

Reorganization Meeting Minutes
January 3, 2017

The following are the minutes of the Annual Reorganization Meeting of the Mayor and Council of the Borough of Ship Bottom, which was held on Tuesday, January 3, 2017, in the Borough Hall Council Chambers, located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey.

Mayor Huelsenbeck called the Reorganization Meeting to order at 5:00 p.m. and 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.

Mayor Huelsenbeck called for the Flag Salute, followed by a prayer.

Christopher Connors, Esq., administered the Oath of Office to the newly elected officials, Councilman Tom Tallon and Councilman Robert Butkus.

Councilman Butkus was joined by his family for his oath: Marcie Mullen and Dan, Robin, Brianna, Jade and Josh Butkus.

Councilman Hartman held the Bible for Councilman Tallon.

The Mayor asked the Clerk to take attendance. The following were present:

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

The Mayor called for nominations for Council President. On a motion by Councilman Rossi, seconded by Councilman Hartman, Councilman English was nominated as Council President.

Seeing no other nominations, the Mayor closed the nominations and asked for a roll call vote for Councilman Edward English to serve in the capacity of Council President.

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

Mayor Huelsenbeck called for Resolution 2017-01: Adoption of Annual Meeting Notice. On a motion by Councilman Tallon, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017-01
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ANNUAL MEETING NOTICE OF 2017**

WHEREAS, the Open Public Meetings Act requires municipalities to provide annual notice of the schedule of regular meetings for the coming year within seven days of the annual reorganization meeting; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom, that pursuant to the provisions of N.J.S.A. 10:4-1 et seq. all regular meetings of the Governing Body will be held in the Municipal Building, 1621 Long Beach Blvd., Ship Bottom, New Jersey. Formal action will be taken and closed sessions may be held. Such meetings shall commence with a Caucus Meeting at 6:30 p.m. with the Regular Meeting immediately following, on the fourth Tuesday of each month, according to the following schedule: January 24; February 28; March 28; April 25; May 23; June 27; July 25; August 22; September 26; October 24; November 28 and December 26, 2016. The Reorganization Meeting for 2018 will be held on January 2, 2018 at 5:00 p.m.

The agenda of the regular meetings, to the extent known, shall be as follows:

1. Call the meeting to order.
2. Approval of minutes of prior meeting.
3. Authorization to pay municipal bills.
4. Disposition of new business.
5. Disposition of unfinished business.
6. Attend to correspondence.
7. Committee reports.

8. Public discussion.
9. Adjournment

BE IT FURTHER RESOLVED that the following newspapers are hereby designated as official newspapers of the Borough of Ship Bottom and this Resolution shall be published once in each of these newspapers. This notice shall be posted and maintained throughout the year on the bulletin board in the municipal building. No further publication of the regular meetings shall appear again until January, 2018.

Beach Haven Times, Asbury Park Press and the Atlantic City Press

The public is invited to attend each and every meeting.

Notice of any special meetings shall be so posted and at least two newspapers shall be notified at least forty-eight (48) hours prior to such meeting.

Pursuant to Section 17 of the Open Public Meetings Act, anyone may request that advance written notice of any public meeting be mailed to them, upon prepayment of the sum of \$10.00 per year paid to the Borough Clerk to cover the reasonable cost of handling and mailing. Such requests for notices shall terminate December 31, 2017 and a new request must be made for 2018. In accordance with the American Disabilities Act, Special Assistance Accommodations are available. Please contact the Borough Clerk at 494-2171, ext. 116 for further information.

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

Mayor Huelsenbeck called for Resolution 2017-02: Committee Appointments. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2017-02
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING THE COMMITTEE APPOINTMENTS FOR 2017**

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom, County of Ocean, that the following committee appointments are ratified for 2017:

REVENUE AND FINANCE

CHAIRMAN: DAVID HARTMAN
MEMBER: TOM TALLON
MEMBER: EDWARD ENGLISH

PUBLIC WORKS

CHAIRMAN: PETER ROSSI
MEMBER: ROBERT BUTKUS
MEMBER: DAVID HARTMAN

PARKS AND RECREATION

CHAIRMAN: EDWARD ENGLISH
MEMBER: ROBERT BUTKUS
MEMBER: PETER ROSSI

PUBLIC SAFETY

CHAIRMAN: TOM TALLON
MEMBER: EDWARD ENGLISH
MEMBER: JOSEPH VALYO

PUBLIC PROPERTY

CHAIRMAN: JOSEPH VALYO
MEMBER: TOM TALLON
MEMBER: PETER ROSSI

WATER/SEWER

CHAIRMAN: ROBERT BUTKUS
MEMBER: JOSEPH VALYO
MEMBER: DAVID HARTMAN

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

Mayor Huelsenbeck called for Resolution 2017-03: Appointment of Borough Solicitor. On a motion by Councilman Rossi, seconded by Councilman Butkus, this was approved as follows:

**RESOLUTION 2017-03
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING CHRISTOPHER J. CONNORS, ESQ.,
OF THE FIRM OF DASTI, MURPHY, McGUCKIN,
ULAKY, KOUTSOURIS & CONNORS AS MUNICIPAL
ATTORNEY FOR THE BOROUGH OF SHIP BOTTOM.**

WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal attorney as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Christopher J. Connors, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors is duly qualified to serve as the municipal attorney for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Christopher J. Connors, Esq. of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors as municipal attorney; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2017 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors from making any reportable contributions through the term of the contract; and

WHEREAS, the Chief Financial officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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

- A. That Christopher J. Connors, Esq., of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors is hereby appointed as municipal attorney for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Christopher J. Connors, Esq., of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.
- C. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- D. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2017.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Christopher J. Connors, Esq., of the firm of Dasti, Murphy, McGuckin, Ulaky, Koutsouris & Connors.
- G. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Legal Services O/E.
- H. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
- I. A copy of this Resolution, as well as Contract Agreement is on file with the Municipal Clerk.
- J. The Business Disclosure Entity Certification and the Determination of Value will be attached to the agreement.

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

Mayor Huelsenbeck called for Resolution 2017-05: Appointment of Borough Auditor. On a motion by Councilman Hartman, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017-05
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING BRIAN K. LOGAN, RMA
OF THE FIRM OF SUPLEE, CLOONEY & COMPANY
AS MUNICIPAL AUDITOR FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal auditor as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Brian K. Logan, RMA of the firm of Suplee, Clooney & Company is duly qualified to serve as the municipal auditor for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Brian K. Logan, RMA of the firm of Suplee, Clooney & Company as municipal auditor; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2017 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Brian K. Logan, RMA of the firm of Suplee, Clooney & Company has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Suplee, Clooney & Company, has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit the firm of Suplee, Clooney & Company from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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 Brian K. Logan, RMA of the firm of Suplee, Clooney & Company is hereby appointed as municipal auditor for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Brian K. Logan, RMA of the firm of Suplee, Clooney & Company.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
4. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
5. This Resolution takes effect January 1, 2017.
6. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Brian K. Logan, RMA of the firm of Suplee, Clooney & Company.
7. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Financial Admin. O/E; Audit Services O/E; and Water/Sewer Audit O/E.
8. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
9. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
10. Business Disclosure Entity Certification and the Determination of Value will be attached to the agreement.

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

Mayor Huelsenbeck called for:

- Resolution 2017-04: Appointment of Borough Engineer.
- Resolution 2017-06: Appointment of Labor Counsel.
- Resolution 2017-07: Appointment of Bond Counsel.
- Resolution 2017-08: Appointment of Special Counsel.
- Resolution 2017-09: Appointment of Prosecutor.
- Resolution 2017-10: Appointment of Public Defender.
- Resolution 2017-11: Appointment of Appraisal Services.
- Resolution 2017-12: Appointment of Phoenix Advisors, LLC
- Resolution 2017-13: Appointment of Municipal Court Judge
- Resolution 2017-14: Appointment of Alternate Public Defender

On a motion by Councilman Rossi, seconded by Councilman Butkus, these resolutions were approved as follows:

**RESOLUTION 2017-04
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING FRANK J. LITTLE, JR., P.E. OF
OWEN, LITTLE AND ASSOCIATES AS
MUNICIPAL ENGINEER FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal engineer as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Frank J. Little, Jr., P.E. is duly qualified to serve as the municipal engineer for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates as municipal engineer; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2017 municipal budget; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the firm of Owen Little & Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Owen Little & Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit the firm of Owen Little & Associates, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contract for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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

- A. That Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates is hereby appointed as municipal engineer for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017, or upon 30 days written notice by either party.
- B. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates.
- C. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- D. A notice of this action shall be printed once in an official newspaper of the Borough of Ship Bottom.
- E. This Resolution takes effect January 1, 2017.
- F. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Frank J. Little, Jr., P.E., of the firm of Owen, Little and Associates.
- G. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Engineering O/E
- H. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
- I. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- J. The Business Disclosure Entity Certification and the Determination of Value will be attached to the contract.

**RESOLUTION 2017-06
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING BRUCE W. PADULA, ESQ. OF THE FIRM OF
CLEARY GIACOBBE ALFIERI JACOBS, LLC
AS LABOR COUNSEL FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of labor counsel; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC is duly qualified to serve as the labor counsel for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC as labor counsel; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm of Cleary Giacobbe Alfieri Jacobs, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of Cleary Giacobbe Alfieri Jacobs, LLC, has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit the firm of Cleary Giacobbe Alfieri Jacobs, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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

- a. That Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC is hereby appointed as labor counsel for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC.
- c. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution takes effect January 1, 2017.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Bruce W. Padula, Esq. of the firm of Cleary Giacobbe Alfieri Jacobs, LLC.
- g. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Human Resources O/E.
- h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
- i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- j. The Business Disclosure Entity Certification will be placed on file with the agreement.

**RESOLUTION 2017-07
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING THE FIRM OF GLUCKWALRATH LLP
AS BOND COUNSEL FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, the Borough of Ship Bottom is in need of the services of bond counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the firm of GluckWalrath LLP, is duly qualified to serve as bond counsel for the Borough of Ship Bottom; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, the firm GluckWalrath LLP has completed and submitted a Business Entity Disclosure Certification which certifies that the firm of GluckWalrath LLP, has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit the firm of GluckWalrath LLP from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has determined and certified in writing that the value of the contract to be awarded under this Resolution may exceed \$17,500 in the 2017 municipal budget; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., authorizes the award of contracts for the “Professional Services” without competitive bids and requires that the resolution and contract be made available for public inspection.

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

- a. That the firm of GluckWalrath LLP is hereby appointed as bond counsel for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest the agreement with GluckWalrath LLP.
- c. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution shall take effect January 1, 2017.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to GluckWalrath LLP.
- g. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following is the line item appropriation which constitutes the availability of funds for this contract: Bond Sales and Legal Expense O/E.
- h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
- i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- j. The Business Disclosure Entity Certification will be placed on file with the agreement.

**RESOLUTION 2017 -08
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING TENNANT MAGEE, ESQ. OF THE FIRM
OF TENNANT MAGEE LAW AS SPECIAL COUNSEL
FOR THE BOROUGH OF SHIP BOTTOM**

WHEREAS, from time to time because of a conflict of interest or other reasons, the need for special counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the governing body desires to appoint Tennant Magee, Esq. of the firm of Tennant Magee Law as special counsel; and

WHEREAS, the anticipated term of this contract is from January 1, 2017 until December 31, 2017; and

WHEREAS, Tennant Magee, Esq. completed and submitted a Business Entity Disclosure candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Tennant Magee, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. requires that a Resolution authorizing the award of contracts for “Professional Services” without competitive bids must be publicly advertised.

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

- a. That Tennant Magee, Esq. is hereby appointed as special counsel to represent the Borough.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Tennant Magee, Esq. in accordance with the provisions of this Resolution.
- c. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. That the agreement shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. The terms of the contract shall be from January 1, 2017 to December 31, 2017 or upon 30 days written notice by either party. No

- services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
- e. That a certified copy of this Resolution shall be forwarded to the Chief Financial Officer and to Tennant Magee, Esq.
 - f. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
 - g. This Resolution takes effect January 1, 2017.
 - h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
 - i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
 - j. The Business Disclosure Entity Certification will be attached to the agreement.

**RESOLUTION 2017-09
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING BONNIE R. PETERSON, ESQ.
AS MUNICIPAL PROSECUTOR
FOR THE BOROUGH OF SHIP BOTTOM.**

WHEREAS, the Borough of Ship Bottom is in need of the services of a municipal prosecutor; as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Section 14 of P.L. 1996, c. 95 provides that a municipality may employ an attorney-at-law as a prosecutor, under the supervision of the Attorney General or County Prosecutor, who may represent the State, County or municipality in any matter within the jurisdiction of a certain municipal court or any other municipal court; and

WHEREAS, Bonnie R. Peterson, Esq., is duly qualified to serve as a municipal prosecutor for the Borough of Ship Bottom; and

WHEREAS, the anticipated term of this contract is from January 1, 2017 until December 31, 2017; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to appoint Bonnie R. Peterson, Esq., as Municipal Prosecutor in accordance with Section 14 of P.L. 1996, c. 95; and

WHEREAS, Bonnie R. Peterson, Esq., has completed and submitted a Business Entity Disclosure Certification which certifies that Bonnie R. Peterson, Esq., has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Bonnie R. Peterson, Esq., from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection in the office of the Municipal Clerk

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. Bonnie R. Peterson, Esq., is hereby appointed as Municipal Prosecutor for the Borough of Ship Bottom in accordance with Section 14 of P.L. 1996, c. 95, for the term commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
2. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Bonnie R. Peterson, Esq., as Prosecutor for the Borough of Ship Bottom.
3. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
4. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
5. This Resolution takes effect January 1, 2017.
6. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Bonnie R. Peterson, Esq.,
7. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Prosecutor's Office O/E.
8. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
9. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
10. The Business Disclosure Entity Certification will be attached to the agreement.

**RESOLUTION 2017-10
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING STUART SNYDER, ESQ.
AS PUBLIC DEFENDER FOR
THE BOROUGH OF SHIP BOTTOM.**

WHEREAS, the Borough of Ship Bottom is in need of the services of a public defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Stuart Snyder, Esq., is duly qualified to serve as the public defender for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Stuart Snyder, Esq., as public defender; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Stuart Snyder, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that Stuart Snyder, Esq., has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Stuart Snyder, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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

- a. That Stuart Snyder, Esq. is hereby appointed as public defender for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Stuart Snyder, Esq.
- c. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- e. This Resolution takes effect January 1, 2017.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Stuart Snyder, Esq.
- g. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Legal Assistance for Indigent O/E.
- h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
- i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- j. The Business Disclosure Entity Certification will be attached to the agreement.

**RESOLUTION 2017-11
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM, COUNTY
OF OCEAN, STATE OF NEW JERSEY,
APPOINTING HENRY J. MANCINI, M.A.I, C.R.E OF
HENRY J. MANCINI AND ASSOCIATES, INC.
FOR APPRAISAL SERVICES**

WHEREAS, it is the desire of the governing body to appoint Henry J. Mancini, M.A.I., C.R.E. of Henry J. Mancini and Associates, Inc. for expert appraisal services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Henry J. Mancini, M.A.I., C.R.E. is duly qualified to serve as an expert appraiser; and

WHEREAS, the purchasing agent of the Borough has determined and certified in writing that the value of the appraisal services may exceed \$17,500.00; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Henry J. Mancini and Associates, Inc. has submitted a proposal indicating they will provide the appraisal services for the amounts as set forth in the proposal, a copy of which is attached to the contract; and

WHEREAS, Henry J. Mancini and Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Henry J. Mancini and Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Henry J. Mancini and Associates, Inc. from making any reportable contributions through the term of the contract; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et. seq. authorizes the award of contracts for “professional services” without competitive bids and requires that the resolution and contract be made available for public inspection.

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 Henry J. Mancini, M.A.I., C.R.E. is hereby awarded a contract to serve as an expert appraiser for the Borough of Ship Bottom.
2. That the Mayor is authorized to execute and the Borough Clerk to attest the attached agreement with Henry J. Mancini, M.A.I., C.R.E. in accordance with the provisions of this resolution.
3. That the contract shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. The term of the contract shall be for one year from the date of award. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
4. This contract is awarded without competitive bidding as a “professional service” in accordance with N.J.S.A. 40A:11-1(a)(i) of the Local Public Contracts Law because it is for services to be performed by person(s) authorized by law to practice a recognized profession.
5. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
6. That the Business Disclosure Entity Certification and the determination of value be placed on file with this resolution.
7. This resolution shall take effect January 1, 2017.
8. A certified copy of this resolution, together with the contract attached hereto, shall be provided by the Borough Clerk to the Chief Financial Officer and to Henry J. Mancini, M.A.I., C.R.E.

**RESOLUTION 2017-12
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING PHOENIX ADVISORS, LLC AS CONTINUING
DISCLOSURE AGENT AND INDEPENDENT REGISTERED
MUNICIPAL ADVISOR OF RECORD**

WHEREAS, the Borough of Ship Bottom (hereinafter referred to as the “Borough”) is in need of retaining the services of a Continuing Disclosure Agent and Independent Registered Municipal Advisor of Records in order to ascertain the Borough’s compliance with any Continuing Disclosure Agreements (hereinafter “CDA”) executed in connection with the Borough’s issuance of bonds and to correct any filing deficiencies; and

WHEREAS, the Borough believes it is beneficial to retain assistance of appropriately registered experts in the field of municipal bond finance, with knowledge and experience in these matters, to assist in assuring compliance with CDA’s and to stand ready to provide advice as needed with the issuance of Borough debt as municipal advisor of record; and

WHEREAS, Phoenix Advisors, LLC provides such continuing disclosure services and is an Independent Registered Municipal Advisor under the Security and Exchange Commission Regulations; and

WHEREAS, Phoenix Advisors, LLC has submitted a Continuing Disclosure and Registered Municipal Advisor of Record Proposal and Agreement a copy of which is attached hereto and make a part hereof as Schedule “A”.

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 does hereby appoint Phoenix Advisors, LLC to serve as its Continuing Disclosure Agent and Independent Municipal Advisor of Record.
2. The scope of services to be provided by Phoenix Advisors, LLC as Continuing Disclosure Agent and Independent Registered Municipal Advisor of Record, as well as compensation for such services, shall be in accordance with the proposal and agreement, a copy of which is attached hereto and made a part hereof as Schedule “A”.
3. The governing body does hereby authorize the Mayor to execute and the Borough Clerk to attest to any and all necessary documents in order to implement the intent of this Resolution.

**RESOLUTION 2017-13
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING JAMES A. LIGUORI AS
MUNICIPAL COURT JUDGE FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, there is a need to appoint a judge of the municipal court for the Borough of Ship Bottom; and

WHEREAS, James A. Liguori is duly qualified to be appointed as Municipal Court Judge; and

WHEREAS, N.J.S.A. 2B:12-4 provides that each judge of a municipal court shall serve for a term of three (3) years from the date of appointment and until a successor is appointed and qualified; and

WHEREAS, it is the desire of the Mayor and governing body to appoint James A. Liguori as Municipal Court Judge for the Borough of Ship Bottom.

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 does hereby nominate and the governing body approve the appointment of James A. Liguori for the position of Municipal Court Judge for the Borough of Ship Bottom.
2. In accordance with the provisions of N.J.S.A. 2B:12-4 James A. Liguori shall serve as Municipal Court Judge for the Borough of Ship Bottom for a term of three (3) years which term shall commence on January 1, 2017 and expire on December 31, 2019.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Honorable Marlene Ford, A.J.S.C., James A. Liguori and the Chief Financial Officer for the Borough of Ship Bottom.

**RESOLUTION 2017-14
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING CURTIS DOWELL, ESQ. AS ALTERNATE PUBLIC
DEFENDER FOR THE BOROUGH OF SHIP BOTTOM.**

WHEREAS, the Borough of Ship Bottom is in need of the services of an alternate public defender as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Curtis Dowell, Esq., is duly qualified to serve as the alternate public defender for the Borough of Ship Bottom; and

WHEREAS, it is the desire of the governing body to appoint Curtis Dowell, Esq., as alternate public defender; and

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, Curtis Dowell, Esq. has completed and submitted a Business Entity Disclosure Certification which certifies that, Curtis Dowell, Esq. has not made any reportable contributions to a political or candidate committee in the Borough of Ship Bottom in the previous one year, and that the contract will prohibit Curtis Dowell, Esq. from making any reportable contributions through the term of the contract; and

WHEREAS, the maximum amount of the contract to be awarded under this Resolution is set forth in the 2017 municipal budget; and

WHEREAS, the Chief Financial Officer has certified that there are funds available for this contract, which certification is annexed hereto; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. authorizes the award of contracts for "Professional Services" without competitive bids and requires that the Resolution and contract be made available for public inspection.

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

- a. That Curtis Dowell, Esq. is hereby appointed as alternate public defender for the Borough of Ship Bottom for a term of one (1) year, commencing January 1, 2017 and ending December 31, 2017 or upon 30 days written notice by either party.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with Curtis Dowell, Esq.
- c. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.

- e. This Resolution takes effect January 1, 2017.
- f. A certified copy of this Resolution shall be provided by the Borough Clerk to the Chief Financial Officer and to Curtis Dowell, Esq.
- g. That a certificate of availability of funds executed by the Chief Financial Officer is annexed hereto. The following are the line item appropriations or ordinances which constitute the availability of funds for this contract: Legal Assistance for Indigent O/E.
- h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contact Agreement.
- i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- j. The Business Disclosure Entity Certification and the will be placed with the agreement.

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

Mayor Huelsenbeck called for Resolution 2017-15: Cash Management Plan. On a motion by Councilman Hartman, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017-15
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING A CASH MANAGEMENT PLAN**

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ship Bottom, County of Ocean, hereby adopt the following as the Cash Management Plan of the Borough of Ship Bottom for the fiscal year 2017:

**Cash Management Plan of the Borough of Ship Bottom,
in the County of Ocean, New Jersey**

I. Statement of Purpose

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and investment ("Permitted Investments") of certain public funds of the Borough of Ship Bottom ("Borough"), pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. Identification of Funds and Accounts to be Covered by the Plan

- A. The plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough:
 - 1. Current Fund
 - 2. Federal and State Grant Fund
 - 3. Dog License Fund
 - 4. Trust - Other Fund
 - a. Payroll Account
 - b. Tax Certificate Reserve
 - c. Forfeited (Confiscated) Property Trust Fund
 - d. Cash Bonds/Inspection & Review Fees/Developers' Escrow Trust Fund
 - e. Public Defender Trust Fund
 - f. Parking Offense Adjudication Act Trust Fund
 - g. Any other trust funds that may be approved, during the term of this Plan, as a dedication by rider to the municipal budget of the Borough
 - 5. Capital Fund
 - 6. Water/Sewer Utility Operating Fund
 - 7. Water/Sewer Utility Capital Fund
 - 8. Public Assistance Fund

- B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically:
 - 1. Bond and Interest Account

III. **Designation of Officials of the Borough Authorized to make Deposits and Investments under the Plan**

The Chief Financial Officer of the Borough (the "Designated Official") is hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or Permitted Investments, such officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgment kept on file with such officials,

IV. **Designation of Depositories**

The following banks and financial institutions are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- A. TD Bank
- B. Wells Fargo Bank
- C. Bank of America
- D. Sun Bank
- E. Fulton Bank
- F. Ocean First
- G. Any other Bank or Savings and Loan Association insured by the F.D.I.C. or the F.S.L.I.C., and located in the State of New Jersey, that may be approved during the term of this Plan, as a depository of Borough funds
- H. All such depositories, when approved, shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgment to the Designated Official referred to in Section III above.

V. **Authorized Investments**

A. Except as specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:

1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
2. Government money market mutual funds;
3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part or within which the school district is located;
5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of investment of the Department of the Treasury for investment by Local Units;
6. Local government investment pools;
7. Deposits with the State of New Jersey Cash Management Fund established pursuant to section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or Agreements for the repurchase of fully collateralized securities if:
 - a) The underlying securities are permitted investments pursuant to paragraphs 1 and 3 of this subsection A;
 - b) The custody of collateral is offered to a third party
 - c) The maturity of title agreement is not more than 30 days;
 - d) The underlying securities are purchased through a public depository as defined in section 1 of P.L. 1970, c.236 (C.17:9-41); and
 - e) A master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a) Which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940," 15 U.S.C. sec. 80a-I et seq.. and operated in accordance with 17 C.F.R. sec. 270.2a-7.
- b) The portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c) Which has:

- i. Attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
- ii. Retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the Investment Advisors Act of 1940," 15 U.S.C. sec. 80b- I et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a) Which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b) Which is rated in the highest category by a nationally recognized statistical rating organization;
- c) Which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d) Which is in compliance with rules adopted pursuant to the "Administrative Procedure Act," P. L. 1968, c.410 (C.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;
- e) Which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f) Which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

B. Notwithstanding the above authorization, the moneys on hand in the following funds and accounts shall be further limited as to maturities, specific investments or otherwise as follows:

[none].

VI. Safekeeping, Custody, Payment and Acknowledgment of Receipt of Plan

To the extent that any Deposit or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to ensure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds. To assure that all parties with whom the Borough deals either by way of Deposits or Permitted investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official,

VIII. Term of Plan

This Resolution authorizes that this Plan shall be in effect from January 1, 2017 to December 31, 2017. The Plan may be amended from time to time. To the extent that any amendment is adopted by the governing body, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

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

Mayor Huelsenbeck called for Resolution 2017-16: Authorization of facsimile signatures. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017-16
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING FACSIMILE SIGNATURES
OF BOROUGH OFFICIALS**

WHEREAS, the undersigned hereby certifies to the Bank of America, Fulton Bank, Ocean First Bank, Sun Bank, TD Bank, and Wells Fargo, that Kathleen Wells, Secretary and Municipal Clerk of the Borough of Ship Bottom, New Jersey, a Corporation duly organized under the existing laws of the State of New Jersey, and that the following is a Resolution duly adopted by the Mayor and Council of said Corporation at a meeting held January 3, 2017, at which time a quorum was present, and that such Resolution has not been rescinded or modified.

NOW, THEREFORE, BE IT RESOLVED, that the aforementioned banks as designated depositories of this Corporation be, and it is hereby requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in this Corporation name, including those payable to the individual order of any person or persons whose name or names appear thereon as signed or signers thereof, when bearing or purporting to bear the facsimile of anyone of the following:

WILLIAM HUELSENBECK, MAYOR

KATHLEEN FLANAGAN, EDWARD ENGLISH, TOM TALLON AND DAVID HARTMAN will use true signatures on all checks.

And the said Banks shall be entitled to honor and charge this Corporation for such checks, drafts, or other orders regardless of by whom or by what means for actual purported facsimile signature or signatures resemble the facsimile specimens duly certified to or filed with the said Banks by the Secretary or other officer of this Corporation.

I further certify that there is no provision in the Charter-by-laws of said Corporation limiting the power of the Mayor and Council to pass the foregoing Resolution and that the same is in conformity with the provisions of said Charter-by-law.

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

Mayor Huelsenbeck called for Resolution 2017-17: Interest rates on delinquent tax and water/sewer charges. On a motion by Councilman Butkus, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2017-17
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
DESIGNATING INTEREST RATES ON DELINQUENT
TAXES AND WATER/ SEWER CHARGES FOR 2017**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that an interest charge of eight per cent (8%) per annum on the first \$1,500.00 delinquency and eighteen per cent (18%) per annum on any amount in excess of \$1,500.00 is to be calculated from the date the tax was payable, until the date of actual payment. No interest shall be charged if payment of any installment is made within the tenth (10th) day following the date on which same became payable.

Delinquency means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years.

BE IT FURTHER RESOLVED, that a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the calendar year, shall be charged a penalty of six percent (6%) on the amount of the delinquency.

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

Mayor Huelsenbeck called for Resolution 2017-18: Authorizing Walter R. Higgins as Taxing Agent. On a motion by Councilman Hartman, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2017-18
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING WALTER R. HIGGINS TO ACT AS THE
AGENT FOR THE TAXING DISTRICT FOR 2017**

WHEREAS, from time to time the Tax Assessor discovers an error in calculation, transposing, measurement, or typographical error in the tax assessments on the tax list after the time the County Board of Taxation has certified the tax rates for the tax year or a property becomes subject to a roll-back assessment; and

WHEREAS, the Governing Body of the Taxing District of the Borough of Ship Bottom is desirous that every taxpayer pays his fair share of taxes; and

WHEREAS, if the above discovered errors are not corrected, the taxpayers affected would not be paying their fair share of taxes; and

WHEREAS, the method for correcting such errors is to file a Petition of Appeal or Complaint with the Ocean County Board of Taxation.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Taxing District of the Borough of Ship Bottom that the Tax Assessor, Walter R. Higgins, is hereby authorized to act as the agent for the Taxing District during the year of 2017 and file a Petition of Appeal or Complaint with the Ocean County Board of Taxation to correct such assessments to the proper value and that a copy of any Petition of Appeal or Complaint filed with the Ocean County Board of Taxation under this Resolution be filed with the Municipal Clerk.

BE IT FURTHER RESOLVED, that the Tax Assessor, Walter R. Higgins, is hereby appointed to execute stipulations of settlement on any Tax Appeal or Complaint filed by the taxing district or by a taxpayer in the year 2017.

BE IT FURTHER RESOLVED, that on or before June 1st of each year, the Assessor shall notify the Chief Finance Officer and the Governing Body of all tax appeals.

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

Mayor Huelsenbeck called for Resolution 2017-19: Ratifying Positions to Tenured Officials and Personnel. On a motion by Councilman Tallon, seconded by Councilman Butkus, this was approved as follows:

**RESOLUTION 2017-19
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING POSITIONS OF TENURED OFFICIALS,
PERSONNEL AND APPOINTMENTS FOR 2017**

WHEREAS, the following officials are tenured within the Borough of Ship Bottom:

Municipal Clerk	Kathleen Wells
Construction Code Official	Susan Kilcheski

NOW, THEREFORE, BE IT RESOLVED, that the following personnel are hereby employed within the Borough of Ship Bottom in 2017:

Administrator	Mark A. Pino
Chief Financial Officer	Kathleen Flanagan
Qualified Purchasing Agent	Kathleen Flanagan
Tax Collector	Linda Eliason-Ash
Deputy Tax Collector	Dawn Annarumma
Tax Search Officer	Linda Eliason-Ash
Deputy Tax Search Officer	Dawn Annarumma
Tax Assessor	Walter Higgins
Mun. Assessment Search Officer	Kathleen Wells
Registrar	Kathleen Wells
Deputy Municipal Clerk	Danielle Mezzina
Deputy Registrar	Kathleen Flanagan
Assistant to Finance Officer	Dawn Annarumma
Administrative Clerk	Patricia Gresko
Assistant to Assessor	Patricia Gresko
Court Administrator	Karen Garcia
Water/Sewer Clerk	Linda Eliason-Ash
Zoning Officer	Susan Kilcheski
Deputy Zoning Officer	Robert Rossi
Code Enforcement Officer	Robert Rossi
Recycling Coordinator	Robert Rossi
Clean Communities Coordinator	Robert Rossi

Superintendent of Public Works Stephen Sulecki
Safety Coordinator Stephen Sulecki

BE IT FURTHER RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, that the following are hereby appointed to special committees:

American Disabilities Coordinator Mark A. Pino
American Disabilities Committee Tom Tallon
Public Agency Compliance Officer Mark A. Pino (P.A.C.O.)
Joint Insurance Fund Commissioner Mark A. Pino
Alt. Joint Insurance Fund Commissioner Tom Tallon
Member of Emergency Management Fire Douglas White

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

Mayor Huelsenbeck called for Resolution 2017-20: Appointment, CRS (Community Rating System) Coordinator. On a motion by Councilman Tallon, seconded by Councilman Valyo, this was approved as follows:

**RESOLUTION 2017-20
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING A CRS (COMMUNITY RATING SYSTEM)
COORDINATOR**

WHEREAS, the Borough of Ship Bottom wishes to continue its efforts regarding the planning and development of a flood mitigation plan in conjunction with the NFIP - Community Rating System Program as well as its participation in earning points for the possible reduction of flood insurance rates; and

WHEREAS, in order to carry out these efforts a committee has been formed comprised of various residents of the Borough of Ship Bottom; George Sansverie, Anne Nachman, and Richard Kuhn, Council Representative Tom Tallon, Emergency Management Representative Joseph Valyo; Mayor William Huelsenbeck, Borough Administrator Mark A. Pino and Frank J. Little, Borough Engineer, to renew and prepare the Flood Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that Mark A. Pino be and is hereby designated Acting CRS (Community Rating System) Coordinator authorized to execute all required documents regarding the above-mentioned programs.

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

Mayor Huelsenbeck called for Resolution 2017-21: Authorizing cancellation of tax balances under \$4.00. On a motion by Councilman Tallon, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2017-21
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE CANCELLATION OF
DELINQUENCIES AND OVERPAYMENTS OF BALANCES
OF LESS THAN \$4.00 FOR TAXES**

WHEREAS NJSA 40A:5-17.1(b) authorizes a governing body to designate an authorized municipal employee to process, without further action on the part of the governing body, the cancellation of any property tax overpayment or delinquency of less than five dollars (\$5.00).

WHEREAS, it will be more cost effective to cancel said delinquent amounts.

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 Tax Collector is hereby authorized to cancel the delinquent balances of less than four dollars (\$4.00) on the tax records, for a total of \$46.78.

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

Mayor Huelsenbeck called for Resolution 2017-22: Appointment, Environmental Commission. On a motion by Councilman Tallon, seconded by Councilman Butkus, this was approved as follows:

**RESOLUTION 2017-22
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING A MEMBER TO THE JOINT
ENVIRONMENTAL COMMISSION.**

WHEREAS, the Mayor and Borough Council adopted Ordinance No. 2005-24 on September 27, 2005, establishing a Joint Environmental Commission.

NOW, THEREFORE BE IT RESOLVED, that the following appointment to the Joint Environmental Commission has been made by the Mayor and is hereby ratified by the Borough Council.

1. James Bishop

BE IT FURTHER RESOLVED that the term of appointment is from January 1, 2017 to December 31, 2017.

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

Mayor Huelsenbeck called for Resolution 2017-23: Appointments to the Land Use Review Board. On a motion by Councilman Tallon, seconded by Councilman Butkus, this was approved as follows:

**RESOLUTION 2017-23
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING APPOINTMENTS TO THE
LAND USE REVIEW BOARD**

NOW, THEREFORE, BE IT RESOLVED, that the following appointments to the Land Use Review Board have been made by the Mayor and are hereby ratified by the Borough Council:

Class I Member (1-year term) expiration 12/31/17	William Huelsenbeck
Class I Member (1-year term) expiration 12/31/17 (Mayor's Designee)	Robert Butkus
Class II Member (1-year term) expiration 12/31/2017	James Bishop
Class III Member (1-year term) expiration 12/31/17	Edward English
Class IV Member (unexpired 4-year term, of Robert Butkus) expiration 12/31/19	Frank Cooper
Class IV Member (4-year term) expiration 12/31/20	Tracey Schmidt
Alternate #1 (2-year term) expiration 12/31/2018	William J. Fenimore

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

Mayor Huelsenbeck called for Resolution 2017-24: Award of contract, Animal Capture and Control. On a motion by Councilman Valyo, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2017-24
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO ANIMAL CAPTURE
AND CONTROL SERVICES.**

WHEREAS, it is the desire of the governing body to award a contract for animal control services to Animal Capture and Control Services.

W, 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 award a contract for animal control services to Animal Capture and Control Services in accordance with the bid submitted by Animal Capture and Control Services.
2. That the Mayor and Municipal Clerk are hereby authorized to execute a contract with Animal Capture and Control Services in accordance with the quotation submitted by Animal Capture and Control Services and the bid specifications.
3. That the contract term shall be for period of one year, commencing January 1, 2017 and expiring on December 31, 2017 or upon 30 day's written notice by either party, for the annual sum of \$4,020.00 per year.
4. That a certified copy of this resolution, together with a copy of the contract between the parties, be forwarded to the Chief Financial Officer and to Animal Capture and Control Services.

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

Mayor Huelsenbeck called for Resolution 2017-25: Adoption of a Temporary Budget for the first quarter of 2017. On a motion by Councilman Tallon, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017-25
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADOPTION OF A TEMPORARY BUDGET FOR THE
FIRST QUARTER OF 2017**

WHEREAS, NJSA 40A:4-19 provides for the making of temporary appropriations for the period January 3, 2017 to the adoption of the 2017 Budget; and

WHEREAS, the Governing Body desires to provide for the orderly method of paying claims during the period prior to the adoption of the 2017 Budget.

NOW, THEREFORE, BE IT RESOLVED that the following appropriations which do not exceed twenty-six and twenty-five hundredths percent (26.25%) of the 2016 appropriations exclusive of Debt Service, Capital Improvement Fund and Public Assistance, are hereby adopted as the 2017 Temporary Budget.

BE IT FURTHER RESOLVED that the following appropriations for interest and debt redemption charges are hereby adopted as the 2017 Temporary Debt Service Budget.

**BOROUGH OF SHIP BOTTOM
TEMPORARY BUDGET
2017
CURRENT FUND**

Mayor & Council	S&W	9,500.00
	O&E	1,250.00
Admin & Exec	S&W	8,750.00
	O&E	5,000.00
Municipal Clerk	S&W	18,750.00
	O&E	6,250.00
Financial Admin	S&W	18,750.00
	O&E	8,750.00
Audit Services	O&E	1,050.00
Human Resources	O&E	10,000.00
Revenue Admin	S&W	18,750.00
	O&E	10,000.00
Tax Assessment	S&W	8,750.00
	O&E	5,000.00
Revaluation	O&E	18,750.00
Legal Services	O&E	10,000.00
Liquidation of Tax Title Liens	O&E	250.00
Consulting Services	O&E	27,500.00

January 3, 2017

Engineering Services	O&E	11,250.00
Historical Preservation	O&E	0
LURB	S&W	3,750.00
	O&E	4,500.00
Zoning	S&W	9,375.00
	O&E	1,250.00
Insurance	Other	21,250.00
	Health Benefits Waiver	0
	Workers Compensation Employee Group Insurance	82,500.00 162,500.00
Transportation	O&E	2,500.00
Police	S&W	305,750.00
	O&E	19,500.00
Police Dispatch	O&E	14,375.00
Emergency Mgt	S&W	1,875.00
	O&E	1,875.00
Prosecutor	O&E	4,000.00
Streets & Maintenance	S&W	40,000.00
	O&E	12,500.00
Environmental Health Services	S&W	0
	O&E	0
Equipment Maint. & Repair	S&W	31,250.00
	O&E	12,500.00
Garbage & Trash Removal	O&E	64,250.00
Wharves, Docks & Bulkheads	S&W	5,250.00
	O&E	1,625.00
Recycling	S&W	2,750.00
	O&E	2,875.00
Public, Buildings & Grounds	S&W	16,250.00
	O&E	17,500.00
Other Code Enforcement	S&W	8,925.00
	O&E	1,312.50
Board of Health	O&E	11,500.00
Animal Control	O&E	1,750.00
Aid to Senior Citizens Center	O&E	0
Recreation	S&W	2,500.00
	O&E	1,275.00
Beach Replenishment	O&E	3,000.00
Accumulated Absence	O&E	7,500.00
Celebration of Public Events	O&E	9,187.50
Municipal Court	S&W	21,250.00
	O&E	3,750.00
Public Defender	O&E	2,375.00
Beachfront Maintenance	S&W	39,900.00
	O&E	4,200.00
Beach Operation	S&W	88,725.00
	O&E	13,125.00
Construction	S&W	11,250.00
	O&E	3,750.00
Electricity		7,500.00
Street Lighting		25,000.00
Telephone		7,500.00
Natural Gas		4,500.00
Gasoline		16,250.00
Sanitary Landfill		48,750.00
PERS		30,806.50
SS		53,750.00
PFRS		54,663.00

January 3, 2017

Unemployment		3,150.00
LOSAP		0
IA - Assessor	S&W	4,000.00
	O&E	500.00
IA – Collector	S&W	5,000.00
	O&E	500.00
	Total	<u>1,537,194.50</u>

Exclusions

Payment on Bond Principal	75,000.00
Interest on Bonds	5,000.00
Green Trust Loan Program	<u>10,000.00</u>
Total	<u>90,000.00</u>

UTILITY FUND

S&W	70,000.00
O&E	340,000.00
Capital Improvement Fund	2,500.00
Reserve for Emergency Repairs	0
Payment of Bond Principal	185,000.00
Payment of Bond Interest	11,000.00
Payment on Bond Anticipation Notes	0
Interest on Bond Anticipation Notes	0
Infrastructure Loan Principal	13,000.00
Infrastructure Loan Interest	23,000.00
PERS	0
SS	1,706.00
Unemployment	<u>600.00</u>
TOTAL UTILITY BUDGET	<u>646,806.00</u>

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

Mayor Huelsenbeck called for Ordinance 2017-01: Introduction by Title, Exceed Municipal Budget. On a motion by Councilman Tallon, seconded by Councilman English, this was approved by Title as follows:

**ORDINANCE 2017-01
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 2017 (N.J.S.A. 40A:4-45.14)**

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

On a motion by Councilman Rossi, seconded by Councilman Butkus and an all in favor vote, all aye, Mayor Huelsenbeck opened the meeting to the public. Seeing no response from the audience, on a motion by Councilman English, seconded by Councilman Tallon and an all in favor vote, all aye, Mayor Huelsenbeck closed the meeting to the public.

On a motion by Councilman Rossi, seconded by Councilman English and an all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 5:25 p.m.

Kathleen Wells, RMC

William Huelsenbeck, Mayor