



AGENDA
Council Meeting
Borough of Union Beach
Thursday, April 16, 2020 – 7:30 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 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.

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: April 16, 2020

Motion to Set aside the regular order of business for the purpose of: -

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

DISCUSSION:

BACK TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF April 16, 2020

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

APPROVAL OF MINUTES OF THE MEETING OF: March 19, 2020

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

Dates to Remember:

June 10th RBR Senior Awards 6:30 pm
June 16th Keyport Senior – 6:00 p.m
June 27 - 5K

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

MEETING OF APRIL 16, 2020:

2020 MUNICIPAL PURPOSES BUDGET HEARING

PUBLIC HEARING ON THE CY 2020 MUNICIPAL BUDGET: APRIL 16, 2020

Statement by Clerk:

Mayor, this is the time fixed for the public hearing on the 2020 Municipal Budget. The Budget was approved by the Governing Body on March 19, 2020 was advertised as required by law on March 26, 2020 together with notice of hearing for this time. This meeting was also advertised for teleconference.

Mayor, I have a Resolution No. 2020- 84 regarding the reading of the budget by title only:

Clerk Reads Resolution 2020 - in full:

Resolution No. 2020-84: Budget Resolution Authorizing non-reading of Budget in full:

Clerk: (READS FULL RESOLUTION REGARDING NONREADING OF BUDGET.)

Whereas, NJSA 40a:4-8 as amended provides that the Budget shall be read in full at the public hearing or that it may be read by its title only if:

- 1, At least one week prior to the date of the hearing a complete copy of the approved Budget:
 - (a) Shall be made available for public inspection in the free public library, if any, of the municipality and in the free county libraries or regional libraries located in the municipality or, if no county libraries or regional libraries are located in the municipality, the county or regional library of the county in which the municipality is located , and the public officer delegated responsibility of delivering copies of the approved budget to such library shall forward to the governing body an attestation that each such delivery was made, and
 - (b) Is made available to each person requesting the same during said week and during the public hearing.

Now, therefore be it Resolved, by the Governing Body of the Borough of Union Beach that it is hereby declared that the conditions of NJSA 40A:4-8, as amended set for the in subsections 1 (a) and 1 (b) have been met and therefore the Budget for the Calendar Year 2020 shall be read by title only.

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

Mayor Smith: Procedure for the hearing:

Each person desiring to be heard should Speak into the Microphone, give your name and address before speaking, one speaker at a time, all questions must be confined solely to the 2020 Municipal Budget before us.

Mayor Smith opens the Public Hearing on the CY 2020 Municipal Budget at ____ p.m.

Observing no further applicants for the floor or on line, Mayor Smith closes the Public Hearing on the CY 2020 Municipal Budget at ____ p.m.

Comments Submitted to the Municipal Clerk prior to this Meeting Date as advertised:

Comments on the Budget by Councilman Wicki (if any)

Comments by Council: (if any)

Adoption of the CY 2020 Budget Clerk Reads Section: page41&42

Budget Resolution 2020-70:

SECTION 2 - UPON ADOPTION FOR YEAR 2020

RESOLUTION

Be it Resolved by the **COUNCIL MEMBERS** of the **BOROUGH** of **UNION BEACH**, County of **MONMOUTH** that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a) \$ 7,628,437.59 (Item 2 below) for municipal purposes, and
- (b) \$ - (Item 3 below) for school purposes in Type I School Districts only (N.J.S.A. 18A:9-2) to be raised by taxation and,
- (c) \$ - (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S.A. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.
- (d) \$ - (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e) \$ - (Item 5 Below) Minimum Library Tax

RECORDED VOTE

(Insert last name)

Ayes

Nays

Abstained

Absent

1. General Revenues		SUMMARY OF REVENUES	
Surplus Anticipated		08-100	\$ 877,000.00
Miscellaneous Revenues Anticipated		13-099	\$ 1,964,053.23
Receipts from Delinquent Taxes		15-499	\$ 385,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$ 7,628,437.59
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:			
Item 6, Sheet 42		07-195	\$ -
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	\$ -
TOTAL AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY			\$ -
4. To Be Added to THE CERTIFICATE FOR THE AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE II SCHOOL DISTRICTS ONLY:			
Item 6(b), Sheet 11 (N.J.S.A. 40A:4-14)		07-191	
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY TAX			
		07-192	\$ -
Total Revenues		13-299	\$ 10,854,490.82

Sheet 41

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:		XXXXXX	XXXXXXXXXXXXXX
Within "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a & b) Operations Including Contingent		34-201	\$ 7,569,991.00
(e) Deferred Charges and Statutory Expenditures - Municipal		34-209	\$ 974,226.00
(g) Cash Deficit		46-885	\$ -
Excluded from "CAPS"		XXXXXX	XXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"		34-305	\$ 143,801.97
(c) Capital Improvements		44-999	\$ 389,500.00
(d) Municipal Debt Service		45-999	\$ 1,307,217.16
(e) Deferred Charges - Municipal		46-999	\$ -
(f) Judgments		37-480	\$ -
(n) Transferred to Board of Education for Use of Local Schools (N.J.S.A. 40:48-17.1 & 17.3)		29-405	\$ -
(g) Cash Deficit		46-885	\$ -
(k) For Local District School Purposes		29-410	\$ -
(m) Reserve for Uncollected Taxes		50-899	\$ 469,754.69
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICT ONLY (N.J.S.A. 40A:4-13)		07-195	
Total Appropriations		34-499	\$ 10,854,490.82

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the 16th day of April, 2020. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2020 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 16th day of April, 2020, _____, Clerk

Signature

Sheet 42

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

BOND ORDINANCE 2020-289:

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 March 24, 2020 and additionally advertised with teleconference instructions on April 6, 2020 issue of Asbury Park Press.

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.

****Clerk announces that she did receive a Supplemental Debt Statement from the Chief Financial Officer for the above Bond Ordinance and it is on file in her office.**

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,445,000 FOR VARIOUS IMPROVEMENTS BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$567,485 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Union Beach, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$1,445,000, such sum includes the sum of (a) \$291,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(i); (b) \$350,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(ii); (c) \$156,647 expected to be received as a Community Development Block Grant in connection with the improvement described in Section 3(a)(iii); (d) \$50,000 expected to be received as an Open Space Grant from the County of Monmouth in connection with the improvement described in Section 3(a)(iv) and (e) \$29,868 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment and the grants, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$567,485 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$567,485 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bond or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvement of Purpose	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(i) Reconstruction of Ocean Avenue – Phase II and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	\$315,000	\$22,800	20 years
(ii) Reconstruction of Lorillard Avenue and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	795,000	422,750	20 years
(iii) Reconstruction of a portion of 9 th Street and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	220,000	60,185	20 years
(iv) Improvements to Scholer Park Phase VIII, including construction of Tee Ball Fields, and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	115,000	61,750	15 years
TOTAL	\$1,445,000	\$567,485	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$567,485.

(c) The estimated cost of the Improvements is \$1,445,000 which represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in

writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements are within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 19.45 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$567,485 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$425,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9.

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough

shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$567,485.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RESOLUTION NO. 2020-85 : AUTHORIZING FINAL ADOPTION OF BOND ORDINANCE 2020-289 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF BOND ORDINANCE 2020-289 IN ASBURY PARK PRESS.

Paper: The Asbury Park Press, Issue of February ____, 2020

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

Ordinance 2020-290: motion to table the public hearing on this Ordinance (No. 2020-290) until May 21st at 7:30 to allow Planning Board to review and comment as their March meeting was cancelled.

Motion moved by _____, seconded by _____ voice vote.

Ordinance # 2020-290

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “ THE REVISED GENERAL ORDINANCES OF BOROUGH OF UNION BEACH , 1980,” CHAPTER XIII, SECTION 10.2” ZONING MAP”, TO RE-ZONE BLOCKS 251 LOTS 3 AND 4.01 AS SHOWN ON THE BOROUGH TAX MAPS (ALSO KNOWN AS THE BAYSHORE REGIONAL SEWERAGE AUTHORITY AND MONMOUTH COUNTY OUTFALL AUTHORITY) FROM R-8 RESIDENTIAL TO M-2 INDUSTRIAL

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 and re-zone Block 251 Lots 3 and 4.01 (as shown on the Borough Tax Map) from R-8 Residential to M-2 Industrial as recommended by the Zoning Official.

SECTION 1

Chapter XIII (Land Use and Development Regulations), Section 13-10 (Zoning District Regulations), Subsection 13-10.2 (Zoning Map) shall be amended as follows:

13-10.2 Zoning Map.

The boundaries of all zoning districts set forth in this chapter are shown on a map entitled "Zoning Map, Borough of Union Beach, Monmouth County, New Jersey" dated May 24, 1979, and amended by Ordinance No. 393 dated 5-13-82, Ordinance No. 445 dated 9-13-84 and amended by Ordinance No. 556 dated 4-28-88 and Ordinance No. 99-799 dated 9-16-99 and Ordinance No. 2004-38, dated April 15, 2004 and further amended by Ordinance No. 2006-81, dated May 18, 2006, Ordinance No. 2008-115, dated March 20, 2008, and Ordinance No. 2016-244, dated November 21, 2016. (Ord. No. 324, § 10.2; Ord. No. 393, § 1; Ord. No. 445; Ord. No. 556, §§ III, V; Ord. No. 99-799, § 2; Ord. No. 2004-38; Ord. No. 2006-81; Ord. No. 2008-115; Ord. No. 2016-244; **Ord. No.2020-290**)

Map Attachment illustrates the Borough Zoning Map will be revised to designate Block 251 Lots 3 and 4.01 (the Bayshore Regional Sewerage Authority and Monmouth County Outfall Authority tracts) as M-2 Heavy Industrial Zone from the current zoning designation as R-8 Residential. The Borough Zoning Map shall be revised accordingly.

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, the remain provisions of this chapter shall remain in full force and effect and shall have continuing validity and that all other sections of the ordinance remain in effect;

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.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki
Councilwoman Roche
Councilman Cavallo
Councilman Lewandowski
Councilman Andreuzzi
Councilman Cocuzza

Finance, Personnel, Administration & Code Enforcement
Emergency Svs. (Fire, OEM) Education & American Legion
Public Affairs, Seniors, Court & Special Grants
Health, Library, Recreation & Drug Alliance
EMS, Public Works & Building and Grounds & Construction
Public Safety (PD) & Shared Services

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCES: Meeting of April 16, 2020 - NONE

MEETING OPEN FOR PUBLIC DISCUSSION: **April 16, 2020 Meeting**

Meeting opens for Public Discussion at ____ p.m.

Meeting closes for Public Discussion at ____ p.m.

RESOLUTIONS: Meeting of APRIL 16, 2020

RESOLUTION NO. 2020-86:

AUTHORIZING CHANGE ORDER NO. 32 COMPLETION CONTRACT, ADDITIONS & RENOVATIONS, UNION BEACH MUNICIPAL BUILDING

Whereas, the Borough of Union Beach in the County of Monmouth, State of New Jersey, has on June 20, 2019, authorized the awarding of a contract to H&S Construction & Mechanical, Inc., 721 Bayway Avenue, Elizabeth, NJ 07202, and

Whereas, the Mayor and Council authorize Change Order No. 32 to the contract awarded to H&S Construction & Mechanical, Inc.

The original Contract Sum..... \$ 3,554,000.00

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

RESOLUTION NO. 2020-88:

**Resolution of the Borough of Union Beach in the County of Monmouth
Accepting the 2019-2020 Cops in Shops Fiscal Year 2020 GRant AL-20-45-05-01 for the Summer
Shore Initiative Program in the amount of \$3,520 for details on 5/20/20-9/15/2020**

WHEREAS, the State of New Jersey, Division of Alcoholic Beverage Control has accepted the Borough of Union Beach's Police Department's application for grant funds to participate in the Cops in Shops Summer Shore Initiative 2020 and awarded a Grant in the amount of \$3,520 available for details held on 5/20/20-9/15/20; and

WHEREAS, the Borough of Union Beach wishes to accept this 2020 Grant;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the Borough of Union Beach that the Borough of Union Beach hereby accepts the 2020 Cops in Shops Summer Shore Initiative in the amount of \$3,520 as awarded by the State of New Jersey Division of Alcoholic Beverage Control and is funded by the State of New Jersey, Department of Transportation, National Highway Traffic Safety Administration.

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

RESOLUTION NO. 2020-89:

**RESOLUTION AUTHORIZING A REFUND IN THE AMOUNT OF \$360.00 FOR PAYMENT OF SOLAR PERMIT
130 PARK AVENUE, UNION BEACH PERMIT NO. 1900266**

Whereas, a payment in the amount of \$480.00 was collected from Vivint Solar Developers, LLC, 1800 W. Ashton Blvd., Lehi, UT 84043 for a solar permit payment for installation of Rooftop Residential PV Solar System, 7.245 KW, 23 Panels, for property known as Block 85, Lot 8 further known as 130 Park Avenue, in the Borough of Union Beach, and

Whereas, said payment in the amount of \$480.00 was received and recorded in the records of the Borough of Union Beach on December 11, 2019; and

Whereas, the solar project was cancelled by the homeowner, Craig S. Spirko, and

Whereas, a letter dated March 16, 2020 was received requesting a refund for the permit fees submitted; and

Whereas, Timothy Davis, Department Head Construction/Code for the Borough of Union Beach, has made application to the Finance Officer to grant a refund of \$360.00 to Vivint Solar Developers, LLC, 1800 W. Ashton Blvd., Lehi, UT which is the balance after DCA State Training Fees and Plan Review costs have been deducted.

Now, Therefore, Be it Resolved, by Mayor and Council of the Borough of Union Beach, that in accordance with the recommendations of the Construction Official, a refund in the total amount \$360.00 is hereby authorized to Vivint Solar Developers, LLC, 1800 W. Ashton Blvd., Lehi, UT 84043

Be it Further Resolved, that the records of the Construction and Finance Departments be adjusted accordingly.

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

RESOLUTION NO. 2020-90:

HIRING OF TEMPORARY FILL-IN PLUMBING SUB-CODE OFFICIAL, PART TIME, DUE TO NATIONAL CORONAVIRUS EMERGENCY

WHEREAS, due to the National Coronavirus Emergency, a temporary vacancy exists for the position of Plumbing Sub-Code Official, part-time, in the Union Beach Construction Department, and,

WHEREAS, the Mayor and Council of the Borough of Union Beach have received a request and recommendation from the Construction Official to temporarily fill this position effective March 30, 2020;

Now Therefore, be it Resolved by the Mayor and Council of the Borough of Union Beach, that:

The temporary fill-in appointment of the following named employee as Plumbing Sub-Code Official, part-time, effective as of March 30, 2020 at a salary as authorized by the 2020 Salary Ordinance, not to exceed six (6) hours per week, at a rate of \$36.33 per hour , is hereby approved and confirmed.

Joseph Crane

East Feehold, NJ 07728

A certified copy of this resolution be forwarded to Mr. Crane, the Personnel Committee and the Finance Department.

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

RESOLUTION NO. 2020-91:

Resolution Authorizing the Mayor and Municipal Clerk to execute the FY2021-2023 Agreement with Monmouth County for Cooperative Participation in the Community Development Program Pursuant to the Interlocal Services Act.

Whereas, certain Federal funds are potentially available to Monmouth County under title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

Whereas, it is necessary to establish a legal basis for the County and its people to benefit from this program; and

Whereas, an Agreement has been proposed under which the Borough of Union Beach and the county of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to NJSA 40:8B-1; ;and

Whereas, it is in the best interest of the Borough of Union Beach to enter into such an agreement.

Now, Therefore, Be It Resolved by the Mayor and Governing body of the Borough of Union Beach, that the agreement entitled; AGREEMENT BETWEEN THE COUNTY OF MONMOUTH AND CERTAIN MUNICIPALITIES LOCATED HEREIN FOR THE ESTABLISHMENYT OF A COORPERATIE MEANS OF CONDUCTIONG CERTAIN COMMUNITY DEVELOPMENT ACTIVITIES”, a copy of which is attached hereto, be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

Be It Further Ordained that this resolution shall take effect immediately upon its enactment.

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

RESOLUTION NO. 2020-92:

***RESOLUTION AUTHORIZING THE HIRING OF A CLASS II, SPECIAL POLICE OFFICER
IN THE UNION BEACH POLICE DEPARTMENT***

WHEREAS, vacancies exists for the position of Class II Police Officer in the Union Beach Police Department;
and,

WHEREAS, the Mayor and Council of the Borough of Union Beach have received a request and recommendation from Police Chief Woodrow to fill this position effective April 16, 2020;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach that the appointment of the following named person(s) as Class II Special Police Officer, (Part-Time) in the Police Department, at a salary as indicated in the current Salary Ordinance (2020) , not to exceed 28 hours per week. This appointment is effective as of April 16, 2020 in accordance with the recommendations of the Police Chief, and the same is hereby approved and confirmed:

***Donald Higgins
Union Beach NJ 07735***

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

RESOLUTION NO. 2020-93:

***Resolution Authorizing the Revision of Contract with CBS Outdoor LLC, 185 U.S. Highway 46, Fairfield, NJ
07004, now known as Outfront Media, dated October 16, 2014***

WHEREAS, bids were received and opened in public on October 2, 2014 for the project “Outdoor Double-Sided LED Advertising Sign, Block 248, Lot 8” and

WHEREAS, the Mayor and Council of the Borough of Union Beach at their October 16, 2014 meeting awarded a 20-year contract to CBS Outdoor LLC, now known as Outfront Media, by Resolution of the Governing body No. 2014-175; and

WHEREAS, under said contract, the Borough of Union Beach is to receive \$20,000.00 or 20% of the annual gross advertising proceeds for the signboard, whichever is greater, per year for 20 years; and

WHEREAS, the initial annual rent period began on June 1, 2015 after the installation of the signboard, and

WHEREAS, due to temporary economic conditions not under their control, Outfront Media expects a temporary reduction in revenue from the signboard, and

WHEREAS, a request had been made by Outfront Media to reduce the base rent annual minimum payment amount of \$20,000.00 while maintaining the existing 20% rental percentage, and

WHEREAS, the Mayor and Council of the Borough of Union Beach have reviewed this request.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach, that the aforesaid Contract between the Borough of Union Beach and CBS Outdoor LLC, now known as Outfront Media, dated October 16, 2014, be amended as follows:

- Base Rent for the one (1) year period from June 1, 2020 to May 31, 2021 only be reduced from \$20,000.00 to \$15,000.00 or 20% of annual gross advertising proceeds for the sign board, whichever is greater. All other terms of said contract remain the same.

BE IT FURTHER RESOLVED, that said authorization of amendment be subject to the approval of the Borough Attorney, John T. Lane, Jr., Esq.

BE IT FURTHER RESOLVED, that the Mayor is authorized to sign an amendment to contract documentation on behalf of the Governing body of the Borough of Union Beach and the Clerk is hereby authorized to attest to same.

Approved: _____ Date _____ Attest: _____

Mayor Paul J. Smith, Jr.

Anne Marie Friscia, RMC

	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: Dropbox PROPOSED RESOLUTION NO. 2020-94:

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

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

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

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF APRIL 16, 2020:

Mayor Smith 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.

PROPOSED RESOLUTION 2020- :

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

EXECUTIVE SESSION: RESOLUTION NO. 2020 -: MEETING OF (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 _____ 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

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
Anne Marie Friscia, Borough Clerk
Carol Seney, Deputy Borough Clerk

ATTORNEY: PURPOSE:

PROPOSED RESOLUTION 2020-: (if necessary)

	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.