



Agenda
Borough of Union Beach
Thursday, September 18, 2014, 8:00 p.m.
Council Meeting Room, Municipal Building
650 Poole Avenue, Union Beach, NJ

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

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

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

SUNSHINE LAW NOTICE: Announced by Clerk.

Adequate notice has been given to the public and press on the date, time and place of this meeting, in accordance with P.L. 1975, chapter 231, "open public meetings act."

ROLL CALL: Council Members

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

Also Present:

Mayor Paul J. Smith, Jr.
John t. Lane, Jr., Attorney
Jennifer Maier, Borough Administrator
Anne Marie Friscia, Municipal Clerk

SET ASIDE THE REGULAR ORDER OF BUSINESS:

1. Presentation by Raine and 5K Organizers to the Union Beach EMS.
2. Operation Provide Comfort – Gift Basket
3. Presentation by Gwynneth Green –poet-lyricist Budding Green Productions.

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 21, 2014 Meeting

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

- a. Vendor application/Permit for Patrick Terry authorizing the selling of his artwork at various locations during the year 2014. (Veteran).
- b. Request for a new firefighter, Harris Gardens, Jennifer Nance, 703 Central Avenue, Union Beach, NJ

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

HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:

ORDINANCES 2014-213:

*AN ORDINANCE FIXING THE SALARIES, WAGES AND OTHER
EMOLUMENTS OF THE REGULAR OFFICERS OF THE POLICE
DEPARTMENT OF THE BOROUGH OF UNION BEACH, IN THE
COUNTY OF MONMOUTH FOR THE FISCAL YEARS BEGINNING JULY 1, 2011
THROUGH DECEMBER 31, 2015*

*THE CLERK PRESENTS AFFIDAVIT OF PUBLICATION SHOWING THAT THE ORDINANCE WAS DULY
ADVERTISED IN THE ASBURY PARK PRESS, ON AUGUST 28, 2014 IN ACCORDANCE WITH LAW.*

*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 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.*

Public Hearing on Ordinance No. 2014-213:

Mayor Smith opens the Meeting to the Public Hearing on Ordinance No. 2014-210 at _____ p.m.

Mayor Smith closes the Meeting to the Public Hearing on Ordinance No. 2014-210 at _____ p.m.

RESOLUTION NO 2014-162: *Authorizing Final Adoption of Ordinance No. 2014-213,*

Be it Resolved, by the Mayor and Council of the Borough of Union Beach that;
Ordinance 2014-213:

**AN ORDINANCE FIXING THE SALARIES, WAGES AND OTHER
EMOLUMENTS OF THE REGULAR OFFICERS OF THE POLICE
DEPARTMENT OF THE BOROUGH OF UNION BEACH, IN THE
COUNTY OF MONMOUTH FOR THE FISCAL YEARS BEGINNING JULY 1, 2011
THROUGH DECEMBER 31, 2015**

Be passed and adopted as an Ordinance of the Borough of Union Beach and;
Be it further resolved, that the Clerk be and she is hereby authorized to advertise notice of final passage on the foregoing
Ordinances in the Asbury Park Press in the issue of September 26, 2014.

Resolution Offered by: _____ Seconded by: _____

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

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

REPORTS OF COMMITTEES AND DEPARTMENT HEADS:

<u>Councilman Mascilak:</u>	<u>Library, Drug Alliance, EMS and Seniors</u>
<u>Councilman Wicki:</u>	<u>Finance, Personnel and Administration</u>
<u>Councilwoman Roche:</u>	<u>Public Works & Building and Grounds</u>
<u>Councilman Williams</u>	<u>Public Safety & Health (OEM,PD, Fire & Court</u>
<u>Councilman Andreuzzi:</u>	<u>Education, Recreation and Special Grants</u>
<u>Councilman Cocuzza</u>	<u>Public Affairs, Shared Services, Construction & Code Enforcement</u>
<u>Borough Administrators Report</u>	<u>Jennifer Maier</u>

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 SEPTEMBER 18, 2014 MEETING:

ORDINANCES:

Proposed Ordinance No. 2014-214 :

An Ordinance Amending the Wrecker’s Fee Ordinance (Removing old fee info) – John Lane

Offered by: _____ Seconded by: _____

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

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

Proposed Ordinance No. 2014-215 :

An Ordinance Amending the Tenant Landlord Registration to Annual and Fee Structure Change
John Lane and Jennifer Maier

Offered by: _____ Seconded by: _____

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

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

Proposed Ordinance No. 2014-216 :

An Ordinance Amending the Parking/Traffic Ordinance to allow for no parking on Wilson Avenue one
side of the street only as requested by Police Department.

Offered by: _____ Seconded by: _____

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

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

RESOLUTIONS: SEPTEMBER 18, 2014 MEETING:

RESOLUTION NO. 2014-163: AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARINGS ON ORDINANCE NUMBERS

2014-214, 2014-215 and 2014-216

Paper: The Asbury Park Press,

Hearing Date: Thursday, September 18 2014

Time: Commencing at 8:00 p.m.

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

Resolution Offered by:_____Seconded by:

Roll Call Vote:

Mr. Mascilak_____ Mr. Wicki_____ Ms. Roche_____

Mr. Williams _____ Mr. Andreuzzi_____ Mr. Cocuzza _____

RESOLUTION NO. 2014-164: AUTHORIZATION OF ACCEPTANCE 159 Grants Received for Police Department- for Drive Sober or get Pulled Over

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

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

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

WHEREAS, the Borough of Union Beach has received a grant in the sum of \$5,000.00 from the State of New Jersey for Alcohol Impaired Driving Prevention Programs and wishes to amend it's CY 2014 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Union Beach hereby requests that the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the CY 2014, in the sum of \$5,000.00

Which is now available as a revenue from;

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

State and Federal Revenues off-set with Appropriations:

Drive Sober Or Get Pulled Over

Pursuant to the Provisions of Statute; and

BE IT FURTHER RESOLVED, that a like sum of \$5,000.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(a) Operations excluded from "CAPS"
State and Federal Programs off-set by Revenues:
Drive Sober Or Get Pulled Over
Salary and Wages

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

Resolution Offered by: _____ Seconded by: _____

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

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

**RESOLUTION NO. 2014-165: AUTHORIZATION OF ACCEPTANCE 159 Grants Received for Police Department-
for Cops in Shops Grant**

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

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

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

WHEREAS, the Borough of Union Beach has received a grant in the sum of \$1,200.00 from the State of New Jersey for Alcohol Impaired Driving Prevention Programs and wishes to amend it's CY 2014 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Council of the Borough of Union Beach hereby requests that the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the CY 2014, in the sum of \$1,200.00

Which is now available as a revenue from;

Miscellaneous
Revenue:
Special items of General Revenue
anticipated with prior written
consent of the Director of Local Government Services:
State and Federal Revenues off-set with Appropriations:
Cops In Shops - Summer Shore Initiative 2014

Pursuant to the Provisions of Statute; and

BE IT FURTHER RESOLVED, that a like sum of \$1,200.00 be and the same is hereby appropriated under the caption of:

General
Appropriations:

(a) Operations excluded from
"CAPS"
State and Federal Programs off-set by Revenues:
Cops In Shops - Summer Shore Initiative 2014
Salary and Wages

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

Resolution Offered by: _____ Seconded by: _____

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

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

PROPOSED RESOLUTION NO. 2014-166:

Authorizing the Borough Administrator to Solicit Bids on for the Double Sided, LED Advertising Signage Board to be located on Route 36, Union Beach, Block 248, Lot 8 for a lease period of 20 years.

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

The Mayor and Council hereby authorize the Borough Administrator, Jennifer Maier to solicit bids for the double sided LED Signage Board to be located on Route 36, Union Beach, NJ, Block 248, Lot 8 on behalf of the Borough of Union Beach.

Resolution Offered by: _____ Seconded by: _____

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

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

RESOLUTION NO. 2014-167:

Resolution Adopting Employee Policy and Procedures Manual

WHEREAS, it is the policy of the Borough of Union Beach to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, the New Jersey Civil Service Act, the New Jersey Attorney General’s guidelines with respect to Police Department personnel matters, the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act COBRA and the Open Public Meeting Act; and

WHEREAS, the Mayor and Council have determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Mayor and Council that the Employee Policies and Procedures Manual attached hereto is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Mayor and Council.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that John T. Lane, Jr. is hereby appointed as Employment Attorney to advise the Borough in personnel matters.

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Administrator and the Employment Attorney shall assist the Mayor and Council in the implementation of the policies and procedures in this manual.

Resolution Offered by: _____ Seconded by: _____

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

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

RESOLUTION NO. 2014-168: AUTHORIZING THE MAYOR AND CLERK TO SIGN THE MONMOUTH COUNTY MUTUAL AID AGREEMENT AND JOINDER FOR THE UNION BEACH POLICE DEPARTMENT

WHEREAS, the Monmouth County Prosecutor's Office and the Monmouth County Chiefs of Police Association have created the Monmouth County Mutual Aid agreement (the Agreement) to provide a mechanism for participation in a program designed to provide supplemental police protection for all municipalities joining in such agreement; and

WHEREAS, the provisions and procedures for providing mutual police assistance are set forth in the Agreement; and

WHEREAS, the Governing Body finds that participation in the Agreement will benefit the citizens of the municipality;

NOW THEREFORE BE IT RESOLVED by the

Council of the _____, County of Monmouth, State of New Jersey, as follows:

1. It hereby authorizes participation in the Agreement.
2. It hereby authorizes _____, to be the representative of this municipality to sign the Declaration of Joinder in the Monmouth County Mutual Aid Agreement.
3. It hereby accepts the guidelines set forth in the Agreement
4. This Resolution is separate and distinct from any mutual aid agreement previously entered into between any other municipalities and shall remain in effect until the Agreement is dissolved or until a formal resolution is adopted by the Governing Body withdrawing from the Agreement.

5. A certified copy of this Resolution shall be provided by the Municipal Clerk to:

A. The Monmouth County Prosecutor

B. The Municipal Clerks of each municipality participating in the Agreement.

Resolution Offered by: _____ Seconded by: _____

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

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

RESOLUTION NO. 2014 -169: AUTHORIZING 100% TAX EXEMPTION FOR DISABLED VETERAN FOR MR. ROBERT FORD, 711 BEACHVIEW AVENUE AS PER THE TAX ASSESSOR, AS OF JUNE 30, 2014

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, Robert Ford, a 100% disabled veteran, has applied for the deduction for property known as block #186, lot #5, for the premises at 711 Beachview Avenue, Union Beach, New Jersey; and

WHEREAS, the Borough Tax Assessor, George Lockwood, has researched Mr. Ford's request and recommends the 100% deduction for block #186, lot #5, 711 Beachview 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, George Lockwood, in his informal print-out received in August (annexed hereto and made part of this resolution) the tax assessor is hereby authorized to apply a full exemption to 100% permanently disabled veteran Robert Ford, for property located at 711 Beachview Avenue, Union Beach, New Jersey, block #186, lot #5, for the period commencing with the August quarter 2014.

Resolution Offered by: _____ Seconded by: _____

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

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

APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:

PROPOSED RESOLUTION NO. 2014-170 : Offered by Councilman Wicki

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

Seconded by: _____

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

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

EXECUTIVE SESSION: (if necessary) RESOLUTION NO. 2014-_____:

Possible discussion of negotiation update.

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

The Governing Body retired into executive session for a matter of: **RECONVENE MEETING:**

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

ATTORNEY: PURPOSE:

ROLL CALL:

ADJOURNMENT:

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

Mayor Smith declares the meeting adjourned at _____ p.m.