



Agenda
Borough of Union Beach
Thursday, February 18, 2015 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 FLAG: Mayor Paul Smith, Jr. leads salute to flag

ANNOUNCEMENT: By Mayor 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
Robert M. Howard, Jr., Municipal Administrator
Anne Marie Friscia, Municipal Clerk

APPROVAL OF MINUTES OF THE MEETING OF: January 22, 2015

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

PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.:

- a. Legalized Games of Chance License: St. Francis Feline
- b. Solicitation on the Highway, Application Received St. Francis Feline
(Borough Fees waived on both of the above charitable Organization Fund Raisers)
- c. Letter of Resignation for Mr. Mike Sisolak, Planning Board

Motion moved by _____, seconded by _____ and approved by voice vote to accept the above licenses and communications.

HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:

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

ORDINANCE: 2015-220

**AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN
PROPERTY OWNED BY THE BOROUGH OF UNION BEACH
BLOCK 63, LOT 13 TO CONTIGUOUS PROPERTY OWNERS
AS AUTHORIZED BY N.J.S.A 40A:12-13.**

**BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH AS
FOLLOWS:**

SECTION 1: IT IS HEREBY ESTABLISHED THAT THE FOLLOWING DESCRIBED PROPERTY, OWNED BY THE BOROUGH OF UNION BEACH, BLOCK 63 LOT 13, SHALL BE DECLARED SURPLUS PROPERTY.

SECTION 2: THE FOLLOWING PERSONS SUBMITTED BIDS AS CONTIGUOUS PROPERTY OWNERS IN THE AMOUNT DETERMINED TO BE THE FAIR MARKET VALUE. THIS PROPERTY IS NOT A BUILDABLE LOT.

<u>BIDDERS</u>	<u>BLOCK & LOT</u>	<u>BID</u>
Maria Tate 645 Clark Avenue	Block 63 Lot 13	\$ 13,500.00

THE HIGHEST BID SUBMITTED BEING THAT OF MARIA TATE OF 645 CLARK AVENUE \$ 13,500.

SECTION 3: IT IS THEREUPON ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH

OF UNION BEACH, THAT THE BOROUGH OF UNION BEACH CONVEY THE ABOVE PROPERTY TO THE BIDDER FOR THE SUM LISTED.

SECTION 4: THE SUBJECT PROPERTY SHALL BE CONSIDERED MERGED WITH THE LOT OWNED BY THE SUCCESSFUL BIDDER TO CREATE ONE TRACT FOR THE PURPOSE OF ZONING AND MAY NOT BE SUBDIVIDED EXCEPT IN COMPLETE AND FULL COMPLIANCE WITH THE LAND USE AND DEVELOPMENT REGULATIONS OF THE BOROUGH OF UNION BEACH, WITHOUT ANY VARIANCES, AND A RESTRICTIVE COVENANT SHALL BE PLACED IN THE DEED FROM THE BOROUGH TO THE BIDDER, WHICH COVENANT SHALL RUN WITH THE LAND IN PERPETUITY

SECTION 5: THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS ADOPTION.

THE CLERK PRESENTS AFFIDAVIT OF PUBLICATION SHOWING THAT THE ORDINANCE WAS DULY ADVERTISED IN THE ASBURY PARK PRESS, ON FEBRUARY, 3, 2015, 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. 2015-220:

Mayor Smith opens the Meeting to the Public Hearing on Ordinance No. 2015-220 at ____ p.m.

Mayor Smith closes the Meeting to the Public Hearing on Ordinance No. 2015-220 at ____ p.m.

RESOLUTION NO 2015-44: *Authorizing Final Adoption of Ordinance No. 2015-220*

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

Ordinance 2015-220:

AN ORDINANCE AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH OF UNION BEACH BLOCK 63, LOT 13 TO CONTIGUOUS PROPERTY OWNERS AS AUTHORIZED BY N.J.S.A 40A:12-13.

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 February 25, 2015.

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:

Councilman Mascilak: _____

Health, Education, Drug Alliance, & Recreation

Councilman Wicki: _____

Finance, Personnel and Administration

Councilwoman Roche: _____

Emergency Svs. (Fire, OEM) American Legion & Seniors

Councilman Williams _____

Public Affairs, Library, Sp. Grants, Construction & Code Enforc,

Councilman Andreuzzi: _____

EMS, Public Works & Building and Grounds

Councilman Cocuzza _____

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:

BOND ORDINANCE INTRODUCTION 2015-221:

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$815,000 FOR VARIOUS IMPROVEMENTS BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$726,750 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION.

Bond Ordinance No. 2015-221 was introduced on First Reading by: _____
Seconded by: _____.

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

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

****Clerk announces that she did receive a Supplemental Debt Statement from the Chief Financial Officer for the above Bond Ordinance and it is on file in her office.**

BE IT ORDAINED, BY THE BOROUGH COUNCIL OF THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Borough of Union Beach, New Jersey (the "Borough") as general improvements. For the said Improvements there is hereby appropriated the amount of \$815,000, such sum includes the sum of (a) \$50,000 expected to be received as a Open Space Grant from the County of Monmouth in connection with the improvement described in Section 3(a)(i) and (b) \$38,250 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law"). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$726,750 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Borough are hereby authorized to be issued in the principal amount not exceeding \$726,750 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

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

<u>Improvement of Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
(i) Improvements to Scholer Park Phase V; and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	\$100,000	\$47,500	15 years
(ii) Road improvements, including but not limited to reconstruction of West Street; including as required, drainage improvements, and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	145,000	137,750	20 years

(iii) Road improvements, including but not limited to reconstruction of Isabelle Avenue; including as required, drainage improvements, and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	190,000	180,500	20 years
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(iv) Road improvements, including but not limited to reconstruction of Central Avenue; including as required, drainage improvements, and including all structures and appurtenances, work and materials necessary therefor or incidental thereto, as shown on and in accordance with plans and specifications therefor on file with the Borough Clerk.	380,000	361,000	20 years
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TOTAL	\$815,000	\$726,750	
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(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$726,750.

(c) The estimated cost of the Improvements is \$815,000 which represents the initial appropriation made by the Borough.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Borough Council of the Borough at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Borough Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Borough may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements are within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 19.67 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Borough, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$726,750 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$250,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Borough as contributions in aid of financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Borough authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Borough reasonably expects to pay expenditures with respect to the Improvements prior to the date that the Borough incurs debt obligations under this Bond Ordinance. The Borough reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Borough under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$726,750.

SECTION 10:

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

ORDINANCE 2015-222: SALARY ORDINANCE POLICE CHIEF, POLICE CAPTAIN(S):

**AN ORDINANCE FIXING THE SALARIES, WAGES AND OTHER
EMOLUMENTS OF THE POLICE CHIEF AND POLICE CAPTAIN(S) 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, 2016**

Be it ordained by the Mayor and Council of the Borough of Union Beach as follows:

SECTION 1: The following shall constitute the salaries, wages and emoluments of the indicated employees and officials of the Borough of Union Beach, payable as hereinafter provided and effective as of the adoption of this ordinance, and the publication of notice of such adoption, in accordance with the law, and continuing in effect until thereafter amended, except where otherwise specified.

The Chief and Captain(s) of the Police Department of the Borough of Union Beach covered by this ordinance shall be compensated bi-weekly pursuant to the following salary guide for the fiscal years beginning July 1, 2011 through December 31, 2016.

SALARY GUIDE

<u>Title</u>	<u>7/1/2011 to 12/31/2011</u>	<u>1/1/2012 to 12/31/2012</u>	<u>1/1/2013 to 12/31/2013</u>	<u>1/1/2014 to 12/31/2014</u>	<u>1/1/2015 to 12/31/2015</u>	<u>1/1/2016 to 12/31/2016</u>
Chief +20	147,981.90	149,831.67	151,704.57	153,600.87	155,520.88	157,464.90
Chief +15	147,890.39	149,739.02	151,610.76	153,505.89	155,424.72	157,367.53
Captain +20	139,474.61	141,218.04	142,983.26	144,770.56	146,580.19	148,412.44
Captain +15	139,388.45	141,130.81	142,894.94	144,681.13	146,489.65	148,320.77

SECTION 2: Any benefits required to be accorded or paid to or on behalf of any employee designated herein under any employment contract and/or bargaining agreement, the execution of which was duly authorized by the Mayor and Council of the Borough of Union Beach, shall be deemed authorized by this Ordinance.

SECTION 3: All salaries authorized by this Ordinance shall be paid retroactively, effective to July 1, 2011, provided that the employee was still in the employ of the Borough of Union Beach at the time of the execution of the employment contract between the Mayor and Council of the Borough of Union Beach and the Chief and Captain(s) of the Police, dated January 28, 2015.

SECTION 4: All Ordinances or parts of Ordinances inconsistent with this Ordinance shall be deemed repealed to the extent of such inconsistency.

SECTION 5: This Ordinance shall take effect immediately upon its adoption.

Ordinance No. 2015-222 was introduced on First Reading by: _____
 Seconded by: _____.

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

RESOLUTIONS:

RESOLUTION NO. 2015-45: AUTHORIZING ADVERTISING OF PENDING BOND ORDINANCE 2015-221 AND ORDINANCE 2015-222

Paper: The Asbury Park Press.
 Hearing Date: March 19, 2015 at 8 p.m. in Council Chambers

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-46: AUTHORIZING AMENDMENT TO THE TEMPORARY 2015 BUDGET.

Resolution #2015-46

BOROUGH OF UNION BEACH
EMERGENCY RESOLUTION
N.J.S.A. 40A:4-20 (TEMPORARY
APPROPRIATIONS)

WHEREAS, pursuant to N.J.S.A. 40A:4-19 the Borough Council of the Borough of Union Beach adopted Resolution #2014-208 and to provide temporary funds for the period from Jan. 1, 2015 until the adoption of the Operating Budget for the Borough of Union Beach, New Jersey; and

WHEREAS, additional appropriations will be required from February 19, 2015 until the adoption of the budget; and

WHEREAS, N.J.S.A. 40A:4-20 provides that the governing body by a two-third vote may make temporary emergency appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the current fiscal year and the date of the adoption of the budget for said year;

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF UNION BEACH, NEW JERSEY, that:

1. The governing body by a two-third vote of its full membership hereby amends its temporary budget by making the following emergency temporary appropriations:

CURRENT FUND

(A) Operations - within "CAPS":

General Government

Office Supplies:

Other Expenses 2,500.00

Engineering:

Other Expenses 6,500.00

Planning Board / Zoning Board:

Other Expenses 2,000.00

Aid to Volunteer Companies:

Other Expenses 30,000.00

First Aid:

Other Expenses 10,000.00

Snow Removal:

Other Expenses 7,000.00

Community Celebrations:

Other Expenses 5,000.00

Unclassified:

Telephone - 3,000.00

Total Operations (Item 8 (A))

Within "CAPS" - 66,000.00

Municipal Purposes within "CAPS" - 66,000.00

Operations Excluded from "CAPS"

Capital Improvements:

Capital Improvement Fund - 31,750.00

Debt Service:

Loan Repayments for Principal & Interest - 10,000.00

Total Operations Excluded from "CAPS"

41,750.00

Total General Appropriations

\$107,750.00

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

Mr. Mascilak _____ Mr. Wicki _____ Ms. Roche _____

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

RESOLUTION NO. 2015- 47: AWARD OF THE BID FOR THE 7TH STREET PROJECT

Whereas, bids were received and opened in public on Tuesday, February 10, 2015 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project **“Reconstruction of 7th Street”** and;

Whereas, in letter dated February 18, 2015 from the Borough Engineer, Edward G. Broberg P.E. of T&M Associates, Middletown, New Jersey recommending award of bid to the low bidder, JTG Construction, 188 Jefferson Court, Suite 387, Newark, NJ 07105 (low bidder) as follows:

<u>BIDDER:</u>	<u>BASE BID</u>
JTG Construction. 188 Jefferson Court, Suite 387 Newark, NJ 07105	\$261,800.00

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project **“Reconstruction of 7th Street”** be awarded to JTG Construction, 188 Jefferson Court, Suite 387, Newark, New Jersey on their low base bid of \$261,800.00 for the project, **“Reconstruction of 7th Street”** in accordance with the recommendations of the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey, and:

Be it Further Resolved, that said award be subject to funds being available; the approval of the Borough Attorney, John T. Lane, Jr., Esq., and the New Jersey Dept. of Labor, Office of Wage and Hour Compliance.

Be it also resolved, that the Mayor is authorized to sign said contract on behalf of the Governing Body of the Borough of Union Beach and Clerk is hereby authorized to attest to same.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

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

RESOLUTION NO. 2015-48: AWARD OF THE BID FOR TURF MAINTENANCE (3 Year) PROJECT

Whereas, bids were received and opened in public on Wednesday, February 18, 2015 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project **“Turf Maintenance Project”** and;

Whereas, in letter dated February 18, 2015 from the Borough Engineer, Edward G. Broberg P.E. of T&M Associates, Middletown, New Jersey recommending award of bid to the low bidder, TruGreen, 5003 Industrial Road, Farmingdale, NJ 07727 (low bidder) as follows:

<u>BIDDER:</u>	<u>BASE BID</u>
Tru Green 5003 Industrial Road Farmingdale, NJ 07727	\$49,275.00

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project **“Turf Maintenance Project”** be awarded to True Green, 5003 Industrial Road, Farmingdale, NJ on their low base bid of \$49,275.00 for the project, **“Turf Maintenance Project”** in accordance with the recommendations of the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey, and:

Be it Further Resolved, that said award be subject to funds being available; the approval of the Borough Attorney, John T. Lane, Jr., Esq., and the New Jersey Dept. of Labor, Office of Wage and Hour Compliance.

Be it also resolved, that the Mayor is authorized to sign said contract on behalf of the Governing Body of the Borough of Union Beach and Clerk is hereby authorized to attest to same.

Resolution Offered by: _____ Seconded by:

Roll Call Vote:

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

RESOLUTION NO. 2015- 49: AWARD OF THE BID FOR THE 2015 SANITARY SEWER PROJECT

Whereas, bids were received and opened in public on Thursday, February 12, 2015 at 10 a.m. at the Municipal Building, 650 Poole Avenue, Union Beach, New Jersey, for the project **“2015 Sanitary Sewer Television Inspection, Cleaning, and Grout Repair Program”** and;

Whereas, in letter dated February 17, 2015 from the Borough Engineer, Edward G. Broberg P.E. of T&M Associates, Middletown, New Jersey recommending award of bid to the low bidder, National Water Main Cleaning, 875 N. Summer Avenue, Newark, New Jersey 07104-3684 (low bidder) as follows:

<u>BIDDER:</u>	<u>BASE BID</u>
National Water Main Cleaning Co. 875 N. Summer Avenue Newark, NJ 07104-3684	\$116,085.00

Now, Therefore, be it Resolved, by the Mayor and Council of the Borough of Union Beach, that the contract for the project “**2015 Sanitary Sewer Television Inspection, Cleaning, and Grout Repair Program**” be awarded to National Water Main Cleaning Co., 875 N. Summer Avenue, Newark, NJ on their low base bid of \$116,085.00 for the project, “**2015 Sanitary Sewer Television Inspection, Cleaning, and Grout Repair Program**” in accordance with the recommendations of the Borough Engineer, Edward G. Broberg, P.E. of T&M Associates, Middletown, New Jersey, and:

Be it Further Resolved, that said award be subject to funds being available; the approval of the Borough Attorney, John T. Lane, Jr., Esq., and the New Jersey Dept. of Labor, Office of Wage and Hour Compliance.

Be it also resolved, that the Mayor is authorized to sign said contract on behalf of the Governing Body of the Borough of Union Beach and Clerk is hereby authorized to attest to same.

Resolution Offered by: _____ Seconded by: _____

Roll Call Vote:

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

RESOLUTION NO. 2015-50: Authorizing the Hiring of two part-time Dispatchers

Whereas, the Borough of Union Beach is presently in need of Public Safety Telecommunicators on a part time basis, and;

In accordance with the recommendations of the Chief of Police, Scott Woolley,

Be it Resolved that the Governing Body of the Borough of Union Beach Authorizes the appointment of the following named person(s) as Public Safety-Telecommunicator Trainee (part-time) as needed/per diem not to exceed 28 hours. Effective as of February 19, 2015 at a salary as follows:

\$8.75 per hour during 3 month probation

\$12.00 per hour after completion of probation

In accordance with the recommendations of the Police Chief, Scott Woolley.

Michael Guallieri, 919 7th Street, Union Beach

Edward Schroeder, 3 Carriage Dr., Hazlet

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-51: Authorizing 2014 Recycling Tonnage Grant Application

Recycling Tonnage Grant Resolution

Authorizing the Recycling Coordinator, John K. Haines, to apply for the 2014 Tonnage Grant.

WHEREAS, THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT, P.L. 1987, C. 102, HAS ESTABLISHED A RECYCLING FUND FROM WHICH TONNAGE GRANT MAY BE MADE TO MUNICIPALITIES IN ORDER TO ENCOURAGE LOCAL SOURCE SEPARATION AND RECYCLING PROGRAMS; AND

WHEREAS, IT IS THE INTENT AND THE SPIRIT OF THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT TO USE THE TONNAGE GRANTS TO DEVELOP NEW MUNICIPAL RECYCLING PROGRAMS AND TO CONTINUE AND TO EXPAND EXISTING PROGRAMS; AND

WHEREAS, THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION HAS PROMULGATED RECYCLING REGULATIONS TO IMPLEMENT THE MANDATORY SOURCE SEPARATION AND RECYCLING ACT; AND

WHEREAS, THE RECYCLING REGULATIONS IMPOSE ON MUNICIPALITIES CERTAIN REQUIREMENTS AS A CONDITION FOR APPLYING FOR TONNAGE GRANTS, INCLUDING BUT NOT LIMITED TO, MAKING AND KEEPING ACCURATE VERIFIABLE RECORDS OF MATERIALS COLLECTED AND CLAIMED BY THE MUNICIPALITY; AND

WHEREAS, A RESOLUTION AUTHORIZING THIS MUNICIPALITY TO APPLY FOR THE 2014 RECYCLING TONNAGE GRANT, WILL MEMORIALIZE THE COMMITMENT OF THIS MUNICIPALITY TO RECYCLING AND TO INDICATE THE ASSENT OF THE MAYOR AND COUNCIL OF THE BOROUGH OF

RESOLUTION NO. 2015-54: Authorizing the Bid Process for the Assessment Demonstration Program as ordered by the State Board of Taxation for the Inspection of twenty percent of the Borough's properties

WHEREAS, pursuant to **N.J.S.A. 54:3-13**, the Monmouth County Board of Taxation has responsibility to secure the taxation of all property within Monmouth County at its taxable value in order that all property except as exempt by law, shall bear its full, equal and just share of taxes;

WHEREAS, the New Jersey Legislature finds and declares:

The current real property assessment system fails to take full advantage of a collaborative system of property assessment between a county board of taxation, through its administrator, and the municipal assessors employed by each municipality in a county, that would result in a cost-effective and accurate process of real property assessment to benefit real property owners and property taxpayers. The benefits of a more collaborative system of real property assessment would accrue to local property owners and property taxpayers through a system of a more precise, technology driven real property assessment process that would ensure that each municipal assessor is using the same technology as his or her colleagues in assessing real property, and by modifications to the annual real property assessment calendar to better manage the assessment, and taxation, of real property in a manner that is more sensitive and responsive to the demands of the municipal budget calendar.

A collaborative system of real property assessment would also benefit municipalities by reducing the number of successful property assessment appeals filed annually with a county board of taxation and the Tax Court, thereby protecting the funding of municipal budgets through property tax dollars from the impact of successful property assessment appeals, which usually require the refund of excess property taxes paid by a taxpayer and impact the local budget by reducing the amount of property tax dollars available to fund municipal operations.

It is in the public interest of the State and its many real property taxpayers to implement a demonstration program to investigate whether systemic changes to the current system of real property assessment, including revisions to the assessment calendar and the assessment appeal process, will help address the shortcomings of the municipal assessment system and the effect of those shortcomings on local property taxpayers by enhancing the performance of local tax assessors through the use of cutting-edge technology under the direction of the county tax board.

WHEREAS, the Governor of the State of New Jersey enacted into law P.L. 2013 Ch. 15 (Assessment Demonstration Program) establishing a program to demonstrate a more cost effective and accurate process of property assessment administration, supplementing Title 54 of the Revised Statutes and amending various parts of the statutory law;

WHEREAS, the Commissioners of the Monmouth County Board of Taxation passed by resolution the intent to participate and implement P.L. 2013 Ch. 15 (Assessment Demonstration Program) within the County of Monmouth effective October 1st, 2013.

WHEREAS, the members of the Monmouth County Assessor's Association passed by resolution the intent to participate and implement P.L. 2013 Ch. 15 (Assessment Demonstration Program) within the County of Monmouth effective October 1st, 2013.

WHEREAS, the Division of Taxation, Department of the Treasury, State of New Jersey has reviewed and approved the Assessment Demonstration Program Implementation Schedule (attached Appendix "A") adopted by the Commissioners of the Monmouth County Board of Taxation;

IT IS ORDERED on this 19th day of June, 2013 that:

1. The following Monmouth County municipalities and its Assessors shall implement, in accordance with the attached Assessment Demonstration Program Implementation Schedule (Appendix "A"), a program to provide for the annual internal inspection of 20% of all properties within the taxing district and 100% of all properties within five (5) years.

Aberdeen Township, Allentown Borough, Asbury Park City, Avon-by-the-Sea Borough, Belmar Borough, Brielle Borough, Colts Neck Township, Deal Borough, Englishtown Borough, Fair Haven Borough, Freehold Township, Hazlet Township, Highlands Borough, Holmdel Township, Howell Township, Interlaken Borough, Little Silver Borough, Loch Arbour Village, Manalapan Township, Manasquan Borough, Marlboro Township, Matawan Borough, Middletown Township, Millstone Township, Neptune Township, Neptune City Borough, Roosevelt Borough, Rumson Borough, Shrewsbury Borough, Shrewsbury Township, Lake Como Borough, Spring Lake Heights Borough, Tinton Falls Borough, Union Beach Borough, Wall Township, West Long Branch Borough

1. Unless approved by the Monmouth County Board of Taxation, the requirements of the "5-year 20% internal inspections program" as associated with "Annual Qualified Reassessment" shall be the same as that which is required for revaluation firms under **N.J.A.C. 18:12-4.8** as it pertains to internal inspections and digital photography and the "Contract for Inspection Maintenance Services 2013 Final".
2. The procedure to be utilized by the municipality if a contract is awarded for "internal inspection services" shall be made pursuant to the provisions of the Local Public Contracts Law, **N.J.S.A. 40:11-1 et seq.**, and the Local Budget Law, **N.J.S.A. 40A:4-1 et seq.**, and shall not be delayed as a result of the municipality's utilization of either the public bidding or other available procedure for the purposes of securing qualified personnel.
3. The firm or individuals shall perform the inspections on behalf of and as an agent of the assessor and the assessor shall be responsible for monitoring all phases of the inspection program work to insure the proper implementation of the program.

IT IS FURTHER ORDERED on this 19th day of June, 2013 that:

- 1. In accordance with the attached Assessment Demonstration Program Implementation Schedule (Appendix “A”) and every year thereafter, the assessor, after reviewing the assessments of 100% of all properties, shall annually submit a Tax List reflecting the implementation of a Qualified Reassessment which shall be to 100% of market value as of October 1st of the pre-tax year.
- 2. For purposes of the Qualified Reassessment, on or before April 1st of the year preceding the implementation of the Qualified Reassessment, the Assessor shall annually submit a proposed plan for compliance with this reassessment order (**Form AFR, Application For Reassessment**) to the Monmouth County Board of Taxation.
- 1. The Assessor shall submit written reports on the first day of each month during the implementation of the Qualified Reassessment program to the Monmouth County Board of Taxation (**Form POW/RSR**). The reports shall set forth specifically the progress and status of the reassessment of all property in the municipality including the number of line items completed and left to be completed in connection with the reassessment.

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-55: Resolution Recognizing and honoring the Service of Law Enforcement Officers

**RESOLUTION SUPPORTING, RECOGNIZING AND HONORING
THE SERVICE OF LAW ENFORCEMENT OFFICERS**

WHEREAS, recent events throughout our nation have unfortunately demonstrated a reckless disregard for the lives and safety of law enforcement officers by many, including some public officials, who have cavalierly aligned themselves with career criminals and agitators who seek to divide our nation; and

WHEREAS, even worse, much of the news media along with certain public officials and other public figures have perpetuated false narratives that have made law enforcement officers the direct targets of reprisals that have resulted in the assassination of a number of law enforcement officers throughout the country in recent weeks; and

WHEREAS, from combating terror and staking out criminals to patrolling our highways, law enforcement officers maintain stability in our communities, resulting in a more secure nation; and

WHEREAS, law enforcement officers in this state and throughout the nation are routinely called upon to serve and protect their fellow citizens by responding to horrendous events and acting heroically to save the lives of others; and

WHEREAS, it is incumbent upon public officials and the law abiding public to proactively support our law enforcement officers who regularly face threats of violence and danger, and routinely put their lives in jeopardy to defend others, potentially resulting in injury, disability, or even death to keep our neighborhoods safe, enforce the rule of law, protect our property, and to respond in times of crisis.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Union Beach in the County of Monmouth, State of New Jersey that they declare their support and solidarity with the men and women who serve as law enforcement officers for their distinctive service and dedicated efforts, earning our highest respect and deepest gratitude, which must be recognized and honored for their selfless and heroic service and invaluable contributions to upholding justice, enforcing the rule of law, and protecting the innocent in Union Beach, the State of New Jersey and in this nation.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby authorized and directed to transmit a certified copy of this Resolution to the Governor, the State legislators representing Union Beach and the Board of Chosen Freeholders of the County of Monmouth.

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-56: Authorizing the Mayor to sign the Shared Service Agreement with the County for the Public Safety Answering Point (PSAP) / 911 System with the Monmouth County Sheriff’s Office, Communications Division

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

Shared Services Agreement has been entered into with the County of Monmouth for Public Safety Answering Point for the Municipality. The County will provide all calls to the Municipality by call relay, transfer, or direct emergency dispatch, in accordance with the Municipality’s participation plan. The County will provide computer related services to support any call taking and dispatching functions for the Municipality as required wherein public safety software and

related features/capabilities may include, but are not limited to, mobile client, field reporting, Computer Aided Dispatch and records management.

The Contract Agreement term is from January 1, 2015 through December 31, 2019; payment is due to the County on or about April 1st of each year of the Agreement; and,

Be it Further Resolved, that the Mayor is hereby authorized to execute said agreement, attested to by the Borough Clerk on behalf of the Borough of Union Beach. The executed Contract is on file in the Clerk's Office.

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-57: AUTHORIZING INCREASE OF TAX COLLECTION'S CHANGE FUND

WHEREAS, the Division of Tax Collection within the Department of Finance is responsible for collection of Property Taxes and Sewer User Charges; and

WHEREAS, a necessary part of collecting said charges is the ability to make the proper change resulting from the transactions; and

WHEREAS, a separate cash drawer and set of change are currently maintained for a total amount of \$50.00 was for the purpose of Tax Collection established by prior resolution; and

WHEREAS, an increase in the amount of the cash drawer needs to be established to continue guaranteeing individual accountability, and an additional \$50.00 set of change is required to fund it,

WHEREAS, the current cash fund of \$50.00 is required to be increased to \$100.00 to obtain the additional \$50.00 fund.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Union Beach in the County of Monmouth, New Jersey the Change Fund in the amount of \$50.00 is hereby increased to \$100.00 for the Division of Tax Collection

BE IT FURTHER RESOLVED, that the Director of Finance is hereby authorized to draw a check in the amount of \$50.00 to increase the change fund.

BE IT FURTHER RESOLVED that the Collector of Taxes be responsible for the maintenance of this Change Fund.

Resolution Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-58: Authorizing the Municipal Court change the time of Court from 6:00 p.m. to 5:00 p.m. pending necessary Approvals.

Whereas Municipal Court Judge Thompson has requested a change in the hours of use of the Borough's Council/Court Room Facility from 6 p.m. to 5 p.m. on scheduled court nights; and

Whereas, the Governing Body has discussed such a change in schedule with Borough Administration and Police Administration; and

Whereas, the Governing Body of the Borough of Union Beach has agreed to the newly requested court hours,

Now, Therefore, Be it Resolved, that the Clerk is authorized to send a letter to the Municipal Court Administrator stating that such a change in hours is agreeable to the Governing Body; and

Be it Further Resolved that the Police Chief has also been asked to provide such a letter to the Municipal Court Administrator.

These new hours will take effect upon approval from the Monmouth County Vicinage, presiding Judge Newman.

Offered by: _____ Seconded by: _____

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

RESOLUTION NO. 2015-59: Authorizing Summer Hours in the Court Office to be from 8:00 a.m. until 3:30 p.m. (Mid-June through Labor Day) pending necessary Approvals.

Whereas Municipal Court Administrator, Tracey Darby, requested a change in the Office Hours of the Union Beach Municipal Court Administration Office during the summer months (Mid-June to Labor Day) from 9:00 a.m. to 4:30 to 8:00 to 3:30 p.m. Monday through Friday; and

Whereas, the Governing Body has discussed such a change in scheduled with Borough Administration and Police Administration; and

Whereas, the Governing Body of the Borough of Union Beach has agreed to the summer office hours in the Municipal Court Administration Office; and

Now, Therefore, Be it Resolved, that the Clerk is authorized to send a letter to the Municipal Court Administrator stating that such a change in hours is agreeable to the Governing Body; and

These new hours will take effect upon approval from the Monmouth County Vicinage, presiding Judge Newman, and be adequately advertised in advance in the Borough Hall and on the Borough Website, as requested by the Municipal Court Administrator.

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:

RESOLUTION NO. 2015- 60: 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: RESOLUTION NO. 2015-

Motion moved by _____ seconded by _____ and approved by unanimous voice vote. The Governing Body retired into executive session _____ p.m.

RECONVENE MEETING: _____ PM

ROLL CALL:

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

ATTORNEY: PURPOSE:

ADJOURNMENT:

Motion moved by, seconded by _____ and approved by unanimous Voice Vote meeting was adjourned at _____ p.m.