



**BOROUGH OF UNION BEACH
AGENDA
Council Meeting
September 15, 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: September 15, 2022

Motion moved by _____, seconded by _____ voice vote.

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF September 15, 2022.

Motion moved by _____ seconded by: _____ voice vote.

PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.: None

APPROVAL OF MINUTES OF THE MEETING OF: August 18, 2022 Minutes in Dropbox.

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.

- a. ABC Social Affairs Permit – American Legion October 1st – Fundraiser for Breast Cancer Awareness.
- b. ABC Social Affairs Permit – American Legion October 22nd – Comedy Night
- c. Recreational Permit – Scholer Park - Movies in the Park – September 16 and October 21 – confirmed by Mayor

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

DATES TO REMEMBER:

- SEPTEMBER 24TH – CLEAN COMMUNITIES DAY – 8 AM
- OCTOBER 1 – FALL FESTIVAL – RECREATION SCHOLER PARK
- OCTOBER 8 – CYCLE FOR LIFE CYSTIC FIBROSIS FUNDRAISER BROADWAY/FLORENCE
- OCTOBER 1 – FUNDRAISER BREAST CANCER – AMERICAN LEGION AND FRONT STREET
- OCTOBER 14TH - MVC MOBILE UNIT AT BOROUGH HALL BY APPT ONLY
- OCTOBER 15TH – PD CAR SEAT INSTALLATION
- 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.
- NOVEMBER 8TH – ELECTION DAY
- NOVEMBER 11TH VETERANS DAY
- 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

Finance, Personnel, Administration, Special Grants & Shared Services

Councilman Cavallo

Seniors, Library, Community Alliance & Health

Councilwoman Roche

Board of Education, American Legion & Public Affairs

Councilwoman Woodruff

Recreation & UBSA

Councilman Andreuzzi

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

Councilman Lewandowski

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

Robert M. Howard, Borough Administrator

MEETING OPEN FOR PUBLIC DISCUSSION: September 15, 2022

Meeting opens for Public Discussion at _____ p.m.

Meeting closes for Public Discussion at _____ p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

New Business:

Proposed ORDINANCES: Meeting of September 15, 2022

(See Add to Business)

RESOLUTIONS: September 15, 2022

RESOLUTION NO. 2022 - 137:

CERTIFICATION OF THE 2021 AUDIT

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year ending December 31, 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and;

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit: 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Mayor and Council of the Borough of Union Beach, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance

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

RESOLUTION NO. 2022-138:

***Memorializing October 29, 2022 Union Beach Day Celebration
at Beachfront***

Whereas, the Union Beach Day Committee have requested from the Borough of Union Beach permission to hold an anniversary Day Celebration on October 29, 2022 including rides for the children, food trucks and musical entertainment; and

Whereas, the Committee has submitted all contracts, insurance and Fire Prevention Information to all parties; 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 to the Committee to hold the Union Beach Day Celebration at the beachfront on October 29, 2022, subject to compliance with the requirements of Borough Officials, including but not limited to the Chief of Police, Director of Fire Prevention and Monmouth County Board of Health; and,

Be It Further Resolved, that the Director of Public works issue said Activity Permit for this event if required and copy of this Resolution be sent along to Monmouth Joint Insurance Fund.

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

RESOLUTION NO. 2022 - 139:

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project
Parks/Playground Irrigation Maintenance and Repairs***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T& M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

Parks/Playground Irrigation Maintenance and Repairs

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

RESOLUTION NO. 2022 - 140:

Authorizing a donation in the amount of \$200.00 made payable to the Knights of Columbus #3402

Whereas, the Mayor and Council are in support of fighting Breast Cancer; and,

Whereas, the Knights of Columbus Ladies Auxilliary #3402 are sponsoring a fundraiser for the purpose of Breast Cancer Awareness and raising funds to help fight the Disease; and,

Whereas, the Mayor and Council wish to help such a worthy cause, the Clerk is hereby directed to prepare a voucher in the amount of \$200.00 for such a donation.

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

RESOLUTION NO. 2022 - 141:

Authorizing a donation in the amount of \$200.00 made payable to the Cystic Fibrosis Foundation

Whereas, the Mayor and Council are in support of fighting Cystic Fibrosis and,

Whereas, Cycle For Life are sponsoring a fundraiser for the purpose of Cystic Fibrosis Awareness and raising funds to help fight the Disease; and,

Whereas, the Mayor and Council wish to help such a worthy cause, the Clerk is hereby directed to prepare a voucher in the amount of \$200.00 for such a donation.

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

RESOLUTION NO. 2022 - 142:

Authorizing Change in the Sewer EDU's for Property Owner, Eric Wokas, 924 Sixth Street, Block 39, Lot 20.01, Union Beach,

Whereas, Mr. Eric Wokas property owner of 924 Sixth Street, Block 39, Lot 20.01, has 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 Mr. Wokas's property comprising of Lot 20.01 Block 39 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 owner of 924 Sixth Street, Block 39, Lot 20.01, will be one (1) Unit; and this change to the billing shall be effective October 2022.

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. 2022 - 143:

RETURN OF PERFORMANCE BOND AS RECOMMENDED BY ENGINEER TO JOSEPH SAVI AMOUNT UPON POSTING OF REQUIRED MAINTENANCE BOND IN THE AMOUNT OF \$ _____ FOR A PERIOD OF TWO YEARS

Whereas, the Borough Engineer has reported to the Governing Body that final inspection of the project, " _____ block _____, lots _____ has been satisfactorily completed and does recommend the release of the "Performance Guarantee" held by the Borough of Union Beach, as follows:

Whereas, the Borough's Ordinance requires the posting of a "Maintenance Bond" upon release of the performance bond to run for a period of two (2) years from the date of the release of the performance bond, as follows:

1. Maintenance Bond in the amount of \$ _____ (either cash or a form of surety acceptable to the Borough) (for a period of two years)
2. Maintenance Bond Inspection Fees \$ _____

Now, Therefore Be It Resolved by the Governing Body of the Borough of Union Beach, that they do hereby authorize the release of the Performance Guarantee as stated herein, and:

Be it Further Resolved that a "Maintenance Bond" as enumerated herein, be posted with the Borough of Union Beach and any other fees, in accordance with the recommendations of the Borough Engineer, as stated in his letter of September 14, 2022.

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

RESOLUTION NO. 2022 - 144:

AWARD OF THE BID FOR SEVENTH STREET IMPROVEMENTS

Whereas, bids were received and opened in public on Tuesday, September 12, 2022 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project “SEVENTH STREET IMPROVEMENTS” and;

Whereas, in letter dated September 12, 2022 from the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey recommending award of bid to: JADS Inc., P.O. Box 513 South River, NJ 08882, (low bidder) as follows:

BIDDER:

BASE BID

JADS
P.O. Box 513 South River, NJ 08882

\$224,362.95

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project “SEVENTH STREET IMPROVEMENTS” be awarded to : JADS P.O. Box 513 South River, NJ 08882 on their low base bid of \$224,362.95 for the project, “SEVENTH STREET IMPROVEMENTS “in accordance with the recommendations of the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey, 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						

APPROVAL OF VOUCHERS AND PAYMENT OF BILLS:

RESOLUTION 2022-145:

	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 SEPTEMBER 15, 2022:

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

- BOND ORDINANCE 2022-319 – 2022 Sanitary Sewer Television Inspection, cleaning and Trenchless Repair Program**

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

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 Introduce 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						

RESOLUTION 2022 - 146:

AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2022-319

Paper: The Asbury Park Press, issue of September ____, 2022

Hearing Date: October 20, 2022

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						

EXECUTIVE SESSION: RESOLUTION NO. 2022-: MEETING OF SEPTEMBER ____, 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.