



AGENDA
Borough of Union Beach
Thursday, January 19, 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
Ed Broberg / Dennis Dayback, Borough Engineer
Robert M. Howard, Jr., Borough Administrator
Anne Marie Friscia, Borough Clerk

SET ASIDE THE REGULAR ORDER OF BUSINESS: MEETING OF JANUARY 19TH

1. SERVICE AWARDS TO SOCCER ASSOCIATION MEMBERS

Ryan Gunsauls – President

Richard Perez – 2nd Vice President

Eileen Woodruff-Brannigan – Treasurer

Trustees: Al Evans, Chris Lowther and Suzanne Metrick

Julius Moskowitz – Vice President

Frank Servidio – Secretary

Denise Moskowitz – Concession Manager

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: (January 19th Meeting)

December 18, 2016 Regular Council Meeting

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

Beachfront Vendor License A and B – Arcangelo Soldi

American Legion Social Affairs Permit – February 11th

Jakeabob's – Requested ABC permit for Bulk Storage

Wrecker/Towing Licenses 2017 – Applications for Approval: Bill Wright, UB Towing, All County

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

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

MEETING OF JANUARY 19, 2017: (NONE)

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: January 21, 2016 Meeting

Meeting opens for Public Discussion at _____ p.m.

Meeting closes for Public Discussion at _____ p.m.

NEW BUSINESS AND INTRODUCTION OF ORDINANCES: NONE

RESOLUTIONS:

RESOLUTION NO. 2017-34:

Resolution Authorizing Verizon Wireless to use poles erected within the public right-of-way of the Borough of Union Beach by parties that have the lawful right to maintain such poles.

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right-of-way pursuant to which Verizon Wireless may use such poles erected within the public right-of-way in the Borough of Union Beach; and

WHEREAS, New Jersey law permits such use provided that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, STATE OF NEW JERSEY THAT:

1. Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Union Beach, subject to the following:
 - A. Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.
 - B. Verizon Wireless, and its successors and assigns, shall comply with all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Union Beach.
 - C. Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Union Beach, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Union Beach.
 - D. Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. Verizon Wireless shall include the Borough of Union Beach as an additional insured.
 - E. Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities.
 - F. Notwithstanding any provision contained herein, neither the Borough of Union Beach nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.
 - G. This instrument shall be adopted on behalf of the Borough of Union Beach by the Borough Council of the Borough of Union Beach and attested to by the

Borough of Union Beach Clerk who shall affix the Borough of Union Beach Seal thereto.

- H. The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

STATEMENT

This resolution authorizes Verizon Wireless to use poles erected within the public right-of-way of the Borough of Union Beach by parties that have the lawful right to maintain such poles.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017 -35:

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

WHEREAS, NJSA 54:5-19.1 authorizes electronic tax sales pursuant to rules and regulations to be promulgated by the Director of the Division of Government Services, and

WHEREAS, the Director of the Division of Local Government Services has promulgated rules and regulations for pilot programs, and

WHEREAS, the Director of the Division of Local Government Services has approved NJ Tax Lien Investors/RealAuction.com to conduct pilot programs, and

WHEREAS, the rules and regulations authorize a municipality to submit an application for participation in the pilot program for an electronic tax sale, and

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more complete tax sale process, and

WHEREAS, the Borough of Union Beach wishes to participate in the pilot program for an electronic tax sale.

NOW, THEREFORE, BE IT RESOLVED, by the governing body of the Borough of Union Beach, New Jersey, that the Tax Collector, Desiree Durkin, is hereby authorized to complete an application to participate in the electronic tax sale program and submit same to the Director of the Division of Local Government Services.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017-36:

Authorizing signing of EMS Contract for the Year 2017

BE IT RESOLVED by Governing Body, that the Mayor is hereby authorized to sign an Annual Contract with The Union Beach Emergency Medical Services (EMS) for the year 2017 in the amount of \$40,000 and clothing allowance of \$2,000.00

BE IT FURTHER RESOLVED, that the Finance Office is hereby authorized to make payment to the Union Beach Emergency Services in the amount of \$40,000.00 and \$2,000.00 for clothing allowance.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017 - 37:

Resolution to Hire Temporary Part Time Deputy to Code Enforcement Officer for period not to exceed one year commencing on January 19, 2017.

WHEREAS, the Borough of Union Beach is presently in need of a temporary Part Time Deputy to the Code Enforcement Officer in the Code Enforcement Office; and,

WHEREAS, the Mayor and Council desire to appoint Joseph E. McGrath, Middletown, NJ as temporary Deputy to the Code Enforcement Officer (part time) for the Borough of Union Beach, effective January 19, 2017 for a period not to exceed one year; and

WHEREAS, Mr. McGrath's salary for the position of Deputy to the Code Enforcement Officer (part time) is authorized in the Borough of Union Beach *salary ordinance*.

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 Joseph E. McGrath, 229 Seabreeze Avenue, P.O. Box 411, Middletown, NJ 07748 is hereby appointed as temporary Deputy to the Code Enforcement Officer part time in the Code Enforcement Office, effective January 19, 2017 for a term not to exceed one year.
2. That Joseph E. McGrath shall be compensated with a salary in accordance with the Union Beach Salary Ordinance for a period not to exceed one year. There are no additional benefits associated with this position.

That a certified copy of this resolution be forwarded to Mr. Joseph E. McGrath, the Personnel Committee and the Finance Department.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017 –38:

Authorizing the Administrator to Assist the Police Department in setting up a Safe Exchange Zone

Be it Resolved by the Governing Body of the Borough of Union Beach that the Borough Administrator is hereby authorized to work in conjunction with the Police Department to set up a Safe Exchange Zone in the Borough's Parking Lot to be utilized by the Borough Residents for the safe exchange of goods purchased on line, child visitation and domestic violence issues and any other areas deemed appropriate.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017 –39

Authorizing the Lease/Purchase of a Vehicle under State Contract, to be used by the Department Head of Public Works, Steven Higgins.

Be it Resolved by the Governing Body of the Borough of Union Beach that the lease/purchase of a vehicle from State Authorized vendor Beyer Fleet in the amount of \$25,253.00 is hereby approved by the Governing Body and authorized for the use of the Department Head of Public Works, Steven Higgins.

Be it Further Resolved that the Clerk is authorized to provide a copy of this Resolution to the Finance Department and Ford Motor Credit.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

RESOLUTION NO. 2017 – 40:

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the **Reconstruction of Arlington & Newark Ave. Phase II** project.

NOW, THEREFORE, BE IT RESOLVED that Council of **Union Beach** formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the **Mayor** and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2017-Reconstruction of Arlington & Newark Ave. Phase II-00311** to the New Jersey Department of Transportation on behalf of the **Borough of Union Beach**.

BE IT FURTHER RESOLVED that **Mayor** and Clerk are hereby authorized to sign the grant agreement on behalf of **the Borough of Union Beach** and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2017- 41: Offered by Councilman Wicki

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

Seconded by: _____

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ **Councilman Cocuzza _____

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

Union Beach School Choice Week

WHEREAS all children in Union Beach should have access to the highest-quality education possible; and,

WHEREAS Union Beach recognizes the important role that an effective education plays in preparing all students in Union Beach to be successful adults; and,

WHEREAS quality education is critically important to the economic vitality of Union Beach; and,

WHEREAS is home to a variety of high quality public and nonpublic schools from which parents can choose for their children, in addition to families who educate their children in the home; and

WHEREAS, educational variety not only helps to diversify our economy, but also enhances the vibrancy of our community; and,

WHEREAS Union Beach has many high-quality teaching professionals in all types of school settings who are committed to educating our children; and,

WHEREAS, School Choice Week is celebrated across the country by millions of students, parents, educators, schools and organizations to raise awareness of the need for effective educational options;

NOW, THEREFORE, I, Paul Smith do hereby recognize January 22-28, 2017 as Union Beach School Choice Week, and I call this observance to the attention of all of our citizens.

EXECUTIVE SESSION: RESOLUTION NO. 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) _____ . 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, Municipal Clerk

ATTORNEY: PURPOSE:

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF JANUARY 19, 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 Offered by: _____ Seconded by: _____

Roll Call Vote: Councilman Wicki _____ Councilwoman Roche _____ Councilman Cavallo _____
Councilman Lewandowski _____ Councilman Andreuzzi _____ Councilman Cocuzza _____

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