



**BOROUGH OF UNION BEACH
AGENDA- COUNCIL MEETING
September 17, 2020, 7:30 P.M.
650 Poole Avenue, Union Beach, NJ**

CALL TO ORDER: Meeting called to order by Mayor Albin Wicki at ___ p.m.

ANNOUNCEMENT: By Mayor Wicki of the Emergency Fire Exits.

SALUTE TO THE FLAG: Mayor Wicki

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. Cocuzza
- Ms. Roche - absent
- Mr. Cavallo
- Mr. Lewandowski
- Mr. Andreuzzi
- Ms. Woodruff

Also Present:

- Mayor Albin J. Wicki
- 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: September 17, 2020

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

BACK TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF SEPTEMBER 17, 2020:

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

APPROVAL OF MINUTES OF THE MEETING OF: August 20, 2020 and September 3, 2020 Special Meeting.

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

Application for a raffle for St. Francis Feline Foundation
Application for Super 50/50 American Legion

(pending Police approval)

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

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

- Councilman Cocuzza
- Councilwoman Roche - absent
- Councilman Cavallo
- Councilman Lewandowski
- Councilman Andreuzzi
- Councilwoman Woodruff

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

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCES: Meeting of September 17, 2020:

ORDINANCE NO. 2020-294:

Ordinance Amending Parking Ordinance to reflect Johnson Avenue Residential Parking Only from November 1st through January 31st.

Residents have been sent regular and certified mail to return their agreement to this Ordinance Amendment.

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

WHEREAS, based upon certain complaints and issues, it had been requested by residents that a Residential Permit Parking Program be established on a certain identified street where there has been demonstrated or found to be an ongoing seasonal problem; and

WHEREAS, the Governing Body has determined that it is appropriate to establish a Resident Permit Parking program and restrictions on a certain street in order to reasonably facilitate parking for residents located on this street and protect against excessive traffic and parking so as to prevent an unreasonable burden upon residents on said street from gaining access to their residences;

NOW THEREFORE BE IT ORDAINED that the following sections be amended:

7-3.10a.2.

2. The vehicle has displayed on its left rear window, front dashboard or from rear view mirror, in such a manner as to be accessible to visible examination by an officer, a current residential parking permit or hanging tag.

7-3.10b.1

1. Visitors. A vehicle displaying a current visitor parking permit or hanging tag may park on any of the controlled streets described on Schedule XIX provided that the operator of the vehicle is a bona fide guest of the residence within the permit parking area. The visitor’s permit or hanging tag shall be displayed in accordance with Section 3.10.a.2 of this Ordinance.

Schedule XIX “Residential Permit Parking,” add the following street location:

<u>Name of Street</u>	<u>Location</u>	<u>Side</u>
Johnson Avenue (November 1 st through January 31 st)	From Broadway easterly to its terminus	Both

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final passage and publication as required by law.

RESOLUTION NO. 2020-158: AUTHORIZING INTRODUCTION OF ORDINANCE 2020-294 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2020-294 IN ASBURY PARK PRESS TO BE HELD ON OCTOBER 15, 2020.

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

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

MEETING OPEN FOR PUBLIC DISCUSSION: September 17, 2020 Meeting

Meeting opens for Public Discussion at _____ p.m.

Meeting closes for Public Discussion at _____ p.m.

RESOLUTIONS: Meeting of September 17, 2020

RESOLUTION 2020-159:

Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project Scholer Park Phase IX

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:

Scholer Park Phase IX

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

RESOLUTION NO. 2020- 160:

Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services

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:

Solid Waste, Bulk Refuse and Recyclable Materials Collection and Disposal Services

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

RESOLUTION NO. 2020-161:

AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR THE PERIOD JULY 1, 2020- JUNE 30, 2021.

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, 2020 and ending June 30, 2021** 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:
1350-33-005-006 MUN. LIC C-2	PIERO'S RESTAURANT T/A TRE BELLE FIGLIE, LLC

(CONSUMPTION)

1411 STATE HIGHWAY 36
UNION BEACH, NJ 07735

1350-33-011-009
MUN. LIC C-2
(CONSUMPTION)

OLDE DOWLINGS UB 2 LLC
910 UNION AVENUE
UNION BEACH, NJ 07735

1350-33-012-010
MUN. LIC C-2
(CONSUMPTION)

FLAT CREEK BAR & GRILL LLC
300 UNION AVENUE
UNION BEACH, NJ 07735

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

*All fees received. Awaiting 12:30 ruling on Flat Creek

RESOLUTION NO. 2020-162:

RESOLUTION AUTHORIZING A REFUNDS FOR PAYMENTS OF SOLAR PERMITS

Whereas, the following payments were collected from Vivint Solar Developers, LLC, 1800 W. Ashton Blvd., Lehi, UT 84043 for solar permit payments for installation of Rooftop Residential PV Solar Systems, for the following properties:

PERMIT NO.	AMOUNT PAID	ADDRESS	BLOCK LOT	REFUND DUE*	DATE PYMT REC.
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*(LESS DCA FEES AND PLAN REVIEW)

#19-00179	\$483.00	108 PARK AVE		\$362.25	July 25, 2019
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Whereas, said payments were received and recorded in the records of the Borough of Union Beach on the above dates listed; and

Whereas, the solar project was cancelled by the homeowners; and

Whereas, letters were 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 refunds listed above 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 for each project.

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, refunds are hereby authorized to Vivint Solar Developers, LLC, 1800 W. Ashton Blvd., Lehi, UT 84043 as indicated above.

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

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

RESOLUTION NO. 2020-163:

SEPTEMBER 17, 2020

Authorizing Grant of Right of Entry Over Borough Owned Properties to the United States of America for Survey and Exploration Purposes Relative to the Union Beach Hurricane and Storm Damage Reduction Project.

Whereas, the United States Army Corps of Engineering (USAC) is in the preliminary stages of the aforesaid project and requires access to Borough owned properties for the above stated purposes; and

Whereas, the United States Army Corps of Engineering (USAC) in order to move forward with the project, has requested from the Borough of Union Beach a Grant of Right of Entry over Borough owned properties; and

Whereas the Borough of Union Beach wishes to assist the United States Army Corps of Engineering (USAC) and facilitate the beginning of construction on this most important project;

Now, Therefore, Be It Resolved by the Borough Council of the Borough of Union Beach that the Mayor of Union Beach is authorized to execute the aforesaid document and the Borough Clerk is authorized to attest to the execution of said document.

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

RESOLUTION NO. 2020-164:

SEPTEMBER 17, 2020

**Resolution Authorizing Issuance of
Duplicate Tax Sale Certificates**

WHEREAS, on property known as Block #178, Lot #3.03, also known as 704 Aumack Avenue, Union Beach, currently assessed to Lime Tree Holdings, LLC, tax sale certificate #13-00629 was sold to outside buyers, and;

WHEREAS, said tax sale certificate was redeemed, and;

WHEREAS, the original tax sale certificate has been lost, destroyed or misplaced, and;

WHEREAS, in accordance with section 1 of P.L.1990.c.90 (C.54:5-52.1) the Tax Collector may issue a duplicate tax sale certificate provided a resolution of the governing body authorizes such issuance, and;

WHEREAS, said statute allows for a fee of \$100.00 per certificate to be charged, and;

WHEREAS, Coastal Title Agency, closing agents for the sale of said property has requested that a duplicate certificate be issued, and;

WHEREAS, the Coastal Title Agency has remitted payment in the amount of \$100.00

THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR & COUNCIL OF THE BOROUGH OF UNION BEACH:

- 1.) That the tax Collector is authorized to issue a duplicate tax sale certificate, #13-00629
- 2.) That the records of the Tax Collector's office be accordingly adjusted.

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

RESOLUTION 2020-165:

SEPTEMBER 17, 2020

***Resolution Authorizing the Borough of Union Beach
to Purchase Certain Vehicles/Equipment***

Whereas, the Borough of Union Beach Police Department, wishes to purchase a 2020 Police Interceptor SUV; and

Whereas, the purchases of the 2020 Police Interceptor SUV; are through a Purchase Agreement with Cranford Co-operative through New Jersey State Contract No. 47-CPCPS, Item #2; and

Whereas, Funds are available in the amount of \$37,757.75 from a dedicated trust fund and certified by the Chief Financial Officer for purchase of said vehicles/equipment;

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Union Beach that approval is granted for the purchase of the 2020 Police Interceptor SUV.

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

RESOLUTION 2020-166:

SEPTEMBER 17, 2020

Authorizing the Lease/Purchase of a Vehicle under State Contract, to be used by the Union Beach Police Department

Be it resolved by the Governing Body of the Borough of Union Beach that the lease/purchase of a vehicle from State Authorized vendor Beyer Ford, 31 Williams Parkway, East Hanover, NJ 07936 in the amount of \$37,757.75 is hereby approved by the Governing Body and authorized for the use of the Union Beach Police Department.

2020 Police Interceptor SUV

Be it Further resolved that the Clerk is authorized to provide a copy of this Resolution to the Finance Department and Ford Motor Credit.

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

**APPROVAL OF VOUCHERS AND PAYMENT OF BILLS:
RESOLUTION 2020-167:**

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

*Councilman Lewandowski abstains on 20-00992, 20-01013, 20-01036 Fire Department Vouchers/Purchase Orders. **Councilman Cocuzza abstains on 20-00978, 20-00989, 20-01023, 20-01037, 20-01040, 20-01064 Board of Education and Monmouth County Vouchers/Purchase Orders.

*Proclamation
Borough of Union Beach*

*WHEREAS, hunger and poverty are issues of grave concern in the United States, the State of New Jersey; and
WHEREAS, the Borough of Union Beach is committed to taking steps to raise awareness about the need to combat hunger;
and*

WHEREAS, the Borough of Union Beach is committed to working with Fulfill, formerly The Foodbank of Monmouth and Ocean Counties to educate people about the role and importance of food banks in addressing hunger and devote more resources and attention to hunger issues; and

WHEREAS, more than 215,000 individuals in Monmouth and Ocean Counties now rely on feed provided by Fulfill and its partners since the beginning of the pandemic; and

WHEREAS, the unemployment level is the highest it has ever been in the history of the State and the poverty level for a family of four is \$25,465 and 9.5% of families live below that level; and

WHEREAS, since March 13th, 2020, Fulfill has provided 1,986,909 meals including 16,000 more meals per day that the year before and 903,984 of those meals were provided to Monmouth County residents; and

WHEREAS, due to the pandemic, one (1) in every six (6) people in Monmouth and Ocean Counties received "emergency" food from Fulfill and their network of food pantries, soup kitchens, shelters and other community organizations; and

WHEREAS, food banks across the country, including Fulfill, will host numerous events throughout the month of September to bring awareness and attention to encourage involvement in efforts to end hunger in their local community.

NOW, THEREFORE BE IT PROCLAIMED, that the Mayor and Borough Council of the Borough of Union Beach, County of Monmouth, State of New Jersey do hereby recognize September, as HUNGER ACTION MONTH in the Borough of Union Beach, and call this observance to the attention of its citizens.

PROPOSED BUSINESS ADDED TO THE AGENDA OF THE MEETING OF SEPTEMBER 17, 2020:

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

- 1. RESOLUTION NO. 2020-168: Hiring of Class 1 Police Officer
- 2. RESOLUTION NO. 2020-169: Hiring of P/T Dispatcher

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

PROPOSED RESOLUTION 2020-168:

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

WHEREAS, a vacancy 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 dated September 15, 2020 from Police Chief Woodrow to fill this position effective upon as of September 17, 2020 as Mr. Luxich has successfully completed Police Academy Special Officer Training and received certification;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach that the appointment of the following named person as Class II Special Police Officer, (Part-Time) in the Police Department, at a salary as indicated in the current Salary Resolution (2020) not to exceed 28 hours per week. This appointment is effective as of September 17, 2020 in accordance with the recommendations of the Police Chief, and the same is hereby approved and confirmed:

Kevin Luxich, Hazlet, NJ

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

PROPOSED RESOLUTION 2020-169:

Resolution Authorizing the appointment of a P/T Telecommunicator Trainee

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

Whereas, a letter received from the Chief of Police on September 15, 2020 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 as Telecommunicator Trainee (part-time). Effective as of September 17, 2020, not to exceed one year at a salary set forth in the 2020 Salary Ordinance as follows:

Joseph Rice

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

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

Also Present:

ATTORNEY: PURPOSE:

PROPOSED RESOLUTION 2020-: (if necessary)

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

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