



**BOROUGH OF UNION BEACH
AGENDA
COUNCIL MEETING
March 21, 2024, 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. Riccardi
- Mrs. Roche
- Mrs. Woodruff
- Mr. Andreuzzi
- Mr. Lewandowski

Also Present:

- Mayor Charles W. Cocuzza
- John T. Lane, Jr., Borough Attorney

- ABSENT** Robert M. Howard, Jr. – Borough Admin.
Anne Marie Friscia, Borough Clerk
Alexandra Sweeney, Deputy Clerk

MOTION TO SET ASIDE THE REGULAR ORDER OF BUSINESS: March 21, 2024

For the purpose of Police Promotions and Oaths of Office:

Motion moved by _____, seconded by _____ voice vote.

RESOLUTION NO. 2024-55:

***A RESOLUTION PROMOTING
SHAWN GILKISON TO THE RANK OF CAPTAIN
IN THE UNION BEACH POLICE DEPARTMENT***

WHEREAS, due to an impending retirement, one (1) vacancy will exist in the position of Captain in the Union Beach Police Department; and,

WHEREAS, the Governing Body of the Borough of Union Beach requested from the State of New Jersey, Civil Service Commission a new list of persons eligible to be promoted to the rank of Captain in the Union Beach Police Department; and,

WHEREAS, the State of New Jersey, Civil Service Commission conducted a test and provided a Certification List of Eligibles for Appointment (PL240253) dated February 12, 2024; and

WHEREAS, the Governing Body, after factoring in ranking on the Civil Service Commission Certification, found Shawn Gilkison as being the best qualified overall candidate to be promoted to Captain.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Union Beach that Shawn Gilkison is hereby promoted to Captain effective as of April 1, 2024 with compensation to be determined prior to said date within the range for said title as shown in Ordinance #2022-312 adopted on February 17, 2022.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to forward the necessary forms to the State Civil Service Commission for said appointment and that a certified copy of this resolution be forwarded to the appointed candidate and the Finance Department.

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

OATH OF OFFICE ADMINISTERED TO CAPTAIN GILKISON BY _____

RESOLUTION NO. 2024-56:

***A RESOLUTION PROMOTING
MICHAEL DAVIS TO THE RANK OF SERGEANT
IN THE UNION BEACH POLICE DEPARTMENT***

WHEREAS, one (1) vacancy exists in the position of Sergeant in the Union Beach Police Department; and,

WHEREAS, the Mayor and Council of the Borough of Union Beach requested from the State of New Jersey, Civil Service Commission a new list of persons eligible to be promoted to the rank of Sergeant in the Union Beach Police Department; and,

WHEREAS, the State of New Jersey, Civil Service Commission conducted a test and provided a Certification List of Eligibles (PL240254) for Appointment dated February 12, 2024; and

WHEREAS, the Personnel Committee, after factoring in ranking on the Civil Service Commission Certification, along with Committee interviews and scoring, now recommend Michael Davis as being the best qualified overall candidate to be promoted to Sergeant.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Union Beach that Michael Davis is hereby promoted to Sergeant effective as of April 1, 2024 and compensated in accordance with the current Salary Ordinance 2021-311.

BE IT FURTHER RESOLVED, that the Clerk is hereby authorized to forward the necessary forms to the State Civil Service Commission for said appointment and that a certified copy of this resolution be forwarded to the appointed candidate and the Finance Department

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

OATH OF OFFICE ADMINISTERED TO SGT. DAVIS BY _____

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF March 21, 2024.

Motion moved by _____ seconded by: _____ voice vote.

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

ORDINANCE 2024-333:

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 February 23, 2024.

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.

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER **2024-333** AT ____ P.M.

MAYOR COCUZZA CLOSSES THE MEETING TO THE PUBLIC AT ____ P.M.

ORDINANCE # 2024- 333 **MEETING OF MARCH 21, 2024**

**CALENDAR YEAR 2024
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS
AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Governing Body of the Borough of Union Beach in the County of Monmouth finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Governing Body hereby determines that a 3.5 % increase in the budget for said year, amounting to \$249,678.78, in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Governing Body of the Borough of Union Beach in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Union Beach shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$349,550.29 and that the CY 2024 municipal budget for the Borough of Union Beach be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Motion to adopt Ordinance 2024-333 on Second Reading by _____ seconded by _____ and approved by the following Roll Call Vote;

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

RESOLUTION 2024 -57: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2024-333 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2024-333 IN ASBURY PARK PRESS.

Paper: The Asbury Park Press, issue of March ____, 2024
 Time: Commencing at 7:30 pm
 Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

APPROVAL OF MINUTES OF THE MEETING OF: February 15, 2024 Council Meeting.

Motion moved by _____, seconded by _____. Approved by voice vote.

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Wicki
Councilman Riccardi
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
Public Works, Building and Grounds & Recreation & UBSA
Construction, Code Enforcement, Environmental & Planning Board
Public Safety, Court, OEM, Fire Dept., EMS

MEETING OPEN FOR PUBLIC DISCUSSION: March 21, 2024

Meeting opens for Public Discussion at ____ p.m.

Meeting closes for Public Discussion at ____ p.m.

INTRODUCTION OF ORDINANCES:

ORDINANCE NO. 2024-334

Meeting of April 18, 2024

AN ORDINANCE AMENDING CHAPTER 16 (PARKS AND RECREATION AREAS) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO REVISE CHAPTER 16-7 ENTITLED “UNION BEACH-SHORE PROTECTION BULKHEAD AND WALKWAY”.

WHEREAS, the Borough of Union Beach desires to remove Chapter 16-7 (Union Beach-Shore Protection Bulkhead and Walkway) in its entirety and replace it with Chapter 16-7 (Shore Protection Bulkhead, Walkway and Dune Areas).

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

Chapter 16 (Parks and Recreation Areas) of the General Ordinances of the Borough of Union Beach be amended to remove existing Chapter 16 Section 7 and replace it with the following:

16-7. Shore Protection Bulkhead, Walkway and Dune Areas

1. The Union Beach Shore Protection Bulkhead, Walkway and Dune Areas shall be considered a borough park and shall be subject to the provisions of this Chapter 16. Parks and Recreation Areas.

The borough is hereby empowered to adopt, rescind and amend by resolution, regulations relating to the Union Beach Shore Protection Bulkhead, Walkway, Dune Areas and its adjacent borough owned property, including but not limited to the following:

- a. Hours of use;
- b. Curfews;
- c. Prohibitions and/or restrictions of the use of motor vehicles, motorcycles, mopeds, bicycles, skateboards, and any other means of conveyance and the parking of same;
- d. Prohibiting or otherwise limiting the presence of domestic animals;
- e. Prohibiting the possession and or playing of any radio, boom-box, audio recording players of any type or any other similar equipment; and
- f. The erection, design and location of appropriate signs concerning any and/or all of the above prohibitions, limitations, rules, regulations or restrictions.

2. In addition to the above empowerments, the borough specifically adopts the following regulations and/or prohibitions for Dune Areas

- a. Definitions

For the purpose of this chapter, the following terms shall have the meanings given herein:

DUNE

A wind or wave deposited or man-made formation of vegetated or drifting windblown sand.

DUNE AREA

Shall mean that area between the bayward edge of the dune as exists or as established by the USACE Beachfill and Dune Project or as may advance northerly through natural accretion from that initial point and the landward edge of the dune as exists, is constructed as part of the USACE Beachfill and Dune Project or as may be created by natural migration of the dune to the south. The Dune area is generally contained completely within a sand fence.

SAND FENCE

Shall include the term “snow fence” or “dune fence” of a barricade type established in a line or a pattern to accumulate sand and aid in the formation of a dune, such as picket construction consisting of wooden lath held together by wire and affixed to wooden posts. Alternate types of “sand fence” may be utilized if approved by the Borough.

b. Regulations for Dune Areas

1. No person shall be in the dune area unless upon an approved, pathway, walkway, crossover, or dune platform.
2. No person shall operate any bicycle or motor vehicle of any kind on or across the dune areas of the Borough.
3. No person shall remove or destroy the planted vegetation, the natural vegetation, sand fences or other types of dune protective devices in the dune areas of the Borough.

c. Exceptions. This section is not intended to prohibit the officers and employees of the Borough and other authorized personnel from entering into and upon the dune areas for the purpose of cleaning, maintenance, repair, restoration and planting in order to preserve and to protect the dune areas in the Borough.

d. Any person violating any of the provisions of this section, or any rule or regulation promulgated pursuant hereto, shall be subject to fines and penalties under this Chapter 16, Parks and Recreation Areas, section 16-6 Penalties.

BE IT FURTHER ORDAINED, that if any provision, paragraph, section or subsection of this chapter be found unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in full force and effect and shall have continuing validity; and

BE IT FURTHER ORDAINED, that all other sections of the ordinance remain in full force and effect; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption in accordance with law.

Motion to introduce Ordinance 2024-334 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -58: AUTHORIZING INTRODUCTION OF ORDINANCE 2024-334 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2024-334 IN ASBURY PARK PRESS FOR APRIL 18, 2024.

Paper: The Asbury Park Press, issue of March ____, 2024
 Time: Commencing at 7:30 pm
 Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

ORDINANCE NO.: 2024 -335:

Meeting of April 18, 2024

An Ordinance Amending and Supplementing Ordinance No. 2021-310 Adopted December 16, 2021 Fixing the Minimum and Maximum Salary Ranges of Certain Officials and Employees of the Borough of Union Beach, County of Monmouth, State of New Jersey.

WHEREAS, the Borough of Union Beach has adopted Salary Ordinance No. 2021-310 which establishes a minimum and maximum salary range for certain positions within the Borough; and

WHEREAS, the Borough finds it necessary to amend and supplement said Ordinance No. 2021-310 as shown below.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Union Beach that Ordinance No. 2021-310 adopted on December 16, 2021 is amended and supplemented as follows:

Section 1. The following title along with the salary range is ADDED:

	<u>Minimum</u>	<u>Maximum</u>
Confidential Assistant- Human Resources	\$50,000.00	\$95,000.00

Section 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 3. Pursuant to the provisions of N.J.S.A. 40:69A-181 (b), this ordinance shall take effect twenty (20) days after its final passage by the Borough Council and approval by the Mayor where such approval is required by law.

Motion to introduce Ordinance 2024-335 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -59: AUTHORIZING INTRODUCTION OF ORDINANCE 2024-335 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2024-335 IN ASBURY PARK PRESS FOR APRIL 18, 2024.

Paper: The Asbury Park Press, issue of March ____, 2024
Time: Commencing at 7:30 pm
Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

ORDINANCE NO. 2024- 336

MEETING OF APRIL 18, 2024

AN ORDINANCE AMENDING CHAPTER 13 (LAND USE AND DEVELOPMENT REGULATIONS) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO ADD CHAPTER 13-2.6 DEFINITIONS PERTAINING TO DUNE CROSSOVERS, AMEND CHAPTER 13-3.4 FEES AND ADD CHAPTER 13-8.36 DUNE CROSSOVERS.

WHEREAS, the United States Army Corps of Engineers (USACE), in conjunction with New Jersey Department of Environmental Protection (NJDEP) and the Borough of Union Beach (Borough) has constructed a Coastal Storm Risk Management Project in the Borough consisting

of two (2) terminal groins, sand dunes, berms, three (3) public pedestrian crossovers and one (1) vehicular maintenance crossover, and

WHEREAS, in order to construct said project, Perpetual Beach Storm Damage Reduction Easements were acquired affecting the following eleven (11) residential parcels:

- | | | | |
|------------|------------|---------------|-----------------|
| 1) Block 1 | Lot 1 | 7) Block 1 | Lot 9 |
| 2) Block 1 | Lot 2 | 8) Block 1 | Lot 10 |
| 3) Block 1 | Lots 3 & 4 | 9) Block 29 | Lots 11 thru 13 |
| 4) Block 1 | Lot 5 | 10) Block 29 | Lot 14.01 |
| 5) Block 1 | Lot 6 | 11) Block 251 | Lot 2.01 |
| 6) Block 1 | Lots 7 & 8 | | |

WHEREAS, in granting said easements, the Grantors reserved a right to construct a private dune crossover in accordance with any applicable Federal, State or Local laws or regulations with prior approval of the plans and specifications from the Borough and NJDEP, and

WHEREAS, the Borough wishes to provide guidance, regulations and restrictions for said approvals.

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

1. 13-2.6 Definitions Pertaining to Dune Crossovers is added as follows:

13-2.6 Definitions Pertaining to Dune Crossovers

BEACH AREA

That area between the mean high waterline of the Raritan Bay and the seaward edge of the dune.

CROSSOVER OR WALKWAY

A constructed means of crossing the dune area in accordance with plans and specifications approved by the Borough's administrative officer.

DUNE

A wind or wave deposited or man-made formation of vegetated or drifting windblown sand.

DUNE AREA

Shall mean that area between the bayward edge of the dune as exists or as established by the USACE Beachfill and Dune Project or as may advance northerly through natural accretion from that initial point and the landward edge of the dune as exists, is constructed as part of the USACE Beachfill and Dune Project or as may be created by natural migration of the dune to the south. The Dune area is generally contained completely within a sand fence.

NATURAL VEGETATION

Includes the terms "native vegetation" or indigenous vegetation." Specifically, it shall include such plants as beach grass (*Ammophila breviligulata*), dusty miller (*Artemisia stelleriana*), sea rocket (*Cakile edentula*), seaside goldenrod (*Solidago sempervirens*), bayberry (*Myrica pensylvanica*), beach pea (*Lathyrus japonicus*), salt spray rose (*Rosa rugosa*) or seaside spurge (*Euphorbia polygonifolia*), which normally grow or may be planted on the slopes of dunes, no distinction being made as to how such plants are introduced into their location.

SAND FENCE

Shall include the term "snow fence" or "dune fence" of a barricade type established in a line or a pattern to accumulate sand and aid in the formation of a dune, such as picket construction consisting of wooden lath held together by wire and affixed to wooden posts. Alternate types of "sand fence" may be utilized if approved by the Borough.

WALKWAY OR CROSSOVER

A constructed means of crossing the dune area in accordance with plans and specifications approved by the Borough's administrative officer.

2. Chapter 13-3.4 Fees is amended as follows:

APPENDIX A ZONING/DEVELOPMENT Fees under 13-3.4 (a) Application for a Zoning/Development Permit is amended to include:

Dune Crossover	\$75
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3. Chapter 13 (Land Use and Development Regulations) is amended to include Chapter 13-

8.36 Dune Crossovers
13-8.36 Dune Crossovers

a. In granting Storm Damage Reduction Easements for the construction of the Union Beach Coastal Storm Risk Management Project, the right to construct a private dune crossover was reserved for the following residential parcels:

- | | |
|-----------------------|-----------------------------|
| 1) Block 1 Lot 1 | 7) Block 1 Lot 9 |
| 2) Block 1 Lot 2 | 8) Block 1 Lot 10 |
| 3) Block 1 Lots 3 & 4 | 9) Block 29 Lots 11 thru 13 |
| 4) Block 1 Lot 5 | 10) Block 29 Lot 14.01 |
| 5) Block 1 Lot 6 | 11) Block 251 Lot 2.01 |
| 6) Block 1 Lots 7 & 8 | |

Construction of a crossover on these parcels is subject to the following:

- b. Only one (1) crossover or walkway across the dune area is permitted for each parcel. It shall run, generally, the shortest practical course between the landward edge or toe of the dune and the bayward edge or toe of the dune, and shall not exceed four (4) feet in width. The surface of the crossover is to remain the natural composition of the dune or a sand/gravel mixture acceptable to the Borough. The crossover shall be fenced on both sides through the use of sand fencing and connect with the existing sand fence enveloping the dune. Any grading or excavation associated with the installation of the crossover shall not result in the lowering of the beach or dune design specifications. In the event that any crossover shall be or become, in the opinion of the Borough, a substantial detriment to the development and maintenance of the continuous protective dune, the owner of the premises shall be required to repair and/or replace approved materials sufficient to return the dune to its designed specifications.
- c. The removal, cutting, burning or destruction of natural or planted vegetation, sand fence or such other types of dune protection devices in the dune area is prohibited, except as necessary for and within the approved crossover area.
- d. The removal and grading of sand from the beach area, dune area or areas south of the dune area is prohibited.
- e. The length of the crossover is strictly confined to the area between the landward edge or toe of the dune and the bayward edge or toe of the dune generally defined by the location of existing sand fencing. As the crossovers can be constructed as private for each parcel, gates are allowed at each end of the crossover.
- f. A permit application, with the appropriate fee, must be submitted. An approval of the plans and specifications by the Borough's administrative officer must be granted before construction can begin.
- g. Any person violating any of the provisions of this section, or any rule or regulation promulgated pursuant hereto, shall be subject to fines and penalties as follows:

1. Fines. Any person who is convicted of a violation of this chapter shall be subject to a fine not to exceed \$2,000 and/or a term of imprisonment not to exceed 90 days or a period of community service not exceeding 90 days, or both.
2. Restitution. In addition to the penalties imposed pursuant to paragraph 1 above any person may be directed by the municipal court or any court of competent jurisdiction to pay to the borough the cost of the repair, replacement or restoration of any damaged park property.
3. Each day that a violation shall continue to exist shall constitute a separate offense.

BE IT FURTHER ORDAINED, that if any provision, paragraph, section or subsection of this chapter be found unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in full force and effect and shall have continuing validity; and

BE IT FURTHER ORDAINED, that all other sections of the ordinance remain in full force and effect; and

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption in accordance with law.

Motion to introduce Ordinance 2024-336 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -60: AUTHORIZING INTRODUCTION OF ORDINANCE 2024-336 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2024-336 IN ASBURY PARK PRESS FOR APRIL 18, 2024

Paper: The Asbury Park Press, issue of March ____, 2024
 Time: Commencing at 7:30 pm
 Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

ORDINANCE NO. 2024- 337

AN ORDINANCE AMENDING CHAPTER XII (STREETS AND SANITATION) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO ESTABLISH REQUIREMENTS FOR PRIVATELY OWNED SALT STORAGE.

WHEREAS, as part of MS4 Tier A permit stormwater requirements, the New Jersey Department of Environmental Protection (NJDEP) requires municipalities to adopt NJDEP-mandated regulations for privately owned salt storage; and

WHEREAS, the Borough Engineer and Borough Attorney have reviewed the model ordinance provided by NJDEP and recommend adoption; and

WHEREAS, the Borough Council desires to adopt the NJDEP model ordinance.

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

Chapter 12 (Streets and Sanitation) of the Borough Code is hereby amended to establish Chapter 12-8 Privately Owned Salt Storage, to read as follows:

Chapter 12-8 Privately Owned Salt Storage

SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in the Borough of Union Beach to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

- A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.
- B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.
- C. “Storm drain inlet” means the point of entry into the storm sewer system.
- D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

- 1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;
 - 2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
 - 3. The structure shall be erected on an impermeable slab;
 - 4. The structure cannot be open sided; and
 - 5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.
- E. “Person” means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.
 - F. “Resident” means a person who resides on a residential property where de-icing material is stored.

SECTION III. Deicing Material Storage Requirements:

- A. Temporary outdoor storage of de-icing materials in accordance with the requirements

below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
 2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
 3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
 4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.
 - f. Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;
 - g. Containers must be sealed when not in use; and
 - h. The site shall be free of all de-icing materials between April 16th and October 14th.
- B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 -April 15.
- C. All temporary and/or permanent structures must also comply with all local ordinances, including building and zoning regulations.
- D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.
1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the de-icing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

SECTION V. Enforcement:

This ordinance shall be enforced by the Union Beach Code Enforcement official during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows:

- a) Any person who violates any provision of this section shall, upon conviction thereof in Municipal Court, be punishable by imposition of a fine not less than \$100 nor more than \$2,000.
- b) Each instance of engaging in a separate regulated activity, in violation of this chapter shall be deemed a separate offense.
- c) In addition, the Borough may institute civil action for injunctive or other relief to enforce the provisions of this section.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

This ordinance shall take effect immediately upon final adoption in accordance with law.

BE IT FURTHER ORDAINED, that if any provisions, paragraph, section or subsection of this be found unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in full force and effect and shall have continuing validity.

Motion to introduce Ordinance 2024-337 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -61: AUTHORIZING INTRODUCTION OF ORDINANCE 2024-337 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2024-337 IN ASBURY PARK PRESS FOR APRIL 18, 2024.

Paper: The Asbury Park Press, issue of March ____, 2024
 Time: Commencing at 7:30 pm
 Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

AN ORDINANCE AMENDING CHAPTER XII (STREETS AND SANITATION) OF THE GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH TO ESTABLISH REQUIREMENTS FOR TREE REMOVAL AND REPLACEMENT.

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey that Chapter XII (Streets and Sanitation) of the General Ordinances of the Borough of Union Beach is hereby amended or supplemented as follows:

Chapter 12-9 Tree Removal and Replacement

SECTION I. Purpose:

An ordinance to establish requirements for tree removal and replacement in the **Borough of Union Beach** to reduce soil erosion and pollutant runoff, promote infiltration of rainwater into the soil, and protect the environment, public health, safety and welfare.

SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words, and their derivations shall have the meanings stated herein unless their use in the text of this ordinance clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The use of the word "shall" means the requirement is always mandatory and not merely directory.

“Applicant” means any “person”, as defined below, who applies for approval to remove trees regulated under this ordinance.

“Critical Root Radius (CRR)” – means the zone around the base of a tree where the majority of the root system is found. This zone is calculated by multiplying the diameter at breast height (DBH) of the tree by 1.5 feet. For example: a tree with a 6” DBH would have a CRR = 6”x1.5’ = 9’.

“Diameter at Breast Height (DBH)” means the diameter of the trunk of a mature tree generally measured at a point four and a half feet above ground level from the uphill side of the tree.

“Hazard Tree” means a tree or limbs thereof that meet one or more of the criteria below. Trees that do not meet any of the criteria below and are proposed to be removed solely for development purposes are not hazard trees.

- a. Has an infectious disease or insect infestation;
- b. Is dead or dying;
- c. Obstructs the view of traffic signs or the free passage of pedestrians or vehicles, where pruning attempts have not been effective;
- d. Is causing obvious damage to structures (such as building foundations, sidewalks, etc.); or
- e. Is determined to be a threat to public health, safety, and/or welfare by a certified arborist or Licensed Tree Expert (LTE).

“Person” means any individual, resident, corporation, utility, company, partnership, firm, or association.

“Planting strip” means the part of a street right-of-way between the public right-of-way adjacent to the portion of the street reserved for vehicular traffic the abutting property line and the curb or traveled portion of the street, exclusive of any sidewalk.

“Resident” means an individual who resides on the residential property where a tree(s) regulated by this ordinance is removed or proposed to be removed.

“Street Tree” means a tree planted in the sidewalk, planting strip, and/or in the public right-of-way adjacent to the portion of the street reserved for vehicular traffic. This also includes trees planted

in planting strips within the roadway right-of-way, i.e., islands, medians, pedestrian refuges.

“Tree” means a woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground.

“Tree Caliper” means the diameter of the trunk of a young tree, measured six (6) inches from the soil line. For young trees whose caliper exceeds four (4) inches, the measurement is taken twelve (12) inches above the soil line.

“Tree removal” means to kill or to cause irreparable damage that leads to the decline and/or death of a tree. This includes, but is not limited to, excessive pruning, application of substances that are toxic to the tree, over-mulching or improper mulching, and improper grading and/or soil compaction within the critical root radius around the base of the tree that leads to the decline and/or death of a tree. Removal does not include responsible pruning and maintenance of a tree, or the application of treatments intended to manage invasive species.

SECTION III. Regulated Activities:

A. Application Process:

1. Any person planning to remove a street tree with DBH of 2.5” or more or any non-street tree with DBH of 6” or more on their property shall submit a Zoning Floodplain Development Application to Construction Department. **No tree shall be removed until municipal officials have reviewed and approved the removal.**
2. Applicants will be subject to an application fee as follows:
 - a) Residential Lot - \$15.00 per tree up to a maximum \$300.00
 - b) New residential subdivisions - \$15.00 per tree up to a maximum of \$600.00 per acre.
 - c) All other properties - \$15.00 per tree up to a maximum of \$600.00 per acre.

B. Tree Replacement Requirements

1. Any person who removes one or more street tree(s) with a DBH of 2.5” or more, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below.
2. Any person, other than a resident, who removes one or more tree(s) with a DBH of 6” or more per acre, unless exempt under Section IV, shall be subject to the requirements of the Tree Replacement Requirements Table below. The number of trees is a rolling count across a five (5) year period.
3. The selection of plant species to be used shall be appropriate in terms of function and size and shall be hardy for the climatic zone in which the Borough is located. Consideration shall be given to the soil condition, availability of water, exposure to sunlight and other existing conditions. The types of replacement tree shall be approved by the Borough prior to installation.
4. Be replaced in kind with a tree that has an equal or greater DBH than tree removed or meet the Tree Replacement Criteria in the table below;
5. Be planted within twelve (12) months of the date of removal of the original tree(s) or at an alternative date specified by the Borough;
6. Be monitored by the applicant for a period of two (2) years to ensure their survival and shall be replaced as needed within twelve (12) months; and
7. Shall not be planted in temporary containers or pots, as these do not count towards tree replacement requirements.

Tree Replacement Requirement Table			
Trees to be removed caliper	Number of replacement trees	Caliper of replacement tree	Value of replacement tree
Greater than 6 inch & up to 12 inches	One (1) tree per tree removed	2-2 ½ inch	\$240 per tree
Greater than 12 inch & up to 18 inches	Two (2) trees per tree removed	2-2 ½ inch	\$440 per tree
Greater than 18 inch & up to 24 inches	Two (2) trees per tree removed	3 inches	\$840 per tree
Greater than 24 inches	Four (4) trees per tree removed	3 inches	\$1,840 per tree

C. Replacement Alternatives:

1. If the Borough determines that some or all required replacement trees cannot be planted on the property where the tree removal activity occurred, then the applicant shall do one of the following:
 - a) Plant replacement trees in a separate area(s) approved by the Borough.
 - b) Pay a fee as outlined above in the Tree Replacement Requirement Table. This fee shall be placed into a fund dedicated to tree planting and continued maintenance of the trees.

SECTION IV. Exemptions:

All persons shall comply with the tree replacement standard outlined above, except in the cases detailed below. Proper justification shall be provided, in writing, to the Borough by all persons claiming an exemption. The justification shall include, but not limited to, photos or statement from a NJ Licensed certified Tree Expert (CTE) or arborist.

1. Residents who remove less than four (4) trees per acre that fall into category 1, 2, or 3 of the Tree Replacement Requirements Table within a five-year period.
2. Tree farms in active operation, nurseries, fruit orchards, and garden centers;
3. Properties used for the practice of silviculture under an approved forest stewardship or woodland management plan that is active and on file with the Borough;
4. Any trees removed as part of a municipal or state decommissioning plan. This exemption only includes trees planted as part of the construction and predetermined to be removed in the decommissioning plan.
5. Any trees removed pursuant to a New Jersey Department of Environmental Protection (NJDEP) or U.S. Environmental Protection Agency (EPA) approved environmental clean-up, or NJDEP approved habitat enhancement plan;
6. Approved game management practices, as recommended by the State of New Jersey Department of Environmental Protection, Division of Fish, Game and Wildlife;
7. Hazard trees may be removed with no fee or replacement requirement.

SECTION V. Enforcement:

This ordinance shall be enforced by the Union Beach Code Enforcement official during the course of ordinary enforcement duties.

SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to a fine in the amount of the value of the tree replacement outlined in the Tree Replacement Requirement Table above.

SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

SECTION VIII. Effective Date:

BE IT FURTHER ORDAINED, that this ordinance shall take effect immediately upon final adoption in accordance with law.

BE IT FURTHER ORDAINED, that if any provisions, paragraph, section or subsection of this be found unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions of this chapter shall remain in full force and effect and shall have continuing validity.

Motion to introduce Ordinance 2024-337 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -62: AUTHORIZING INTRODUCTION OF ORDINANCE 2024-337 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF ORDINANCE 2024-337 IN ASBURY PARK PRESS FOR APRIL 18, 2024.

Paper: The Asbury Park Press, issue of March ____, 2024
Time: Commencing at 7:30 pm
Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

BOND ORDINANCE 2024-339 (FINANCE):
BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$1,310,000 FOR VARIOUS CAPTIAL IMPROVEMENTS FOR AND BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$827,172.00 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATIONS

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 \$1,310,000, such sum includes the sum of (a) \$314,292 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(i); (b) \$125,000 expected to be received as a Monmouth County Open Space Grant in connection with the improvement described in Section 3(a)(iv) (the “Grants”) and (c) \$43,536 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 and grant not covered by the application of the Down Payment and the Grants, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$827,172 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 \$827,172 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

(a) The Improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bond or notes to be issued for each Improvement and the period of usefulness of each Improvement are as follows:

Improvement of Purpose	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(i) Reconstruction of Park Avenue – Phase II, 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.	\$525,000	\$200,172	20 Years
(ii) Reconstruction of 8th Street, 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.	295,000	280,250	20 Years
(iii) Construction of Pickleball Courts, 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.	160,000	152,000	15 Years
(iv) Improvements to Scholer Park – Phase IX, including but not limited to walking path and lighting and 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.	330,000	194,750	15 Years
TOTAL	\$1,310,000	\$827,172	

(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 \$827,172.

(c) The estimated cost of the Improvements is \$1,310,000 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 17.90 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 \$827,172 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$350,000 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:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

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 \$827,172.

SECTION 11: This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Motion to introduce Bond Ordinance 2024-339 on First Reading by _____ seconded by _____ and approved by the following roll call vote;

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

RESOLUTION 2024 -79: AUTHORIZING INTRODUCTION OF BOND ORDINANCE 2024-339 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF PUBLIC HEARING OF BOND ORDINANCE 2024-339 IN ASBURY PARK PRESS FOR APRIL 18, 2024.

Paper: The Asbury Park Press, issue of March ____, 2024
 Time: Commencing at 7:30 pm
 Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

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

RESOLUTION NO. 2024-63:

Memorializing Memorial Day Parade to be held on Saturday, May 25, 2024.

Whereas, various organizations and committees within Union Beach along with the American Legion and Governing Body wish to remember and honor our fallen soldiers with an annual parade; and,

Whereas, the Borough wishes to organize such a parade to March from Borough Hall to the Memorial Library; and

Whereas, it is the intent of the Governing Body to hold this event annually;

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 hold Memorial Day Parade on May 25, 2024 to be organized from the Borough Hall. The route of march will be Poole Avenue to Florence Avenue to Front Street -Front Street to Union Avenue - finish line will be Union Beach Memorial Library at Union And Jersey Avenue.. Route is 1.7 miles.

Be It Further Resolved,, that the Director of Public works issue said Activity Permit for this event if necessary and Clerk is directed to send this Resolution to the Insurance Carrier.

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

RESOLUTION NO. 2024-64:

Approving Annual 5K Walk to be held on June 22, 2024

Whereas, a request has been received from Union Beach PBA for permission to hold an annual 5K Run/Walk to benefit projects in Union Beach to commence on the above captioned Saturday; and

Whereas, the PBA of the Borough of Union Beach has requested that an Activity Permit be issued for this day by the Director of Public Works, Mr. Ronald Burkhardt; 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 Union Beach PBA to hold a 5K on the above captioned Saturday to be run throughout the town at a Route to be approved by the Union Beach Police Department, 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 Parks Department, Monmouth County Board of Health; and,

Be It Further Resolved, that the Director of Public Works issue said Activity Permit for this event and Clerk will forward a copy of this Resolution to MEL JIF, our insurance carrier.

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

RESOLUTION NO. 2024-65:

RESOLUTION OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPOINTING A FULL TIME TECHNICAL ASSISTANT TO THE CONSTRUCTION OFFICIAL (PROVISIONAL)

WHEREAS, the Borough of Union Beach is presently in need of a full time Technical Assistant to the Construction Official in the Construction Office; and

WHEREAS, Andre Van Der Linde, Belmar, NJ, has been recommended by the Borough Council’s Personnel Committee to serve in this position; and

WHEREAS, the Mayor and Council desires to provisionally appoint Andre Van Der Linde as Technical Assistant to the Construction Official (Full Time) effective as of March 18, 2024 and,

WHEREAS, employment provisions and benefits would be covered under the current contract for the position of Technical Assistant to the Construction Official of Teamster’s Local 641;

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 Andre Van Der Linde is hereby appointed as Technical Assistant to the Construction Official (Full Time), provisionally, for the Borough of Union Beach, Construction Department effective March 18, 2024. That Andre Van Der Linde shall be compensated with a salary in the amount stated in the Current Teamster Local 641 contract and also receive benefits as provided to all full-time municipal employees covered under Teamsters Local 641 contract.
2. That a certified copy of this resolution be forwarded to the Construction Official, Civil Service Commission, Teamster Local 641 and the Personnel Committee.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Cocuzza						
Mrs. Roche						
Mr. Riccardi						
Mr. Andreuzzi						
Mr. Lewandowski						
Mrs. Woodruff						

RESOLUTION NO. 2024-66:

RESOLUTION AUTHORIZING THE HIRING OF CLASS I, SPECIAL POLICE OFFICERS IN THE UNION BEACH POLICE DEPARTMENT

WHEREAS, a vacancy exists for the position of Class I Police Officer in the Union Beach Police Department; and,

WHEREAS, the Mayor and Council of the Borough of Union Beach have received a request and recommendation dated March 1, 2024 from Police Chief Woodrow to fill this position effective upon successful completion of May 2024 Police Academy Special Officer Training;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach that the appointment of the following named person as Class I Special Police Officers, (Part-Time) in the Police Department, at a salary as indicated in the current Salary Resolution (2023), not to exceed 28 hours per week. This appointment is effective as of successful completion of the May 2024 Police Academy Special Officer Training in accordance with the recommendations of the Police Chief, and the same is hereby approved and confirmed:

Ryan Sweeney- Union Beach

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

RESOLUTION NO. 2024-67:

AUTHORIZING AWARD OF THE BID FOR THE 2024-2027 TURF MAINTENANCE PROGRAM

Whereas, bids were received and opened in public on Wednesday, February 28, 2024 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project “**2024-2027 Turf Maintenance Program**” and;

Whereas, in letter dated March 11, 2024, from the Borough Engineer, Edward G. Broberg P.E. of T&M Associates, Middletown, New Jersey recommending award of bid to: On-Site Landscape Management, P.O. Box 294, Millstone, NJ 08535, (low bidder) as follows:

BIDDER:	BASE BID
On-Site Landscape Management	\$180,090.00
P.O. Box 294	
Millstone, NJ 08535	

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project “**2024-2027 Turf Maintenance Program**” be awarded to On-Site Landscape Management, P.O. Box 294, Millstone, NJ 08535 on their low base bid of \$180,090.00 for the project, “**2024-2027 Turf Maintenance Program**” 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 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. Riccardi						
Mrs. Roche						
Mrs. Woodruff						
Mr. Andreuzzi						
Mr. Lewandowski						

RESOLUTION NO. 2024-68:

Authorizing the appointment of the following named person(s) as a provisional Plumbing Sub-Code Official (part-time) subject to Civil Service Commission determination, effective as of March 18, 2024 at a salary as approved in the Salary Resolution of the Borough of Union Beach as follows:

Mr. Joseph Crane
Freehold, NJ

In accordance with the recommendations of the Construction Official, Timothy Davis.

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

RESOLUTION NO. 2024-69:

Whereas, the Borough of Union Beach wishes to enter into an agreement for the telephone voice and data services and;

Be it Resolved, by the Governing Body of the Borough of Union Beach that the Borough enter into an agreement with Net Carrier Telecom, Inc, 4000 North Cannon Avenue, Landsdale, PA 19446 for said services at a monthly amount of \$785.83, exclusive of taxes and surcharges, for a term of three (3) years commencing on March 1, 2024 or upon receipt of fully executed agreement, whichever is later.

Be it further resolved, that the Governing Body’s approval is subject to review of the agreement by the Borough Attorney and the Mayor is hereby authorized to execute said agreement on behalf of the Borough of Union Beach upon said review, and have attested to by the Borough Clerk.

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

RESOLUTION 2024-70:

**A RESOLUTION AUTHORIZING SETTLEMENT
IN BOROUGH OF UNION BEACH v. BRADY**

WHEREAS, the Borough of Union Beach has entered into an agreement with the State of New Jersey (hereinafter the State) and the United States Army Corps of Engineers (hereinafter the USACE) to construct a Storm Damage Reduction Project in the Borough of Union Beach and,

WHEREAS, the Borough on April 15, 2021, adopted Resolution 2021-88, directing the Borough Attorney to institute condemnation litigation to acquire the necessary property interests in Block 1, lots 3 & 4 and others, and

WHEREAS, the Borough filed a Complaint Borough of Union Beach v. Patrick J. Brady, Docket No. MON-L2306-21, and Condemnation Commissioners were appointed by Assignment Judge and directed to report to her the fair value of the taking, and

WHEREAS, the Borough filed an Appeal from the Commissioners Report and requested a Trial by Jury, and,

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to end this litigation through an amicable settlement with Patrick J. Brady.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Union Beach as follows:

1. The Borough agrees to pay Patrick J. Brady a total amount of \$99,500.00 as just and final compensation for the easement located on his property for construction of the Storm Damage Reduction Project.
2. The Borough Attorney is authorized to execute any and all documents necessary to effectuate this settlement and dismiss this Complaint.

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

RESOLUTION 2024-71:

**A RESOLUTION AUTHORIZING SETTLEMENT
IN BOROUGH OF UNION BEACH v. CARDINALE**

WHEREAS, the Borough of Union Beach has entered into an agreement with the State of New Jersey (hereinafter the State) and the United States Army Corps of Engineers (hereinafter the USACE) to construct a Storm Damage Reduction Project in the Borough of Union Beach and,

WHEREAS, the Borough on April 15, 2021, adopted Resolution 2021-88, directing the Borough Attorney to institute condemnation litigation to acquire the necessary property interests in Block 1, lot 9 and others, and

WHEREAS, the Borough filed a Complaint Borough of Union Beach v. Francesca Cardinale, Docket No. MON-L2306-21, and Condemnation Commissioners were appointed by Assignment Judge and directed to report to her the fair value of the taking, and

WHEREAS, the Borough filed an Appeal from the Commissioners Report and requested a Trial by Jury, and,

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to end this litigation through an amicable settlement with Francesca Cardinale.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Union Beach as follows:

3. The Borough agrees to pay Francesca Cardinale a total amount of \$60,000.00 as just and final compensation for the easement located on her property for construction of the Storm Damage Reduction Project.
4. The Borough Attorney is authorized to execute any and all documents necessary to effectuate this settlement and dismiss this Complaint.

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

RESOLUTION 2024-72:

**A RESOLUTION AUTHORIZING SETTLEMENT
IN BOROUGH OF UNION BEACH v. GAIDUS**

WHEREAS, the Borough of Union Beach has entered into an agreement with the State of New Jersey (hereinafter the State) and the United States Army Corps of Engineers (hereinafter the USACE) to construct a Storm Damage Reduction Project in the Borough of Union Beach and,

WHEREAS, the Borough on April 15, 2021, adopted Resolution 2021-88, directing the Borough Attorney to institute condemnation litigation to acquire the necessary property interests in Block 1, lot 5 and others, and

WHEREAS, the Borough filed a Complaint Borough of Union Beach v. Ronald Gaidus, Docket No. MON-L2028-21, and Condemnation Commissioners were appointed by Assignment Judge and directed to report to her the fair value of the taking, and

WHEREAS the Borough Council has determined that it is in the best interest of the Borough to end this litigation through an amicable settlement with the Estate of Ronald Gaidus.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Union Beach as follows:

5. The Borough agrees to pay the Estate of Ronald Gaidus a total amount of \$61,000.00 as just and final compensation for the easement located on the estate’s property for construction of the Storm Damage Reduction Project.
6. The Borough Attorney is authorized to execute any and all documents necessary to effectuate this settlement and dismiss this Complaint.

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

RESOLUTION 2024-73:

**APPROVING TAX EXEMPTION
PURSUANT TO N.J.S.A. 54:4-3.30 ET SEQ.**

WHEREAS, Pursuant To Chapter 398 Of The Law Of 1971, (N.J.S.A. 54:4-31.31. Chapter 259 Of The Laws Of 1948) The Governing Body By The Appropriate Resolution Shall Allow A Full Exemption To A 100% Permanently Disabled Eligible Veteran Entitled To The Same; And

WHEREAS, Thomas L. Parnaby, A 100% Disabled Veteran, Has Applied For The Deduction For Property Known As Block #231, Lot #6, For The Premises At 1012 Harris Avenue, Union Beach, New Jersey; And

WHEREAS, The Borough Tax Assessor, Michael Del Re, Has Researched Mr. Parnaby’s Request And Recommends The 100% Deduction For Block #231, Lot #6, 1012 Harris Avenue, Union Beach, New Jersey, Be Granted.

NOW, THEREFORE, BE IT RESOLVED, By Mayor And Council Of The Borough Of Union Beach, That In Accordance With The Recommendation Of The Tax Assessor, Michael Del Re, The Tax Assessor Is Hereby Authorized To Apply A Full Exemption To A 100% Permanently Disabled Veteran, Thomas L. Parnaby, For Property Located At 1012 Harris Avenue, Union Beach, New Jersey, Block #231, Lot #6, For The Period Commencing With The Second Quarter 2024.

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

RESOLUTION NO. 2024-74:

Introduction of the CY 2024

Be it Resolved, by the Governing Body of the Borough of Union Beach that;

The following statement shall constitute the Municipal Budget as introduced by the Mayor and Council, for the CY2024:

Total General Appropriations: \$12,929,716.14

Total Revenues \$ 2,509,365.80

Amount to be Raised by Taxes
 For support of the Municipal Budget: \$10,420,350.34

Sewer Operating Fund: \$ 1,212,000.00

Be it further resolved, that said budget be published in The Asbury Park Press, (In Summary), in the issue of March 27, 2024.

Hearing date on said budget and tax resolution will be held on Thursday, April 18, 2024 commencing at 7:30 p.m. at the Municipal Building, 650 Poole Avenue, Union Beach, NJ.

Budget Resolution 2024-__ was introduced on First Reading by _____, seconded by _____ and approved by the following Roll Call Vote with advertisement in Asbury Park Press in issue of March 27, 2024 in summary for Public Hearing to be held on April 18, 2024 at 7:30 pm.

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

RESOLUTION 2024-75:

Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Borough of Union Beach, in the County of Monmouth and State of New Jersey, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing State contracts; and

WHEREAS, the Borough intends to enter into contracts with:

Jersey Shore Powersports - #V00014854 – Ranger Crew XP 1000 NS Ultimate (Polaris) - \$40,075.35

through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough authorizes the purchase of certain goods as indicated above, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Union Beach pursuant to N.J.A.C. 5:30-5.5(b), the Chief Financial Officer hereby certify that funds are available as follows - \$20,000.00 in Trust and \$20,075.35 in 2024 Police Other Expenses; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough and the Referenced State Contract Vendors shall be from March 21, 2024 to December 31, 2024.

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

RESOLUTION 2024 -76:

Resolution Authorizing Contracts with Certain Approved State Contract Vendors for Contracting Units Pursuant to N.J.S.A. 40A:11-12a

WHEREAS, the Borough of Union Beach, in the County of Monmouth and State of New Jersey, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State Contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Borough has the need on a timely basis to purchase goods and services utilizing State contracts; and

WHEREAS, the Borough intends to enter into contracts with:

Winner Ford - #20-Fleet-01189 – (1) Ford 150 Police Vehicle and (1) Ford Expedition Police Vehicle both with upfitting and Equipment - \$131,313.66, Financing with Tax Exempt Leasing Corp in the amount of \$12,100.78 through this resolution and properly executed contracts, which shall be subject to all the conditions applicable to the current State contracts;

NOW, THEREFORE, BE IT RESOLVED, that the Borough authorizes the purchase of certain goods as indicated above, pursuant to all conditions of the individual State contracts; and

BE IT FURTHER RESOLVED, that the governing body of the Borough of Union Beach pursuant to N.J.A.C. 5:30-5.5(b), the Chief Financial Officer hereby certify that funds are available as follows - \$40,000.00 in Trust and \$91,313.66 in 2025-27 Police Other Expenses; and

BE IT FURTHER RESOLVED, that the duration of the contracts between the Borough and the Referenced State Contract Vendors shall be from March 21, 2024 to December 31, 2024.

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

RESOLUTION NO. 2024-77:

<u>BOROUGH OF UNION BEACH</u>		
<u>EMERGENCY RESOLUTION</u>		
<u>N.J.S.A. 40A:4-20 (TEMPORARY APPROPRIATIONS)</u>		
WHEREAS, pursuant to N.J.S.A. 40A:4-19 the Borough Council of the Borough of Union Beach adopted Resolution #2023-181 and #2024-41 to provide temporary funds for the period		
from Jan. 1, 2024 until the adoption of the Operating Budget for the Borough of Union Beach, New Jersey; and		
WHEREAS, additional appropriations will be required from March 21, 2024 until the adoption of the budget; and		
WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by a two-third vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the		
date of the adoption of the budget for said year;		
NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE		

BOROUGH OF UNION BEACH, NEW JERSEY, that:		
1. The governing body by a two-third vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:		
<u>CURRENT FUND</u>		
(A) Operations - within "CAPS":	BUDGET	
General Government		
Legal Services and Costs:		
Other Expenses		\$ 10,000.00
Planning and Zoning:		
Other Expenses		13,000.00
Public Safety		
Fire:		
Task Force		
Other Expenses		
First Aid Organization		
Contribution		
Hydrants		25,000.00
Other Equipment - Reporting Software		10,000.00
Garbage and Trash Removal:		
Contractual		75,000.00
Public Works		
Road Repair and Maintenance:		
Other Expenses		10,000.00
Health and Welfare		
Rodent Extermination Control:		
Other Expenses		2,000.00
State Uniform Construction Code:		
Construction Official:		
Other Expenses		5,000.00
Shared Services		
Registrar Services- Keyport Borough		6,000.00
Total Operations (Item 8 (A))		\$
Within "CAPS"		156,000.00
Municipal Purposes within "CAPS"		156,000.00
Total Operations Excluded from "CAPS"		0.00
Capital Improvements		
Capital Improvement Fund		13,000.00
Police Department Renovations		9,000.00
DPW- Various Equipment		35,000.00
DPW- Lawnmowers		20,000.00
Borough Ambulance		52,500.00
Medical Transport Chair for Polaris		4,500.00
Total Capital Improvements		134,000.00
Municipal Debt Service		
Loan Repayments for Principal and Interest		15,000.00

Total Operations Excluded from "CAPS"		149,000.00
Total General Appropriations		<u>\$305,000.00</u>
2. This action shall take effect March 21, 2024.		
3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Union Beach.		

RESOLUTION NO. 2024-78:

APPROVAL OF VOUCHERS AND PAYMENT OF BILLS:

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

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

** Councilman Riccardi abstains on all Board of Education and T&M Vouchers.

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E ruxjk riX qlrq E hdk
POISON CONTROL MONTH

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

WHEREAS, every poisoning is preventable! From the youngest to the oldest, all people and even pets are at risk; and

WHEREAS, poison centers across the country will focus the public’s attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and

WHEREAS, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey; and

WHEREAS, drug overdose deaths including prescription pain medicine (opioids), heroin and fentanyl remain at epidemic proportions for both New Jersey and the United States. According to the Centers for Disease Control and Prevention (CDC), the majority of drug overdose deaths (more than six out of ten) involve an opioid; and

WHEREAS, although the majority of reported poison exposures involve children five (5) years old and younger; the majority of poisoning deaths occur in adults aged 20 to 59; and

WHEREAS, childhood lead poisoning remains a major public health concern. Elevated blood lead levels can cause significant and permanent damage to the health and wellbeing of a young child. There is no safe level of lead. Stop a child’s exposure to lead before it causes harm; and

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and

WHEREAS, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and

WHEREAS, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors, aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and

WHEREAS, poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

WHEREAS, the use of poison centers services saves residents both time and money. Most cases are managed in the convenience of the caller’s home, requiring no hospital visit; and

WHEREAS, NJPIES is also involved with the state’s efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings);

NOW, THEREFORE, I, Charles W. Cocuzza, Mayor of the Borough of Union Beach do hereby proclaim the week of March 17th-23rd as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

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Kidney Health and Cancer Awareness Month

WHEREAS, healthy kidneys are essential for regulating our bodies by removing fluids, waste and toxins. Kidneys release hormones that help regulate blood pressure, produce red blood cells and strengthen our bones; and,

WHEREAS, the precise cause of kidney cancer is unknown, however the two main causes of kidney failure are diabetes and high blood pressure, which are responsible for more than 70 percent of all kidney failure cases. Therefore, kidney failure and disease can often be delayed or prevented; and,

WHEREAS, advances in diagnosis and procedures such as radiation and chemotherapy create opportunity for kidney cancer patients to live longer; and,

WHEREAS, during Kidney Health and Cancer Awareness Month, we ask the residents to raise awareness and encourage all patients with diabetes and hypertension to be screened regularly for kidney disease. If detected and caught early, the treatment is likely to be more effective;

NOW, THEREFORE, We, Mayor and Council, do hereby proclaim March 2024 as Kidney Health and Cancer Awareness Month in Union Beach.

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WHEREAS, the goal of National Colorectal Cancer Awareness Month is to raise awareness about the importance of screening in order to prevent colorectal cancer, the nation’s third-leading cause of cancer death in both men and women; and

WHEREAS, organizations around the nation recognize this month as an exceptional opportunity for educating communities about the disease – including prevention, early detection and treatment options; and

WHEREAS, continued efforts to build awareness about the importance of colorectal cancer screening is critical to advancing our common cause, as well as a way to further increase awareness that this disease is largely preventable; and

WHEREAS, colorectal cancer is treatable and beatable. It is one of only a few cancers that can be prevented through regular screening, and if colorectal cancer is found and treated at its earliest stage, the five-year survival rate is 90 percent. Building awareness is an important part of helping to increase screening and decrease mortality rates.

NOW, THEREFORE, The Mayor and Council do hereby recognize March 2024 as

COLORECTAL CANCER AWARENESS MONTH

and encourage all residents to learn about colorectal cancer and become involved in efforts to raise awareness of this common cancer.

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF MARCH 21, 2024:

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

1. RESOLUTION NO. 2024-:

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

PROPOSED RESOLUTION 2024- :

EXECUTIVE SESSION: RESOLUTION NO. 2024- : MEETING OF MARCH 21, 2024

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:
PROPOSED RESOLUTION 2023: (if necessary)

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

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