



**BOROUGH OF UNION BEACH
COUNCIL MEETING
January 21, 2020, 7:30 P.M.
650 Poole Avenue, Union Beach, NJ**

CALL TO ORDER: Meeting called to order by Mayor Charles Cocuzza at ____ p.m.

ANNOUNCEMENT: By Mayor Cocuzza of the Emergency Fire Exits.

SALUTE TO THE FLAG: Mayor Cocuzza

SUNSHINE LAW NOTICE: Announced by Borough 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." - change of meeting legal notice has been sent and run in the Asbury Park Press and Independent as to the teleconferencing of this meeting containing instructions for public participation.

ROLL CALL: Council Members

- Mr. Wicki
- Ms. Roche
- Mr. Cavallo
- Mr. Lewandowski
- Mr. Andreuzzi
- Ms. Woodruff

Also Present:

- Mayor Charles W. Cocuzza
- John T. Lane, Jr., Borough Attorney
- Robert M. Howard, Jr. Borough Administrator
- Anne Marie Friscia, Borough Clerk
- Carol Seney, Deputy Clerk

MOTION TO SET ASIDE THE REGULAR ORDER OF BUSINESS: January 21, 2021

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF January 21, 2021

Motion moved by _____ seconded by: _____ voice vote.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

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

MEETING OF JANUARY 21, 2021 - none

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

- Beachfront Vendor Application/License A & B – Angelo Soldi
- Beachfront Vendor Application/License C – Firefighter Park – Audrey Phillips

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

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki

Councilwoman Roche

Councilman Cavallo

Councilman Lewandowski

Councilman Andreuzzi

Councilwoman Woodruff

Finance, Personnel, Administration, Special Grants & Shared Services

Board of Education, American Legion & Public Affairs

Seniors, Library, Community Alliance & Health

Public Safety, Court, OEM, Fire Dept., EMS

Public Works, Building and Grounds & Construction, Code Enforcement, Environmental & Planning Board

Recreation & UBSA

Robert M. Howard, Borough Administrator

MEETING OPEN FOR PUBLIC DISCUSSION: January 21, 2021

Meeting opens for Public Discussion at _____ p.m.

Meeting closes for Public Discussion at _____ p.m.

UNFINISHED BUSINESS:

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCES: Meeting of January 21, 2021:

Ordinance 2021-296

AN ORDINANCE AMENDING CHAPTER XIX (ENVIRONMENTAL PROTECTION) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO AMEND CERTAIN PROVISIONS REGARDING STORMWATER MANAGEMENT AND CONTROL.

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey that Chapter XIX (Environmental Protection) 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 for Stormwater Management and Control as recommended by the New Jersey State Environmental Protection Agency.

Chapter XIX (Environmental Protection) of the General Ordinances of the Borough of Union Beach is hereby amended or supplemented in its entirety as follows:

RESOLUTION NO. 2021- 29: AUTHORIZING INTRODUCTION OF ORDINANCE 2021- 296 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2021-296 IN ASBURY PARK PRESS TO BE HELD ON FEBRUARY 18, 2021.

Paper: The Asbury Park Press, Issue of January , 2021

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

Ordinance 2021-297:

AN ORDINANCE AMENDING CHAPTER XIII (LAND USE AND DEVELOPMENT REGULATIONS) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO AMEND CERTAIN PROVISIONS REGARDING ACCESSORY BUILDINGS AND STRUCTURES.

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey that Chapter 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 decks, driveways and curb cuts as recommended by the 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 13-5.8 (Accessory Buildings) shall be amended as follows:

13-5.8 Accessory Building and Structures.

Unless otherwise specified in this chapter, accessory buildings and Structures shall conform to the following regulations.

a. An accessory building attached to a principal building shall comply in all respects with the yard requirements of this chapter for the principal building. Detached accessory buildings shall be located in other than the front yard, and if located in a side or rear yard area, shall be set back as indicated in Section 13-10, Zoning District Regulations, for the specified distance, except that in the R-8 Residential Zone, storage sheds containing less than 100 square feet of floor area may be located not less than three feet from any side or rear lot line. Any storage shed having a floor area of 100 square feet or more shall be not less than five feet from any side or rear lot line.

b. through g *(No Change)*

h. Any lot shall not contain more than ~~one~~ two accessory storage shed structures, in addition to a detached garage. The combined floor area of any two storage shed accessory structures shall be no more than 180 square feet.

i. through j *(No Change)*

SECTION 2

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 3

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 4

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

RESOLUTION NO. 2021-30: AUTHORIZING INTRODUCTION OF ORDINANCE 2021- 297 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2021-297 IN ASBURY PARK PRESS TO BE HELD ON FEBRUARY 18, 2021.

Paper: The Asbury Park Press, Issue of January , 2021

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

RESOLUTIONS: Meeting of January 21, 2021

RESOLUTION NO. 2021-31:

Appointments to the Board of Health

Mayor Cocuzza announces that he nominates, and with the advice and consent of the Council, appoints the following persons as members of the Union Beach Board of Health for a three year term expiring on December 31, 2023:

Bruna Devino Alternate 1 (Three Year Term expiring 12/31/23)
1321 Florence Ave.

Karen Kraut Alternate 2 (Three Year Term expiring 12/31/23)
101 Victoria Place

Be it Resolved, by the Borough Council of the Borough of Union Beach, that the Appointments of the above named persons as members of the Board of Health, of the Borough of Union Beach, as made by the Mayor, for the terms set forth above, be and the same are hereby approved and confirmed.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

RESOLUTION NO. 2021-32:

Resolution Authorizing the Award of a Non-Fair and Open Contract for Consulting Services

Whereas, the Borough of Union Beach has a need to acquire services of a Consulting Expert for litigation as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and,

Whereas, the Borough has determined that the value of the services may exceed \$17,500.00; and

Whereas, the anticipated term of this contract is one (1) year; and

Whereas, Capital Project Management, Inc., Blue Bell, PA (CPMI) has submitted a proposal dated December 16, 2020 indicating they will provide the services and the Borough’s legal counsel in said litigation has recommended acceptance of the proposal; and

Whereas, CPMI has completed and submitted a Business Entity Disclosure Certification which certifies that CPMI has not made any reportable contributions to a political or candidate committee in the Borough of Union Beach in the previous one (1) year, and that the contract will prohibit contributions through the term of the contract; and

Whereas, CPMI has completed and submitted a State of New Jersey Business Registration Certificate; and

Whereas, the value of said services is not to exceed \$20,000.00 without further authorization by the Mayor and Council of the Borough of Union Beach; and

Now Therefore, Be It Resolved that the Mayor and Council of the Borough of Union Beach authorizes the Borough Administrator to enter into an engagement agreement with CPMI as described herein; and

Be It Further Resolved that the Business Disclosure Entity Certificate and the State of New Jersey Business Registration Certificate be placed on file with this registration.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

RESOLUTION NO. 2021-33:

BOROUGH OF UNION BEACH COUNTY OF MONMOUTH RESOLUTION TRANSFER OF CY 2020 APPROPRIATIONS RESERVES			
WHEREAS, Certain Appropriations for the Budget Calendar Year 2020 require modifications in order to balance the cost of operations for said fiscal year; and			
WHEREAS, N.J.S.A. 40A:4-59 provides that during the first 3 months of the succeeding 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 \$46,500.00 for the Current Fund Budget between 2020 Appropriation Reserves:			
Current Fund			
	From	To	
Operations - within "CAPS":			
General Government			
Legal Services and Costs:			
Other Expenses	\$		\$ 4,000.00
Garbage and Trash Removal			500.00
Landfill Charges			25,000.00
Recycling Costs:			
Other Expenses			16,500.00
Board of Health:			
Other Expenses	500.00		
Rodent Extermination Control			
Other Expenses			500.00
Insurance:			
Employee Group Insurance	46,000.00		
Total Operations Including Contingent within "CAPS "	46,500.00		46,500.00
Total Transfers	\$ 46,500.00		\$ 46,500.00

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

RESOLUTION NO. 2021-34:

Whereas, Ordinance No. 2018-268 was introduced and adopted by the Governing Body of the Borough of Union Beach on May 17, 2018 establishing the salary ranges for Officials and Employees of the Borough of Union Beach not covered by any organized bargaining unit contract.

Whereas, the Governing Body of the Borough of Union Beach now wishes to set the salaries of these Officials and Employees in accordance with said Ordinance and any subsequent revision for the calendar year 2021; and

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Union Beach that these salaries are hereby fixed and determined for the following Officials and Employees of the Borough of Union Beach effective and retroactively to January 1, 2021.

Registered Municipal Clerk F/T	\$72,550.00
Deputy Municipal Clerk F/T	\$50,500.00
Tax Collector F/T	\$72,550.00
Chief Financial Officer/Treasurer P/T	\$56,874.00
Borough Administrator F/T	\$130,000.00
Department Head – Public Works – CPWM F/T	\$95,000.00
Mayor P/T	\$7,283.00
Councilmember P/T	\$5,202.00
Department Head – Construction Official F/T	\$91,500.00

Tax Assessor P/T	\$21,000.00
Municipal Court Judge P/T	\$36,624.00
Municipal Court Prosecutor P/T	\$34,471.00
Alternate Municipal Court Prosecutor P/T	\$3,450.00
Municipal Court Public Defender P/T	\$4,600.00
Municipal Court Administrator – Temporary P/T	\$35.00 per hour
Borough Attorney P/T (And Such Other Compensation for Special Services as may be required by the Borough Upon Vouchers duly presented)	\$50,000.00
Borough Engineer P/T (And Such Other Compensation for Special Services as may be required by the Borough Upon Vouchers duly presented)	\$3,000.00
Clerk of the Planning Board P/T	\$10,260.00
Clerk of Elections P/T	\$2,600.00
Deputy Clerk of Elections P/T	\$1,500.00
Fire Sub-Code Official P/T	\$9,818.00
Plumbing Sub-Code Official P/T	\$11,562.00
Electrical Sub-Code Official P/T	\$11,562.00
Recycling Coordinator P/T	\$2,650.00
Assistant Recycling Coordinator P/T	\$2,000.00
Communications Operator/Police Department Dispatcher P/T	SMW - Probationary Period (3 mos.), then \$13.80 per hour
Special Police Officer P/T (Where Appointed to Serve with Compensation)	\$16.85 per hour
School Traffic Officer P/T (Where Appointed to Serve with Compensation)	SMW - Probationary Period (3 mos.), then \$6,550.00
School Traffic Officer – Temporary P/T	\$14.75 per hour
Secretary of Board of Health P/T	\$9,325.00
Blood borne Pathogen Compliance Officer P/T	\$3,350.00
Class I Special Police Officer P/T	\$11.00 per hour Probationary Period (3 mos.), then \$12.70 per hour
Class II Special Police Officer P/T	\$13.00 per hour Probationary Period (3 mos.), then \$19.00 per hour
Temporary Building/Fire/Plumbing/Electrical Sub-Code Official P/T	A) \$40.00 per hour B) \$38.00 per hour
Admin. Officer for Municipal Land Use Searches P/T	\$ 950.00
Tax Search Officer P/T	\$3,500.00
Assessment Search Officer P/T	\$2,400.00
Laborer – Temporary Emergency P/T	\$12.75 per hour
Seasonal Parking Enforcement P/T (SMW = State Minimum Wage)	\$13.50 per hour

Be It Further Resolved by the Governing Body of the Borough of Union Beach that a certified copy of this Resolution be sent to the Borough Administrator and Chief Financial Officer.

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

RESOLUTION NO. 2021-35:

Resolution authorizing the Union Beach Police Department to acquire (2) Packbots or other type of DEMIL CODE B – Q remotely controlled robots from the Federal 1033 Program.

Whereas, the Union Beach Police Department has been authorized to participate in the 1033 Program by the Union Beach Governing Body and as a result is eligible receive equipment via the 1033 Program; and

Whereas, The Borough of Union Beach Police Department has advised the Union Beach Governing Body that the Union Beach Police Department wants to obtain (2) Packbots or other type of DEMIL CODE B – Q remotely controlled robots without any cost to the Borough of Union Beach; with the exception of transportation and maintenance fees related to obtaining and maintaining the robots and

Whereas, The robots would be a useful tool for the Union Beach Police Department to assist with responses to handling active shooter incidents, hostage incidents, hazardous material incidents, and confined space incidents that may occur in the Borough of Union Beach; and

Whereas, the robots will be deployed and maintained in accordance with State and Federal guidelines; and

Now, therefore be it resolved that the Mayor and Council of the Borough of Union Beach hereby authorize the acquisition of (2) Packbots or other type of DEMIL CODE B – Q remotely controlled robots from the Federal 1033 Program for use by the Borough of Union Beach Police Department. This authorization is valid from January 1, 2021 through January 31, 2021, which satisfies the requirements of Senate bill No. 2364-2(a) and NJSA 40A:5-30.2 as they apply to the participation and acquisition of equipment through the 1033 Program in the State of New Jersey.

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

RESOLUTION NO. 2021-36:

Authorizing the appointment of a P/T Telecommunicator Trainee

Whereas, the Borough of Union Beach is presently in need of Part-Time, Telecommunicator Trainees due to resignations and retirements; and

Whereas, a letter received from the Chief of Police on January 14, 2021 has been received requesting such appointments be filled;

Now, therefore be it resolved by the Governing Body of the Borough of Union Beach in accordance with the recommendations of the Chief of Police, Michael J. Woodrow that the Governing Body of the Borough of Union Beach hereby authorizes the appointment of the following named person(s) as Telecommunicator Trainees (part-time). Effective as of January 21, 2021 not to exceed one year at a salary set forth in the 2021 Salary Resolution as follows:

***Jeremy Susser
Long Branch, NJ***

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

RESOLUTION NO. 2021-37:

Resolution Authorizing Addendum Number 14 to AIA Document B101-2007 Standard Form of Agreement Between Owner and Architect

This addendum to AIA Document B101-2007 Standard Form of Agreement Between Owner and Architect (“Addendum”) is entered into this 21st day of January, 2021 by and between the Borough of Union Beach (“Owner”), with offices located at 650 Poole Avenue, Union Beach, New Jersey 07735, and The Goldstein Partnership (Architect”), with offices located at 515 Valley Street, Suite 110, Maplewood, New Jersey 07040.

WHEREAS, the Owner and Architect entered into an AIA Document B101-2007 Standard Form of Agreement Between Owner and Architect (“Agreement”) for the Architect to provide professional services in connection with the Renovations & Addition to the Union Beach Municipal Building project (“Project”); and

WHEREAS, the Agreement contemplates that additional and/or extended services might be required of the Architect; and

WHEREAS, as a result of the Project Contractor’s delays and failures; the Architect has and will provide extended services beyond those required by the Agreement in order to complete the project under the new Completion Contract; and

WHEREAS, the Owner agrees that the extended services are required due to the fault of the Contractors; and

WHEREAS, the Architect submitted a proposal for extended additional services in the amount of \$15,000.00 for its anticipated services for completion of the project through April 30, 2021 and \$1,000.00 for Reimbursable Expenses; and

WHEREAS, the Owner reviewed the proposal dated January 14, 2021 and determined that IT is reasonable and the amounts proposed are consistent with the Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and agreements contained herein and in the Agreement, the Owner and Architect desire to amend the Agreement as follows:

1. The above recitals are incorporated herein by reference.
2. The Architect’s fees for the Project shall be increased in the amount of \$15,000.00 and Expenses \$1,000.00 which amounts shall be invoiced in accordance with the terms and conditions of the Agreement.
3. The Contract Sum for the construction of the project as set forth in the Owner/Contractor Agreement may be reduced by all or a substantial portion of the above amount after same has been determined after consultation with the Owner’s legal representatives. The Architect shall prepare the necessary documents to reduce the Contract Sum and/or back charge the Contractor and/or include in claim against the Surety the fees for the Architect’s extended services and expenses.
4. All other terms and conditions of the Agreement remain in full force and effect and shall apply to the services set forth in the Proposal.

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

APPROVAL OF VOUCHERS AND PAYMENT OF BILLS:
RESOLUTION 2021-38:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski*						
Mr. Andreuzzi						
Mrs. Woodruff						

*Councilman Lewandowski abstains on _____ Fire Department Vouchers/Purchase Orders.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF JANUARY 21, 2021:

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

1. RESOLUTION NO. 2020-:

Motion to add business to Agenda moved by _____ seconded by _____, voice vote.

RESOLUTION 2020- :

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

EXECUTIVE SESSION: RESOLUTION NO. 2021 : MEETING OF JANUARY , 2021.

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 () 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: ___ pm

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

ROLL CALL: Council Members

Also Present:

ATTORNEY: PURPOSE OF CLOSED SESSION:

PROPOSED RESOLUTION 2020-: (if necessary)

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

ADJOURNMENT: Motion moved by _____, seconded by _____ and approved by unanimous Voice Vote. _____ P.M.