



**Minutes**  
**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 8:00 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 – late arrives at 8:10  
Mr. Wicki  
Ms. Roche - Absent  
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

**ANNOUNCEMENT BY MAYOR SMITH:**

Ms. Roche is absent due to illness and Mr. Mascilak is running a few minutes late.

**SET ASIDE THE REGULAR ORDER OF BUSINESS:**

1. Operation Provide Comfort – Gift Baskets – Sue Gobat and Dorothy Colao

Motion moved by Councilman Wicki, seconded by Councilman Cocuzza and approved by voice vote.

Presentation and raffle of gift baskets not picked up at the Concert for Union Beach.

Winners:

Mary Chepulis, Karen Stokes, Kris Fox, Rose Mahon, John Ferraro, Cheryl Hammel

**BACK TO THE REGULAR ORDER OF BUSINESS**

Motion moved by Councilman Wicki, seconded by Councilman Cocuzza and approved by voice vote.

**APPROVAL OF MINUTES OF THE MEETING OF: August 21, 2014 Meeting**

Motion moved by Councilman Cocuzza, seconded by Councilman Andreuzza and approved by voice vote with Councilman Wicki abstaining from the vote due to his absence at the meeting of August 21<sup>st</sup>.

**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
- c. Request for donations for Ad Book Bayshore Senior Center Fundraiser \$100, Knights of Columbus Breast Cancer Fundraiser \$125 and Keyport Indians Fundraiser Page Ad book ad.

Motion moved by Councilman Wicki, seconded by Councilman Williams 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. 2014-213 at 8:10 p.m.

With no one appearing to be heard, Mayor Smith closes the Meeting to the Public Hearing on Ordinance No. 2014-213 at 8:10 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 Councilman Wicki, seconded by Councilwoman Andreuzzi and approved by the following roll call vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS:**

**Councilman Mascilak: Library, Drug Alliance, EMS and Seniors**

There is no EMS report for this month.

Seniors: are eagerly anticipating getting back into their room. They were informed about a puffing phone scam that everyone should know about. You should make your facebook page private as much as possible.

Library: The steps are completed. Thank you to John Haines who will be putting up the railings.

Fire Company inspected an interior door that they wish to use grant funds to replace. They have an upcoming event on October 25<sup>th</sup> with Mr. Ray for a Halloween Concert Event. They raised \$115 through a Rita's fundraiser and approximately \$450 through their "five below" fundraiser. They are looking into getting a new copier with those proceeds. The Bayshore Family Success Center is officially out of the building now. The Library Association needs new members. The Library needs "you" to join.

Drug Alliance: Teen Night Dances will be held at Memorial School All Purpose Room on Halloween Night 3-5 p.m. for grades 3 and 4 and from 7:00 – 9:00 p.m for grades 5-8. There is also a dance on November 14<sup>th</sup> for grades 5 through 8. From 7:00-9:00 p.m.

**Councilman Wicki: Finance, Personnel and Administration**

On tonight's agenda we have resolution approving the updates to the Employee Manual. This is being updated to include updates to help us comply with the Monmouth County Joint Insurance Fund. To keep us within regulation and to helps with our insurance rates to comply with their regulations. We have received many comments through the various Department Heads and he thanks Anne Marie and Jennifer for their hard work in putting the comments together and especially Carol Seney who compiled the manual so it is easy for us to read. This will be adopted tonight. The Sanitary Sewer Repair and Maintenance Program will begin next week. This is part of our Agreement with the BRSA that we will do a certain amount of maintenance each year. There will be some work being done in the area by Memorial School. This work will be done during school hours. It is not noisy, but will be done during these hours as not to effect traffic. The contractor is very unobtrusive and will be putting cameras down the manholes. The Reconstruction of 7<sup>th</sup> Street which is being done with the Monmouth County Grant, plans are completed and have been approved by the County and we hope to have a special meeting by the end of the month to award this contract. We want to award the contract before the end of the month so the work can get started and hopefully have the work completed before the bad weather sets in. Our 2014 DOT Municipal Aid Project for this year will be Harrison/Orange Avenues. This project should be starting next week. They are waiting for drainage components to be installed prior to start of construction. The application for our 2015 DOT Municipal Aid Grant are due this month and we are applying for Arlington Avenue which is in this same area. We are trying to stay in the same area and hopefully the state will see us as trying to complete and area and we are hopeful that we will be successful with this application. Finally, the soccer fields are being treated through our turf maintenance program. The first applications have been completed on the soccer field. Mr. Wicki thanks

the soccer association for their patience as we do this work. They have been uprooted for the season, but it will help the field, it will get rid of all the dead spots and level the field out. It will make the program better and safer for the children.

**Councilwoman Roche: absent**                      **Public Works & Building and Grounds**

**Councilman Williams**                                      **Public Safety & Health (OEM,PD, Fire & Court**

The Municipal Court Report for August 2014:

Amounts collected for Costs, Fines and Contempt \$6,806.50

Amount collected for Public Defender Fees \$234.00

Amount collected for POAA Fund \$7.00

Amount collected for Beachfront Parking Tickets \$732.00

Amount collected from Credit Cards for May 2014 - \$1,777.00

OEM – Meetings will start Tuesday Night in preparation for the School Evacuation Drill that will take place on October 3<sup>rd</sup>. The School will be evacuated and the children will be going to Holy Family Parking Lot where the parents will pick them up at the end of the school day.

Board of Health: All Dogs have to be registered according to the New Jersey State Law.

Financial Report August 2014:

9 spayed/neutered dogs @\$7.00 = \$63.00

6 non spayed/non neutered @ \$10.00 = \$60.00

12 late fees at \$10.00 each = \$120.00

\$36 sent to the State.

0 inspections

Total Finances for August 2014 \$207.00

There will be free Rabies Clinics: Posted on UB Website also:

Matawan, Thurs. October 16<sup>th</sup> from 6:00 – 8:00 p.m.

Hazlet, October 22<sup>nd</sup> 6:00 – 8:00 p.m.

Keyport, November 1<sup>st</sup> 10:00 a.m. – 12:00 noon

Flu vaccinations will be held on October 8<sup>th</sup> at Borough Hall from 9:30-11:30. The fee will be \$25.00 various insurances will be accepted. ETNA, SIGNA, Coventry, 3 Rivers, Humana, Medicare B, UMWA, United Health Care. Please remember to bring your Medicare card and your insurance card. If there are any questions, call the Monmouth County Health Department. This info is also on our website.

**Councilman Andreuzzi:**                                      **Education, Recreation and Special Grants**

The Recreation Commission has been gearing up for a number of Fall Events, including Rec Basketball with registration beginning on October 4<sup>th</sup> from 10 a.m. until noon, and Tuesday, October 7<sup>th</sup> from 7 -9 p.m. and Saturday October 11<sup>th</sup> from 10 a.m. until noon at Borough Hall. The annual Halloween Party is scheduled to be held on Sunday, October 26<sup>th</sup> at noon at Memorial School for toddlers through 5<sup>th</sup> grade. The annual tree lighting is scheduled for 6 p.m. on Sunday, December 7<sup>th</sup> also here at Borough Hall. The Commission is also looking into some new events for 2015 and there will be more to follow.

The Board of Education has been busy preparing for a successful 2014-2015 scholastic year. A number of Capital Improvements have begun at Memorial School. Among these are exterior landscaping projects, fence repair and interior lighting, baseball field rehabilitation is scheduled to begin shortly. The next Board of Education Meeting is Tuesday, September 23<sup>rd</sup> in the Media Center at 7 p.m.

The Post Sandy Planning Project Steering Committee met earlier this month to discuss the next steps in the implementation of our Strategic Recovery Planning Report (SRPR) which is fully funded by the New Jersey Department of Community Affairs. This is a Grant. The Kick-off meeting has already been held with the Planning Board to begin to redo the Borough's Master Plan which will include rehabilitation of the Route 36 business corridor and finally in the environmental area Clean Ocean Action will hold its October beach sweeps at the beachfront on October 25<sup>th</sup> from 9:00 to 12:30 p.m., launching from Florence Avenue and Front Street, all are invited to attend. Last year we had over 100 people out there. With help from John Haines and the DPW cleaning up we had two truck loads of stuff that came off the beach. Everybody is encouraged to come out and help.

**Councilman Cocuzza**                                      **Public Affairs, Shared Services, Construction & Code Enforcement**

Code enforcement for the Month of August, number of new complaints received 56, number of complaints resolved, 37. The total fees collected from C of O's \$1,700.00. total fees collected from tenant /landlord registrations, \$400.00 total. Total fees collected from all sources this month \$2,100.00. Just wanted to take the opportunity to thank Bobby Parsells, he's doing a great job, he's working very hard and getting most complaints, concerns, questions and doing a really great job, I spoke with Joe Annibale last night at the Back to School Night, and he does appreciate the Mayor, council and construction and code enforcement office by providing the C of O's and so forth. They've been working very well together.

The Construction Department report net payments received \$35,023.00. Homes raised since Sandy storm, 170 new home construction since Sandy, 167. The construction department still has visitors in August of 40 visitors a week. Councilwoman Roche's DPW report, the Drug Alliance Picnic was held last month and was a great success and thanks the DPW for putting up the tents and getting the grounds ready. Also, the playground in Helen Hayes Park, the DPW put down wood carpeting which was engineered with fibers surfacing the playground area. Has to be replenished every few years but exceeds the standards that mulch does not. The Turf Maintenance Plan that Councilman Wicki touched on, the soccer association is very happy that works has started. The Soccer Association thanks the Mayor and Council for the work done on the fields. DPW continues property clean ups, mowing properties. Mr. Haines is doing a very good job staying on top of it. Tomorrow, meeting with the PTA, Mr. Haines, staff about the PTA Back to School Bash which will happen on the beach. We offered to allow them to use the tent that was used for the Drug Alliance picnic. Mr. Haines, Mr. Cocuzza and the PTA representatives figured out where to put the tent on the beach. Mr. Cocuzza also asks Captain Ervin if he can get a representative to go down to the beach Friday at 4 p.m. to see what they will need regarding traffic. On September 9<sup>th</sup> the Committee met with the Teamsters to negotiate the contract. There will be another meeting next Thursday night. He will have more to follow next month.

### **Borough Administrators Report          Jennifer Maier**

She met this week with the DCA and also the Governors' office Recovering and Rebuilding representatives. She brought the following issues to them regarding our issues with the building are the time delays that we are experiencing with RREM, insufficient funds to complete the houses – site work, SHRAP payment delays causing issues and potential evictions. She notes that you cannot get a bad credit rating because of the SHRAP payment being delayed. Anytime your bills are being paid by the Government, they are not allowed to give you a bad credit rating. We have 29 archeological sites where construction is being impeded on these sites. Foreclosures that are still the result of people having to pay rent on top of the mortgage and taxes. The 114 homes that are to be demolished by DCA which is a state-run program, it is voluntary and the people get their homes demolished, there is not cost to homeowners and no liens are placed on the property. She spoke to them about a state program that provides ramps but does not provide lifts and as we know in town since the new elevations are 8 to 17 feet, a ramp will not be sufficient. She spoke about how seniors are not able to deal with the extra steps that they would have to go up in many cases. She spoke to them about a possible senior housing building that is noted in our SRPR Planning study, based on the acreage, could fit up to 500 units. She sent out a Code Red Message in anticipation of meeting with the DCA in early October. She is getting emails from residents and asks all present to put it out on their facebook pages also so that people can contact her if they have any problems with RREM, HMGP or the ICC program. She will also be giving the Governor's Office Recovering and Rebuilding a list of banks who own property in town so that the Department of Banking and Insurance can reach out to the Banks directly to try to urge them to maintain the properties better. She was told by the group that she met with that the height of the electric meters has changed again and now it is no longer at 5 feet, it could be at either a front door or a back door if there were stairs to that location. She does not have all the specifics so she would say to get in touch with Bob Burlew for the changes to this. DCA is pushing for quicker initial site inspections which is one of the initial stages of the RREM program. \$100,000,000 was given out through the SHRAP program throughout the Jersey Shore area. Inspections for the voluntary DCA demolition project will be starting in October or November. There is only funding for 500-600 demolitions and they have approximately 1,500 properties total that municipalities have filed to be demolished. There is going to be a third round of funding coming from the Federal Government in March or April. This will be money that the committee will draw down upon but it is coming. Homeowners who want to get reimbursed for work that they have done need to get environmental / historical permits first and there will be an opportunity for those low income residents that did not apply for RREM to apply. Please let them know.

### **MEETING OPEN FOR PUBLIC DISCUSSION:**

Meeting opens for Public Discussion at 8:33 p.m.

Mr. Patrick Spagnoulo, 400 Campbell Street: comments on the street conditions on Florence Avenue from 5<sup>th</sup> Street down to Front Street. The utility trenching needs to be repaired correctly.

Mr. Wicki states that this work is on scheduled to be done by the utility contractor.

Mr. Spagnoulo commends the Code and Building Officials. They are doing a great job. Although he knows it is hard to catch up on things, he mentions that there are a few buildings in need of repair on Front Street, the brick building next to the Legion and two houses on Florence Avenue #116 and #118 just off Front Street have high grass. He takes pride in his property and he wants all the town to take pride in their property. He wants things to look nice and if we are fixing up the waterfront, he feels that the empty lots on the waterfront should also be made to keep their property neat. People need to take care of their properties.

Ms. Kathy Parsells, Harrison Avenue: Ms. Parsells commends the Mayor, Council, Administrator and staff on all we have accomplished since Hurricane Sandy. She is proud of our town and our Departments, DPW, Police, Fire, Code and Construction Offices. She wishes that people would remember where they were two years ago. It is horrible to see that there are still some people who aren't back in their homes. There are abandoned homes. Our Mayor and Council and Administrator have fought for grants for us during these past 20 months. We have done better than any other town. She has worked for Gateway Church of Christ and has volunteered for the town for a long time. She sees now that

people are turning on their neighbors. They are picking out houses that are in bad shape. The town is going after bank owned property and property owners who are not taking care of their properties to hold them responsible or to place a lien on the properties, but she wishes there was more people at the meeting. There are over 100 homes in this condition of disrepair. She has lived in Union Beach for 40 years and is very proud of what our town has accomplished since Sandy and is still accomplishing today. The small things count – instead of someone call up and screaming and yelling and blaming the Borough employees why don't they just be a nice neighbor and mow the lawn – everyone should think back where they were and be a good neighbor. Many people are back in their homes now and don't want to live next to high grass or cars or debris so how about getting a group together and fix the problems for the neighbor so you don't have to look at it either. Help each other. We are a small town. Mow the lawn, take a sickle if too high, hire someone for a few dollars to help your neighbor. Most of us know each other. Step up and help instead of putting a charge against them. No one has done for their town what the Mayor, Council and Borough Employees have done for Union Beach and she appreciates it.

With no one else appearing to be heard, Mayor Smith closes for Public Discussion at 8:42 p.m.

**NEW BUSINESS AND INTRODUCTION OF ORDINANCES SEPTEMBER 18, 2014 MEETING:**

**ORDINANCES:**

**Ordinance No. 2014-214 :**

An Ordinance Amending the Wrecker's Fee Ordinance (Removing old fee info) – John Lane  
**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980,”  
CHAPTER III, POLICE REGULATIONS, SECTION 3-9.13, RATES TO BE  
CHARGED BY WRECKERS, a & b TO BE DELETED**

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH that Chapter III, Police Regulations, Section 3-9.13, a. Maximum Rates:, has been superseded by Chapter III, Police Regulations, Section 3-9.17. Therefore, Chapter III, Police Regulations, Section 3-9.13 be and is hereby deleted.

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.

Ordinance No. 2014-214 was introduced on First Reading by Councilman Wicki, Seconded by Councilman Cocuzza and introduced by the following roll call vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**Ordinance No. 2014-215 :**

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “THE REVISED  
GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980,”  
CHAPTER III, POICE REGULATIONS, SECTION 7-3.3, Schedule I, NO  
PARKING**

WHEREAS, The Mayor and Council have received a recommendation from the Chief Police based upon a report from the Traffic Safety Officer to improve the safety of the children during periods of dropping-off and picking-up that parking should be eliminated on the eastside of Wilson Avenue from Scholer Drive to Morningside Avenue.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH, as follows:

Chapter VII, Traffic, Section 7-7.3, Schedule I, No Parking. Be and is hereby amended to include the following:

Name of Street

Sides

Location

Wilson

East

From Scholer Drive  
To Morningside

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

Motion to table Ordinance No. 2014-215 until the next scheduled Council Meeting, October 16, 2014 by Councilman Wicki, seconded by Councilman Andreuzzi and approved by voice vote.

Ordinance No. 2014-216 :

**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 OF 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 initial registration of each rental unit within the Borough of Union Beach shall take place on or before January 31, 2015.
- b. No rental unit shall hereafter be rented unless the rental unit is registered in accordance with this Ordinance.
- c. Registration shall be renewed annually, whether the unit is vacant or occupied and at time of certificate of occupancy when ownership or occupancy changes.
- d. If a tenant vacates a rental unit and it remains vacant either due to repairs, renovation, code enforcement or any other reason, the owner shall notify the Enforcing Agency that the unit is vacant.
- e. Registration pursuant to this Ordinance does not constitute an approval for the use and occupancy of said rental • unit. A certificate of occupancy is also required for each unit.

**10-10.12 FEES:**

At the time of the filing of the registration form the owner or agent of the owner must pay a registration fee of \$100.00 per rental unit, but not to exceed \$5000.00 per rental facility or apartment complex. If the owner of the property is a senior citizen (age 65 years or older) who resides in a unit located on the property and rents out the remaining units, and would otherwise qualify under N.J.S.A. 54:4-8.41 for property tax deductions, there shall be no fee. After the annual registration, the fee for an amended registration in the same year is \$50.00 per rental unit, not to exceed \$2000.00 per calendar year per rental facility or apartment complex.

**10-10.16 PENALTIES:**

- a. Any person who violates any provision of this Ordinance shall, upon conviction in the Municipal Court or such other Court having jurisdiction, be liable to a fine not exceeding \$1,500.00 or imprisonment for a term not exceeding 90 days, or by a •period of community service not exceeding 90 days.
- b. The minimum penalty that shall be imposed for a violation of this Ordinance is a fine of \$250.00 each day that a violation occurs shall be deemed a separate and distinct violation.
- c. Any person convicted of violating any provision of this Ordinance within one year of the date of a previous violation, which resulted in a conviction, shall be sentenced to an additional fine or other penalty as a repeat offender. The additional fine imposed by the Court for a repeat offense shall not be less than the minimum fine .or exceed the maximum fine permitted by this Ordinance, but shall be calculated separately from the fine imposed for the violation of the Ordinance.

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.

Ordinance No. 2014-216 was introduced on First Reading by Councilman Cocuzza, Seconded by Councilman Wicki and approved by the following roll call vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza  
Nays: None  
Absent: Ms. Roche  
Abstain: None

**RESOLUTIONS: SEPTEMBER 18, 2014 MEETING:**

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

**2014-214 and 2014-216**

Paper: The Asbury Park Press,  
Hearing Date: Thursday, October 16, 2014  
Time: Commencing at 8:00 p.m.  
Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ

Resolution Offered by Councilman Cocuzza, Seconded by Councilman Andreuzzi and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza  
Nays: None  
Absent: Ms. Roche  
Abstain: None

**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 Councilman Cocuzza, Seconded by Councilman Williams and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza  
Nays: None  
Absent: Ms. Roche  
Abstain: None

**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 Councilman Wicki, Seconded by Councilman and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**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 Councilman Wicki, Seconded by Councilman Cocuzza and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**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 Councilman Wicki, Seconded by Councilman Cocuzza and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**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.

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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 Councilman Cocuzza, Seconded by Councilman Andreuzzi and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**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 Councilman Cocuzza, Seconded by Councilman Andreuzzi and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

**APPROVAL OF VOUCHERS, AND PAYMENT OF BILLS:**

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

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

Seconded by Councilman Cocuzza and approved by the following roll call vote:

Roll Call Vote:

Ayes: Mr. Mascilak, Mr. Wicki, Mr. Williams, Mr. Andreuzzi and \*\* Mr. Cocuzza

Nays: None

Absent: Ms. Roche

Abstain: None

\*\*Mr. Cocuzza abstains on all Board of Education Vouchers

**EXECUTIVE SESSION: RESOLUTION NO. 2014-171:**

**Motion** moved by Councilman Cocuzza, seconded by Councilman Andreuzzi and approved by unanimous voice vote. The Governing Body retired into executive session for a matter of pending litigation update by Borough Attorney.

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) (7) involving a matter of:

\_ Pending Litigation

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.

RESOLUTION OFFERED BY COUNCILMAN COCUZZA, SECONDED COUNCILMAN ANDREUZZI AND APPROVED BY VOICE VOTE.

The Governing Body retired into executive session at **8:45 p.m.** for a matter of: Pending Litigation Update

**RECONVENE MEETING: 8:53 p.m.**

**Motion** to reconvene meeting moved by Councilman Andreuzzi, seconded by Councilman Cocuzza and approved by unanimous voice vote.

**ATTORNEY: PURPOSE:** Odom vs. Union Hose Company Litigation

**ROLL CALL: Council Members**

Mr. Mascilak  
Mr. Wicki  
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

**RECONVENE MEETING:**

**Motion** to reconvene meeting moved by Councilman Wicki, seconded by Councilman Andreuzzi and approved by unanimous voice vote.

**ATTORNEY: PURPOSE:**

**ROLL CALL:**

**ADJOURNMENT:**

Motion moved by Councilman Wicki, seconded by Councilman Cocuzza and approved by unanimous Voice Vote. Mayor Smith declares the meeting adjourned at **8:59 p.m.**

Respectfully Submitted: \_\_\_\_\_