

Regular Meeting Minutes
September 27, 2016

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, September 27, 2016, in the Borough Hall Council Chambers, located at 1621 Long Beach Boulevard, Ship Bottom, New Jersey.

Mayor Huelsenbeck called the Caucus Meeting to order at 6:31 p.m.

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

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

Kathleen Flanagan, Chief Finance Officer was also present.

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

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

During Caucus the following was discussed:

1. Councilman Hartman volunteered to represent the Mayor and Ship Bottom during the Mayor's Kite Battle.
2. Kathleen Flanagan, CFO, talked about the Corrective Action Report regarding the Annual Audit.
3. Mayor Huelsenbeck talked about the offer from the Borough of Ship Bottom to the Long Beach Island School Board, to purchase the Long Beach Island School property on 19th St. in Ship Bottom. He also talked about the last Long Beach Island School Board meeting. The Mayor also talked about the OPRA and Common Law request that was submitted to the School Board.
4. There was discussion regarding amendments to the ordinances pertaining to the following:
 - a. a smoking ban on the public parks and beaches.
 - b. dogs on the public parks and beaches
 - c. ice cream vendors
5. Tennant Magee, Esq., re

Mayor Huelsenbeck called the regular meeting to order at 7:04 p.m. and asked the Clerk to take attendance. The following were present:

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

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

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

Salute to Flag, followed by a Prayer.

Mayor Huelsenbeck called for the approval of the minutes of the Regular Meeting held on August 23, 2016. On a motion by Councilman Rossi, seconded by Councilman Tallon, the minutes were approved.

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

Mayor Huelsenbeck called for the two (2) resignations from Department of Public Works employees. On a motion by Councilman Rossi, seconded by Councilman Tallon to accept resignations from Michael Cosenza and Francis Amiano.

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

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Mayor Huelsenbeck called for the Letter of Retirement from Councilman Richard Sinopoli. This is effective as of September 30, 2016. On a motion by Councilman Rossi, seconded by Councilman English to accept this resignation.

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

Mayor Huelsenbeck called for the Letter of Resignation from Anthony Mautone, our Municipal Court Judge. On a motion by Councilman Tallon, seconded by Councilman Sinopoli to accept this resignation effective September 23, 2016 @ 1:15 p.m.

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

Mayor Huelsenbeck called for Resolution 2016-139: Payment of municipal bills. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2016-139
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PAYMENT OF MUNICIPAL BILLS
IN THE AMOUNT OF \$451,086.22**

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

NOW, THEREFORE BE IT RESOLVED that the approved vouchers in the amount of to \$ 451,086.22 be authorized to be paid upon verification of the Chief Financial Officer that there is sufficient money in the appropriated accounts, subject to adequate signatures and funding.

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

12:54 PM Check Register By Check Date

Range of Checking Accts: First to Last Range of Check Dates: 08/25/16 to 12/31/16

Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir

Deposit: Y

Check # Check Date Vendor Amount Paid Reconciled/Void Ref Num

01CURRENT CURRENT FUND

66068 08/30/16 LOUBE010 THE LOUIS BERGER GROUP 24,977.49 867
66069 08/30/16 SOUTH001 SOUTH SHORE TOWING, INC 85.00 867
66070 08/30/16 TSS001 Traffic Safety Service (TSS) 17,100.00 867
66071 08/30/16 VERIZ010 VERIZON 234.27 867
66072 09/28/16 ACEOU010 ACE OUTDOOR POWER EQUIPMENT 94.98 871
66073 09/28/16 ALACEY Andrew Lacey 472.50 871
66074 09/28/16 ANJR0010 ANJR 80.00 871
66075 09/28/16 ARAMA010 ARAMARK 1,770.50 871
66076 09/28/16 ARCHER Brian Archer 15.00 871
66077 09/28/16 ATLAN050 ATLANTIC CITY ELECTRIC 3,312.86 871
66078 09/28/16 BEACH020 BEACH HAVEN AUTOMOTIVE, INC. 239.97 871
66079 09/28/16 BEACH035 BEACH BUM COMPUTERS 112.50 871
66080 09/28/16 BONNI010 BONNIE R. PETERSON 2,000.00 871
66081 09/28/16 BRADL005 BRADLEY MILLMAN 2,280.00 871
66082 09/28/16 BRIAN010 BRIAN TRETOLA 15.00 871
66083 09/28/16 BROAD001 Broadview Networks 1,220.40 871
66084 09/28/16 BUGSAWAY BUGS AWAY 240.00 871
66085 09/28/16 CFERRARA Charles Ferrara 15.00 871
66086 09/28/16 CHRIS015 CHRISTOPHER BIESTER 15.00 871
66087 09/28/16 CLEAR010 CLEARLY, GIACOBBE, ALFIERI & JA 1,441.50 871
66088 09/28/16 COMCA010 COMCAST CABLE 914.49 871
66089 09/28/16 DANIE080 DANIELLE MEZZINA 15.00 871
66090 09/28/16 DANIEL Daniel Hayes 15.00 871
66091 09/28/16 DASTI010 DASTI MURPHY MCGUCKIN 2,046.00 871
66092 09/28/16 DAWNA010 DAWN ANNARUMMA 30.00 871
66093 09/28/16 DITZEL Keith Ditzel 15.00 871
66094 09/28/16 DYNAM010 DYNAMIC TESTING SERVICE 360.00 871
66095 09/28/16 ENZ001 Craig A. Enz 3,802.50 871
66096 09/28/16 EWILLIAM Edward Williams 15.00 871
66097 09/28/16 FBINA010 F.B.I.N.A.A. 250.00 871
66098 09/28/16 FERGU010 FERGUSON ENTERPRISES 121.58 871
66099 09/28/16 GALLS010 GALL'S 215.87 871
66100 09/28/16 GANNE010 GANNETT NJ 147.56 871

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66101 09/28/16 GLUCK010 GLUCK WALRATH LLP 1,200.00 871
66102 09/28/16 GMEZZANO Gregory Mezzanotte 15.00 871
66103 09/28/16 GRESK010 PATRICIA GRESKO 15.00 871
66104 09/28/16 HEATH Joseph Heath 15.00 871
66105 09/28/16 HIGGINS2 Richard P. Higgins 1,050.00 871
66106 09/28/16 HOLLOWAY Ronald Holloway 30.00 871
66107 09/28/16 HOMED010 HOME DEPOT CREDIT SERVICES 231.08 871
66108 09/28/16 HUNTE010 HUNTER TECHNOLOGIES 374.50 871
66109 09/28/16 JBUSH JACKMAN R BUSH 15.00 871
66110 09/28/16 JERSR010 JERSEY SHORE RESTROOMS, LLC 170.00 871
66111 09/28/16 JONES KYLE JONES 30.00 871
66112 09/28/16 JRALP010 J. RALPH BARNETT 15.00 871
66113 09/28/16 KAREN010 KAREN GARCIA 15.00 871
66114 09/28/16 KATHL010 KATHLEEN FLANAGAN 30.00 871
66115 09/28/16 KATHL030 KATHLEEN WELLS 98.31 871
66116 09/28/16 KLINE Kline Bros. Landscaping East 5,300.00 871
66117 09/28/16 KPASQUA KATHLEEN PASQUALINI 15.00 871
66118 09/28/16 LANGU010 LANGUAGE SERVICES, INC. 12.60 871
66119 09/28/16 LAZLO ANTHONY LAZLO 15.00 871
66120 09/28/16 LINDA010 LINDA ELIASON-ASH 30.00 871
66121 09/28/16 MANAH020 MANAHAWKIN CHRYSLER DODGE INC. 465.42 871
66122 09/28/16 MANAH040 MANAHAWKIN MAGIC WASH 17.00 871
66123 09/28/16 MARYANN Maryann Carricarte 150.00 871
66124 09/28/16 MBRADLEY MAX BRADLEY 15.00 871
66125 09/28/16 METRO010 METRO SWIM SHOP 88.90 871
66126 09/28/16 MGLPR010 MGL PRINTING SOLUTIONS 807.50 871
66127 09/28/16 MICHA060 MICHAEL NASH 15.00 871
66128 09/28/16 MMASS010 M&M ASSESSMENT SERVICES, LLC 2,300.00 871
66129 09/28/16 MONMOUTH MONMOUTH RECYCLING 142.80 871
66130 09/28/16 NEVRO010 NEVRON ELECTRICAL CONTRACTORS 734.50 871
66131 09/28/16 NJNAT010 N.J. NATURAL GAS 1,349.73 871
66132 09/28/16 NJSTA020 N.J. STATE LEAGUE OF MUNICIPAL 14.00 871
66133 09/28/16 OXYGE010 OXYGEN SUPPLY CO., INC. 20.00 871
66134 09/28/16 PAULF010 PAUL F. SHARKEY 30.00 871
66135 09/28/16 PEDRO010 PEDRONI FUEL 5,165.06 871
66136 09/28/16 PERS0010 P.E.R.S 5.13 871
66137 09/28/16 PHOENIX1 Phoenix Advisors, LLC 2,500.00 871
66138 09/28/16 PROFESS0 Professional Government Educat 90.00 871
66139 09/28/16 ROBER050 ROBERT ROSSI 15.00 871
66140 09/28/16 RUDCO RUDCO PRODUCTS, INC. 3,842.00 871
66141 09/28/16 RUTGE010 RUTGERS, THE STATE UNIVERSITY 573.00 871
66142 09/28/16 SAFEL010 SAFELIGHT FULFILLMENT, INC. 256.85 871
66143 09/28/16 SANDP010 SANDPAPER, THE 1,052.00 871
66144 09/28/16 SPECI010 SPECIALTY AUTOMOTIVE EQUIP. 250.00 871
66145 09/28/16 STAND010 STANDARD INSURANCE CO. 552.80 871
66146 09/28/16 STRET010 STRETCH CLEANING 1,112.59 871
66147 09/28/16 SWEBER SHARON WEBER 15.00 871
66148 09/28/16 TENNA010 TENNANT MAGEE LAW 1,709.30 871
66149 09/28/16 THERO010 THE RODGERS GROUP, LLC 1,920.00 871
66150 09/28/16 TRISTATE TRI-STATE RECYCLING, INC. 2,037.50 871
66151 09/28/16 TUCKE010 TUCKERTON LUMBER COMPANY 212.03 871
66152 09/28/16 UPS000010 UPS 27.42 871
66153 09/28/16 VERAL010 V.E. RALPH & SON, INC. 158.86 871
66154 09/28/16 VERIZ010 VERIZON 273.23 871
66155 09/28/16 VERIZ020 VERIZON WIRELESS 1,086.40 871
66156 09/28/16 WALKER Brian Walker 15.00 871
66157 09/28/16 WATCH020 WATCHUNG SPRING WATER 98.80 871
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 90 0 101,464.28 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 90 0 101,464.28 0.00

03PUBLIC DEF PUBLIC DEFENDER

1274 09/28/16 STUAR010 STUART SNYDER 400.00 872
Checks: 1 0 400.00 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 400.00 0.00

03TRUST GENERAL TRUST

10088 09/28/16 COAST020 COASTAL SIGN & DESIGN 250.00 873
10089 09/28/16 JBAWARDS JB Awards 444.00 873
10090 09/28/16 SHORE060 SHORE PROMOTIONS 1,122.00 873
10091 09/28/16 TUCKE010 TUCKERTON LUMBER COMPANY 3.90 873
10092 09/28/16 WRITT010 WRITTEN IN STONE 387.00 873
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 5 0 2,206.90 0.00

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Direct Deposit: 0 0 0.00 0.00
Total: 5 0 2,206.90 0.00

04CAPITAL CAPITAL FUND

1694 09/28/16 MARLI005 MARLIN EQUIPMENT FINANCE 1,938.66 874
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 1,938.66 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 1,938.66 0.00

04CAPITAL-WIRE CAPITAL FUND WIRE TRANSFERS

274027 09/28/16 NJSHBP01 NJSHBP-Div of Pensions/Benefit 51,362.87 878
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 51,362.87 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 51,362.87 0.00

06UTILOPER UTILITY FUND

17695 08/30/16 OCUTI010 O.C. UTILITY AUTHORITY 500.00 868
17696 09/28/16 ATLAN050 ATLANTIC CITY ELECTRIC 4,410.07 875
17697 09/28/16 MAINP005 MAIN POOL & CHEMICAL CO 726.80 875
17698 09/28/16 NJNAT010 N.J. NATURAL GAS 188.36 875
17699 09/28/16 ONECA010 ONE CALL CONCEPTS 60.00 875
17700 09/28/16 TREAS040 TREASURER, STATE OF NEW JERSEY 720.00 875
17701 09/28/16 WATER020 WATER WORKS SUPPLY CO. 660.00 875
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 7 0 7,265.23 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 7 0 7,265.23 0.00

07UTILCAP UTILITY CAPITAL

2568 09/28/16 TREAS020 TREASURER, STATE OF N.J. 4,000.00 876
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12:54 PM Check Register By Check Date
Check # Check Date Vendor Amount Paid Reconciled/Void Ref Num
07UTILCAP UTILITY CAPITAL Continued
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 4,000.00 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 4,000.00 0.00

12DOG DOG TRUST FUND

1035 09/28/16 BOROO020 BORO. OF SHIP BOTTOM-CURRENT 1,168.60 879
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 1,168.60 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 1,168.60 0.00

13CONSTRUCTION CONSTRUCTION ACCOUNT

1084 09/28/16 LONGB040 LONG BEACH TWP. 18,772.04 877
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 18,772.04 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 18,772.04 0.00

PR-CURRENT PAYROLL ACCT. TRANSFERS

172300 09/26/16 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL 141,013.92 870
271101 09/26/16 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL 99,460.71 870
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 2 0 240,474.63 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 2 0 240,474.63 0.00

PR-UTILITY PAYROLL ACCT. TRANSFERS

271100 09/26/16 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL 11,013.25 869
517230 09/26/16 BOROO040 BORO. OF SHIP BOTTOM-PAYROLL 11,019.76 869
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 2 0 22,033.01 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 2 0 22,033.01 0.00
Report Totals Paid Void Amount Paid Amount Void
Checks: 112 0 451,086.22 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 112 0 451,086.22 0.00

Totals by Year-Fund

Fund Description	Fund Budget	Total Revenue	Total G/L	Total Total
CURRENT FUND 5-01	426.50	0.00	0.00	426.50
CURRENT FUND 6-01	369,995.78	0.00	0.00	369,995.78
WATER/SEWER FUND 6-06	29,298.24	0.00	0.00	29,298.24
Year Total:	399,294.02	0.00	0.00	399,294.02
CAPITAL FUND C-04	1,938.66	0.00	0.00	1,938.66
UTILITY CAPITAL FUND C-07	4,000.00	0.00	0.00	4,000.00
Year Total:	5,938.66	0.00	0.00	5,938.66
GRANT FUND G-02	22,879.50	0.00	0.00	22,879.50
TRUST-OTHER T-03	2,606.90	0.00	0.00	2,606.90
DOG TRUST T-12	1,168.60	0.00	0.00	1,168.60
CONSTRUCTION TRUST T-13	18,772.04	0.00	0.00	18,772.04
Year Total:	22,547.54	0.00	0.00	22,547.54
Total Of All Funds:	451,086.22	0.00	0.00	451,086.22

Mayor Huelsenbeck called for Resolution 2016-140: Authorizing GovDeals. On a motion by Councilman Sinopoli, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2016 -140
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, the Borough of Ship Bottom is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, the Governing Body are desirous of selling said surplus property in an “as is” condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available in the office of the municipal clerk
- (2) The sale will be conducted online and the address of the auction site is www.govdeals.com/shipbottom
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.
- (4) A list of the surplus property to be sold is attached is as follows:
 - 1- 2000 Ford F-150 pick-up. Vin# 1FTZF 1825Y NA646 64
 - 2- 2006 Ford Focus 4 dr. Vin# 1FAFP 34N96 W1121 09
 - 3- Old Bush Hog lawnmower 6’2” width
 - 4- Coats 40-40A Tire Changer
 - 5- Eleven (11) various lawn mowers and parts
 - 6- Small lawn edger
 - 7- Small Jet Pump
 - 8- Gravely Pro Lawn Mower
 - 9- Two (2) Battery Chargers- 200amp, 300amp
 - 10- Two (2) Arc welders- Ideal, Lincoln
 - 11- Coats Direct Drive 1000 Solid State Computer Tire Balancer
 - 12- Coats 5035 Rim Clamp Tire Changer
 - 13- Wisconsin Gas Generator air-cooled
 - 14- Two (2) Honda Rancher Quad ATV’s
 - 15- HP Officejet 4620 All in One Printer
 - 16- IBM Selectric II Typewriter
 - 17- IBM Selectric III Typewriter
 - 18- Brother Intellifax 2820 plus ink Cartridge
 - 19- Zodiac IRB w/hard floor, pump and Yamaha 25 hp engine
 - 20- Dolphin Rescue Boards – white and blue (7)
 - 21- Force Field Rescue Boards – yellow (4)
 - 22- Force Field Race Board – white/blue stripe
 - 23- Surftech Rescue Boards (10)
 - 24- Assorted size beach wheels (12)
 - 25- MacSki Paddleboard
 - 26- Church pews (7)
 - 27- Desk – metal, beige
 - 28- Desk – metal, green
 - 29- Desk – extention
 - 30- Pollard Water Locator

- 31- Winco Industrial 6000 Generator
- 32- Yamaha EF1000 Generator
- 33- Airco Welder/Generator Gas Powered
- 34- Magnum Salt Spreader
- 35- Sturdi – Saw
- 36- Stihl Saw Attachment
- 37- Coats Computer Balancer Tires
- 38- Ross Peyton Bike
- 39- Desk – Brown
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.
- (6) The Borough of Ship Bottom reserves the right to accept or reject any bid submitted.

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

Mayor Huelsenbeck called for Resolution 2016-141: Authorizing Grant Application, County History. On a motion by Councilman Rossi, seconded by Councilman Hartman, this was approved as follows:

**RESOLUTION 2016-141
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE APPLICATION FOR AN
OCEAN COUNTY CULTURAL AND HERITAGE COMMISSION
“COUNTY HISTORY PARTNERSHIP PROGRAM” MATCHING GRANT**

WHEREAS, the Ocean County Cultural and Heritage Commission has announced that funding is available from the “County History Partnership Program” to qualifying nonprofit organizations to promote history in Ocean County; and

WHEREAS, matching fund grants are available for 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, that Danielle Mezzina is hereby authorized to apply for and oversee the Ocean County Cultural and Heritage Commission “County History Partnership Program” for a matching grant in the amount of \$6,000.00 to be used to promote the history of the “String of Pearls” that lit the Dorland J. Henderson Bridge within the Route 72 entry to Long Beach Island.

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

Mayor Huelsenbeck called for Resolution 2016-142: Adoption of Employee Manual. On a motion by Councilman Tallon, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2016 -142
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
ADOPTING PERSONNEL POLICIES AND PROCEDURES MANUAL
AND EMPLOYEE HANDBOOK**

WHEREAS, it is the policy of the Borough of Ship Bottom to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations; and

WHEREAS, the Governing Body has determined that there is a need to adopt a Policies and Procedures Manual/Employee Handbook to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Policies and Procedures Manual/Employee Handbook are hereby adopted in the forms attached hereto and supersede and replace all prior such policies, manuals and/or handbooks;

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective negotiations agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail;

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Borough of Ship Bottom;

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as “employment at will;” and

BE IT FURTHER RESOLVED that the Municipal Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Labor Attorney shall assist the Municipal Administrator in the implementation of the policies and procedures in this manual.

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

Mayor Huelsenbeck called for Resolution 2016-143: Appointment of Municipal Court Judge, James A. Liguori . On a motion by Councilman Tallon, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2016-143
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY, APPOINTING
JAMES A. LIGUORI AS MUNICIPAL COURT JUDGE FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, there is a vacancy in the position of Municipal Court Judge for the Borough of Ship Bottom; and

WHEREAS, there is a need to appoint a Municipal Court Judge for the remainder of the term of office of the previous Judge, which is September 24, 2016 until December 31, 2016; and

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

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

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

1. That the Mayor does hereby nominate and the governing body approve the appointment of James A. Liguori for the position of Municipal Court Judge for the Borough of Ship Bottom for the remainder of the vacant term.
2. James A. Liguori shall serve as Municipal Court Judge for the Borough of Ship Bottom from September 24, 2016 until December 31, 2016 at an annual pro-rated salary of \$28,876.00.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the Honorable Marlene Ford, A.J.S.C., James A. Liguori and the Chief Financial Officer for the Borough of Ship Bottom.

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

Mayor Huelsenbeck called for Resolution 2016-144: Award of Contract, Storm Petrel, LLC. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2016-144
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AWARDING THE COMPETITIVE QUOTATION AND AUTHORIZING
AND AWARDING THE NEGOTIATED CONTRACT FOR THE
PURCHASE OF DISASTER AND GRANT MANAGEMENT SOFTWARE
AND RELATED SERVICES FROM STORM PETREL, LLC**

WHEREAS, as a result of Super-Storm Sandy in 2012, the Borough of Ship Bottom (“Borough”) has pursued and continues to pursue all available insurance, state grants and assistance, and federal grants and assistance administered by the Federal Emergency Management Agency (“FEMA”); and

WHEREAS, Borough retained the services of, *inter alia*, the Louis Berger Group to assist Borough with the required investigations, documentation, review, analysis, drafting and preparation, filing, and negotiation of Borough’s efforts to recover any and all disaster-related insurance and grants to which it is entitled arising out of and relating to Super-Storm Sandy; and

WHEREAS, the process to obtain all FEMA grants and monies relating to the damage cause by Super-Storm Sandy remains ongoing and additional actions are required going forward, including, but not limited to, the finalization of all claims and preparation for potential future audits (collectively “Disaster and Grant Management Process”); and

WHEREAS, other emergency and disaster-related events have impacted Borough and Long Beach Island as a whole since Super-Storm Sandy; and

WHEREAS, on the bases of both the ongoing Disaster and Grant Management Process related to Super-Storm Sandy and the likelihood of future emergency and disaster-related events going forward, Borough has determined that the purchase of disaster and grant management software and related services (“Software”) is required at present and going forward for all Disaster and Grant Management Processes,

will likely result in cost savings to Borough going forward, and is in the best interest of the public health, welfare, and safety; and

WHEREAS, because investigation by the Qualified Purchasing Agent revealed that the cost of the Software would not likely exceed the bid threshold of \$40,000.00 pursuant to the Local Public Contracts Law, 40A:11-1, *et seq.* (“LPCL”), and, on the advice and recommendation of counsel, Borough proceeded to pursue the purchase of the Software by and through competitive quotations pursuant to the LPCL; and

WHEREAS, pursuant to the LPCL, the Qualified Purchasing Agent for Borough solicited two quotations and has recommended the quotation submitted by Storm Petrel, LLC (“Storm Petrel”), be awarded on the grounds that Storm Petrel’s response is most advantageous, price and other factors considered; and

WHEREAS, Storm Petrel’s quotation for the Software, inclusive of related services, is \$37,500.00; and

WHEREAS, in accordance with the LPCL and the competitive quotation process, Storm Petrel has submitted the required forms and has otherwise complied with the New Jersey Pay-to-Play regulations, N.J.S.A. 19:44A-20.4, *et seq.*

WHEREAS, the Chief Financial Officer has provided a certification of funds for the purchase of the Software in the amount of \$37,500.00 in the appropriation “Consulting” Account No. 60120158200 and payable to Storm Petrel, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ship Bottom, in accordance with the aforesaid Recitals, which are expressly incorporated herein by reference, hereby awards and authorizes the contract for the purchase of the Software to Storm Petrel in the amount of \$37,500.00.

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

Mayor Huelsenbeck called for Resolution 2016-145: Authorizing training agreement. On a motion by Councilman Valyo, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2016-145
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING AN EMPLOYMENT TRAINING
AND REIMBURSEMENT AGREEMENT**

WHEREAS, the Borough of Ship Bottom Tax Assessor recommended that a part-time employee (“Employee”) take a certain class at Rutgers University for property tax administration, entitled Property Tax Administration I (“Rutgers Class”); and

WHEREAS, Employee has advised Employer that Employee desires to attend the Rutgers Class; and

WHEREAS, it has been determined by the Borough that Employee’s attendance at and completion of the Rutgers Class will benefit the Borough, and, therefore, the public; and

WHEREAS, the Borough has agreed to pay for Employee’s tuition in the amount of \$573.00 for the Rutgers Class and the tolls and mileage at the IRS-approved rate relating to Employee’s attendance at the Rutgers Class, subject to the terms and conditions set forth in the Employment Training and Reimbursement Agreement, including, but not limited to, reimbursement of the tuition and aforesaid expenses to Borough in the event Employee fails to successfully pass the Rutgers Class or fails to remain at her present position with Borough for a period of one (1) year following completion of the Rutgers Class.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ship Bottom, in accordance with the aforesaid Recitals, which are expressly incorporated herein by reference, hereby authorizes the Employment Training and Reimbursement Agreement with Sara Gresko.

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

Mayor Huelsenbeck called for Resolution 2016-146: Extending Lease Agreement for Post Office. On a motion by Councilman Valyo, seconded by Councilman Sinopoli, this was approved as follows:

**RESOLUTION 2016 -146
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF AN AMENDMENT
TO THE LEASE AGREEMENT WITH THE UNITED STATES
POSTAL SERVICE FOR THE LEASE OF A PORTION OF
MUNICIPAL PROPERTY FOR A POSTAL SERVICE FACILITY**

WHEREAS, the Borough of Ship Bottom previously entered into a lease agreement with the United States Postal Service (hereinafter “USPS”) for the lease of a portion of the Borough Hall property located on all or a portion of Lots 1, 2, 3, 11, 12, 13, 14, 15, 16, 17 and 25 in Block 65 (hereinafter “leased premises”); and

WHEREAS, the governing body wishes to authorize the execution of an amendment to the lease agreement providing for an adjustment to the rental rate for the third five-year renewal option period exercised by the USPS which commences May 1, 2017, 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 amendment to the lease agreement with the USPS for the leased premises, a copy of which is attached hereto and made a part hereof as Schedule “A”.
2. A copy of the lease amendment shall be kept on file in the office of the Municipal Clerk and available for public inspection during normal business hours.
3. That a certified copy of this resolution shall be forwarded by the Municipal Clerk to the United States Postal Service and to the Chief Financial Officer of the Borough of Ship Bottom.

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

Mayor Huelsenbeck called for Resolution 2016-147: Appointment of Jeffrey Surenian and Associates, LLC, Special Counsel. On a motion by Councilman Tallon, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2016-147
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING THE FIRM OF JEFFREY R. SURENIAN AND
ASSOCIATES, LLC AS SPECIAL COUNSEL FOR
THE BOROUGH OF SHIP BOTTOM**

WHEREAS, special counsel as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5 is needed to address “affordable housing obligations” and related issues; and

WHEREAS, the governing body desires to appoint the firm of Jeffrey R. Surenian and Associates, LLC as special counsel; and

WHEREAS, the anticipated term of this contract is from September 22, 2016 until December 31, 2017; and

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

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

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

- a. That the firm of Jeffrey R. Surenian and Associates, LLC, is hereby appointed as special counsel to represent the Borough.
- b. That the Mayor is hereby authorized to execute and the Borough Clerk to attest to the agreement with the firm of Jeffrey R. Surenian and Associates, LLC, in accordance with the provisions of this Resolution.
- c. This contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because it is for services to be performed by a person(s) authorized by law to practice a recognized profession.
- d. That the agreement shall be an open-ended contract with funds being encumbered contingent upon the availability of funds in the budget year. The terms of the contract shall be from September 22, 2016 to December 31, 2017 or upon 30 days written notice by either party. No services shall be rendered under the contract until the Chief Financial Officer has certified the availability of funds for such services.
- e. That a certified copy of this Resolution shall be forwarded to the Chief Financial Officer and to the firm of Jeffrey R. Surenian and Associates, LLC.
- f. A notice of this action shall be printed once in the official newspaper of the Borough of Ship Bottom.
- g. This Resolution takes effect September 22, 2016.

- h. A certificate demonstrating compliance with N.J.S.A. 19:44A-20.8 is attached to the Contract Agreement.
- i. A copy of this Resolution, as well as the Contract Agreement is on file with the Municipal Clerk.
- j. The Business Disclosure Entity Certification will be attached to the agreement.

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

Mayor Huelsenbeck called for Ordinance 2016-18: Second reading, public hearing and adoption, height of accessory buildings. 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 Rossi, seconded by Councilman Sinopoli, and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Rossi, seconded by Councilman Valyo, Ordinance 2016-18 was adopted as follows:

ORDINANCE 2016-18
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER 16.52 OF TITLE 16 OF THE
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM
ENTITLED “GENERAL PROVISIONS AND DESIGN STANDARDS”
SO AS TO ESTABLISH THE MAXIMUM HEIGHT OF
ACCESSORY BUILDINGS AND STRUCTURES ON BAY FRONT
AND LAGOON FRONT PROPERTIES

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 16.52.010 of the Borough Code of the Borough of Ship Bottom entitled “Accessory buildings and structures” is hereby amended and supplemented so as to revise Paragraph D to read as follows:

D. Height of Accessory Buildings and Structures. The height of accessory buildings shall be a maximum of fifteen (15) feet unless otherwise specified in Chapter 16.16, 16.52, or 16.56, as applicable. Notwithstanding any provision to the contrary, no accessory building or structure exceeding a maximum of four (4) feet in height shall be permitted within the rear yard setback area of any bay front or lagoon front property.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for Ordinance 2016-19: Second reading, public hearing and adoption, Uniform Construction Codes, fees. 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. Seeing no response from the public, 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 Hartman, Ordinance 2016-19 was adopted as follows:

ORDINANCE 2016-19
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 15.18 OF
TITLE 15 OF THE BOROUGH CODE OF THE BOROUGH OF
SHIP BOTTOM ENTITLED “CONSTRUCTION CODES,
UNIFORM” SO AS TO REVISE VARIOUS PLUMBING, FIRE
AND ELECTRICAL SUBCODE FEES

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 15.18.050 of the Borough Code of the Borough of Ship Bottom entitled “Plumbing subcode fees” is hereby amended and supplemented to read as follows:

15.18.050 Plumbing subcode fees.

The following fee schedule is hereby adopted and established for the following subcode fees:

A. The fee shall be in the amount of fifteen dollars (\$15.00) per fixture, piece of equipment or appliance connected to the plumbing system, and for each appliance connected to the gas piping or oil piping system, except as indicated in paragraph B below.

B. The fee shall be ninety-one dollars (\$91.00) per special device for the following: grease traps, oil separators, refrigeration units, utility service connections, backflow preventers equipped with test ports (double check valve assembly, reduced pressure zone and pressure vacuum breaker backflow preventers), steam boilers, hot water boilers (excluding those for domestic water heating), active solar systems, sewer pumps and interceptors. There shall be no inspection fee charged for gas service entrances.

SECTION 2. Section 15.18.060 of the Borough Code of the Borough of Ship Bottom entitled “Fire protection subcode fees” is hereby amended and supplemented to read as follows:

15.18.060 Fire protection subcode fees.

For fire protection and hazardous equipment, sprinklers, standpipes, detectors (smoke and heat), pre-engineered suppression systems, gas and oil fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums, the fee shall be as follows:

A. The fee for 20 or fewer heads shall be \$91.00; for 21 to and including 100 heads, the fee shall be \$168.00; for 101 to and including 200 heads, the fee shall be \$321.00; for 201 to and including 400 heads, the fee shall be \$831; for 401 to and including 1,000 heads, the fee shall be \$1,150; for over 1,000 heads, the fee shall be \$1,469.

B. The fee for one to 12 detectors shall be \$55.00; for each 25 detectors in addition to this, the fee shall be in the amount of \$17.00.

C. The fee for each standpipe shall be \$321.00.

D. The fee for each independent pre-engineered system shall be \$129.00.

E. The fee for each gas or oil fired appliance that is not connected to the plumbing system shall be \$65.00.

F. The fee for each kitchen exhaust system shall be \$65.00.

G. The fee for each incinerator shall be \$511.00.

H. The fee for each crematorium shall be \$511.00.

I. For single and multiple station smoke or heat detectors and fire alarm systems in any one or two family dwellings, there shall be a flat fee of \$33.00 per dwelling unit. For detectors and fire alarm systems in buildings other than one or two-family dwellings, the fee shall be charged in accordance with Paragraph B above.

SECTION 3. Section 15.18.070 of the Borough Code of the Borough of Ship Bottom entitled “Electrical subcode fees” is hereby amended and supplemented to read as follows:

15.18.070 Electrical subcode fees.

The following fee schedule is hereby adopted and established for the following electrical subcode fees:

A. For the first block consisting of one to fifty (50) receptacles, fixtures or devices, the fee shall be fifty dollars (\$50.00); for each additional block consisting of up to 25 receptacles, fixtures or devices, the fee shall be nine dollars (\$9.00). For the purpose of computing this fee, receptacles, fixtures or devices shall include lighting fixtures, wall switches, convenience receptacles, sensors, dimmers, alarm devices, smoke and heat detectors, communications outlets, light-standards eight feet or less in height including luminaries, emergency lights, electric signs, exit lights or similar electric fixtures and devices rated 20 amperes or less including motors or equipment rated less than one horsepower (hp) or one kilowatt (kw).

B. For each motor or electrical device rated from one hp or one kw to 10 hp or 10 kw; for each transformer or generator rated from one kw or one kva to 10 kw or 10 kva; for each replacement of wiring involving one branch circuit or part thereof; for each storable pool or hydro massage bath tub; for each underwater lighting fixture; for household electric cooking equipment rated up to 16 kw; for each fire, security or burglar alarm control unit; for each receptacle rated from 30 amperes to 50 amperes; for each light-standard greater than eight feet in height including luminaries; and for each communications closet, the fee shall be fifteen dollars (\$15.00).

C. For each motor or electrical device rated from greater than 10 hp or 10 kw to 50 hp or 50 kw; for each service equipment, panel board, switch board, switch gear, motor-control-center, or disconnecting means rated 225 amperes or less; for each transformer or generator rated from greater than 10 kw or 10 kva to 45 kw or 45 kva; for each electric sign rated from greater than 20 amperes to 225 amperes including associated disconnecting means; for each receptacle rated greater than 50 amperes; and for each utility load management device, the fee shall be sixty-five dollars (\$65.00).

D. For each motor or electrical device rated from greater than 50 hp or 50 kw to 100 hp or 100 kw; for each service equipment, panel board, switch board, switch gear, motor-control-center or disconnecting means rated from greater than 225 amperes to 1,000 amperes; and for each transformer or generator rated from greater than 45 kw or 45 kva to 112.5 kw or 112.5 kva, the fee shall be one hundred twenty-nine dollars (\$129.00).

E. For each motor or electrical device rated greater than 100 hp or 100 kw; for each service equipment, panel board, switch board, switch gear, motor-control-center or disconnecting means rated greater than 1,000 amperes; and for each transformer or generator rated greater than 112.5 kw or 112.5 kva, the fee shall be six hundred forty dollars (\$640.00).

F. The fee charged for electrical work for each permanently installed private swimming pool as defined in the building subcode, spa, hot tub or fountain shall be a flat fee of seventy-seven dollars (\$77.00) which shall include any required bonding, and associated equipment such as filter pumps, motors, disconnecting means, switches, required receptacles, and heaters, etc., excepting panelboards and underwater lighting fixtures. For public swimming pools, the fee shall be charged on the basis of number of electrical fixtures and rating of electrical devices involved in accordance with Paragraphs A through E above.

G. The fee charged for the installation of single and multiple station smoke or heat detectors and fire, burglar or security alarm systems in any one or two-family dwelling shall be a flat fee of thirty-three dollars (\$33.00) per dwelling unit. For fire, burglar and security alarm systems and detectors in buildings other than one or two-family dwellings, the fee shall be charged in accordance with Paragraphs A & B above.

H. For installations consisting of multimeter stacks, the fee shall be based on the ampere rating of the main bus and not upon the number of meters or rating of disconnects on the meter stack. Individual loadside panel boards shall be charged in accordance with Paragraphs C, D & E above. There shall be no additional fee charged for the concurrent installation of individual feeder conductors.

I. For motors or similar devices requiring concurrent installation of individual controls, relays and switches, the fee shall be based only upon the rating of the motor or device. There shall be no additional fee charged for the concurrent installation of individual circuit components, for example, controllers, starters, and disconnecting means.

J. For electrical work requiring replacement of service entrance conductors or feeder conductors only, the fee shall be based on the designated ampere rating of the overcurrent device of the service or feeder as follows:

1. 225 amperes or less, the fee shall be \$65.00;
2. 226 to 1,000 amperes, the fee shall be \$129.00; and
3. Greater than 1,000 amperes, the fee shall be \$640.00.

K. The fee charged for process equipment shall be based on the ampere rating of the overcurrent device protecting the conductor feeding the process equipment or the cutoff device.

L. For the purpose of computing these fees, all electrical and communications devices, utilization equipment and motors which are part of premises wiring, except those which are portable plug-in type, shall be counted.

M. For photovoltaic systems, the fee shall be based on the designated kilowatt rating of the solar photovoltaic system as follows:

1. One to 50 kilowatts, the fee shall be \$65.00;
2. Fifty-one to 100 kilowatts, the fee shall be \$129.00; and
3. Greater than 100 kilowatts shall be \$640.00.

SECTION 4. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid of 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 6. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for Ordinance 2016-20: Second reading, public hearing and adoption, Bond Ordinance, Water Utility Improvements. 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. Seeing no response from the public, on a motion by Councilman Sinopoli, seconded by Councilman Valyo, and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Sinopoli, seconded by Councilman English, Ordinance 2016-20 was adopted as follows:

ORDINANCE 2016-20
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, PROVIDING FOR
VARIOUS WATER UTILITY IMPROVEMENTS AND OTHER RELATED
EXPENSES IN AND FOR THE BOROUGH OF SHIP BOTTOM AND
APPROPRIATING \$3,500,000 THEREFOR, AND PROVIDING FOR THE
ISSUANCE OF \$3,500,000 IN BONDS OR NOTES OF THE BOROUGH OF SHIP
BOTTOM TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SHIP BOTTOM, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Ship Bottom, in the County of Ocean, New Jersey (the "Borough") as Water utility improvements. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$3,500,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance involves a project funded by the New Jersey Environmental Infrastructure Trust.

Section 2. In order to finance the cost of the improvements or purposes provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$3,500,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is Project 1528001-001, removal and replacement of approximately 9865 LF of existing water main with 8 inch Class 52 Ductile Iron Pipe with TR Flex type joints; removal, replacement and installation of approximately 6025 LF of water services; replacement and installation of 15 hydrants; installation of approximately 83 gate valves; approximately 11,600 SY of Initial County/Municipal Pavement restoration, approximately 17,045 SY of Final County/Municipal Pavement restoration, and all required testing, disinfection, restriping, traffic control and landscaping and all costs incurred in connection therewith, including all work and materials necessary therefor and incidental thereto.

(b) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date, or such longer period as may be permitted under N.J.S.A. 58-11B-9.e. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1 and N.J.S.A. 58-11B-9.e. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency

herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$3,500,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof. This bond ordinance is intended to be a declaration of official intent under Treasury Regulations Section 1.150-2.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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

Mayor Huelsenbeck called for Ordinance 2016-21: Second reading, public hearing and adoption, Bond Ordinance, Sewer Utility Improvements. 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.

Seeing no response from the public, on a motion by Councilman Sinopoli, seconded by Councilman Hartman, and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Sinopoli, seconded by Councilman Hartman, Ordinance 2016-21 was adopted as follows:

ORDINANCE 2016-21
AN ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY
PROVIDING FOR VARIOUS SEWER UTILITY IMPROVEMENTS AND
OTHER RELATED EXPENSES IN AND FOR THE BOROUGH OF
SHIP BOTTOM AND APPROPRIATING \$4,400,000 THEREFOR, AND
PROVIDING FOR THE ISSUANCE OF \$4,400,000 IN BONDS OR NOTES
OF THE BOROUGH OF SHIP BOTTOM TO FINANCE THE SAME

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF SHIP BOTTOM, IN THE COUNTY OF OCEAN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Ship Bottom, in the County of Ocean, New Jersey (the "Borough") as Sewer utility improvements. For the improvement or purpose described in Section 3 hereof, there is hereby appropriated the sum of \$4,400,000. No down payment is required in connection with the authorization of bonds and notes pursuant to N.J.S.A. 40A:2-11(c) as this bond ordinance involves a project funded by the New Jersey Environmental Infrastructure Trust.

Section 2. In order to finance the cost of the improvements or purposes provided for hereunder, negotiable bonds or notes are hereby authorized to be issued in the principal amount of \$4,400,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for which the bonds or notes are to be issued is Project S340311-03, removal and replacement of approximately 5007 LF of existing sanitary sewer pipe with 8 inch PVC SDR 26 sanitary sewer pipe, removal and replacement of approximately 1043 LF of 12 inch PVC SDR 26 sanitary sewer pipe, remove and replace approximately 1982 LF of 15 inch PVC SDR26 sanitary sewer pipe, removal and replacement of approximately 5660 linear feet of sanitary sewer lateral wyes and connect to existing lateral; removal and replacement of approximately 28 sanitary sewer manholes; removal and replacement of approximately 10,180 SY of Initial County/Municipal pavement restoration; removal and replacement of approximately 38,850 SY of Final County/Municipal pavement restoration, and all required fittings, dewatering, restriping, traffic control and disturbed landscaping areas. and all costs incurred in connection therewith, including all work and materials necessary therefor and incidental thereto.

(b) The maximum amount of bonds or notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date, or such longer period as may be permitted under N.J.S.A. 58-11B-9.e. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1 and N.J.S.A. 58-11B-9.e. The chief financial officer is hereby authorized to sell part or all of the notes from time to time, at not less than par and accrued interest, at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget (or temporary capital budget as applicable) of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency and amendment, the resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget (or amended temporary capital budget as applicable) and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses. They are improvements or purposes the Borough may lawfully undertake as

general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 40 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$4,400,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$1,000,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the improvements or purposes.

(e) The Borough reasonably expects to commence the acquisition and/or construction of the improvements or purposes described in Section 3 hereof, and to advance all or a portion of the costs in respect thereof, prior to the issuance of bonds or notes hereunder. To the extent such costs are advanced, the Borough further reasonably expects to reimburse such expenditures from the proceeds of the bonds or notes authorized by this bond ordinance, in an aggregate amount not to exceed the amount of bonds or notes authorized in Section 2 hereof. This bond ordinance is intended to be a declaration of official intent under Treasury Regulations Section 1.150-2.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough is hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. After passage upon first reading of this bond ordinance, the Borough Clerk is hereby directed to publish the full text of the bond ordinance, together with the notice set forth below entitled: "NOTICE OF PENDING BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this bond ordinance.

Section 10. After final adoption of this bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish the full text of this bond ordinance, as finally adopted, together with the notice set forth below entitled: "NOTICE OF ADOPTION OF BOND ORDINANCE" (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough hereby covenants to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the bonds and notes authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. To the extent that any previous ordinance or resolution is inconsistent herewith or contradictory hereto, said ordinance or resolution is hereby repealed or amended to the extent necessary to make it consistent herewith.

Section 13. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by Section 10 hereof and the Local Bond Law.

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

Mayor Huelsenbeck called for Ordinance 2016-22: Second reading, public hearing and adoption, Title 16, Chapter 16.52 – Off-tract water, sewer, drainage and street improvements. 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. Seeing no response from the public, 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 English, Ordinance 2016-22 was adopted as follows:

ORDINANCE 2016-22
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER 16.52 OF TITLE 16 OF THE
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM
ENTITLED “GENERAL PROVISIONS AND DESIGN STANDARDS”
SO AS TO REQUIRE OFF TRACT WATER, SEWER, DRAINAGE
AND STREET IMPROVEMENTS

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 16.52.020 of the Borough Code of the Borough of Ship Bottom entitled “Drainage” is hereby amended and supplemented to add new Paragraph M which shall read as follows:

- M. Applicants shall be required, as a condition for approval of a subdivision, site plan or conditional use, to pay the cost of providing reasonable and necessary drainage facility improvements, and any necessary easements therefor located outside the property limits of the subject premises as necessitated or required by construction or improvements within such subdivision or development subject to review and approval by the Borough Engineer.

SECTION 2. Section 16.52.120 of the Borough Code of the Borough of Ship Bottom entitled “Sanitary Sewers” is hereby deleted in its entirety and replaced with the following:

16.52.120 SANITARY SEWERS

- A. The developer shall construct sanitary sewer lines and building connections in accordance with New Jersey Department of Environmental Protection permit requirements and in such a manner as to make adequate sewage treatment available to each lot and building within the development subject to review and approval of the Borough Engineer.
- B. In order to determine the initial design and usage requirements calculations shall be provided in accordance with NJAC 7:14A-23.3 Projected Flow Criteria.
- C. In regard to connection fees and additional requirements for the sanitary sewer system reference is made to Chapter 13.08 Sewer Service System and Title 16 Land Development Ordinance Section 16.84.040 Off Tract Improvements.
- D. Applicants shall be required, as a condition for approval of a subdivision, site plan or conditional use, to pay the cost of providing reasonable and necessary sewerage improvements, and any necessary easements therefor located outside the property limits of the subject premises as necessitated or required by construction or improvements within such subdivision or development subject to review and approval by the Borough Engineer.

SECTION 3. Section 16.52.180 of the Borough Code of the Borough of Ship Bottom entitled “Water Supply” is hereby amended and supplemented to add new Paragraphs C, D and E which shall read as follows:

- C. In order to determine initial design and usage requirements, calculation shall be provided in accordance with NJAC 7:10-12.6 Water Volume Requirements.
- D. In regard to connection fees and additional requirements for the water supply system reference is made to Chapter 13.04 Water Service System and Title 16 Land Development Code Subsection 16.84.040 Off Tract Improvements.
- E. Applicants shall be required, as a condition for approval of a subdivision, site plan or conditional use, to pay the cost of providing reasonable and necessary water improvements, and any necessary easements therefor located outside the property limits of the subject premises as necessitated or required by construction or improvements within such subdivision or development subject to review and approval by the Borough Engineer.

SECTION 4. Section 16.84.040 of the Borough Code of the Borough of Ship Bottom entitled “Off Tract Improvements” is hereby deleted in its entirety and replaced with the following:

16.84.040 Off-Tract Improvements

Applicants shall be required, as a condition for approval of a subdivision, site plan or conditional use, to pay the cost of providing reasonable and necessary street improvements and/or water, sewerage and drainage facility improvements, and any necessary easements therefor located outside the property limits of the subject premises as necessitated or required by construction or improvements within such

subdivision or development subject to review and approval by the Borough Engineer.

SECTION 5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. 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 7. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for Ordinance 2016-23: Second reading, public hearing and adoption, Title 13, Chapter 13.04 – Water Service System, rates. 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 Councilman Rossi, seconded by Councilman Tallon, and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Rossi, seconded by Councilman English, Ordinance 2016-23 was adopted as follows:

ORDINANCE 2016-23
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER 13.04 OF TITLE 13 OF THE
BOROUGH CODE OF THE BOROUGH OF
SHIP BOTTOM ENTITLED
“WATER SERVICE SYSTEM” SO AS TO REVISE THE WATER
SYSTEM CONNECTION FEES

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 13.04.030 of the Borough Code of the Borough of Ship Bottom entitled “Rates” is hereby amended and supplemented so as to delete Paragraph A in its entirety and replace it with the following:

- A. Tappage fee. The tappage fee for any connection to the water system in the Borough shall be as follows:
1. Tapping fee for Single and Duplex Residential Units shall be as follows:

(a)	3/4" Tap	\$2,225.00
(b)	1" Tap	\$2,325.00
(c)	2" Tap	\$3,550.00
(d)	4" Tap	\$14,200.00
(e)	The Tapping Fee for a Fire Suppression System shall be One Thousand Four Hundred Seventy-Five Dollars (\$1,475.00) regardless of the size of connection to the water system.	
(f)	For Duplex Units a tap is required for each unit.	
 2. Tapping Fee for Multifamily and Non-Residential Properties shall be based on equivalent dwelling unit (EDU) at a fee of \$2,225 per EDU. Water Connection fees shall be based on projected water consumption of the property with each equivalent dwelling unit (EDU) comprising of 60,000 gallons of annual water consumption. The calculation of the connection fees for multi-family residential units and all nonresidential properties shall be determined by the Borough Engineer based upon the application and documentation provided by the applicant. Application and documentation shall include the projected water consumption data supplied by the applicant's engineer in accordance with the flow rates stipulated in NJAC 7:10-12.6 Water Volume Requirements in preparing the water application for approval by the governing body. It shall be within the discretion of the Borough Engineer to request additional documentation from the applicant as he/she deems appropriate. The Tapping Fee for a Fire Suppression System shall be One Thousand Four Hundred Seventy-Five Dollars (\$1,475.00) regardless of the size of connection to the water system.
 3. The amount of the connection fee shall be based upon an estimate as calculated in accordance with the Borough Ordinances and, after receiving a recommendation from its Borough Engineer, the connection fee shall be paid before issuance of a certificate of occupancy.

SECTION 2. Subsection 13.04.030C of the Borough Code of the Borough of Ship Bottom entitled “Rates and Rules Subject to Change” is hereby amended and supplemented to revise Paragraph 2 to read as follows:

2. A service charge of one hundred twenty-five dollars (\$125.00) shall be paid each time the water is turned on and a like charge when the water is turned off during normal business hours (7:00 a.m. to 3:00 p.m.). The water department shall be notified forty-eight (48) hours in advance of any water turn-off or turn-on. Any turn-on or turn-off after normal business hours shall be at a rate of two hundred dollars (\$200.00). Any emergency turn-off service rendered by the water department shall be at a rate of two hundred dollars (\$200.00) whether the turn-off occurs during normal business hours or off-hours. In cases where the water has been turned off for nonpayment of a water bill, the Borough reserves the right to turn the water on again when all back bills and service charges have been paid.

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 invalid of 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 5. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for Ordinance 2016-24: Second reading, public hearing and adoption, Title 13, Chapter 13.08 – Sewer Service System, rates, fees and charges 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. Seeing no response from the public, 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 Hartman, Ordinance 2016-24 was adopted as follows:

**ORDINANCE 2016-24
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY
OF OCEAN, STATE OF NEW JERSEY, AMENDING AND
SUPPLEMENTING CHAPTER 13.08 OF TITLE 13 OF THE
BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM
ENTITLED “SEWER SERVICE SYSTEM” SO AS TO REVISE
THE SEWER SYSTEM CONNECTION FEES**

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 13.08.010F entitled “Rates, Fees and Charges” is hereby amended and supplemented so as to delete Subparagraph 13 entitled “Tappage fee” and replace it with the following:

13. Tappage fee. The tappage fee for any connection to the sewer system in the Borough shall be as follows:
 - (a) The Tapping Fee for a Single Family Residential Unit shall be One Thousand Three Hundred Twenty-Five Dollars (\$1,325.00) and for a Duplex it shall be One Thousand Three Hundred Twenty-Five Dollars (\$1,325.00) per unit.
 - (b) The Tapping Fee for Multifamily Residential and Non-Residential shall be One Thousand Three Hundred Twenty-Five Dollars \$1,325.00 per equivalent dwelling unit (EDU). Sewer Connection fees shall be based on projected sewer consumption of the property with each equivalent dwelling unit (EDU) comprising of 60,000 gallons of annual sewer consumption. The calculation of the connection fees for multifamily residential units and all nonresidential properties shall be determined by the Borough Engineer based upon the application and documentation provided by the applicant. Application and documentation shall include the projected sewer consumption data supplied by the applicant’s engineer in accordance with the flow rates stipulated in NJAC 7:14A 23.3 Projected Flow Criteria in preparing the sewer application for approval by the governing body. It shall be within the discretion of the Borough Engineer to request additional documentation from the applicant as he/she deems appropriate.
 - (c) The amount of the connection fee shall be based upon an estimate as calculated in accordance with the Borough’s Ordinances and, after receiving a recommendation from its Borough Engineer, the connection fee shall be paid before issuance of a certificate of occupancy.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. 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 4. This ordinance shall take effect after public reading and publication as required by law.

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

Mayor Huelsenbeck called for the request from Michael McElven & Kelsey Flasser to hold their wedding ceremony on the 13th St. beach on October 8, 2016 @ 5:00 pm. On a motion by Councilman Tallon, seconded by Councilman Sinopoli, this was approved.

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

Mayor Huelsenbeck called for Reports of Committees:

Revenue and Finance: Councilman David Hartman

Tax revenue collected for September 2016 month to date are \$179,744.:

Of that, \$125,578.00 was for 2016, \$30,178.00 was for 2015, \$15,280.00 was for 2014, and \$8707.00 was for interest.

Miscellaneous revenue for September, month to date is \$38,178.00, notables within that are:

boat ramp fees \$3660.00

beach buggy fees \$650.00

Municipal Court fines and costs \$26,308.00

Public Safety: Councilman Tom Tallon

There were 1171 reported activities. There were 5,616 patrol vehicle miles. There were 420 beach, building and business checks. There were also 383 traffic stops, twenty motor vehicle accidents without injuries, one motor vehicle accident with injuries and five driving under the influence.

I would like to thank Mr. Sinopoli for his years of service and wish him well in his future endeavors.

Parks and Recreation: Councilman Edward English

7th, 15th, & 20th Street beaches have been guarded daily from 10 AM to 5 PM since September 6 and lifeguards will remain on duty up to and including September 30. These off-season lifeguards have performed countless preventative actions, assists, rescues, and first aids while protecting and patrolling the beaches.

In fact, members of the Ship Bottom Beach Patrol received a call on September 18 about swimmers in distress in Surf City. Once on the scene they quickly realized the seriousness of the rescue as multiple people were struggling in a rip current and making no progress toward shore. Ship Bottom lifeguards were first in the water and quickly backed up by two ex-lifeguards who happen to be on the beach. Shortly after emergency responders from local agencies arrived and the swimmers were all brought safely to the beach. If not for the quick response of all cooperating agencies lives would have been lost on this day. Thank you all to a job well done.

Thanks to all departments for supporting the Ship Bottom Beach Patrol and making this another safe and successful summer!

Beach badge revenue totaled 739,000.00 for 2016, compared to \$711,000.00 for 2015. There was an increase of \$27,913.00.

Boat ramp fees were up from \$33,420.00 in 2015 to \$36,385.00 in 2016, which was an increase of \$2,965.00.

The parade committee will be meeting shortly to plan the Annual Christmas Parade.

I would like to thank Councilman Sinopoli for all his past performances here in the Borough of Ship Bottom.

Water/Sewer: Councilman Richard Sinopoli

The gallons pumped this past month was 29,608,000. He had 17 years of service.

Public Property and Community Affairs: Councilman Joseph Valyo

Code Enforcement: 33 verbal warnings issued: 12 for unleashed dogs, 8 for illegal signs, 5 for trash, 5 for trailers on street and 3 for construction materials on street. There were 4 written warnings for overgrown grass and 1 summons issued for trailer on street.

Zoning: We issued 17 zoning permits and did 15 resale inspections.

Construction: There were 26 permits and 2 permit updates for a total of 28 permits processed. The type of work was 17 alteration/renovation, 3 addition/rehab, 2 new buildings, 2 additions and 4 demolitions. The total revenue was \$13,579.00.

Long Beach Island Health Dept.: monthly blood pressure screenings, health education programs are available. There is a flu clinic on October 5th at the LBI branch of the Ocean County Library in Surf City. Pretty in Pink/Handsome in Blue is October 19th.

Women's Health Night at the Southern Ocean Medical Center is October 26th from 5:30 until 8:30 pm.

Public Works: Councilman Peter Rossi

1. Repairs done on all borough vehicles and equipment.
2. Metal, electronics, brush, cardboard pick up.
3. Cleaned 3rd St. yard cardboard loaded and squashed into dumpster. Cleaned and removed debris, loaded concrete from 3rd Street yard.
4. Beach cleaned and raked, trash emptied, handicap entrances shoveled and swept. Replaced broken split rail and post several beach entrances.
5. Grass cutting, weeding, fertilizing, watering throughout the borough. Sprayed for poison ivy.
6. Bay beach back bladed, trash emptied daily.
7. Signage and barricades put up weekly for concerts, Irish Fest. Shell area raked at the boat ramp for concert. Barricades moved back from the stage area and pinned to ground. (Mr. English request.)
8. Cleaned bocci courts, tennis courts and new horseshoe courts.
9. Filled huge sink hole 6th and Barnegat Ave.
10. Memory benches moved from W. 20th St. for sod and paver installation.
11. Removed life guard stands from beach not being guarded and put signage for unprotected beach.
12. Restroom door repaired at the boat ramp. (second time)
13. Several man hours removing sand from walkways after storm.
14. Mark Outs: 10 man hours

Mayor Huelsenbeck thanked Councilman Sinopoli for his years of service to the Borough of Ship Bottom.

On a motion by Councilman English, seconded by Councilman Sinopoli and an all in favor vote, all aye, Mayor Huelsenbeck opened the meeting to the public. Seeing no response, on a motion by Councilman Rossi, seconded by Councilman Sinopoli 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 Tallon and an all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 7:45 p.m.

Kathleen Wells, RMC, Municipal Clerk

William Huelsenbeck, Mayor