S.I.)	3,000.00
TOTAL SEWER UTILITY FUND	\$231,787.50
 <u>DEBT SERVICE</u>	
Interest on Notes	\$6,500.00
Payment of Bond Anticipation Notes	12,800.00
USDA Loan	56,900.00
	\$76,200.00

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
 NAYS: NONE
 ABSTAIN: NONE
 ABSENT: MR. PERRELLA

Resolution No. 2016-180: Authorizing Robert Burlew, Construction Official, as the Public Official designated as the Public Officer for the purpose of carrying out the responsibilities established by Ordinance No.2015-228 "An Ordinance of the Borough of Union Beach, Establishing an Abandoned Property List and Designating a Public Officer.

Resolution Offered by Mr. Andreuzzi seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
 NAYS: NONE
 ABSTAIN: NONE
 ABSENT: MR. PERRELLA

Resolution No. 2016-181:

Whereas, the Borough of Union Beach is presently in need of Temporary Building / Fire / Plumbing / Electrical Sub-code Official(s) Part-Time in the Construction Office; and,

Whereas, the Mayor and Council desire to appoint:

- a. Joseph Crane as Temporary Building / Plumbing / Fire Sub-Code Official for the Borough of Union Beach effective January 1, 2017 through December 31, 2017, at a rate of \$35.00 per hour, not to exceed eight (8) hours per week.
- b. Fred Hansen as Temporary Electric Sub-Code Official for the Borough of Union Beach, effective January 1, 2017 through December 31, 2017, at a rate of \$33.00 per hour, not to exceed six (6) hours per week.
- c. Vincent Gerald as Temporary Building Sub-Code Official for the Borough of Union Beach, effective January 1, 2017 through December 31, 2016 at a rate of \$33.00 per hour, not to exceed eight (8) hours per week.
- d. Joseph Penevolpe as Temporary Plumbing Sub-Code Official for the Borough of Union Beach, effective January 1, 2017 through December 31, 2017, at a rate of \$33.00 per hour, not to exceed four (4) hours per week.

Whereas, the salaries are as authorized in the current Salary Ordinance of the Borough of Union Beach, as amended.

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 the above named individuals are hereby appointed to the respective positions, as noted above, effective January 1, 2017 to December 31, 2017.
- 2. That the above named individuals shall be compensated as referenced above and in accordance with the Salary Ordinance of the Borough of Union Beach, as amended.

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Construction Official and the Finance Department.

Resolution Offered by Mr. Andreuzzi, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
 NAYS: NONE
 ABSTAIN: NONE
 ABSENT: MR. PERRELLA

Resolution 2016-182:

**Supporting the *Drive Sober or Get Pulled Over*
 2016 Year End Holiday
 Crackdown**

Whereas, impaired drivers on our nation’s roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

Whereas, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

Therefore, be is resolved that the Borough of Union Beach declares it’s support for the *Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

Resolution Offered by Ms. Roche, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

Resolution 2016-183:

Authorizing the Disposal of Surplus Goods and Materials listed but not sold at Public Auction

Whereas, an auction was held to dispose of surplus goods and materials during the week of December 9-15, 2016, as per Borough Resolution 2016-153 approved by the Governing Body on October 20, 106; and,

Whereas, not all of the items listed were sold at said auction; and

Whereas, there is a need to dispose of such items in order to gain space and prevent debris from accumulating;

Therefore, be is resolved that the Borough of Union Beach hereby authorizes, the Director of Public Works, to dispose of all unsold auction items as listed below through recycling processes, if favorable:

83	(3x) ~ 8" Thick Slabs of Granite
75-82 & 87	Lot of Bicycles (Borough ID #'s 75-82, & 87)
62-67	Lot of Bicycles (Borough ID #'s 62-67)
55	1988 Navistar 1954 Dump Truck
54	Cherrington Beach Rake
19	3) Boxes of New/Unused Rolodex
14	Canon Super G3 Faxphone L170 Fax/Copy Machine
2	Logitech Model K120 Keyboard, USB cable
85	1985 Navistar Model 1654

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

Resolution 2016-185:

Authorizing T&M Associates to prepare 2017 Grant Application for NJ DOT due on February 3, 2017 for the Project Arlington / Newark Avenue Reconstruction

NOW, THEREFORE, BE IT RESOLVED THAT Council of the Borough of Union Beach approves the preparation of the grant application for the above stated project by the Borough Engineer, Edward Broberg, T&M Associates.

Resolution Offered by Mr. Wicki, seconded by Ms. Roche and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2016-186: Offered by Councilman Wicki

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

Seconded by: Councilman Cocuzza and approved by the following roll call vote:

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
16-01486	12/07/16	AUTOZONE	AUTO ZONE	Oil filters and wiper blades	Open	30.90	0.00
16-01492	12/07/16	TOMSFORD	TOM'S FORD	Oil change and transmission	Open	1,485.08	0.00
16-01497	12/08/16	SAMKLEIN	SAMUEL KLEIN AND COMPANY	FINANCIAL SERVICES	Open	12,941.25	0.00
16-01504	12/12/16	GREATER	GREATER MEDIA NEWSPAPERS	Adv. ReOrg Mtg	Open	38.00	0.00
16-01505	12/12/16	NJLEAGUE	NJ League of Municipalities	Seminar-newly elected official	Open	250.00	0.00
16-01508	12/13/16	NJ-DCA	Treasurer, State of New Jersey	DCA Fees July,Aug.Sept.2016	Open	7,801.00	0.00
16-01509	12/13/16	BATTERY	Batteriesplus	SLVROX 105V Merc Batteries	Open	9.99	0.00
16-01510	12/13/16	CABLE	Cablevision	Cable	Open	1,075.16	0.00
16-01514	12/14/16	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 11/04/2016	Open	156,347.92	0.00
16-01515	12/14/16	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 11/18/2016	Open	148,618.81	0.00
16-01521	12/15/16	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 12/02/2016	Open	207,452.84	0.00
16-01522	12/15/16	NJ-SUI	State of New Jersey	SUI Charges 2016	Open	135.74	0.00
16-01523	12/15/16	UBPAY	UNION BEACH PAYROLL ACCOUNT	Payroll Ending 12/16/2016	Open	149,113.48	0.00
16-01524	12/15/16	COUNTY 1	COUNTY OF MONMOUTH	Gasoline (Shared Service NOV	Open	3,465.80	0.00
16-01525	12/15/16	HUMANESO	ASSOCIATED HUMANE SOCIETY INC.	Humane Society Nov. 2016	Open	941.00	0.00
16-01526	12/15/16	GIBBONS	GIBBONS	2016 Note Sale	Open	2,154.81	0.00
16-01527	12/15/16	PFRS	Police/Firemen's Retirement	Retroactive Salary Increase	Open	16,609.68	0.00
16-01528	12/15/16	NJHEALTH	TREASURER,STATE OF NJ	December 2016 Health Benefits	Open	62,772.92	0.00
16-01529	12/15/16	ALLCOVER	All Covered	IT SERVICES DEC 2016	Open	1,307.50	0.00

Total Purchase Orders: 123 Total P.O. Line Items: 0 Total List Amount: 1,627,254.53 Total Void Amount: 0.00

Totals by Year-Fund	Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND:	6-01		818,383.08	0.00	818,383.08	0.00	211,116.94	1,029,500.02
SEWER UTILITY:	6-07		48,394.26	0.00	48,394.26	0.00	0.00	48,394.26
	Year Total:		866,777.34	0.00	866,777.34	0.00	211,116.94	1,077,894.28
CURRENT FUND:	N-01		549,360.25	0.00	549,360.25	0.00	0.00	549,360.25
	Total of All Funds:		1,416,137.59	0.00	1,416,137.59	0.00	211,116.94	1,627,254.53

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA**
 NAYS: NONE
 ABSTAIN: NONE
 ABSENT: MR. PERRELLA

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

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF DECEMBER 15, 2016

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

1. Authorizing the signing of contract with NetCarrier Telecom Inc. for internet telephone and data services

Motion to add business to Agenda moved by Councilman Cocuzza, seconded by Councilman Wicki, and approved by unanimous voice vote

Resolution No. 2016-187:

Meeting of December 15, 2016

Whereas, the Borough of Union Beach wishes to enter into an agreement for the telephone voice and data services and has reviewed multiple proposals for such services;

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

the Borough enter into an agreement with NetCarrier Telecom, Inc., 4000 North Cannon Avenue, Landsdale, PA 19446 for said services at a monthly amount of \$1,041.38, exclusive of taxes and surcharges, for a term of three (3) years commencing on January 1, 2017 or upon receipt of fully executed agreement, whichever is later.

Be it further resolved, that the Governing Body's approval is subject to review of the agreement by the Borough Attorney and the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Union Beach upon said review, and have attested to by the Borough Clerk.

Resolution Offered by Mr. Wicki, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

EXECUTIVE SESSION: RESOLUTION NO. 2016-188:

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) Pending Litigation/Lawsuit. 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 Councilman Cocuzza, seconded by Councilman Williams and approved by unanimous voice vote.
The Governing Body retired into executive session for a matter of Pending Litigation at 8:24 p.m.

RECONVENE MEETING:

Motion to reconvene meeting moved by Councilman Cocuzza, seconded by Councilman Wicki, and approved by unanimous voice vote.

RECONVENE MEETING: at 8:38 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: Discuss the possibility of authorizing litigation against UB Social for collection of unpaid Police charges and to begin investigating ABC Charges for violation of the ABC rules involving the operation of an Alcohol Beverage Establishment.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF DECEMBER 15, 2016:

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

Motion to add business to Agenda moved by Councilman Wicki, seconded by Councilman Cocuzza, And approved by unanimous voice vote.

Resolution No. 2016-189:

Meeting of December 15, 2016

The Governing Body of the Borough of Union Beach hereby authorizes the Borough Attorney, John T. Lane, Jr. to investigate and begin the process of litigation against UB Social for collection of unpaid Police charges and to begin investigating ABC Charges for violation of the ABC rules involving the operation of an Alcohol Beverage Establishment.

Resolution Offered by Mr. Williams, seconded by Mr. Cocuzza and approved by the following roll call vote:

ROLL CALL:

AYES: MR. WICKI, MS. ROCHE, MR. WILLIAMS, MR. ANDREUZZI AND MR. COCUZZA
NAYS: NONE
ABSTAIN: NONE
ABSENT: MR. PERRELLA

ADJOURNMENT:

Motion moved by Councilman Cocuzza, seconded by Councilman Wicki and approved by unanimous Voice Vote. Mayor Smith adjourns the December 15, 2016 meeting sine die to the January 6, 2016 6 p.m. Reorganizational Meeting.