



**BOROUGH OF UNION BEACH  
AGENDA  
COUNCIL MEETING  
March 18, 2021, 7:30 P.M.  
650 Poole Avenue,  
Union Beach, NJ**

**CALL TO ORDER:** Meeting called to order by Mayor Charles Cocuzza at \_\_\_ p.m.

**ANNOUNCEMENT:** By Mayor Cocuzza of the Emergency Fire Exits.

**SALUTE TO THE FLAG:** Mayor Cocuzza

**SUNSHINE LAW NOTICE:** Announced by Borough 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." - change of meeting legal notice has been sent and run in the Asbury Park Press and Independent as to the teleconferencing of this meeting containing instructions for public participation.

**ROLL CALL: Council Members**

- Mr. Wicki
- Ms. Roche
- Mr. Cavallo
- Mr. Lewandowski
- Mr. Andreuzzi
- Ms. Woodruff

**Also Present:**

- Mayor Charles W. Cocuzza
- John T. Lane, Jr., Borough Attorney
- Robert M. Howard, Jr. Borough Administrator
- Dennis Dayback, Borough Engineer
- Anne Marie Friscia, Borough Clerk
- Carol Seney, Deputy Clerk

**MOTION TO SET ASIDE THE REGULAR ORDER OF BUSINESS: March 18, 2021**

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ voice vote.

**MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS OF THE MEETING OF March 18, 2021**

Motion moved by \_\_\_\_\_ seconded by: \_\_\_\_\_ voice vote.

**PUBLIC HEARINGS ON ORDINANCES AND OTHER PUBLIC HEARINGS, ETC.:  
MEETING OF MARCH 18, 2021:**

**PUBLIC HEARING ORDINANCE NO. 2021-298, BOND ORDINANCE 2021-299 AND ORDINANCE 2021-298:**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of March 4, 2021.

Clerk requests permission of Mayor Cocuzza to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough's Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request.

**ORDINANCE NO. 2021-298: AN ORDINANCE AMENDING CHAPTER II, ADMINISTRATION**

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

Purpose:

The Purpose of this Ordinance is to Amend and/or Supplement the Revised General Ordinances of the Borough of Union Beach, Chapter II, Administration

Re: Amend Various Sections of Chapter 2-7, Fire Department

**§ 2-7 FIRE DEPARTMENT.**

**[Ord. #270; Ord. #396; Ord. #588; Ord. #696; Ord. #98-785; Ord. #2008-114]**

[Whenever used herein, a pronoun in the masculine gender shall be considered as including the feminine gender unless the context clearly indicates otherwise.]

**§ 2-7.1 Composition of Fire Department.**

The fire department of the borough shall consist of all volunteer fire companies presently organized and located within the borough being the Union Beach Fire Company, No. 1; Union Hose Company, No. 1; Union Gardens Chemical Fire Engine Company, No. 1; and Harris Gardens Fire Company, which companies shall continue to operate under the Laws of the State of New Jersey and in accordance with their present charters, constitutions and by-laws and as the same may be amended from time to time not inconsistent with this section. Any volunteer fire company which may hereafter be organized within the borough having an active membership of not less than 25 members at the time of application for membership in the fire department, may, after approval by the borough council become a member of the fire department. No such approval, however, shall be granted unless a report and a recommendation for approval shall be made by the board of fire commissioners.

Establishment of a junior firemen's auxiliary which shall consist of qualified members who are 16 and 17 years of age is hereby authorized. The fire department may establish same and thereafter shall promulgate rules, regulations and by-laws governing the composition, duties and makeup of the junior firemen's auxiliary which shall comply with the New Jersey Child Labor Law (N.J.S.A. 34:2-2-21.17). The fire department shall make certain that the members of this organization are covered by accident, sickness and workers compensation insurance. If all said insurance coverages are not in force and effect, then the activities of members of the organization shall immediately cease until such coverage is provided.

**§ 2-7.2 Board of Fire Commissioners.**

A board of fire commissioners shall be organized within the fire department and shall consist of three representatives from each of the constituent fire companies. Each representative must be a member of said volunteer fire company

Members of the fire committee of the borough council (not to exceed three members designated by the borough council from among council members) shall be ex-officio members of the board of fire commissioners.

The purpose of the board of fire commissioners is to act as the coordinating unit of the fire department and to be responsible for administrative supervision of the fire department and shall relate to the efficiency, operation, and direction of the fire department. They shall make recommendations from time to time to the borough council for the improvement and betterment of the fire department, as well as recommendations for the public good and general welfare.

The structure and organization of the board of fire commissioners shall be as follows:

- a. Officers. The officers shall consist of a president, vice president, secretary and treasurer and they shall serve for a term of one year.
- b. Elections. Officers shall be elected annually during the first meeting of the board of fire commissioners in January of each year. Voting shall be by secret ballot or an open showing of hands, the method to be decided upon by the board of fire commissioners.
- c. Duties of Officers.
  1. The president shall preside at all meetings and be responsible for the conduct thereof. He shall call a special meeting of the board of fire commissioners at the request of not less than three member companies.
  2. The vice president shall perform the duties of the president in the event of the president's absence.

3. The secretary shall keep an accurate attendance roll of all meetings and functions and a true record of all proceedings of all meetings. He shall be the custodian and recipient of all correspondence or documents pertaining to the board of fire commissioners. He shall notify all members of the date, time and place of meetings and functions.
4. The treasurer shall be responsible for keeping accurate records and account for all receipts and disbursements. He shall not disburse any funds of the board of fire commissioners unless authorized by a majority vote of the members present, and by a check bearing his signature and countersigned by the president or vice president. All funds are to be divided evenly by all member companies.
- d. Duties of Members. Each member of the board of fire commissioners shall attend all meetings of the commissioners council thereof and perform all duties designated to him. In the event a member is absent from three consecutive meetings, the president shall request the company to which such delinquent member belongs to replace such member with another representative.
- e. The board of fire commissioners may adopt such other rules and regulations for its government not inconsistent with this ordinance or any of the fire companies by-laws.
- f. The quorum of the board of fire commissioners shall consist of one member from each company for all matters, except a hearing, as defined above in subsection 2-7.3 e, in which case the quorum shall control.

**§ 2-7.3 Officers of the Fire Department.**  
**[Ord. #270, § 1]**

- a. The officers of the fire department shall consist of a chief and one (1) assistant chief.

Each constituent fire company shall have a captain, first lieutenant, second lieutenant and such other officers as each company deems necessary for its efficient and proper operation.

All members of the fire companies as now constituted may continue as members. Each new member of the fire department must be a resident of the Borough of Union Beach, or be a resident of either the Borough of Keyport, Borough of Keansburg or the Township of Hazlet. Proof of residency may be required by the board of fire commissioners. Each new member of the fire department and of the constituent fire companies shall each be at least 18 years of age, a citizen of the United States, in good health and physical condition and successfully pass a physical and mental examination by a qualified physician.

Any person desiring membership in a volunteer fire company shall complete in duplicate, filing the same with the volunteer fire company, an application the form of which may be prescribed by the volunteer fire company, but which shall contain the following information about the applicant:

1. Name.
2. Home address.
3. Birth date.
4. Social Security Number.
5. Driver's License Number.
6. Any conviction of violation of N.J.S. 2C:17-1.
  - (a) Aggravated arson, or
  - (b) Arson, or

- (c) Failure to control or report dangerous fire, or
- (d) Directly or indirectly pays or accepts any form of consideration for the purpose of starting a fire or explosion.
- (e) Any conviction of violation of N.J.S. 2C:33-3 False Public Alarms, or
- (f) Any conviction of a crime or disorderly persons violation, or
- (g) Such other information as the volunteer fire company deems relevant to the application provided none of such information is prohibited by law.

Following the filing of such application the volunteer fire company shall transmit a copy of the application to the chief of police of the Borough of Union Beach who shall conduct an investigation to ascertain the truth of the statements made by the applicant upon his/her application and any such other investigation of the applicant's background as he deems necessary for the protection of the public good. If as the result of such investigation, the applicant is found to have been convicted of violation of N.J.S. 2C:17-1 a, b, c, or/and d or N.J.S. 2C:33-2 or any other crime or disorderly persons violation or any other information that would indicate the applicant may be a threat to the health, safety or welfare of the community, the chief of police shall report such information and the particulars thereof to the volunteer fire company.

In connection with said investigation, the applicant shall submit to fingerprinting, and the chief of police is authorized to submit applicant's fingerprint card and receive State Criminal History Record information for the Division of State Police/State Bureau of Identification for use in considering the suitability of all applicants covered under this paragraph.

The above investigation by the chief of police shall be completed within 30 days of receipt of the application and the fingerprinting of applicant.

- b. Beginning in 2021, each year the department will elect an incoming assistant chief for the following calendar year who will serve for one (1) year and transition to department chief the following year, also for a term of one (1) year. Interested and eligible candidates for the office of assistant chief must submit a letter of interest and resume to the Board of Fire Commissioners by June 1<sup>st</sup> of the preceding year. Any ex-chief of the department applying for the office of assistant chief must have a minimum break in service from his/her last completion of the office of department chief of two (2) full years before assuming a term as assistant chief. Upon receipt of a candidate's application for assistant chief, the president of the Board of Fire Commissioners shall present the application to the Chiefs Selection Committee within three (3) days. The Chiefs Selection Committee shall be comprised of the last three (3) department chiefs, including the current department chief. The Chiefs Selection Committee will review each application for accuracy and determine if the candidate meets eligibility requirements. The fire department will hold its annual assistant chief election at the department meeting held during the month of September each year. The Chiefs Selection Committee chairperson will announce all eligible candidates for the position of assistant chief. Election to the position will be by receiving the most votes of eligible active members present at the meeting. Voting will be by secret ballot tabulated openly by the members of the Board of Fire Commissioners at the meeting. If there is a tie for most votes between two (2) or more candidates, the remaining candidates receiving less votes will drop out and be excluded from the next ballot. This procedure will continue until one (1) candidate receives the most votes of the eligible active members present at the meeting. If no candidates have been presented to the members of the department at the September meeting, an eligible active member of the department may be nominated from the floor. A special department meeting will be called for a new election once all required documents and proof of eligibility of the candidate/candidates nominated from the floor have been received/reviewed by the Chiefs Selection Committee.

- c. The company whose turn it is to select the various officers as indicated above in paragraph a shall submit the name of one of its members for the particular office to the board of fire commissioners following the last company meeting in December of the year preceding the year in which they are to hold office. Upon receipt of the nominees by the board of fire commissioners for the various offices, the board of fire commissioners shall, on or before December 31, submit the list of officers to the mayor and council so that the same may be sworn into office at the Reorganization Meeting of the mayor and council. They shall hold office from January 1 to December 31 unless they sooner resign or are, for any reason, replaced. During their term of office they shall at all times be residents of the borough.
- d. In the event of the death, resignation, incapacity, or removal of any of the above officers, the fire company which originally nominated such officer, shall appoint a qualified member from its company to serve the unexpired term of said officer or officers.
- e. In the event the chief and/or assistant chief fail to perform his/her duties and complaint is made with respect thereto, such complaint must be made, in writing, to the board of fire commissioners. The board of fire commissioners, after a hearing on the complaint, shall have the power to reprimand, suspend or remove from office the chief or assistant chief of this department by a majority vote of the quorum; at least two members from each fire company of the board of fire commissioners shall constitute a quorum. A majority vote of quorum shall be two-thirds of members present to render a verdict.
- f. No person shall be eligible to hold the office of chief or assistant chief as hereinbefore provided unless he has previously served as captain, first lieutenant or second lieutenant in one of the constituent fire companies.

**§ 2-7.4 Duties and Responsibilities of the Fire Chief.**

- a. The chief shall be in command of all Fire-matic functions of the fire department and shall have the right to utilize any equipment, property or personnel under control of the fire department that he deems necessary for the handling of any fire or other emergency situation that is within his jurisdiction.
- b. The chief shall assume active command at all fires. In the event of any question of authority arising, said company officers or acting officers shall defer to the chief but shall have the right to present their complaint to the board of fire commissioners for adjudication, correction or clarification.
- c. The chief shall be responsible for the Fire-matic training, efficiency and proper conduct of the department.
  1. He shall formulate and make recommendations for the adoption by the board of fire commissioners, and approval by the mayor and council, of rules and regulations for the proper conduct and efficiency of the fire department.
  2. He shall keep, or cause to be kept, accurate records of the service of each member of the fire department, showing their attendance at fires, drills and other necessary functions.
  3. He shall keep, or cause to be kept, an accurate inventory record of all equipment and property of the department, on standard forms, as to item, condition and such records as to servicing for the proper financial and efficient rating of the department.
  4. He shall make, or cause to be made, early in the month of May, complete inventory of all equipment in standard form.
  5. He shall keep, or cause to be kept, an accurate record of all activities of the department on standard form.

6. He shall cause monthly reports of each company to be prepared and shall submit a copy of said reports to the board of fire commissioners.
7. He shall submit, or cause to be prepared, an annual report to the board of fire commissioners and borough council of activities of the fire department, condition of equipment, suggestions and recommendations for the public good. Said report shall be prepared and submitted during the month of November of each year.
8. The chief shall have the power to suspend from a specific fire duty any member disobeying orders, derelict in his duty or conducting himself to the detriment of the department or borough. Appeals from such action by the chief may be made in writing to the board of fire commissioners, who may alter, amend or adjudicate such action solely for the good of the department and/or the borough.

**§ 2-7.5 Absence of the Chief; Duties of Assistant Fire Chief.**

- a. The assistant chief, in the absence of the chief, shall perform all of the duties and exercise the prerogatives of said chief and shall make monthly reports to the chief as to fire activities involved each month.
- b.. In the absence of the chief and assistant chief, the senior line officer at the fire shall be in charge, the seniority shall be as per chief's rotation.
- e. Chief's Responsibilities.
  1. Subject to overall command of the chief and assistant chief, the captain shall have sole command of his respective company, its members, apparatus, training, direction, etc., and shall be responsible to the chief for the proper conduct and efficient operation of his company, to the public good. The captains shall be responsible for the proper carrying out of the rules, regulations, etc., within their respective companies.
  2. Captain or his designee shall furnish the board of fire commissioners by February 1 of each year a complete list with addresses and telephone numbers of each member of his company, together with their status within the company. The captain shall certify to the borough clerk, in accordance with the laws of the State of New Jersey, by February 1, of each year, a list of Exempt Firemen. In the appropriate cases, as provided by the laws of New Jersey, a Certificate of Exemption will be issued by the borough council.

**§ 2-7.6 Fire Police.**

- a. Each company may provide for the appointment of certain of its members to perform certain police duties at fires and fire drills for a term of office not exceeding five years from the date of appointment. Such members shall, before entering upon their duties, qualify by taking and subscribing an oath that they will justly, impartially and faithfully discharge their duties according to the best of their ability and understanding. Said oath shall be administered by the municipal clerk and subscribed to in duplicate. The original copy of said oath shall be filed with the municipal clerk, and a copy filed with the board of fire commissioners.
- b. After appointment a member shall be eligible as fire police and shall have full power and authority to act as such anywhere in the county in which he is appointed or in any other county in which he is called upon to act, pursuant to state law.
- c. It shall be the duty of a member of the fire police to perform his duties under the supervision of the fire officer in charge of the fire or fire drill.
- d. The duties of the fire police subject to the supervision aforesaid shall be to:
  1. Protect property and contents;

2. Establish and maintain fire lines;
3. Perform such traffic duties as necessary, from the fire station, to and at the vicinity of the fire, fire drill or other emergency call;
4. Wear the authorized fire police badge on the left breast of the outermost garment while on duty;
5. Nothing herein contained shall give the fire police the right to supersede the authority of a duly authorized police officer.
- e. If any person shall unreasonably refuse to obey the orders of the fire police such fire police may arrest him and keep him under arrest until the fire is extinguished or the drill completed.
- f. It shall be the duty of the fire police after being sworn in to organize and elect from among their number a captain of fire police and first lieutenant, a second lieutenant and a sergeant of fire police each of whom shall hold office for one year.

**§ 2-7.7 Equipment.**

- a. Equipment furnished by the borough out of public funds shall be maintained in good order, housed against weather, efficiently utilized and protected against theft.
- b. Allocation of funds by the borough council shall be made on a yearly basis, upon recommendation by the board of fire commissioners and within financial capacity of borough as determined by borough council. Utilization of funds so allocated, to the maximum efficiency therein, shall be evenly divided, and shall be supervised and controlled by the board of fire commissioners.
- c. No person shall use any borough fire apparatus or equipment for any purpose, other than fires, drills or other normal functions, not approved by the captain. No borough fire apparatus may be used outside the borough for any purpose without approval of the chief or assistant chief, excepting in those cases of mutual assistance presently in force or existent.

**§ 2-7.8 General Regulations.**

- a. The conduct and operation of the fire department shall be as provided in an Ordinance heretofore adopted known as "An Ordinance Providing for Fire Prevention and Protection in the Borough of Union Beach, New Jersey." Anything therein contained inconsistent with this ordinance is hereby repealed.
- b. No person shall drive any vehicle over fire hose except upon specific orders from the chief or other officer in charge.
- c. Only an active fireman shall be permitted to drive fire apparatus. Such driver must have a current drivers license issued by the State of New Jersey and must be fully instructed in the use, care and operation of the vehicle which he drives. He must be approved as competent by the company, in writing.
- d. Any person, persons, corporation or organization violating the above provisions of the section shall, if found guilty by the municipal court, be subject to a fine of not more than 500.00 and costs.
- e. The police department shall furnish additional protection at the request of the chief to assist in traffic control, protect property and prevent destruction of evidence.
- f. The volunteer companies may conduct their usual fund raising and social activities presently conducted within their own charters.

- g. The board of fire commissioners shall meet once a month.
- h. The fire department shall meet not less than two times per year and the meeting will be called by the board of fire commissioners.

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.

**PUBLIC HEARING ON ORDINANCE NO. 2021-298: 8MEETING OF MARCH 18, 2021**

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON ORDINANCE NUMBER 2021-298 AT \_\_\_\_\_ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON ORDINANCE NO. 2021-298 AT \_\_\_\_\_ P.M.

**RESOLUTION NO. 2021-53: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2021-298 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2021-298 IN ASBURY PARK PRESS.**

Paper: The Asbury Park Press, Issue of March , 2021

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**BOND ORDINANCE NO. 2021-299:**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of March 3, 2021.

*Clerk requests permission of Mayor Cocuzza* to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough’s Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request.

**BOND - ORDINANCE #2021-299**

**BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$890,000 FOR VARIOUS ROAD IMPROVEMENTS FOR AND BY THE BOROUGH OF UNION BEACH, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$489,250 BONDS OR NOTES OF THE BOROUGH FOR FINANCING PART OF THE APPROPRIATION**

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 \$890,000, such sum includes the sum of (a) \$375,000 expected to be received as a grant from the New Jersey Department of Transportation (the “Grant”) in connection with the improvement described in Section



3(a)(i) and (b) \$25,750 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 cost of the Improvements and grant not covered by the application of the Down Payment and the Grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$489,250 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 \$489,250 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:

Improvement of Purpose	Appropriation and Estimated Cost	Maximum Amount of Bonds or Notes	Period of Usefulness
(i) Reconstruction of Prospect Avenue 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.	\$665,000	\$275,500	20 years
(ii) Reconstruction of Victoria Place 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.	225,000	213,750	20 years
<b>TOTAL</b>	<b>\$890,000</b>	<b>\$489,250</b>	

(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 \$489,250.

(c) The estimated cost of the Improvements is \$890,000 which amount 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, 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 20 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 \$489,250 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$222,500 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 or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing said Improvement by application thereof either to direct payment of the cost of said Improvement 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 Improvement 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:

The Chief Financial Officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation

thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 10:**

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 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 \$890,000.

**SECTION 11:**

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

**PUBLIC HEARING ON BOND ORDINANCE NO. 2021-299: MEETING OF MARCH 18, 2021**

MAYOR COCUZZA OPENS THE MEETING TO PUBLIC HEARING ON BOND ORDINANCE NUMBER 2021-299 AT \_\_\_\_\_ P.M.

MAYOR COCUZZA DECLARES THE PUBLIC HEARING CLOSED ON BOND ORDINANCE NO. 2021-299 AT \_\_\_\_\_ P.M.

**RESOLUTION NO. 2021-54: AUTHORIZING FINAL ADOPTION OF BOND ORDINANCE 2020-299 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF BOND ORDINANCE 2020-299 IN ASBURY PARK PRESS.**

Paper: The Asbury Park Press, Issue of March , 20

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**ORDINANCE NO. 2021-300:**

The Clerk presented affidavit of publication showing that the ordinance was duly advertised in accordance with law in the Asbury Park Press in the issue of March 3, 2021.

*Clerk requests permission of Mayor Cocuzza* to read the Ordinance by Title only, advising that said Ordinance was posted on the Bulletin Board at the Municipal Building and on the Borough’s Website at least one week in advance of this Public Meeting, and that copies of said Ordinance were made available to the General Public upon request.

**AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, “THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH, 1980” AMENDING SECTION 2-8.2 & SECTION 2-8.5**

WHEREAS, THE MAYOR AND BOROUGH COUNCIL HAVE DETERMINED THAT THE BOARD OF HEALTH CAN OPERATE MORE EFFICIENTLY WITH THE MAYOR AND COUNCIL MAKING CERTAIN APPOINTMENTS; AND,

WHEREAS, THE MAYOR AND BOROUGH COUNCIL HAVE DETERMINED THAT INASMUCH AS THE SERVICES OF REGISTRAR OF VITAL STATISTICS IS THE SUBJECT OF A SHARED SERVICES AGREEMENT WITH THE BOROUGH OF KEYPORT AND THAT THE DUTIES OF SANITARY INSPECTOR IS THE SUBJECT OF A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH, CERTAIN CHANGES TO SECTION 2-8 OF CHAPTER 2 ARE APPROPRIATE.

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF UNION BEACH, COUNTY OF MONMOUTH, AND STATE OF NEW JERSEY THAT THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF UNION BEACH SHOULD BE AMENDED TO READ AS FOLLOWS:

**SECTION I**

**2-8. LOCAL BOARD OF HEALTH. [Ord. #2]**

**§ 2-8.2. Composition.**

The board of health of the borough shall consist of seven members, to be selected and appointed by the mayor and council. The mayor and council shall also appoint a registrar of vital statistics, board secretary and such other officers, agents and assistants as necessary, in the opinion of the mayor and council.

**§ 2-8.5. Organizational Meeting**

Annually the board of health shall meet and organize and elect and appoint a presiding officer, establish rules for their own government and pass ordinances, make rules and regulations in regard to the public health in the borough as directed by law.

ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH THIS ORDINANCE SHALL BE DEEMED REPEALED TO THE EXTENT OF SUCH INCONSISTENCY.

**SECTION II**

THIS ORDINANCE SHALL TAKE EFFECT AFTER FINAL PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

**SECTION II**

THIS ORDINANCE SHALL TAKE EFFECT AFTER FINAL PASSAGE AND PUBLICATION AS REQUIRED BY LAW.

**RESOLUTION NO. 2021-55: AUTHORIZING FINAL ADOPTION OF ORDINANCE 2020-300 AND FURTHER AUTHORIZING CLERK TO ADVERTISE NOTICE OF FINAL ADOPTION OF ORDINANCE 2020-300 IN ASBURY PARK PRESS.**

Paper: The Asbury Park Press, Issue of March , 20

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**PRESENTATION OF COMMUNICATIONS; PETITIONS, ETC.**

Application for a Volunteer Firefighter – Fire Police – Avrohom Newmark, Keansburg – Union Gardens Fire Co

Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by voice vote.

**REPORTS OF COMMITTEES AND DEPARTMENT HEADS:**

**Councilman Wicki**

**Finance, Personnel, Administration, Special Grants & Shared Services**

**Councilwoman Roche**

**Board of Education, American Legion & Public Affairs**

**Councilman Cavallo**

**Seniors, Library, Community Alliance & Health**

**Councilman Lewandowski**

**Public Safety, Court, OEM, Fire Dept., EMS**

**Councilman Andreuzzi**

**Public Works, Building and Grounds & Construction, Code Enforcement, Environmental & Planning Board**

**Councilwoman Woodruff**

**Recreation & UBSA**

**Robert M. Howard, Borough Administrator**

**MEETING OPEN FOR PUBLIC DISCUSSION: March 18, 2021**

Meeting opens for Public Discussion at \_\_\_\_\_ p.m.

Meeting closes for Public Discussion at \_\_\_\_\_ p.m.

**NEW BUSINESS AND INTRODUCTION OF ORDINANCES:**

**ORDINANCES: Meeting of March 18, 2021:**

**ORDINANCE # 2021-301**

**CALENDAR YEAR 2021**

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS  
AND TO ESTABLISH A CAP BANK  
(N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 1.0% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Governing Body of the Borough of Union Beach in the County of Monmouth finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Governing Body hereby determines that a 3.5 % increase in the budget for said year, amounting to \$213,605.43 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of Union Beach in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Union Beach shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$299,047.60 and that the CY 2021 municipal budget for the Borough of Union Beach be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance No. 2021-301 was introduced on First Reading by \_\_\_\_\_ seconded by \_\_\_\_\_ and approved by the following Roll Call Vote:

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION 2021-56:** AUTHORIZING ADVERTISEMENT FOR PUBLIC HEARING ON ORDINANCE 2021-301

Paper: The Asbury Park Press, issue of March \_\_\_\_, 2021

Hearing Date: April 15, 2021

Time: Commencing at 7:30 pm

Place: Municipal Building, 650 Poole Avenue, Union Beach, NJ and via Chime

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTIONS: March 18, 2021**

**Resolution No. 2021 - 57: Introduction of the CY 2021**

Be it Resolved, by the Governing Body of the Borough of Union Beach that; The following statement shall constitute the Municipal Budget as introduced by the Mayor and Council, for the CY2021:

Total General Appropriations:	<u>\$11,075,670.44</u>
Total Revenues	<u>\$ 2,963,261.94</u>
Amount to be Raised by Taxes	
For support of the Municipal Budget:	<u>\$ 8,112,408.50</u>
Sewer Operating Fund:	<u>\$ 1,210.000.00</u>

Be it further resolved, that said budget be published in The Asbury Park Press, (In Summary), in the issue of March 25, 2021.

Hearing date on said budget and tax resolution will be held on Thursday, April 15, 2021 commencing at 7:30 p.m. at the Municipal Building, 650 Poole Avenue, Union Beach, NJ. This meeting will also be teleconferenced and instructions will be advertised for all to participate.

Budget Resolution 2021-57 was introduced on First Reading by \_\_\_\_\_seconded by \_\_\_\_\_ and approved by the following Roll Call Vote with advertisement in Asbury park Press in issue of March 25<sup>th</sup> in summary for Public Hearing to be held on April 15, 2021 at 7:30 pm.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-58:**

BOROUGH OF UNION BEACH COUNTY OF MONMOUTH RESOLUTION TRANSFER OF CY 2020 APPROPRIATIONS RESERVES		
WHEREAS, Certain Appropriations for the Budget Calendar Year 2020 require modifications in order to balance the cost of operations for said fiscal year; and		
WHEREAS, N.J.S.A. 40A:4-59 provides that during the first 3 months of the succeeding year transfers may be made from unexpended balances to those appropriations deemed insufficient to fulfill the purpose of such appropriations.		
THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Union Beach, County of Monmouth that the following transfers in the amount of \$50,000.00 for the Current Fund Budget between 2020 Appropriation Reserves:		
Current Fund		
	From	To
Operations - within "CAPS":		
General Government		
Tax Collector:		
Salaries and Wages	\$ 2,900.00	\$
Public Safety		
Police:		
Salaries and Wages		50,000.00
Landfill Charges - Taxes	12,000.00	
Health and Welfare		
Municipal Court:		
Salaries and Wages	5,700.00	
Code Enforcement:		
Salaries and Wages	26,860.00	
Unclassified		
Gasoline	2,540.00	
<b>Total Operations Including Contingent Within "CAPS "</b>	<b>50,000.00</b>	<b>50,000.00</b>
<b>Total Transfers</b>	<b>\$ 50,000.00</b>	<b>\$ 50,000.00</b>

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-59:**

**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 #2020-209 and #2021-47 to provide temporary funds for the period from Jan. 1, 2021 until the adoption of the Operating Budget for the Borough of Union Beach, New Jersey; and

WHEREAS, additional appropriations will be required from March 18, 2021 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:

<b><u>CURRENT FUND</u></b>	
(A) Operations - within "CAPS":	
General Government:	
IT - Contractual	\$ 5,000.00
Public Safety:	
Police	
Other Expenses	20,000.00
Bayshore Task Force	
Other Expenses	2,900.00
Public Works:	
Garbage and Trash Removal - Contractual	30,000.00
Health and Welfare:	
Rodent Extermination Control	
Other Expenses	<u>500.00</u>
Total Operations (Item 8 (A) Within "CAPS"	<u>\$ 58,400.00</u>
Municipal Purposes within "CAPS"	<u>\$ 58,400.00</u>
Operations Excluded from "CAPS"	
Debt Service:	
Payment of Bond Anticipation Notes	<u>236,100.00</u>
Total Operations Excluded from "CAPS"	<u>236,100.00</u>
Total General Appropriations	<u><u>\$294,500.00</u></u>

2. This action shall take effect March 18, 2021.

3. A copy of this resolution shall be immediately filed with the Director of Local Government Services by the Borough Clerk of the Borough of Union Beach.

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-60:**

RESOLUTION OF INTENT TO COMPLY WITH ALL IDENTIFIED DEFICIENCIES OF FEMA SUBMISSION OF OCTOBER 6, 2020 FLOODPLAIN MANAGEMENT PROGRAM – CRS PROGRAM.

Whereas, the Borough submitted its Flood Plain Management Program to FEMA on 10/6/20; and

Whereas the Borough received notification on March 1, 2021 outlining deficiencies in the Borough’s Flood Plain Management Program which need to be addressed (Attachment A hereby annexed to this Resolution, contains (1) an updated request for information and (2) a list of identified corrective actions needed to resolve identified program deficiencies).



Now Therefore be it Resolved that the Borough of Union Beach intends to comply with all deficiencies identified in the March 1, 2021 correspondence to Mayor Cocuzza as outlined in Attachment A.

Be it Further Resolved that this Resolution of "Intent to Comply" be forwarded to all parties upon adoption.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-61:**

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project  
Reconstruction of Prospect Avenue***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T& M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

**Reconstruction of Prospect Avenue**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-62:**

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project  
Reconstruction of Patterson Avenue***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T& M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

**Reconstruction of Patterson Avenue**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-63:**

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project  
Reconstruction of Victoria Place***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T& M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

**Reconstruction of Victoria Place**

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-64:**

***Authorizing Ed Broberg, Engineer of T&M Associates to prepare Bid Specifications for the Project***

***Demolition 1400 Florence Avenue, Front Portion of Building***

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

The Mayor and Council hereby authorize the Borough Engineer, Edward G. Broberg, P.E. of T& M Associates, 11 Tindall Road, Middletown, NJ to prepare plans and specifications for on behalf of the Borough of Union Beach for the project:

**Demolition 1400 Florence Avenue, Front Portion of Building**

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-65:**

**A Resolution Authorizing the Mayor to Execute Easements and Other Documents Facilitating Real Estate Acquisition for the Construction of the Union Beach Hurricane and Storm damage Reduction Project**

**Whereas**, the Army Corps of Engineers, the State of New Jersey and the Borough of Union Beach, as partners, have agreed to construct a hurricane and storm reduction project along the Bayfront and estuaries within the Borough of Union Beach, and

**Whereas**, the Army Corps of Engineers, in designing the project, will require various easements and other rights to borough owned property during design, construction and in perpetuity for the completion of the project; and

**Whereas**, the Borough of Union Beach wishes to provide these easements and rights necessary for the completion of this important project.

**Now, Therefore Be It Resolved**, by the Governing Body of the Borough of Union Beach that the Mayor is hereby authorized to execute and the Borough Clerk to attest to the signature of the Mayor on any easements or other documents required by the Army Corps of Engineers or the State of New Jersey for the real estate acquisition necessary to complete the Union Beach Hurricane and Storm Damage Reduction Project; and

**Be It Further Resolved** that this authorization is contingent upon satisfactory review of the project requirements by borough administration and counsel to confirm the need and appropriateness of said acquisitions prior to execution of the easement or the document.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION 2021 - 66:**

***AUTHORIZING CHANGE ORDERS NO. 48, 49, 50, 51 & 52 - COMPLETION CONTRACT, ADDITIONS & RENOVATIONS, UNION BEACH MUNICIPAL BUILDING***

**Whereas**, the Borough of Union Beach in the County of Monmouth, State of New Jersey, has on June 20, 2019, authorized the awarding of a contract to H&S Construction & Mechanical, Inc., 721 Bayway Avenue, Elizabeth, NJ 07202, and

**Whereas**, the Mayor and Council authorize Change Order Nos. 48, 49, 50, 51 & 52 to the contract awarded to H&S Construction & Mechanical, Inc.

The original Contract Sum.....	\$	3,554,000.00
Net change by previously authorized Change Orders.....	\$	234,592.31
The Contract Sum prior to these Change Orders was .....	\$	3,788,592.31
The Contract Sum will be changed by these Change Orders.....	\$	

# 48	\$	-1,246.84
# 49		1,690.16
# 50		1,182.46
# 51		518.70
# 52		7,350.00
.....	\$ (net)	9,494.48

The new Contract Sum including these Change Orders will be.....	\$	3,798,086.79
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And,

**Whereas**, the Chief Financial Officer has certified in writing hereon that funds are available and the Municipal Attorney has reviewed the certification of the Chief Financial Officer and is satisfied that said certification is in proper form;

**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 the Mayor and Council hereby authorize the issuance of Change Order Nos. 48, 49, 50, 51 & 52 to the contract with H&S Construction & Mechanical, Inc., and

**Be It Further Resolved** that the Mayor is hereby authorized to sign said Change Orders on behalf of the Borough.

**Be It Further Resolved** that a certified copy of this resolution be forwarded to the Borough Administrator and Finance Department.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION 2021 -67:**

**SUPPORT OF LAW ENFORCEMENT APPRECIATION MONTH - MAY**

**WHEREAS,** Law enforcement and correctional police officers in this State and throughout the nation are routinely called upon to serve and protect their fellow citizens; and

**WHEREAS,** Law enforcement officers protect the community by responding to horrendous events and acting heroically to save the lives of others; and

**WHEREAS,** Correctional police officers provide public safety and security through the custody and management of those individuals incarcerated within the criminal justice system; and

**WHEREAS,** It is increasingly dangerous to perform these jobs in a world where law enforcement and correctional police officers are targeted for the uniforms they wear and the duties they perform in service to their community; and

**WHEREAS,** Law enforcement and correctional police officers in this State and throughout the nation serve with valor, dignity, and integrity; and

**WHEREAS,** As of October 2020, 235 law enforcement officers died in the line of duty in the United States in less than one year, including nine officers in New Jersey; and

**WHEREAS,** As COVID-19 continues to spread around the country, the first responders on the front lines are increasingly vulnerable to contracting the virus and at least eight correctional police officers have died resulting from this pandemic; and

**WHEREAS,** These officer’s deaths are a sober reminder that our nation’s law enforcement and correctional police officers face danger every day they carry out their sworn duty to protect the citizens of this country; and

**WHEREAS,** Countless other law enforcement and correctional police officers are injured and disabled each year while performing their duties; and

**WHEREAS,** These burdens are carried not only by law enforcement and correctional police officers, but also by their families who make personal sacrifices in order for these officers to carry out their duties; and

**WHEREAS,** In light of recent negativity directed toward law enforcement nationally, there is a need to show law enforcement and correctional police officers that our citizens recognize the difficult career these officers have chosen; and

**WHEREAS,** These men and women, by their distinctive service and dedicated efforts as law enforcement and correctional police officers, have earned our highest respect and deepest gratitude;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey that we support the adoption a Joint Assembly Resolution (197) designating the month of May of each year as “Law Enforcement and Correctional Police Officer Appreciation Month in the State of New Jersey to encourage the citizens of this State to join in the observance of this month and provide appreciation for the law enforcement and correctional police officers who serve and protect them.

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-68:**

**Resolution Authorizing the Mayor to enter into Memorandum of Agreement and Contract Agreement on behalf of the Governing Body with the Union Beach PBA.**

**Whereas**, the Employment Agreement between the Borough of Union Beach and the PBA Local 291 expired on December 31, 2019, and;

**Whereas**, meaningful negotiations taking place since that time have resulted in a March 4, 2021 Memorandum of Agreement (MOA) between the parties for the period from January 1, 2020 through December 31, 2023, and;

**Whereas**, the Governing Body wishes to approve said MOA and authorize the Mayor to execute said MOA on their behalf, and;

**Whereas**, the Governing Body also wishes to authorize the Mayor to execute said Contract Agreement drawn in accordance with the provisions of said MOA when completed.

**Now, therefore, Be It Resolved**, by the Mayor and Council of the Borough of Union Beach that the said MOA is approved and the Mayor is hereby authorized to sign the March 4, 2021 “Borough of Union Beach and PBA Local 291 2020-2023 Memorandum of Agreement”, and;

**Be it Further Resolved**, that the Mayor is hereby authorized to sign the 2020-2023 Contract Agreement drawn in accordance with the MOA, when completed.

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**RESOLUTION NO. 2021-69:**

**RESOLUTION TO ANTICIPATE MISCELLANEOUS REVENUES IN THE 2021 BUDGET USING THE THREE-YEAR AVERAGE OF REALIZED REVENUES FROM THE PRIOR THREE YEARS**

**WHEREAS**, the COVID 19 pandemic had an adverse effect on the anticipated municipal revenues in the 2020 municipal current and utility fund budgets; and

**WHEREAS**, Section 1 of P.L. 2020, c.74 amended N.J.S.A 40A:4-26 authorized the Director of the Division of Local Government Services (“Division”) to promulgate new standards for the anticipation of COVID-19 affected revenues in the FY2021 budget, and, if necessary, in future years and

**WHEREAS**, for FY 2021, the Director authorizes the use of a three-year average for the calculation of affected revenues; and

**WHEREAS**, the Chief Financial Officer of the Borough of Union Beach, certifies that the following revenues were affected in 2020 by the COVID 19 pandemic and that the 3 year average of the amounts realized in 2018-2020 be anticipated in the introduced budget for 2021;

<u>Revenue Category</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Average</u>
Municipal Court	145,022.66	131,814.51	58,761.51	111,866.23
UCC Fees	213,704.00	236,592.00	82,739.00	177,678.33

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Union Beach in the County of Monmouth, State of New Jersey that the above referenced revenues be anticipated using the 3 year average as permitted by the amendments to 40A: 4-26, adopted by the P.L. 2020, c. 74

Moved	Seconded	Ayes	Nays	Absent	Abstain
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Mr. Wicki						
Ms. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**APPROVAL OF VOUCHERS AND PAYMENT OF BILLS: Dropbox  
RESOLUTION 2021- 70:**

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski*						
Mr. Andreuzzi						
Mrs. Woodruff						

\*Councilman Lewandowski abstains on \_\_\_\_\_ Fire Department Vouchers/Purchase Orders.

**BUSINESS ADDED TO THE AGENDA OF THE MEETING OF MARCH 18, 2021:**

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

- 1. RESOLUTION NO. 2021-71:** RESOLUTION OF THE BOROUGH OF UNION BEACH SUPPORTING CORRECTIVE LEGISLATION REGARDING UNDERAGE POSSESSION OR CONSUMPTION OF ILLEGAL SUBSTANCES
- 2. RESOLUTION NO. 2021-72 – APPOINTMENT OF TWO CLASS I POLICE OFFICERS**

**Motion to add business to Agenda** moved by \_\_\_\_\_ seconded by \_\_\_\_\_, voice vote.

**PROPOSED RESOLUTION 2021-71:**

**RESOLUTION OF THE BOROUGH OF UNION BEACH SUPPORTING CORRECTIVE LEGISLATION REGARDING UNDERAGE POSSESSION OR CONSUMPTION OF ILLEGAL SUBSTANCES**

**WHEREAS**, while the voters of New Jersey have made recreational Marijuana use and possession legal in the State of New Jersey, it is still illegal for minors to possess or consume it; and

**WHEREAS**, anyone under the age of 21 found in possession of marijuana would be subject to a system of graduated warnings, including a first offense, receiving a written warning; a second offense, another warning, and law enforcement would notify their parent or guardian about the infraction. The third offense would see them referred to community programs; and

**WHEREAS**, S-3454 did not provide for parental notification of a first time use or possession of marijuana by their minor child; and

**WHEREAS**, the ability of parents or guardians to immediately intervene in such situations on behalf of their children is of the utmost importance to the welfare of all children.

**NOW, THEREFORE BE IT RESOLVED** by the Governing Body of the Borough of Union Beach in the County of Monmouth, State of New Jersey, that it strongly supports corrective

legislation in regards to Senate Bill No. 3454 to provide for parental notification for all offenses committed by their minor child and calls upon the Legislature to take immediate action on same; and

**BE IT FURTHER RESOLVED** that a certified copy of this resolution be forwarded to State Senator Declan O’Scanlon, Assembly Representative Serena DiMaso and Assembly Representative Gerard Scharfenberegerand to the New Jersey League of Municipalities.

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**PROPOSED RESOLUTION NO. 2021-72:**

***RESOLUTION AUTHORIZING THE HIRING OF TWO (2) CLASS I, SPECIAL POLICE OFFICERS  
IN THE UNION BEACH POLICE DEPARTMENT***

**WHEREAS**, a vacancies exists for the position of Class I Police Officer in the Union Beach Police Department; and,

**WHEREAS**, the Mayor and Council of the Borough of Union Beach have received a request and recommendation dated \_\_\_\_\_ from Police Chief Woodrow to fill this position effective upon successful completion of the April 2021 Police Academy Special Officer Training;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Union Beach that the appointment of the following named person(s) as Class I Special Police Officer, (Part-Time) in the Police Department, at a salary as indicated in the current Salary Resolution (2021) , not to exceed 28 hours per week. This appointment is effective as of successful completion of the April 2021 Police Academy Special Officer Training in accordance with the recommendations of the Police Chief, and the same is hereby approved and confirmed:

Kevin Finucan

Michael Richards

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**MARCH 2021 PROCLAMATIONS:**

***Proclamation  
Borough of Union Beach***

**WHEREAS**, the goal of National Colorectal Cancer Awareness Month is to raise awareness about the importance of screening in order to prevent colorectal cancer, the nation's third-leading cause of cancer death in both men and women; and

**WHEREAS**, organizations around the nation recognize this month as an exceptional opportunity for educating communities about the disease - including prevention, early detection and treatment options; and

**WHEREAS**, continued efforts to build awareness about the importance of colorectal cancer screening is critical to advancing our common cause, as well as a way to further increase awareness that this disease is largely preventable; and

**WHEREAS,** colorectal cancer is treatable and beatable. It is one of only a few cancers that can be prevented through regular screening, and if colorectal cancer is found and treated at its earliest stage, the five-year survival rate is 90 percent. Building awareness is an important part of helping to increase screening and decrease mortality rates.

**NOW, THEREFORE, We, Mayor and Council,** do hereby recognize March 2021 as

## ***COLORECTAL CANCER AWARENESS MONTH***

and encourage all residents to learn about colorectal cancer and become involved in efforts to raise awareness of this common cancer.

### *Proclamation*

### *Borough of Union Beach*

## **Kidney Health and Cancer Awareness Month**

**WHEREAS,** healthy kidneys are essential for regulating our bodies by removing fluids, waste and toxins. Kidneys release hormones that help regulate blood pressure, produce red blood cells and strengthen our bones; and,

**WHEREAS,** the precise cause of kidney cancer is unknown, however the two main causes of kidney failure are diabetes and high blood pressure, which are responsible for more than 70 percent of all kidney failure cases. Therefore, kidney failure and disease can often be delayed or prevented; and,

**WHEREAS,** advances in diagnosis and procedures such as radiation and chemotherapy create opportunity for kidney cancer patients to live longer; and,

**WHEREAS,** during Kidney Health and Cancer Awareness Month, we ask the residents to raise awareness and encourage all patients with diabetes and hypertension to be screened regularly for kidney disease. If detected and caught early, the treatment is likely to be more effective;

**WHEREAS,** Chronic kidney disease (CKD) is a serious condition affecting 37 million people. Often overlooked until symptoms appear, CKD is progressive and can put you at risk for serious health complications including kidney failure. Adopting a healthy lifestyle can help you manage and slow progression of CKD and its complications.

**NOW, THEREFORE, We, Mayor and Council,** do hereby proclaim March 2021 as Kidney Health and Cancer Awareness Month in Union Beach.

### *Proclamation*

### *Borough of Union Beach*

## **POISON CONTROL MONTH**

**WHEREAS,** Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and

**WHEREAS,** every poisoning is preventable! From the youngest to the oldest, all people and even pets are at risk; and



*WHEREAS*, poison centers across the country will focus the public's attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and

*WHEREAS*, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and

*WHEREAS*, unintentional poisoning is the leading cause of unintentional injury death in New Jersey; and

*WHEREAS*, drug overdose deaths including prescription pain medicine (opioids), heroin and fentanyl remain at epidemic proportions for both New Jersey and the United States. According to the Centers for Disease Control and Prevention (CDC), the majority of drug overdose deaths (more than six out of ten) involve an opioid; and

*WHEREAS*, although the majority of reported poison exposures involve children five (5) years old and younger; the majority of poisoning deaths occur in adults aged 20 to 59; and

*WHEREAS*, childhood lead poisoning remains a major public health concern. Elevated blood lead levels can cause significant and permanent damage to the health and wellbeing of a young child. There is no safe level of lead. Stop a child's exposure to lead before it causes harm; and

*WHEREAS*, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and

*WHEREAS*, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and

*WHEREAS*, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors, aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and

*WHEREAS*, poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and

*WHEREAS*, the use of poison centers services saves residents both time and money. Most cases are managed in the convenience of the caller's home, requiring no hospital visit; and

*WHEREAS*, NJPIES is also involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings);

*NOW, THEREFORE, I, Charles W. Cocuzza, Mayor of the Borough of Union Beach do hereby proclaim the week of March 21-27, 2021 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.*

**EXECUTIVE SESSION: RESOLUTION NO. 2021 : MEETING OF FEBRUARY \_\_, 2021,**

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 \_\_\_\_\_ Same to be determined by the Governing Body as to the time when and the circumstances under which the closed session discussion of the Governing Body can be made public.

**Motion** moved by \_\_\_\_\_ seconded by \_\_\_\_\_ and approved by unanimous voice vote.

The Governing Body retired into executive session for a matter of \_\_\_\_\_ at \_\_\_\_\_ **p.m.**

**RECONVENE MEETING: \_\_ pm**

**Motion** to reconvene meeting moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by unanimous voice vote.

**ROLL CALL: Council Members**

**Also Present:**

**ATTORNEY: PURPOSE OF CLOSED SESSION:**

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**PROPOSED RESOLUTION 2021-: (if necessary)**

	<b>Moved</b>	<b>Seconded</b>	<b>Ayes</b>	<b>Nays</b>	<b>Absent</b>	<b>Abstain</b>
Mr. Wicki						
Mrs. Roche						
Mr. Cavallo						
Mr. Lewandowski						
Mr. Andreuzzi						
Mrs. Woodruff						

**ADJOURNMENT:** Motion moved by \_\_\_\_\_, seconded by \_\_\_\_\_ and approved by unanimous Voice Vote. \_\_\_\_ P.M.