

January 22, 2019

Regular Meeting Minutes  
January 22, 2019

The following are the minutes of the Regular Meeting of the Mayor and Council of the Borough of Ship Bottom, which was held on Tuesday, January 22, 2019, in the Borough Hall Council Chambers, located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey.

Mayor Huelsenbeck called the Caucus Meeting to order at 6:33 p.m. and asked the Clerk to take attendance. The following were present:

Councilmen Butkus, Hartman, Tallon and Valyo. Rossi and English, absent.

Kathleen Flanagan, Chief Finance Officer, was also present.

Mayor Huelsenbeck asked the Clerk to read the Statement of Notice. It is as follows:

The time, date and location of this meeting was advertised in the Beach Haven Times, Atlantic City Press and Asbury Park Press. It was also posted on the bulletin board in the Municipal Building, in accordance with the Open Public Meetings Act.

During the Caucus Meeting, Anthony Orzo, 232 W. 21<sup>st</sup> St. and Ken Perry, 223 W. 10<sup>th</sup> St., of the Beach Haven First Aid Squad, gave a presentation about their organization. They recognized Captain Jack Casella of the Beach Haven First Aid Squad. They are currently running a community-based membership drive. Ken Perry read the following, (with occasional additional comments):

“In speaking with Kathy Wells, she suggested we provide a brief review of BHFAS 2018 Services. (Typically, we provide this update at our induction dinner). We wish to provide this update in a more formal manner.

Thank you to the governing body of Ship Bottom, residents, visitors and supporters of the Beach Haven First Aid Squad.

Thank you to Ship Bottom municipality, all depts.; public works, OEM, Beach Patrol, Fire Dept and Police Department. We appreciate you, at all levels.

We wish to extend a special Thank you, to the Ship Bottom Police Department. Our Police officers are the true first responders. We could not complete our mission of providing EMS service to Ship Bottom and LBI without them.

SBPD officers as a group of officers are the best at community-based policing, they go beyond assisting us and the residents of Ship Bottom. They are truly professional, compassionate and caring, always protecting us during our response. Assisting and offering their expertise on every call. Our deepest appreciation to Chief Sharkey and the officers SBPD. Thank you!

Last year, the State implemented significant changes in our patient information management. EMR. Electronic Medical records.

In 2017 the state passed a bill **NJ S5/Assembly 4925** which required all ems services ALS/ BLS to electronically report certain data to the New Jersey Department of Health (DOH).

Implemented by the state on January 1/2018. This information must be reported to the DOH using the most current format established by the National Emergency Medical Services Information System (NEMSIS). BHFAS implemented these requirements using Image trend™. as required. We were the 1<sup>st</sup> agency on LBI. to satisfy this requirement. To implement these changes, we needed hardware. 5 New, IPADs or tuff books, protective cases/key boards, updated printer and secure encrypted Wi-Fi. As well as hours of training and some trial and error. This process update will provide analytics to the State and local EMS units, for improved patient response and outcomes.

In conjunction to these changes and to provide higher levels of response, the BHFAS Board of Trustees approved the services of a Physician, Medical Director to oversee our organization. Dr. Ken Lavelle MD of ETC emergency medical training consultants was contracted. His medical direction extends too many EMS services, public and private. His service provides ongoing training and clinical oversight for EMTs and first responders. All EMS providers on LBI have contracted with this service. This has enabled us to share in training and services. Dr. Lavelle is available 24 hours for support and consultation.

Over the years Beach Haven First Aid has morphed into a full-service EMS provider. With Certified EMT's, first responders as well as other Registered and licensed healthcare providers (Respiratory Therapist, Nurses and Physical Therapist cross trained as EMT's).

We maintain two district buildings, Ship Bottom and Beach Haven. We operate 5 ambulances, 2 rapid response 4x4 vehicles (high water) which can also transport. 1 administrative vehicle. Our

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ambulances are stocked with the latest equipment and supplies. All of our Electric power lifter stretchers were replaced last year. We carry and administer oxygen, EPI pens for anaphylaxis, Narcan™ for overdose. Quick Clot for hemorrhages, Nebulizers for administering Albuterol. Bronchospasm. Patient assist with nitro as well as a true life “Aspirin”.

We are also equipment and trained in maintaining respiration, circulation and skeletal stabilization. Our equipment includes AED, Mechanical heart compression “The Thumper”. Pulse oximeters, Automatic Blood pressure cuffs, artificial airways nasal and oral. Suction. Of course, the standard splints, gauze, bandages and compression. And traction devices for compound fractures. Devices for safely removing patients from elevated homes. Back Boards, Stair chairs, reeves and mega movers. As well as the ability to call for ALS, Advanced Life support and Medivac Helicopter transport for critical patients

With the updated EMR. Electronic Medical records we are now receiving Analytics, from the state.

LAST YEAR WE responded to 1223 calls dispatched by county. Not counting scheduled standbys, such as the Ship Bottom concert series, 18-mile run, Polar Plunge, Chowderfest and any large gathering requesting our support.

BHFAS averaged 100+ dispatches per month in 2018.

These numbers don’t tell the whole story.

Off season, 50 -60 calls a month average.

Summer numbers; June, July, August and September over 200, 911 responses. July being our highest with 233 calls.

Response times, average unit in route 9 mins. State 90% is about 17 mins. Our response times are many times quicker than reported as our Capt. Jack Casella sends an EMT direct to scene while the rig is being pulled to stabilize and access the patient.

We also provide Oxygen tank refills and inspection to all Police, fire and Beach Patrols of SB, LBT and BH. We have a high-pressure oxygen trans fill station at each building. Last year the BHFAS filled and inspected over 200 D tanks.

In closing we would like to share the many thank you letters we received from our patients. We extend these thank you letters to the Boro, as you support us in our mission, in particular to the Ship Bottom Police department. We would be remiss if we did not also thank our Capt. Jack Casella for his leadership and dedication to the Beach Haven First Aid.

If we can ask one favor of the Borough, it is to support us in our membership drive that started yesterday at the LBI library during the Martin Luther King Day of service.

Mayor Huelsenbeck called the Regular Meeting to order at 6:47 p.m. and asked the Clerk to take attendance. The following were present:

Councilmen Butkus, Hartman, Tallon and Valyo. English and Rossi, absent.

Kathleen Flanagan, Chief Finance Officer, was also present.

Mayor Huelsenbeck asked the Clerk to read the Statement of Notice. It is as follows:

The time, date and location of this meeting was advertised in the Beach Haven Times, Atlantic City Press and Asbury Park Press. It was also posted on the bulletin board in the Municipal Building, in accordance with the Open Public Meetings Act.

Salute to Flag, followed by a Prayer.

Mayor Huelsenbeck called for the approval of the minutes of the Regular Meeting held on December 27, 2018. On a motion by Councilman Butkus, seconded by Councilman Hartman, the minutes were approved.

Roll Call: Butkus, Hartman, and Valyo, all aye. Tallon, abstain.

Mayor Huelsenbeck called for the approval of the minutes of the Reorganization Meeting held on January 02, 2019. On a motion by Councilman Hartman, seconded by Councilman Valyo, the minutes were approved.

Roll Call: Butkus, Hartman, and Valyo, all aye. Tallon, abstain.

Mayor Huelsenbeck called for the Annual Report, Synopsis of Variance Applications for 2018, forwarded from the Land Use Review Board. On a motion by Councilman Talon, seconded by Councilman Hartman, the following was accepted.

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Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

**ANNUAL REPORT  
SYNOPSIS OF VARIANCE APPLICATIONS FOR 2018**

DOCKET NO. 18:01

MR-JAK LLC  
1819 BARNEGAT AVENUE  
BLOCK 53, LOT 1

Applicant seeks to demolish existing single-family dwelling and construct a new single-family home.

Lot area, lot depth, front yard setback, side yard setback, building coverage.

Approved: 2/21/2018

DOCKET NO. 18:02

ALBERT WATSULA  
209 WEST 27<sup>TH</sup> STREET  
BLOCK 10, LOT 12

Requesting to install a circular stairway to the decks at the rear of the property to enhance the exit (safety) premises.

Lot area and side yard setback.

Approved: 4/18/2018

DOCKET NO. 18:03

KAREN DRUCKER, JAMES BAKA  
110 WEST 27<sup>TH</sup> STREET  
BLOCK 15, LOT 5

Proposing to raise, renovate, and expand existing dwelling. The dwelling will be converted from a two-family dwelling to a single-family dwelling.

Lot depth, building coverage, front yard setback, rear yard setback, side yard setback, accessory building and building height.

Approved: 4/18/2018

DOCKET NO. 18:04

1809 LONG BEACH BLVD., LLC.  
1809 & 1815 LONG BEACH BLVD.  
BLOCK 15, LOT 5

Requesting to construct, open and operate a bagel café in the condominium unit on Lot 1CA and use adjoining lot for outdoor seating and parking for café customers.

Front yard setback and rear yard setback.

Approved: 5/16/18

DOCKET NO. 18:05

701 CENTRAL AVE., LLC.  
701 CENTRAL AVENUE  
BLOCK 109, LOT 1.01

Requesting to construct a 4,730 square-foot office building and attached 1,060 square-foot restaurant with outdoor seating.

Off street loading space.

Approved: 5/16/18

DOCKET NO. 18:06

BARRY & VALERIE LAYNE  
328 WEST 17<sup>TH</sup> STREET  
BLOCK 60, LOT 9

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling. Undersized lot- side yard setback and building height.

Approved: 10/17/2018

DOCKET NO. 18:07

MARIA DAVLOUROS  
102 MEAST 4<sup>TH</sup> STREET  
BLOCK 130, LOT 12

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling.

Undersized lot- Lot area, side yard setback and building height.

Approved: 6/20/2018

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DOCKET NO. 18:08

MICHAEL KORENKIEWICZ

411 OCEAN AVENUE

BLOCK 130, LOT 2.01

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling.

Undersized lot- Front yard setback

Approved: 6/20/2018

DOCKET NO. 18:09

MICHAEL & KATHLEEN BOWE

240 WEST 22<sup>ND</sup> STREET

BLOCK 35, LOT 13

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling.

Front yard setback.

Approved: 8/15/2018

DOCKET NO. 18:10

PETER & CARA STROFFOLINO

114 EAST 19<sup>TH</sup> STREET

BLOCK 46, LOT 7.01, 7.02, 7.03

Requesting lot coverage, imperious coverage and special use variance as the proposal structure is part of a multi-residential use not allowed in the R-3 zone.

Bulk variances- Lot area, lot frontage, lot width, front yard setback, side yard setback and lot coverage.

Approved: 8/15/2018

DOCKET NO. 18:11

FRANCESCO DIMEGLIO & CAROL ANN DIMEGLIO

222 WEST 21<sup>ST</sup> STREET

BLOCK 40, LOT 12

Requesting to expand front yard deck.

Front yard setback, side yard setback, accessory building setback and building coverage.

Approved: 9/19/2018

DOCKET NO. 18:12

LBI PARTNERS INC.

1001 BARNEGET AVENUE

BLOCK 93, LOT 2

Subdivision into two (2) conforming lots.

Approved: 9/19/2018

DOCKET NO: 18:13

THE BALDWIN RESIDENCE, LLC

338-380 WEST 8<sup>TH</sup> STREET

BLOCK 103, LOT 3 & 6

Requesting to amend the site plan to include a tent and food truck on the roof, shuttle pathways and salon/spa.

**\*\*Food truck & salon/spa and shuttles and roof tent approved different times.**

Approved: 11/19/2018 (food truck & spa), 12/19/18 (roof tent & shuttle parking)

DOCKET NO: 18:14

ANTONIO MANFREDONIA

111 EAST 19<sup>TH</sup> STREET

BLOCK 56, LOT 17

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling.

Undersized lot- Lot frontage, lot width, lot area, side yard setback and building coverage.

Approved: 11/19/2018

DOCKET NO: 18:15

ANTHONY & JOHN DIOGARDI

200 WEST 17<sup>TH</sup> STREET

BLOCK 59, LOT 7

Requesting to demolish existing dwelling and construct a new two-story single-family dwelling.

Undersized lot- lot area, lot width and front yard setback.

Approved: 11/19/2018

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DOCKET NO. 18:16  
PAUL & RENE HORVATH  
226 WEST 7<sup>TH</sup> STREET  
BLOCK 109, LOT 6

Requesting to remove and relocate the existing staircase leading up to the existing second story deck in the rear of the property.

Side yard setback and building coverage.

Approved: 12/19/2018

DOCKET NO: 18:17  
KAI PROPERTY ONE, LLC  
1518 LPNG BEACH BLVD.  
BLOCK 67, LOT 14

Representing the applicants requesting to reconstruct a three-story commercial office on the property.

Undersized lot- Front yard setback, side yard setback and parking.

Approved: 12/19/2018

DOCKET NO. 18:18  
TIMOTHY DUFFY  
135 EAST 20<sup>TH</sup> STREET  
BLOCK 46, LOT 1

Resting to construct a second-floor addition to the portion of the house that is situate over the building line.

Existing variances- Front yard setback, side yard setback, rear yard setback, lot coverage, parking and accessory structure.

Carried to 2019

Mayor Huelsenbeck called for Resolution 2019-25: Payment of municipal bills. On a motion by Councilman Hartman, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2019-25  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS  
IN THE AMOUNT OF \$2,305,060.29**

**WHEREAS**, the Finance Committee of the Borough of Ship Bottom has examined the vouchers presented for payment.

**NOW, THEREFORE BE IT RESOLVED** that the approved vouchers in the amount of \$2,305,060.29 to be authorized to be paid upon verification of the Chief Financial Officer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

Roll Call: Butkus, Hartman, Tallon, Valyo, all aye

PO #	PO Date	Vendor	PO Description	Status	Amount	Void Amount	PO Type
18-00044	01/10/18	AMERIO55	AMERICAN WEAR UNIFORM CLEANING	Open	4.00	0.00	B
18-00047	01/10/18	BEACH020	BEACH HAVEN AUTOMOTIVE, INC. AUTO PARTS AND SUPPLIES	Open	142.23		
18-00053	01/10/18	DELAW010	DELAWARE VALLEY PAYROLL PAYROLL PROCESSING SERVICES	Open	22.42		
18-00062	01/10/18	NJNAT010	N.J. NATURAL GAS NATURAL GAS SUPPLY	Open	581.33	0.00	B
18-00065	01/10/18	OXYGE010	OXYGEN SUPPLY CO., INC. MEDIUM ACETYLENE 244 OXYGEN	Open	28.00	0.00	B
18-00068	01/10/18	TUCKE010	TUCKERTON LUMBER COMPANY MATERIALS AND SUPPLIES	Open	168.53	0.00	B
18-01044	12/31/18	LONGB040	LONG BEACH TWP. Construction Fees December2018	Clsd	5,212.30	0.00	
18-01048	12/31/18	BOROO020	BORO. OF SHIP BOTTOM-CURRENT DUE TO CF-YE TURNOVER	Clsd	100,000.00		
19-00006	01/03/19	CENTR010	CENTRAL JERSEY HEALTH INS FUND DENTAL & VISION COVERAGE	Open	2,904.00		
19-00010	01/03/19	HOMED010	HOME DEPOT CREDIT SERVICES MATERIALS AND SUPPLIES	Open	188.91	0.00	B
19-00017	01/03/19	NJSHBP01	NJSHBP-Div of Pensions/Benefit ANN. EMPLOYEE HEALTH CARE	Open	52,659.93		
19-00019	01/03/19	OCDEP010	O.C. DEPARTMENT OF FINANCE 2019 TAX LEVY	Open	1,372,387.09	0.00	B
19-00024	01/03/19	SOUTH060	SOUTHERN REG. SCHOOL DISTR REGIONAL SCHOOL TAXES	Open	278,741.00		
19-00025	01/03/19	TOWNS010	TOWNSHIP OF STAFFORD ANNUAL MANAGEMENT SERVICES	Open	9,260.90		
19-00031	01/07/19	OCMUN010	O.C. MUNICIPAL JOINT INS. FUND FIRST INSTALLMENT 2019	Open	96,967.17		
19-00032	01/07/19	TRECP010	TREC DESIGN-PRINT-MAIL 2019 TAX ASSESSMENT NOTICES	Open	969.65	0.00	
19-00035	01/08/19	ALLRI005	ALL RISK, INC. WATER PLANT TTI ENVIRONMENTAL	Open	1,802.00	0.00	
19-00036	01/08/19	BOROO040	BORO. OF SHIP BOTTOM-PAYROLL PR 1/4/19	Open	91,869.66	0.00	
19-00037	01/03/19	BOROO040	BORO. OF SHIP BOTTOM-PAYROLL PR 1/4/19	Open	5,577.46	0.00	
19-00038	01/08/19	COAST010	ATLANTIC PRINTING & DESIGN PRINTING FOR 2019 MAILING	Open	2,017.86	0.00	
19-00040	01/08/19	NJDEP010	N.J. DEPT. OF HEALTH & SENIOR 4 QTR. 2018 Dog License	Open	4.20	0.00	
19-00041	01/08/19	GARDE010	GARDEN STATE HIGHWAY PRODUCTS, U-CHANNEL SIGN POSTS	Open	537.50		

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19-00044 01/08/19 COAST010 ATLANTIC PRINTING & DESIGN FLOOD INFORMATION LETTERS Open 1,001.03  
 19-00046 01/08/19 MUNICO20 MUNICIPAL CODE CORP. ADMIN SUPPORT 12/1/18-11/30/19 Open 225.00  
 19-00047 01/08/19 NEWJE010 NEW JERSEY REGISTRAR'S ASSOC 2019 MEMBERSHIP Open 50.00 0.00  
 19-00049 01/09/19 NJWAT010 N.J. WATER ASSOCIATION 2019 MEMBERSHIP DUES Open 395.00 0.00  
 19-00050 01/09/19 ANJR0010 ANJR 2-YR ANNUAL MEMBERSHIP DUES Open 180.00 0.00  
 19-00051 01/09/19 STATE010 STATE OF N.J. - PWT PUBLIC WATER TAX - 4T QTR 2018 Open 342.84 0.00  
 19-00052 01/09/19 NJPLA010 N.J. PLANNING OFFICIALS 2109 ANNUAL MEMBERSHIP Open 325.00 0.00  
 19-00053 01/09/19 EDMUN010 EDMUNDS & ASSOCIATES 2019 SOFTWARE MAINTENANCE Open 14,324.00  
 19-00055 01/09/19 AMP-C010 AMP-CO AUTO Repair for PD Hummer Open 1,289.90 0.00  
 19-00056 01/09/19 NJCON010 N.J. CONFERENCE OF MAYORS 2019 NJCM MEMBERSHIP DUES Open 295.00  
 19-00057 01/09/19 NJSTA020 N.J. STATE LEAGUE OF MUNICIPAL 2019 MEMBERSHIP DUES Open 283.00 0.00  
 19-00058 01/09/19 PETTY010 PETTY CASH 2019 PETTY CASH Open 250.00 0.00  
 19-00059 01/09/19 TREAS080 TREASURER, STATE OF NEW JERSEY DCA FEES 4TH QTR. 2018 Open 1,312.84 0.00  
 19-00061 01/10/19 PITNE015 PITNEY BOWES INC RED INK CARTRIDGE Open 80.74 0.00  
 19-00062 01/03/19 EAST010 EASTERN WAREHOUSE DISTRIBUTORS DECEMBER 2018 INVOICES Open 521.01  
 19-00063 01/11/19 MONMO010 MONMOUTH & OCEAN COUNTIES TAX 2019 MEMBERSHIP DUES Open 160.00  
 19-00065 01/14/19 ATLAN060 ATLANTIC SWITCH AND GENERATOR, SERVICE/REPAIR GEN. Open 605.00  
 19-00066 01/14/19 GUARD001 GUARDIAN TRACKING Annual Subscription Open 782.00 0.00  
 19-00072 01/15/19 MUNICO10 MUNICIPAL CLERK'S ASSOC OF O/C 2019 Membership Dues Open 185.00 0.00  
 19-00073 01/15/19 WBMAS010 W.B. MASON OFFICE SUPPLIES Open 303.50 0.00  
 19-00074 01/16/19 OCROA010 O.C. ROAD DEPARTMENT 4TH QTR. 2018 Open 1,900.00 0.00  
 19-00076 01/16/19 WBMAS010 W.B. MASON OFFICE SUPPLIES Open 1,129.68 0.00  
 19-00077 01/16/19 PITNE010 PITNEY BOWES GLOBAL FINANCIAL POSTAGE MACHINE LEASE Open 197.28 0.00  
 19-00078 01/03/19 TOWNS010 TOWNSHIP OF STAFFORD APPLIC FEE/CO-OP PRICING 2019 Open 500.00 0.00  
 19-00080 01/03/19 NJMVC005 N.J.M.V.C. 2019 ANNUAL ADMINISTRATIVE FEE Open 150.00 0.00  
 19-00081 01/17/19 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL PR 1/18/19 Open 102,615.84 0.00  
 19-00082 01/17/19 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL PR 1/18/19 Open 5,577.15 0.00  
 19-00083 01/03/19 OCDEP010 O.C. DEPARTMENT OF FINANCE ADDED & OMITTED 2018 Open 39,159.47 0.00  
 19-00084 01/22/19 SELEC010 SELECTIVE INSURANCE 2019 FLOOD INSURANCE Open 15,664.00 0.00  
 19-00085 01/03/19 MARYANN Maryann Carricarte COURT RECORDER 1/3/19 Open 75.00 0.00  
 19-00086 01/17/19 TREAS030 TREASURER, STATE OF NEW JERSEY MARRIAGE/CU LIC 4TH QTR 2018 Open 50.00  
 19-00090 01/03/19 NJPRE010 N.J. PRESS MEDIA SOLUTIONS DEC 2018 & JAN 2019 INVOICES Open 291.78 0.00  
 19-00091 01/15/19 SUBUR010 SUBURBAN DISPOSAL INC. SOLID WASTE & RECYCLING - DEC Open 27,549.95  
 19-00092 01/18/19 TREAS090 TREASURER, STATE OF NJ WATER ALLOCATION PERMIT 2019 Open 4,485.00 0.00  
 19-00093 01/18/19 COMCA010 COMCAST CABLE TV/INTERNET/CABLE Open 649.56 0.00  
 19-00094 01/18/19 COMCA015 COMCAST CABLE TRUNK PRI/TRUNK BTN - JAN 2019 Open 377.86 0.00  
 19-00095 01/18/19 STUAR010 STUART SNYDER PUBLIC DEFENDER SERVICES Open 200.00 0.00  
 19-00096 01/03/19 OWENL010 OWEN LITTLE AND ASSOCIATES VARIOUS INVOICES Open 25,929.94 0.00  
 19-00097 01/18/19 OWENL010 OWEN LITTLE AND ASS. PROFESSIONAL SERVICES RENDERED Open 761.41  
 19-00098 01/18/19 OWENL010 OWEN LITTLE AND ASS. PROFESSIONAL SERVICES RENDERED Open 750.47  
 19-00099 01/18/19 OWENL010 OWEN LITTLE AND ASSOCIATES VARIOUS INVOICES Open 10,712.96 0.00  
 19-00100 01/18/19 ATLAN050 ATLANTIC CITY ELECTRIC ELECTRICITY Open 12,726.95 0.00  
 19-00101 01/03/19 TENNA010 TENNANT MAGEE LAW PROFESSIONAL SERVICES RENDERED Open 2,707.00 0.00  
 19-00104 01/22/19 NJMVC005 N.J.M.V.C. TITLE/REGISTRATION-NEW ESCAPE Open 60.00 0.00  
 19-00105 01/18/19 GLUCK010 GLUCK WALRATH LLP ORDINANCE REVIEW Open 30.00 0.00  
 19-00106 01/08/19 VERIZO10 VERIZON TELEPHONE SERVICES Open 34.95 0.00  
 19-00107 01/04/19 PEDRO010 PEDRONI FUEL UNLEADED & DIESEL FUEL SUPPLY Open 1,291.09 0.00  
 19-00108 01/15/19 CLEAR010 CLEARY, GIACOBBE, ALFIERI & JA PROF. SERVICES RENDERED Open 821.50  
 19-00109 01/11/19 BONNIO10 BONNIE R. PETERSON PROFESSIONAL SERV RENDERED-JAN Open 1,100.00 0.00  
 19-00110 01/18/19 VERIZO20 VERIZON WIRELESS CELL PHONES/MDT UNITS Open 1,143.45 0.00  
 19-00111 01/18/19 OWENL010 OWEN LITTLE AND ASSOCIATES CURB INSPECTION SERVICES Open 375.00 0.00  
 19-00112 01/03/19 BEACH035 BEACH BUMS COMPUTERS OFFSITE REP/WS&SERVER MONITOR Open 1,086.00  
 Total Purchase Orders: 74 Total P.O. Line Items: 0 Total List Amount: 2,305,060.29 Total Void Amount: 0.00

Totals by Year-Fund

Fund Description	Fund Budget	Total Revenue	Total G/L	Total Project	Total Total
CURRENT FUND 8-01	53,931.64	0.00	0.00	0.00	53,931.64
WATER/SEWER FUND 8-06	10,634.40	0.00	0.00	0.00	10,634.40
Year Total:	64,566.04	0.00	0.00	0.00	64,566.04
CURRENT FUND 9-01	2,076,926.45	0.00	0.00	0.00	2,076,926.45
WATER/SEWER FUND 9-06	31,859.35	0.00	0.00	0.00	31,859.35
9-11	0.00	0.00	1,886.88	1,886.88	
Year Total:	2,108,785.80	0.00	0.00	1,886.88	2,110,672.68
UTILITY CAPITAL FUND C-07	21,382.90	0.00	0.00	0.00	21,382.90
GRANT FUND G-02	1,709.33	0.00	0.00	0.00	1,709.33
TRUST-OTHER T-03	200.00	0.00	0.00	0.00	200.00
DOG TRUST T-12	4.20	0.00	0.00	0.00	4.20
CONSTRUCTION TRUST T-13	106,525.14	0.00	0.00	0.00	106,525.14
Year Total:	106,729.34	0.00	0.00	0.00	106,729.34
Total Of All Funds:	2,303,173.41	0.00	0.00	1,886.88	2,305,060.29

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Project Description Project No. Project Total  
STACK, ROBERT C 16-62 125.00  
BDL PROPERTIES C 18-05 125.00  
BANK OF AMERICA C 18-19 125.00  
SHUHET, STEPHEN & MEGAN DKT 19-01 761.41  
CARLSON, RONALD DKT 19-02 750.47  
Total Of All Projects: 1,886.88

Mayor Huelsenbeck called for Resolution 2019-26: Sprint for Life Raffles. On a motion by Councilman Tallon, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019-26  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING RAFFLES FOR  
SHIP BOTTOM SPRINT INC.**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that approval is hereby granted to the Ship Bottom Sprint Inc., to conduct on-premise 50/50 raffles and an on premise merchandise raffle. The drawing will be held at the Joe Pop's Shore Bar, located at 2002 Long Beach Blvd., Ship Bottom, NJ, on April 13, 2019 from 2:00 -6:00 p.m.

**BE IT FURTHER RESOLVED**, that approval is contingent upon approval by the Legalized Games of Chance Control Commission.

Roll Call: Butkus, Hartman, Tallon, and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-27: Shared Services, Cedar Bonnet Island Water. On a motion by Councilman Butkus, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019-27  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT  
WITH SHIP BOTTOM PROVIDING WATER SERVICE TO  
CEDAR BONNET ISLAND IN THE TOWNSHIP OF STAFFORD**

**WHEREAS**, the Borough of Ship Bottom owns and operates its own system of water supply and distribution, including wells, pumping stations and appurtenances; and

**WHEREAS**, portions of Stafford Township adjacent to the Borough of Ship Bottom are without any public water supply other than that presently provided by the Borough of Ship Bottom; and

**WHEREAS**, Stafford Township has requested that the Borough of Ship Bottom furnish and deliver to it a supply of water at the westerly boundary line of the Borough of Ship Bottom, into the pipes and distribution system laid and constructed by Stafford Township, under a contract between the two municipalities, covering the terms and conditions upon which water is to be supplied and the amounts to be paid therefor; and

**WHEREAS**, N.J.S.A. 40A:65-1 et seq. authorizes municipalities to agree to provide municipal services jointly by contract when approved by resolution; and

**WHEREAS**, it is the desire of the Borough of Ship bottom to contract with the Township of Stafford for the provision of water service by the Borough to the Township.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Ship Bottom, county of Ocean, State of New Jersey, as follows:

1. That the Mayor and Clerk of the Borough of Ship Bottom are hereby authorized and directed to enter into and execute an Interlocal Services Agreement with the Township of Stafford for the provision of water service by the Borough of Ship Bottom to the Township of Stafford.
2. A copy of the Interlocal Services Agreement shall be kept on file and shall be available for public inspection at the Office of the Borough Clerk.
3. This Agreement shall take effect February 1, 2019 until December 31, 2020.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye. Rossi and English, absent.

Mayor Huelsenbeck called for Resolution 2019-28: Authorizing "Schedule C" Agreement, Ocean County. On a motion by Councilman Valyo, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2019-28**  
**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY,**  
**AUTHORIZING AN INTER-GOVERNMENTAL**  
**AGREEMENT BETWEEN THE BOROUGH OF SHIP BOTTOM**  
**AND OCEAN COUNTY FOR “SCHEDULE C” SERVICES FOR 2019**

**WHEREAS**, the County of Ocean has created and established a program to assist municipalities and governmental agencies in the repair and maintenance of municipal street and property, in addition to providing material and supplies in connection therewith; and

**WHEREAS**, the Mayor and Council of the Borough of Ship Bottom desire to enter into an Intergovernmental Agreement with the County of Ocean for services for 2019; and

**WHEREAS**, the total amount of municipal purchases of goods and services with the Road Department for road maintenance, overlay and bulkheads shall not exceed \$40,000.00; and

**WHEREAS**, the total amount of municipal purchases of goods and services with the Engineering Department for various engineering services shall not exceed \$10,000.00; and

**WHEREAS**, sufficient funds shall be appropriated and be available in the municipal budget in the total contract amount of \$50,000.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Ship Bottom as follows:

1. The Mayor is hereby authorized to enter into and the Clerk to attest to an Intergovernmental Agreement with the County of Ocean for “Schedule C” services to be provided in 2019.
2. A copy of the Intergovernmental Agreement shall be available for public inspection and kept on file in the office of the Borough Clerk.
3. The Intergovernmental Agreement shall take effect upon full execution by the parties involved and shall remain in full force and effect through December 31, 2019.
4. Certified copies of this Resolution shall be forwarded to:
  1. Clerk of the Ocean County Board of Chosen Freeholders.
  2. Ocean County Road Department.
  3. Ocean County Department of Finance.
  4. Ocean County Department of Engineering.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-29: Animal Facility Services, Ocean County. On a motion by Councilman Tallon, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019-29**  
**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY,**  
**AUTHORIZING THE EXECUTION OF A**  
**SHARED SERVICES AGREEMENT WITH THE**  
**OCEAN COUNTY BOARD OF HEALTH FOR**  
**ANIMAL FACILITY SERVICES.**

**WHEREAS**, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. authorizes governmental agencies to agree to provide shared services when approved by resolution under N.J.S.A. 40A:65-5; and

**WHEREAS**, it is the desire of the governing body to authorize the execution of a Shared Services agreement with Ocean County for animal facility services.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, as follows:

1. That the Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with Ocean County for animal facility services in accordance with the provisions of law, for the period of January 1, 2019 until December 31, 2019.
2. That a copy of the agreement referenced herein shall be kept on file and made available for public inspection at the Municipal Clerk’s office during normal business hours.



Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-30: Authorizing Jurisdictional Agreement with New Jersey for 8<sup>th</sup> & 9<sup>th</sup> Streets. On a motion by Councilman Tallon, seconded by Councilman Butkus, this was approved as follows:

**RESOLUTION 2019-30  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
AUTHORIZING THE EXECUTION OF  
JURISDICTIONAL AGREEMENT NO. 4734  
WITH THE STATE OF NEW JERSEY**

**WHEREAS**, the state is making improvements to State Highway Route 72, from Marsha Drive to Long Beach Boulevard; and

**WHEREAS**, the improvements will affect roadways maintained by the Borough;  
and

**WHEREAS**, in order to prevent future legal or maintenance problems in these areas, it is necessary that the Borough and the State apportion the jurisdiction for highway maintenance and control in an equitable manner pursuant to N.J.S.A. 27:7-1 et seq.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to execute Jurisdictional Agreement No. 4734 with the State of New Jersey regarding the improvements to State Highway Route 72 Within the Borough of Ship Bottom.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-31: Authorizing “Cops in Shops” Program. On a motion by Councilman Tallon, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2019-31  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING PARTICIPATION IN THE “COPS IN SHOPS”  
GRANT PROGRAM ADMINISTERED BY THE  
STATE OF NEW JERSEY  
DEPARTMENT OF PUBLIC SAFETY**

**WHEREAS**, the Governing Body of the Borough of Ship Bottom would like to participate in the “Cops in Shops” Grant Program administered by the State of New Jersey, Department of Law and Public Safety; and

**NOW, THEREFORE BE IT RESOLVED** as follows:

1. The Borough of Ship Bottom is hereby authorized to accept the “Cops in Shops” Grant award as follows:
  - a. #AL-19-45-05-01, in the amount of \$4,400.00, to be used for the 2019 Summer Initiative.
  - b. #AL-19-45-05-01, in the amount of \$1,760.00, to be used for two (2) critical dates on December 31, 2018 and prior to May 18, 2019 under Critical Event Funding.
2. The Borough of Ship Bottom is accepting this grant of funds for the purpose as described within the grant application.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-32: Authorizing employment, Borough Offices. On a motion by Councilman Tallon, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019-32  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING EMPLOYMENT**

January 22, 2019

**WHEREAS**, there is a need in the borough offices for an Assistant; and  
**WHEREAS**, Vienne Peters has applied for the position and was accepted to fill this position; and

**WHEREAS**, the Borough and Vienne Peters understand and agree that the hours of work for the position will fluctuate depending on the seasonal needs of the Borough and that the Borough shall establish those hours; and

**WHEREAS**, despite this fluctuation, it is anticipated that Vienne Peters will work an annual average of 24 hours per week; however, the specific hours of work shall be “as-needed” and shall not be guaranteed.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that Vienne Peters will be employed within the borough offices as an Assistant.

**BE IT FURTHER RESOLVED**, that Vienne Peters will be paid \$15.00 per hour.

**BE IT FURTHER RESOLVED**, that this Resolution is effective as of January 23, 2019 and contingent upon the results of a background check.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-33: Contract Modification #2; P & A Construction, Water/Sewer Main Installation Project. On a motion by Councilman Butkus, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019 - 33**  
**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,**  
**COUNTY OF OCEAN, STATE OF NEW JERSEY,**  
**AUTHORIZING THE EXECUTION OF AN ADDENDUM TO THE**  
**CONTRACT WITH P & A CONSTRUCTION CO., INC.**

**WHEREAS**, the Borough of Ship Bottom has previously awarded a Contract to P & A Construction Co., Inc. for the 2017 Sewer Main & Water Main Installation Project, (NJEIT S340311-03 sewer, NJEIT 1528001-001); and

**WHEREAS**, the original contract for said work was in the amount of \$4,647,643.91; and

**WHEREAS**, the Borough of Ship Bottom has received a letter of recommendation from its Borough Engineer for the Project, Frank J. Little, Jr., P.E., P.P., C.M.E., which recommends approval of Contract Modification #2 to the contract with P & A Construction Co., Inc., which will result in an increase of \$85,748.14 in the contract price, consisting of those items set forth on Schedule “A,” attached hereto and made a part hereof; and

**WHEREAS**, this Contract Modification amounts to (2%) percent of the original contract awarded to the contractor; and

**WHEREAS**, the Borough of Ship Bottom believes that the recommendations of its Borough Engineer are appropriate, and in accordance with the Contract awarded to the Contractor; and

**WHEREAS**, it is the desire of the Borough of Ship Bottom to authorize this Contract Modification.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, as follows:

1. The Borough of Ship Bottom accepts the recommendations of its Borough Engineer and approves Contract Modification #2 to the contract with P & A Construction Co., Inc., which will result in an increase of \$85,748.14 in the contract price, consisting of those items set forth on Schedule “A,” attached hereto and made a part hereof. The original contract for said work was in the amount of \$4,647,643.91 plus the Contract Modification #1 of \$99,427.93, which will be a total of \$4,747,071.84. Contract Modification #2 of \$85,748.14, increases the total to \$4,832,819.98 which is under 20% of the contract total.

2. The Borough of Ship Bottom authorizes and directs the Mayor and Municipal Clerk to execute any and all necessary documents in order to implement the intent of this Resolution.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Resolution 2019-34: Intention of issuing a Liquor License; Hotel/Motel Exception. On a motion by Councilman Tallon, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2019-34  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING NOTICE OF INTENTION TO ISSUE A NEW  
PLENARY RETAIL CONSUMPTION LICENSE FOR A  
HOTEL/MOTEL IN ACCORDANCE WITH N.J.S.A. 33:1-1 ET. SEQ.  
AND AUTHORIZING THE PUBLICATION OF  
A NOTICE OF THE PROPOSED ISSUANCE**

**WHEREAS**, N.J.S.A. 33:1-12.20 authorizes the issuance of Plenary Retail Consumption Licenses for hotels or motels having more than 100 sleeping rooms (hereinafter “hotel/motel license”) without regard to population limitations; and

**WHEREAS**, the governing body of the Borough of Ship Bottom has determined to issue a hotel/motel license; and

**WHEREAS**, N.J.S.A. 33:1-19.1 provides that whenever a municipality is authorized to issue one or more new or additional Plenary Retail Consumption Licenses, the governing body shall cause to be published a notice of the proposed issuance of said license or licenses and that applications therefore will be accepted by the governing body and that the notice shall further specify the time and date after which no further applications will be accepted. The notice shall be published in a newspaper circulating generally in the municipality by not less than two (2) insertions, one week apart, the second of which shall be made not less than 30 days prior to the time and date specified in the notice as the time and date after which no further applications will be accepted.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Ship Bottom, County of Ocean, State of New Jersey as follows:

1. That the governing body does hereby authorize notice of its intention to issue a new Plenary Retail Consumption License for a hotel/motel in accordance with the provisions of N.J.S.A. 33:1-1 et. seq.

2. That the Borough Clerk is hereby authorized to publish a notice of the proposed issuance of said license setting forth the time and date after which no further applications will be accepted, said notice to comply with the provisions of N.J.S.A. 33:1-19.1.

3. That a certified copy of this resolution shall be forwarded by the municipal clerk to the Division of Alcoholic Beverage Control.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Ordinance 2019-03: Introduction by Title, Fire Co.. On a motion by Councilman Tallon, seconded by Councilman Hartman, this was approved by Title as follows:

**ORDINANCE 2019-03  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING TITLE II OF THE  
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM  
ENTITLED “ADMINISTRATION AND PERSONNEL” SO AS  
TO CREATE A NEW CHAPTER  
2.67 ENTITLED “FIRE DEPARTMENT”**

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Ordinance 2019-04: Introduction by Title, Sewer Service System rates. On a motion by Councilman Butkus, seconded by Councilman Hartman, this was approved by Title as follows:

**ORDINANCE 2019-04  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 13.08 OF  
TITLE 13 OF THE BOROUGH CODE OF THE BOROUGH  
OF SHIP BOTTOM ENTITLED “SEWER SERVICE  
SYSTEM” SO AS TO REVISE THE RATES, FEES AND  
CHARGES FOR THE SEWER SERVICE SYSTEM**

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Ordinance 2019-05: Introduction by Title, Hotel/Motel Liquor License. On a motion by Councilman Valyo, seconded by Councilman Tallon, this was approved by Title as follows:

**ORDINANCE 2019-05  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING CHAPTER 5.08 OF  
TITLE 5 OF THE BOROUGH CODE OF THE BOROUGH  
OF SHIP BOTTOM ENTITLED "ALCOHOLIC  
BEVERAGES" SO AS TO CREATE  
A HOTEL/MOTEL CLASS LICENSE**

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Ordinance 2019-01: Second reading, public hearing and adoption; Exceed Municipal Budget. On a motion by Councilman Butkus, seconded by Councilman Valyo and all in favor vote, all aye, Mayor Huelsenbeck opened the hearing to the public. Seeing no response from the public, on a motion by Councilman Tallon, seconded by Councilman Butkus and all in favor vote, all aye, Mayor Huelsenbeck closed the hearing to the public. On a motion by Councilman Hartman, seconded by Councilman Tallon, Ordinance 2019-01 was adopted as follows:

**ORDINANCE 2019-01  
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY  
TO EXCEED THE MUNICIPAL BUDGET  
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK  
FOR THE YEAR 2019 (N.J.S.A. 40A:4-45.14)**

**WHEREAS**, the Local Government Cap Law, (N.J.S.A. 40A:4-45.1) et seq., provides that in the preparation of its Annual Budget, a municipality shall limit any increase in said Budget to 2.5% 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 Borough Council of the Borough of Ship Bottom in the County of Ocean, finds it advisable and necessary to increase the CY 2019 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 Borough Council hereby determine that a 1.0 % increase in the budget for said year, amounting to \$66,585.77 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

**WHEREAS**, the Borough Council 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 Borough Council of the Borough of Ship Bottom, in the County of Ocean, a majority of the full authorized membership of this Governing Body affirmatively concurring, that in the CY 2019 budget year, the final appropriations of the Borough of Ship Bottom shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$233,050.20, and that the CY 2019 municipal budget for the Borough of Ship Bottom be approved and adopted in accordance with this ordinance; and

**BE IT FURTHER ORDAINED**, that any amount authorized herein above 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.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Ordinance 2019-02: Second reading, public hearing and adoption; Hotel and Motel Occupancy Tax. On a motion by Councilman Hartman, seconded by Councilman Tallon and all in favor vote, all aye, Mayor Huelsenbeck opened the hearing to the public.

1. Anne Clarke, 1202 Central Ave., owner of Islander Motel LLC, stated that their motel is family owned and has 15 rooms with no police activity. Mrs. Clarke believes that this additional 3% tax will adversely affect their occupancy. Adding this on top of the Vacation by Owner and AirBB will impact their business.
2. Rick McDonough, 265 W. 13<sup>th</sup> St., asked where the additional revenue would be used. Kathleen Flanagan stated, the general fund.

On a motion by Councilman Tallon, seconded by Councilman Butkus and all in favor vote, all aye, Mayor Huelsenbeck closed the hearing to the public. On a motion by Councilman Hartman, seconded by Councilman Tallon, Ordinance 2019-02 was adopted as follows:

**ORDINANCE 2019-02  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AMENDING AND SUPPLEMENTING TITLE 5 OF THE  
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM  
ENTITLED "BUSINESS LICENSES AND REGULATIONS"  
SO AS TO ESTABLISH NEW CHAPTER 5.64 ENTITLED  
"HOTEL AND MOTEL OCCUPANCY TAX"**

**BE IT ORDAINED**, by the governing body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, as follows:

**SECTION 1.** Title 5 of the Borough Code of the Borough of Ship Bottom is hereby amended and supplemented to create new Chapter 5.64 entitled "Hotel and Motel Occupancy Tax" which shall read as follows:

**Section 5.64.010 Purpose.**

It is the purpose of this chapter to implement the provisions of P.L. 2003, c. 114, which authorizes the governing body of a municipality to adopt an ordinance imposing a tax at a uniform percentage rate not to exceed 3% on charges of rent for every occupancy on or after July 1, 2004, of a room or rooms in a hotel and motel subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 40 (N.J.S.A. 54:32B-3) which shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

**Section 5.64.020 Tax established.**

There is hereby established a hotel and motel room occupancy tax in the Borough of Ship Bottom which shall be fixed at a uniform percentage rate of 3% on charges of rent for every occupancy of a hotel room in the Borough of Ship Bottom of a room or rooms in a hotel subject to taxation pursuant to Subsection (d) of Section 3 of P.L. 1966, c. 40, N.J.S.A. 54:32B-3 (sales tax).

**Section 5.64.030 Tax in addition to other taxes and fees.**

The hotel and motel room occupancy tax shall be in addition to any other tax or fee imposed pursuant to statute or local ordinance or resolution by any governmental entity upon the occupancy of a hotel room.

**Section 5.64.040 Statutory requirements.**

In accordance with the requirements of P.L. 2003, c. 114:

- A. All taxes imposed by this chapter shall be paid by the purchaser.
- B. A vendor shall not assume or absorb any tax imposed by this chapter.
- C. A vendor shall not in any manner advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the tax will be assumed or absorbed by the vendor, that the tax will not be separately charged and stated to the customer or that the tax will be refunded to the customer.

D. Each assumption or absorption by a vendor of the tax shall be deemed a separate offense, and each representation or advertisement by a vendor for each day that the representation or advertisement continues shall be deemed a separate offense.

E. The penalty for violation of the foregoing provisions shall be \$1,250 for each offense.

**Section 5.64.050 Collection of tax.**

The tax imposed by this chapter shall be collected on behalf of the Borough of Ship Bottom by the person collecting the rent from the hotel or motel customer. Each person required to collect the tax herein imposed shall be personally liable for the tax imposed, collected or required to be collected hereunder. Any such person shall have the same right in respect to collecting the tax from a customer as if the tax were a part of the rent and payable at the same time; provided that the Chief Financial Officer of the Borough shall be joined as a party in any action or proceeding brought to collect the tax.

**SECTION 2.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

**SECTION 3.** This ordinance shall take effect after public reading and publication as required by law.

**SECTION 4.** This ordinance shall take effect on the first day of the first full month occurring 90 days after the date of transmittal to the State Treasurer.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for correspondence. On a motion by Councilman Tallon and seconded by Councilman Valyo the following requests were approved:

1. Southern Regional Senior Service Day on May 30<sup>th</sup>, 2019. The seniors will clean up the beaches and then enjoy the rest of the day.
2. Ship Bottom Republican Club, requesting the use of the building for meetings at 7:00 pm on February 14, March 14, April 11, May 9, October 10 and December 12.
3. Ann-Marie Hendrickson, Conquer Chiari Walk Across America on September 21<sup>st</sup>, 2019 from 7:00 am until 1:00 pm at the Waterfront Park.
4. LBI Chamber of Commerce, Kite Festival, October 11<sup>th</sup> through the 14<sup>th</sup>.

Roll Call: Butkus, Hartman, Tallon and Valyo, all aye.

Mayor Huelsenbeck called for Reports of Committees.

Revenue and Finance: Councilman David Hartman

The tax payments received from 12/27/18 to 01/22/2019 were \$480,887.76 and of that \$348,623.08 was for 2019, \$126,479.23 was for 2018 and \$5,740.13 was for interest.

We ended 2018 with a percentage collection of 98.45%. The 1<sup>st</sup> quarter taxes for 2019 are due on February 1<sup>st</sup>.

As of today, 26 properties are delinquent with their 2018 taxes and are subject to tax sale. Letters have been mailed to these property owners. Our tax sale is scheduled for April 10<sup>th</sup>.

PD 5's were mailed out to all our seniors who are receiving the senior deductions and must be returned by March 1<sup>st</sup>.

Miscellaneous revenue of note: beach buggy fees of \$400.00 and municipal court fines & fees of \$3,908.70.

The Treasurer's Report is as follows:  
 Treasurer's Report, Bank of America, December 2018

<u>ACCT TITLE/ ACCOUNT #</u>	<u>BEGINNING BALANCE</u>	<u>DEPOSITS</u>	<u>DISBURSEMENTS</u>	<u>ENDING BALANCE</u>
GENERAL OPERATING	5,477,853.17	2,102,352.64	1,960,803.69	5,619,402.12
GENERAL CAPITAL	1,078,649.77	46,625.00	7,300.00	1,117,974.77
UTILITY OPERATING	584,892.34	195,070.38	31,494.66	748,468.06
UTILITY CAPITAL	195,315.77	405,043.00	202,004.77	398,354.00
GENERAL TRUST	528,718.85	44,776.00	146,262.53	427,232.32
CONSTRUCTION TRUST	123,329.74	13,428.00	1,003.95	135,753.79
DOG TRUST	737.00	-	-	737.00
PUBLIC DEFENDER	1,062.63	-	400.00	662.63
TAX SALE PREMIUMS	19,400.00	3,100.00	-	22,500.00
FORFEITURE OF FUNDS	21,335.20	-	-	21,335.20
PAYROLL	74,964.35	219,214.83	237,752.47	56,426.71
ALCOHOL EDUCATION	6,613.05	700.00	-	7,313.05
GRANT FUND *new 9/2018	114,138.25	31,742.09	700.00	145,180.34

Public Safety: Councilman Tom Tallon

The combined public safety report for December 2018 and January 2019.

There were 535 reported activities. There were 3137 patrol vehicle miles. There were 80 beach, building and business checks. There were also 161 traffic stops, five motor vehicle accidents without injuries and three motor vehicle accident with injuries.

Parks and Recreation: Councilman Edward English, absent

Kathleen Flanagan stated that the applications for badge checkers and the LIT program are on the website.

Public Property and Community Affairs: Councilman Joseph Valyo

Code Enforcement: The verbal warnings were: 2 for illegal signs, 12 for trash, 1 for trailer on street, 1 for overgrown grass and 1 for construction materials on street. There was a summons issued for and unfit building and 1 for nuisance/debris.

Zoning: 5 resale inspections and 11 zoning permits issued.

Construction: 15 permits processed; 11 permits and 4 permit updates. The type of work was 8 alteration/renovations, 6 addition/rehabs and 1 new building. The total revenue was \$7,271.00.

Water/Sewer: Councilman Robert Butkus

For the month of December, there were 7,173,000 gallons of water pumped and 27 mark-outs were done. There were 645 mark-outs done during 2018. A lot of this was done to install water meters.

From 12/27/2018 until 01/22/2019, we collected \$53,772.19 in water payments for 2018, \$68,429.53 in sewer payments for 2018 for a total of \$122,201.72. We also collected \$100.00 in water payments for 2019.

The last quarter, metered property bills, are now due and to date we have 161 accounts that have not been paid. Late notices will be mailed by the end of this month.

We now have 648 residential metered accounts.

Public Works: Councilman Peter Rossi, absent.

Mayor Huelsenbeck stated that Ocean County was researching the drainage pipes along Central Ave. from 23<sup>rd</sup> to 28<sup>th</sup> Street. The bulkhead job on Ship Bottom Ave. will be going out to bid soon.

On a motion by Councilman Butkus, seconded by Councilman Hartman and all in favor vote, all aye, Mayor Huelsenbeck opened the meeting to the public.

January 22, 2019

1. Rick McDonough, 265 W. 13<sup>th</sup> St., thanked the Mayor and Council for supporting Southern Regional's Senior Service Day.

2. Douglas White, President and Todd MacLennan, Fire Chief, of the Ship Bottom Volunteer Fire Co., reported that there were 356 fire calls in 20a8, which is up 20 calls from 2017. The number of year-round residents is increasing. The Fire Co. is doing a lot of training in house. There is also discussion about replacing the ladder truck. It is 19 years old and is not able to reach some of the heights of the buildings in town.

3. Steve Moser, 1930 Bay Terrace, said that the DPW did a good job on snow removal.

On a motion by Councilman Hartman, seconded by Councilman Butkus and all in favor vote, all aye, Mayor Huelsenbeck closed the meeting to the public.

On a motion by Councilman Tallon, seconded by Councilman Hartman and all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 7:23 p.m.

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Kathleen Wells, RMC, Municipal Clerk

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William Huelsenbeck, Mayor