



DRAFT - AGENDA
Borough of Union Beach
Thursday, September 15, 2016- 8:00 p.m.
Municipal Building- 650 Poole Ave.
Union Beach, NJ

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

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

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

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. Perrella
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

Also Present:

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

SET ASIDE THE REGULAR ORDER OF BUSINESS:

1. Oath of Office Provisional Code Enforcement Officer, Joseph Crane,
2. Certificates of Recognition for Library Program Trissa Tozzolino, Donovan Mallen, Xana Carer and Caidence Brennan.

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:

August 18, 2016 Regular Council Meeting and August 18, 2016 Special Meeting

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

World Peace Day – Pinwheels around town September 20th – Request by Girl Scouts

Crime and Punishment Mystery Dinner – October 1st

EMS Town Wide Yard Sale – October 15th-16th

Application for New Firefighter, Nicholas M Murray, 712 Park Avenue, Union Beach – to Union Beach Fire Company No. 1, Union Avenue

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

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

MEETING OF SEPTEMBER 15, 2016

Public Hearing on Ordinance 2016-241- Chapter VII – "Traffic"

ORDINANCE NO. 2016- 241:

AN ORDINANCE AMENDING CHAPTER VII, "TRAFFIC"

BE IT ORDAINED by the Borough Council of the Borough of Union Beach, County of Monmouth, and State of New Jersey that Chapter VII "Traffic" of the General Ordinances of the Borough of Union Beach is hereby amended or supplemented as follows:

PURPOSE

THE PURPOSE OF THIS ORDINANCE IS TO AMEND AND SUPPLEMENT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, CHAPTER VII, TRAFFIC RE: AMEND VARIOUS SECTIONS AND SCHEDULES IN THE BOROUGH ORDINANCES: CHAPTER VII,

- 7-3.2 Parking Prohibited During State of Emergency. (text revision)
- 7-3.3 Parking Prohibited at All Times on Certain Streets. (removal of reference info)
- 7-3.9 Parking in Front of Private Driveways, by Permit. (increase of admin. fees)
- 7-3.11 Student Drop-Off Zone. (clarification of location)
- 7-3.12 Overnight Parking (moved from Schedule V and amend text)
- 7-6.2 Stop Intersection. (removal of reference info)

- SCHEDULE I AMENDED NO PARKING SCHEDULE (to include Poole Avenue, West Side, Between Edmunds Avenue and Victoria Place; Cambridge Avenue, North Side, from Union Avenue East to terminus at East Creek and other changes)
- SCHEDULE II AMENDED PARKING PROHIBITED CERTAIN HOURS (to include Amendments to list of Streets and current Street Sweeping Schedule).
- SCHEDULE VI AMENDED ONE-WAY STREETS (text changes/additions and addition of Edmunds Avenue, Northerly, between Floyd and Poole Avenue)
- SCHEDULE VII AMENDED THROUGH STREETS (to include location and text corrections)
- SCHEDULE VIII STOP INTERSECTIONS (locations names/descriptive text changes)
- SCHEDULE XII AMENDED BUS STOPS (to include Union Avenue southbound on the westerly side thereof at Park Avenue, near side; and removal of Sydney Avenue, near side, at Union Avenue, southbound on the westerly side thereof)
- SCHEDULE XIII AMENDED NO LEFT TURN (To include Morningside Avenue, Eastbound; into the Memorial School Drop-off Area)
- SCHEDULE XVI AMENDED NO RIGHT TURN ON RED SIGNAL (To include Seagate Ave. ,southbound, at NJ State Hwy 36)
- SCHEDULE XVIII AMENDED PARKING FOR HANDICAPPED PERSONS (Update of locations of Private Residences)

Any portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this ordinance.

If any provisions of the ordinance or the application of any such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions, or applications of this ordinance which can be given effect, to the end, the provision of this ordinance are declared to be severable.

This ordinance shall take effect immediately upon passage and adoption according to law.

(HARD COPIES AVAILABLE IN CLERK'S OFFICE AND ON WEBSITE)

Mayor Smith directs the Clerk to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough's Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request and copies were posted on the Borough's website and available here tonight (on table)

PUBLIC HEARING ON ORDINANCE NO. 2016-241: MEETING OF SEPTEMBER 15, 2016:

MAYOR SMITH OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER **2016-241** AT ____ P.M.

MAYOR SMITH DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. **2016-241** AT ____ P.M.

RESOLUTION NO. 2016-141: AUTHORIZING FINAL ADOPTION ORDINANCE 2016-241 AND FURTHER AUTHORIZING CLERK TO ADVERTISE SAME IN ASBURY PARK PRESS

Paper: The Asbury Park Press.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

Councilman Perrella

Health, Education, Drug Alliance, & Recreation

Councilman Wicki
Councilwoman Roche
Councilman Williams
Councilman Andreuzzi
Councilman Cocuzza

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

MEETING OPEN FOR PUBLIC DISCUSSION:

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

NEW BUSINESS AND INTRODUCTION OF ORDINANCES:

Ordinance 2016-242 - Amending Ordinance 2014-216: Rental Registrations – Amending the due date of the Registration to February 15th of each year. At the request of the Construction Official. (See current Ordinance in September Dropbox)

AN ORDINANCE REVISING AND AMENDING AN ORDINANCE ENTITLED “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980,” CHAPTER X, BUILDING AND HOUSING

BE IT ORDAINED BY THE MAYOR AND COUNCIL FO THE BOROUGH OF UNION BEACH THAT BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH that Chapter X, Building and Housing Regulations of the Borough of Union Beach is hereby amended as follows:

SECTIONS TO BE AMENDED: ALL ADDITIONAL SECTIONS TO REMAIN UNCHANGED.

10-10.3 REGISTRATION:

a. Each and every rental unit shall hereafter be registered with the Enforcing Agency on forms which shall be provided for that purpose and which shall be obtained from the office of the Enforcing Agency. **The annual registration renewal for each calendar year shall be completed no later than February 15th of the subject year.**

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

RESOLUTION NO. 2016-142: AUTHORIZING INTRODUCTION OF ORDINANCE 2016-242 AND FURTHER AUTHORIZING CLERK TO ADVERTISE FOR PUBLIC HEARING FOR OCTOBER 20, 2016 AT 6 P.M. AT MEETING TO BE HELD AT MEMORIAL SCHOOL.

Paper: The Asbury Park Press.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

Ordinance 2016-243:

AN ORDINANCE OF THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH APPROVING THE COMMERCIAL CORRIDORS REDEVELOPMENT PLAN PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW (N.J.S.A. 40A:12A-1, ET SEQ.)

WHEREAS, the New Jersey local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., authorizes the Borough Council of the Borough of Union Beach (“the Governing Body”) to adopt by ordinance redevelopment plans for areas in need of redevelopment or rehabilitation; and

WHEREAS, on July 18, 2013, the Governing Body approved Resolution #2013-106 declaring the entire Borough as an “Area in Need of Rehabilitation”; and

WHEREAS, the Governing Body authorized the preparation of a redevelopment plan for the areas defined as

1. Block 242 – Lots 5, 8, 9, 10, 11
2. Block 187 – Lots 1, 2, 15, 16
3. Block 210 – Lots 23, 24, 25, 26
4. Block 168 – Lot 9.01; and

WHEREAS, the Borough Planner, T&M Associates, has prepared the Commercial Corridors Redevelopment Plan dated September 2016 (the “Redevelopment Plan”), a copy of which is attached hereto as Exhibit A; and

WHEREAS, pursuant to N.J.S.A. 40A:12-7, the Governing Body referred the Redevelopment Plan to the Planning Board for review and approval following introduction and first reading; and

WHEREAS, the Governing Body hereby determines that the Redevelopment Plan is necessary and appropriate and will effectuate redevelopment and rehabilitation within the Borough.

NOW THEREFORE, BE IT ORDAINED, by the Borough Council of the Borough of Union Beach, in the County of Monmouth, that the Redevelopment Plan attached hereto dated September 2016, is hereby adopted; and

BE IT FURTHER ORDAINED, that all prior Ordinances that are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency; and

BE IT FURTHER ORDAINED, that this Ordinance shall become effective immediately upon final passage and publication as required by law, as the “Commercial Corridors Redevelopment Plan.”

RESOLUTION NO. 2016-143: AUTHORIZING INTRODUCTION OF ORDINANCE 2016-243 AND FURTHER AUTHORIZING CLERK TO ADVERTISE FOR PUBLIC HEARING FOR MONDAY, NOVEMBER 21, 2016 AT 8 P.M. AT MEETING TO BE HELD AT MUNICIPAL BUILDING.

Paper: The Asbury Park Press.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
 Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

RESOLUTIONS: SEPTEMBER 15, 2016 MEETING:

Resolution No. 2016-144:

September 15, 2016

Resolution Authorizing The Setting Of The Rate, Administrative Fee And Vehicle Use Fee Pursuant To Section 2-6.14, Special Duty Assignments, Subsection “e” Of The Revised General Ordinances Of The Borough Of Union Beach.

Whereas, the Revised General Ordinances of the Borough of Union Beach, 1980, provide that the Council is to set forth by resolution the charges for services provided by police personnel on special duty assignments from independent contractors;

Now Therefore be it Resolved by the Mayor and Council of the Borough of Union Beach that pursuant to the Revised General Ordinances of the Borough of Union Beach, 1980 Chapter II, Administration, Section 2-6, Police Department Subsection 2-6.14, Special Duty Assignments, Paragraph “e” the following charges are hereby established for all officers, regardless of rank, who perform Special Duty Assignments at independent local Business Establishments, effective August 18, 2016:

COMPONENTS OF HOURLY RATE FOR SPECIAL DUTY ASSIGNMENTS AT INDEPENDENT LOCAL BUSINESS ESTABLISHMENTS:

Officer Rate of Pay	\$50.00	Per Hour Per Officer Assigned
Administrative Fee to the borough of Union Beach	\$ 5.00	Per Hour Per Officer Assigned
Vehicle Use Fee to the Borough of Union Beach	\$ 5.00	Per Hour Per Officer Assigned
Total Hourly Rate	\$60.00	

To be paid to the Chief Financial Officer/Treasurer for deposit in Special Duty Police Trust Fund.

Resolution Offered by: _____ Secoded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

Resolution No. 2016-145:

Resolution Authorizing the Refunding of a Property Maintenance Charge in the amount of \$350.00 to Mr. Robert Bergen/ Ms. Kelly Jones, 16 Green Grove Avenue, Keyport, NJ for the Property located at 309 Pine Street, Union Beach, NJ 07735, Block 19, Lot 10.1

Whereas, the Union Beach Code Enforcer and/or the Union Beach Board of Health receives complaints from time to time of unsightly and unkempt properties within the Borough of Union Beach, said violations being under the Property maintenance code, and;

Whereas, after proper notice to the owners of said properties where the violations occur, the owners fail to correct said violations within a certain time frame, a property Maintenance Charge in the form of a Lien is placed on said property.

Whereas, after receipt of complaint and researching this Property Maintenance Charge, it has been found that the Borough failed to properly notice the owners of said property, Mr. Robert Bergen / Ms. Kelly Jones, 16 Green Grove Avenue, Keyport, NJ for the property located at 309 Pine Street, Block 19, Lot 10.1 where the violations occurred within said a certain time frame,

Therefore, Be it Resolved, by the Mayor and Council of the Borough of Union Beach, that, such Property Maintenance Charge in the amount of \$350 be removed and refunded to said owner.

Be it Further Resolved, that the Borough Clerk is to notify the Tax Collector and Finance Department of this refund and to process it accordingly.

Resolution Offered by: _____ Secoded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

Resolution No. 2016-146:

HIRING OF PROVISIONAL CODE ENFORCEMENT OFFICER, PART TIME, JOSEPH CRANE, 321 HUNT ROAD, EAST FREEHOLD, NJ, EFFECTIVE, SEPTEMBER 1, 2016, AT A SALARY RATE AUTHORIZED BY THE 2016 SALARY ORDINANCE.

WHEREAS, a vacancy exists for the position of Code Enforcement Officer, part-time in the Union Beach Construction Department, and,

WHEREAS, the Mayor and Council of the Borough of Union Beach have received a request and recommendation from the Construction Official to fill this position effective September 1, 2016;

Now Therefore, be it Resolved by the Mayor and Council of the Borough of Union Beach, that:

The provisional appointment of the following named employee as Code Enforcement Officer, part-time, effective as of September 1, 2016 at a salary as authorized by the 2016 Salary Ordinance, is hereby approved and confirmed.

Joseph Crane

321 Hunt Road

East Feehold, NJ 07728

The provisional employee must comply with all civil service requirements.

A certified copy of this resolution be forwarded to Ms. Ortiz, the Personnel Committee and the Finance Department.

Resolution Offered by: _____ Secoded by:

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

Resolution No. 2016-147:

RESOLUTION SUPPORTING THE BOARD OF CHOSEN FREEHOLDERS OF THE COUNTY OF MONMOUTH'S REQUEST FOR SUPPORT AND ASSISTANCE FROM THE NEW JERSEY ASSOCIATION OF COUNTIES WITH REGARD TO THE TRANSPORTATION TRUST FUND/EXECUTIVE ORDER 210 – WORK STOPPAGE AND POTENTIAL CLAIMS AGAINST COUNTY AND MUNICIPAL GOVERNMENTS

WHEREAS, the shutdown of the transportation infrastructure projects funded through the Transportation Trust Fund (TTF) is well into it's third month; and

WHEREAS, the Board of Freeholders of Monmouth County have requested the support and assistance of the New Jersey Association of Counties to protect all counties, municipalities and their residents by advocating for the establishment of a State-administered claims fund mechanism to address contractor claims resulting from Executive Order 210; and

WHEREAS, such a claim fund will help reduce the potential that legal actions will be brought against county and municipal governments, and create a clearinghouse to address legitimate costs borne by contractors during this period resulting from Executive Order 210; and

WHEREAS, the Arlington Avenue reconstruction project in Union Beach is one of the projects subject to Executive Order 210; and

WHEREAS, the costs associated with this shutdown could be equal to 15 to 25 percent of a project's total cost and continues to increase in cost with each passing day; and

WHEREAS, this Claim Fund, to be Administered by the NJDOT and funded through the TTF renewal process, would determine the legitimacy and value of the claims and would have the ability to reject invalid claims. Contractors who accept payment from the claims fund would waive their right to sue. Those claims that were rejected would still have the ability to seek redress through litigation. Although the Borough of Union Beach realizes that the administration of a claims fund would not completely remove the risk of litigation for county and local governments, it would greatly reduce exposure and allow Monmouth County and Municipalities to restore our working relationships with the contractors on these projects which would expedite the ability of many projects to resume in an efficient manner.

NOW THEFORE BE IT RESOLVED, by the Mayor and Governing Body of the Borough of Union Beach, that we join with the Board of Chosen Freeholders of the County of Monmouth in calling for the establishment of a State-administered claims fund mechanism to address contractor claims resulting from Executive Order 210; and

BE IT FINALLY RESOLVED, that copies of this Resolution be forwarded to the Governor of the State of New Jersey, our State Legislators.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote:

Mr Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

RESOLUTION NO. 2016-148: Offered by Councilman Wicki

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

Seconded by: _____

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

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

EXECUTIVE SESSION: RESOLUTION NO. 2016 : (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. Perrella
Mr. Wicki
Ms. Roche
Mr. Williams
Mr. Andreuzzi
Mr. Cocuzza

Also Present:

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

ATTORNEY: PURPOSE:

BUSINESS ADDED TO THE AGENDA OF THE MEETING OF SEPTEMBER 15, 2016 (IF NECESSARY):

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

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

RESOLUTION NO. 2016-

Roll Call Vote:

Mr. Perrella _____ Mr. Wicki _____ Ms. Roche _____
Mr. Williams _____ Mr. Andreuzzi _____ Mr. Cocuzza _____

ADJOURNMENT:

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