



AGENDA
Borough of Union Beach
Thursday, May 18, 2017 - 8:00 p.m.
650 Poole Avenue, Union Beach, NJ

CALL TO ORDER: Meeting called to order by Mayor Smith at ___ p.m.

ANNOUNCEMENT: By Mayor Smith of the Emergency Fire Exits.

SALUTE TO THE FLAG: Mayor Smith

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. Wicki
Ms. Roche
Mr. Cavallo
Mr. Lewandowski
Mr. Andreuzzi
Mr. Cocuzza

Also Present:

Mayor Paul J. Smith, Jr.
John T. Lane, Jr., Borough Attorney
Robert M. Howard, Jr., Borough Administrator
Anne Marie Friscia, Borough Clerk

SET ASIDE THE REGULAR ORDER OF BUSINESS: MEETING OF MAY 18, 2017

1. Ms. Samantha Chrysler – NY NJ Baykeeper – Williams Transco Pipeline

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

BACK TO THE REGULAR ORDER OF BUSINESS:

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

APPROVAL OF MINUTES OF THE MEETING OF:

April 20, 2017 Meeting – Copy in May Dropbox

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

800 Block of 8th Street – Block Party Request May 27th following Parade

500 Block of Aumack – Block Party Request – May 27th closure of road from 3-10 p.m.

Beachfront Vendor C – Brandon Saddler, 127 Herbert Street, Union Beach, Vin's Mini Donuts,

Summer Newsletter Deadline is Friday May 26th

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

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

ORDINANCE NO. 2017-252:

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 April 26, 2017.

Mayor Smith directs the Clerk 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 2017-252:

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,400,000 FOR IMPROVEMENTS TO THE MUNICIPAL BUILDING AND CONSTRUCTION OF AN ADDITION TO THE MUNICIPAL BUILDING FOR AND BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,230,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION

****Clerk announces that she did receive a Supplemental Debt Statement from the Chief Financial Officer for the above Bond Ordinance and it is on file in her office.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Union Beach, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$3,400,000. Such sum includes the sum of \$170,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by the application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$3,230,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$3,230,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued is for improvements to the Municipal Building and construction of an addition to the Municipal Building, including the acquisition of furnishings, including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,230,000.

(c) The estimated cost of the Improvements is \$3,400,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6: The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 29.375 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$3,230,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$850,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,400,000.

SECTION 10.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC HEARING ON BOND ORDINANCE NO. 2017-252: MEETING OF MAY 18 2017

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON BOND ORDINANCE NUMBER 2017-252 AT _____ P.M.
 MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON BOND ORDINANCE NO. 2017-252AT _____ P.M.

RESOLUTION NO. 2017-: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2017-252 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF ADOPTION IN ASBURY PARK PRESS

Paper: The Asbury Park Press, Issue of May ____, 2017.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

ORDINANCE #2017-253

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$600,000 FOR IMPROVEMENTS TO THE MUNICIPAL BUILDING AND CONSTRUCTION OF AN ADDITION TO THE MUNICIPAL BUILDING WITH RESPECT TO THE SEWER UTILITY FOR AND BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE

**OF \$600,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING PART OF THE APPROPRIATION.**

****Clerk announces that she did receive a Supplemental Debt Statement from the Chief Financial Officer for the above Bond Ordinance and it is on file in her office.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Union Beach, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$600,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Borough, as more fully explained in Section 6(e) of this ordinance.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$600,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$600,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purposes for which obligations are to be issued is for improvements to the Municipal Building and construction of an addition to the Municipal Building, with respect to the sewer utility, including the acquisition of furnishings, including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk,

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$600,000.

(c) The estimated cost of the Improvements is \$600,000 which amount represents the initial appropriation made by the Borough.

SECTION 4.

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 29.375 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$600,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$150,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) This bond ordinance authorizes obligations of the Borough solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$600,000.

SECTION 10.

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

PUBLIC HEARING ON BOND ORDINANCE NO. 2017-253: MEETING OF MAY 18 2017

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON BOND ORDINANCE NUMBER 2017-253 AT _____ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON BOND ORDINANCE NO. 2017-253 AT _____ P.M.

RESOLUTION NO. 2017-: AUTHORIZING FINAL ADOPTION OF BOND ORDINANCE 2017-253 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF ADOPTION IN ASBURY PARK PRESS

Paper: The Asbury Park Press, Issue of MAY , 2017.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

ORDINANCE NO. 2017-254:

**AN ORDINANCE OF THE BOROUGH OF UNION BEACH
AMENDING TERMS OF THE LEASE OF PORTION OF CERTAIN PROPERTY OWNED
BY THE BOROUGH OF UNION BEACH (CELL TOWER SITE LOCATED ON LOT 3.01,
BLOCK 103 AUTHORIZED BY ORDINANCE 2008-125 ON AUGUST 21, 2008)**

WHEREAS, the Borough of Union Beach has entered into a lease with SMSA Limited Partnership d/b/a Verizon Wireless (SMSA) on October 3, 2008; and

WHEREAS, SMSA has requested an amendment to the terms of said Lease authorized on August 21, 2008 by Ordinance 2008-125; and

WHEREAS, the Mayor and Council favor such amendment to the Lease;

NOW, THEREFORE BE IT ORDAINED, by the Borough Council of the Borough of Union Beach in the County of Monmouth and the State of New Jersey, duly assembled in public session, as follows:

- 1- The Borough publicly declares its intent to amend the lease authorized under Ordinance 2008-125 to extend the lease term to SMSA Limited Partnership d/b/a Verizon Wireless an additional 30 years, expiring on March 31, 2069. The Borough will receive additional compensation for said extension.
- 2 – The Borough agrees to amend its ability to terminate the lease only in the event of a material default by Tenant, as described in First Amendment to Lease Agreement.
- 3- The Mayor and Borough Clerk are hereby authorized and directed to execute any documents necessary to carry out the purpose of the Ordinance.
- 4- All ordinances and parts of ordinances inconsistent herewith are hereby repealed.
- 5- If any portion of this ordinance shall be deemed invalid by any court of competent jurisdiction, the remainder shall survive in full force and effect.
- 6- This ordinance shall be effective immediately upon adoption and publication in accordance with law.

PUBLIC HEARING ON ORDINANCE NO. 2017-254: MEETING OF MAY 18, 2017

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2017-254 AT ____ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2017-254 AT ____ P.M.

RESOLUTION NO. 2017-: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2017-254 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF ADOPTION IN ASBURY PARK PRESS

Paper: The Asbury Park Press, Issue of May __ 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki
Councilwoman Roche
Councilman Cavallo
Councilman Lewandowski
Councilman Andreuzzi:
Councilman Cocuzza

Finance, Personnel, Administration & Code Enforcement
Emergency Svs. (Fire, OEM) Library & American Legion
Public Affairs, Seniors, Court & Special Grants
Health, Education, Recreation & Drug Alliance
EMS, Public Works & Building and Grounds & Construction
Public Safety (PD) & Shared Services

MEETING OPEN FOR PUBLIC DISCUSSION:

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

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

ORDINANCES: Meeting of May 18, 2017:

Ordinance 2017-255:

**AN ORDINANCE TO ESTABLISH A RESTRICTED
PARKING SPACE IN FRONT OF 20 ANDERSON STREET
FOR THE SOLE USE OF MARY JANE AND ROGER MICHALAK WHO RESIDE AT
20 ANDERSON STREET AND ARE PERMANENTLY DISABLED**

WHEREAS, pursuant to NJSA 39:4-197 any Municipality may by ordinance establish a restricted parking zone in front of a residence occupied by a handicapped person if a windshield placard or wheelchair symbol license plates have been issued for a vehicle owned by the handicapped person, or by another occupant of the residence who is a member of the immediate family of the handicapped person, by the Division of Motor Vehicles pursuant to the provisions of P.L. 1949, c. 280 (C.39:4-204 et seq.) provided such parking is not otherwise prohibited and the permitting thereof would not interfere with the normal flow of traffic; and

WHEREAS, Mary Jane and Roger Michalak who reside at the premises located at 20 Anderson Street, Borough of Union Beach, County of Monmouth, State of New Jersey and are permanently disabled and have requested that the Borough of Union Beach establish a restricted parking space in front of 20 Anderson Street, for their sole use.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, State of New Jersey that:

1. A restricted parking space shall be established in front of 20 Anderson Street for the use of Mary Jane and Roger Michalak, this space shall be for their sole use and shall cease to exist upon they no longer being residents of 20 Anderson Street.
2. Prior to the establishment of the aforementioned restricted parking space, the residents of 20 Anderson Street, Mary Jane and Roger Michalak shall furnish the Borough of Union Beach with her special vehicle identification card or a certified copy thereof, which must be issued to them by the Division of Motor Vehicles pursuant to law.
3. This Ordinance shall take effect immediately after final passage according to law and after Mary Jane and Roger Michalak provide to the Borough of Union Beach with their special vehicle identification card or a certified copy thereof as mentioned herein.

BE IT FURTHER ORDAINED that this Ordinance shall take effect immediately upon its enactment.

RESOLUTION NO. 2017- 104: AUTHORIZING INTRODUCTION ORDINANCE 2017-255 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS FOR PUBLIC HEARING AND ADOPTION ON JUNE 15, 2017.

Paper: The Asbury Park Press, Issue of May ____, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

Ordinance 2017-256:

Ordinance Amending an Ordinance Entitled "The Revised General Ordinances of the Borough of Union Beach, 1980-," Chapter XII Streets and Sanitation, Section 12-7

(Chapter 12-7 is being amended to provide for a single permit fee of \$30.00 and to revise the term of the permit to be thirty (30) days.)

RESOLUTION NO. 2017- 105: AUTHORIZING INTRODUCTION ORDINANCE 2017-256 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS FOR PUBLIC HEARING AND ADOPTION ON JUNE 15, 2017.

Paper: The Asbury Park Press, Issue of May ____, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

Ordinance 2017-257:

Ordinance Amending an Ordinance Entitled “The Revised General Ordinances of the Borough of Union Beach, 1980-,” Chapter X, Building and Housing, Section 10-1.3

10-1.3 Construction Fee Schedule

To include Mechanical Fee Schedule

RESOLUTION NO. 2017- 106: AUTHORIZING INTRODUCTION ORDINANCE 2017-255 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS FOR PUBLIC HEARING AND ADOPTION ON JUNE 15, 2017.

Paper: The Asbury Park Press, Issue of May ____, 2017

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTIONS: Meeting of May 18, 2017:

Resolution 2017-107:

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND FINAL - SCHOLER PARK IMPROVEMENTS – PHASE VI

WHEREAS, the Borough of Union Beach in the County of Monmouth, State of New Jersey, has on May 19, 2016, authorized the awarding of a contract to **Halecon, Inc., 136 Billian Street, Bridgewater, NJ**; and,

WHEREAS, the Mayor and Council authorize Payment Certificate No. 3 and Final to the contract awarded to **Halecon, Inc.** in the amount of:

Original Contract Price:	\$263,130.00
Total Reductions	-\$14,829.00
Total Supplementary this Change Order	\$ 3,793.00
Net Change in the Contract:	- \$11,036.00
Revised Contract Price	\$252,094.00
Previous Payments	\$ 186,439.12
Total Amount Due this Certificate No. 3 and Final	\$ 65,654.88

Total Amount Due for Payment Certificate No. 3 & final \$65,654.88 Previous Payments \$186,439.12; 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 Change Order No. 1 and Final in the amount of -\$11,036.00 and issuance of Payment Certificate No. 3 for the contract with **Halecon, Inc.**, and

BE IT FURTHER RESOLVED that the Mayor is authorized to sign said Payment Certificate on behalf of the Borough.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION NO. 2017-108:

AUTHORIZING THE HIRING OF A PART TIME SEASONAL PARKING METER ENFORCEMENT OFFICER AT A RATE INDICATED BY THE 2017 SALARY ORDINANCE NOT TO EXCEED 28 HOURS PER WEEK

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

The Appointment of the following person(s) as “Seasonal Parking Enforcement P/T” (Part-Time Status) in the Borough of Union Beach at an hourly salary authorized in the 2017 Salary Ordinance not to exceed 28 hours per week, effective as of May 18, 2017 and continuing during the time period of Parking Meter Operation in accordance with the recommendations of the Parking Committee, be and the same are hereby approved and confirmed:

Mr. John Lacari, 728 3rd Street, Union Beach, NJ

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION 2017-109:

Resolution Authorizing a Donation for Prevention of Crohn’s Disease

Whereas, the Mayor and Council are in support of fighting Crohn’s Disease ;and,

Whereas, Edmunds & Associates are sponsoring a fundraiser for the purpose of raising funds; and awareness 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 \$250.00 for such a donation.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION 2017-110:

Resolution Authorizing a Donation for Prevention of Cystic Fibrosis

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

Whereas, the Cystic Fibrosis Foundation is sponsoring a “Cycle for Life Event” fundraiser for the purpose of raising funds and awareness 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 \$250.00 for such a donation.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION 2017-111:

Resolution insertion of 159 Grant – Police Department

Be it resolved by the Mayor and Council of the Borough of Union Beach, THAT

WHEREAS, N.J.S. 40A:4.87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law, and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Borough of Union Beach has received a grant in the sum of \$5,500.00 from the Distracted Driving Statewide Crackdown Program and wishes to amend it's CY 2017 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Union Beach hereby requests that the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the CY 2017, in the sum of \$5,500.00.

Which is now available as a revenue from;

Miscellaneous
Revenue:
Special items of General Revenue
anticipated with prior written
consent of the Director of Local Government Services:

State and Federal Revenues off-set with Appropriations:

Distracted Driving Statewide Crackdown Grant

Pursuant to the Provisions of Statute; and

BE IT FURTHER RESOLVED, that a like sum of \$5,500.00 be and the same is hereby appropriated under the caption of:

General
Appropriations:

(a) Operations excluded from "CAPS"
State and Federal Programs off-set by Revenues:

Distracted Driving Statewide Crackdown Grant
Salaries and
Wages

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to forward two (2) certified copies of this Resolution to the Director of the Division of Local Government Services.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION 2017-112:

Resolution authorizing a refund for payment of zoning application

Whereas, a, payment was collected for a zoning application for property known as block 43, lot 4, further known as 802 Florence Avenue, in the Borough of Union Beach. Said payment was received by John and Gina Garofalo and recorded in the records of the Borough of Union Beach on March 27, 2017.

Whereas, the payment occurred due to John and Gina Garofalo, applying for a zoning application as a prospective buyer for the said property.

Whereas, Robert Burew, Zoning Officer for the Borough of Union Beach made application to the Finance Officer to grant a full refund of \$100.00 to John and Gina Garofalo, as the property was sold to another buyer and no work was done on the zoning application.

Now, Therefore, Be it Resolved, by Mayor and Council of the Borough of Union Beach, that in accordance with the recommendations of the Finance Officer a refund in the total amount of \$100.00 is hereby authorized to John and Gina Garofalo; and:

Be it Further Resolved, that the records of the Construction Department be accordingly adjusted.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

RESOLUTION 2017-113:

Resolution Authorizing Issuance of Duplicate Tax Sale Certificates

WHEREAS, on property known as Block #63, Lot #14, also known as 137 Henry Street, Union Beach, currently assessed to Tate, Maria, tax sale certificate #16-00052 was sold to outside buyers, and;

WHEREAS, the original tax sale certificate has been lost while in transit from the Monmouth County Clerk’s Office, and;

WHEREAS, in accordance with section 1 of P.L.1990.c.90(C.54:5-52.1) the Tax Collector may issue a duplicate tax sale certificate provided a resolution of the governing body authorizes such issuance, and;

WHEREAS, the Tax Collector is willing to provide a duplicate to the original Lien Holder, and waive the normal fee, since the certificate was lost in the mail after being recorded.

THEREFORE, IT IS HEREBY RESOLVED BY THE MAYOR & COUNCIL OF THE BOROUGH OF UNION BEACH:

- 1.) That the Tax Collector is authorized to issue duplicate tax sale certificate #16-00052 and
- 2.) That the records of the Tax Collector’s office be accordingly adjusted.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

Resolution No. 2017-114 : *Resolution Authorizing Temporarily Appointments*

Whereas, the Borough of Union Beach is presently in need of a Temporary Construction Official Part-Time in the Construction Office; and,

Whereas, the Mayor and Council desire to appoint Joseph Crane as acting Construction Official, Part-Time, for the Borough of Union Beach effective May 1, 2017 temporarily; and,

Whereas, the Borough of Union Beach is also presently in need of a Temporary Zoning Official, Part-Time

Whereas, , the Mayor and Council desire to appoint, Dennis Dayback of T&M Associates to be acting Zoning Official, Part-Time for the Borough of Union Beach effective May 1, 2017 temporarily ;and,

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey as follows:

1. That the above named individuals are hereby appointed temporarily to the respective positions, as noted above, effective May 1, 2017

BE IT FURTHER RESOLVED that a certified copy of this resolution be forwarded to the Finance Department. and Personnel and Construction Committees

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

PROPOSED RESOLUTION NO. 2017-114: Offered by Councilman Wicki

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

Seconded by: _____

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

*Councilman Lewandowski abstains on all Board of Education and Fire Department Vouchers/Purchase Orders.

**Councilman Cocuzza abstains on all Board of Education and Monmouth County Vouchers/Purchase Orders.

Borough of Union Beach Proclamation

Whereas, public works services provided in our community are an integral part of our citizens’ everyday lives; and

Whereas, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, and solid waste collection; and

Whereas, the health, safety and comfort of this community greatly depends on these facilities and services; and

Whereas, the quality and effectiveness of these facilities, as well as their planning, design, and construction, are vitally dependent upon the efforts and skill of public works officials; and

Whereas, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the people’s attitude and understanding of the importance of the work they perform,

Now, therefore, I, Paul J. Smith, Jr. Mayor of the Borough of Union Beach do hereby proclaim the week of May 21 to May 27, 2017 as

“National Public Works Week”

in The Borough of Union Beach and I call upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

EXECUTIVE SESSION: RESOLUTION NO. 2017- 115 - MAY 18, 2017 (If necessary)

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 (b) Pending Litigations. 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:

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

RECONVENE MEETING: at _____ p.m.

ROLL CALL: Council Members

Mr. Wicki
 Mrs. Roche
 Mr. Cavallo
 Mr. Lewandowski
 Mr. Andreuzzi
 Mr. Cocuzza

Also Present:

Mayor Paul J. Smith, Jr.
 John T. Lane, Jr., Attorney
 Robert M. Howard, Jr., Borough Administrator
 Anne Marie Friscia, Borough Clerk

ATTORNEY: PURPOSE:

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF MAY 18, 2017 (IF NECESSARY):

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

1.

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

Resolution No.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mr. Cocuzza						

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