

November 26, 2013

Borough of Ship Bottom
Regular Meeting Minutes
November 26, 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, November 26, 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 6:33 p.m. and asked the Clerk to take attendance. The following were present:

Councilmen Rossi, Hartman, Tallon and English. Dr. Gleason arrived at 6:35 p.m. and Councilman Sinopoli was absent.

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 following:

1. Senate bill 2947, regarding 3rd party agreement for Construction Official.
2. Lisa Braunwell, APN, talked about the request for a 5K run in February, with the proceeds to benefit the "Coastal Volunteers in Medicine Clinic".
3. Southern Ocean County Chamber of Commerce's request to hold a "Summer Splash". Councilman Hartman attended a meeting and explained to Council the request.
4. Ship Bottom Vol. Fire Co. request to hold a coin drive.
5. Rich Bethea talked about the Health Insurance Options.
6. The last trailer should be out of the front parking lot by Dec. 2nd. It is ready to go.
7. The Finance Dept. is working on the FEMA paperwork.
8. Dr. Gleason talked about the good job that was done on the Borough Hall.

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

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

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 October 22, 2013 meeting. On a motion by Councilman Tallon, seconded by Councilman Rossi, these were approved as presented.

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

Mayor Huelsenbeck called for the approval of the current and water/sewer account bills. On a motion by Councilman Tallon, seconded by Dr. Gleason, these were approved as follows:

01 CURRENT CURRENT FUND

33406 11/13/13 USPOS010 U.S. POSTAL SERVICE 700.75 327
33407 11/22/13 CARPE010 THE CARPET MAN 1,744.00 332
33408 11/27/13 ACEOU010 ACE OUTDOOR POWER EQUIPMENT 1.86 333
33409 11/27/13 AMSTE010 AMSTERDAM PRINTING & LITHO 50.49 333
33410 11/27/13 ARAMA010 ARAMARK 725.78 333
33411 11/27/13 ATLAN020 ATLANTIC CITY ELECTRIC 7,506.40 333
33412 11/27/13 ATLAN050 ATLANTIC CITY ELECTRIC 1,410.62 333
33413 11/27/13 ATT00010 AT&T 60.95 333
33414 11/27/13 BEACH020 BEACH HAVEN AUTOMOTIVE, INC. 62.58 333

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33415 11/27/13 BEACH030 BEACH HAVEN TIMES 156.56 333
33416 11/27/13 BENEF010 BENEFIT EXPRESS 12.90 333
33417 11/27/13 CENTR010 CENTRAL JERSEY HEALTH INS. FUN 52,515.00 333
33418 11/27/13 CIRCI010 CIRCUIT COURIER 121.00 333
33419 11/27/13 CLAYT010 CLAYTON BLOCK COMPANY, INC. 99.75 333
33420 11/27/13 CLEAR010 CLEARY, GIACOBBE, ALFIERI & JA 1,815.00 333
33421 11/27/13 COAST010 ASAP/COASTAL PRINTING 621.00 333
33422 11/27/13 COMCA010 COMCAST CABLE 813.15 333
33423 11/27/13 CONTR010 CONTRACTOR SERVICES, INC. 103.64 333
33424 11/27/13 COOPE010 COOPER ELECTRIC SUPPLY CO. 11.25 333
33425 11/27/13 COPIE010 COPIERS PLUS 304.00 11/27/13 VOID 333
33426 11/27/13 CRESC010 CRESCENT SHRINE CLOWNS 200.00 333
33427 11/27/13 CRYST010 CRYSTAL CAPITAL, LLC 22,785.76 333
33428 11/27/13 DANIE080 DANIELLE MEZZINA 36.18 333
33429 11/27/13 DASTI010 DASTI MURPHY MCGUCKIN 678.51 333
33430 11/27/13 DIANA010 DIANA RECKER 800.00 333
33431 11/27/13 EAST010 EASTERN AUTOPARTS WAREHOUSE 900.60 333
33432 11/27/13 EDWAR030 EDWARDS TIRE CO. INC. 818.71 333
33433 11/27/13 EMPIR010 EMPIRE TAX FUND II, LLC 12,902.42 333
33434 11/27/13 FERGU010 FERGUSON ENTERPRISES 2.84 333
33435 11/27/13 GRAMC010 GRAMCO 975.00 333
33436 11/27/13 GROSS010 GROSS & COMPANY, L.L.C. 11,500.00 333
33437 11/27/13 JOGEL010 JOANNE GELATO 50.00 333
33438 11/27/13 LAWSO010 LAWSON PRODUCTS, INC. 37.10 333
33439 11/27/13 LINDA010 LINDA ELIASON-ASH 41.73 333
33440 11/27/13 LONGB040 LONG BEACH TWP. 249.00 333
33441 11/27/13 LOWES010 LOWES 417.16 333
33442 11/27/13 MAGIC010 MAGIC WASH 19.15 333
33443 11/27/13 MANAH010 MANAHAWKIN AUTO 53.99 333
33444 11/27/13 MANAH020 MANAHAWKIN CHRYSLER DODGE INC. 108.80 333
33445 11/27/13 MICHA060 MICHAEL NASH 267.31 333
33446 11/27/13 MOBIL010 MOBILEASE MODULAR SPACE INC. 6,250.00 333
33447 11/27/13 MUNCT010 BORO. OF SHIP BOTTOM- MUN. CT. 19.95 333
33448 11/27/13 MUNIC020 MUNICIPAL CODE CORPORATION 650.00 333
33449 11/27/13 NJNAT010 N.J. NATURAL GAS 350.73 333
33450 11/27/13 OCENG010 O.C. ENGINEERING DEPARTMENT 304.99 333
33451 11/27/13 OFFIC010 OFFICE BASICS 1,361.52 333
33452 11/27/13 OWENL010 OWEN LITTLE AND ASSOCIATES 4,358.46 333
33453 11/27/13 OXYGE010 OXYGEN SUPPLY CO., INC. 20.00 333
33454 11/27/13 PEDRO010 PEDRONI FUEL 4,265.38 333
33455 11/27/13 QUILL010 QUILL 138.16 333
33456 11/27/13 ROBER050 ROBERT ROSSI 89.99 333
33457 11/27/13 ROBMI010 ROBERT MICHALKOWSKI 80.00 333
33458 11/27/13 SEASP010 SEA SPRAY CLEANERS 86.00 333
33459 11/27/13 SHORE060 SHORE PROMOTIONS 462.75 333
33460 11/27/13 STAND010 STANDARD INSURANCE CO. 418.77 333
33461 11/27/13 STEVE020 STEVE SULECKI 80.00 333
33462 11/27/13 STRET010 STRETCH CLEANING 400.00 333
33463 11/27/13 STUAR010 STUART SNYDER 1,560.00 333
33464 11/27/13 SUBUR010 SUBURBAN DISPOSAL INC. 21,120.23 333
33465 11/27/13 THEHO010 THE HOME DEPOT 876.15 333
33466 11/27/13 THESA010 THE SANDPAPER 170.44 333
33467 11/27/13 TRICH010 T. RICHARD BETHEA 77.97 333
33468 11/27/13 TUCKE010 TUCKERTON LUMBER COMPANY 457.58 333
33469 11/27/13 VERIZ010 VERIZON 74.10 333
33470 11/27/13 WALTE010 WALTER AROSEMOWICZ 67.16 333
33471 11/27/13 WATCH020 WATCHUNG SPRING WATER 90.38 333
33472 11/27/13 WILLP010 WILLIAM PROCACCI 920.47 333
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 66 1 166,128.12 304.00
Direct Deposit: 0 0 0.00 0.00
Total: 66 1 166,128.12 304.00

03 PUBLIC DEF PUBLIC DEFENDER

1264 11/27/13 STUAR010 STUART SNYDER 400.00 334
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 400.00 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 400.00 0.00

04 CAPITAL CAPITAL FUND

1561 11/27/13 ATLAN040 ATLANTIC TELCOM 198.00 335
1562 11/27/13 BOROO020 BORO. OF SHIP BOTTOM-CURRENT 17,882.08 11/27/13 VOID 335
1563 11/27/13 LOWES010 LOWES 457.98 335

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1564 11/27/13 NEVRO010 NEVRON ELECTRICAL CONTRACTORS 2,928.59 335
1565 11/27/13 OWENL010 OWEN LITTLE AND ASSOCIATES 13,403.96 335
1566 11/27/13 THEHO010 THE HOME DEPOT 2,836.16 335
1567 11/27/13 TUCKE010 TUCKERTON LUMBER COMPANY 366.52 335
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 6 1 20,191.21 17,882.08
Direct Deposit: 0 0 0.00 0.00
Total: 6 1 20,191.21 17,882.08

04 CAPITAL-WIRE CAPITAL FUND WIRE TRANSFERS

148200 11/26/13 BOROO020 BORO. OF SHIP BOTTOM-CURRENT 17,882.08 340
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 17,882.08 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 17,882.08 0.00

06 UTILOPER UTILITY FUND

17236 11/13/13 USPOS010 U.S. POSTAL SERVICE 700.75 328
17237 11/27/13 ATLAN050 ATLANTIC CITY ELECTRIC 2,106.48 336
17238 11/27/13 CIRCI010 CIRCUIT COURIER 258.50 336
17239 11/27/13 COAST010 ASAP/COASTAL PRINTING 343.00 336
17240 11/27/13 GROSS010 GROSS & COMPANY, L.L.C. 13,000.00 336
17241 11/27/13 JRHEN010 J.R. HENDERSON LABS, INC. 125.00 336
17242 11/27/13 NJNAT010 N.J. NATURAL GAS 289.35 336
17243 11/27/13 OCUTI010 O.C. UTILITY AUTHORITY 126,165.00 336
17244 11/27/13 ONECA010 ONE CALL CONCEPTS 60.42 336
17245 11/27/13 OWENL010 OWEN LITTLE AND ASSOCIATES 1,300.00 336
17246 11/27/13 SLMAC010 S.L. MACINTYRE UNDERGROUND INC 6,570.00 336
17247 11/27/13 THESA010 THE SANDPAPER 183.12 336
17248 11/27/13 TREAS030 TREASURER, STATE OF NEW JERSEY 720.00 336
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 13 0 151,821.62 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 13 0 151,821.62 0.00

12 DOG DOG TRUST FUND

1009 11/27/13 NJDEP010 N.J. DEPT. OF HEALTH & SENIOR 1.20 337
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 1.20 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 1.20 0.00

13 CONSTRUCTION CONSTRUCTION ACCOUNT

1042 11/27/13 LONGB040 LONG BEACH TWP. 6,867.76 338
Checking Account Totals Paid Void Amount Paid Amount Void
Checks: 1 0 6,867.76 0.00
Direct Deposit: 0 0 0.00 0.00
Total: 1 0 6,867.76 0.00
Report Totals Paid Void Amount Paid Amount Void
Checks: 89 2 363,291.99 18,186.08
Direct Deposit: 0 0 0.00 0.00
Total: 89 2 363,291.99 18,186.08

CURRENT FUND 2-01 920.47 0.00
CURRENT FUND 3-01 163,463.65 0.00
WATER/SEWER FUND 3-06 151,821.62 0.00
Year Total: 315,285.27 0.00
CAPITAL FUND C-04 39,817.29 0.00
TRUST-OTHER T-03 400.00 0.00
DOG TRUST T-12 1.20 0.00
CONSTRUCTION TRUST T-13 6,867.76 0.00
Year Total: 7,268.96 0.00
Total Of All Funds: 363,291.99 0.00

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

Mayor Huelsenbeck called for the first item under New Business, Resolution 2013-143: Authorizing a Common Interest and Confidentiality Agreement. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

RESOLUTION 2013-143
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE EXECUTION OF A COMMON
INTEREST AND CONFIDENTIALITY AGREEMENT WITH
THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION OFFICE OF FLOOD HAZARD RISK
REDUCTION MEASURES IN REGARD TO OBTAINING
PROPERTY INTERESTS IN THE FORM OF EASEMENTS TO
IMPLEMENT FLOOD HAZARD RISK REDUCTION
MEASURES PURSUANT TO THE EMINENT DOMAIN ACT
OF 1971, N.J.S.A. 20:3-1 et. seq., THE CIVILIAN DEFENSE AND
DISASTER CONTROL ACT, N.J.S.A. A:9-30 et. seq. AND/OR
ANY OTHER APPLICABLE PROVISION OF LAW

WHEREAS, in the furtherance of the State’s recovery efforts in the aftermath of Superstorm Sandy, the Governor of the State of New Jersey issued Executive Order No. 140 on September 25, 2013. The Order directs certain actions with respect to the acquisition of real property interests for the construction of flood hazard risk reduction measures. The State of New Jersey and the Borough of Ship Bottom have concluded that they share common legal interests with respect to imminent litigation associated with obtaining property interests in the form of easements to implement flood hazard risk reduction measures pursuant to the Eminent Domain Act of 1971, *N.J.S.A. 20:3-1 et. seq.*; the Civilian Defense and Disaster Control Act, *N.J.S.A. A:9-30, et. seq.*; and/or any other applicable provision of law. The Parties anticipate that such case(s) will likely involve legal proceedings between the Parties and private property owners in the Superior Court of New Jersey, Ocean County (the “Litigation”); and

WHEREAS, the Parties have further concluded that it is in their common interest to obtain the property interests for purposes of the flood hazard risk reduction measures, and that such actions are taken to protect the public health and safety of the people of the State. To facilitate the attainment of the State and Borough’s common interest, it is necessary and desirable that the parties and their respective counsel be permitted to share confidential communications and other privileged information between and among themselves; and

WHEREAS, the Parties have further concluded that they wish to continue to pursue their separate, but common, interests, without any suggestion of waiver of the confidentiality of otherwise privileged communications and documents. Since, in the absence of an Agreement, the sharing of materials and communications might be deemed to constitute a waiver of applicable privileges, it is the purpose of the agreement to ensure that the exchanges and disclosures of otherwise privileged materials and communications contemplated herein do not diminish the confidentiality of the materials and communication, and will not constitute a waiver of any otherwise applicable privilege; and

WHEREAS, it is the desire of the governing body of the Borough of Ship Bottom to authorize the execution of a Common Interest and Confidentiality Agreement.

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 execution of a Common Interest and Confidentiality Agreement with the New Jersey Department of Environmental Protection Office of Flood Hazard Risk Reduction Measures, a copy of which shall be kept on file in the Office of the Municipal Clerk and upon direction of the Office of the Attorney General shall remain confidential until such time as authorized by the Office of the Attorney General, or ordered by a Court of competent jurisdiction, to be released for public inspection.
2. That the Mayor and/or Borough Attorney is hereby authorized to execute any and all documents to effectuate the purpose of this resolution.
3. That a certified copy of this resolution shall be annexed to the agreement and forwarded to the New Jersey Department of Environmental Protection Office of Flood Hazard Risk Reduction Measures.

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

Mayor Huelsenbeck called for Resolution 2013-144: Budget Appropriation Transfers. On a motion by Councilman Rossi, seconded by Dr. Gleason, this was approved as follows:

RESOLUTION 2013-144
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING TRANSFERS BETWEEN BUDGET
APPROPRIATIONS

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers to be made during the last two months of the calendar year; and

WHEREAS, said transfers shall occur in the last two months of the calendar year 2013.

NOW, THEREFORE BE IT RESOLVED (not less than two-thirds (2/3) of the governing body affirmatively confirming) that the following transfers be and are hereby made between budget appropriations in the 2013 budget:

TO:

Beach Replenishment
(Other Expenses) \$ 20,000.00

Engineering
(Other Expenses) \$ 10,000.00

FROM: Sanitary Landfill
(Other Expenses) \$ 30,000.00

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

Mayor Huelsenbeck called for Resolution 2013-145: Attendee to Ocean County Police Academy. On a motion by Councilman Tallon, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-145
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
APPOINTING AN ATTENDEE TO THE
OCEAN COUNTY POLICE ACADEMY**

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Ship Bottom, hereby authorize appointment of Anthony Lazlo to attend the Ocean County Police Academy as a Class II Special Law Enforcement Officer effective December 1, 2013, based upon the recommendation of the Public Safety Committee.

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

Mayor Huelsenbeck called for Resolution 2013-146: Redemption of Tax Sale Certificate. On a motion by Councilman English, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-146
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 \$22,785.76 has been received by the Tax Collector for redemption of Tax Sale Certificate #11-00002 on Block 39, Lot 17.01 assessed to Marie Iwasco and John Horan; and

WHEREAS, the amount of \$22,785.76 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 \$22,785.76 plus \$12,300.00 premium held in an escrow account, to Crestar Capital, LLC, 1415 Rt. 70 East, Suite 500, Cherry Hill, NJ 08034, holder of the certificate.

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

Mayor Huelsenbeck called for Resolution 2013-147: Redemption of Tax Sale Certificate. On a motion by Councilman English, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-147
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 \$12,902.42 has been received by the Tax Collector for redemption of Tax Sale Certificate #11-00003 on Block 50, Lot 15 assessed to Joseph R. Bulman, Jr., Etals; and

WHEREAS, the amount of \$12,902.42 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 \$12,902.42 to: Empire Tax Fund IV LLC, 8 Harrows Lane, Purchase, NY 10577, holder of the certificate.

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

Mayor Huelsenbeck called for Resolution 2013-148: Authorizing payment, Christmas Parade. On a motion by Councilman English, seconded by Councilman Rossi, this was approved as follows:

**RESOLUTION 2013-148
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 AND TO
AUTHORIZE PAYMENT FOR THE 2013 CHRISTMAS PARADE**

WHEREAS, the 34th Annual Christmas Parade will be held on December 7, 2013;
and

WHEREAS, the Borough of Ship Bottom needs to provide rental floats and paid entertainment for the parade; 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 that the Chairman of the Parks and Recreation Department is hereby authorized to enter into contracts with the following, and also authorizes payment, not to exceed listed amounts, for the participants for the 2013 Christmas Parade:

| | |
|--|------------|
| * "Clowns", Crescent Shrine | \$200.00 |
| * "Roustabouts" | \$500.00 |
| * "Friends", Michael Johnson | \$500.00 |
| * "Ragtimers", Fred Lehotay | \$500.00 |
| * "Emerald Society", O.C.E.S.P. & D., | \$500.00 |
| * "Poppa Fuse", Ron Panetta | \$500.00 |
| * "St. Brendan", St. Brendan Pipes & Drums | \$500.00 |
| * "Lighthouse Brass", John Dondero | \$500.00 |
| * "Barnegat Sports Boosters Inc." | \$500.00 |
| * "SRHSBPO" | \$500.00 |
| * "Bond Parade Floats" | \$4,600.00 |
| * "Southern News Network", Southern Regional School District | \$500.00 |

For a total of \$9,800.00

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

Mayor Huelsenbeck called for Resolution 2013-149: Membership, Ship Bottom Fire Co.. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-149
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING MEMBERSHIP IN THE SHIP BOTTOM
VOLUNTEER FIRE COMPANY NO. 1**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that Joshua P. Traut's application for membership within the Ship Bottom Volunteer Fire Company No. 1 has been received and reviewed by the Governing Body.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Ship bottom hereby ratifies Joshua P. Traut's membership in the Ship Bottom Volunteer Fire Company No. 1..

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

Mayor Huelsenbeck called for Resolution 2013-150: Membership, Ship Bottom Fire Co.. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-150
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING MEMBERSHIP IN THE SHIP BOTTOM
VOLUNTEER FIRE COMPANY NO. 1**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that Michael D. D'Antonio's application for membership within the Ship Bottom Volunteer Fire Company No. 1 has been received and reviewed by the Governing Body.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Ship bottom hereby ratifies Michael D. D'Antonio's membership in the Ship Bottom Volunteer Fire Company No. 1.

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

Mayor Huelsenbeck called for Resolution 2013-151: Membership, Ship Bottom Fire Co.. On a motion by Councilman Rossi, seconded by Councilman English, this was approved as follows:

**RESOLUTION 2013-151
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
RATIFYING MEMBERSHIP IN THE SHIP BOTTOM
VOLUNTEER FIRE COMPANY NO. 1**

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ship Bottom, County of Ocean, State of New Jersey, that Laura E. Hodge's application for membership within the Ship Bottom Volunteer Fire Company No. 1 has been received and reviewed by the Governing Body.

BE IT FURTHER RESOLVED, that the Governing Body of the Borough of Ship bottom hereby ratifies Laura E. Hodge's membership in the Ship Bottom Volunteer Fire Company No. 1.

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

Mayor Huelsenbeck called for Resolution 2013-152: Health Insurance premium waiver. On a motion by Councilman English, seconded by Dr. Gleason, this was approved as follows:

**RESOLUTION 2013-152
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING REIMBURSEMENT OF A PORTION OF
HEALTH INSURANCE PREMIUMS TO VARIOUS EMPLOYEES
FOR WAIVING HEALTH BENEFITS IN ACCORDANCE
WITH CHAPTER 2, SECTION 2.08.030 OF THE BOROUGH CODE**

WHEREAS, Section 2.08.030 of Chapter 2 of the Municipal Code of the Borough of Ship Bottom provides that any employee eligible for the Borough's health benefits plan who is also eligible for coverage under another Health Care plan may waive Health Care coverage of all or part of the Borough's plans; and

WHEREAS, the Municipal Code further provides that any employee waiving health benefits pursuant to the provisions therein, will be paid by the Borough a sum equal to fifty (50%) percent of the amount saved by the Borough because of the employee's waiver of coverage or an amount not to exceed \$5,000. for new employees; and

WHEREAS, various employees have filed a waiver of health benefits coverage with the Borough Administrator in accordance with the provisions of the Municipal Code.

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 reimbursement of a portion of the health benefit insurance premium as set forth in Schedule "A" which is attached hereto and made a part hereof..

2. That the amount of the reimbursement as set forth in Schedule "A" represents Fifty (50%) percent of the savings to the Borough of the waived health benefit coverage for period of January 1, 2013 through December 31, 2013.
3. That a certified copy of this resolution shall be forwarded to the Chief Financial Officer of the Borough of Ship Bottom.

SCHEDULE "A"

| <u>Name</u> | <u>Effective Date</u> | <u>Waiver Amount</u> |
|--------------------|------------------------------|-----------------------------|
| Peter Rossi | 01/01/2013 | \$14,526.00 |
| Tom Tallon | 01/01/2013 | \$16,872.00 |
| Paul Sharkey | 01/01/2013 | \$16,212.00 |
| Robert Rossi | 01/01/2013 | <u>\$16,872.00</u> |
| Total | | \$64,482.00 |

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

Mayor Huelsenbeck called for Resolution 2013-153: Purchase of unused sick leave. On a motion by Councilman Rossi, seconded by Councilman Tallon, this was approved as follows:

**RESOLUTION 2013-153
RESOLUTION OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE PURCHASE OF UNUSED
SICK LEAVE FROM VARIOUS EMPLOYEES.**

WHEREAS, the Collective Bargaining Unit Agreements between the Borough of Ship Bottom and the Teamsters Local No. 35 affiliated with the International Brotherhood of Teamsters for the office employees and the Public Works Department, and the Agreement between the Borough of Ship Bottom and the P.B.A. Local #175 provide that the employee shall be entitled to sell back to the Borough up to two (2) weeks of their unused sick time, in one week increments, each year, at a 50% dollar value provided that the employee maintains a minimum of fifty (50) sick days; and

WHEREAS, various employees have requested that the Borough purchase unused sick time as set forth in Schedule "A" which is attached hereto and made a part hereof; and

WHEREAS, it is the desire of the governing body to purchase from the employees said time in accordance with their respective Bargaining Unit Agreements.

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 purchase of unused sick time as set forth in Schedule "A," which is attached hereto and made a part hereof.
2. That said purchase shall be in accordance with the provisions of the applicable Collective Bargaining Unit Agreements.
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.

SCHEDULE "A"

| <u>Name</u> | <u>Total (10-day)</u> | <u>Amount</u> |
|--|------------------------------|----------------------|
| <u>Office Employees</u> | | |
| T. Richard Bethea | | \$ 1,819.32 |
| Kathleen Flanagan | | \$ 1,080.27 |
| Linda Eliason-Ash | | \$ 1,335.36 |
| Patricia Gresko | | \$ 708.08 |
| <u>Police Department</u> | | |
| Michael Nash | | \$1,940.40 |
| Edward Williams | | \$1,848.96 |
| Ronald Holloway | | \$ 916.90 |
| Kyle Jones | | \$1,309.56 |
| <u>Department of Public Works</u> | | |
| Steven Sulecki | | \$1,558.68 |
| J. Ralph Barnett | | <u>\$ 1,021.56</u> |
| Total | | \$ 13,539.09 |

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

Mayor Huelsenbeck called for Ordinance 2013-14: Introduction, first reading, Bicycle Path, Barnegat Ave.. On a motion by Councilman Tallon, seconded by Councilman English, this was approved by Title as follows:

**ORDINANCE 2013-14
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM, COUNTY OF
OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING TITLE 10 OF THE BOROUGH
CODE OF THE BOROUGH OF SHIP BOTTOM ENTITLED
“VEHICLES AND TRAFFIC” SO AS TO
ESTABLISH NEW CHAPTER 10.18 ENTITLED
“DESIGNATED BICYCLE LANE”**

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

Mayor Huelsenbeck called for Ordinance 2013-10: Second reading, public hearing and adoption, Zoning, Environmentally Critical District. This ordinance needed to be reintroduced and readopted, due to an advertising technicality flaw. On a motion by Councilman Rossi, seconded by Councilman Tallon 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 English and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Hartman, seconded by Councilman English, Ordinance 2013-10 was adopted as follows:

**ORDINANCE 2013-10
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 16.16 OF
TITLE 16 OF THE BOROUGH CODE OF THE BOROUGH OF
SHIP BOTTOM ENTITLED “EC ENVIRONMENTALLY
CRITICAL DISTRICT” SO AS TO REVISE THE BUILDING
REGULATIONS IN THE
ENVIRONMENTALLY CRITICAL DISTRICT**

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

SECTION 1. Paragraph C of Section 16.16.010 of the Borough Code of the Borough of Ship Bottom entitled “General Requirements” is hereby amended and supplemented to revise Subparagraph 2 to read as follows:

2. Where a lot lies partially within the EC district and partially within another adjacent district, all building line setbacks and lot area calculations shall be measured from the Mean High Water Line (MHWL) so as to include upland area only.

SECTION 2. Section 16.08.020 of Chapter 16.08 of the Borough Code of the Borough of Ship Bottom entitled “Definitions” is hereby amended and supplemented to revise the following definitions to read as follows:

Coverage, Building. “Building coverage” means the aggregate square footage or other area measurement by which all buildings occupy the upland area of a lot, as measured in a horizontal plane around the periphery of the foundation, and including the area under the roof of any structure supported by columns, but not necessarily having walls, and extending more than two feet beyond the foundation. For the purposes of this title, any deck shall be included in the computation of building coverage if any part of the deck extends more than twelve (12) inches above grade level.

Coverage, Lot. “Lot coverage” means the upland (from Mean High Water Line) square footage or other area measurement by which all buildings and impervious surfaces cover a lot as measured in a horizontal plane to the limits of the impervious area(s). All parking spaces and lots, paved or unpaved, swimming pools, hot tubs, whirlpools and other bodies of collected water, buildings, roads, driveways, walkways, tennis courts, patios, and any other structure or on-site material or ground condition that does not permit the natural soil absorption and permeation of water shall be considered impervious surfaces and included in the computation of lot coverage, except that the ornamental coverage of a lot with stones or similar materials shall not be considered part of the impervious surface lot coverage if the area is clearly separate from the driveway and on-site parking areas on the lot and is not utilized at any time for the parking or movement of vehicles. For the purpose of this definition, impervious coverage shall include interlocking pavers or other pavers.

“Lot area” means the upland area contained within the lot lines of a lot, but not including any portion of a street right-of-way. Each lot shall have sufficient area within the zoning district for which development approval is requested. For the purposes of this title, no area waterward of the Mean High Water Line shall be used in computation of lot area.

“Lot depth” means the perpendicular distance between the street line or front lot line and a line drawn parallel thereto through the midpoint of the rear lot line. For the purpose of this chapter, no distance waterward from the Mean high Water Line shall be used in the computation of lot depth.

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

Mayor Huelsenbeck called for Ordinance 2013-12: Second reading, public hearing and adoption, Eminent Domain. On a motion by Councilman Rossi, seconded by Councilman English and an all in favor vote, all aye, the hearing was opened to the public.

1. Dorothy Jedziniak, 2511 Ocean Ave., asked who would have the power to do the eminent domain process, the borough, state or army corps? The Mayor responded that the borough would do the surveys and appraisals and then work with the state to complete the eminent domain process.
2. Ted Jedziniak, 2511 Ocean Ave., had comments regarding the beach replenishment project and the eminent domain process.
3. Barbara Bishop, 1301 Ocean Ave., asked if the borough would treat all oceanfront properties the same, regardless of how the easement was obtained? The Mayor answered, yes.
4. Councilman English asked who would maintain the beaches once the project is complete. The Mayor answered, that the borough would maintain the beaches, unless there was major damage from a storm, then the Army Corps would come and repair their project.
5. Ted Jedziniak, 2511 Ocean Ave., asked if there was a washout between now and the end of the year, would the borough repair it. The Mayor answered that if there is a signed easement in place, the borough would push sand. If there is not an easement in place, the borough will not come on private property.
6. Walter Arosemowicz, 2203 Bay Terrace, asked if perpetuity regarding this project refers to putting sand on the beach whenever it is necessary and only sand. The answer was yes. Mr. Arosemowicz explained that he had bayfront property and does not expect the town to protect his land on the bay. He does not feel that the oceanfront properties are entitled to anything more that the bayfront property owners.

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

On a motion by Councilman Tallon, seconded by Councilman English, Ordinance 2013-12 was adopted as follows:

**ORDINANCE NO. 2013-12
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AUTHORIZING THE ACQUISITION OF CERTAIN INTERESTS IN REAL PROPERTIES
BY NEGOTIATION, PURCHASE, CONDEMNATION OR EMINENT DOMAIN, SAID
PROPERTIES BEING IDENTIFIED ON THE
ANNEXED SCHEDULE AND PARCEL MAPS**

WHEREAS, Superstorm Sandy caused significant and widespread damages to public and private property along the oceanfront and has greatly diminished pre-existing flood hazard risk reduction measures, making the Borough of Ship Bottom, extremely vulnerable to future storms; and

WHEREAS, on October 27, 2012 the Governor issued Executive Order No. 104, wherein he declared a state of emergency because of Superstorm Sandy; and

WHEREAS, on September 25, 2013 the Governor issued Executive Order No. 140, wherein he declared that the construction of flood hazard risk reduction measures along New Jersey's coastline, including the Borough of Ship Bottom, is necessary to protect the public health, safety, and welfare from future natural disasters, and that reliance on certain statutory authority for the acquisition of property, including but not limited to N.J.S.A. 20:3-1, et seq. and N.J.S.A. App. A:9-51.5, is necessary for such efforts; and

WHEREAS, the State of New Jersey recognizes and supports public acquisition of certain interests in storm-damaged and storm-prone property as a priority hazard mitigation strategy to promote the public health, safety, and welfare; and

WHEREAS, the Mayor and Governing Body of the Borough of Ship Bottom have concluded that it is necessary, desirable, and appropriate for the Borough of Ship Bottom to undertake project for flood hazard risk reduction measures; and

WHEREAS, there is currently private ownership of certain portions of the lands where said flood hazard risk reduction measures shall be undertaken; and

WHEREAS, by adoption of this Ordinance the Borough of Ship Bottom authorizes the taking of perpetual easements in a portion of each identified privately owned property by condemnation/ eminent domain so that the Borough of Ship Bottom and other entities or agents acting on behalf of the Borough of Ship Bottom shall have access onto, over, and through said privately owned real property for the purpose of taking any and all actions necessary for completing said flood hazard risk reduction measures; and

WHEREAS, the Mayor and Governing Body of the Borough of Ship Bottom further find that a public use and purpose would be served for the benefit of the Borough of Ship Bottom and surrounding communities by acquiring certain property interests in the aforesaid property, including, but not limited to, the promotion, protection, and preservation of the public health, safety, and welfare of the Borough of Ship Bottom and its inhabitants by the acquisition of certain interests in said real property for storm damage and flood area mitigation through conducting the said flood hazard risk reduction measures, to protect public infrastructure located with the Borough of Ship Bottom, to mitigate future storm damage and associated public recovery expenditures, and for the protection, preservation, and conservation of precious natural resources; and

WHEREAS, the Mayor and Governing Body of the Borough of Ship Bottom are authorized by the New Jersey State Constitution, N.J.S.A. 40A:12-5(a), N.J.S.A. 20:3-1 et seq., and/or any other provision of applicable law to proceed with acquiring certain property interests by condemnation/ eminent domain as long as just compensation is paid for the same;

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

1. **RECITALS INCORPORATED**: The above recitals are incorporated into this section of the Ordinance as if specifically set forth at length herein.
2. **SPECIFIC FINDINGS**: The Mayor and Governing Body of the Borough of Ship Bottom find that the flood hazard risk reduction measures will promote and protect the health, safety, and welfare of residents of the Borough of Ship Bottom, and will prevent property damage and loss due to flooding, and further find that any purchase or taking by eminent domain of any and all property interests necessary for the same are all in the furtherance of a public use and purpose.
3. **AUTHORIZE CONDEMNATION**: The Mayor and Governing Body of the Borough of Ship Bottom specially authorize any and all necessary and appropriate actions by the Borough of Ship Bottom officials including the Mayor, Municipal Clerk, Municipal Attorney, and/or Special Condemnation Attorney, in conjunction with the Office of Flood Hazard Risk Reduction Measures within the New Jersey Department of Environmental Protection and/or any other appropriate State or Federal entity, for the taking and obtaining of certain property interests in the properties as set forth herein through negotiation, purchase, or condemnation/ eminent domain, including, but not limited to, the hiring of any experts, engaging the services of land surveyors, title insurance companies, appraisers, and any other professional whose services are necessary or appropriate to implement the purposes of this Ordinance, the making of any offer by the Borough of Ship Bottom to the property owner(s) in the full amount of the appraised value of the property interest that the Municipality seeks to acquire in said property, and to negotiate in good faith with the record owner(s) of the property for its voluntary acquisition in accordance with N.J.S.A. 20:3-6, and in the event that the negotiations for the voluntary acquisition of the property interest are unsuccessful for any reason to commence a condemnation action by the filing of a Verified Complaint and Declaration of Taking, depositing the estimated just compensation with the Clerk of the Superior Court, filing a Lis Pendens, and taking any and all other actions of any administrative or other nature necessary to complete the process contemplated by this Ordinance.
4. **IDENTIFICATION OF PROPERTY**: The properties for which a taking of property interests is authorized by negotiation, purchase, or condemnation/ eminent domain pursuant to this Ordinance are located in the Borough of Ship Bottom and listed on the Municipality tax map, the legal descriptions of which are attached as Exhibit A to this Ordinance and specifically incorporated into this Ordinance by reference. The property

interests to be acquired are irrevocable, perpetual, permanent easements in the properties identified herein.

5. **OFFICIALS AUTHORIZED:** All appropriate officials of the Borough of Ship Bottom, including, but not limited, to the Mayor, Municipal Clerk, Municipal Attorney, Special Condemnation Attorney, and any and all experts or others acting on behalf of the Borough of Ship Bottom are authorized by this Ordinance to sign any and all documentation and take any and all action necessary to effectuate the purposes and intention of this Ordinance.
6. **PURCHASE OF PROPERTY:** If a determination is made by a majority vote of the Governing Body of the Borough of Ship Bottom that the purchase of an easement is more appropriate than the obtaining said property interest through condemnation/eminent domain, then all appropriate officials of the Municipality, including, but not limited to, the Mayor, Municipal Clerk, Municipal Attorney, and Special Condemnation Attorney are authorized by this Ordinance to sign any and all documentation to effectuate the purchase of the property interests by the Borough of Ship Bottom.
7. **REPEALER:** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency only.
8. **SEVERABILITY:** If any section, paragraph, subdivision, subsection, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, subsection, clause, or provision declared invalid and the remainder of this Ordinance shall remain in full force and effect and shall be enforceable.
9. **EFFECTIVE DATE:** This Ordinance shall take effect immediately upon final adoption and publication as required by law.

“SCHEDULE A”

| | | |
|--|---|---|
| Block 18, Lot 2 132 E. 29 th St. | Block 19, Lot 1.01 135 E. 29 th St. | Block 19, Lot 1.02 136 E. 28 th St. |
| Block 25, Lot 2.02 Condo A 2511 Ocean @ E. 26 th St. | Block 25, Lot 2.02, Condo B 2511 Ocean @ E. 26 th St. | |
| Block 38, Lot 1 2117 Ocean Ave. | Block 57, Lot 1 137 E. 18 th St. | Block 77, Lot 3 1307 Ocean Ave. |
| Block 107.01, Lot 1 719 Ocean Ave. | Block 117, Lot 3 503 Ocean Ave. | Block 130, Lot 4.02 136 E. 4 th St. |
| Block 131, Lot 1 Condo 1.01 & Condo 1.02 315 Ocean Ave. | Block 131, Lot 4 136 E. 3 rd St. | |

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

Mayor Huelsenbeck stated that it is unfortunate that we needed to take this route in order to get the Beach Replenishment Project. He thanked all of those that did sign the easements for the project.

Mayor Huelsenbeck called for Ordinance 2013-13: Second reading, public hearing and adoption, Land Development fees. On a motion by Councilman Rossi, seconded by Councilman Tallon 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 English, seconded by Councilman Rossi and an all in favor vote, all aye, the hearing was closed to the public. On a motion by Councilman Tallon, seconded by Councilman English, Ordinance 2013-13 was adopted as follows:

ORDINANCE 2013-13
ORDINANCE OF THE BOROUGH OF SHIP BOTTOM,
COUNTY OF OCEAN, STATE OF NEW JERSEY,
AMENDING AND SUPPLEMENTING CHAPTER 16.84 OF TITLE 16
OF THE BOROUGH CODE OF THE BOROUGH OF SHIP BOTTOM
ENTITLED “FEES, GUARANTEES, INSPECTIONS AND OFF-TRACK
IMPROVEMENTS” SO AS TO REVISE VARIOUS LAND
DEVELOPMENT APPLICATION 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 16.84.010A of the Borough Code of the Borough of Ship Bottom entitled “Fees” is hereby amended and supplemented to read as follows:

A. Every application for development shall be accompanied by a certified check(s) payable to the “Borough of Ship Bottom” in accordance with the following schedule of administrative charges and escrow account deposits. Where one application for development includes several approval requests the sum of the individually required administrative charges and escrow account deposits shall be paid, with separate checks for the total administrative charges and for the total escrow account deposits. Fees and copies of requested items, special meetings, and other items also are included in the fee schedule.

| | Administrative Charges | Escrow Account plus Deposits |
|--|---|---|
| 1. Informal Review. | | |
| a. One fifteen (15) minute appearance: | None required | None required |
| b. Any additional appearance: | \$200.00 | \$750.00 |
| 2. Subdivisions. | | |
| a. Minor subdivision plat: | \$625.00 | \$1,250.00 |
| b. Preliminary major division plat: | \$1,500.00 | \$1,600.00 plus \$75.00 per lot |
| c. Final major subdivision | \$ 750.00 | \$1,000.00 plus plat: \$55.00 per lot |
| d. Amended minor, preliminary major and/or final major subdivision plat: | 50 percent of original administrative charges | 50 percent of original escrow account deposits |
| e. Request for reapproval extension of time: | \$425.00 | \$250.00 per lot |
| 3. Site Plans. | | |
| a. Minor site plan: | \$750.00 | \$1,250.00 |
| b. Preliminary major site plan: acre, plus \$500.00 for each additional acre or part of acre, plus \$100.00 per dwelling unit in the case of multiple-family units and/or \$0.10 per gross square foot of building area in the case of nonresidential buildings. | \$1,500.00 | \$2,000.00 for first acre or part of acre |
| c. Final major site plan | \$950.00 | \$750.00 for first acre or part of acre, plus \$250.00 for each additional acre or part of acre, multiple-family units and/or \$0.05 per gross square foot of building area in the case of nonresidential buildings. |
| d. Amended minor, preliminary major and/or final major site plan. | 50 percent of original administrative charges | 50 percent of escrow account deposits |
| e. Request for reapproval or extension of time. | \$425.00 | \$250.00 per acre or part of acre |
| 4. Conditional uses (in addition to fees for required site plan or subdivision review): | \$500.00 | \$500.00 for first acre or part of acre, plus \$50.00 for each additional acre or part of acre. |
| 5. Variances. | | |
| a. Appeals (40:55D-70a): | \$500.00 | \$1,000.00 |
| b. Interpretation (40:55D-70b): | \$500.00 | \$1,000.00 |
| c. Bulk (40:55D-70c): | \$500.00 per application | \$1,250.00 for first variance plus \$50.00 for each additional variance |
| d. Use and Others (40:55D-7-d): | \$625.00 | \$1,500.00 |
| e. Permit (40:55D-34 and 35): | \$500.00 | \$1,000.00 |
| 6. Waivers: waiver plus \$25.00 for each additional waiver | \$225.00 | \$125.00 for first |
| 7. Requested special meeting of land use review board: | \$2,000.00 | None required |

| | | |
|---|--|---------------|
| 8. Holdover meeting: | \$250.00 for regular meeting \$500.00 for special meeting | None required |
| 9. Certified list of property owners or certified list of public utilities: | \$0.25 per name or \$10.00, whichever is greater | None required |
| 10. Copy of minutes, resolutions or decisions: for each additional copy of a page | \$1.00 per page for first copy of a page, plus \$0.25 per copy | None required |
| 11. Transcription of | At cost | None required |
| 12. Copy of tape of public hearing: | \$35.00 per tape | None required |
| 13. Subdivision approval certificate: | \$50.00 per certificate | None required |
| 14. Certificate of nonconformity (N.J.S.A. 40:55D-68): | \$50.00 per certificate | None required |
| 15. Zoning permit: | | |
| a. Fence, sign, HVAC, deck re-build and pavers | \$25.00 per permit | None required |
| b. New structures, added new deck | \$50.00 per permit | None required |
| c. Bulkheads, docks and piers | \$175.00 per permit | None required |
| 16. Resale certificate of occupancy: | | |
| a. Single-family dwelling | \$50.00 per dwelling unit | None required |
| b. Duplex/commercial | \$100.00 | None required |
| c. Triplex or quad | \$50.00 per dwelling unit | |
| 17. Public utility registration for notice: | \$10.00 | None required |
| 18. Application for construction in beach dune area (subsections <u>16.72.010(C)</u> and <u>16.72.010(D)</u>): | \$700.00 | \$750.00 |
| a. Permit for beach dune area construction: | \$250.00 | None required |
| b. Permit for bulkhead construction: | 4.00 per linear foot | None required |
| 19. Permit only for soil removal in beach dune area (subsection <u>16.72.010(D)</u>): | \$50.00 | None required |

20. The fees noted above are estimated to cover costs incurred by the board for the review of the initial application. Additional fees totaling 50% of the original fee shall be posted by the applicant for each plan review submitted after the original submission.

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

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

Mayor Huelsenbeck called for correspondence. The first request was from the Coastal Volunteers in Medicine Clinic for a 5K run on February 15, 2014 starting at 9:00 am, including the use of the Waterfront Park as a staging area. On a motion by Councilman English, seconded by Councilman Tallon, this was approved.

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

Mayor Huelsenbeck called for Southern Ocean County Chamber of Commerce's request to hold a Summer Splash Expo event on May 3, 2014 at the Waterfront Park. They want to use

the facility from 8:00 am until 6:00 pm. On a motion by councilman Rossi, seconded by Councilman Tallon, this was approved.

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

Mayor Huelsenbeck called for the next request, from the Ship Bottom Volunteer Fire Co. to hold a coin drive throughout the Borough from December 1, 2013 until December 31, 2014. On a motion by Councilman English, seconded by Councilman Tallon, this was approved.

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

Mayor Huelsenbeck called for Reports of Committees

Revenue and Finance: Councilman David Hartman

On December 11th at 10:30 am in Council Chambers, we will be holding our Tax Sale. Originally there were 34 listed properties advertised. Currently the list has gone down to 23 properties. I know this is a difficult time for everyone but it is mandatory that a tax sale be held every year. Our sale is for 2012 only but once a lien is placed on the property the lien holder can pay all delinquent taxes at an additional 18 per cent interest. Please make every effort to bring any delinquent amount current.

Total taxes collected in November \$1,741,700.00. Total delinquent taxes still outstanding \$602,621.00. Total miscellaneous monies collected \$22,450.00.

The ladies and a few gentlemen in the finance and tax office would like to thank Bob Rossi and crew for all their hard work to get the office up and running. It really looks great. Thank you Bob for all your hard work and long hours.

Currently we are selling Christmas gift beach badges for 2014. They make a great gift and can be purchased at the tax office window.

FEMA Reimbursements Update:

We submitted 14 different projects to FEMA and \$1,188,611.00 is 90% of what was submitted and is what we should be receiving from FEMA. So far, we have received \$247,788.00 which translates to approximately 20% of what we should recover. It is a very slow process.

We are doing a budget comparison. There are charts on the front table if anyone would like a copy.

Public Safety: Councilman Tom Tallon

The public safety report for November 2013

There were 294 reported activities including:

57 Building and business checks.

50 traffic stops.

One motor vehicle accident with injury and five motor vehicle accidents without injury.

I would also like to wish everyone a happy Thanksgiving.

Parks and Recreation: Councilman Edward English

We are ready for the parade, which is next Saturday. The Christmas decorations are all up. Good job by public works. Beach badges are on sale for the holidays.

Water/Sewer: Dr. Robert Gleason for Councilman Sinopoli

We pumped 9,788,000 gallons for the month of October. We inspected and operated the water plant and wells. We helped with the water meter reads and repairs. All repairs were made to the water & sewer systems as needed.

Public Property and Public Affairs: Dr. Robert Gleason

Zoning Department: 19 zoning permits were issued and there were 8 resale inspections

Construction Department: 46 permits and 8 permit updates processed, of that there were 41 alteration/renovations, 3 addition/rehabilitations, 3 new buildings and 8 demolitions. The total revenue was \$18,185.00.

Code Enforcement:

Animal control last month caught 2 possums and 1 raccoon. Our cardboard total is up to 128,468 pounds, the most we ever collected in town.

There were 13 verbal warnings, 7 for illegal signs, 2 for trash, 2 for trailer on street and 2 for construction materials on street.

Buildings and Grounds: the borough hall is almost finished. Everyone is back in the building and the last trailer is ready to be removed.

Public Works: Councilman Peter Rossi

Monthly report for November 2013

1. monthly repairs and maintenance done on all borough vehicles and equipment.
2. brush, metal and electronics pickup.
3. loaded cardboard into dumpster with loader.
4. grass cutting, trimming and watering flowers and also brush pick up.
5. all summer equipment and signage removed from beaches and stored for winter.
6. street ends cleaned and handicap entrances swept.
7. filled potholes throughout the Borough.
8. winterized bathrooms and lifeguard headquarters.
9. complete work on harbor master building
10. worked on dune fence on 7th St.
11. several hours working on moving files and office equipment back in borough hall.
12. assisted Beach Haven and Barnegat Light with our bucket truck putting up Christmas decorations.
13. putting up Christmas decorations throughout the borough and several hours repairing damaged decorations.
14. started blocking bay beach entrances.
15. repaired huge hole in front of 22nd St. bulk head.
16. 21 hrs. mark outs

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

Walter Arosemowicz, 2203 Bay Terrace, thanked the Mayor and Council for getting Ocean County to install the flashing lights warning of the traffic light on 28th St.

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

On a motion by Dr. Gleason, seconded by Councilman Tallon and an all in favor vote, all aye, Mayor Huelsenbeck adjourned the meeting at 7:52 p.m..

Kathleen Wells, RMC
Municipal Clerk

William Huelsenbeck
Mayor