



**BOROUGH OF UNION BEACH
COUNCIL MEETING
August 26, 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." - notice has been sent and run in the Asbury Park Press and Independent.

ROLL CALL: Council Members

- Mr. Wicki - Absent
- 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: August 26, 2021 MEETING

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF August 26, 2021

Motion moved by _____ seconded by: _____ voice vote.

**PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:
MEETING OF August 26, 2021: None**

APPROVAL OF MINUTES OF THE MEETING OF: July 15, 2021 Meeting

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC. MEETING OF AUGUST 19, 2021

Application for a Volunteer Firefighter – Union Gardens Fire Co., - Vincent Tuberon
817 5th Street, Union Beach.

ABC Social Affairs Permit for American Legion, September 5th 11a.m-11 pm-LABOR DAY CELEBRATION - Approval Requested.

ABC Social Affairs Permit for American Legion, September 25th 11a.m-11 pm- 80-'S Party - Approval Requested.

ABC Social Affairs Permit for American Legion, October 2nd – Breast Cancer Fundraiser 11a.m-11 pm- Approval Requested.

ABC Social Affairs Permit for American Legion, November 6th 9 a.m-11 pm- Kidney Awareness Fundraiser - Approval Requested.

Request of Fire Chief to block off parking in front of firefighters Park on Front Street to park Trucks, EMS, OEM., Etc. at midnight September 10th for services the next day September 11th at 9 a.m. – Police informed – Sgt. Taddeo.

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

August 20th – American Legion has a Live Band for Fund Raiser – Social Affairs Permit
 August 20th – Lobster Fest – Florence Avenue – Fire Department
 August 23rd – Deadline for the Winter Edition of the Newsletter.
 August 26th – Council Meeting
 August 31st – Overdose Awareness Day – Purple flags of remembrance are on the front Lawn
 September 12th Kite Flying Day
 September 10th – 911 Memorial Service at Memorial School – Charlie, Eileen, Anthony
 September 25th Clean Communities Day Clean Up
 October 2nd “Bikers for Boobies”- County approved street closing.
 October 30th – Paper Shredding Event - DPW

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

<u>Councilman Wicki -absent</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>

Robert M. Howard, Borough Administrator

MEETING OPEN FOR PUBLIC DISCUSSION: August 26, 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:

Proposed ORDINANCES: Meeting of August 26, 2021:

ORDINANCE # 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)

Motion to Introduce Ordinance 2021-305 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 2021-121:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-305

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

Hearing Date: September 16, 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						
Mr. Cavallo						
Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

ORDINANCE 2021-306

AN ORDINANCE OF THE COUNCIL OF THE BOROUGH OF UNION BEACH APPROVING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE DESIGNATED REDEVELOPMENT PLAN AREA NO. 3 OF THE COMMERCIAL CORRIDORS REDEVELOPMENT PLAN PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (NJSA 40A:12A-1, ET SEQ.)

WHEREAS, on November 21, 2016, the Borough Council of the Borough of Union Beach (the “Governing Body”) adopted Ordinance No. 2016-243, which designated certain lands along the Union Avenue and NJ State Highway No.36 corridor as a “Redevelopment Areas” pursuant to the Local Redevelopment and Housing Law (NJSA 40:A 12A-2 et seq.); and

WHEREAS, the New Jersey local Redevelopment and Housing Law, NJSA 40A:12A-` et seq., authorizes the Borough Council of the Borough of Union Beach (“the Governing Body”) to adopt by ordinance redevelopment plans for areas in need of redevelopment or rehabilitation; and

WHEREAS, the Governing Body previously adopted the Commercial Corridor Redevelopment Plan (the “Redevelopment Plan”) by Ordinance on November 21, 2016; and

WHEREAS, in accordance with the provisions of the New Jersey Local Redevelopment and Housing Law, NJSA 40A:12A-1 et seq. (the “LRHL”), the Governing Body authorized the preparation of an amendment to the redevelopment plan for the Designated Redevelopment Area No.3the tract defined as Block 210, Lots 25 and 26; and

WHEREAS, the Borough’s planning consultant, T&M Associates, has prepared an amendment to the redevelopment plan for the Designated Redevelopment Area No.3; and

WHEREAS, the Borough Council now wishes to approve and adopt the Amend the Bulk and Area Requirements for Redevelopment Plan Area No.3 in the form attached hereto as **Exhibit A**.

WHEREAS, pursuant to NJSA 40A:12-7, the Governing Body referred the Redevelopment Plan Amendment to the Planning Board for review; and

WHEREAS, the Governing Body hereby determines that the Redevelopment Plan is necessary and appropriate and will effectuate redevelopment and rehabilitation within the Borough.

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Union Beach, in the County of Monmouth, that the Maximum Residential Density (dwelling units per acre) of the section entitled “Bulk and Area Requirements” of the Designated Redevelopment Area No. 3, Page 29 is hereby amended to 10 du/acre.

BE IT FURTHER ORDAINED, by the Borough Council of the Borough of Union Beach, in the County of Monmouth, that the Amendment to the Commercial Corridor Redevelopment Plan is hereby adopted, and the provisions of the Redevelopment Area No.3 shall be revised accordingly.

BE IT FURTHER ORDAINED, that all prior Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon final passage and publication as required by law, as the “Ordinance Approving an Amendment to the Commercial Corridor Redevelopment Plan.”

Motion to Introduce Ordinance 2021-306 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 2021-132:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-306

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

Hearing Date: September 16, 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						
Mr. Cavallo						
Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

ORDINANCE #2021-307:

An Ordinance fixing the Salaries, Wages and other Emoluments of Certain Employees of the Borough of Union Beach, Monmouth County, New Jersey

Pursuant to a Collective Bargaining Agreement with Teamsters Local No. 641 For the Calendar year 2021, 2022, 2023 and 2024

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 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 law, and continuing in effect until thereafter amended, except where otherwise specified. The employees of the Borough of Union Beach covered by this ordinance shall be compensated bi-weekly pursuant to the following salary guide for calendar years 2021, 2022, 2023 and 2024.

Motion to Introduce Ordinance 2021-307 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 2021-133:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-307

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

Hearing Date: September 16, 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						
Mr. Cavallo						
Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

RESOLUTIONS: August 26, 2021

RESOLUTION NO. 2021-134: August 26, 2021

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

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

WHEREAS, the Mayor and Council of the Borough of Union Beach have received a recommendation dated July 30, 2021 from Police Chief Woodrow to fill this position effective July 30, 2021.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach that the appointment of the following named person(s) as Class II Special Police Officer, (Part-Time) in the Police Department, at a salary as indicated in the current Salary Resolution (2021), not to exceed 28 hours per week. This appointment is effective as of July 30, 2021 in accordance with the recommendations of the Police Chief, and the same is hereby approved and confirmed:

Charles Terefenko

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

RESOLUTION NO. 2021-135: August 26, 2021

RESOLUTION AUTHORIZING T&M ASSOCIATES TO DEVELOP PRELIMINARY CONSTRUCTION COSTS AND OBTAIN FIELD SURVEY DATA NEEDED TO PREPARE CONCEPT PLANS AND CONSTRUCTION ESTIMATES FOR A POSSIBLE COOPERATIVE PROJECT WITH THE COUNTY OF MONMOUTH TO IMPROVE A SECTION OF FRONT STREET NEAR THE FLAT CREEK BRIDGE.

Whereas, a portion of Front Street near Flat Creek Bridge becomes impassable to vehicles during high tides and;

Whereas, the County Engineers Office have met with our Engineers on behalf of the Borough regarding a possible cooperative project to improve Front Street conditions in that area; and

Whereas, in order to participate in a possible cooperative joint project with the County of Monmouth to minimize this nuisance flooding, the Borough hereby authorizes T&M Associates to develop preliminary construction costs and to obtain field survey data as needed to prepare concept plans and construction estimates for a possible cooperative project with the County of Monmouth to improve this section of Front Street.

Now, therefore, be it resolved by the Mayor and Council of the Borough of Union Beach that the Clerk is authorized to provide a copy of this Resolution to T&M Associates and the Finance Department.

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

RESOLUTION NO. 2021-136:

August 26, 2021

RESOLUTION APPROVING TAX EXEMPTION

PURSUANT TO N.J.S.A. 54:4-3.30 ET SEQ.

WHEREAS, pursuant to chapter 398 of the law of 1971, (N.J.S.A. 54:4-31.31. Chapter 259 of the laws of 1948) the governing body by the appropriate resolution shall allow a full exemption to a 100% permanently disabled eligible veteran entitled to the same; and

WHEREAS, Kurt D. Fouts, a 100% disabled veteran, has applied for the deduction for property known as block #210, lot #2, for the premises at 712 Prospect Avenue, Union Beach, New Jersey; and

WHEREAS, the Borough Tax Assessor, Michael Del Re, has researched Mr. Fouts' request and recommends the 100% deduction for block #210, lot #2, 712 Prospect Avenue, Union Beach, New Jersey, be granted.

NOW, THEREFORE, BE IT RESOLVED, by Mayor and Council of the Borough of Union Beach, that in accordance with the recommendation of the Tax Assessor, Michael Del Re, the tax assessor is hereby authorized to apply a full exemption to 100% permanently disabled veteran Kurt D. Fouts, for property located at 712 Prospect Avenue, Union Beach, New Jersey, block #210, lot #2, for the period commencing 03 August 2021.

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

RESOLUTION NO. 2021-137:

Authorizing Change in the Sewer EDU's for Property Owner,

Alexander Giudice, 915 Florence Avenue, Block 54 Lot 11, Union Beach,

Whereas, Mr. Alexander Giudice, property owners of 915 Florence Avenue, Block 54, Lot 11, have requested and presented evidence to the Zoning Official in the form of an inspection of the property; and,

Whereas, Mr. Dennis Dayback, Zoning Official for the Borough of Union Beach, has inspected the premises and has recommended to the Mayor and Council that property comprising of Lot 11 Block 54 is a one family dwelling. It is his recommendation to decrease the units billed from two (2) to one (1) unit with the understanding that if additional units be added in the future, all additional fees will be charged to owner of said property.

Now therefore be it Resolved, that the Sewer Units to be charged to property owners of 915 Florence Avenue, Block 54, Lot 11, will be one (1) Unit; and this change to the billing shall be effective October 2021.

Be it further Resolved, that the Clerk is hereby directed to supply a copy of this Resolution to the Sewer Department, Engineer's Office and the BRSA for their records.

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

RESOLUTION NO. 2021-138:

Resolution Authorizing the award of a Contract to Vaider Network Solutions, LLC for Information Technology Services in the Union Beach Police Department and Further Authorizing Borough Administrator to Endorse Contract.

Be it Resolved by the Governing Body of the Borough of Union Beach, that Borough Administrator, Robert M. Howard, Jr. is hereby authorized to sign a one-year (1) contract commencing June 1, 2021 through May 31, 2022 in the amount of \$15,000.00 with Vaider Network Solutions, LLC 1747 Raleigh Ct. E., 144A, Ocean, NJ 07712 for Information Technology Services for the Union Beach Police Department as outlined in contract annexed to this Resolution.

Be it Further Resolved, that the Clerk is authorized to issue copy of the signed contract to both the Finance and the Police Departments.

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

RESOLUTION NO. 2021-139:

Resolution Authorizing the Mayor to enter into Memorandum of Agreement (Agreed Upon Terms Sheet) and Contract Agreement on behalf of the Governing Body with the Teamsters Local No. 641

Whereas, the Employment Agreement between the Borough of Union Beach and the Teamsters Local No. 641 expired on December 31, 2020, and;

Whereas, meaningful negotiations taking place since that time have resulted in an August 16, 2021 Agreement on Terms for a new contract between the parties for the period from January 1, 2021 through December 31, 2024, and;

Whereas, the Governing Body wishes to approve said Agreement and authorize the Mayor to approve said Contract terms with his signature on their behalf, and;

Whereas, the Governing Body also wishes to authorize the Mayor to execute said Contract Agreement drawn in accordance with the provisions of said Agreement when completed.

Now, therefore, Be It Resolved, by the Mayor and Council of the Borough of Union Beach that the said Agreement on terms for a new contract is approved and the Mayor is hereby authorized to sign the August 16, 2021 approved Contract Terms Sheet between the Borough of Union Beach and Teamsters Local No. 641, and;

Be it Further Resolved, that the Mayor is hereby authorized to sign the 2021-2024 Contract Agreement drawn in accordance with the approved Contract terms Sheet, when completed.

	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 2021-140:

	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.

***Proclamation
Borough of Union Beach***

Whereas, each year we lose thousands of people from drug overdose globally. Some survive but suffer a permanent injury, with devastating impact to their families and friends; and

Whereas, the Borough of Union Beach is not immune. You may have seen it; it has happened to people around you. Tomorrow, it could happen to someone you love. This is not an invisible issue; and

Whereas, International Overdose Awareness Day provides an opportunity for us to reflect on practical ways to prevent overdose in our community. Overdose is preventable. Knowing the real facts about drugs and what to do when you see someone experiencing an overdose DOES save lives. International Overdose Awareness Day events that aim to educate our communities about drugs can really help.

Now, Therefore, I, Charles W. Cocuzza, Mayor of the Borough of Union Beach, by the powers vested in me, do hereby proclaim August 31, 2021 as

INTERNATIONAL OVERDOSE AWARENESS DAY

In the Borough of Union Beach and by doing so, making our citizens aware of this devastating situation.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF AUGUST 26, 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 AUGUST 26, 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 (Contract Negotiations) 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.