



**BOROUGH OF UNION BEACH
COUNCIL MEETING
AGENDA
February 25, 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 - absent
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: February 25, 2021

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF February 25, 2021

Motion moved by _____ seconded by: _____ voice vote.

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

MEETING OF FEBRUARY 25, 2021:

PUBLIC HEARING ORDINANCE NO. 2021-296:

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 January 27, 2021.

Clerk requests permission of Mayor Cocuzza 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 NO. 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:

PUBLIC HEARING ON ORDINANCE NO. 2021-296: MEETING OF FEBRUARY 25, 2021

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2021-296 AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2021-296 AT _____ P.M.

RESOLUTION NO. 2021-40: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2021-296 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2021-296 IN ASBURY PARK PRESS.

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

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

PUBLIC HEARING ORDINANCE NO. 2021-297:

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 January 27, 2021.

Clerk requests permission of Mayor Cocuzza 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 NO. 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.

PUBLIC HEARING ON ORDINANCE NO. 2021-297: MEETING OF FEBRUARY 25, 2021

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2021-297 AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2021-297 AT _____ P.M.

RESOLUTION NO. 2021-41: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2021-297 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2021-297 IN ASBURY PARK PRESS.

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

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

Application for a Volunteer Firefighter

Kyle R. Coughlin, 707 Spruce Street – Union Gardens Fire Department

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

Application for St Francis Feline Fellowship Raffle

Susan Brown, St. Francis Feline Fellowship – June 27, 2021 – Pending Police & State of NJ approval.

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

2021 Wreckers Licenses:

Dawns, Bill Wright, Aces Road Svc., Ronald Vitale-Executive Towing.

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

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki - absent

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

MEETING OPEN FOR PUBLIC DISCUSSION: February 25, 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 February 25, 2021:

ORDINANCE 2021- 298: An Ordinance Amending “The Revised General Ordinances of the Borough of Union Beach, 1980 Amending Chapter II, Administration

(Please see attached changes to Chapter 2-7 Fire Department - also located in dropbox)

Ordinance No. 2021-298 was introduced on First Reading by _____ seconded by _____ and approved by the following Roll Call Vote:

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

RESOLUTION 2021-42: AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-298

Paper: The Asbury Park Press, issue of February ____, 2021

Hearing Date: March 18, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ and via Chime

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

Bond Ordinance 2021-299-

****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 \$890,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$489,250 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 \$890,000, such sum includes the sum of (a) \$375,000 expected to be received as a grant from the New Jersey Department of Transportation (the "Grant") in connection with the improvement described in Section 3(a)(i) and (b) \$25,750 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 cost of the Improvements and grant not covered by the application of the Down Payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$489,250 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 \$489,250 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 Prospect 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.	\$665,000	\$275,500	20 years
(ii) Reconstruction of Victoria Place 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.	225,000	213,750	20 years
TOTAL	\$890,000	\$489,250	

(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 \$489,250.

(c) The estimated cost of the Improvements is \$890,000 which amount 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, 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 20 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 \$489,250 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$222,500 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 or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement 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

Improvement 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 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 \$890,000.

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.

**BOROUGH OF UNION BEACH
MONMOUTH COUNTY, NEW JERSEY
PUBLIC NOTICE
NOTICE OF PENDING BOND ORDINANCE NO. 2021-299**

The bond ordinance, the **summary terms** of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Union Beach, in the State of New Jersey, on February 25, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey on March 18, 2021 at 7:30 o'clock PM. This Public Meeting will also be teleconferenced via Chime for any members of the Public who wish to participate:
Instructions Below:

To join the meetings: <https://chime.aws/4006472388>

Dial in Number (206) 462-5569
Conference ID #: 4006472388
Conference Pin #:4006472388#

During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: Bond Ordinance Providing An Appropriation Of \$890,000 For Various Road Improvements For And By The Borough Of Union Beach, In The County Of Monmouth, New Jersey And Authorizing The Issuance Of \$489,250 Bonds Or Notes Of The Borough For Financing Part Of The Appropriation.

Purpose(s): For Reconstruction of Prospect Avenue and Victoria Place 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.

Appropriation: \$890,000

Bonds/Notes Authorized: \$489,250

Grants (if any) Appropriated: \$375,000 expected to be received as a grant from the New Jersey Department of Transportation.

Section 20 Costs: \$222,500

Useful Life: 20 years

Ordinance No. 2021-299 was introduced on First Reading by _____ seconded by _____ and approved by the following Roll Call Vote:

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

RESOLUTION 2021-43: AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON BOND ORDINANCE 2021-299

Paper: The Asbury Park Press, issue of February ____, 2021

Hearing Date: March 18, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ and via Chime

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

RESOLUTIONS: Meeting of February 25, 2021

RESOLUTION 2021-44:

AUTHORIZING CHANGE ORDERS NO. 46 & 47 - 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 Nos. 46 & 47 to the contract awarded to H&S Construction & Mechanical, Inc.

The original Contract Sum.....	\$	3,554,000.00
Net change by previously authorized Change Orders.....	\$	232,250.02
The Contract Sum prior to this Change Order was	\$	3,786,250.02
The Contract Sum will be changed by these Change Orders.....	\$	

# 46	\$ 811.91	
# 47	\$1,530.38	
..... \$ (net)		2,342.29

The new Contract Sum including these Change Orders will be..... \$ 3,788,592.31

And,

Whereas, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Union Beach, in the County of Monmouth, State of New Jersey, that the Mayor and Council hereby authorize the issuance of Change Order Nos. 46 & 47 to the contract with H&S Construction & Mechanical, Inc., and

Be It Further Resolved that the Mayor is hereby authorized to sign said Change Orders on behalf of the Borough.

Be It Further Resolved that a certified copy of this resolution be forwarded to the Borough Administrator and Finance Department.

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

RESOLUTION 2021 -45:

RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF UNION BEACH

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Union Beach is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
 - a. the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
 - b. such operations will be performed in compliance with applicable Federal and State regulations, and
 - c. the County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

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

RESOLUTION NO. 2021-46:

Resolution Authorizing the Extension of an Existing Contract for Legal Services

Whereas, by Resolution No. 2020-46 approved on January 16, 2020, the Borough of Union Beach authorized the retention of the law firm of DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum, P.C. to represent it in an appeal of a Tax Court of New Jersey decision; and

Whereas, the anticipated term of the contract was for a period of one year and for an amount not to exceed \$17,500.00; and

Whereas, due to the far-ranging implications of said Tax Court decision, the Borough went into the appeal with the belief that the County of Monmouth and municipalities within the County who may be adversely affected by the ruling would contribute financially to the cost of the appeal; and

Whereas, the Borough of Union Beach has exhausted the initial sum authorized for this legal matter; and

Whereas, the Borough is expecting receipt of additional funds as referenced above and wishes to utilize these funds and have the ability to use additional Borough funds if warranted, to continue with this appeal in the Superior Court of New Jersey, Appellate Division; and

Now Therefore Be It Resolved that the Mayor and Council of the Borough of Union Beach authorizes the extension of the anticipated term of the contract for one (1) additional year at an expense not to exceed an aggregate amount of \$55,000.00 without further authorization; and

Be It Further Resolved that the Borough transmit funds received from the County of Monmouth and municipalities to the above firm for payment of services performed as the funds are received.

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

RESOLUTION NO. 2021-47:

BOROUGH OF UNION BEACH
EMERGENCY RESOLUTION
N.J.S.A. 40A:4-20 (TEMPORARY APPROPRIATIONS)

WHEREAS, pursuant to N.J.S.A. 40A:4-19 the Borough Council of the Borough of Union Beach adopted Resolution #2020-209 to provide temporary funds for the period from Jan. 1, 2021 until the adoption of the Operating Budget for the Borough of Union Beach, New Jersey; and

WHEREAS, additional appropriations will be required from February 25, 2021 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by a two-third vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF UNION BEACH, NEW JERSEY, that:

1. The governing body by a two-third vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

- (A) Operations - within "CAPS":
 - General Government
 - Collection of Taxes

	\$
Other Expenses	1,000.00
Planning and Zoning	
Other Expenses	14,000.00
Liability Insurance	26,000.00
Police	
Other Expenses	25,000.00
Drug Alliance	
Other Expenses	3,000.00
Unclassified	
Shipping Costs	5,000.00
	-
	-
Total Operations (Item 8 (A))	-
	\$
Within "CAPS"	74,000.00
	-
	-
	\$
Municipal Purposes within "CAPS"	74,000.00
	-
	-
	-
Operations Excluded from "CAPS"	
Capital Improvement Fund	21,000.00
	-
	-
Total Operations Excluded from "CAPS"	21,000.00
	-
	-
	-
	-
Total General Appropriations	<u>\$95,000.00</u>

2. This action shall take effect February 25, 2021.

3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Union Beach.

	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 2021-48:

	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 FEBRUARY 25, 2021:

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

1. ORDINANCE NO. 2021-300

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980" AMENDING SECTION 2-8.2 & SECTION 2-8.5 OF CHAPTER 2

2. **RESOLUTION 2021-49:** AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-298
3. **RESOLUTION 2021-50:** RESOLUTION AMENDING DATE OF VALIDATION OF RESOLUTION 2021-35 PREVIOUSLY ADOPTED ON JANUARY 21, 2021 - 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.
4. **RESOLUTION 2021-51:** RESOLUTION APPOINTING MICHAEL J. WOODROW, CHIEF OF POLICE AS OEM COORDINATOR FOR THE UNEPIRED TERM OF JOHN PERRONE EFFECTIVE 2/25/21 AND TERMINATING DECEMBER 2021. (REAPPOINTMENTS DONE AT ANNUAL REORG. MEETING).

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

PROPOSED ORDINANCE NO. 2021-300:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980” AMENDING SECTION 2-8.2 & SECTION 2-8.5

WHEREAS, THE MAYOR AND BOROUGH COUNCIL HAVE DETERMINED THAT THE BOARD OF HEALTH CAN OPERATE MORE EFFICIENTLY WITH THE MAYOR AND COUNCIL MAKING CERTAIN APPOINTMENTS; AND,

WHEREAS, THE MAYOR AND BOROUGH COUNCIL HAVE DETERMINED THAT INASMUCH AS THE SERVICES OF REGISTRAR OF VITAL STATISTICS IS THE SUBJECT OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF KEYPORT AND THAT THE DUTIES OF SANITARY INSPECTOR IS THE SUBJECT OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH, CERTAIN CHANGES TO SECTION 2-8 OF CHAPTER 2 ARE APPROPRIATE.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY THAT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH SHOULD BE AMENDED TO READ AS FOLLOWS:

SECTION I

2-8. LOCAL BOARD OF HEALTH. [Ord. #2]

§ 2-8.2. Composition.

The board of health of the borough shall consist of seven members, to be selected and appointed by the mayor and council. The mayor and council shall also appoint a registrar of vital statistics, board secretary and such other officers, agents and assistants as necessary, in the opinion of the mayor and council.

§ 2-8.5. Organizational Meeting

Annually the board of health shall meet and organize and elect and appoint a presiding officer, establish rules for their own government and pass ordinances, make rules and regulations in regard to the public health in the borough as directed by law.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE SHALL BE DEEMED REPEALED TO THE EXTENT OF SUCH INCONSISTENCY.

SECTION II

THIS ORDINANCE SHALL TAKE EFFECT AFTER FINAL PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

Ordinance No. 2021-300 was introduced on First Reading by _____ seconded by _____ and approved by the following Roll Call Vote:

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

PROPOSED RESOLUTION 2021-49:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-300

Paper: The Asbury Park Press, issue of February ____, 2021

Hearing Date: March 18, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ and via Chime

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

RESOLUTION 2021-50:

RESOLUTION AMENDING DATE OF VALIDATION OF RESOLUTION 2021-35 PREVIOUSLY ADOPTED ON JANUARY 21, 2021 - 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 December 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						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

Resolution No. 2021-51:

February 25, 2021

Appointment of Office of Emergency Management Coordinator

NOTE: This is a Mayor’s Appointment, requiring No Confirmation of the Borough Council.

Mayor Cocuzza, announced that he was appointing the following named person as “Emergency Management Coordinator” in the Borough of Union Beach, to fill the unexpired term of John Perrone expiring on December 31, 2021

Chief of Police, Michael J. Woodrow
 145 Morningside Avenue
 Union Beach, NJ 07735

(NO VOTE IS NEEDED)

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

EXECUTIVE SESSION: RESOLUTION NO. 2021 : MEETING OF FEBRUARY 25 , 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 2021-: (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.