



**BOROUGH OF UNION BEACH
AGENDA- MEETING
Council Meeting
November 22, 2021, 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".

ROLL CALL: Council Members

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

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: November 22, 2021 MEETING

Promotional Appointment - Oath of Office Administered to Officer Joseph Russo

Presentation of Clean Community Awards by Mrs. Mancini.

Presentation-Mr. Patrick Terry

Motion moved by _____, seconded by _____ voice vote.

RESOLUTION NO. 2021- 162

**A RESOLUTION PROMOTING
JOSEPH RUSSO TO THE RANK OF SERGEANT
IN THE UNION BEACH POLICE DEPARTMENT**

WHEREAS, one (1) vacancy exists in the position of Sergeant in the Union Beach Police Department; and,

WHEREAS, the Mayor and Council of the Borough of Union Beach requested from the State of New Jersey, Civil Service Commission a new list of persons eligible to be promoted to the rank of Sergeant in the Union Beach Police Department; and,

WHEREAS, the State of New Jersey, Civil Service Commission conducted a test and provided a Certification List of Eligibles for Appointment dated October 21, 2021; and

WHEREAS, the Personnel Committee, after factoring in ranking on the Civil Service Commission Certification, along with Committee interviews and scoring, now recommend Joseph Russo as being the best qualified overall candidate to be promoted to Sergeant.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Union Beach that Joseph Russo is hereby promoted to Sergeant effective as of November 22, 2021 and compensated in accordance with the current Salary Ordinance.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to forward the necessary forms to the State Civil Service Commission for said appointment and that a certified copy of this resolution be forwarded to Sgt. Joseph Russo and the Finance Department.

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

Oath Of Office administered to Sgt. Joseph Russo by: _____

Mrs. Mancini distributes Clean Community Awards/Certificates.

Mayor presents Mr. Terry with award

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF November 22, 2021

Motion moved by _____ seconded by: _____ voice vote.

PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:
MEETING OF NOVEMBER 22, 2021:

PUBLIC HEARING ORDINANCE NO. 2021-305:

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 October 26, 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. 2021-305:

AN ORDINANCE BY THE BOROUGH COUNCIL AMENDING THE BOROUGH OF UNION BEACH CODE OF ORDINANCES TO REPEAL CHAPTER 10-5 BUILDING AND HOUSING, NATIONAL FLOOD INSURANCE REGULATIONS AND FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 10-5; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE CALENDAR YEAR 2021

Purposes and objectives. The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to: (1) Protect human life and health. (2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding. (3) Manage the alteration of natural floodplains, stream channels and shorelines; (4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential. (5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards. (6) Contribute to improved construction techniques in the floodplain. (7) Minimize damage to public and private facilities and utilities. (8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas. (9) Minimize the need for rescue and relief efforts associated with flooding. (10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas. (11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events. (12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22. (Full Ordinance on file in the Clerk’s Office)

PUBLIC HEARING ON ORDINANCE NO. 2021-305:

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER **2021-305** AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. **2021-305** AT _____ P.M.

RESOLUTION 2021-163 : AUTHORIZING FINAL ADOPTION OF ORDINANCE 2021-305 AND AUTHORIZING CLERK TO ADVERTISE FINAL ADOPTION OF ORDINANCE 2021-305:

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

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

Bond Ordinance 2021- 308:

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 October 26, 2021.

Clerk requests permission of Mayor Cocuzza to read the Ordinance by Title only, advising that said Bond 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.

BOND ORDINANCE 2021-308:

REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH OF UNION BEACH, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF.

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

Section 1. The Borough of Union Beach, New Jersey (the "Borough") is hereby authorized to pay an aggregate amount not exceeding \$1,000,000 for the redemption, including redemption premium, of \$930,000 principal amount of the Borough's General Obligation Bonds, Series 2011, issued in the original aggregate principal amount of \$2,319,000, dated July 7, 2011, which bonds are subject to redemption (on or after July 1, 2021) prior to their stated dates of maturity, and which mature on July 1, in each of the years 2022 to 2026 in an aggregate amount of \$930,000 inclusive (the "Refunded Bonds"), and in accordance with the provisions of the resolution of the Borough Council of the Borough, duly adopted March 19, 2011, and a copy of which is on file in the office of the Clerk of the Borough.

Section 2. An aggregate amount not exceeding \$50,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-51(b) has been included in the aggregate principal amount of refunding bonds authorized herein.

Section 3. In order to finance the cost of the project described in Section 1 hereof, negotiable refunding bonds are hereby authorized to be issued in the principal amount not exceeding \$1,000,000 pursuant to the Local Bond Law.

Section 4. In anticipation of the issuance of the refunding bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law. All refunding bond anticipation notes issued hereunder shall mature at such times as may be determined by 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 Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations.

All notes issued hereunder may be renewed from time to time, but all such notes including renewals shall mature and be paid no later than the tenth anniversary of the date of the original notes; provided, however, that no notes shall be renewed beyond the first or any succeeding anniversary date of the original notes unless an amount of such notes, at least equal to the first legally payable installment of the bonds in anticipation of which the notes are issued, determined in accordance with the maturity schedule for the bonds approved by the Local Finance Board, is paid and retired on or before such anniversary date; and provided, further, that the period during which the bond anticipation notes and any renewals thereof and any permanent bonds are outstanding, shall not exceed the period set for the maturity of the bonds by the Local Finance Board.

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 governing body 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 Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the debt provided in this refunding bond ordinance by an amount not to exceed \$1,000,000 with a maximum deduction from the debt due to the refunding of the Refunded Bonds (i.e. \$930,000). The obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law. Upon issuance of the Bonds and determination of the final amount

thereof, if less than the \$1,000,000 authorized hereby, an amended Supplemental Debt Statement shall be made and filed, along with any other required filings, and this Council shall, by resolution, approve the cancellation of such amount authorized hereby, which has not been issued.

Section 6. A certified copy of this refunding bond ordinance as adopted on first reading has been filed with the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to final adoption, together with a complete statement in the form prescribed by the Director of the Division of Local Government Services and signed by the Chief Financial Officer of the Borough as to the indebtedness to be financed by the issuance of the refunding bonds authorized herein.

Section 7. 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 8. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law, provided that the consent of the Local Finance Board has been endorsed upon a certified copy of this ordinance as finally adopted or the requirements set forth in N.J.A.C. 5:30-2.5 have been satisfied.

PUBLIC HEARING ON BOND ORDINANCE NO. 2021-308:

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON BOND ORDINANCE NUMBER 2021-308 AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON BOND ORDINANCE NO. 2021-308 AT _____ P.M.

RESOLUTION 2021-164: AUTHORIZING FINAL ADOPTION OF BOND ORDINANCE 2021-308 AND AUTHORIZING CLERK TO ADVERTISE FINAL ADOPTION OF ORDINANCE 2021-308:

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

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

APPROVAL OF MINUTES OF THE MEETING OF: OCTOBER 21, 2021 Meeting.

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC. MEETING OF NOVEMBER , 2021

Volunteer Firefighter Application for Joseph Rice (Jr.), 309 Park Avenue, Union Beach Fire Company No. 1

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

NOVEMBER 24TH – DEADLINE FOR NEWSLETTER
 NOVEMBER 25TH & 26TH – BOROUGH CLOSED – THANKSGIVING WEEKEND
 HAPPY BIRTHDAY JOHN LANE AND EILEEN WOODRUFF.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

- | | |
|--------------------------------------|---|
| <u>Councilman Wicki</u> | <u>Finance, Personnel, Administration, Special Grants & Shared Services</u> |
| <u>Councilman Cavallo</u> | <u>Seniors, Library, Community Alliance & Health</u> |
| <u>Councilwoman Roche</u> | <u>Board of Education, American Legion & Public Affairs</u> |
| <u>Councilwoman Woodruff</u> | <u>Recreation & UBSA</u> |
| <u>Councilman Andreuzzi</u> | <u>Public Works, Building and Grounds & Construction, Code Enforcement, Environmental & Planning Board</u> |
| <u>Councilman Lewandowski</u> | <u>Public Safety, Court, OEM, Fire Dept., EMS</u> |

MEETING OPEN FOR PUBLIC DISCUSSION: November 22, 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 November 22, 2021:

ORDINANCE NO. 2021-309

WHEREAS, pursuant to N.J.S.A. 40:52-1 (m) & (n), the governing body of a municipality may regulate rentals of property for less than 175 days; and

WHEREAS, the Borough of Union Beach wishes to amend Chapter 3-2 Disorderly Conduct and Chapter 10 Building and Housing by adding an additional prohibited act under “Disorderly Conduct” and Prohibition of Short-Term Rentals in Chapter 10;

BE IT HEREBY ORDAINED by the Borough Council of the Borough of Union Beach that Chapter 3, section 3-2 and Chapter 10 be and are hereby amended to add the following.

3-2 DISORDERLY CONDUCT

3-2, h. No rental facility and rental unit shall be used in a manner which will result in any unreasonable disturbance or disruption to the surrounding properties and property owners or of the public in general.

10-15 PROHIBITION OF SHORT TERM RENTALS:

- A. Short-term rentals prohibited. No rental facility (as defined in 10-10.2) or rental unit (as defined in 10-10.2). may be rented or leased for a term of less than 174 days.
- B. Rentals of amenities. The lease or rental, for any purpose and for any period of time, of any amenity, feature, or accessory that is appurtenant to or associated with any rental facility (as defined in 10-10-2) or rental unit (as defined in 10-10.2) is prohibited. “Amenity, feature. or accessory” shall include, but is not limited to, swimming pools, pool cabanas, accessory structures, hot tubs, decks, patios, yards, and the like.
- C. Advertisement. The print, electronic, or internet advertisement of any rental that is prohibited by or fails to comply with the provisions of this article or any other applicable provision of the Borough Ordinances is prohibited.
- D. Penalties. Any landlord, tenant, property owner or other person violating the provisions of this section shall be subject to the penalty provisions of Chapter 3, section 3-1.1 Maximum Penalty. The Borough shall also have the right to enjoin violations of this section in any Court of competent jurisdiction by way of Order to Show Cause or similar process. All costs attendant to enforcement of this section shall be assessed as a lien against the subject property, enforceable and collectible in the same manner as liens for delinquent real property taxes and municipal service charges.

SECTION 2, REPEALER

The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect,

SECTION 3. INCONSISTENT ORDINANCES

All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SECTION 4. SEVERABILITY

If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

SECTION 5. EFFECTIVE DATE

This Ordinance shall take effect upon its passage and publication according to law.

This is to certify that the foregoing Ordinance was adopted by the Borough Council at a regular meeting of the Borough of Union Beach held on December __, 2021

Motion to Introduce Ordinance 2021-309 by: _____ seconded by _____ Roll Call Vote:

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

RESOLUTION 2021-165:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-309

Paper: The Asbury Park Press, issue of November __, 2021

Hearing Date: December 16, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

An Ordinance Fixing the Compensation of Officials and Employees of the Borough of Union Beach, County of Monmouth, State of New Jersey

Be It Ordained by the Governing Body of the Borough of Union Beach, County of Monmouth in the State of New Jersey as follows:

Section 1. The following Minimum and Maximum salary ranges are fixed and determined for the Officials and Employees of the Borough of Union Beach not covered by any organized bargaining unit contract. The exact salary to be paid to each official and employee will be determined by a Resolution of the Governing Body of the Borough of Union Beach for each calendar year. The following salary ranges are effective January 1, 2022. The Governing Body fixes and determines these ranges for the purposes of economy and flexibility, e.g. having a standing Ordinance containing sufficient ranges that will not need to be prepared and adopted each year and allowing for greater flexibility and reduced expense when necessary to fill vacant positions.

<u>Title Classification</u>	<u>Salary Range</u>	
	<u>Minimum</u>	<u>Maximum</u>
Registered Municipal Clerk F/T	\$50,000.00	\$90,000.00
Deputy Municipal Clerk F/T	\$30,000.00	\$70,000.00
Tax Collector F/T	\$50,000.00	\$90,000.00
Tax Collector P/T	\$25.00 per hr	\$40.00 per hr
Chief Financial Officer/Treasurer P/T	\$25,000.00	\$70,000.00
Borough Administrator F/T	\$80,000.00	\$160,000.00
Department Head – Public Works – CPWM F/T	\$75,000.00	\$130,000.00
Mayor P/T	\$5,000.00	\$10,000.00
Councilmember P/T	\$4,000.00	\$8,000.00
Department Head – Construction Official F/T	\$75,000.00	\$130,000.00
Tax Assessor P/T	\$16,000.00	\$30,000.00
Assistant Tax Assessor P/T	\$4,000.00	\$10,000.00
Municipal Court Judge P/T	\$20,000.00	\$50,000.00
Municipal Court Prosecutor P/T	\$18,000.00	\$48,000.00
Alternate Municipal Court Prosecutor P/T	\$2,400.00	\$4,800.00
Municipal Court Public Defender P/T	\$4,000.00	\$8,000.00
Municipal Court Administrator F/T	\$35,000.00	\$80,000.00
Municipal Court Administrator – Temporary P/T	\$25.00 per hr	\$40.00 per hr
Deputy Municipal Court Administrator F/T	\$35,000.00	\$55,000.00
Deputy Municipal Court Administrator P/T	\$16.00 per hr	\$30.00 per hr
Municipal Court Violations Clerk P/T	SMW per hr	\$22.00 per hr
Borough Attorney P/T	\$30,000.00	\$70,000.00
(And Such Other Compensation for Special Services as may be required by the Borough Upon Vouchers duly presented)		
Borough Engineer P/T	\$3,000.00	\$6,000.00
(And Such Other Compensation for Special Services as may be required by the Borough Upon Vouchers duly presented)		
Attorney to Planning Board P/T	\$8,000.00	\$18,000.00
Clerk of the Planning Board P/T	\$8,000.00	\$14,000.00
Clerk of Elections P/T	\$2,000.00	\$5,000.00
Code Enforcement Officer	\$8,000.00	\$75,000.00
Deputy Clerk of Elections P/T	\$1,500.00	\$3,000.00
Fire Sub-Code Official P/T	\$8,000.00	\$14,000.00
Plumbing Sub-Code Official P/T	\$9,000.00	\$17,000.00
Electrical Sub-Code Official P/T	\$9,000.00	\$17,000.00
Technical Assistant to Construction Official P/T	\$3,000.00	\$10,000.00
Zoning Officer P/T	\$12,000.00	\$25,000.00
Recycling Coordinator P/T	\$2,000.00	\$5,000.00

Assistant Recycling Coordinator P/T	\$1,500.00	\$4,000.00
Communications Operator/Police Department		
Dispatcher P/T	SMW per hr	\$18.00 per hr
Special Police Officer P/T	\$15.00 per hr	\$20.00 per hr
(Where Appointed to Serve with Compensation)		
School Traffic Officer P/T	SMW per hr	\$10,000.00
(Where Appointed to Serve with Compensation)		
School Traffic Officer – Temporary P/T	SMW per hr	\$18.00 per hr
Bloodborne Pathogen Compliance Officer P/T	\$2,000.00	\$5,000.00
Class I Special Police Officer P/T	SMW per hr	\$17.00 per hr
Class II Special Police Officer P/T	SMW per hr	\$25.00 per hr
Clerk (Clerical) P/T	SMW per hr	\$25.00 per hr
Temporary Building/Fire/Plumbing/Electrical		
Sub-Code Official P/T	\$25.00 per hr	\$50.00 per hr
Information Technology Provider P/T	\$15.00 per hr	\$50.00 per hr
Administrative Officer for Municipal Land		
Use Searches P/T	\$750.00	\$1,500.00
Tax Search Officer P/T	\$2,500.00	\$5,000.00
Assessment Search Officer P/T	\$2,000.00	\$5,000.00
Searcher for Subdivisions P/T	\$500.00	\$2,000.00
Registrar of Vital Statistics P/T	\$1,000.00	\$8,000.00
Deputy Registrar of Vital Statistics P/T	\$500.00	\$5,000.00
Laborer – Temporary Emergency P/T	SMW per hr	\$17.00 per hr
Records Clerk – Temporary P/T	SMW per hr	\$20.00 per hr
Seasonal Parking Enforcement P/T	SMW per hr	\$18.00 per hr
Assistant to Department Head – Public Works P/T	\$3,000.00	\$7,500.00
Court Clerk (Clerical) P/T	\$3,400.00	\$7,500.00
Assistant Borough Treasurer P/T	\$4,000.00	\$10,000.00
Assistant to the Borough Administrator	\$10,000.00	\$100,000.00

(SMW = State Minimum Wage)

Section 2. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance shall be and the same are hereby repealed.

Section 3. Pursuant to the provisions of N.J.S.A. 40:69A-181 (b), this ordinance shall take effect twenty (20) days after its final passage by the Borough Council and approval by the Mayor where such approval is required by law.

Motion to Introduce Ordinance 2021-310 by: _____ seconded
by _____ Roll Call Vote:

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

RESOLUTION 2021-166:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-310

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

Hearing Date: December 16, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

ORDINANCE NO. 2021-311 SALARY ORDINANCE – POLICE SALARIES:

AN ORDINANCE FIXING THE SALARIES, WAGES AND OTHER EMOLUMENTS OF THE REGULAR OFFICERS OF THE POLICE DEPARTMENT OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH FOR THE FISCAL YEARS BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2023

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

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

THE EMPLOYEES AND OFFICIALS OF THE BOROUGH OF UNION BEACH COVERED BY THIS ORDINANCE SHALL BE COMPENSATED BI-WEEKLY PURSUANT TO THE FOLLOWING SALARY GUIDE FOR THE FISCAL YEARS BEGINNING JANUARY 1, 2020 THROUGH DECEMBER 31, 2023.

SCHEDULE A

SALARY GUIDE

Salary guide for January 1, 2020 through December 31, 2023, for officers hired prior to July 1, 2013.

RANK	1/1/20 12/31/20	TO	1/1/21 12/31/21	TO	1/1/22 12/31/22	TO	1/1/23 12/31/23	TO
Sgt 1 st Class +20 yrs.	123,684		125,848		128,051		130,612	
Sgt 1 st Class +15yrs.	123,607		125,770		127,971		130,530	
Sgt 1 st Class +10 yrs.	123,531		125,693		127,892		130,450	
Sgt 1 st Class + 5 yrs.	123,456		125,616		127,815		130,371	
Sgt 2 nd Class +20 yrs.	111,769		113,725		115,715		118,029	
Sgt 2 nd Class +15 yrs.	111,701		113,656		115,645		117,958	
Sgt 2 nd Class +10 yrs.	111,631		113,584		115,572		117,884	
Sgt 2 nd Class + 5 yrs.	111,564		113,516		115,503		117,813	
Ptl 5 th step + 20 yrs.	107,580		109,463		111,378		113,606	
Ptl 5 th step + 15 yrs.	107,514		109,395		111,310		113,536	
Ptl 5 th step +10 yrs.	107,449		109,329		111,243		113,467	
Ptl 5 th step + 5 yrs.	107,383		109,262		111,174		113,398	

SCHEDULE B
SALARY GUIDE

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

Step	1/1/2020 TO 12/31/2020	1/1/2021 TO 12/31/2021	1/1/2022 TO 12/31/2022	1/1/2023 TO 12/31/2023
Academy (six month)	40,355	40,355	40,355	40,355
Step 1	47,656	47,656	47,656	47,656
Step 2	55,781	56,757	57,751	58,906
Step 3	63,191	64,297	65,422	66,730
Step 4	70,600	71,836	73,093	74,555
Step 5	78,011	79,376	80,765	82,380
Step 6	85,420	86,915	88,436	90,205
Step 7	92,830	94,454	96,107	98,029
Step 8	100,239	101,993	103,778	105,854
Step 9	107,647	109,531	111,447	113,676

*Movement on the Guide is on the Anniversary Date.

The following salary guide applies to officers hired on or after 7/1/2013 who are promoted to Sergeant**

Step	1/1/2020 TO 12/31/2020	1/1/2021 TO 12/31/2021	1/1/2022 TO 12/31/2022	1/1/2023 TO 12/31/2023
Step 1	111,838	113,795	115,786	118,102
Step 2	115,810	117,837	119,899	122,297
Step 3	119,814	121,910	124,044	126,525
Step 4	123,736	125,901	128,104	130,666

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

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

SECTION 3: All salaries authorized by this ordinance shall be paid retroactively, effective to January 1, 2020, provided that the employee was still in the employ of the Borough of Union Beach at the time of the execution of the collective bargaining agreement between the Mayor and Council of the Borough of Union Beach and P.B.A. Local 291.

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

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

Motion to Introduce Ordinance 2021-311 by: _____ seconded
by _____ Roll Call Vote:

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

RESOLUTION 2021-167:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-311

Paper: The Asbury Park Press, issue of November __, 2021

Hearing Date: December 16, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

RESOLUTIONS: November 22, 2021

RESOLUTION NO. 2021- 168:

AUTHORIZING THE SIGNING OF THE 2022 NJ DOT SCAT AGREEMENT

Be it Resolved, by the Governing Body of the Borough of Union Beach that;

An Agreement with the Board of Chosen Freeholders of the County of Monmouth, and the Borough of Union Beach, for Special Citizens Area Transportation System (SCAT) for the year 2022 for one-half day per week at a cost of \$78.00 per week, be and the same is hereby approved and confirmed, and

Be it Further Resolved, that the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Union Beach, and attested to by the Borough Clerk.

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

RESOLUTION NO. 2021-169:

ALCOHOLIC BEVERAGE RESOLUTION - PERSON-TO-PERSON TRANSFER

WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Consumption License 1350-44-013-006, heretofore issued to Sun Petro, Inc., dba Keller’s Liquor Store, for premises located at 610 Florence Avenue, Union Beach; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicants are qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicants have disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Union Beach does hereby approve, effective **December 7, 2021**, the transfer of the aforesaid Plenary Retail Consumption License to the following shareholders Ankur S. Patel – 50%, 376 Alden Way, North Brunswick, NJ 08902, Rekhankumar H. Patel 50%, 62 Craig Street, Edison, NJ 08817, dba Keller’s Liquor Store and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Ankur s. Patel and Rekhankumar H. Patel, dba Keller’s Liquor Store, effective October 16, 2021." and forward a certified copy of this Resolution to the Director of the New Jersey Division of Alcoholic Beverage Control.

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

RESOLUTION NO. 2021-170:

Resolution Authorizing Addendum Number 18 to AIA Document B101-2007 Standard Form of Agreement Between Owner and Architect

This addendum to AIA Document B101-2007 Standard Form of Agreement Between Owner and Architect (“Addendum”) is entered into this 22nd day of November, 2021 by and between the Borough of Union Beach (“Owner”), with offices located at 650 Poole Avenue, Union Beach, New Jersey 07735, and The Goldstein Partnership (Architect”), with offices located at 515 Valley Street, Suite 110, Maplewood, New Jersey 07040.

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

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

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

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

WHEREAS, the Architect submitted a proposal for extended additional services in the amount of \$2,500.00 for its anticipated services for completion of the project through October 31, 2021; and

WHEREAS, the Owner reviewed the proposal dated November 3, 2021 and determined that it is reasonable and the amounts proposed are consistent with the Agreement.

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

1. The above recitals are incorporated herein by reference.
2. The Architect’s fees for the Project shall be increased in the amount of \$2,500.00 which amount shall be invoiced in accordance with the terms and conditions of the Agreement.
3. The Contract Sum for the construction of the project as set forth in the Owner/Contractor Agreement may be reduced by all or a substantial portion of the above amount after same has been determined after consultation with the Owner’s legal representatives. The Architect shall prepare the necessary documents to reduce the Contract Sum and/or back charge the Contractor and/or include in claim against the Surety the fees for the Architect’s extended services and expenses.
4. All other terms and conditions of the Agreement remain in full force and effect and shall apply to the services set forth in the Proposal.

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

RESOLUTION NO. 2021 -171:

Resolution Authorizing Memorial School Soccer Championship Jacket Donation in Amount of \$1,107

Whereas, the Governing Body has received a request from Coach Sean Atland, of the Memorial School Boys Soccer Team, requesting the Borough’s support to fund a portion of the balance for Championship Jackets for members of the winning teams; and,

Whereas, the Governing Body has discussed this request and would like to make such a donation to the Memorial School fundraising effort for these jackets; and,

Now, Therefore, Be It Resolved by the Governing Body of the Borough of Union Beach, Union Beach, New Jersey, that permission is hereby granted for the Treasurer to issue a check in the amount of \$1,107.00 to cover the remaining cost of the Memorial School Boys Soccer Championship jackets

Be It Further Resolved, that the Clerk will contact the school and make arrangements for issuance.

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

RESOLUTION 2021-172:

Accepting a donation of a 1990 Humvee from the Borough of Highlands

Whereas, the Borough of Highlands owns a vehicle obtained through the LESO Program which is no longer needed for public use by the Borough, namely: **1990 Humvee 014477**

And;

Whereas, the Borough of Highlands wishes to transfer ownership of the vehicle to the Borough of Union Beach and will endorse any additional documentation including the certificates of title, if any, to effect the transfer of ownership of the vehicle to the Borough of Union Beach; and

Whereas the Borough of Union Beach will indemnify and hold harmless the Borough of Highlands from and against all loss, damage claims, actions, liability and expense in contract or in tort, in connection with the loss of life bodily injury and/or property damage, including the provision of a defense, hereafter arising from the vehicle.

Now, Therefore Be it Resolved, that the Borough of Union Beach hereby accepts the Vehicle in its “as is” condition and releases the County from any and all responsibility for the condition of the vehicle.

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

RESOLUTION NO. 2021-173:

Resolution Authorizing The Setting Of The Rate, Administrative Fee And Vehicle Use Fee Pursuant To Section 2-6.14, Special Duty Assignments, Subsection “e” Of The Revised General Ordinances Of The Borough Of Union Beach.

Whereas, the Revised General Ordinances of the Borough of Union Beach, 1980, provide that the Council is to set forth by resolution the charges for services provided by police personnel on special duty assignments from independent contractors;

Now Therefore be it Resolved by the Mayor and Council of the Borough of Union Beach that pursuant to the Revised General Ordinances of the Borough of Union Beach, 1980 Chapter II, Administration, Section 2-6, Police Department Subsection 2-6.14, Special Duty Assignments, Paragraph “e” the following charges are hereby established for all officers, regardless of rank, who perform Special Duty Assignments for independent contractors, effective January 1, 2022:

COMPONENTS OF HOURLY RATE

Officer Rate of Pay	\$75.00	Per Hour Per Officer Assigned
Administrative Fee to the Borough of Union Beach	\$15.00	Per Hour Per Officer Assigned
Vehicle Use Fee to the Borough of Union Beach	\$10.00	Per Hour Per Officer Assigned
Total Hourly Rate	\$100.00	

To be paid to the Chief Financial Officer/Treasurer for deposit in Special Duty Police Trust Fund.

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

RESOLUTION NO. 2021-174:

Resolution Amending the Annual Contribution Amounts Under the Length of Service Awards Program for Volunteer Firefighters and First Aid Squad Members of the Borough of Union Beach.

Whereas, The Borough of Union Beach established a Length of Service Award Program (LOSAP) by Ordinance No. 2003-32 adopted on September 4, 2003 and approved by the electorate of the Borough of Union Beach at the General Election of November 4, 2003; and

Whereas, the annual Borough contribution amounts were contained in the above ordinance; and

Whereas, state statute allows for time-to-time Consumer Price Index (CPI) adjustments, or Cost of Living Adjustments, if the enabling ordinance does not contain automatic CPI adjustments; and

Whereas, Ordinance No. 2003-32 does not authorize automatic CPI adjustments and the Mayor and Council of the Borough of Union Beach wish to approve a CPI adjustment within the cumulative CPI percentage increase amount by resolution only, as allowed.

Now Therefore be it Resolved by the Mayor and Council of the Borough of Union Beach that the annual contribution for each eligible member accruing the required 80 points shall be amended as set forth in the following schedule based on length of prior service. The Borough reserves the right to amend the schedule in the future.

<u>Length of Service</u>	<u>Borough Contribution</u>
1 through 2 years	\$125.00 per volunteer
3 through 4 years	\$450.00
5 years and over	\$900.00

Be It Further Resolved, that the above amounts are effective for the service year 2021 and payable during 2022; and

Be it Further Resolved, that a copy of this resolution be forwarded to the Union Beach Board of Fire Commissioners, the Borough Administrator, Union Beach Emergency Medical Services (EMS) and the Union Beach Finance Department.

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

RESOLUTION NO. 2021-175:

BOROUGH OF UNION BEACH COUNTY OF MONMOUTH RESOLUTION TRANSFER OF CY 2021 BUDGET APPROPRIATIONS					
WHEREAS, Certain Appropriations for the Budget Calendar Year 2021 require modifications in order to balance the cost of operations for said calendar year; and					
WHEREAS, N.J.S.A. 40A:4-58 provides that during the last two months of the budget year transfers may be made from unexpended balances to those appropriations deemed insufficient to fulfill the purpose of such appropriations.					
THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Union Beach, County of Monmouth that the following transfers in the amount of \$5,500.00 for the Current Fund Budget between CY 2021 Budget Appropriations:					
Current Fund					
			From		To
Operations - within "CAPS":					
General Government					
Police:					
					\$ 3,000.00
					2,500.00
			(2,500.00)		
Unclassified					
			(3,000.00)		
Total Expenditure Municipal Within " CAPS "			(5,500.00)		5,500.00
Total Transfers			\$ (5,500.00)		\$ 5,500.00

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

RESOLUTION NO. 2021-176:

Resolution Authorizing Agreement Between the Borough of Union Beach and CCTMA LLC, a Delaware Limited Liability Company with Respect to Municipal Building Cell Tower

Whereas, the Borough of Union Beach executed a Site Lease Agreement on November 10, 2005 to allow the installation of the current Cell Tower and related facilities at the Municipal Building; and

Whereas, the said Site Lease provided for the Borough’s right to place its municipal equipment on the tower at no charge which was accomplished during the installation of the tower and which use has continued through the years; and

Whereas, in order to update the Borough’s facilities on the tower, CCTMO LLC (Crown Castle) has requested the Borough execute a Site License Agreement (for Installation by Landlord or Prime Lessor on a Tower Site) providing for a payment to cover Crown Castle costs to evaluate, analyze and inspect any future placement of Borough equipment on the tower; and

Whereas, the Borough, recognizing the vast improvements in technology through the years since the original Site Lease Agreement was entered into and the corresponding technical and safety requirements, has reviewed the request; and

Whereas, after fruitful negotiations between the Borough and Crown Castle, acceptable terms have been agreed to and an agreement has been prepared for recommendation to the Mayor and Council.

Now Therefore Be It Resolved that the Mayor and Council of the Borough of Union Beach authorize the execution of Site License Agreement between the Borough and CCTMO LLC with respect to the Borough’s use of Licensed Space on Crown Castle BU#826132 (the Municipal Building Cell Tower); and

Be It Further Resolved that the Mayor and Borough Clerk are authorized to sign and attest to the execution of said agreement; and

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

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

RESOLUTION NO. 2021-177:

RESOLUTION PROVIDING FOR THE FORM, MATURITIES AND OTHER DETAILS OF NOT TO EXCEED \$1,000,000 GENERAL OBLIGATION REFUNDING BONDS OF THE BOROUGH OF UNION BEACH, NEW JERSEY AND PROVIDING FOR THEIR SALE.

WHEREAS, the Borough Council of the Borough of Union Beach, in the County of Monmouth, New Jersey (the "Borough"), has heretofore issued its General Obligation Bonds, Series 2011, issued in the original aggregate principal amount of \$2,319,000, dated July 7, 2011, which bonds are subject to redemption (on or after July 1, 2021) prior to their stated dates of maturity, and which mature on July 1, in each of the years 2022 to 2026, inclusive, in an aggregate amount of \$930,000 inclusive (the "Refunded Bonds"); and

WHEREAS, the Borough desires to redeem the Refunded Bonds at a redemption price of 100% of the principal amount of the Refunded Bonds and has adopted a bond ordinance entitled "Refunding Bond Ordinance Providing for the Refunding of Certain General Obligation Bonds of the Borough of Union Beach, New Jersey, Appropriating \$1,000,000 Therefor and Authorizing the Issuance of \$1,000,000 Bonds or Notes of the Borough for Financing the Cost Thereof," which authorized refunding bonds to be issued to refund the Refunded Bonds; and

BE IT RESOLVED BY 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) that:

Section 1. There shall be issued bonds of the Borough in an amount not to exceed 1,000,000 bonds, being all of the bonds authorized by an ordinance entitled: (Ord. No. 2021-308)

"REFUNDING BOND ORDINANCE PROVIDING FOR THE REFUNDING OF CERTAIN GENERAL OBLIGATION BONDS OF THE BOROUGH OF UNION BEACH, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING THE COST THEREOF."

Section 2. The bonds referred to in Section 1 hereof are sometimes hereinafter collectively referred to as the "Bonds." The Bonds may be issued in one series as "General Obligation Refunding Bonds, Series 2021". The Bonds of said issue (i) shall be dated the date of delivery of the Bonds, (ii) shall mature in the years 2022 through 2026, or such other years as may be determined by the Chief Financial Officer, (iii) shall bear interest at the interest rates per annum as determined by the Chief Financial Officer, (iv) shall be sold at such price or prices as determined by the Chief Financial Officer, and (v) may be subject to redemption prior to their stated maturities as determined by the Chief Financial Officer, as shall be set forth in the proposal for the purchase of the Bonds acceptance of which is authorized pursuant to Section 5 hereof. The Bonds shall be numbered one consecutively upward, and will be issued in fully registered form.

Section 3. The Bonds shall be payable as to interest at the corporate trust office of U.S. Bank National Association, Edison, New Jersey, payable on the May 15 and November 15 prior to each June 1 and December 1, commencing June 1, 2022, in an amount equal to the interest accruing to each such June 1 and December 1, and payable as to principal at the corporate trust office of U.S. Bank National Association, payable on the fifteenth day of the month immediately preceding the due date therefor. Interest on the Bonds shall be calculated on the basis of a 360-day year or twelve 30-day calendar months.

The Bonds shall be subject to the parameters set forth as follows and otherwise consistent with the terms included in the application submitted by the Authority (as hereinafter defined) on behalf of the Borough to the Local Finance Board in the Department of Community Affairs, State of New Jersey (the "Local Finance Board") on October 20, 2021 (the "Application"): (i) the aggregate principal amount of the Bonds does not exceed \$1,000,000, (ii) the maturity structure or weighted average maturity for the Bonds is substantially similar to the structure submitted to the Local Finance Board in the Application, and (iii) all conditions described in the Application as submitted to the Local Finance Board for the sale of the Bonds are satisfied.

Section 4. The Bonds shall be signed by the Mayor or Deputy Mayor and the Borough Chief Financial Officer, by their manual or facsimile signatures, and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

Section 5. The Bonds are hereby sold and awarded to the Monmouth County Improvement Authority (the "Authority") by an Authorized Officer at a price determined by the Authorized Officer pursuant to the terms of a Bond Purchase Agreement between the Borough and the Authority (the "Bond Purchase Agreement"). The Mayor, Deputy Mayor and Chief Financial Officer are hereby authorized on behalf of the Borough to execute the Bond Purchase Agreement by and between the Borough and the Monmouth County Improvement Authority and the Continuing Disclosure Agreement by and between the Borough and U.S. Bank National Association.

Section 6. The Bonds and the registration provisions endorsed thereon shall be in substantially the following form:

No. 2021 __

**UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF MONMOUTH**

**BOROUGH OF UNION BEACH
GENERAL OBLIGATION REFUNDING BOND, SERIES 2021**

DATE OF
ORIGINAL
ISSUE: December __, 2021

BOROUGH OF UNION BEACH in the County of Monmouth, New Jersey, hereby acknowledges itself indebted and for value received promises to pay to

**THE MONMOUTH COUNTY IMPROVEMENT
AUTHORITY (the "Authority")
c/o U.S. BANK, NATIONAL ASSOCIATION
(the "Trustee")**

the principal sums on the dates and in the amounts set forth on Schedule A attached hereto and made a part hereof and to pay interest on such sum from the DATE OF ORIGINAL ISSUE of this bond until payment in full at the interest rates per annum and in the amounts shown on Schedule A attached hereto and made a part hereof. Interest is payable to the Authority at the corporate trust office of the Trustee on the May 15 and November 15 prior to each June 1 and December 1, commencing June 1, 2022, in an amount equal to the interest accruing to each such June 1 and December 1. This bond as to principal will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of the Trustee. Amounts not paid when due hereunder shall bear interest at the Late Payment Rate until paid. This bond shall be prepayable as set forth in Section 1303 of the bond resolution adopted by the Authority on November 4, 2021 (as the same may be supplemented and amended, the "Bond Resolution").

Both principal of and interest on this bond is payable in lawful money of the United States of America and in immediately available funds.

As used herein, "Business Day" shall mean any day that is not a Saturday, a Sunday or a legal holiday in the State of New Jersey or the State of New York or a day on which the Trustee is legally authorized to close. "Late Payment Rate" shall mean a rate per annum equal to the lower of (i) the greater of (a) three percent above the interest rate that JPMorgan Chase publicly announces from time to time as its prime lending rate, such interest rate to change on the effective date of each announced change in such rate and (b) the rate then payable on this bond, and (ii) the maximum interest rate allowed by law.

The Bonds are subject to redemption prior to their stated maturities.

This bond is one of an authorized issue of bonds and is issued pursuant to the Local Bond Law of New Jersey, and is one of the Bonds referred to in a resolution of the Borough of Union Beach adopted on November 22, 2021 and entitled "Resolution Providing For The Form, Maturities And Other Details Of Not To Exceed \$1,000,000 General Obligation Refunding Bonds Of The Borough Of Union Beach, New Jersey And Providing For Their Sale," and the bond ordinance referred to therein, in all respects duly approved and published as required by law.

The full faith and credit of the Borough of Union Beach are hereby irrevocably pledged for the punctual payment of the principal of and the interest on, and all other amounts due under, this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed and that the issue of bonds of which this is one, together with all other indebtedness of the Borough of Union Beach, is within every debt and other limit prescribed by such Constitution or statutes.

The Borough of Union Beach agrees to pay (i) all costs and expenses (including legal fees) in connection with the administration and enforcement of this bond and (ii) its share of the amounts payable pursuant to Section 9(vi)(B) of the Bond Purchase Agreement between the Borough of Union Beach and the Authority.

IN WITNESS WHEREOF, the BOROUGH OF UNION BEACH, in the County of Monmouth, New Jersey has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor or Deputy Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its Borough Clerk, and this bond to be dated the DATE OF ORIGINAL ISSUE as specified above.

BOROUGH OF UNION BEACH

By: _____
Charles W. Cocuzza, Mayor

ATTEST:

Anne Marie Friscia, Clerk

By: _____
Joseph J. Faccone, Chief Financial Officer

(Assignment Provision on Back of Bond)

ASSIGNMENT

FOR VALUE RECEIVED _____ hereby sells, assigns and transfers unto _____ (Please Print or Type Name and Address of Assignee) the within bond and irrevocably appoints _____ as Attorney to transfer this bond on the registration books of the _____ with full power of substitution and revocation.

NOTICE

The signature of this assignment must correspond with the name as it appears on the face of the within bond in every particular.

Dated:

Signature of Guarantee:

SCHEDULE A

BOROUGH OF UNION BEACH

GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021

Schedule of Principal and Interest Payments

Section 7. The Borough Chief Financial Officer is hereby authorized and directed (a) to cause a copy of the written opinion with respect to the Bonds which is to be rendered by the firm of Gibbons P.C. (complete except for omission of its date) to be printed or referred to on the Bonds, and at the time of the original delivery of payment for the Bonds and when such written opinion is rendered, to cause the Borough Clerk to certify to the truth and correctness of such copy of opinion by executing on each of said Bonds, by manual or facsimile signature, a certificate subjoined to each such copy, and to file a signed duplicate of such written opinion in such Clerk's office and at each place at which the Bonds are payable, (b) to cause the applicable CUSIP number (if any) assigned for each of said Bonds by the CUSIP Service Bureau of Standard & Poor's Corporation of New York, New York, to be printed on each of the Bonds, and (c) to cause, in the event that the Bonds shall qualify for issuance of any policy of municipal bond insurance at the option of the purchaser thereof, such legend or reference (if any) of such insurance to be printed (at the expense of such purchaser) on the Bonds.

Section 8. Upon the date of issue of the Bonds, being the date of delivery of the Bonds to the Authority and the payment of the purchase price thereof in accordance with the Bond Purchase Agreement, the Borough Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to said purchaser (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"), and (b) an accompanying opinion of Gibbons P.C. as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

Section 9. The proceeds of the Bonds shall be applied to refund the outstanding Refunded Bonds and pay for the costs of issuance associated with the Bonds.

Section 10. The Mayor or Deputy Mayor and Borough Chief Financial Officer are hereby authorized and directed, as is the Borough Clerk, to execute all documents and certificates, necessary for the sale and delivery of said Bonds in order to effectuate the refunding of the outstanding amount of the Refunded Bonds.

Section 11. This resolution shall take effect immediately.

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

APPROVAL OF VOUCHERS AND PAYMENT OF BILLS: 2021-178:

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

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

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF NOVEMBER 22, 2021:

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

1. RESOLUTION NO. 2021-:

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

PROPOSED RESOLUTION 2021- :

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

EXECUTIVE SESSION: RESOLUTION NO. 2021 : MEETING OF NOVEMBER 22, 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						
Mr. Cavallo						
Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

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