AFFIDAVIT OF PUBLICATION

STATE OF NEW JERSEY
Monmouth County

I, Alexandra Sweeney, being duly sworn, depose and say:

1. I am the duly appointed Municipal Clerk of the Brough of Union Beach, County of Monmouth, State of New Jersey, and as such I am familiar with the publication requirements for municipal notices.

2. On behalf of the Borough of Union Beach, notice entitled Introduction of Ordinance, concerning Public Hearing of Ordinance No. 2026-384 was published as required by law.

3. Said notice was published on https://www.unionbeachnj.gov/ubnj/Required%20Legal%20Notices/2026%20Legal%20Notices/ on August 20, 2026 in accordance with the applicable statutory requirements.

4. A copy of the notice as published is attached hereto and made a part of this affidavit.

5. I certify that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Alexandra Sweeney

Alexandra Sweeney, RMC
Municipal Clerk
Borough of Union Beach

Sworn and subscribed before me

This 20th day of August, 2026

Dawn M. Gambacorta

Notary Public State of New Jersey
County of Monmouth

DAWN M. GAMBACORTO
Notary Public, State of New Jersey
Comm. # 50194889
My Commission Expires 5/12/2027

BOROUGH OF UNION BEACH
MONMOUTH COUNTY, NEW JERSEY
PUBLIC NOTICE

The Following was introduced and passed upon first reading at a meeting of the governing body of the Borough of Union Beach, in the County of Monmouth, State of New Jersey, on August 20, 2026. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at the Municipal Building, 650 Poole Avenue, Union Beach on September 17, 2026 at 7:00 p.m.

ORDINANCE NO. 2026-384

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VII, FIRE DEPARTMENT, SECTION 2-7.3 OF THE CODE OF THE BOROUGH OF UNION BEACH TO ESTABLISH ENHANCED CRIMINAL HISTORY BACKGROUND CHECK REQUIREMENTS, DISQUALIFYING OFFENSES, AND REPORTING REQUIREMENTS FOR MEMBERSHIP IN THE VOLUNTEER FIRE DEPARTMENT

WHEREAS, the Mayor and Council of the Borough of Union Beach recognize that volunteer firefighters occupy positions of public trust and are entrusted with the protection of life and property; and

WHEREAS, the Mayor and Council find that enhanced criminal history screening standards are necessary to protect the public health, safety and welfare and to maintain the integrity of the Borough's Fire Department;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Union Beach, County of Monmouth, State of New Jersey, as follows:

SECTION 1.

Section 2-7.3(a)(4)(5) and (6) of the Borough Code are hereby repealed and replaced with the following:

§ 2-7.3(a)(4). Application and Background Investigation Requirements.

Any person desiring membership in a volunteer fire company shall complete, in duplicate, an application prescribed by the volunteer fire company and shall file the same with the company. The application shall contain, at a minimum, the following information:

(a) Name.
(b) Home address.
(c) Date of birth.
(d) Social Security number.
(e) Driver's license number.

(f) Disclosure of any pending criminal charge, conviction, guilty plea, plea of nolo contendere, admission into a diversionary program, conditional discharge, conditional dismissal, pretrial intervention program, or similar disposition.

(g) Authorization permitting the Borough of Union Beach, the Board of Fire Commissioners, and the Police Department to conduct a criminal history record background investigation, fingerprinting, and any additional screening deemed necessary to determine suitability for membership.

(h) Such other information as the volunteer fire company may require that is not prohibited by law.

§ 2-7.3(a)(5). Criminal History Background Investigation.

Upon receipt of an application, the Chief of Police shall conduct a criminal history background investigation to determine the applicant's suitability for membership in the Fire Department. Such investigation may include, but shall not be limited to:

(a) Verification of identity and residency;

(b) A fingerprint-based criminal history records check through the New Jersey State Police and Federal Bureau of Investigation;

(c) Review of motor vehicle records;

(d) Verification of prior fire service, emergency services, military, or law enforcement experience;

(e) Reference checks and interviews;

(f) Such additional investigation may be reasonably necessary for the protection of the public health, safety and welfare.

The Chief of Police shall complete the investigation within forty-five (45) days following receipt of the completed application and fingerprint submission and shall report the results to the volunteer fire company and the Board of Fire Commissioners, with a copy to the Borough Administrator and Municipal Clerk.

§ 2-7.3(a)(6). Disqualifying Criminal Offenses.

A. Permanent Disqualification.

An applicant shall be permanently disqualified from appointment or membership in the Union Beach Fire Department if the criminal history background investigation reveals a conviction, guilty plea, plea of nolo contendere, or substantially equivalent disposition for:

(1) Aggravated arson, arson, failure to control or report a dangerous fire, causing or risking widespread injury or damage by fire or explosion, or any offense under N.J.S.A. 2C:17-1 et seq.;

(2) False public alarms pursuant to N.J.S.A. 2C:33-3;

(3) Any crime of the first or second degree;

(4) Any offense requiring registration pursuant to Megan's Law;

(5) Any offense involving the unlawful manufacture, possession, transportation, sale, or use of explosives, destructive devices, incendiary devices, or bomb-making materials.

B. Discretionary Disqualification.

An applicant may be denied membership based upon conviction of any third-degree crime, disorderly persons offense, or other criminal offense where the Board of Fire Commissioners determines, after reviewing the recommendation of the Chief of Police and considering the following factors, that the applicant's membership would pose a risk to public safety or undermine public confidence in the Fire Department:

(1) The nature and seriousness of the offense;

(2) The relationship of the offense to the duties and responsibilities of a firefighter;

(3) The age of the applicant at the time of the offense;

(4) The time elapsed since the offense;

(5) Evidence of rehabilitation;

(6) The applicant's overall record of conduct and community service;

(7) Whether the offense involved violence, dishonesty, abuse of public trust, controlled dangerous substances, or threats to public safety.

SECTION 2.

Chapter 2, Section 2-7.3 is hereby amended to add the following subsection:

§ 2-7.3(a)(7). Continuing Duty to Report Criminal Matters.

Every member, officer, firefighter, probationary firefighter, and applicant shall have a continuing duty to report to the Fire Chief and the Board of Fire Commissioners any of the following events within forty-eight (48) hours of occurrence:

(a) Any arrest;

(b) Any criminal complaint, indictment, accusation, or charge;

(c) Any conviction, guilty plea, plea of nolo contendere, diversionary disposition, conditional discharge, conditional dismissal, or admission into a pretrial intervention program;

(d) Any temporary restraining order or final restraining order issued in connection with allegations of domestic violence;

(e) Any suspension, revocation, or forfeiture of a driver's license arising from criminal conduct.

Failure to provide the required notification shall constitute grounds for disciplinary action, including suspension, termination of membership, removal from office, or other sanctions authorized by the Fire Department, Board of Fire Commissioners, or applicable law.

SECTION 3.

Chapter 2, Section 2-7.3 is hereby amended to add the following subsection:

§ 2-7.3(a)(8). Review of Existing Members.

The Board of Fire Commissioners may require any current member to submit to an updated criminal history background investigation when credible information is received indicating that the member may have engaged in conduct constituting a disqualifying offense or otherwise poses a threat to public safety.

Any member convicted of an offense listed in § 2-7.3(a)(6)(A) after admission to the Fire Department shall be subject to immediate suspension pending review by the Board of Fire Commissioners and may be removed from membership upon a finding that the conviction renders the member ineligible under this section.

The Board shall conduct a review of their members to verify that none of their members have been convicted of a crime that would render them ineligible to continue serving as a member.

SECTION 4.

Severability.

If any section, subsection, sentence, clause or phrase of this Ordinance is held unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

SECTION 5.

Repealed. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 6.

Effective Date. This Ordinance shall take effect upon final passage and publication according to law.

Ordinance 2026-384 was introduced on First Reading by Councilwoman Woodruff seconded by Councilman Riccardi and approved by the following Roll Call Vote