

Borough of Ship Bottom  
Special Meeting Minutes  
May 15, 2013

The following are the minutes of the special meeting of the Mayor and Council of the Borough of Ship Bottom, which was held on Wednesday, May 15, 2013, in the Council Room located at 1621 Long Beach Blvd., Ship Bottom, NJ 08008.

Mayor Huelsenbeck called the meeting to order at 4:40 p.m. and asked the Clerk to take attendance. The following were present:

Councilmen Tallon, English, Sinopoli, Rossi and Hartman. Gleason, absent.

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

This Special Meeting of the Mayor and Council of the Borough of Ship Bottom being held on May 15, 2013, at 4:30 p.m., was called pursuant to the provisions of the Open Public Meetings Act. Notice was sent to the Atlantic City Press, the Asbury Park Press and the Beach Haven Times on May 13, 2013 and also posted on the bulletin board in the Municipal Building on May 13, 2013.

The Mayor called for the approval of the minutes of the meeting held on March 26, 2013. On a motion by Councilman English, seconded by Councilman Rossi, the minutes were approved.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

The Mayor called for the approval of the minutes of the meeting held on April 23, 2013. On a motion by Councilman Rossi, seconded by Councilman Tallon, the minutes were approved.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for the first item of new business, Resolution 2013-65: Temporary employment, Police Dept. On a motion by Councilman Tallon, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2013-65  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING APPOINTMENT AND EMPLOYMENT OF  
SPECIAL LAW ENFORCEMENT OFFICERS**

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the following be appointed and employed for the summer season at the listed rates of pay.

Thomas Marks	Class II Officer, 5 <sup>th</sup> year	\$15.00 per hour
Craig Potter	Class II Officer, 1 <sup>st</sup> year	\$15.00 per hour
Richard O'Hagan	Class II Officer, 3 <sup>rd</sup> year	\$12.25 per hour
Anthony Laslo	Class I Officer, 1 <sup>st</sup> year	\$11.00 per hour

**BE IT FURTHER RESOLVED**, that this Resolution is effective as of May 15, 2013.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for Resolution 2013-66: Public works and office professionals contracts. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-66  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
APPROVING A MEMORANDUM OF AGREEMENT  
BETWEEN THE BOROUGH AND TEAMSTERS LOCAL  
NO. 35 FOR SUCCESSOR COLLECTIVE NEGOTIATIONS**

**AGREEMENT WITH THE DEPARTMENT OF PUBLIC  
WORKS AND OFFICE PROFESSIONALS AND APPROVING  
THE FORM OR COLLECTIVE NEGOTIATIONS AGREEMENTS**

**WHEREAS**, Teamsters Local No. 35 is the recognized majority representative for certain Borough employees in two (2) bargaining units: Public Works and Office Professionals; and

**WHEREAS**, the agreements between the Borough and Public Works and between the Borough and Office Professionals both expired on December 31, 2012; and

**WHEREAS**, the Borough and Teamsters Local No. 35 have agreed to terms for successor collective negotiations agreements between them on behalf of the two (2) aforementioned bargaining units; and

**WHEREAS**, the bargaining units have ratified the memorandum of agreement; and

**WHEREAS**, the Borough wishes to approve the memorandum of agreement and the collective negotiations agreements in substantially the form attached hereto.

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

1. The Borough approves the attached memorandum of agreement between the Borough and Teamsters Local No. 35 for a successor collective negotiations agreement between them for the Public Works and Office Professionals bargaining units; and

2. The Borough approves the collective negotiations agreements between it and the Public Works Unit and the Office Professionals Unit in substantially the same form as is attached hereto; and

3. The Mayor is authorized to execute the collective negotiations agreements on behalf of the Borough.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for Resolution 2013-67: Drug and Alcohol policy. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-67  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
APPROVING REVISIONS TO THE BOROUGH'S  
DRUG AND ALCOHOL POLICY AND INCORPORATING  
THOSE CHANGES INTO THE  
BOROUGH'S EMPLOYEE HANDBOOK**

**WHEREAS**, the Borough has determined that it is in its best interest, for the health, safety and welfare of its employees and the residents of the Borough to amend the provisions of its drug and alcohol policy and incorporate those changes into the Employee Manual; and

**WHEREAS**, the Borough has presented these changes to Teamsters Local No. 35 for consideration and comment; and

**WHEREAS**, Teamsters Local No. 35 have expressed their agreement with the changes to the drug and alcohol policy.

**NOW, THEREFORE BE IT RESOLVED** that the Borough hereby approves and adopts the attached Zero Tolerance Drug and Alcohol Policy and incorporates same into the Employee Manual; and

**BE IT FURTHER RESOLVED**, that Labor Counsel is directed to incorporate this policy into the Employee Handbook; and

**BE IT FURTHER RESOLVED**, that the Administrator shall notify all employees of the new policy.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for Resolution 2013-68: Liquor license, person to person transfer. On a motion by Councilman English, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-68  
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING AND APPROVING A PERSON TO PERSON  
LIQUOR LICENSE TRANSFER APPLICATION TO  
1302 RESTAURANT, LLC  
LICENSE NO. 1528-32-006-005**

**WHEREAS**, an application has been filed for a person to person transfer of plenary retail consumption license No. 1528-32-006-005 heretofore issued to CK 7 Inc. ; and

**WHEREAS**, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly reviewed for the current license term; and

**WHEREAS**, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, and the regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and

**WHEREAS**, the applicant has disclosed and the Ship Bottom Police Department has reviewed the source of all funds used in the purchase of the license, as well as the licensed business and all additional financing obtained in connection with the licensed business; and

**WHEREAS**, the application for a person to person transfer has been submitted in accordance with requirements of the Division of Alcoholic Beverage Control, and the applicant had been reviewed and approved by the municipal Police Department.

**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 approve of the transfer of the aforesaid plenary retail consumption license to 1302 Restaurant, LLC and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership.
2. The license, subject to all its terms and conditions is hereby transferred to 1302 Restaurant, LLC, effective May 22, 2013.
3. That all other terms and conditions that have been approved upon the operation of this license by the governing body shall remain in full force and effect.
4. That a certified copy of this resolution shall be forwarded to the Division of Alcoholic Beverage Control and to the applicant.

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for Ordinance 2013-07: Limited Smoking areas on the beach. On a motion by Councilman English, seconded by Councilman Sinopoli, this was approved by title as follows:

**ORDINANCE 2013-07  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY  
OF OCEAN, STATE OF NEW JERSEY, AMENDING AND  
SUPPLEMENTING CHAPTER 12.24 OF TITLE 12 OF THE  
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM  
ENTITLED "SMOKING IN PLAYGROUND AND BATHING  
BEACH AREAS - PROHIBITION" SO AS TO ESTABLISH NO  
SMOKING REGULATIONS WITHIN DESIGNATED AREAS OF  
THE OCEAN BEACH**

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck called for Ordinance 2013-08: Authorizing the acceptance of property. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved by title as follows:

**ORDINANCE 2013-08  
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,  
COUNTY OF OCEAN, STATE OF NEW JERSEY,  
AUTHORIZING THE ACQUISITION OF A PORTION  
OF BLOCK 131, LOT 4, IN ACCORDANCE WITH N.J.S.A. 40A:12-5**

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

Mayor Huelsenbeck asked the Council to approve June 14, 15 & 16 as additional Sidewalk Sale Days for the merchants. There will be an island wide LBI Thank You Fest that weekend and all the municipalities will be participating in Sidewalk Sales for the business'.

Mayor Huelsenbeck called for the request from Comcast to put up a table, tent and car, on May 25<sup>th</sup> from 10:00 am until 12:00 noon. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved.

May 15, 2013

Roll Call: Tallon, English, Sinopoli, Rossi and Hartman, all aye. Gleason, absent.

On a motion by Councilman Sinopoli, seconded by Councilman Rossi, and an all in favor vote, all aye, to open the meeting to the public. Mayor Huelsenbeck stated the record should reflect that there were no members of the public present. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, and an all in favor vote, all aye, to close the meeting to the public.

The Mayor, Council and Rich Bethea discussed placing houses in the street for a limited time, in order to get them raised. It was decided that we would put a policy in place regarding this.

There was also discussion regarding the replenishment of the Surf City and Brant Beach beaches and whether we could honor their badges within a few blocks of our border.

The Clerk reminded the Mayor and Council that the Beach Opening at the 17<sup>th</sup> St. beach, sponsored by the Chamber of Commerce will be happening on Saturday, May 18<sup>th</sup>.

On a motion by Councilman Rossi, seconded by Councilman Sinopoli, and an all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 5:12 p.m..

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Kathleen Wells, RMC  
Municipal Clerk

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William Huelsenbeck  
Mayor