



**BOROUGH OF UNION BEACH
COUNCIL MEETING
October 20, 2022, 7:30 P.M.
650 Poole Avenue, Union Beach, NJ**

CALL TO ORDER: Meeting called to order by Mayor Cocuzza at ____ p.m.

ANNOUNCEMENT: By Mayor Cocuzza of the Emergency Fire Exits.

SALUTE TO THE FLAG: Led by 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 - *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
- Dennis Dayback/Ed Broberg, Borough Engineer
- Anne Marie Friscia, Borough Clerk
- Carol Seney, Deputy Clerk

MOTION TO SET ASIDE THE REGULAR ORDER OF BUSINESS: October 20, 2022

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF October 20, 2022.

Motion moved by _____ seconded by: _____ voice vote.

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

MEETING OF October 20, 2022

PUBLIC HEARING ON BOND ORDINANCE 2022-319:

ORDINANCE 2022-319:

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 September 21, 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.

BOND ORDINANCE 2022-319:

AN ORDINANCE TO PROVIDE FOR ITEMS AS ENUMERATED WITHIN FOR THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH AND TO PROVIDE FOR THE FUNDING THEREOF,

BE IT ORDAINED by the Governing Body of the Borough of Union Beach, County of Monmouth

that the following general capital items be properly authorized:

Sewer Utility

2022 Sanitary Sewer Improvement Capital Plan \$155,000.00

Total \$155,000.00

BE IT FURTHER ORDAINED that the financing for the above project be as follows:

Capital Improvement Fund \$155,000.00

BE IT FURTHER ORDAINED that the period of the usefulness of the capital project is in excess of the five (5) year statutory requirement, and that no debt shall be incurred by the Borough for this

authorization. The Borough’s Financial Officer has certified that the funds for these projects are available.

This Ordinance shall take effect after final passage and publication according to law.

Motion to Adopt Ordinance 2022-319 by: _____ seconded by _____
 Roll Call Vote:

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

PUBLIC HEARING ON ORDINANCE NO. 2022-319: MEETING OF OCTOBER 20, 2022:

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2022-319 AT _____ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2022-319 AT _____ P.M.

RESOLUTION NO. 2022-149: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2022-319 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2022-319 IN ASBURY PARK PRESS.

Paper: The Asbury Park Press, Issue of October , 2022

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

APPROVAL OF MINUTES OF THE MEETING OF: September 15, 2022 Minutes in Dropbox.

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

APPLICATION FOR VOLUNTEER FIREFIGHTER – HARRIS GARDENS – MICHAEL J. MARX, 13 ANDERSON STREET

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

DATES TO REMEMBER:

- OCTOBER 22ND – CLEAN OCEAN ACTION BEACH SWEEPS 9-12:30
- OCTOBER 22ND – 11:00 A.M. PAUL SMITH MUNICIPAL BUILDING DEDICATION
- OCTOBER 29TH – UNION BEACH DAY CELEBRATION – BEACHFRONT – HURRICANE SANDY 10TH ANNIV.11-3
- NOVEMBER 12TH – 10 AM – 12 NOON – RABIES CLINIC AT DPW
- NOVEMBER 14-17 – NJLM CONFERENCE – MONDAY THROUGH THURSDAY

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki (absent)

Councilman Cavallo

Councilwoman Roche

Councilwoman Woodruff

Councilman Andreuzzi

Councilman Lewandowski

Finance, Personnel, Administration, Special Grants & Shared Services

Seniors, Library, Community Alliance & Health

Board of Education, American Legion & Public Affairs

Recreation & UBSA

Public Works, Building and Grounds & Construction, Code Enforcement, Environmental & Planning Board

Public Safety, Court, OEM, Fire Dept., EMS

Robert M. Howard, Borough Administrator
Dennis Dayback / Ed Broberg, Borough Engineer

MEETING OPEN FOR PUBLIC DISCUSSION: October 20, 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 October 20, 2022 (none)

RESOLUTIONS: October 20, 2022

RESOLUTION 2022-150:

**RESOLUTION AUTHORIZING A REFUND FOR PAYMENT OF A DUPLICATE
 CERTIFICATE OF OCCUPANCY APPLICATION FEE**

Whereas, the following payment was collected from Northsight Management, LLC, 8901 E. Mountain View Rd., Ste 100, Scottsdale, AZ 85258-4421 for a duplicate payment of a vacant and abandoned registration fee for 631 Sydney Avenue in August of 2022, Registration Number 2022-121.

PERMIT NO.	AMOUNT PAID	ADDRESS	BLOCK	LOT	REFUND DUE	DATE REC.	CHECK #
#2022-121	\$100.00	631 Sydney Ave .	191	20	\$100.00	8/11/22	#14942

Whereas, said payments were received and recorded in the records of the Borough of Union Beach on the above dates listed; and

Whereas, it was unknown by applicant that the property paid for an application previously; and

Whereas, Mr. Amado Benscome, Code Enforcement Officer for the Borough of Union Beach, has made application to the Finance Officer to grant a refund listed above to Northsight Management, LLC, 8901 E. Mountain View Rd., Ste 100, Scottsdale, AZ 85258-4421 in the amount of \$100.00;

Now, Therefore, Be it Resolved, by Mayor and Council of the Borough of Union Beach, that in accordance with the recommendations of the Borough Administrator, a refund is hereby authorized to Northsight Management, LLC, 8901 E. Mountain View Rd., Ste 100, Scottsdale, AZ 85258-4421 as indicated above.

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

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

RESOLUTION 2022-151:

AUTHORIZING CHANGE IN TITLE IN THE UNION BEACH MUNICIPAL COURT

Whereas, the Borough of Union Beach, under Resolution 2017-77 dated April 13, 2017, authorized the appointment of Sharon M. Devaney, Hazlet, NJ 07730 to the position of Municipal Court Administrator, temporary, part-time, effective March 31, 2017; and

Whereas, the Borough Council of Union Beach would now like to remove the temporary status of said position; and

Now, Therefore Be It Resolved that the Mayor and Council of the Borough of Union Beach appoints said Sharon M. Devaney, Hazlet, NJ 07730 to the position of Municipal Court Administrator part-time, (not to exceed 28 hours per week) effective October 20, 2022; and

Be It Further Resolved that compensation for said position shall be in accordance with the annual salary resolution of the Borough, currently \$36.00 per hour, along with court appearances and call out rates as shown in the aforesaid Resolution 2017-77.

The Clerk is authorized to provide copies to the Personnel Committee, Finance personnel and Employee.

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

RESOLUTION 2022-152:

Authorizing Addendum to Local 641 Merchandise Local Agreement dated September 16, 2021

WHEREAS, the Borough of Union Beach wishes to amend the Agreement it has with Local Union 641, Merchandise Local dated September 16, 2021, as a result of Classification Review conducted by the State of New Jersey Civil Service Commission, dated April 13, 2022; and

WHEREAS, the Borough and Local Union 641, Merchandise Local have agreed to the changes to Article V and Appendix A in said Agreement as shown on the attached Addendum.

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to sign the attached Addendum to the existing Local Union 641 Agreement dated September 16, 2021, removing the title of Administrative Secretary in DPW and replacing it with Clerk III in DPW.

(Addendum is annexed to this resolution.)

BE IT FURTHER RESOLVED that the Municipal Clerk is directed to attest to this Addendum to the Local Union 641 Agreement and supply signed, sealed copies to Local 641 and the Personnel Committee.

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

RESOLUTION NO. 2022 -153:

Resolution Authorizing The signing of the Memorandum of Understanding between the Borough of Union Beach, the Union Beach Police Department and the Union Beach Board of Education for the purpose of assignment of a Security Officer.

Be it Resolved, that the Mayor is hereby authorized to execute said Memorandum of Understanding (MOU) for the 2022-2023 school year, attested to by the Borough Clerk, on behalf of the Borough of Union Beach after review by the Borough Attorney of such documentation.

(Said MOU is on file at the Borough Clerk’s Office and annexed to the Resolution)

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki					X	
Mr. Cavallo						

Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

RESOLUTION NO. 2022-154:

RESOLUTION OF THE BOROUGH OF UNION BEACH, MONMOUTH COUNTY, STATE OF NEW JERSEY REJECTING ALL BIDS FOR PROJECT KNOWN AS 2022 SANITARY TELEVISION INSPECTION, CLEANING AND TRENCHLESS REPAIR PROGRAM.

WHEREAS, Borough of Union Beach, authorized bids for the project known as 2022 Sanitary Television Inspection, Cleaning and Trenchless Repair Program; and

WHEREAS, on September 28, 2022 the Borough received and opened two (3) bids; and

WHEREAS, upon review of the bids it was determined that the bids exceeded the budgeted amount for the project; and

WHEREAS, the foregoing requires that the bids be rejected.

NOW, THEREFORE, IT BE RESOLVED, by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, that the bids received on September 28, 2022 for the project known as 2022 Sanitary Television Inspection, Cleaning and Trenchless Repair Program are hereby rejected and that the bid submissions be returned to the bidders.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorized the Borough Clerk to return all bid bonds to the bidders, and, is further authorized to re-advertise for the receipt of bids for the 2022 Sanitary Television Inspection, Cleaning and Trenchless Repair Program on a date to be determined.

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

RESOLUTION NO. 2022 -155:

Authorizing payments to the LOSAP (Length of Service Award Program) for qualified Volunteer EMS and Fire Personnel Annexed to this Resolution

Be it Resolved by Mayor and Council of the Borough of Union Beach, that

WHEREAS, the Voters of the Borough of Union Beach approved a public question establishing the creation of a Length of Service Awards Program (LOSAP) on November 4, 2003,

WHEREAS, each year the participating companies must submit a list of eligible personnel in order to received credits for under the plan,

WHEREAS, the Borough of Union Beach has received and verified the aforementioned list and hereby directs the Chief Financial Officer to deposit the appropriate amounts into each participant's account, providing one has been established.

NOW THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF UNION BEACH, hereby approves the attached list for participation into the Borough's LOSAP as of December 31, 2021. Be it Resolved by Mayor and Council of the Borough of Union Beach

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

RESOLUTION 2022-157:

**Accepting a donation of a 2006 Ford F-250 Pick-Up Truck from
the Bayshore Regional Sewerage Authority**

Whereas, the Bayshore Regional Sewerage Authority (BRSA) owns a vehicle which is no longer needed for public use by the Authority, namely:

2006 Ford F-250 Pick-Up Truck

VIN #1FTNF21516EC23458

And;

Whereas, the BRSA wishes to transfer ownership of the vehicle to the Borough of Union Beach and will endorse any additional documentation including the certificate 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 BRSA 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 BRSA from any and all responsibility for the condition of the vehicle.

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

APPROVAL OF VOUCHERS AND PAYMENT OF BILLS:

RESOLUTION 2022-157:

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

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

Proclamation

Borough of Union Beach

COLOR THE WORLD ORANGE

***WHEREAS**, Complex Regional Pain Syndrome (CRPS), also known as Reflex Sympathetic Dystrophy (RSD) is a nerve disorder that causes chronic, severe pain;
and*

***WHEREAS**, the symptoms of CRPS/RSD may include severe burning that is out of proportion to the severity of the initial injury, extreme sensitivity to touch, pathological changes in bone and skin, tissue swelling and change in blood flow;
and*

***WHEREAS**, CRPS/RSD was first identified during the Civil War, it remains a poorly understood condition;
and*

***WHEREAS**, there is currently no identifiable cure for CRPS/RSD and treatments are only aimed at relieving pain through physical therapy, nerve blocks, epidurals, opiates, and spinal cord stimulators;
and*

***WHEREAS**, members of the CRPS/RSD community will be spreading awareness in the month of November;
and*

***WHEREAS**, on November 7, 2022 members of CRPS.RSD community will be celebrating their seventh annual Color the World Orange Day to spread awareness of CRPS/RSD;*

***NOW, THEREFORE**, I, Charles W. Cocuzza., Mayor of the Borough of Union Beach do hereby proclaim November 7, 2022 as **COLOR THE WORLD ORANGE DAY** in the Borough of Union Beach.*

Proclamation

Borough of Union Beach



WHEREAS, Breast Cancer Awareness 2022 month begins on Saturday, October 1 and ends on Monday, October 31; and

WHEREAS, breast cancer is the second most commonly diagnosed form of cancer for women in the United States and remains the second leading cause of cancer death among American women; and

WHEREAS, every three minutes a woman is diagnosed with breast cancer; one out of every eight women who live to the age of 85 will develop breast cancer in her lifetime; and the survival rate of women who have breast cancer is 98.1 percent when detected in the early stages; and

WHEREAS, early detection and improved treatment is believed to have significantly reduced the number of deaths caused by breast cancer. Mammography, an “x-ray of the breast,” is recognized as the single most effective method of detecting breast changes long before physical symptoms can be seen or felt; and

WHEREAS, early detection and improved treatment is believed to have significantly reduced the number of deaths caused by breast cancer; and

WHEREAS, during the month of October, we acknowledge the extraordinary commitment and effort invested in this cause by researchers, scientists, and numerous nonprofit organizations dedicated to discovering the cure for breast cancer. We recognize that over two and a half million Americans are breast cancer survivors that give us hope of a better future; and

NOW, THEREFORE with support for those who continue to withstand breast cancer, I, Charles W. Cocuzza. in association with the Borough Council do hereby proclaim October 2022 as Breast Cancer Awareness Month in the Borough of Union Beach, NJ.

Proclamation

Borough of Union Beach

FAMILY COURT AWARENESS MONTH

WHEREAS, the mission of the Family Court Awareness Month Committee (FCAMC) is to increase awareness on the importance of a family court system that prioritizes child safety and acts in the best interest of children, and;

WHEREAS, the mission at the FCAMC is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with physically or sexually abusive parents, while honoring the hundreds of children who have been reported as murdered due to visitation with a knowingly dangerous parent, including 6- year-old Corey Micciolo in our state of New Jersey and;

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of empirically-based education and training on domestic violence, child emotional and psychological abuse, childhood trauma, child sexual abuse, coercive control, post separation abuse for all professionals working on cases within the family court system, and;

WHEREAS, the mission of the FCAMC is to increase awareness on the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value, and;

WHEREAS, the mission at the FCAMC is to educate judges and other family court professionals on evidence-based, peer-reviewed research. Such research is a critical component to making decisions that are truly in the best interest of children. This research includes The Adverse Childhood Experiences (ACEs) Study (co-principal investigator: Vincent Felitti, Kaiser Permanente-CDC); Child Custody Evaluators' Beliefs About Domestic Abuse Allegations (principal investigator: Daniel Saunders, University of Michigan, sponsored by the National Institute of Justice); and Child Custody Outcomes in Cases Involving Parental Alienation and Abuse Allegations (principal investigator: Joan S. Meier, GW Law School, sponsored by the National Institute of Justice),

NOW, THEREFORE, I, Mayor Cocuzza hereby declare the Month of NOVEMBER, to be FAMILY COURT AWARENESS MONTH.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF OCTOBER 20, 2022:

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 OCTOBER 20, 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.