



**AGENDA**  
**Borough of Union Beach**  
**Thursday, June 15, 2017 - 8:00 p.m.**  
**650 Poole Avenue, Union Beach, NJ**

**CALL TO ORDER:** Meeting called to order by Mayor Smith at \_\_\_ 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. Wicki  
Ms. Roche  
Mr. Cavallo  
Mr. Lewandowski  
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  
Carol Seney, Deputy Clerk

**SET ASIDE THE REGULAR ORDER OF BUSINESS: MEETING OF JUNE 15, 2017**

1. Retirement well wishes and Appreciation Award issued to Mr. Robert Burlew
2. Presentation of the School Budget by Dr. Ridley and Ms. Ertle

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by voice vote

**BACK TO THE REGULAR ORDER OF BUSINESS:**

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by voice vote.

**APPROVAL OF MINUTES OF THE MEETING OF:**

May 18, 2017 Meeting – Tabled to July Meeting.

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by voice vote.

**PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:**

1. **Change in the August Meeting Dates. August 17<sup>th</sup> Agenda and August 24<sup>th</sup> Council Meeting**

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by voice vote.

June 17<sup>th</sup> – 1 p.m Eagle Court of Honor – Eric Konkol – Mayor, Lou and Anthony to Attend.

June 19<sup>th</sup> – 6 p.m. Keyport Graduation – Raindate June 20th

June 20<sup>th</sup> – 6 p.m. RBR Graduation

June 21<sup>st</sup> – Volley Ball Kick Off – Beach Front

June 24<sup>th</sup> – Union Beach 5K

October 14<sup>th</sup> Union Beach Day

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

*Public Hearing before the Mayor and Council  
FY 2018 Community Development Block Grant  
Application / Proposal*

**Project: St. James Avenue Reconstruction**

**Mayor Smith:** announces that this portion of our meeting is the Public Hearing on the Community Development Block Grant Application and calls upon Engineer of T&M Associates, the Borough Engineering Firm and Consultant to the Citizen's Advisory Committee, to make presentation of the Project to be submitted to the County of Monmouth for the FY 2018 projects program, as recommended by the Citizens Advisory Committee at their public meeting of June 8, 2017.

**Presentation by Engineer**

Mayor Smith- Comments:

Mayor Smith asks for any comments from the Council.

Mayor Smith also advises that the Public Hearing before the Mayor and Council was duly advertised in a Blocked Ad in the Asbury Park Press on May 18, 2017, in accordance with the CD Guidelines.

**Public Hearing on FY2018 Block Grant Program Proposal:**

Mayor Smith Opens the Meeting to the Public on the FY2018 Block Grant Program Proposal, as presented by Engineer, on behalf of the Citizens Advisory Committee at \_\_\_\_\_ p.m.

Mayor Smith declares the public hearing on the C.D. Block Grant Application / Proposal for the 2018 closed at \_\_\_\_\_ p.m.

**Resolution No. 2017 - 118 :**

*APPROVAL AND ACCEPTANCE OF THE 2018 CDBG APPLICATION/PROPOSAL AS SUBMITTED TO THE GOVERNING BODY BY THE CITIZENS ADVISORY COMMITTEE TO BE SUBMITTED TO THE COUNTY OF MONMOUTH COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM COMMITTEE.*

Whereas, the Borough of Union Beach is desirous of participating in the FY2018 Community Development Block Grant program; and

Whereas, the Borough of Union Beach's Citizen Participation Advisory Committee under the Community Development Block Grant Program has made recommendation to the Governing Body that an application be submitted for the project:

**"St. James Avenue"**

and;

Whereas, the total reconstruction of St. James Avenue which runs from Poole Avenue to Tenth, approximately \_\_\_ feet in length, and is in dire need of repair, with poor drainage and poor condition of the street pavement, a 26 foot width roadway.

Now, therefore, be it resolved, by the Mayor and Council of the Borough of Union Beach that the Governing Body does hereby Accept and Approve said project, as submitted by the Citizens Participation Advisory Committee for the project "Reconstruction of St. James Avenue" in the Borough of Union Beach; and

Be it further resolved, that the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey is hereby authorized to solicit funding from the County of Monmouth, Community Development Block Grant Program for this project.

Be it further resolved, that a Certified copy of this Resolution be forwarded to the following:

- 1) Ms. Debbie Dovedytis, Program Director of the Monmouth County Community Development Program.
- 2) The Union Beach Citizens Participation Advisory Committee Members.

Attn: Mr. Robert M. Howard, Jr., Borough's Representative.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**ORDINANCE NO. 2017-255:**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of June 5, 2017.

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.

**ORDINANCES: Meeting of June 15, 2017:**

**Ordinance 2017-255:**

**AN ORDINANCE TO ESTABLISH A RESTRICTED  
PARKING SPACE IN FRONT OF 20 ANDERSON STREET  
FOR THE SOLE USE OF MARY JANE AND ROGER MICHALAK WHO RESIDE AT  
20 ANDERSON STREET AND ARE PERMANENTLY DISABLED**

**WHEREAS**, pursuant to NJSA 39:4-197 any Municipality may by ordinance establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of P.L. 1949, c. 280 (C.39:4-204 et seq.) provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic; and

**WHEREAS**, Mary Jane and Roger Michalak who reside at the premises located at 20 Anderson Street, Borough of Union Beach, County of Monmouth, State of New Jersey and are permanently disabled and have requested that the Borough of Union Beach establish a restricted parking space in front of 20 Anderson Street, for their sole use.

**NOW, THEREFORE, BE IT ORDAINED** by the Borough Council of the Borough of Union Beach, County of Monmouth, State of New Jersey that:

1. A restricted parking space shall be established in front of 20 Anderson Street for the use of Mary Jane and Roger Michalak, this space shall be for their sole use and shall cease to exist upon they no longer being residents of 20 Anderson Street.
2. Prior to the establishment of the aforementioned restricted parking space, the residents of 20 Anderson Street, Mary Jane and Roger Michalak shall furnish the Borough of Union Beach with her special vehicle identification card or a certified copy thereof, which must be issued to them by the Division of Motor Vehicles pursuant to law.
3. This Ordinance shall take effect immediately after final passage according to law and after Mary Jane and Roger Michalak provide to the Borough of Union Beach with their special vehicle identification card or a certified copy thereof as mentioned herein.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect immediately upon its enactment.

**PUBLIC HEARING ON BOND ORDINANCE NO. 2017-255: MEETING OF JUNE 15, 2017**

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2017-255 AT \_\_\_\_\_ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2017-255 AT \_\_\_\_\_ P.M.

**RESOLUTION NO. 2017- 119: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2017-255 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF ADOPTION IN ASBURY PARK PRESS**

Paper: The Asbury Park Press, Issue of June \_\_\_\_, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**Ordinance 2017-256**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of June 4, 2017.

*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.

***Ordinance Amending an Ordinance Entitled "The Revised General Ordinances of the Borough of Union Beach, 1980-," Chapter XII Streets and Sanitation, Section 12-7***

*(Chapter 12-7 is being amended to provide for a single permit fee of \$30.00 and to revise the term of the permit to be thirty (30) days.)*

**Ordinance 2017-256:**

12-7 DUMPSTER/CONTAINER PERMITS.

12-7.1 Permits Required.

No person shall place a dumpster, waste container or storage container on or adjacent to property without first having obtained a permit. The construction official shall not issue a construction or demolition permit unless the applicant has identified the manner of the disposal or recycling of the debris/waste to be generated by the construction and/or demolition. If dumpster(s), waste container(s), and/or storage container(s) will be necessary to store and remove the debris/waste or stored goods, and/or equipment, the applicant shall first obtain a "dumpster" permit from the department of public works. A copy of each

"dumpster" permit issued by the department of public works shall be forwarded to the borough clerk, construction official and police department.

12-7.2 Permit Fee.

The fee for a "dumpster" permit shall be thirty (\$30.00) dollars per dumpster/waste container and/or storage container payable to the Borough of Union Beach. After removal of the dumpster/waste container and/or storage container, the applicant must provide written proof of compliance with all requirements of this section and other ordinances along with all other applicable statutes and regulations.

12-7.3 Site Requirements.

The "dumpster" permit must be placed by the applicant in a conspicuous location on or about the dumpster/waste container and/or storage container. Dumpster(s)/waste container(s) and/or storage container(s) shall not be placed in a street and/or public right-of-way without the approval of the Traffic and Safety Officer of the Union Beach Police Department. Any dumpster/waste container and/or storage container placed in the street and/or public right-of-way will be required to have reflective devices placed on all corners of the dumpster/waste container and/or storage container and cones along the front, back and sides facing the street. It will be the responsibility of the applicant to maintain the safety apparatus for the duration of the permit. No dumpster/waste container and/or storage container shall remain on any street or right-of-way for more than thirty (30) days after the issuance of the "dumpster" permit. It will be the responsibility of the applicant to protect street surfaces, curbs, sidewalks and other public facilities to avoid damage caused by the placement of the dumpster/waste container and/or storage container.

12-7.4 Civil Remedies for Noncompliance.

Damage caused by the placement of the dumpster/waste container and/or storage container to street surfaces, curbs, sidewalks and other public facilities will be the responsibility of the applicant to repair. The cost of inspecting and approving the repair shall be a lien upon the property serviced by the dumpster/waste container and/or storage container. Any dumpster/waste container and/or storage container which remains on a public street or right-of-way for more than thirty (30) days or for which the proper safety apparatus is not maintained will be subject to removal by the borough and the cost of such removal shall be a lien upon the property serviced by the dumpster/waste container and/or storage container. These civil remedies are in addition to and supplementary to fines and penalties imposed pursuant to subsection 12-7.5.

12-7.5 Enforcement.

a. Violations. This section shall be enforced by the department of public works, the Police Department of the Borough of Union Beach, the Union Beach Code Enforcement Bureau, the Board of Health, or any other official or officer of the Borough of Union Beach.

b. Penalties. Any person who is convicted of a violation of this section shall be subject to a fine not to exceed two thousand (\$2,000.00) dollars and/or a term of imprisonment not to exceed 90 days or a period of community service not exceeding 90 days, or both.

c. Each day that a violation shall continue to exist shall constitute a separate offense.

**PUBLIC HEARING ON ORDINANCE NO. 2017-256: MEETING OF JUNE 15, 2017**

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2017-256 AT \_\_\_\_\_ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2017-256 AT \_\_\_\_\_ P.M.

**RESOLUTION NO. 2017-120 : AUTHORIZING FINAL ADOPTION OF ORDINANCE 2017-256 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF ADOPTION IN ASBURY PARK PRESS**

Paper: The Asbury Park Press, Issue of June \_\_\_\_, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS:**

**Councilman Wicki**

**Councilwoman Roche**

**Councilman Cavallo**

**Councilman Lewandowski**

**Finance, Personnel, Administration & Code Enforcement**

**Emergency Svs. (Fire, OEM) Library & American Legion**

**Public Affairs, Seniors, Court & Special Grants**

**Health, Education, Recreation & Drug Alliance**

**MEETING OPEN FOR PUBLIC DISCUSSION:**

Meeting opens for Public Discussion at \_\_\_\_ p.m.  
Meeting closes for Public Discussion at \_\_\_\_ p.m.

**NEW BUSINESS AND INTRODUCTION OF ORDINANCES:**

**ORDINANCES: Meeting of June 15, 2017:**

**ORDINANCE NO. 2017 - 258:**

AN ORDINANCE FIXING THE SALARIES, WAGES AND OTHER EMOLUMENTS OF THE REGULAR OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH FOR THE FISCAL YEARS BEGINNING JANUARY 1, 2016 THROUGH DECEMBER 31, 2019

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH AS FOLLOWS:

SECTION 1: THE FOLLOWING SHALL CONSTITUTE THE SALARIES, WAGES AND EMOLUMENTS OF THE INDICATED EMPLOYEES AND OFFICIALS OF THE BOROUGH OF UNION BEACH, PAYABLE AS HEREINAFTER PROVIDED AND EFFECTIVE AS OF THE ADOPTION OF THIS ORDINANCE, AND THE PUBLICATION OF NOTICE OF SUCH ADOPTION, IN ACCORDANCE WITH THE LAW, AND CONTINUING IN EFFECT UNTIL THEREAFTER AMENDED, EXCEPT WHERE OTHERWISE SPECIFIED.

THE EMPLOYEES AND OFFICIALS OF THE BOROUGH OF UNION BEACH COVERED BY THIS ORDINANCE SHALL BE COMPENSATED BI-WEEKLY PURSUANT TO THE FOLLOWING SALARY GUIDE FOR THE FISCAL YEARS BEGINNING JANUARY 1, 2016 THROUGH DECEMBER 31, 2019.

**SCHEDULE A**

Salary guide for January 1, 2016 through December 31, 2019, for officers hired prior to July 1, 2013:

RANK	1/1/16 TO 12/31/16	1/1/17 TO 12/31/17	1/1/18 TO 12/31/18	1/1/19 TO 12/31/19
Sgt 1 <sup>st</sup> Class +20 yrs.	116,533.06	118,281.05	120,055.26	121,856.08
Sgt 1 <sup>st</sup> Class +15yrs.	116,460.94	118,207.85	119,980.96	121,780.67
Sgt 1 <sup>st</sup> Class +10 yrs.	116,388.85	118,134.68	119,906.70	121,705.30
Sgt 1 <sup>st</sup> Class + 5 yrs.	116,318.41	118,063.18	119,834.12	121,631.63
Sgt 2 <sup>nd</sup> Class +20 yrs.	105,306.63	106,886.22	108,489.51	110,116.85
Sgt 2 <sup>nd</sup> Class +15 yrs.	105,242.90	106,821.54	108,423.86	110,050.21
Sgt 2 <sup>nd</sup> Class +10 yrs.	105,177.49	106,755.15	108,356.47	109,981.81
Sgt 2 <sup>nd</sup> Class + 5 yrs.	105,113.77	106,690.47	108,290.82	109,915.18
Ptl 5 <sup>th</sup> step + 20 yrs.	101,360.55	102,880.95	104,424.16	105,990.52
Ptl 5 <sup>th</sup> step + 15 yrs.	101,298.53	102,818.00	104,360.27	105,925.67
Ptl 5 <sup>th</sup> step +10 yrs.	101,236.47	102,755.01	104,296.33	105,860.77
Ptl 5 <sup>th</sup> step + 5 yrs.	101,174.42	102,692.03	104,232.41	105,795.89

**SCHEDULE B**

The following salary guide applies to officers hired on or after 7/1/13\*:

Step	1/1/2016 TO 12/31/2016	1/1/2017 TO 12/31/2017	1/1/2018 TO 12/31/2018	1/1/2019 TO 12/31/2019
Academy (six month)	38,594	39,172	39,759	40,355
Step 1	45,576	46,259	46,952	47,656
Step 2	52,557	53,345	54,145	54,957
Step 3	59,538	60,431	61,337	62,257
Step 4	66,521	67,518	68,530	69,557
Step 5	73,502	74,604	75,723	76,858
Step 6	80,483	81,690	82,915	84,158
Step 7	87,465	88,776	90,107	91,458
Step 8	94,446	95,862	97,299	98,758
<b>Step 9</b>	<b>101,424</b>	<b>102,945</b>	<b>104,489</b>	<b>106,056</b>

\*Movement on the guide is on the Anniversary Date.

The following salary guide applies to officers hired on or after 7/1/13 who are promoted to Sergeant\*\*:

Step	1/1/2016 TO 12/31/2016	1/1/2017 TO 12/31/2017	1/1/2018 TO 12/31/2018	1/1/2019 TO 12/31/2019
Step 1	105,373	106,953	108,557	110,185
Step 2	109,116	110,752	112,413	114,099
Step 3	112,888	114,581	116,299	118,043
Step 4	116,584	118,332	120,106	121,907

\*\*Movement on the guide is on the Anniversary Date of Promotion.

**SECTION 2:** Any benefits required to be accorded or paid to or on behalf of any employee designated herein under any collective bargaining agreement, the execution of which was duly authorized by the Mayor and Council of the Borough of Union Beach, shall be deemed authorized by this ordinance.

**SECTION 3:** All salaries authorized by this ordinance shall be paid retroactively, effective to January 1, 2016, provided that the employee was still in the employ of the Borough of Union Beach at the time of the execution of the collective bargaining agreement between the Mayor and Council of the Borough of Union Beach and P.B.A. Local 291, and any moneys due for holiday emolument which is computed based upon the works schedule shall be based upon the ten (10)hour, four (4) day work schedule through February 16, 2017 and an eleven (11) hour day thereafter.

**Section 4:** All ordinances or parts of ordinances inconsistent with this ordinance shall be deemed repealed to the extent of such inconsistency.

**SECTION 5:** This ordinance shall take effect immediately upon its adoption.

**RESOLUTION NO. 2017- 121: AUTHORIZING INTRODUCTION ORDINANCE 2017-258 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS FOR PUBLIC HEARING AND ADOPTION ON JULY 20, 2017.**

Paper: The Asbury Park Press, Issue of June \_\_\_\_, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**ORDINANCE 2017 -259:**

**Ordinance Amending Ordinance relating to Fence Regulations**

**AN ORDINANCE AMENDING SECTION XIII (LAND USE AND DEVELOPMENT REGULATIONS) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO AMEND CERTAIN PROVISIONS REGARDING THE HEIGHT OF PRINCIPAL STRUCTURES.**

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey that Section XIII (Land Use and Development Regulations) of the General Ordinances of the Borough of Union Beach is hereby amended or supplemented as follows:

PURPOSE

The purpose of this ordinance is to amend or add certain definitions, general provisions, design standards and general zoning provisions to incorporate changes to clarify the requirement regarding fences, steps and ramps as recommended by the Acting Zoning Official.

*Chapter XIII (Land Use and Development Regulations) of the General Ordinances of the Borough of Union Beach is hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):*

SECTION 1

*Chapter XIII (Land Use and Development Regulations), Section 13-5 (General Provisions), Subsection 13-5.5 (Yard Areas) shall be amended as follows:*

13-5.5 Yard Areas.

- a. (No Change)
- b. (No Change)
- c. Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except for the ordinary projections allowed by the State Uniform Construction Code including, but not limited to, sills, belt courses, chimneys, flues, buttresses, ornamental features, and eaves, provided, however, that none of the aforesaid projections shall project into the minimum required yards more than 24 inches unless otherwise permitted by this chapter. Unroofed entrance porches, terraces, ADA ramps, stairs and landings which do not rise above the height of the floor level of the ground floor may extend up to five (5) feet into the required side yard; up to ten (10) feet into any required front yard and up to ten (10) feet into any required rear yard providing the total area of all such porches, terraces, ADA ramps, stairs and landings which extend into such yards, does not exceed 1,000 square feet
- d. (No Change)

SECTION 2

*Chapter XIII (Land Use and Development Regulations), Section 13-8 (Design Standards and Improvement Specifications), Subsection 13-8.13 (Fences and Hedges) shall be amended to read as follows:*

13-8.13 Fences and Hedges

- a. Fences, hedges and walls hereafter erected, altered or reconstructed in any zone in the borough shall not exceed six feet in height above ground level except as follows:
  - 1. Hedges, walls and fences, which are not open fences as defined in this chapter, subsection 13-2.3(a), 54 "Fence, open", located in a front yard, ~~or located~~ within 5 feet of a side (secondary front) yard of a corner lot fronting on a street, or within 50 feet of any river, lagoon or other body of water, shall not exceed 36 inches in height. Fences, hedges and walls which are set back greater than 5 feet from the side property line corner lot fronting on a street shall not exceed 6 feet in height.

2. through 4. (No Change)

b. through d. (No Change)

SECTION 3

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 4**

The Municipal Clerk is hereby directed, upon adoption of the Ordinance after public hearing thereon, to publish notice of the passage thereof and to file a copy of this Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S.40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

**SECTION 5**

This Ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

**RESOLUTION NO. 2017- 122: AUTHORIZING INTRODUCTION ORDINANCE 2017-259 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS FOR PUBLIC HEARING AND ADOPTION ON JULY 20, 2017.**

Paper: The Asbury Park Press, Issue of June \_\_\_\_, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTIONS: Meeting of June 15, 2017:**

**RESOLUTION 2017-123 :**

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project "2017 Sanitary Sewer Rehabilitation"***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

**2017 Sanitary Sewer Rehabilitation Program**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION NO. 2017-124:**

***LESO Resolution Senate Bill No. 2364***

WHEREAS, Congress authorized the 1033 Program to make use of excess Department of Defense equipment by making it available at the local, county, and State level. This excess Department of Defense equipment has been purchased with taxpayer funds. Law enforcement may request resources from this program. The Defense Logistics Agency mandates that all acquired 1033 equipment be under the control of the requesting law enforcement agency. The equipment may enhance community preparedness, response, and resiliency while off-setting the costs in a time of fiscal constraints; and,

WHEREAS, Senate Bill No. 2364 2(a) requires that all local or county law enforcement agencies be approved by resolution by the majority of the full membership of the governing body prior to the transmittal of 1033 Program application. The DLA requires that applications for program participation be submitted every 365 days.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Union Beach, County of Monmouth require the following:

The Mayor and Council of the Borough of Union Beach requires that the designated LESO Point of Contact for this venue submit a monthly report regarding acquired 1033 Program property. In the event that any property had



been obtained contrary to the intent of Senate Bill No. 2364 2(a), the State Coordinator shall be contacted and equipment shall be transferred or returned via the federal inventory database system(FEPMIS).

The Mayor and Council of the Borough of Union Beach is aware that certain equipment available in the RTD system will not be approved by the State Coordinator. These items include, but are not limited to: bayonets, combat gloves, and simulated rocket launchers. \*Actual weapons are not available on the RTD system.

The Mayor and Council of the Borough of Union Beach finds that the Borough of Union Beach, Police Department may request and acquire any DEMIL A (non-controlled) property in the RTD system without restriction.

The Mayor and Council of the Borough of Union Beach finds that the Union Beach Police Department may request and acquire certain DEMIL B thru H (controlled) property in the RTD system. It has been determined that based on the needs of this venue, law enforcement may not acquire armored tactical vehicles or marine vessels over 28' without approval of the Mayor and Council.

Any special application for weapons, aircraft, or MRAP's must be authorized by the Mayor and Council prior to the submission of the application.

The Mayor and Council of the Borough of Union Beach recognizes that the acquisition of 1033 Program property is time-sensitive as resources are allocated to all States based on time-stamp of requisition. In the event that a LESO Point of Contact requests an item in good faith and said item is determined to be contrary to the intent of the resolution, the LESO Point of Contact may cancel the request prior to the acquisition of the property, without being in violation of S2364 2(a).

LESO POC#1: Police Sgt. Gabriel Farese

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION 2017- 125 :**

***Resolution Authorizing the Hourly Wage of Acting Construction Official, P/T-Temporary in the Construction Office***

**Be it Resolved** by the Borough Council of the Borough of Union Beach, that:

**Whereas**, by a previous resolution the Borough Council did appoint an Acting Construction Official, Part-Time, Temporary, and

**Whereas**, the Mayor and Council wish to set the hourly wage for the above position; and

**Now, Therefore, Be it Resolved**, by Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey as follows:

1. That the hourly wage for the position of (Acting) Construction Official, Part Time-Temporary, effective May 1, 2017 be set at \$40.00 per hour.

**Be it Further Resolved**, that a certified copy of this resolution be forwarded to the Finance Department. and Personnel and Construction Committees that the records of the Code Enforcement Department be accordingly adjusted.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION 2017- 126 :**

**AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR THE PERIOD JULY 1, 2017- JUNE 30, 2018.**

Be it Resolved, by the Mayor and Council of the Borough of Union Beach that Alcoholic Beverage Licenses be issued to the persons; associations and corporations set forth below for the premises indicated for the license period: **July 1, 2017 and ending June 30, 2018** for which Tax Certificates have been received from the State Division of Taxation for each of the Licensees listed, and;

Be it further resolved, that the Municipal Clerk is hereby authorized and directed to sign and deliver the license certificates to the following licensees:

License No.	Name and Address of Licensee:
1350-33-002-002 MUN. LIC. C-2 (CONSUMPTION)	ANCHOR INN, INC. T/A ANCHOR INN 215 FLORENCE AVE.
1350-33-010-009 MUN. LIC. C-9 (CONSUMPTION)	JAKEABOB'S BAY, INC. T/A JAKEABOB'S BAY 525 FRONT STREET UNION BEACH, NJ 07735
1350-44-013-006 MUN. LIC. D-2 (DISTRIBUTION)	SUN PETRO, INC. T/A KELLERS LIQUOR STORE 610 FLORENCE AVE.
1350-44-004-004 MUN. LIC. D-2 (DISTRIBUTION)	SWETA, INC. T/A CORNER LIQUORS STORE 510 UNION AVE.
1350-33-001-005 MUN. LIC. C-1 (CONSUMPTION)	BRUNA AND COMPANY INC. T/A ADERS TAVERN 1321 FLORENCE AVE. UNION BEACH, NJ 07735
1350-31-015-001 MUN. LIC. C-2 (CLUB LICENSE)	AMERICAN LEGION POST 321 524 FRONT STREET UNION BEACH, NJ 07735
1350-33-005-006 MUN. LIC C-2 (CONSUMPTION)	PIERO'S RESTAURANT T/A TRE BELLE FIGLIE, LLC 1411 STATE HIGHWAY 36 UNION BEACH, NJ 07735
1350-33-011-007 MUN. LIC C-2 (CONSUMPTION)	UB SOCIAL 910 UNION AVENUE UNION BEACH, NJ 07735
1350-33-012-006 MUN. LIC C-2 (CONSUMPTION)  IN-ACTIVE SINCE 2012	*THE WILLIN GROUP INC. (table as no tax clearance received) CERVINO'S 300 UNION AVENUE UNION BEACH, NJ 07735

**ATTNY: DISCUSSION:**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION 2017-127 :**

***RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")***

**WHEREAS**, floods are the most common and most destructive natural disasters in the United States; and

**WHEREAS**, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

**WHEREAS**, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

**WHEREAS**, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

**WHEREAS**, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

**WHEREAS**, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

**WHEREAS**, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

**WHEREAS**, the NFIP is set to expire on September 30, 2017; and

**WHEREAS**, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

**WHEREAS**, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

**WHEREAS**, the purpose of this Resolution is to urge the Borough of Union Beach Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

**NOW, THEREFORE, BE IT RESOLVED**, that Borough of Union Beach hereby urges its Federal Legislators and Representatives to take any and all necessary action

to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be forwarded to Borough of Union Beach Federal Legislators and Representatives.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION 2017-128 :**

***Resolution authorizing refunds for payment of Vacant Property Registrations***

**Whereas**, payment was collected for vacant property registration for properties known as block 20, lot 6 , further known as 820 2<sup>nd</sup> Street and block139, lot 1, further know as 221 Morningside Avenue, in the Borough of Union Beach. Said payments were received by Service Link NLS,LLC and Altisource Solutions, Inc. recorded in the records of the Borough of Union Beach on in January 2016 and March 24, 2017.

**Whereas**, the payments occurred due to 820 2<sup>nd</sup> Street applying while property was a vacant lot and 221 Morningside applying in the Borough of Union Beach for a property in Linden, NJ in error.

**Whereas**, the Code Enforcement Officer for the Borough of Union Beach made application to the Finance Officer to grant a full refund of \$\$500 each to Altisource and ServiceLink, as the vacant property registrations were paid in error.

**Now, Therefore, Be it Resolved**, by Mayor and Council of the Borough of Union Beach, that in accordance with the recommendations of the Finance Officer a refund in the total amount of \$500.00 made payable to Altisource and \$500 made payable to ServiceLink is hereby authorized.

**Be it Further Resolved**, that the records of the Code Enforcement Department be accordingly adjusted.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**RESOLUTION NO. 2017-129 :**

**CERTIFICATION OF THE 2016 AUDIT**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and;

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Union Beach, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:**

**RESOLUTION NO. 2017- 130: Offered by Councilman Wicki**

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

Seconded by: \_\_\_\_\_

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

\*Councilman Lewandowski abstains on all Board of Education and Fire Department Vouchers/Purchase Orders.

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

**EXECUTIVE SESSION: RESOLUTION NO. 2017- 131: June 15, 2017 (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) Pending Litigations. 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.

**RECONVENE MEETING:**

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  
Mrs. Roche  
Mr. Cavallo  
Mr. Lewandowski  
Mr. Andreuzzi  
Mr. Cocuzza

**Also Present:**

Mayor Paul J. Smith, Jr.  
John T. Lane, Jr., Attorney  
Robert M. Howard, Jr., Borough Administrator  
Carol Seney, Deputy Clerk

**ATTORNEY: PURPOSE:**

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**BUSINESS ADDED TO THE AGENDA OF THE MEETING OF JUNE 15, 2017: (IF NECESSARY):**

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

1.

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

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

**ADJOURNMENT:** Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by unanimous Voice Vote. \_\_\_\_\_ P.M.