

March 2, 2017

Budget Workshop Meeting Minutes  
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The following are the minutes of the Budget Workshop Meeting of the Mayor and Council of the Borough of Ship Bottom, which was held on Thursday, March 2, 2017, in the Borough Hall Council Chambers, located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey.

Mayor Huelsenbeck called the Meeting to order at 9:02 a.m.

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

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

Mark Pino, Administrator and Kathleen Flanagan, Chief Finance Officer were 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 sent to the Beach Haven Times and the Atlantic City Press on February 17, 2017 and advertised in the Asbury Park Press in accordance with the Open Public Meetings Act. This notice was also posted on the bulletin board in the Municipal Building on February 17, 2017.

Mayor Huelsenbeck called for the Public Hearing on the proposed CDBG project. On a motion by Councilman English, seconded by Councilman Tallon and an all in favor vote, all aye, Mayor Huelsenbeck opened the hearing to the public. Having no one in the public wishing to speak, on a motion by Councilman Rossi, seconded by Councilman English and an all in favor vote, all aye, Mayor Huelsenbeck closed the hearing to the public.

There was discussion regarding the need for additional restrooms throughout the Borough.

Mayor Huelsenbeck called for Resolution 2017-57: Authorizing application, CDBG. On a motion by Councilman English, seconded by Councilman Hartman this was approved as follows:

**RESOLUTION 2017-57  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING APPLICATION FOR THE  
COMMUNITY DEVELOPMENT BLOCK GRANT FOR  
THE BOROUGH OF SHIP BOTTOM FOR 2017**

**WHEREAS**, the Borough of Ship Bottom has entered into an Agreement with the County of Ocean entitled "Agreement Between the County of Ocean and the Borough of Ship Bottom and Certain Municipalities Located Therein for the Establishment of a Cooperative Means of Conducting Certain Community Development Activities"; and

**WHEREAS**, certain federal funds are potentially available to the Borough under Title 1 of the Housing and Community Development Act of 1974 as amended, commonly known as the Community Development Block Grant Program; and

**WHEREAS**, the Borough of Ship Bottom desires to obtain funding for:

- a. Handicap accessible improvements to the 4<sup>th</sup> Street Remembrance Park, including, but not limited to, brick paver walkways.

**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. The Governing Body does hereby authorize the 2017 project application for Ocean County Community Development Block Grant in the total amount of \$40,000.00 to be used for the following:

- a. Handicap accessible improvements to the 4<sup>th</sup> Street Remembrance Park, including, but not limited to, brick paver walkways.

2. The Mayor is hereby authorized to sign and execute the attached application for the purpose stated herein.

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

Mayor Huelsenbeck called for Resolution 2017-58: Appointment, Special Counsel. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2017 -58  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
APPOINTING PAUL V. FERNICOLA, ESQ. AND ROBERT  
E. MOORE, ESQ. OF THE FIRM OF  
PAUL V. FERNICOLA & ASSOCIATES, LLC  
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 Paul V. Fericola, Esq. and Robert E. Moore, Esq. of the firm of Paul V. Fericola & Associates, LLC as special counsel; and

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

**WHEREAS**, Paul V. Fericola, Esq. and Robert E. Moore, Esq. completed and submitted a Business Entity Disclosure Certification which certifies that Paul V. Fericola, Esq. and Robert E. Moore, 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 Paul V. Fericola, Esq. and Robert E. Moore, 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 Paul V. Fericola, Esq. and Robert E. Moore, 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 Paul V. Fericola, Esq. and Robert E. Moore, 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 March 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 Paul V. Fericola, Esq. and Robert E. Moore, 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 March 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.

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

Mayor Huelsenbeck talked about the meeting that was held with Paul Fericola, Councilmen Tallon and Butkus, Mark Pino, Kathleen Flanagan, Frank Little and himself, regarding the eminent domain process.

Mark Pino brought up the changes in the law regarding Rice Notices. There was discussion regarding the extent of the changes to the law and the impact on the Borough.

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Mayor Huelsenbeck called for the Budget Workshop portion of the meeting. Kathleen Flanagan went through the proposed budget by line item.

Everyone took a break at 11:20 am. At 11:27 am, the workshop continued.

Councilman English left the meeting at 12:25 pm.

On a motion by Councilman Rossi, seconded by Councilman Butkus, Mayor Huelsenbeck adjourned the meeting at 1:00 pm.

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Kathleen Wells, RMC  
Municipal Clerk

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William Huelsenbeck, Mayor