



AGENDA
Borough of Union Beach
Thursday, January 22, 2015, 8:00 p.m.
Municipal Building
650 Poole Avenue, Union Beach, NJ

CALL TO ORDER: Meeting called to order by Mayor Paul J. Smith, Jr. at _____ **P.M.**

SALUTE TO THE FLAG: Mayor Paul J. Smith, Jr.

MOMENT OF SILENCE: Mayor Smith requests a Moment of Silence in memory of Mrs. Lorraine Hurley a long-time Resident of Union Beach.

ANNOUNCEMENT: By Mayor Paul J. Smith, Jr. of the Emergency Fire Exits.

SUNSHINE LAW NOTICE: Announced by 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. Mascilak
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

Also Present:
Mayor Paul J. Smith, Jr.
John T. Lane, Jr. Attorney
Robert M. Howard, Jr., Municipal Administrator
Anne Marie Friscia, Municipal Clerk

SET ASIDE THE REGULAR ORDER OF BUSINESS:

1. Police Department Citations – Presented by Captain Ervin
2. Business Award to "Louie the Barber" Guarneri
3. Thank you Resolutions to Remsen /Straub & Buhler Automotive

Motion moved by _____, seconded by _____ and approved by voice vote to set aside meeting of

PRESENTATIONS:

BACK TO THE REGULAR ORDER OF BUSINESS:

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

APPROVAL OF MINUTES OF THE MEETING OF: December 18, 2014 and Reorganization Meeting of 1/2/2015

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

License Renewals/Applications:

- a. Taxi Licenses – Unique Taxi
- b. Towing Licenses – Bill Wright Towing and Recovery
- c. Vendor Licenses – Bills Hot Dogs, Tony's Lunch Truck/Rosie's Café on Wheels, Patrick Terry, Artist
- d. Legalized Games of Chance License: PTA, American Legion
- e. Solicitation on the Highway, Application Received from Union Beach Fire Department
- f. Vending Aders/Juke Box & Pool Table

Motion moved by _____, seconded by _____ and approved by voice vote to accept the above license applications for processing.

Application for New Firefighter, Union Beach Fire Company No. 1:

Jamie Santiago III,
44 Sams Mobile Court
Hazlet, NJ 07730

Motion moved by _____, seconded by _____ and approved by voice vote to accept the above license applications for processing.

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

None .

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

<u>Councilman Mascilak:</u>	<u>Health, Education, Drug Alliance, & Recreation</u>
<u>Councilman Wicki:</u>	<u>Finance, Personnel and Administration</u>
<u>Councilwoman Roche:</u>	<u>Emergency Svcs. (Fire, OEM) American Legion & Seniors</u>
<u>Councilman Williams</u>	<u>Public Affairs, Library, Sp. Grants, Construction & Code Enforc.</u>
<u>Councilman Andreuzzi:</u>	<u>EMS, Public Works & Building and Grounds</u>
<u>Councilman Cocuzza</u>	<u>Public Safety (PD, Court) & Shared Services</u>

MEETING OPEN FOR PUBLIC DISCUSSION: January 22nd Meeting

Meeting opens for Public Discussion at ____ p.m.

Meeting closes for Public Discussion at ____ p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCE: 2015-220

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH OF UNION BEACH BLOCK 63, LOT 13 TO CONTIGUOUS PROPERTY OWNERS AS AUTHORIZED BY N.J.S.A 40A:12-13.

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

SECTION 1: IT IS HEREBY ESTABLISHED THAT THE FOLLOWING DESCRIBED PROPERTY, OWNED BY THE BOROUGH OF UNION BEACH, BLOCK 63 LOT 13, SHALL BE DECLARED SURPLUS PROPERTY.

SECTION 2: THE FOLLOWING PERSONS SUBMITTED BIDS AS CONTIGUOUS PROPERTY OWNERS IN THE AMOUNT DETERMINED TO BE THE FAIR MARKET VALUE. THIS PROPERTY IS NOT A BUILDABLE LOT.

<u>BIDDERS</u>	<u>BLOCK & LOT</u>	<u>BID</u>
Maria Tate 645 Clark Avenue	Block 63 Lot 13	\$ 13,500.00

THE HIGHEST BID SUBMITTED BEING THAT OF MARIA TATE OF 645 CLARK AVENUE \$ 13,500.

SECTION 3: IT IS THEREUPON ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH, THAT THE BOROUGH OF UNION BEACH CONVEY THE ABOVE PROPERTY TO THE BIDDER FOR THE SUM LISTED.

SECTION 4: THE SUBJECT PROPERTY SHALL BE CONSIDERED MERGED WITH THE LOT OWNED BY THE SUCCESSFUL BIDDER TO CREATE ONE TRACT FOR THE PURPOSE OF ZONING AND MAY NOT BE SUBDIVIDED EXCEPT IN COMPLETE AND FULL COMPLIANCE WITH THE LAND USE AND DEVELOPMENT REGULATIONS OF THE BOROUGH OF UNION BEACH, WITHOUT ANY VARIANCES, AND A RESTRICTIVE COVENANT SHALL BE PLACED IN THE DEED FROM THE BOROUGH TO THE BIDDER, WHICH COVENANT SHALL RUN WITH THE LAND IN PERPETUITY

SECTION 5: THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION.

RESOLUTIONS: JANUARY 22, 2015 MEETING:

RESOLUTION NO. 2015-33: AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARINGS ON ORDINANCE NUMBER 2015-220

Paper: The Asbury Park Press

Hearing Date: Thursday, February 19, 2015

Time: Commencing at 8:00 p.m.

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

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote:

Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____

Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION 2015-31:

***A RESOLUTION COMMENDING REMSEN STRAUB FOR
DISTINGUISHED COMMUNITY SERVICE***

BE IT RESOLVED, by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, that:

WHEREAS, Remsen Straub, has consistently served the residents of the Borough of Union Beach since Union Beach was devastated by Hurricane Sandy on October 29, 2012; and.

WHEREAS, Remsen Straub has helped the Borough of Union Beach and Gateway Church of Christ by donating a pick up truck to Gateway for transport of construction materials and labor force, and lending trucks for deliveries of donated materials. They also repaired donated police cars at no cost to the Borough. These donations helped with the restoration and rebuilding efforts of the storm damaged homes in the Borough which were devastated by Hurricane Sandy; and

WHEREAS, the help that Remsen Straub provided extended beyond donations and, in fact, has saved the Borough and Gateway Church a large amount of money in costs which would have been incurred by the administration and volunteers of the Borough of Union Beach. Remsen Straub is a true supporter of the Borough of Union Beach and its residents. Their sense of community is respected in the professional arena, in their friendships, and by the residents and Governing Body of the Borough of Union Beach.

NOW, THEREFORE BE IT RESOLVED by this Mayor and Council of the Borough of Union Beach that:

1. That the Borough of Union Beach, Mayor and Council, on its own behalf and on the behalf of residents and property owners of this Borough do hereby express its highest commendation and thanks to Remsen Straub for their exceptional and selfless service to the Borough of Union Beach. We thank you for being here for us in our time of need and commend your continued service to all who need you.

2. That the Clerk shall duly cause a copy of this Resolution suitably embossed to be transmitted to Remsen Straub.

PASSED AND ADOPTED by the Borough of Union Beach Mayor and Council on this 22nd day of January 2015.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____

Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-32 :

***A RESOLUTION COMMENDING BUHLER AUTOMOTIVE FOR
DISTINGUISHED COMMUNITY SERVICE***

BE IT RESOLVED, by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, that:

WHEREAS, Buhler Automotive, who has consistently served the residents of the Borough of Union Beach since Union Beach was devastated by Hurricane Sandy on October 29, 2012; and,

WHEREAS, Buhler Automotive has volunteered to help the residents of Union Beach by loaning a Jeep for the use of the Construction Office and an electric Miev for the Rebuilding Union Beach team for construction inspections. Laptops were also donated for the team managing the demolitions. These donations helped with the restoration and rebuilding efforts for the storm damaged homes in the Borough which were devastated by Hurricane Sandy; and,

WHEREAS, the help that Buhler Automotive provided extended beyond donations and, in fact, has saved the Borough a large amount of money in costs which would have been incurred by the administration of the Borough of Union Beach and helped our Construction Official attend to the hundreds of residents who are rebuilding. Buhler is a true supporter of the Borough of Union Beach and its residents. Their sense of community is respected in the professional arena, in their friendships, and by the residents and Governing Body of the Borough of Union Beach.

NOW, THEREFORE BE IT RESOLVED by this Mayor and Council of the Borough of Union Beach that:

1. That the Borough of Union Beach, Mayor and Council, on its own behalf and on the behalf of residents and property owners of this Borough do hereby express its highest commendation and thanks to Buhler Automotive for their exceptional and selfless service to the Borough of Union Beach. We thank you for being here for us in our time of need and commend your continued service to all who need you.
2. That the Clerk shall duly cause a copy of this Resolution suitably embossed to be transmitted to Buhler Automotive.

PASSED AND ADOPTED by the Borough of Union Beach Mayor and Council on this 22nd day of January 2015.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____

Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-34:

***AUTHORIZING CHANGE ORDER NO. 4 AND FINAL RECONSTRUCTION SPRUCE, CENTER STREET AND FIFTH ST.
INTERSECTION
RECONSTRUCTION OF PINE STREET AND THIRD STREET INTERSECTION***

WHEREAS, the Borough of Union Beach in the County of Monmouth, State of New Jersey, has on May 15, 2014, authorized the awarding of a contract to **Lucas Construction Group, Inc. 173 Amboy Road, Morganville, NJ 07751** and,

WHEREAS, the Mayor and Council authorize Change Order No. 4 to the contract awarded to Lucas Construction Group, Inc. as a result of unforeseen and unanticipated problems in the amount of:
(to be provided by Engineer)

Total Reductions _____
 Total Extra: _____
 Total Supplementary _____
 Net Change in the Contract: - _____
 Revised Contract Price _____

And,

WHEREAS, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach, in the County of Monmouth, State of New Jersey, does hereby authorize the issuance of Change Order No. 4 to the contract with Lucas Construction Group, Inc.; and

BE IT FURTHER RESOLVED that the Finance Committee be and he is authorized to sign said Change Order on behalf of the Borough.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-35:

Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project Sanitary Sewer Television, Cleaning and Grout Repair Program, Phase III and Final

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:

Sanitary Sewer Television, Cleaning and Grout Repair Program, Phase III and Final

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-36:

Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications to re-bid for the Project 7th Street Reconstruction.

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:

7th Street Reconstruction

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-37:

Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project 2015 Turf Maintenance Plan. (Three Year Plan)

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:

2015 Turf Maintenance Plan

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

PROPOSED RESOLUTION NO. 2015 -38:

**Resolution Approving Electronic Tax Sale
Pursuant to NJSA 54:5-19.1**

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and
WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and
WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs, and
WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and
WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and
WHEREAS, the Borough of Union Beach wishes to participate in the pilot program for an electronic tax sale.
NOW, THEREFORE, BE IT RESOLVED, by the governing body of **the Borough of Union Beach**, New Jersey, that **the Tax Collector, Desiree Durkin**, is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-39: *Authorizing Mayor to sign the Professional Service Contracts appointed Professionals:*

Be it Resolved by the Mayor and Council of the Borough of Union Beach; that in accordance with the appointment of the following professionals at the Re-Organization meeting of the Governing Body Held on January 2, 2015, that the Governing Body enter into Professional Contract Agreements for the year 2015, as follows:

A] Municipal Borough Attorney:
John T. Lane, Jr., Esq.
P.O. Box 1377, Wall, NJ 07719

B] Municipal Auditor:
Robert A. Hulsart, CPA/RMA
Firm: Robert A. Hulsart and Co.
2807 Hurley Pond Road, Wall, NJ

C] Bond Counsel
Peter Carton, Esq.
Gibbons P.C.
One Riverfront Plaza
Newark NJ 07101

D] Special Labor Counsel
Patrick J. McNamara
Scarinci & Hollenbeck LLC
1100 Valley Brook Avenue
Lyndhurst, NJ 07071

E] Financial Advisors
George W. Huss, CPA/RMA
Andy Zabiega
Firm: Samuel Klein & Co.
550 Broad Street
Newark, NJ 07102

F] Special Tax Counsel
Patrick J. McNamara
Scarinci & Hollenbeck LLC
1100 Valley Brook Avenue
Lyndhurst, NJ 07071

And;

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

(Said Contracts are on file at the Borough Clerk's Office.)

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTION NO. 2015-40: *Authorizing donation check in the amount of \$500 for the Police Unity Tour, P.O. Box 528, Florham Park, NJ 07932.*

WHEREAS, Police Officer, Matthew Gajewski has agreed to represent the Borough of Union Beach Police Department in the Police Unity Tour; and

WHEREAS, Police Officer, Matthew Gajewski will ride in memory of Fallen Illinois State Trooper, Kyle Deathridge, who volunteered for service during Hurricane Sandy to aid the Residents of the Borough of Union Beach; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body does hereby approve the donation of \$500 to Honor the Memory of Fallen State Trooper, Kyle Deathridge and authorize the Chief Financial Officer to prepare said check and present to Police Officer Matthew Gajewski with our thanks.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

PROPOSED RESOLUTION NO. 2015-41: Offered by Councilman Wicki

*Approval of Vouchers/Purchase Orders /Add on List
And Payment of Bills:*

Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ *Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ **Mr. Cocuzza _____

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF JANUARY 22, 2015:

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

1. Resolution 2015-42 :

Employment Contracts – Signed by Mayor and Attested to by Clerk for Deputy Clerk, Construction Official

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

RESOLUTION NO. 2015-42:

Be it Resolved that the Governing Body of the Borough of Union Beach that the Mayor is hereby authorized to sign the Employment Contracts on behalf of the Governing Body for the following individuals:

Mr. Robert Burlew – Construction Official
Mrs. Carol Seney – Deputy Municipal Clerk

Be it further Resolved, that the Clerk attest and have contracts on file in the Clerk's Office.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

PROCLAMATION: RADON AWARENESS WEEK

*Proclamation
Borough of Union Beach*

Whereas, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

Whereas, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes;

Whereas, any home may have high levels of radon – even if neighboring homes do not; and

Whereas, radon testing is easy and inexpensive – and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

Whereas, a significant number of homes in Monmouth County have elevated levels of radon;

Whereas, if all New Jersey homes with radon concentrations at or above 4 pCi/L were mitigated, about 83 lives could be saved this year.

Now, Therefore, I, Mayor Paul J. Smith, Jr. of the Borough of Union Beach, on behalf of the Governing Body of Union Beach, do hereby proclaim the week of January 26, 2015 as

RADON ACTION WEEK

in the Borough of Union Beach and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

EXECUTIVE SESSION: RESOLUTION NO. 2015-_____ : (if necessary)

Motion moved by _____, seconded by _____ and approved by unanimous voice vote. The Governing Body retired into executive session for a matter of:

RECONVENE MEETING:

Motion to reconvene meeting moved by _____, seconded by _____ and approved by unanimous voice vote.

ATTORNEY: PURPOSE:

ROLL CALL:

ADJOURNMENT:

Motion moved by _____, seconded by _____ and approved by unanimous Voice Vote.