



BOROUGH OF UNION BEACH
AGENDA
Council Meeting
June 16, 2022, 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: June, 16, 2022

Award of Certificates to the Memorial School Girls Basketball Team.

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF June 16, 2022.

Motion moved by _____ seconded by: _____ voice vote.

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

MEETING OF June 16, 2022

ORDINANCE 2022-316:

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 June 10, 2022.

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.

**AN ORDINANCE APPROVING A TWENTY (20) FOOT SAFETY ZONE
ADJACENT TO THE MID-BLOCK PEDESTRIAN CROSSWALK ON COUNTY
ROUTE 39 (FRONT STREET) ADJACENT TO BLOCK 22 LOTS 7 THROUGH 12 AND
BLOCK 21 LOT 6 IN THE BOROUGH OF UNION BEACH**

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey as follows:

PURPOSE

The purpose of this ordinance is to incorporate and permit a twenty (20) foot safety zone adjacent to the mid-block pedestrian crosswalk on County Route 39 (Front Street) to enhance the safety and wellbeing of pedestrians while maintaining existing parking along Front Street.

SECTION 1

Whereas the County of Monmouth, in cooperation with and at the request of the Borough of Union Beach, installed a mid-block pedestrian crosswalk on County Route 39 (Front Street) adjacent to Block 22 Lots 7 through 12 and Block 21 Lot 6 to enhance the safety of pedestrians and maintain existing parking along Front Street.

Whereas a twenty (20) foot safety zone is hereby established at this location which is less than the statutory requirements for safety zones at crosswalks for the purpose of enhancing the safety of pedestrians while maintaining existing parking along Front Street.

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 NJS 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 NJS 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.

I hereby approve of the passing of this Ordinance:

Mayor Charles W. Cocuzza

Attest:

Clerk, Anne Marie Friscia

Introduced: May 19, 2022
Public Hearing: June 16, 2022
Adopted:

I, HEREBY certify that the foregoing is a true copy of an Ordinance introduced by the Governing Body of the Borough of Union Beach, New Jersey at a meeting on the 19th day of May, 2022 and Adopted on the ___ day of _____ 2022.

Anne Marie Friscia, Clerk

PUBLIC HEARING ON ORDINANCE NO. 2022-316: MEETING OF JUNE 16, 2022:

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2022-316 AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2022-316 AT _____ P.M.

RESOLUTION NO. 2022-97: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2022-316 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2022-316 IN ASBURY PARK PRESS.

Paper: The Asbury Park Press, Issue of June __, 2022

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

APPROVAL OF MINUTES OF THE MEETING OF: May 19, 2022 Minutes

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

REMINDER JULY COUNCIL MEETING MOVED FROM JULY 21 TO JULY 28TH.

APPROVAL FOR THE FOLLOWING APPLICATIONS:

ABC SOCIAL AFFAIRS PERMIT AMERICAN LEGION JULY 3RD AND JULY 30TH.

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

JUNE 15TH – PRE-SCHOOL GRADUATION
 JUNE 15th RECREATION MUSIC VOLLEYBALL
 JUNE 15TH LEAD GRADUATION
 JUNE 18TH - BABY SEAT INSPECTIONS AT BOROUGH HALL- , AUG 20 & OCT 22ND 9-1
 JUNE 17TH RBR GRADUATION
JUNE 21 – MEMORIAL SCHOOL GRADUATION – 6 PM
JUNE 22 – KEYPORT SENIOR AWARDS CEREMONY 6-8
 JUNE 23 – KEYPORT HIGH SCHOOL GRADUATION 6
 JUNE 25TH – 5K
 JULY 3RD – MEMORIAL DAY PARADE
 JULY 3RD – FIREWORKS
 NOVEMBER 12TH – 10 AM – 12 NOON – RABIES CLINIC AT DPW
 NOVEMBER 14-17 – NJLM CONFERENCE – MONDAY THROUGH THURSDAY

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>

Robert M. Howard, Borough Administrator

MEETING OPEN FOR PUBLIC DISCUSSION: JUNE 16, 2022

Meeting opens for Public Discussion at _____ p.m.
 Meeting closes for Public Discussion at _____ p.m.

UNFINISHED BUSINESS:

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

New Business:

ORDINANCES: Meeting of June 16, 2022 - None

RESOLUTIONS: June 16, 2022

RESOLUTION NO. 2022-98:

AUTHORIZING THE RENEWAL OF LIQUOR LICENSES FOR THE PERIOD JULY 1, 2022- JUNE 30, 2023.

Be it Resolved, by the Mayor and Council of the Borough of Union Beach that Alcoholic Beverage Licenses be issued to the persons; associations and corporations set forth below for the premises indicated for the license period: **July 1, 2022 and ending June 30, 2023** for which Tax Certificates have been received from the State Division of Taxation for each of the Licensees listed, and;

Be it further resolved, that the Municipal Clerk is hereby authorized and directed to sign and deliver the license certificates to the following licensees:

License No.	Name and Address of Licensee:
1350-33-002-002 MUN. LIC. C-2 (CONSUMPTION)	ANCHOR INN, INC. T/A ANCHOR INN 215 FLORENCE AVE. UNION BEACH, NJ 07735
1350-33-010-010 MUN. LIC. C-9 (CONSUMPTION)	JAKEABOB'S BAY, INC. T/A JAKEABOB'S BAY 525 FRONT STREET UNION BEACH, NJ 07735
1350-44-013-007 MUN. LIC. D-1 (DISTRIBUTION)	SUN PETRO, INC. T/A KELLERS LIQUOR STORE 610 FLORENCE AVE. UNION BEACH, NJ 07735

1350-44-004-004 MUN. LIC. D-2
(DISTRIBUTION)

SWETA, INC.
T/A CORNER LIQUORS STORE
510 UNION AVE.
UNION BEACH, NJ 07735

1350-33-001-005
MUN. LIC. C-1
(CONSUMPTION)

BRUNA AND COMPANY INC. T/A
ADERS TAVERN LLC
1321 FLORENCE AVE.
UNION BEACH, NJ 07735

1350-31-015-002
MUN. LIC. C-2 (CLUB LICENSE)

UNION BEACH POST 321, THE AMERICAN LEGION DEPT OF NJ
524 FRONT STREET
UNION BEACH, NJ 07735

350-33-011-009
MUN. LIC C-2
(CONSUMPTION)

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

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

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

needs tax clearance cert.
filed 12:39 with State

1350-33-005-007
MUN. LIC C-2
(CONSUMPTION)

THE GOAT
T/A MACH REST 1, LLC
1411 STATE HIGHWAY 36
UNION BEACH, NJ 07735

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

RESOLUTION NO. 2022-99:

***AWARD OF THE BID FOR THE PROJECT:
BOROUGH HALL LANDSCAPING, IRRIGATION & DRAINAGE IMPROVEMENTS***

Whereas, bids were received and opened in public on Wednesday, June 1, 2022 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project “BOROUGH HALL LANDSCAPING, IRRIGATION & DRAINAGE IMPROVEMENTS” and;

Whereas, the Governing Body is in receipt of a letter dated June 1, 2022 from Borough Engineer, Edward G. Broberg, T&M Associates, 11 Tindal Road, Middletown, NJ 07748, recommending award of bid to the lowest responsible bidder, Down to Earth Landscaping, 705 Wright-Debow Road, Jackson, NJ 08527.

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project “BOROUGH HALL LANDSCAPING, IRRIGATION & DRAINAGE IMPROVEMENTS” be awarded to Down to Earth Landscaping, 705 Wright-Debow Road, Jackson, NJ 08527 on their low base bid of \$\$199,923.00 for the project, “BOROUGH HALL LANDSCAPING, IRRIGATION & DRAINAGE IMPROVEMENTS” in accordance with the recommendations of Borough Engineer, Edward G. Broberg, T&M Associates, 11 Tindal Road, Middletown, NJ 07748, and:

Be it Further Resolved, that said award be subject to funds being available; the approval of the Borough Attorney, John T. Lane, Jr., Esq., and the New Jersey Dept. of Labor, Office of Wage and Hour Compliance.

Be it also Resolved, that the Mayor is authorized to sign said contract on behalf of the Governing Body of the Borough of Union Beach and Clerk is hereby authorized to attest to same.

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

RESOLUTION 2022 - 100:

Authorizing signing of EMS Contract for the Year 2022

BE IT RESOLVED by Governing Body, that the Mayor is hereby authorized to sign an Annual Contract with The Union Beach Emergency Medical Services (EMS) for the year 2022 in the amount of \$50,000 and clothing allowance of \$2,000.00

BE IT FURTHER RESOLVED, that the Finance Office is hereby authorized to make payment to the Union Beach Emergency Services in the amount of \$50,000.00 and \$2,000.00 for clothing allowance.

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

RESOLUTION NO. 2022-101:

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey, Department of Transportation for the Reconstruction of Park Avenue (Poole to Pines Street) Project.

NOW, THEREFORE, BE IT RESOLVED that the Council of Union Beach formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Reconstruction of Park Avenue (Poole to Pine Street) to the New Jersey Department of Transportation on behalf of the Borough of Union beach.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Union Beach and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council On this 16th day of June 2022.

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

RESOLUTION NO. 2022-102:

Urging the Swift Passage of S-330 which restores Energy Tax Receipts

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State’s General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Union Beach in the county of Monmouth urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Assembly Representatives Vicky Flynn, Gerry Scharfenberger and Senator Declan O’Scanlon, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

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

RESOLUTION NO. 2022-103:

MEETING OF JUNE 16, 2022

Resolution Authorizing Adoption of Nepotism Policy as recommended by MEL JIF to be effective immediately and included in the Employee Handbook/ Personnel Policy and Procedures Manual Adopted by Resolution 2021-155 on October 21, 2021

WHEREAS, the hiring, promoting, transferring, demoting or reassigning of relatives is prohibited if the employment of such an individual would result in the creation of a prohibited employment relationship; and

WHEREAS, A prohibited relationship is created when:

1. One relative would have the authority to supervise either directly or from one level above, appoint, remove, discipline, evaluate or otherwise affect the work or employment of another relative.
2. The relative would be responsible for auditing the work of the other.
3. Other circumstances exist which would place the relatives in a situation of actual or reasonably foreseeable conflict between the Employer’s interest and their own.

WHEREAS, Employees who marry or become related by marriage may continue in their employment if the marriage does not result in the creation of a prohibited relationship. Where the marriage results in the creation of a prohibited relationship, the Employer will explore potential accommodations including the reassignment of one or both employees to available positions for which the employees are qualified. Relative includes spouse, parent, step-parent, child, step-child, sibling, step sibling, half-sibling, father-in-law, mother-in-law, sister-in-law, brother-in-law, grandparent, grandchild, aunt, uncle, niece, nephew, and first cousins.

NOW, THEREFORE BE IT RESOLVED that this policy applies to all employees hired, promoted, transferred, demoted, or reassigned on or after the date of adoption and to all prohibited relationships created on or after the date of adoption.

BE IT FURTHER RESOLVED that this policy will be added as an amendment to the Employee Handbook / Policy and Procedures Manual and distributed to all employees and volunteer employees of the Borough.

	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:
RESOLUTION 2022-104 :

	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.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF June 16:

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

1. RESOLUTION NO. 2022-:

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

PROPOSED RESOLUTION 2022- :

EXECUTIVE SESSION: RESOLUTION NO. 2022-: MEETING OF JUNE 16, 2022.

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:

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