

May 28, 2013

Borough of Ship Bottom
Regular Meeting Minutes
May 28, 2013

The following are the minutes of the regular meeting of the Mayor and Council of the Borough of Ship Bottom, which was held on Tuesday, May 28, 2013, in the Municipal Building Council room, located at 1621 Long Beach Blvd., Ship Bottom, NJ.

Mayor Huelsenbeck called the Caucus Meeting to order at 6:34 p.m. and asked the Clerk to take attendance. The following were present:

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

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

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

During Caucus, there was discussion regarding the Shared Services Agreement with Beach Haven regarding the construction department.

The Mayor talked about the three (3) items before the Council tonight regarding the beach replenishment easements and the preexisting dune walkovers at the Drifting Sands and also at the Fishery condominiums. Christopher Connors, Esq., talked about a pending bill that he has sponsored as a State Senator. The bill would allow the courts to consider the value to the property of having the beach replenishment project add sand to protect their property.

Rich Bethea, Administrator, talked about the generators for the water department.

Mayor Huelsenbeck talked about some business grants and loans that are available.

Stacy Olsen from NJ Hope and Healing was scheduled to talk to the Mayor and Council regarding counseling services. Ms. Olsen was not in attendance.

The Mayor opened the regular meeting at 7:00 p.m. and asked the Clerk to take attendance. The following were present:

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

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

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

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

Mayor Huelsenbeck asked for the approval of the minutes of the May 15, 2013 special meeting. On a motion by Councilman English, seconded by Councilman Tallon, these were approved as presented.

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

The Mayor called for the approval of the current and water/sewer account bills. On a motion by Councilman Sinopoli, seconded by Councilman English, these were approved as follows:

01CURRENT CURRENT FUND	
32900 05/02/13 LINDA010 LINDA ELIASON-ASH	3,625.00 239
32901 05/31/13 ACEOU010 ACE OUTDOOR POWER EQUIPMENT	43.92 242
32902 05/31/13 ACTIV010 ACTIVE IMPRINTS	491.82 242
32903 05/31/13 AMP-C010 AMP-CO AUTO	99.95 242
32904 05/31/13 ARAMA010 ARAMARK	488.40 242
32905 05/31/13 ASBUR010 ASBURY PARK PRESS	71.00 242
32906 05/31/13 ATLAC010 ATLANTIC CAPITAL ASSETS, LLC	3,486.03 242
32907 05/31/13 ATLAN040 ATLANTIC TELCOM	173.25 242
32908 05/31/13 ATLAN050 ATLANTIC CITY ELECTRIC	4,774.81 242

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32909 05/31/13 ATLAS010 ATLAS FLASHER CO., INC.	266.00 242
32910 05/31/13 ATT00010 AT&T	29.47 242
32911 05/31/13 BEACH020 BEACH HAVEN AUTOMOTIVE, INC.	190.09 242
32912 05/31/13 BEACH030 BEACH HAVEN TIMES	75.24 242
32913 05/31/13 BENEF010 BENEFIT EXPRESS	1,054.90 242
32914 05/31/13 BLUES010 BLUE STAR OF NJ INC.	240.00 242
32915 05/31/13 BONNI010 BONNIE R. PETERSON	1,000.00 242
32916 05/31/13 CHAMP010 CHAMPION FASTENING SYSTEMS	748.00 242
32917 05/31/13 CLEAR010 CLEARY, GIACOBBE, ALFIERI & JA	1,080.36 242
32918 05/31/13 COAST010 ASAP/COASTAL PRINTING	1,004.38 242
32919 05/31/13 COMCA010 COMCAST CABLE	902.02 242
32920 05/31/13 CONTR010 CONTRACTOR SERVICES, INC.	1,043.86 242
32921 05/31/13 COPY-010 COPY-RITE PRINTING	2,045.00 242
32922 05/31/13 DELAW010 DELAWARE VALLEY PAYROLL	644.94 242
32923 05/31/13 DOCKS010 DOCKSIDE MARINE SUPPLY CO.INC	27,253.97 242
32924 05/31/13 DOWNS010 DOWN'S FORD	871.47 242
32925 05/31/13 DRAEG010 DRAEGER SAFETY DIAGNOSTICS	307.50 242
32926 05/31/13 DYNAM010 DYNAMIC TESTING SERVICE	215.00 242
32927 05/31/13 EAGLE010 EAGLE POINT GUN/TJ MORRIS & SO	1,644.94 242
32928 05/31/13 EAST010 EASTERN AUTOPARTS WAREHOUSE	9.09 242
32929 05/31/13 FERGU010 FERGUSON ENTERPRISES	59.18 242
32930 05/31/13 GALLS010 GALL'S 0.00 05/31/13 VOID 0	
32931 05/31/13 GALLS010 GALL'S	12,611.51 242
32932 05/31/13 GLENJ010 GLENN JUSZCZAK	75.00 242
32933 05/31/13 GLUCK010 GLUCK WALRATH LLP	1,200.00 242
32934 05/31/13 JERSE010 JERSEY CAPE DIAGNOSTICS	2,064.00 242
32935 05/31/13 JESCO010 JESCO INC.	393.58 242
32936 05/31/13 JOGEL010 JOANNE GELATO	50.00 242
32937 05/31/13 KATHL030 KATHLEEN WELLS	31.64 242
32938 05/31/13 LEBLA010 LeBLANC'S PRECISION PLUMBING	262.50 242
32939 05/31/13 LINCO010 LINCOLN NATIONAL LIFE INS. CO.	8,805.00 242
32940 05/31/13 LONGB040 LONG BEACH TWP.	21.00 242
32941 05/31/13 MAGIC010 MAGIC WASH	4.25 242
32942 05/31/13 MANAH010 MANAHAWKIN AUTO	72.06 242
32943 05/31/13 MARYT010 MARY TANTILLO	201.08 242
32944 05/31/13 MOBIL010 MOBILEASE MODULAR SPACE INC.	2,196.00 242
32945 05/31/13 MWCOM010 M&W COMMUNICATIONS, INC.	301.21 242
32946 05/31/13 NEVRO010 NEVRON ELECTRICAL CONTRACTORS	1,082.45 242
32947 05/31/13 NJDIV010 N.J. DIV. OF ALCOHOLIC BEV. CO	21.00 242
32948 05/31/13 NJNAT010 N.J. NATURAL GAS	1,438.76 242
32949 05/31/13 NJPRE010 N.J. PRESS MEDIA SOLUTIONS	139.20 242
32950 05/31/13 OCCLE010 O.C. CLERK	136.00 242
32951 05/31/13 OCENG010 O.C. ENGINEERING DEPARTMENT	163.97 242
32952 05/31/13 OCPOL020 O.C. POLICE TRAFFIC SAFETY	35.00 242
32953 05/31/13 OCROA010 O.C. ROAD DEPARTMENT	695.01 242
32954 05/31/13 OFFIC010 OFFICE BASICS	518.99 242
32955 05/31/13 OWENL010 OWEN LITTLE AND ASSOCIATES	7,113.55 242
32956 05/31/13 OXYGE010 OXYGEN SUPPLY CO., INC.	20.00 242
32957 05/31/13 PAULF010 PAUL F. SHARKEY	80.00 242
32958 05/31/13 PITNE010 PITNEY BOWES	133.00 242
32959 05/31/13 PROCA010 PROCAPITAL FUND I, LLC	2,415.99 242
32960 05/31/13 QUILL010 QUILL	653.92 242
32961 05/31/13 SEASP010 SEA SPRAY CLEANERS	54.00 242
32962 05/31/13 SOUTH030 SOUTH JERSEY PAPER SUPPLY	992.34 242
32963 05/31/13 STAND010 STANDARD INSURANCE CO.	467.50 242
32964 05/31/13 STAPI010 STAPLES CONTRACT & COMMERCIAL	442.95 242
32965 05/31/13 STAPL010 STAPLES	348.19 242
32966 05/31/13 STATE030 STATE TOXICOLOGY LABORATORY	90.00 242
32967 05/31/13 STUAR010 STUART SNYDER	550.00 242
32968 05/31/13 SUBUR010 SUBURBAN DISPOSAL INC.	27,499.54 242
32969 05/31/13 THEHO010 THE HOME DEPOT	1,143.31 242
32970 05/31/13 THIST010 THIS & THAT UNIFORMS	494.00 242
32971 05/31/13 TOWNS010 TOWNSHIP OF STAFFORD	508.75 242
32972 05/31/13 TRICH010 T. RICHARD BETHEA	56.11 242
32973 05/31/13 TUCKE010 TUCKERTON LUMBER COMPANY	319.52 242
32974 05/31/13 TYPES010 TYPESTRIES SIGN & DESIGN	112.50 242
32975 05/31/13 UPS00010 UPS	59.03 242
32976 05/31/13 VERIZ010 VERIZON	409.55 242
32977 05/31/13 VERIZ020 VERIZON WIRELESS	948.12 242
32978 05/31/13 WATCH020 WATCHUNG SPRING WATER	116.70 242
32979 05/31/13 WBMAS010 W.B. MASON	189.97 242
32980 05/31/13 DIANA010 DIANA RECKER	1,220.00 246
32982 05/31/13 ASSO010 ASSOCIATION OF MUNICIPAL ASSESS	225.00 249
32983 05/31/13 ATLAN020 ATLANTIC CITY ELECTRIC	6,844.53 249
32984 05/31/13 BONNI010 BONNIE R. PETERSON	1,000.00 249
32985 05/31/13 CIRCI010 CIRCUIT COURIER	120.00 249

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32986 05/31/13 COPY-010 COPY-RITE PRINTING	1,030.00 249
32987 05/31/13 DASTI010 DASTI MURPHY MCGUCKIN	2,573.82 249
32988 05/31/13 OCBOA020 O.C. BOARD OF HEALTH	1,000.00 249
32989 05/31/13 PEDRO010 PEDRONI FUEL	4,535.44 249
32990 05/31/13 PETTY010 PETTY CASH	233.77 249
32991 05/31/13 STAPL010 STAPLES	219.99 249
01CURRENT-WIRES CURRENT FUND WIRES	
51613 05/16/13 MUNCT010 BORO. OF SHIP BOTTOM- MUN. CT.	40.00 250
Total: 1 0 40.00 0.00	
03PUBLIC DEF PUBLIC DEFENDER	
1260 05/31/13 STUAR010 STUART SNYDER	600.00 243
Checking Account Totals Paid Void Amount Paid Amount Void	
Checks: 1 0 600.00 0.00	
Direct Deposit: 0 0 0.00 0.00	
Total: 1 0 600.00 0.00	
04CAPITAL CAPITAL FUND	
1535 05/31/13 BARBE010 H. BARBER & SONS, IN.C	51,918.51 244
1536 05/31/13 SPECI010 SPECIALTY AUTOMOTIVE EQUIP.	6,000.00 244
1537 05/31/13 THEHO010 THE HOME DEPOT	982.55 244
1538 05/31/13 TUCKE010 TUCKERTON LUMBER COMPANY	154.03 244
Total: 4 0 59,055.09 0.00	
06UTILOPER UTILITY FUND	
17168 05/31/13 ASBUR010 ASBURY PARK PRESS	61.00 245
17169 05/31/13 FERGU010 FERGUSON ENTERPRISES	128.76 245
17170 05/31/13 JRHEN010 J.R. HENDERSON LABS, INC.	200.00 245
17171 05/31/13 MGLPR010 MGL PRINTING SOLUTIONS	218.50 245
17172 05/31/13 MIRAC010 MIRACLE CHEMICAL COMPANY	449.75 245
17173 05/31/13 NJNAT010 N.J. NATURAL GAS	985.06 245
17174 05/31/13 ONECA010 ONE CALL CONCEPTS	85.50 245
17175 05/31/13 POLLA010 POLLARDWATER.COM 1,	382.57 245
17176 05/31/13 SANDP010 SANDPAPER, THE	183.12 245
17177 05/31/13 TOWNS010 TOWNSHIP OF STAFFORD	15,067.50 245
17178 05/31/13 CIRCI010 CIRCUIT COURIER	12.00 248
17179 05/31/13 OCUTI010 O.C. UTILITY AUTHORITY	152,562.60 248
Total: 12 0 171,336.36 0.00	
PR-CURRENT PAYROLL ACCT. TRANSFERS	
126556 05/03/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	40,693.73 251
127146 05/10/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	49,873.19 251
127979 05/17/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	46,303.06 251
128681 05/24/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	45,829.34 251
129368 05/31/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	54,171.15 251
Total: 5 0 236,870.47 0.00	
PR-UTILITY PAYROLL ACCT. TRANSFERS	
126557 05/03/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	798.05 252
127148 05/10/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	798.05 252
127980 05/17/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	798.05 252
128682 05/24/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	798.05 252
129339 05/31/13 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL	1,151.99 252
Total: 5 0 4,344.19 0.00	
Checks: 118 1 622,926.00 0.00	
Total: 118 1 622,926.00 0.00	
CURRENT FUND 2-01 20,372.49 0.00	
CURRENT FUND 3-01 361,201.43 5,902.02	
WATER/SEWER FUND 3-06 175,680.55 0.00	
Year Total: 536,881.98 5,902.02	
CAPITAL FUND C-04 59,055.09 0.00	
GRANT FUND G-02 114.42 0.00	
TRUST-OTHER T-03 600.00 0.00	
Total Of All Funds: 617,023.98 5,902.02	

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

Mayor Huelsenbeck called for the Public Hearing regarding the subdivision and diversion of a portion of parkland, Block 57, Lots 1, 2 & 3. This is in compliance with the Department of Environmental Protection, Green Acres Division, since Block 57, lots 2 & 3, that are borough owned, were purchased using Green Acres financing.

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Christopher Connors, Esq., explained the purpose of the public hearing and the reason for swapping land of equal square footage. This will give the borough the piece of beachfront land for the beach replenishment project. Once the subdivision takes place, the borough can execute a “Deed of Dedication and Perpetual Storm Damage Reduction Easement”, for the beach replenishment project. This will give the property owner land of equal value, to be used for his personal use. The hearing was opened to the public.

Linda Rice, 133 E. 18th St., Block 57, Lot 27, asked what each parcel of land would be used for. It was explained that the homeowner would use his piece of land for personal use and the borough would use their piece for the beach replenishment project. Ms. Rice asked the square footage and value of each piece. It was answered that it was 2561 square feet. Each piece of property had equal value to the other.

Rick McDonough, 265 W. 13th St., asked for an explanation of “park”. Christopher Connors stated that it is open space. Mr. McDonough stated that the homeowner is already using the property, according to the aerial photo that he is looking at and would this be resolved after the land swap. The answer was yes.

The hearing was closed to the public. There was a transcript of these proceedings done by Darlene Sillitoe, CCR, to be submitted to NJDEP Green Acres division.

Mayor Huelsenbeck called for Resolution 2013-69: “Choose Your Cover”. On a motion by Councilman Rossi, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2013-69
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
IN SUPPORT OF CHOOSE YOUR COVER**

WHEREAS, the OCEAN MONMOUTH HEALTH ALLIANCE Cancer Coalition is committed to educating the public about sun safety and the importance of detecting skin cancer early, volunteers will hold Choose Your Cover 2013 on July 13, 2013, at 20th Street’s Beach End in Ship Bottom, Long Beach Island..

WHEREAS, skin cancer is the most common form of cancer, it is the most preventable form of cancer and the easiest to detect early and treat successfully. There are three types of skin cancer: the common basal cell and squamous cell cancers and the less common but far more serious type called melanoma. The occurrence of nonmelanoma skin cancers varies with exposure to ultraviolet light from the sun (and “sun lamps”), and indirectly with skin pigmentation.

WHEREAS, Ocean County residents and visitors can have fun outdoors while protecting their skin from the sun by choosing five sun protection options: seeking shade, covering-up, donning a hat, wearing sunglasses, and applying sunscreen. Prudent avoidance of too much sunlight is fully compatible with the enjoyment of the Township’s beaches and other outdoor venues.

WHEREAS, the efforts of the OCEAN MONMOUTH HEALTH ALLIANCE Cancer Coalition through the Choose Your Cover initiative have been recognized by the Centers for Disease Control for saving lives, one beach and outdoor venue at a time because of its efforts at early detection of the dangerous melanoma and other forms of skin cancer.

WHEREAS, Ocean County is one of 21 county-wide coalitions created to help implement the New Jersey comprehensive cancer control plan based upon local needs and priorities, beachgoers and outdoor enthusiasts statewide will benefit from their participation in NJ’s largest free-standing skin cancer screening on July 13th, 2013.

WHEREAS, the OCEAN MONMOUTH HEALTH ALLIANCE Cancer Coalition agrees that it is in the best interest of the citizens of Long Beach Island that July 13th be declared “Choose Your Cover Day” in the Borough of Ship Bottom; and

WHEREAS, the Borough of Ship Bottom Town Council joins in supporting this initiative to raise awareness about sun safety and the early detection of skin cancer

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Ship Bottom does hereby congratulate the OCEAN MONMOUTH HEALTH ALLIANCE Cancer Coalition for their outstanding leadership and proclaim July 13th as “Choose Your Cover Day” in the Borough of Ship Bottom.

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

Mayor Huelsenbeck called for Resolution 2013-70: Shared Services, Construction Official. On a motion by Councilman Sinopoli, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-70
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A SHARED SERVICES AGREEMENT
WITH THE BOROUGH OF BEACH HAVEN TO PROVIDE CONFLICT AND/OR
TEMPORARY CONSTRUCTION INSPECTION SERVICES**

WHEREAS, the Uniform Shared Services Consolidation Act, N.J.S.A. 40:65-1 authorizes the Borough of Ship Bottom to enter into a contract for the provision of certain governmental services with the Borough of Beach Haven; and

WHEREAS, it is the desire of the Borough Council to authorize the execution of a Shared Services Agreement with the Borough of Beach Haven to receive temporary Construction Code Official Services in the absence of the Ship Bottom Construction Code Official for a period of three (3) years, effective January 1, 2013 and expiring December 31, 2015; and

WHEREAS, it is also the desire of the Borough Council to authorize the Borough of Ship Bottom to receive Construction Code Official Services for builders in the Borough of Ship Bottom who have a conflict of interest which disqualifies the Borough of Ship Bottom from issuing building permits and inspecting other construction in the Borough of Ship Bottom pursuant to N.J. A. C. 5:23-4.5(1) 2(j)1

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

1. The Mayor and Municipal Clerk are hereby authorized to execute a Shared Services Agreement with the Borough of Beach Haven to provide conflict and/or temporary Construction Code Official Services in accordance with the provisions of law.
2. Said agreement shall be for a period of three (3) years commencing January 1, 2013 and expiring December 31, 2015.
3. Copy of said agreement and this resolution are on file in the office of the Municipal Clerk and made available for public inspection during normal business hours.

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

Mayor Huelsenbeck called for Resolution 2013-71: St. Francis parish, cancellation of raffle license. On a motion by Councilman Rossi, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2013-71
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING CANCELLATION OF GAMES OF CHANCE
FOR ST. FRANCIS OF ASSISI PARISH**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that approval is hereby granted to the St. Francis of Assisi Parish, to cancel the following raffles on the following dates and times, which was issued as raffle license # 2013-03.

On premise 50/50 raffle June 19, 2013 3-6 pm
(to be held at the Stateroom, 351 W. 9th St.)

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

Mayor Huelsenbeck called for Resolution 2013-72: St. Ancient Order of Hibernians, raffle license. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-72
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING RAFFLES FOR THE
ANCIENT ORDER OF HIBERNIANS**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that approval is hereby granted to the John P. Holland Ancient Order of Hibernians, Div. 4, Inc., to conduct on-premise 50/50 draw raffles, on September 7 & 8, 2013, from 10:00 a.m. until 11:00 p.m., to be held at the Waterfront Park, located at 10th Street and Shore Avenue, Ship Bottom, NJ.

BE IT FURTHER RESOLVED, that approval is contingent upon approval by

the Legalized Games of Chance Control Commission.

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

Mayor Huelsenbeck called for Resolution 2013-73: Temporary employment, beach operations. On a motion by Councilman Sinopoli, seconded by Dr. Gleason, this was approved as follows:

**RESOLUTION 2013-73
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TEMPORARY EMPLOYMENT
WITHIN BEACH OPERATIONS**

NOW, THEREFORE, BE IT RESOLVED, that the following personnel are temporarily employed within Beach Operations for the 2013 summer season:

Keith Stokes (seasonal salary) \$17,510.00

Lifeguards: The following are hired at the weekly rate of pay listed:

- \$372.00 John Cascio, Ben Hueth, Ben Moran, Sam Robbins, Dwight Wagaman, John Wilson
- \$379.00 Raymond Cotay, Katie Ullinger, George Souflis
- \$391.00 Calla Aniski, Ethan Candio, Pat Carey, Nora Covert, Gerard Freda, Kimberly Muldoon, Greg Swift, Haley Ullinger, Kevin Welsh, Derek Colaizzo, Nick Grotts
- \$399.00 Mike Cascio, Riker Pasterkiewicz, Thomas Redman, Brianne Voorhees
- \$419.00 Ian O'Connor, Tyler White, Rick Zanes
- \$440.00 Rob Coates, Ryan Connolly, Dennis Harrington, Christine Kidd
- \$462.00 Pat Harrington, Mike Voorhees, Scott Vrana, Marjorie Schmidt
- \$484.00 Tracey Hemmerle
- \$505.00 James LaMarco
- \$525.00 Shawn Hannon
- \$547.00 Laura Klink
- \$600.00 Michelle Ciasca, Matt Zinn
- \$604.00 Thomas Duralek (Lifeguard)
- \$630.00 Laura Klink, James LaMarco (Acting Lieutenant)
- \$643.00 Thomas Duralek (Acting Lieutenant)
- \$643.00 Jonny Skolnick
- \$759.00 Thomas Smith

Badge Checkers: The following are hired at the hourly rate of pay listed:

- \$7.25 Caleigh Cerosky, Briana Cymanski, Kaitlyn Groome, Victoria Mackie, Monica Mahon, Laine Meelhein, Shayna O'Boyle, Michael O'Connell, Cera O'Reilly, Samantha Peltier, Lexi Rabbitt, Kelsey Ritner, John Sokol, Michael Swenson, James Ulrich, Garrett Waszkiewicz, Alexandria Vira, Alicia Vira
- \$7.40 Taylor Moehring, Justin Weiss, Dylan Mann, Jacob Novak
- \$7.55 Laura Archer, Alex Zivny, Jonathan George, Ian Pasterkiewicz
- \$7.70 Melissa Yurowski, Serena Bushko
- \$8.12 Wesley Brown
- \$8.32 Kaitlyn Reagan
- \$10.00 Jill Sidote
- \$12.73 Marie Sellnow
- \$13.26 Mary Mulroy

Tennis Court Assistants: The following are hired at the hourly rate of pay listed:

- \$8.84 Tom Doyle
- \$9.18 Mildred Hughes

Headquarters Secretary: The following are hired at the hourly rate of pay listed:

- \$8.12 Emily Quinn, Caitlyn Klink

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

Mayor Huelsenbeck called for Resolution 2013-74: Award of contract, Emergency Water and Sewer. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-74
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING A CONTRACT TO
S. L. MACINTYRE UNDERGROUND, LLC**

**FOR THE 2013 EMERGENCY REPAIR –
WATER AND SEWER**

WHEREAS, the Borough of Ship Bottom duly advertised for the receipt of bids in regard to the 2013 Emergency Repair – Water and Sewer; and

WHEREAS, in response to the invitation to bidders, three (3) bids were received on May 16, 2013; and

WHEREAS, the bids were reviewed by the Borough Engineer and it has been determined that S.L. MacIntyre Underground, LLC has submitted the lowest responsible bid in accordance with the bid specifications, said bid being \$98,000.00; and

WHEREAS, it is the desire of the governing body to award a contract for the 2013 Emergency Repair – Water and Sewer to S.L. MacIntyre Underground, LLC, the lowest responsible bidder.

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 award a contract for the 2013 Emergency Repair – Water and Sewer to S.L. MacIntyre Underground, LLC at \$98,000.00.
2. This contract will be in effect for one (1) year, commencing April 1, 2013 until March 31, 2014 or upon 30 days written notice by either party.
3. That the Mayor and Municipal Clerk are hereby authorized to execute a contract with S.L. MacIntyre Underground, LLC in accordance with the bid submitted by S.L. MacIntyre Underground, LLC and the bid specification 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: Utility Budget 2013.
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 S.L. MacIntyre Underground, LLC

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

Mayor Huelsenbeck called for Resolution 2013-75: Ship Bottom Fire Co., raffles. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-75
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING RAFFLES FOR THE
SHIP BOTTOM VOL. FIRE CO.**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that approval is hereby granted to the Ship Bottom Volunteer Fire Co. #1, Inc., to conduct an on-premise 50/50 draw raffle and an on-premise merchandise raffle on July 6, 2013, from 12:00 until 10:00 p.m., to be held at Ship Bottom Volunteer Fire Company Firehouse, 2006 Central Avenue, Ship Bottom, NJ.

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

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

Mayor Huelsenbeck called for Resolution 2013-76: Deputy Municipal Clerk. On a motion by Councilman English, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2013-76
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING DANIELLE MEZZINA AS DEPUTY MUNICIPAL CLERK
PURSUANT TO N.J.S.A. 40A:9-135.**

WHEREAS, the Borough of Ship Bottom is in need of a Deputy Municipal Clerk; and

May 28, 2013

WHEREAS, N.J.S.A. 40A:9-135 provides that the governing body of any municipality, by ordinance, may create the office of Deputy Municipal Clerk and provide for appointments thereto; and

WHEREAS, Chapter 2.16 of the Borough Code of the Borough of Ship Bottom provides for the creation of Deputy Municipal Clerk in accordance with the provisions of N.J.S.A. 40A:9-135; and

WHEREAS, the appointment for Danielle Mezzina is in effect until May 26, 2013; and

WHEREAS, it is the desire of the governing body to reappoint Danielle Mezzina as Deputy 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. That Danielle Mezzina is hereby appointed as Deputy Municipal Clerk for the Borough of Ship Bottom.
2. That the appointment of Danielle Mezzina as Deputy Municipal Clerk shall become effective May 27, 2013. This appointment is in effect until May 26, 2014.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Chief Financial Officer of the Borough of Ship Bottom and to Danielle Mezzina.

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

Mayor Huelsenbeck called for Resolution 2013-77: Refund, tax sale certificate. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-77
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE TREASURER TO REFUND
MONEY ON A TAX SALE CERTIFICATE**

WHEREAS, the amount of \$3,486.03 has been received by the Tax Collector for redemption of Tax Sale Certificate #10-00004 on Block 57, Lot 13 assessed to E.S.D. Maiter and V. DeSilva; and

WHEREAS, the amount of \$3,486.03, plus \$300.00 held in escrow for the premium, is the correct amount required to redeem.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the Treasurer is hereby authorized to return \$3,486.03 to Atlantic Capital Assets LLC, PO Box 131, Lakewood, NJ 08701-0131, holder of the certificate.

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

Mayor Huelsenbeck called for Resolution 2013-78: Refund, tax sale certificate. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-78
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE TREASURER TO REFUND
MONEY ON A TAX SALE CERTIFICATE**

WHEREAS, the amount of \$1,286.01 has been received by the Tax Collector for redemption of Tax Sale Certificate #12-00004 on Block 21, Lot 6.01 assessed to Ronald and Anna Priskie; and

WHEREAS, the amount of \$1,286.01 is the correct amount required to redeem.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the Treasurer is hereby authorized to return 1,286.01 Pro Capital Fund 1, LLC, 1000 Haddonfield-Berlin Rd., Suite 203, Voorhees, NJ 08043, holder of the certificate.

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

Mayor Huelsenbeck called for Resolution 2013-79: Refund, tax sale certificate. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-79
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY
AUTHORIZING THE TREASURER TO REFUND
MONEY ON A TAX SALE CERTIFICATE**

WHEREAS, the amount of \$1,129.98 has been received by the Tax Collector for redemption of Tax Sale Certificate #12-00014 on Block 117, Lot 13 assessed to Ricke Talbot; and

WHEREAS, the amount of \$1,129.98 is the correct amount required to redeem.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the Treasurer is hereby authorized to return 1,129.98 Pro Capital Fund 1, LLC, 1000 Haddonfield-Berlin Rd., Suite 203, Voorhees, NJ 08043, holder of the certificate.

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

Mayor Huelsenbeck called for Resolution 2013-80: Authorizing the execution of a resolution, Shamrock Enterprises, LBI, LLC. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-80
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A RESOLUTION
CLARIFYING THE DEED OF DEDICATION AND PERPETUAL STORM
DAMAGE REDUCTION EASEMENT CONVEYED TO THE BOROUGH
OF SHIP BOTTOM FROM SHAMROCK ENTERPRISES OF LBI, LLC
FOR A PORTION OF
BLOCK 106, LOT 1**

WHEREAS, Shamrock Enterprises of LBI, LLC (hereinafter referred to as “property owner”) wishes to convey to the Borough of Ship Bottom (hereinafter referred to as “Borough”) a Deed of Dedication and Perpetual Storm Damage Reduction Easement (hereinafter referred to as “easement”) on a portion of property known and designated as Block 106, Lot 1 as shown on the Tax Map of the Borough (hereinafter referred to as “property”); and

WHEREAS, the easement conveyed to the Borough by the property owner will allow the Borough to participate in the Long Beach Island Storm Damage Reduction Project commonly referred to as the Beach Replenishment Project; and

WHEREAS, the property owner and the Borough wish to clarify their understanding of the provisions of the easement with regard to a pre-existing sand dune walkover and proposed beach replenishment construction dune height as set forth in a resolution clarifying the Deed of Dedication and Perpetual Storm Damage Reduction Easement, a copy of which is attached hereto and made 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. That the governing body does hereby authorize the Mayor to execute and the Borough Clerk to attest to a resolution clarifying the Deed of Dedication and Perpetual Storm Damage Reduction Easement a copy of which is attached hereto and made a part hereof as Schedule “A”.

2. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to Shamrock Enterprises of LBI, LLC and a certified copy of the resolution shall be annexed to the resolution clarifying the Deed of Dedication and Perpetual Storm Damage Reduction Easement and shall be kept on file in the office of the Municipal Clerk and available for public inspection during normal business hours.

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

Mayor Huelsenbeck carried Resolution 2013-81 until after the adoption of Ordinance 2013-08.

Mayor Huelsenbeck called for Resolution 2013-82: Amendment and correction of Resolution 2012-161, Emergency Appropriation. On a motion by Councilman Hartman, seconded by Councilman Tallon, this was approved as follows:

RESOLUTION 2013-82

**RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND CORRECTING RESOLUTION 2012-161**

WHEREAS, the Chief Financial Officer of the Borough of Ship Bottom, pursuant to Resolution 2012-161, authorized an initial temporary emergency appropriation of Five Hundred Thousand Dollars (\$500,000.00) necessary to undertake urgent emergency work:, and

WHEREAS, this resolution, 2013-82 , corrects the above mentioned resolution as required by the Statutes: and

WHEREAS, it has been found necessary to make an Emergency Appropriation to meet certain extraordinary expenses to be incurred, or to be incurred, by reason of damage caused by Hurricane Sandy: and

WHEREAS, an increase in the original emergency appropriation is required as the disaster recovery efforts continue and various unforeseen costs of repair and recovery mount;

WHEREAS, N.J.S.A 40A:4-54 et. seq. provides that it shall be lawful to make such appropriations, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation of at least 1/5 of the amount authorized pursuant to this act,

NOW, THEREFORE, BE IT RESOLVED by not less than two-thirds of the full membership of the Governing Body of the Borough of Ship Bottom affirmatively concurring that in accordance with the provisions of N.J.S.A 40A:4-54:

1. An emergency appropriation is hereby made for Hurricane Sandy damage in the amount of One Million Dollars (\$1,000,000.00).
2. That the emergency appropriation shall be provided for in the budgets of the next succeeding years by the inclusion of not less than One Million Dollars (\$1,000,000.00)
3. That an “emergency note”, not in excess of the amount authorized pursuant to law, be provided.
4. That such note shall be executed by T. Richard Bethea, CFO of the Borough of Ship Bottom.
5. That said note, date to be determined, may be renewed from time to time provided that such note and any renewals shall mature and be paid in the amount of not less than 1/5 of the total amount appropriated by this resolution in each year after the authorization, location to be determined.
6. That two (2) certified copies of this resolution will be filed with the Director of the Division of Local Government Services, however, no approval is required for the Division.

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

Mayor Huelsenbeck called for Resolution 2013-83: Public works department, appointment. On a motion by Councilman Rossi, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2013-83
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING ED FEDON AS A LABORER TECH**

WHEREAS, Ed Fedon has met all the requirements to be appointed as Laborer Tech-3 within the Teamsters Collective Bargaining agreement.

NOW, THEREFORE BE IT RESOLVED as follows:

1. Ed Fedon is hereby employed as a Laborer Tech-3 effective May 29, 2013.
2. Ed Fedon will be compensated at \$19.541 per hour.

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

Mayor Huelsenbeck called for Resolution 2013-84: Authorizing summer concerts. On a motion by Councilman English, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-84
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,**

AUTHORIZING THE CHAIRMAN OF PARKS AND RECREATION TO ENTER INTO CONTRACTS

WHEREAS, the Department of Parks and Recreation wishes to enter into agreements with various performers and companies to provide entertainment for the 2013 summer events; and

WHEREAS, the contracts shall be awarded as an extraordinary unspecifiable service in accordance with N.J.S.A. 40A:11-2 et seq.; and

WHEREAS, the Chief Financial Officer has certified that funds are available.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that the Chairman of Parks and Recreation is hereby authorized to enter into contracts with the following performers and companies:

Summer Events

July 11	“Friends”, Michael D. Johnson	\$ 600.00
July 18	“Mushmouth”, William J. Gallacher	\$ 500.00
July 18	“Mushmouth”, Douglas J. Edwards	\$ 500.00
July 25	“Verdict”, John Sferra	\$2,000.00
August 1	“Eleven Eleven”	\$1,500.00
August 8	“Sir Rod” – Thomas Braswell	\$2,000.00
August 15	“Bridesmaids”, Joey Arminio & The Family, LLP	\$1,700.00
August 22	“Jimmy & The Parrots” – Yeaman Music Inc.	<u>\$2,550.00</u>
	<u>Total</u>	<u>\$11,350.00</u>

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

Mayor Huelsenbeck called for Resolution 2013-85: Authorizing contracts for June 14 concerts. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-85
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS**

WHEREAS, the Mayor wishes to enter into agreements with various performers and companies to provide entertainment for the June 14, 2013 concert event; and

WHEREAS, the contracts shall be awarded as an extraordinary unspecifiable service in accordance with N.J.S.A. 40A:11-2 et seq.; and

WHEREAS, “This Is It Productions” will be compensating the performers.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that the Mayor is hereby authorized to enter into contracts with the following performers and companies:

Summer Events

June 14	“The Roustabouts”, Carlos Colon	\$ 600.00
	“After the Reign Band LLC”	\$ 1,000.00
	“Shorty Long and the Jersey Horns”, Richard Tisch	\$ 2,400.00
	<u>Total</u>	<u>\$ 4,000.00</u>

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

Mayor Huelsenbeck called for Resolution 2013-86: Establishing change funds, harbor masters and beach operations/tennis courts. On a motion by Councilman Sinopoli, seconded by Dr. Gleason, this was approved as follows:

**RESOLUTION 2013-86
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ESTABLISHING CHANGE FUNDS**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the following change funds are hereby established for the purpose of making change for summer operations 2013:

Harbor Masters	\$ 400.00
Beach Operations/Tennis Courts	\$3,225.00

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

Mayor Huelsenbeck called for Resolution 2013-87: Temporary employment, harbor masters. On a motion by Councilman English, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-87
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EMPLOYMENT OF
HARBOR MASTERS**

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

1. Kim England \$ 10.20 per hour
2. Kenneth Baran \$ 8.75 per hour
3. Gerald Krause \$ 8.75 per hour
4. Jay Smith \$ 8.25 per hour

BE IT FURTHER RESOLVED, that this Resolution is effective May 1, 2013.

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

Mayor Huelsenbeck called for Resolution 2013-88: Emergency temporary appropriations. On a motion by Councilman Tallon, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-88
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS**

WHEREAS, an emergent condition has arisen in that the Borough is expected to enter in contracts, commitments or payments prior to the 2013 budget and no adequate provision has been made in the 2013 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S. 40A4-20 provides for the creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2013 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A4-20) including this resolution total \$2,154, 963.00.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Ship Bottom, in the County of Ocean, State of New Jersey, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A-20:

1. Emergency temporary appropriations be and the same are hereby made in the amount of \$578,500.00 as follows:

Engineering Services	
Other Expenses	\$ 6,000.00
Mayor & Council	
Salaries & Wages	\$ 8,000.00
Municipal Clerk	
Salaries & Wages	\$ 16,000.00
Financial Administration	
Salaries & Wages	\$ 15,000.00
Tax Assessment	
Salaries & Wages	\$ 2,500.00
Recycling	
Salaries & Wages	\$ 5,000.00
Revenue Administration (tax coll.)	
Salary & Wages	\$ 15,000.00
Beach Front Maintenance	
Salaries & Wages	\$ 10,000.00
Municipal Court	
Salary & Wages	\$ 8,500.00

Other Expenses	\$ 2,500.00
Municipal Prosecutor	
Other Expense	\$ 5,000.00
Legal Services	
Other Expenses	\$ 5,000.00
Land Use Board	
Salary & Wages	\$ 1,000.00
Other Expenses	\$ 5,000.00
Equip. Maint. & Repair	
Salary & Wages	\$ 15,000.00
Police Dept.	
Salary & Wages	\$ 75,000.00
Streets & Roads Maint.	
Salary & Wages	\$ 20,000.00
Animal Control	
Other Expenses	\$ 2,500.00
Wharves, Docks and Bulkheads	
Salary & Wages	\$ 1,500.00
Public Health Services	
Other Expenses	\$ 15,000.00
Street Lighting	
Other Expenses	\$ 25,000.00
Water /Sewer Utility	
Other Expenses	\$ 300,000.00
Gasoline	
Other Expenses	\$ 20,00.00

2. Said emergency temporary appropriations will be provided for in the 2013 budget.
3. That one certified copy of this resolution be filed with the Director, Division of Local Government Services.

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

Mayor Huelsenbeck called for Resolution 2013-89: House raising, temporary use of right of way. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-89
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE TEMPORARY RELOCATION OF
STRUCTURES LOCATED IN THE BOROUGH OF SHIP
BOTTOM INTO THE PUBLIC RIGHT OF WAY**

WHEREAS, the governing body is aware of the fact that many structures in the Borough of Ship Bottom are located on lots which have insufficient size to permit the property owner/contractor to raise the structure and to temporarily relocate the structure to another site on the owner's lot; and

WHEREAS, in order to raise these structures it is necessary to temporarily relocate the structure into the public right of way so that the existing foundation may be removed and piling may be driven to replace foundation walls.

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. Property owners in the Borough of Ship Bottom may, pursuant to the following regulations, be issued a building permit granting the relocation of their structure to the public right of way following the herein below requirements:
 - a. A formal application for a building permit shall be made to the Construction Inspection Department of the Borough of Ship Bottom at least ten (10) business days prior to the contractor desiring to commence work to relocate the structure.
 - b. The application for a building permit must be contained on a form provided by the Borough of Ship Bottom Construction Inspection Department.
 - c. If the house is to be placed on an easement rather than the public right of way (a public street) it must be accompanied by a signed approval by all of the owners having rights to sue the easement.
 - d. Any issued building permit shall provide that the permittee will have a maximum use of the roadway for the relocation of the structure for no more than seven (7) business days weather permitting.

- e. Any issued building permit shall provide that the structure may not encroach on the center line of the roadway in order that traffic may safely circumvent the structure relocated in the public right of way.
 - f. Any issued building permit shall be valid for work to be done only between 7:00 a.m. to 6:00 p.m. weekdays and Saturdays 7:00 a.m. through 6:00 p.m. No permit shall be effective and no work shall be permitted between 4:00 p.m. May 20th and 9:00 a.m. of the following September 15th. All times shall be local time prevailing.
 - g. Any issued building permit shall stipulate that the contractor must provide uniform traffic control and appropriate traffic control devices as may be required by the Ship Bottom Borough Police Department .
 - h. Building permits shall be issued only to the applicant and/or property owner pursuant to the regulations of the Borough of Ship Bottom.
2. Ship Bottom Borough property owners wishing to raise structures shall provide each of the following to the Construction Inspection Department at the time the application for a building permit is submitted:
1. Bond: in the amount of \$5000 to insure the street is restored to its former condition after the house has been returned to its original location.
 2. Photos: of the area where the structure is to be temporarily re-located, prior to its placement.
 3. Ship Bottom Borough Police Dept.: Approval letter from the traffic safety officer.
 4. Fire Co.: A letter from the Volunteer Fire Co. stating they have no objection to the temporary relocation.
 5. Insurance: General Liability Certificate of Insurance for \$1,000,000.00 from the contractor naming Ship Bottom Borough as the certificate holder.
 6. Bldg. Dept. Certification that gas, electric, water and sewer services have been disconnected.
 7. Waterfront Properties: Written approval of the Municipal Engineer.

BE IT FURTHER RESOLVED, that the permit procedure hereinabove described shall commence upon adoption of this Resolution.

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

Mayor Huelsenbeck called for Resolution 2013-90: Temporary employment, Public Works. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-90
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TEMPORARY EMPLOYMENT
IN THE PUBLIC WORKS DEPARTMENT**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the following be temporarily employed in the Public Works Department at the hourly rate as stated.

1. Justin Heath \$11.50 per hour
2. Brian Walker \$10.50 per hour

BE IT FURTHER RESOLVED, that this Resolution is effective May 1, 2013.

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

Mayor Huelsenbeck called for Resolution 2013-91: Temporary employment, office clerical. On a motion by Councilman English, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2013-91
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TEMPORARY EMPLOYMENT
IN THE OFFICE FOR CLERICAL WORK**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that the following be temporarily employed in the Office as a clerical employee at the hourly rate as stated.

1. Sara Gresko \$9.00 per hour

BE IT FURTHER RESOLVED, that this Resolution is effective May 22, 2013.

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

Mayor Huelsenbeck called for Ordinance 2013-05: Second reading, public hearing and adoption, Adoption of FEMA Advisory Base Flood Elevations. On a motion by Councilman Rossi, seconded by Councilman Sinopoli and an all in favor vote, all aye, the hearing was opened to the public.

The Mayor stated that we are adopting these flawed maps because we do not want to lose points regarding our flood insurance rating and the ability for our property owners to receive their ICC (Increased Cost of Compliance) grant money from their insurance company. As corrections are made to the maps, we will readopt them.

Dorothy Jedziniak, 2511 Ocean Ave., told the Mayor that he has been warning us about the increased cost of insurance and thank you for letting everyone know.

Wade Bradley, 325 W. 17th St. and Ted Jedziniak, 2511 Ocean Ave., both had comments that needed to be in the public portion of the general meeting.

On a motion by Councilman Sinopoli, seconded by Councilman Rossi and an all in favor vote, all aye, the hearing was closed to the public.

On a motion by Councilman Sinopoli, seconded by Councilman Tallon, Ordinance 2013-05 was adopted as follows:

**ORDINANCE 2013-05
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 16.68 OF
TITLE 16 OF THE BOROUGH CODE OF THE BOROUGH
OF SHIP BOTTOM ENTITLED "FLOOD HAZARD
PREVENTION ORDINANCE" SO AS TO ADOPT THE
FEDERAL EMERGENCY MANAGEMENT AGENCY
(FEMA) ADVISORY BASE FLOOD ELEVATIONS**

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

SECTION 1. Subsection 16.68.010(E) of the Borough Code of the Borough of Ship Bottom entitled "Definitions" is hereby amended and supplemented so as to repeal the definitions entitled "Areas of special flood related erosion hazard," "Flood-related erosion," "Flood-related erosion area or flood-related erosion prone area," and "Flood-related erosion area management" and to add or revise the following definitions to read as follows:

"Advisory Base Flood Elevation (ABFE)" The elevation shown on a community's Advisory Flood Hazard Map that indicates the advisory stillwater elevation plus wave effect (ABFE=SWEL + wave effect) resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

"Advisory Flood Hazard Area (AFHA)" The land in the floodplain within a community subject to flooding from the 1% annual chance event depicted on the Advisory Flood Hazard Map.

"Advisory Flood Hazard Map" The official map on which the Federal Emergency Management Administration has delineated the areas of advisory flood hazards applicable to the community.

"Floodway" The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

"Substantial improvement" shall mean any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50%) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

SECTION 2. Subsection 16.68.010(F)(1) of the Borough Code of the Borough of Ship Bottom entitled "Basis for Establishing the Areas of Special Flood Hazard" is hereby repealed in its entirety and replaced with the following:

1. Basis for Establishing the Areas of Special Flood Hazard. The areas of special flood hazard for the Borough of Ship Bottom, Community No. 340320, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

a. A scientific and engineering report "Flood Insurance Study, Ocean County, New Jersey (all jurisdictions)" dated December 12, 2012.

b. Flood Insurance Rate Map for Ocean County, New Jersey (all jurisdictions) as shown on Index and panels of the ABFE maps, whose effective date is December 12, 2012.

c. Advisory Base Flood Elevations and Advisory Flood Hazard Maps dated December 12, 2012. These documents shall take precedence over previous panels and FIS in construction and development regulations only. Where the Special Flood Hazard Area (SFHA) and the Advisory Flood Hazard Area (AFHA) Maps conflict or overlap whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be part of this chapter. The Flood Insurance Study and maps are on file at Borough Hall, 1621 Long Beach Boulevard, Ship Bottom, New Jersey 08008.

SECTION 3. Subsection 16.68.010(I) of the Borough Code of the Borough of Ship Bottom entitled "Provision for Flood Hazard Reduction" is hereby amended and supplemented so as to revise the introductory paragraph 1 entitled "General Standards" to read as follows:

1. General Standards. For all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

SECTION 4. Subsection 16.68.01(I)(1)(c)(iv) is hereby amended and supplemented to read as follows:

iv. For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

SECTION 5. Subsection 16.68.01(I)(1)(d) entitled "Subdivision Proposals" is hereby amended and supplemented to read as follows:

d. Subdivision Proposals.

i. All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;

ii. All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

iii. All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and

iv. Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

SECTION 6. Subsection 16.68.01(I)(2) of the Borough Code of the Borough of Ship Bottom entitled "Specific Standards" is hereby deleted in its entirety and replaced with the following:

2. Specific Standards. In all areas of special flood hazards where base flood elevation data have been provided as set forth in subsection (F)(1), Basis for Establishing the Areas of Special Flood Hazard or in subsection (G)(3)(b) Use of Other Base Flood Data, the following standards are required:

a. Residential Construction.

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated at or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot; Require within any AO Zone on the municipality's FIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three

(3') feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot, whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

b. Nonresidential Construction.

In an area of special flood hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities either elevated to or above the base flood elevation or advisory base flood elevation whichever is more restrictive, plus one foot; and require within any AO Zone on the Municipality's DFIRM that all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade one foot above the depth number specified in feet (at least three (3') feet if no depth number is specified) or at or above the advisory base flood elevation plus one foot whichever is more restrictive. And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures; or

i. Be floodproofed so that below the base flood level plus one foot or advisory base flood elevation plus one foot (whichever is more restrictive) the structure is watertight with walls substantially impermeable to the passage of water;

ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in Subsection (G)(3)(c)(ii)

c. Manufactured Homes.

i. Manufactured homes shall be anchored in accordance with subsection (I)(1)(a)(ii).

ii. All manufactured homes to be placed or substantially improved within an area of special flood hazard shall be elevated on a permanent foundation such that the top of the lowest floor is at or above the base flood elevation or advisory base flood elevation, plus one foot (whichever is more restrictive).

SECTION 7. Subsection 16.68.01(K) of the Borough Code of the Borough of Ship Bottom entitled "Coastal High Hazard Area" is hereby amended and supplemented so as to revise the language in subsection 16.68.01(K)(2)(a) to read as follows:

a. Elevation. All new construction and substantial improvements shall be elevated on piling so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the piling) is elevated to or above the base flood elevation, advisory base flood elevation or as required by the Uniform Construction Code (N.J.A.C. 5:23), whichever is more restrictive, with all space below the lowest floors supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in subsection (K)(2)(d).

SECTION 8. Subsection 16.68.01(K) of the Borough Code of the Borough of Ship Bottom entitled "Coastal High Hazard Area" is hereby amended and supplemented so as to revise the language in subsection 16.68.01(K)(3) to read as follows:

3. Sand Dunes. There shall be no man-made alteration of sand dunes within Zones VE and V on the community's DFIRM which would increase potential flood damage.

SECTION 9. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 10. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 11. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for Ordinance 2013-06: Second reading, public hearing and adoption, Exceed the Municipal Budget. On a motion by Councilman Rossi, seconded by Councilman Sinopoli and an all in favor vote, all aye, the hearing was opened to the public.

Seeing no response from the public, on a motion by Councilman Sinopoli, seconded by Councilman Tallon and an all in favor vote, all aye, the hearing was closed to the public.

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On a motion by Councilman Rossi, seconded by Councilman Tallon, Ordinance 2013-06 was adopted as follows:

ORDINANCE 2013-06
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 2013 (N.J.S.A. 40A:4-45.14)

WHEREAS, the Local Government Cap Law, (N.J.S. 40A:4-45.1) et seq., provides that in the preparation of its Annual Budget, a municipality shall limit any increase in said Budget to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Ship Bottom in the County of Ocean, finds it advisable and necessary to increase it's CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety, and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determine that a 2.0 % increase in the budget for said year, amounting to \$109,775.52 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ship Bottom, in the County of Ocean, a majority of the full authorized membership of this Governing Body affirmatively concurring, that in the CY 2013 budget year, the final appropriations of the Borough of Ship Bottom shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5%, amounting to \$192,107.16, and that the CY 2013 municipal budget for the Borough of Ship Bottom be approved and adopted in accordance with this ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

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

Mayor Huelsenbeck called for Ordinance 2013-07: Second reading, public hearing and adoption, no smoking, ocean beach. On a motion by Councilman Sinopoli, seconded by Councilman Rossi and an all in favor vote, all aye, the hearing was opened to the public.

Dorothy Jedziniak, 2511 Ocean Ave., said that she did not feel that smoking was an issue on the 26th St. beach but felt it was good of the Mayor to address the concerns of some of the residents.

On a motion by Councilman Sinopoli, seconded by Dr. Gleason and an all in favor vote, all aye, the hearing was closed to the public.

On a motion by Councilman Sinopoli, seconded by Dr. Gleason, Ordinance 2013-07 was adopted 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**

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

SECTION 1. Section 12.24.010 of the Borough Code of the Borough of Ship Bottom entitled “Findings” is hereby amended and supplemented so as to revise Paragraph D to read as follows:

D. The borough of Ship Bottom has determined that the public health of the residents and visitors of the borough of Ship Bottom will be promoted by eliminating the exposure of its citizens to airborne tobacco smoke and smoking-related refuse within the Waterfront Park Playground located at 10th Street and Shore Avenue and the playground at the Bay Bathing Beach located between 15th and 16th Streets on the bay, hereinafter called the “playground areas.” The borough has further determined that the public health of the residents and visitors of the borough of Ship Bottom will be promoted by eliminating the exposure of its citizens to airborne tobacco smoke and smoking-related refuse within the bathing beach area located on the bayfront between 13th and 16th Streets hereinafter called the “bay bathing beach area,” and the ocean beach area.

SECTION 2. Section 12.24.020 of the Borough Code of the Borough of Ship Bottom entitled “Purpose” is hereby amended and supplemented to read as follows:

12.24.020 Purpose.

The borough council of the borough of Ship Bottom determines that the purpose of this chapter is:

A. To protect and promote the public health and welfare of its community by completely prohibiting smoking within the playground, bay bathing beach and ocean beach areas.

B. To control the litter of smoke-related refuse within the playground, bay bathing beach and ocean beach areas.

SECTION 3. Section 12.24.040 of the Borough Code of the Borough of Ship Bottom entitled “Definitions” is hereby amended and supplemented so as to add the following definition:

“Ocean beach area” means the area of beach bordering the Atlantic Ocean extending the entire length of the borough of Ship Bottom from 3rd Street to 31st Street and extending eastwardly of the bulkhead line to 100 feet seaward of the mean high water line.

SECTION 4. Section 12.24.050 of the Borough Code of the Borough of Ship Bottom entitled “Smoking prohibited within the playground and bathing beach areas” is hereby deleted in its entirety and replaced with the following:

12.24.050 Smoking prohibited within the playground, bathing beach and ocean beach areas.

Smoking shall be prohibited within the playground areas of the Waterfront Park and Bay Bathing Beach as well as the Bay Bathing Beach Area which are located in the borough of Ship Bottom. Smoking shall also be prohibited between the swimming flags of designated swimming areas within the ocean beach area during the times when lifeguards are on duty.

SECTION 5. Section 12.24.060 of the Borough Code of the Borough of Ship Bottom entitled “Posting of signs” is hereby amended and supplemented so as to revise the language in Paragraph B to read as follows:

B. Conspicuous signs shall be placed at the entrances to the playground, bathing beach and ocean beach areas.

SECTION 6. Chapter 12.24 is hereby re-titled “SMOKING IN PLAYGROUND, BATHING BEACH AND OCEAN BEACH AREAS – PROHIBITION”.

SECTION 7. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions.

SECTION 9. This ordinance shall take effect after public reading and publication as required by law.

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

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Mayor Huelsenbeck called for Ordinance 2013-08: Second reading, public hearing and adoption, Authorizing the acceptance of property.

Christopher Connors, Esq., explained that we will be adopting an amended ordinance. The amendment will be regarding the specific owner, because this is a property with trusts and executors and the right to use the existing property line as a front yard set back on the easterly side, after the subdivision and dedication of land. This is not a substantial amendment to the ordinance, so the governing body can adopt this ordinance as amended.

On a motion by Councilman Sinopoli, seconded by Councilman Rossi, to amend the ordinance.

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

On a motion by Councilman Sinopoli, seconded by Councilman English and an all in favor vote, all aye, the hearing was opened to the public.

Seeing no response from the public, on a motion by Dr. Gleason, seconded by Councilman Sinopoli and an all in favor vote, all aye, the hearing was closed to the public.

On a motion by Councilman Tallon, seconded by Councilman Sinopoli, Ordinance 2013-08 was adopted as amended 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**

WHEREAS, N.J.S.A. 40A:12-5 provides that any municipality, by ordinance, may provide for the acquisition of any real property by purchase or gift subject to lawful conditions, restrictions, or limitations as to its use by the municipality, providing the governing body accepts such lawful conditions, restrictions, or limitations; and

WHEREAS, Elizabeth H. Mershon, individually, and Elizabeth H. Mershon, Executrix of the Estate of Randolph E. Mershon or the heirs, successors and assigns of Elizabeth H. Mershon and/or the Estate of Randolph E. Mershon (hereinafter referred to as "owners") are the owners of Block 131, Lot 4 as shown on the Tax Map of the Borough of Ship Bottom (hereinafter "Borough), commonly referred to as 136 East Third Street, Ship Bottom, New Jersey (hereinafter referred to as "property") as tenants in common; and

WHEREAS, the owner(s) have offered to convey to the Borough a portion of the property as set forth on Schedule "A", a copy of which is attached hereto and made a part hereof, subject to the condition that the Deed of Conveyance for the property as set forth herein, shall reserve to the owner(s), the owner(s)' heirs, successors and assigns the right, to the extent allowed by applicable law, to include said property in the calculation of minimum square footage and front yard setback requirements when construing applications under the zoning ordinance of the Borough and that the property shall be restricted so as to prohibit the building or placement of structures on said property other than those structures necessary for the construction, preservation, repair, rehabilitation and replacement of the beach/dune system; and

WHEREAS, the conveyance of the subject property will allow the Borough to execute a Deed of Dedication and Perpetual Storm Damage Reduction Easement necessary for implementation of the Long Beach Island Storm Damage Reduction Project, which is essential in protecting the health, safety and welfare of the residents of the Borough; and

WHEREAS, the reasons as set forth herein, it is the desire of the governing body to authorize the acquisition of the subject property.

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

SECTION 1. The governing body does hereby authorize the acquisition of a portion of Block 131, Lot 4 as shown on the Tax Map of the Borough of Ship Bottom, and more particularly described in Schedule "A," a copy of which is attached hereto and made a part hereof.

SECTION 2. That the acquisition of the property described herein shall be subject to the condition that the Deed of Conveyance to the Borough shall reserve to the owner(s), the owner(s)' heirs, successors and assigns the right, to the extent allowed by applicable law, to include said property in the calculation of minimum square footage and front yard setback requirements when construing applications under the zoning ordinance of the Borough and that the property shall be restricted so as to prohibit the building or placement of structures on said property other than those structures necessary for the construction, preservation, repair and rehabilitation of the beach/dune system.

SECTION 3. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 5. This ordinance shall take effect after second reading and publication as required by law.

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

Mayor Huelsenbeck called for Resolution 2013-81: Authorizing the execution of an agreement, Mershon Trust. On a motion by Councilman Rossi, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2013-81
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN AGREEMENT
FOR SUBDIVISION AND ACQUISITION OF A PORTION
OF BLOCK 131, LOT 4 FROM ELIZABETH H. MERSHON,
INDIVIDUALLY AND ELIZABETH H. MERSHON,
EXECUTRIX OF THE ESTATE OF RANDOLPH E.
MERSHON OR THE HEIRS, SUCCESSORS AND ASSIGNS
OF ELIZABETH H. MERSHON AND/OR THE ESTATE OF
RANDOLPH E. MERSHON**

WHEREAS, Elizabeth H. Mershon, individually, and Elizabeth H. Mershon, Executrix of the Estate of Randolph E. Mershon or the heirs, successors and assigns of Elizabeth H. Mershon and/or the Estate of Randolph E. Mershon (hereinafter referred to as "owners") are the owners of Block 131, Lot 4 as shown on the Tax Map of the Borough of Ship Bottom (hereinafter "Borough"), commonly referred to as 136 East Third Street, Ship Bottom, New Jersey (hereinafter referred to as "property") as tenants in common; and

WHEREAS, the owners are desirous of transferring title to a portion of their property to the Borough; and

WHEREAS, the conveyance of the property will allow the Borough to execute a Deed of Dedication and Perpetual Storm Damage Reduction Easement necessary for implementation of the Long Beach Island Storm Damage Reduction Project, which is essential in protecting the health, safety and welfare of the residents of the Borough; and

WHEREAS, the conveyance of the property requires a subdivision which must be approved by the Land Use Board of the Borough; and

WHEREAS, the governing body wishes to authorize the execution of an Agreement with the property owner(s) for the subdivision of Block 131, Lot 4 and a conveyance of the portion of the property to the Borough as set forth in an Agreement for subdivision and conveyance of land, a copy of which is attached hereto and made 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. That the governing body does hereby authorize the Mayor to execute and the Borough Clerk to attest to an Agreement for subdivision and conveyance of land with the property owner(s), a copy of which is attached hereto and made a part hereof as Schedule "A".

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2. That a copy of the Agreement shall be kept on file in the office of the Municipal Clerk and available for public inspection during normal business hours.

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

The Mayor called for the item of correspondence from Agnes Ekert & Carol Dunn: Public Works Department. On a motion by Councilman Sinopoli, seconded by Councilman Rossi and an all in favor vote, all aye, to spread this in the minutes. It is as follows:

5-13-13

Dear Councilman Rossi,

Thank you so very much for having your young men repair our memorial bay beach garden walls. We so appreciate their hard work and look forward to planting new flowers and replacing the many bushes lost to the storm. The men, Steve S., Keith D., Dan H. and Joe H., worked so diligently to make the garden walls perfect again.

Thanks again to all – Best Wishes, Agnes A. Ekert & Carol Dunn

The Mayor called for the request from the Ship Bottom Regular Republican Club to use the council room for their meetings. On a motion by Councilman Sinopoli, seconded by Councilman Tallon, these were approved for the following dates at 7:00 p.m..

May 2, June 6, Sept. 5, Oct. 3, Nov. 7 and Dec. 5, 2013.

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

The Mayor called for the request from the Sunshine Foundation to use the 13th St. bay beach on Thursday mornings from 9:00 – 11:00 a.m. for Children's Fishing classes. On a motion by Councilman Rossi, seconded by Councilman Sinopoli, this was approved.

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

The Mayor called for the request from Southern Regional High School senior class to hold a senior service day on June 5th to clean up the ocean beaches. On a motion by Councilman Sinopoli, seconded by Councilman Rossi, this was approved.

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

The Mayor called for the following wedding requests. On a motion by Councilman English, seconded by Councilman Tallon, these were approved:

1. James McFadden Jr. & Arianna DiMarco, Sunset Park, June 21, 2013 @ 5:30 pm
2. Eric Beyer & Victoria Griffin, 9th St., Sept. 14, 2013 @ 5:30 pm
3. Theodore Stawicki & Melissa Mergott, 9th St., Aug. 10, 2013 @ 5:00 pm
4. James Devenny & Jessica Schulze, 9th St., October 5, 2013 @ 4:00 pm

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

Mayor Huelsenbeck called for the Reports of Committees:

Revenue and Finance: David Hartman

May is coming to an end, so the tax office is preparing to send out delinquent reminders for both 2012 and 2013. For 2012, there are 39 property owners with a balance due of \$121,400.00. For 2013, there are 286 property owners with a balance due of \$391,000.00. Those delinquent for 2012 will go to tax sale this year. The date for this sale is not yet set.

In other notes: miscellaneous revenue for May, \$33,511.31, within that, standouts include:

Municipal court fines & costs, \$8,544.31
Tower lease rentals of \$6,050.00
Mercantile licenses of \$4,500.00
Vendor licenses of \$4,000.00
Liquor licenses of \$2,866.00

Public Safety: Councilman Tom Tallon

The public safety report for May 2013: There were 801 reported activities. There were sixty six 911 calls. There were 6,423 patrol vehicle miles. The majority of the activity was traffic stops. There were 214 traffic stops including five DWIs. There were also 188 building and business checks.

Parks and Recreation: Councilman Edward English

We have collected \$287,290.00 in beach badge sales and \$2,490.00 at the boat ramp.

The concerts this summer will be held on Thursday nights at 7:00.

July 11 Friends, July 18 Mushmouth, July 25 Verdict, August 1 Eleven Eleven, August 8 Sir Rod, August 15 Bridesmaids, August 22 Jimmy and the Parrots

The LBI Thank you fest will be held on Friday night, June 14 with the Roustabouts starting at 4:00, followed by After the Reign at 6:00 and ending with Shorty Long and the Jersey Horns at 8:00.

Water/Sewer: Councilman Richard Sinopoli, no report

Public Property & Community Affairs: Dr. Robert Gleason

Construction Department: 58 permits issued and 9 permit updates for a total of 67 permits. The type of work was 61 alteration/renovations, 2 addition/rehabs, 1 new building and 3 demolitions. Total revenue was \$20,758.00.

Zoning Department: 38 permits issued and 7 resale inspections.

Code Enforcement: 41 verbal warnings, 1 unleashed dog, 13 illegal signs, 25 for trash, 1 for overgrown grass and 1 for construction materials on the street.

Cardboard this month, 37,748 pounds. The Barnegat Bay Blitz clean up went well, thank you to all that helped with it. We collected 72 bags of debris from the bay. The calendars for trash and recycling went out on Friday, please note the changes for off season pick up.

Buildings and Grounds, we are looking at moving back into the building until other decisions can be made.

Public Works: Councilman Peter Rossi

1. monthly maintenance and repairs done on all borough vehicles and equipment.
2. metal and brush pick up.
3. assisted code enforcement with cardboard at the 3rd st yard.
4. shoveled and swept handicap beach entrances.
5. continued working on fence on the ocean beach. (two men daily)
6. complete work on both post office and courtroom. courtroom can be used for meetings and beach badge sales.
7. signage repaired and put up throughout the borough. benches and trash containers put on street ends and beach.
8. opened life guard headquarters on 26th street.
9. dug a ditch at boat ramp in order for electrician to run new service. (rented ditch witch)
10. prepared the front of borough hall for memorial day.
11. grass cutting and weeding throughout the borough.
12. working on retaining wall at bay beach
13. mark outs 50 hrs.

Councilman talked about the flags that were placed at Southern Regional High School for Memorial Day. There were 6700 flags representing our soldiers that were killed in Iraq and Afghanistan.

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

Wade Bradley, Fire Chief, 325 W. 17th St., asked that everyone sign the easements for the beach replenishment project. He stated that if there are washouts, the fire trucks will not be able to get to the street ends.

Joe Barrett, 601 Ocean Ave., stated that the town and our beaches look great. He asked Christopher Connors about the trash that is blowing off the trucks on Route 72. Maybe

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the State Police could look at this. He also stated that the dozer operator this winter was great, the spring operator, not so good.

Jon Coen, 220 W. 6th St., talked about the profile of the beaches. He does not want to be in the way of the project, but would like to be a part of the project being adjusted to create a different profile. The Mayor stated that he has a commitment from the NJDEP and the Army Corps to have a meeting regarding the engineering of the beach.

The Mayor explained that previously, Ship Bottom would have to pay a portion and was included in the planning. We are now not required to pay a share and therefore may not have as much input. The Mayor told Jon to get his best people and best information together for this meeting.

Steve Moser, 1930 Bay Terrace, said the trash collection was getting better. He asked Dr. Gleason about the new building. Dr. Gleason said we are looking at a modular/pre cast building. We are looking at getting people back in the building until we can make the best decisions financially. Mr. Moser asked what the May 15th special meeting was for. The Mayor answered that it was for a liquor license transfer.

Barbara Bishop, 1301 Ocean Ave., would like to see some of our commercial buildings cleaned up so that the town looks nicer. She suggested artwork on the plywood and the sandbags being picked up.

Dorothy Jedziniak, 2511 Ocean Ave., had attended the meeting in Stafford Township and had comments regarding the Route 72 bridge project and the projected development along the 8th & 9th St. causeway.

Scott McDonough, 265 W. 13th St., stated that the beaches look awesome. Scott said that our weekend was busy. He asked if there was any update on the business' on the 8th & 9th St. corridor, as far as fixing up the properties. He stated that the generators need to be elevated and we need to look at the fuel usage of them.

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

On a motion by Councilman Sinopoli, seconded by Councilman English and an all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 8:25 p.m..

Kathleen Wells, RMC
Municipal Clerk

William Huelsenbeck
Mayor